

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF THE SINGARENI COLLIERIES COMPANY LTD., AND THEIR WORKMEN REPRESENTED BY THE SINGARENI COLLIERIES WORKERS' UNION, DURING DISCUSSIONS HELD ON THE 6TH FEBRUARY, 1961 AT KOTHAGUDIUM IN REGARD TO THE QUESTION OF IMPLEMENTATION OF THE DECISION OF ARBITRATOR (COLLIERY DISPUTES )

*represent*

NAMES OF THE PARTIES:

REPRESENTING EMPLOYERS:

REPRESENTED BY:

The Singareni Collieries Co., Ltd.,  
Kothagudium.

- i. Sri S.K. Bhergundkar,  
General Manager.
- ii. Sri L.R. Sharma,  
Sr. Dy. General Manager.

REPRESENTING WORKMEN:

The Singareni Collieries Workers'  
Union, Kothagudium.

- i. Sri T.B. Vittal Rao,  
President.
- ii. Sri M. Komaraiah,  
General Secretary.
- iii. Sri I. Surya Rao,  
Jt. Secretary.
- iv. Sri Shaik Mahabooob,  
Working Committee Member

Since the implementation of the Award of the All India Industrial Tribunal (Colliery Disputes), the workers employed by the Singareni Collieries Co., Ltd., have been brought on par in general with the workers employed in the coal-fields in Bengal and Bihar in so far as their rates of pay and other emoluments are concerned. The Award of the Labour Appellate Tribunal of India has also been applied to the workers employed by the Singareni Collieries Co., Ltd. The implementation of these two awards has given rise to certain anomalies and allied issues requiring immediate decision. Some of the issues were decided upon locally and implemented. As regards the rest of the collieries in India, 31 items under dispute were referred for arbitration to Shri A. Das Gupta, in accordance with the terms of agreement reached between the organisations of employers and workmen in relation to coal industry. The Singareni Collieries Co., Ltd., and the workers employed by the Company were not made parties to this arbitration, although some of the issues had a hearing on the terms and conditions of service of the workers employed by the Singareni Collieries.

As it was considered necessary that the Singareni Collieries should continue to be treated along with the industry for all the benefits of the Award of Shri Das Gupta, those issues were discussed in great detail between the Management and the representatives of the workers. The following terms of settlement were arrived at as a result of those discussions:-

TERMS OF SETTLEMENT:

1. The parties agreed to abide by the decision of the Arbitrator (Colliery Disputes) in respect of such of the items as are relevant to the Singareni Collieries.
2. If a doubt arises in regard to the extent to which any of the items should be applicable to our collieries, the parties agreed to settle details in respect of such items by mutual discussions.
3. The decision of the Arbitrator (Colliery Disputes) will be made applicable with effect from the date from which the Government of India agree to allow the price increase for the selling price of our coal to the same extent as the price increase allowed on two recent occasions by the Government of India for the rest of the Collieries where the decision of the Arbitrator has been implemented - vide Government of India Notification Nos. SO.842 d/1st April 1960 and SO. 2112 d/24th Aug., 1960, i.e., an aggregate of Rs. 0.12 np per ton.

SIGNATURES OF THE PARTIES.

REPRESENTING THE MANAGEMENT:

Sd/-  
S. R. BARGUNJAN,  
GENERAL MANAGER, S.C.Co., Ltd.

Sd/-  
L. R. SHARMA,  
SR. BY GENERAL MANAGER, S.C.Co., Ltd.

REPRESENTING THE UNION.

Sd/-  
T. B. VITTAL RAO,  
PRESIDENT, S.C.W. Union.

Sd/-  
M. KODARIAH,  
GENERAL SECRETARY, SCW UNION.

Sd/-  
I. SHRYA RAO,  
JT. SECRETARY, S.C.W. UNION.

Sd/-  
SHAIK MAHMOOD,  
WORKING COMMITTEE MEMBER  
S.C.W. UNION.

Copy forwarded under Rule 58 of the Industrial Disputes (Central) Rules, 1957, to:-

1. The Conciliation Officer (C), 42/A Sarojinidevi Street, Secunderabad.
2. The Regional Labour Commissioner (C), Govt. of India, Ministry of Labour & Employment, 2/8 Hunter's Road, Vepery, Madras -7.
3. The Chief Labour Commissioner (C), Govt. of India, Ministry of Labour & Employment, New Delhi.
4. The Secretary to Government of India, Ministry of Labour & Employment, New Delhi.

/True Copy/

मजदूरों,

सावधान !

## नये अफसरों का नया तरीका दो हजार मजदूरों की रोजी छीनी गई—तीन लाख का घाटा

मजदूर भाइयो,

जब नये नये अफसरान गिरिडीह कोलियरी में आये तो बहुतों की आशा बंधी कि ये लोग कोलियरी की तरक्की करेंगे, घूसखोरी रोकेगे, पैदावार बढ़ायेंगे। यूनियन ने भी सहयोग का हाथ बढ़ाया मगर नतीजा उल्टा हुआ। इस मामूली बात को ये अफसरान नहीं समझते कि पैदावार घटाने से घाटा और बढ़ेगा। घडा-घड बन्दी शुरू हुई जतकुटी बन्द, भदुवा पहाड़ी बन्द, खंडोहा ओवरबर्डन बन्द, सिरामपुर निमतल्ला इनक्लाइन्ड बन्द, और नतीजा यह हुआ कि मार्च महीने में जब पैदावार ५४ हजार टन हुई थी तो अप्रील में घट कर ३५ हजार टन के करीब हो गयी और लागत खर्च लगभग १० टन बढ़ गया जिससे सिर्फ अप्रील महीने में तीन लाख से जादे रुपये का घाटा हुआ है। दो हजार के करीब मजदूर रोजी छीनी जाने से रो रहे हैं। मई महीने में लागत खर्च तो और बढ़ गया है गरचे यहाँ के साहेबान यूनियन की यह खबर नहीं देना चाहते हैं। यह घाटा इसी लिए बढ़ता जा रहा है कि यूनियन के विरोध के बावजूद नये नये काम की जगहें बंद कर दी गयीं। हमारे लाख कहने पर कि भदुवा पहाड़ी का कोयला सेलेक्टेड ग्रेड का है उसे बन्द न किया जाय बन्द कर दिया गया। नतीजा हुआ-पैदावार घटी, रोजी छीनी और कोलियरी का घाटा बढ़ा। हुक्म है कि बाबूओं और मजदूरों की खाली जगहें नहीं भरी जायें क्योंकि पैदावार घट रही है लेकिन ऊंची तनखा के नये नये पोस्ट बन गये। यह रास्ता कोलियरी बन्द करने का रास्ता है। हम भारत सरकार खासकर माननीय खान मंत्री सरदार स्वर्ण सिंह से मांग करते हैं कि वह इसकी फौरन जांच करें कि घाटा क्यों बढ़ रहा है हमने सरकार को पहले ही खबर कर दी है कि जिस ढङ्ग से काम चल रहा है डिपॉजिट चालू नहीं हो सकेगा और फिर लाखों रुपये पानी में डूबेंगे और फिर ये अफसरान “जलसा” मनायेंगे।

नोट—१४ जून से डिप्टी सी० एम० ई ने तमाम इनसेस मलकट्टों का जो वर्षों से काम कर रहे थे काम बंद कर दिया है। इसके लिए तमाम इनसेस मजदूरों की मिलकर प्रदर्शन करना चाहिए।

प्रकाशक:—कोल वर्कर्स यूनियन  
गिरिडीह।

कालिटी प्रिन्टर्स, गिरिडीह।

## घर छरैया का सामान फौरन दो बरसात आ पहुंची- खपड़ा तैयार नहीं

भाइयो,

घर-छरैया की जो दर्दनाक हालत है उसे आप सभी जानते हैं। मरम्मत के बिना घर गिर रहे हैं बरसात में भींग-भींग कर बीमार बच्चों के साथ मजदूर रात काटते हैं, चौकठ-किवाड़ी के बिना घर छोड़ कर निकलना कठिन हो रहा है और दूसरी ओर घर-छरैया के सामान बाजार में बेचकर कुछ अफसरान मालामाल हो रहे हैं। किवाड़ी मिले कहाँ से? कारपेन्टर लोगो को तो "साहबों" के घर प्राइवेट पलंग और आलमीरा, कुर्सी-टेबल बनाने ही में फंसा दिया जाता है। जो औफिसर आता है खटिया ले के आता है और बदली के वक्त ट्रक का ट्रक माल-असबाव लेकर जाता है। गिरिडीह कोलियरी राष्ट्र के लिए घाटे की कोलियरी है मगर अफसरों के लिए कामधेनु गाय है।

यूनियन की ओर से बस्ती-बस्ती बहुत जरूरी मरम्मती मकानों के लिस्ट बनाये जा रहे हैं। अभी तक १६ न० चुंजका, बुढ़ियाडीह, पतरोडीह, हेठ पहाड़ी, ऊपर पहाड़ी, बेहरवाटांड, कोप, कमलजोर, पतरडीहा, १५ न०, डाँडीडीह सेन्ट्रलपीट, अगदोनी, कोगडी महुआटांड, कोलीमारण, जतकुटी, बालोडींगा, कैलीबाद, तिनकोनियाँ, पपरवाटांड, महेशमुंडी, बनियाँडीह चैताडीह, भन्डारीडीह, जोगीटांड, पसराबहियार, विश्वासडीह, कमरशाली, माथाडीह, बहीलवाटीला, बस्तियों के लिस्ट बने हैं जिसमें १४ लाख खपड़ा ८५८४ रोला, ६६५६५ बाँस ६८६ बल्ली ३८७ खिड़की किवाड़ी की फौरन सख्त जरूरत है। बाकी बस्तियों की लिस्ट बन रही है। बरसात के पहले अगर ये सामान नहीं मिले तो बहुतेरे घर गिर पड़ेंगे। बाकी बस्तियों की लिस्ट भी बन रही है।

डिप्टी सी० एम० ई० ने घर-छरैया की देखभाल के लिए तीनों यूनियन से नुमाइन्दा मांगा था। कोल वर्कर्स यूनियन ने फौरन ही लिस्ट भेज दी मगर अभीतक कोई कमेटी नहीं बनी। स्वार्थी लोग कमेटी बनने नहीं देते हैं। ऐसी हालत में पूरी जरूरतमन्दों की लिस्ट हमने डिप्टी सी० एम० ई० को दे दिया है कि फौरी कार्रवाई करें। मगर मालूम हुआ कि स्टॉक में खपड़ा नहीं है- खपड़ा बनाने के लिए ठीकेदार खोजा जा रहा है। भोज के दिन कुम्हड़ा रोपा जा रहा है। कम्पनी के अधिकारी मजदूरों की दुविधा की चीजें घर-छरैया जलावन का कोयला, अस्पताल की दवा-दारू-पथ, पानी, सफाई, बिजली, छुट्टी का पैसा, सिक हरेक चीज में ढिलाई दिखलाते हैं। यह रख बहुत बुरा है। बात से नहीं काम से दिखलाया जाय कि कम्पनी अधिकारियों का रख अच्छा है।

डिप्टी सी० एम० ई० ने अभी तक नहीं बताया है कि घर-छरैया में सरकार कितना सालाना खर्च करती है? भुरकुडा कोलियरी की तरह खपड़ा के बदले (टीन-का चदरा) करोमेटेड सीट क्यों नहीं दिया जाय कि साल-साल मरम्मती का भंभट नहीं रहे? जो भी हो अभी भी वक्त है फौरन इन्तजाम किया जाय। इसके लिए यह भी जरूरी है कि लेबरमेट की केटेगरी न० ७ जो मान ली गई है लागू कर दी जाय।

ता० १२-६-६१

प्रकाशक — कोल वर्कर्स यूनियन

कालिटी प्रिन्टर्स, गिरिडीह।

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## वोट किसको दें ?

मजदूर भाइयो,

आप जानते हैं कि १५ जून को वर्क्स कमेटी का वोट होने जा रहा है। कानून के मुताबिक वर्क्स कमेटी ऐसी कमेटी है जिसमें मालिक और मजदूरों के बीच जो सवाल पैदा हो उस पर बहस किया जाय और उसे हल किया जाय। अपनी कोलियरी में २० मेम्बर की कमेटी रहेगी जिसमें १० कम्पनी के आदमी रहेंगे और १० मजदूरों के। मजदूरों को इसलिए ऐसा मेम्बर चुनना चाहिए जो साहबों से डरकर हाँ में हाँ नहीं करें बल्कि निडर होकर मजदूरों के हित के लिए लड़ें। इसी कसौटी पर हम पिछली वर्क्स कमेटी के कामों को जाँचे और तैयार करें कि किसको वोट दें ?

१—आम तौर पर सरकारी कोयला खान में भी मैनेजर वगैरह वर्क्स कमेटी पसन्द नहीं करते हैं क्योंकि वर्क्स कमेटी की बैठक में मैनेजर को जवाब देना पड़ता है कि नाजायज काम क्यों हो रहा है। इसलिए मैनेजर वगैरह एक तो वर्क्स कमेटी बनने नहीं देते हैं दूसरा बने तो चालू नहीं रहने देते हैं, ठप कर देते हैं। पिछली वर्क्स कमेटी में इस सवाल पर कांग्रेस वालों ने भी कम्पनी का साथ दिया। कांग्रेस के जितने मेम्बरों को आपने चुना था वह आमतौर पर मीटिंग में नहीं जाते थे और इधर कम्पनी भी अपने इन-चार्जों को मीटिंग में आने पर कड़ाई नहीं करती थी। इस तरह कांग्रेस और कम्पनी दोनों ने मिलकर वर्क्स कमेटी ठप कर दिया। हम कांग्रेसी मजदूरों से पूछते हैं कि ऐसे लोगों को वोट देने से क्या फायदा ? उल्टे सभी मजदूर बदनाम होते हैं कि मजदूर बेवकूफ हैं वर्क्स कमेटी नहीं चलाते हैं ?

२—पिछली वर्क्स कमेटी में जो भी कांग्रेसी मेम्बर इन्को दुकान बैठक में आते थे वह कम्पनी की तरफवारी करते थे और मजदूरों के खिलाफ वोट देते थे जिस के कुछ नीचे लिखे उदाहरण हैं :—

(क) लाल भन्डा के मेम्बरों ने मांग की कि घर-छुरैया और क्वार्टर अलोटमेंट की घूसखोरी रोकने के लिए यह काम वर्क्स कमेटी के मातहत हो। लेकिन कांग्रेस के लोग ही घूस खाते हैं इसलिए वह ऐसी कमेटी नहीं बनने दिये। कांग्रेस वर्क्स कमेटी के मेम्बरों ने कम्पनी के साथ मिलकर इस सवाल पर वोट दिया।

(ख) बहाली में भयंकर पक्षपात और घूसखोरी होती है, इसलिए लाल भन्डा ने मांग की कि जिसमें मजदूरों के लड़कोंको काम मिलसके यह बहाली वर्क्स कमेटीकी देखरेखमें है। मगर घूसखोर कांग्रेसी मेम्बरोंने इसे नहीं होने दिया।

(ग) लाल भन्डा वाले अस्पताल, पानी कल, सफाई, नाली, बिजली आदि भी वर्क्स कमेटी की देखरेख में रखना चाहते थे, मगर कांग्रेसियों को इसमें आमदनी होती है। इसलिए उन्होंने इसे नहीं होने दिया।

(घ) हमलोग चाहते हैं कि खाद के अन्दर घूसखोरी रोकने के लिए गाड़ी, काम बांटने का हक या सीक छुट्टी का पैसा, रेलवे भाड़ा साधारण चार्जसीट, सस्पेन्सन आदि वर्क्स कमेटी की देखरेख में हो मगर कांग्रेसवाले इसे आमदनी का जरीया बनाकर रखना चाहते हैं।

(ङ) इसी तरह १९३३ खाद में २ पल्ला काम में कांग्रेसियों को आमदनी है इसलिए उन्होंने तीन पल्ला काम का वोट नहीं दिया है। अभी की ही बातों को लीजिए कांग्रेसी सरकार की गलत नीति के चलते वैंगन नहीं मिलता है। वाशरी रोज गड़बड़ ही रहती है और मजदूर परेशान हो रहे हैं। ठीकेदारी खतम करने का फैसला ले लिया गया है मगर अभीतक बोकारो में ठीकेदारी मजदूरों को सरकारी में बहुत कम लिया गया है क्योंकि ठीकेदारी जाने से कांग्रेसियों को बड़ी तकलीफ है।

सुनने में आ रहा है कि इस साल सोशललिस्ट बन्धु भी वर्क्स कमेटी के चुनाव में लड़ेंगे और जयपुरिया लोटा श्री बिन्देश्वरी सिंह फिर सोशललिस्ट बन रहे हैं। इनसे आप पूरा परिचित हैं। इनका मकसद सिर्फ इतनाही है कि कांग्रेस बिरोधी वोट को बांट दें। ताकि फिर कांग्रेस वाले जीत जायें। ये कांग्रेस के "बी" टीम हैं। इसलिए इनके चकमें में न आयें।

लाल भन्डे के वोट के बकसे का रंग.....**शामिल**.....है।

कालिटी प्रिन्टर्स, गिरिडीह।

**शफ़ीक खान**

मंत्री-कोल वर्क्स यूनियन, बेरमो।

IN THE SUPREME COURT OF INDIA

WRIT PETITION NO. 87 OF 1959.

Hingir Rampur Coal Co. Ltd., & Ors. Petitioners.

Versus

The State of Orissa & Ors. Respondents.

J U D G M E N T,

GAJENDRACHAKRA. J.

This is a petition filed under Art. 32 of the Constitution in which the validity of the Orissa Mining Areas Development Fund Act, 1952 (XXVII of 1952) is challenged. The first petitioner is a public limited company which has its registered office at Bombay. A large majority of its shareholders are citizens of India; some of them are themselves companies incorporated under the Indian Companies Act. Petitioners Nos. 2 to 7 are the Directors of petitioner No. 1, the second petitioner being the Chairman of its Board of Directors. These petitioners are all citizens of India. At all material times the first petitioner carried on and still carries on the business of producing and selling coal excavated from its collieries at Rampur in the State of Orissa. Two leases have been executed in its favour; the first was executed on October 17, 1941 by the Governor of Orissa whereby all that piece or parcel of land in the registration district of Sambalpur admeasuring about 3341.79 acres has been demised for a period of 30 years commencing from September 1, 1939 in consideration of the rent reserved thereby and subject to the covenants and conditions prescribed thereunder; and the second is a surface lease executed in its favour by Mr. Mohan Brijraj Singhdeo on April 19, 1951 in relation to a land admeasuring approximately 211.94 acres for a like period of 30 years commencing from February 4, 1939 in consideration of the rent and subject to the terms and conditions prescribed by it.

Pursuant to s. 5 of the Orissa Estates Abolition Act 1951 all the right, title and interest of the Zamindar of Rampur in the lands demised to the first petitioner under the second lease vested in respondent 1, the State of Orissa. Since then the first petitioner has duly paid the rent reserved by the said lease to the appropriate authorities appointed by respondent 1, and has observed and performed all the conditions and covenants of the said lease. In exercise of its rights under the said two leases the first petitioner entered upon the lands demised and has been carrying on the business of excavating and producing coal at its collieries at Rampur.

In December 1952 the Legislature of the State of Orissa passed the impugned Act; and it received the assent of the Governor of Orissa on December 10, 1952. It was, however, not reserved for the consideration of the President of India nor has it received his assent. In pursuance of the rule-making power conferred on it by the impugned Act

respondent 1 has purported to make rules called the Orissa Mining Areas Development Act Rules, 1955; those rules have been duly notified in the State Gazette on January 25, 1955.

Subsequently, the Administrator, respondent 2, appointed under the impugned Act issued a notification on June 24, 1958 whereby the first petitioner's Rampur Colliery has been notified for the purpose of liability for the payment of cess under the impugned Act. The area of this colliery has been determined at 3341.79 acres. In its appeal filed under rule 3 before the Director of Mines the first petitioner objected to the issuance of the said notification, inter alia, on the ground that the impugned Act and the rules framed under it were ultra vires and invalid; no action has, however, been taken on the said appeal presumably because the authority concerned could not entertain or deal with the objections about the vires of the Act and the rules.

Thereafter on March 26, 1959 the Assistant Administrative Officer, respondent 3, called upon the first petitioner to submit monthly returns for the assessment of the case. The first petitioner then represented that it had filed an appeal setting forth its objections against the notification, and added that until the said appeal was disposed of no returns would be filed by it. In spite of this representation respondent 3, by his letter of May 6, 1959 called upon the first petitioner to submit monthly returns in the prescribed form and issued the warning that failing compliance the first petitioner would be prosecuted under s.9 of the impugned Act. A similar demand was made and similar warning issued by respondent 3 by his letter dated June 6, 1959. It is under these circumstances that the present petition has been filed.

The petitioners contend that the impugned Act and the rules made thereunder are ultra vires the powers of the Legislature of the State of Orissa, or in any event they are repugnant to the provisions of an existing law. According to the petitioners the cess levied under the impugned Act is not a fee but is in reality and in substance a levy in the nature of a duty of excise on the coal produced at the first petitioner's Rampur colliery, and as such is beyond the legislative competence of the Orissa Legislature. Alternatively it is urged that even if the levy imposed by the impugned Act is a fee relatable to Entries 23 and 66 in List II of the Seventh Schedule, it would nevertheless be ultra vires having regard to the provisions of Entry 54 in List I read with Central Act LIII of 1948. The petitioners further allege that even if the said levy is held to be a fee it would be similarly ultra vires having regard to Entry 52 in List I read with Central Act LXV of 1951. According to the petitioners the impugned Act is really relatable to Entry 24 in List III, and since it is repugnant with Central Act XXXII of 1947 relatable to the same Entry and covering the same field the impugned Act is invalid to the extent of the said repugnancy under Act. 254. On these allegations the petitioners have applied for a writ of mandamus or a writ in the nature of the said writ or any other writ, order or direction prohibiting the respondents from enforcing any of the provisions of the impugned Act,

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against the first petitioner; a similar writ or order is claimed against respondent 3 in respect of the letters addressed by him to the first petitioner on March 3, 1959 and June 6, 1959.

This petition is resisted by respondent 1 on several grounds. It is urged on its behalf that the levy imposed by the impugned Act is a fee relatable to Entries 23 and 66 in List II and its validity is not affected either by Entry 54/Act LXV of 1951. In the alternative it is contended that if the said levy is held to be a tax and not a fee, it would be a tax relatable to Entry 50 in List II, and as such the legislative competence of the State Legislature to impose the same cannot be successfully challenged. Respondent 1 disputes the petitioners' contention that the impugned Act is relatable to Entry 24 in List III; and so, according to it, no question of repugnancy with the Central Act XXXII of 1947 arises.

After this appeal was fully argued before us, Mr. Amin suggested and Mr. Sastri did not object - that we should hear the learned Attorney-General on the question as to whether even if the levy imposed by the impugned Act is a fee relatable to Entries 23 and 66 in List II of the Seventh Schedule, it would nevertheless be ultra vires having regard to the provisions of Entry 54 in List I read with Central Act LIII of 1948. Accordingly we directed that a notice on this point should be served on the learned Attorney-General and the case should be set down for hearing on that point again. For the learned Attorney-General the learned Additional Solicitor-General appeared before us in response to this notice and we have had the benefit of hearing his arguments on the point in question.

The first question which falls for consideration is whether the levy imposed by the impugned Act amounts to a fee relatable to Entry 23 read with Entry 66 in List II. Before we deal with this question it is necessary to consider the difference between the concept of tax and that of a fee. The neat and terse definition of tax which has been given by Latham, C.J. in Matthews v. Chicory Marketing Board (1) is often cited as a classic on this subject. "A tax", said Latham, C.J., "is a compulsory exaction of money by public authority for public purposes enforceable by law, and is not payment for services rendered". In bringing out the essential features of a tax this definition also assists in distinguishing a tax from a fee. It is true that between a tax and a fee there is no generic difference. Both are compulsory exactions of money by public authorities; but whereas a tax is imposed for public purposes and is not, and need not, be supported by any consideration of service rendered in return, a fee is levied essentially for services rendered and as such there is an element of quid pro quo between the person who pays the fee and the public authority which imposes it. If specific services are rendered to a specific area or to a specific class of persons or trade or business in any local area, and as a condition precedent for the said services or in return for them a cess is levied against the said area or the said class of persons or trade or business the cess is distinguishable from a tax and is

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(1) 60 C.L.E. 263 at p.276



described as a fee. Tax recovered by public authority invariably goes into the consolidated fund which ultimately is utilised for all public purposes, whereas a ~~tax~~ levied by way of fee is not intended to be, and does not become, a part of the consolidated fund. It is earmarked and set apart for the purpose of services for which it is levied. There is, however, an element of compulsion in the imposition of both tax and fee. When the Legislature decides to render a specific service to any area or to any class of persons, it is not open to the said area or to the said class of persons to plead that they do not want the service and therefore they should be exempted from the payment of the same. Though there is an element of quid pro quo between the tax-payer and the public authority there is no option to the tax-payer in the matter of receiving the service determined by public authority. In regard to fees there is, and must always be, co-relation between the fee collected and the service intended to be rendered. Cases may arise where under the guise of levying a fee Legislature may attempt to impose a tax; and in the case of such a colourable exercise of legislative power courts would have to scrutinise the scheme of the levy very carefully and determine whether in fact there is a co-relation between the service and the levy, or whether the levy is either not co-related with service or is levied to such an excessive extent as to be a pretence of a fee and not a fee in reality. In other words, whether or not a particular case levied by a statute amounts to a fee or tax would always be a question of fact to be determined in the circumstances of each case. The distinction between a tax and a fee is, however, important, and it is recognised by the Constitution. Several Entries in the three lists empower the appropriate Legislatures to levy taxes; but apart from the power to levy taxes thus conferred each List specifically refers to the power to levy fees in respect of any of the matters covered in the said List excluding of course the fees taken in any Court.

(2) The question about the distinction between a tax and a fee has been considered by this Court in three decisions in 1954. In The Commissioner, Hind. Religious Endowments, Madras v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt the vires of the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951) came to be examined. Amongst the sections challenged was s.76(1). Under this section every religious institution had to pay to the Government annual contribution not exceeding 5% of its income for the services rendered to it by the said Government; and the argument was that the contribution thus exacted was not a fee but a tax and as such outside the competence of the State Legislature. In dealing with this argument Mukherjea, J., as he then was, cited the definition of tax given by Latham, C.J. in the case of Matthews. (1) and has elaborately considered the distinction between a tax and a fee. The learned judge examined the scheme of the act and observed that "the material fact which negatives the theory of fees in the present case is that the money raised by the levy of the contribution is not earmarked or specified for defraying the expense that the Government has to incur in

performing the services. All the collections go to the consolidated fund of the State and all the expenses have to be met not out of those collections but out of the general revenues by a proper method of appropriation as is done in the case of other Government expenses". The learned judge no doubt added that the said circumstance was not conclusive and pointed out that in fact there was a total absence of any co-relation between the expenses incurred by the Government and the amount raised by contribution. That is why s.76(1) was struck down as ultra vires.

The same point arose before this Court in respect of the Orissa Hindu Religious Endowments Act, 1939 as amended by amending Act II of 1952 Mahant Sri Jagannath Ramanuj Das & Anr. v. The State of Orissa & Anr. (3) Mukherjea, J., who again spoke for the Court, upheld the validity of s.49 which imposed the liability to pay the specified contribution on every Mutt or temple having an annual income exceeding Rs.250/- for services rendered by the State Government. The scheme of the impugned act was examined and it was noticed that the collections made under it are not merged in the general public revenue and are not appropriated in the manner laid down for appropriation of expenses for other public purposes. They go to constitute a fund which is contemplated by s.50 of the act, and this fund to which the Provincial Government contributes both by way of loan and grant is specifically set apart from the rendering of services involved in carrying out the provisions of the act. The same view was taken by this Court in regard to s.58 of the Bombay Public Trust Act, 1950 (Act XXIX of 1950) which imposed a similar contribution for a similar purpose in Ratilal Penachand Gandhi v. The State of Bombay & Ors. (4) It would thus be seen that the tests which have to be applied in determining the character of any impugned levy have been laid down by this Court in these three decisions; and it is in the light of these tests that we have to consider the merits of the rival contentions raised before us in the present petition.

On behalf of the petitioners Mr. Amin has relied on three other decisions which may be briefly considered. In P. Kutti Kevala & Ors. v. The State of Madras & Ors. (5) the Madras High Court was called upon to consider, inter alia, the validity of s.11 of the Madras Commercial Crops Markets Act 20 of 1933 and Rules 28(1) and 28(3) framed thereunder. Section 11(1) levied a fee on the sales of commercial crops within the notified area and s.12 provided that the amounts collected by the Market Committee shall be constituted into a Market Fund which would be utilised for acquiring a site for the market, constructing a building, maintaining the market and meeting the expenses of the Market Committee. The argument that these provisions amounted to services rendered to the notified area and thus made the levy a fee and not a tax was accepted by the Court. Venkatarama Aiyar, J., took the view that the funds raised from the merchants for a construction of a market in substance amounted to an exaction of a tax. Whether or not the construction of a market amounted to a service to the notified

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(3) (1954) S.C.R. 1046  
(4) (1954) S.C.R. 1055  
(5) A.I.R. 1954 Mad. 621.

area it is unnecessary for us to consider. Besides, as we have already pointed out we have now three decisions of this Court which have authoritatively dealt with this matter, and it is in the light of the said decisions that the present question has to be considered.

In Attorney-General for British Columbia v. Esquimalt and Nanaimo Railway Co. 2 Ors., (3) the Privy Council had to deal with the validity of forest protection impost levied by the relevant section of the Forest Act R.S.B.C. 1936. The lands in question were statutorily exempted from taxation, and it was urged against the validity of the impost that the levy of the said impost was not a service charge but a tax; and since it contravened the exemption from taxation granted to the land it was invalid. This plea was upheld by the Privy Council. The Privy Council did consider two circumstances which were relevant; the first that the levy was on a defined class of interested individuals, and the second that the fund raised did not fall into the general class of the proceeds of taxation but was applicable for a special and limited purpose. It was conceded that these considerations were relevant but the Privy Council thought that the weight to be attached to them should not be exaggerated. In appreciating the weight of the said relevant circumstances the Privy Council was impressed by the fact that the lands in question formed an important part of the national wealth of the Province and their proper administration, including in particular protection against fire, is a matter of high public concern as well as one of particular interest to individuals. In other words, the effect of the impugned provision was that the expenses of what was the public service of the greatest importance for the Province as a whole had been divided between the general body of tax-payers and those individuals who had a special interest in having their property protected. It would thus appear that this decision proceeded on the basis that what was claimed to be a special service to the lands in question was in reality an item of public service itself, and so the element of quid pro quo was absent. It is true that when the Legislature levies a fee for rendering specific services to a specified area or to a specified class of persons or trade or business, in the last analysis such services may indirectly form part of services to the public in general. If the special service rendered is distinctly and primarily meant for the benefit of a specified class or area the fact that in benefitting the specified class or area the State as a whole may ultimately and indirectly benefit would not detract /be from the character of the levy as a fee. Here, however, the special service is indistinguishable from public service, and in essence is directly a part of it, different considerations may arise. In such a case it is necessary to enquire what is the primary object of the levy and the essential purpose which it is intended to achieve. Its primary object and the essential purpose must be distinguished from its ultimate or incidental result or consequences. That is the true test in determining the character of the levy.

In Barton & Anr. v. Milk Board (Victoria) & Anr. (7)

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(6) (1950) A.C. 87

(7) (1949) 80 C.L.R. 229

the validity of the levy imposed on dairymen and owners of milk depots by s.30 of the Milk Board Act of 1933 as amended by subsequent acts of 1936-1939 was challenged, and it was held by Dixon, J. that the levy of the said contribution amounted to the imposition of a duty of excise. This decision was substantially based on the ground that the statutory board "performs no particular service for the dairyman or the owner of a milk depot for which his contribution may be considered as a fee or recompense"; that is to say the element of quid pro quo was absent quo the persons on whom the levy had been imposed. Therefore none of the decisions on which Mr. Amin has relied can assist his case.

Let us now examine the scheme of the impugned Act. As the preamble shown it has been passed because it was thought expedient to constitute mining areas and a Mining Areas Development Fund in the State of Orissa. It consists of 11 sections. Section 3 of the Act provides for the constitution of a mining area whenever it appears to the State Government that it is necessary and expedient to provide amenities like communications, water-supply and electricity for the better development of any area in the State of Orissa wherein any mine is situated, or to provide for the welfare of the residents or to workers in any such areas within which persons employed in a mine or a group of mines reside or work. Under this section the State Government has to define the limits of the area and is given the power to include within such area any local area contiguous to the same or to exclude from such area any local area comprised therein; that is the effect of s.3(1). Section 3(2) empowers the owner or a lessee of a mine or his duly constituted representative in the said area to file objections in respect of any notification issued under s.3(1) within the period specified, and the State Government is required to take the said objection into consideration. After considering objections received the State Government is authorised to issue a notification constituting a mining area under s.3(3). Section 4 deals with the imposition and collection of cess. The rate of the levy authorised shall not exceed 5 per centum of the valuation of the minerals at the pit's mouth. Section 5 provides for the constitution of the Orissa Mining Areas Development Fund. This fund vests in the State Government and has to be administered by such officer or officers as may be appointed by the State Government in that behalf. Section 5(2) requires that there shall be paid to the credit of the said fund the proceeds of the cess recovered under s.4 for each mining area during the quarter after deducting expenses, if any, for collection and recovery. Section 5(3) contemplates that to the credit of the said fund shall be placed all collections of cess under s.5(2) as well as amounts from State Government and the local authorities and public subscriptions specifically given for any of the purposes of the fund. Section 5(4) deals with the topic of the application of the said fund. The fund has to be utilised to meet expenditure incurred in connection with such measures which in the opinion of the State Government are necessary or expedient for providing amenities like communications, water supply and electricity, for the better development of the mining areas, and to meet the welfare of the labour and other persons residing or working in the mining areas. Section 5(5) lays down that

without prejudice to the generality of the foregoing provisions the fund may be utilised to defray any of the purposes specified in cls.(a) to (e). Under s.5(6) the State Government is given the power to decide whether any particular expenditure is or is not debitable to the fund and their decision is made final; and s.5(7) imposes on the State Government an obligation to publish annually in the gazette a report of the activities financed from the fund together with an estimate of receipts and expenditure of the fund and a statement of account. Section 6 prescribes the mode of constituting an advisory committee. It has to consist of such number of members and chosen in such manner as may be prescribed, provided however that each committee shall include representatives of mine-owners and workmen employed in mining industry. The names of the members of the committee are required to be published in the gazette. Section 7 deals with the appointment and functions of the statutory authorities to carry out the purpose of the Act, while s.8 confers on the State Government power to make rules. Section 9 gives protection to the specified authorities or officers in respect of anything done or intended to be done by them in good faith and in pursuance of the Act or any rules or order made thereunder. Section 11, which is the last section, confers on the State Government the power to do anything which may appear to them to be necessary for the purpose of removing difficulties in giving effect to the provisions of the Act. S.n.10

The scheme of the Act thus clearly shows that it has been passed for the purpose of the development of mining areas in the State. The basis for the operation of the Act is the constitution of a mining area, and it is in regard to mining areas thus constituted that the provisions of the Act come into play. It is not difficult to appreciate the intention of the State Legislature evidenced by this Act. Orissa is an under-developed State in the Union of India though it has a lot of mineral wealth of great potential value. Unfortunately its mineral wealth is located generally in areas sparsely populated with bad communications. Inevitably the exploitation of the minerals is handicapped by lack of communications, and the difficulty experienced in keeping the labour force sufficiently healthy and in congenial surroundings. The mineral development of the State, therefore, requires that provision should be made for improving the communications by constructing good roads and by providing means of transport such as tramways, supply of water and electricity would also help. It would also be necessary to provide for amenities of sanitation and education to the labour force in order to attract workmen to the area. Before the Act was passed it appears that the mine-owners tried to put up small-length roads and tramways for their own individual purpose, but that obviously could not be as effective as roads constructed by the State and tramway service provided by it. It is on a consideration of these factors that the State Legislature decided to take an active part in systematic development of its mineral areas which would help the mine-owners in moving their minerals quickly through the shortest route and would attract labour to assist the excavation of the minerals. Thus there can be

object

no doubt that the primary and the principal of the Act is to develop the mineral areas in the State and to assist more efficient and extended exploitation of the mineral wealth.

The constitution of the advisory committee, as prescribed by s.4 emphasises the fact that the policy of the Act would be to carry out with the assistance of the mine-owners and their workmen. Thus after a mining area is notified an advisory committee is constituted in respect of it, and the task of carrying out the objects of the Act is left to the care of the said advisory committee subject to the provisions of the Act. Even before an area is notified the mine-owners are allowed an opportunity to put forward their objections. These features of the Act are also relevant in determining the question as to whether the Act is intended to render service to the specified area and to the class of persons who are subjected to the levy of the cess.

Section 5 shows that the cess levied does not become a part of the consolidated fund and is not subject to an appropriation in that behalf; it goes into the special fund earmarked for carrying out the purpose of the Act, and thus its existence establishes a co-relation between the cess and the purpose for which it is levied. It was probably felt that some additions should be made to the special fund, and so s.5(3) contemplates that grants from the State Government and local authorities and public subscription may be collected for enriching the said fund. Every year a report of the activities financed by the fund has to be published together with an estimate of receipt and expenditure and a statement of accounts. It would thus be clear that the administration of the fund would be subject to public scrutiny and persons who are called upon to pay the levy would have an opportunity to see whether the cess collected from them has been properly utilised for the purposes for which it is intended to be used. It is not alleged by the petitioners that the levy imposed is unduly or unreasonably excessive so as to make the imposition a colourable exercise of legislative power. Indeed the fact that the accounts have to be published from year to year affords an indication to the contrary. Thus the scheme of the Act shows that the cess is levied against the class of persons owning mines in the notified area and it is levied to enable the State Government to render specific services to the said class by developing the notified mineral area. There is an element of quid pro quo in the scheme, the cess collected is constituted into a specific fund and it has not become a part of the consolidated fund, its application is regulated by a statute and is confined to its purposes, and there is a definite co-relation between the impost and the purpose of the Act which is to render service to the notified area. These features of the Act impress upon the levy the character of a fee as distinct from a tax.

It is, however, urged that the cess levied by s.4(2) is in substance and reality a duty of excise. As we have already noticed s.4(2) provides that the rate of such levy shall not exceed 5 per centum of the valuation of the minerals at the pit's mouth; in other words it is the value of the minerals produced which is the basis for calculating the cess

payable by mine-owners, and that precisely is the nature in which duty of excise is levied under Entry 84 in List I. The said Entry empowers Parliament to impose duties of excise, inter alia, on goods manufactured or produced in India. When minerals are produced from mines and a duty of excise is intended to be imposed on them it would be normally imposed at the pit's mouth, and that is precisely what the impugned Act purports to do. It is also contended that the rate prescribed by s.4(2) indicates that it operates not as a mere fee but as a duty of excise. This argument must be carefully examined before the character of the cess is finally determined. It is not disputed that under Entry 23 in List II read with Entry 66 in the said List the State Legislature can levy a fee in respect of mines and mineral development. Entry 23 reads thus: "Regulation of Mines and mineral development subject to the provisions of List I with respect to regulation and development under the control of the Union". We will deal with the condition imposed by the latter part of this Entry later. For the present it is enough to state that regulation of mines and mineral development is within the competence of the State Legislature. Entry 66 provides that fees in respect of any of the matters in the said List can be imposed by the State Legislature subject of course to the exception of fees taken in any Court. The argument is that though the State Legislature is competent to levy a fee in respect of mines and mineral development, if the statute passed by a State Legislature in substance and in effect imposes a duty of excise it is travelling outside its jurisdiction and is trespassing on the legislative powers of Parliament.

This argument is based on two considerations. The first relates to the form in which the levy is imposed, and the second relates to the extent of the levy authorised. The extent of the levy authorised would always depend upon the nature of the services intended to be rendered and the financial obligations incurred thereby. If the services intended to be rendered to the notified mineral areas require that a fairly large cess should be collected and co-relation can be definitely established between the proposed services and the impost levied, then it would be unreasonable to suggest that because the rate of the levy is high it is not a fee but a duty of excise. In the present case, if the development of the mining areas involves considerable expenditure which necessitates the levy of the prescribed rate it only means that the services being rendered to the mining areas are very valuable and the rate-payer in substance is compensating the State for the services rendered by it to him. It is significant that the petitioners do not seriously suggest that the services intended to be rendered are a cloak and not genuine, or that the taxes levied have no relation to the said services, or that they are unreasonable and excessive. Therefore, in our opinion, the extent of the rate allowed to be imposed by s.4(2) cannot by itself alter the character of the levy from a fee into that of a duty of excise. If the co-relation between the levy and the services was not genuine or real, or if the levy was disproportionately higher than the requirements of the services intended to be rendered it would have been another matter.

Then as to the form in which the impost is levied, it is difficult to appreciate how the method adopted by the Legislature in recovering the impost can alter its character. The character of the levy must be determined in the light of the tests to which we have already referred. The method in

which the fee is recovered is a matter of convenience, and by itself it cannot fix upon the levy the character of the duty of excise. This question has often been considered in the past, and it has always been held that though the method in which an impost is levied may be relevant in determining its character its significance and effect cannot be exaggerated. In Ralla Ram v. The Province of East Punjab (8) the Federal Court had to consider the character of the tax levied by s.3 of the Punjab Urban Inmovable Property Tax Act XVII of 1940. Section 3 provided as follows: "There shall be charged, levied and paid an annual tax on buildings and lands situated in the rating areas shown in the schedule to this Act at such rate not exceeding twenty per centum of the annual value of such buildings and lands as the Provincial Government may by notification in official gazette direct in respect of each such rating area." The argument urged before the Federal Court was that the tax imposed by the said section was in reality a tax on income within the meaning of Item 54 in List I of the Seventh Schedule to the Constitution Act of 1935, and as such it was not covered by Item 42 in List II of the said Schedule. This argument was rejected on the ground that the tax levied by the act was in pith and substance a tax on lands and buildings covered by Item 42. It would be noticed that the basis of the tax was the annual value of the building which is the basis used in the Indian Income-tax Act for determining income from property; and so, the attack against the section was based on the ground that it had adopted the same basis for levying the impost as the Income-tax Act and the said basis determined its character whatever may be the appearance in which the impost was purported to be levied. In repelling this argument Fazl Ali, J. observed that the crucial question to be answered was whether merely because the Income-tax Act has adopted the annual value as the standard for determining the income it must necessarily follow that if the same standard is employed as a measure for any other tax that tax becomes a tax on income. The learned judge then proceeded to add that if the answer to this question is to be given in the affirmative then certain taxes which cannot possibly be described as income-tax must be held to be so. In other words, the effect of this decision is that the adoption of the standard used in Income-Tax Act for getting at the income by any other act for levying the tax authorised by it would not be enough to convert the said tax into an income-tax. During the course of this judgement Fazl Ali, J. also noticed with approval a similar view taken by the Bombay High Court in Sir Byramjee Jeejeebhoy v. The Province of Bombay & Anr. (9)

This decision has been expressly approved by the Privy Council in Governor-General in Council v. Province of Madras. (10) Consistently with the decision of the Federal Court their Lordships expressed the opinion that "a duty of excise is primarily a duty levied on a manufacturer or producer in respect of the commodity manufactured or produced. It is a tax on goods and not on sales or the proceeds of the sale of goods. The two taxes, the one levied on the

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- (8) (1948) F.C.R. 207  
(9) I.L.R. 1940 Bom. 58.  
(10) (1944-45) 72 I.A. 91.



man manufacturer in respect of his goods and the other on the vender in respect of his sales may in one sense overlap, but in law there is no overlapping; the taxes are separate and distinct imposts. If in fact they overlap that may be because the taxing authority imposing a duty of excise finds it convenient to impose that duty at the moment when the excisable article leaves the factory or workshop for the first time on the occasion of its sale". In that case the question was whether the tax authorised by the Madras General Sales Tax Act, 1939 was a tax on the sale of goods or was a duty of excise, and the Privy Council held it was the former and not the latter. Therefore, in our opinion, the mere fact that the levy imposed by the impugned Act has adopted the method of determining the rate of the levy by reference to the minerals produced by the mines would not be itself make the levy a duty of excise. The method thus adopted may be relevant in considering the rate of the levy by reference to the minerals produced by the mines would not by itself make the levy a duty of excise. The method thus adopted may be relevant in considering the character of the impost but its effect must be weighed along with and in the light of the other relevant circumstances. In this connection it is always necessary to bear in mind that where an impugned statute passed by a State Legislature is relatable to an Entry in List II it is not permissible to challenge its vires only on the ground that the method adopted by it for the recovery of the impost can be and is generally adopted in levying a duty of excise. Thus considered the conclusion is inevitable that the cess levied by the impugned Act is neither a tax nor a duty of excise but is a fee.

The next question which arises is, even if the cess is a fee and as such maybe relatable to Entries 23 and 66 in List II its validity is still open to challenge because the legislative competence of the State Legislature under Entry 23 is subject to the provisions of List I with respect to regulation and development under the control of the Union; and that takes us to Entry 54 in List I. This Entry reads thus: "Regulation of Mines and mineral development to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest". The effect of reading the two Entries together is clear. The jurisdiction of the State Legislature under Entry 23 is subject to the limitation imposed by the latter part of the said Entry. If Parliament by its law has declared that regulation and development of mines should in the public interest be under the control the Union, to the extent of such declaration the jurisdiction of the State Legislature is excluded. In other words, if a Central Act has been passed which contains a declaration by Parliament as required by Entry 54, and if the said declaration covers the field occupied by the impugned Act the impugned Act would be ultra vires, not because of any repugnance between the two statutes but because the State Legislature had no jurisdiction to pass the law. The limitation imposed by the latter part of Entry 23 is a limitation on the legislative competence of the State Legislature itself. This position is not in dispute.

It is urged by Mr. Anan that the field covered by the impugned Act has already been covered by the Mines and Minerals (Regulation and development) Act, 1948 (LIII of 1948) and he contends that in view of the declaration made by s.2 of this act the impugned Act is ultra vires. This.

Central act was passed to provide for the regulation of mines and oil fields and for the development of minerals. It may be stated at this stage that by Act LXVII of 1957 which has been subsequently passed by Parliament, Act LIII of 1948 has now been limited only to oil fields. We are, however, concerned with the operation of the said act in 1952, and at that time it applied to mines as well as oil fields. Section 2 of the act contains a declaration as to the expediency and control by the Central Government. It reads thus: "It is hereby declared that it is expedient in the public interest that the Central Government should take under its control the regulation of mines and oil fields and the development of minerals to the extent hereinafter provided". It is common ground that at the relevant time this act applied to coal mines. Section 4 of the act provides that no mining lease shall be granted after the commencement of this act otherwise than in accordance with the rules made under this act. Section 5 empowers the Central Government to make rules by notification for regulating the grant of mining leases or for prohibiting the grant of such leases in respect of any mineral or in any area. Sections 4 and 5 thus purport to prescribe necessary conditions in accordance with which mining leases have to be executed. This part of the act has no relevance to our present purpose. Section 6 of the act, however, empowers the Central Government to make rules by notification in the official gazette for the conservation and development of minerals. Section 6(2) lays down several matters in respect of which rules can be framed by the Central Government. This power is, however, without prejudice to the generality of powers conferred on the Central Government by s.6(1). Amongst the matters covered by s.6(2) is the levy and collection of royalties, fees or taxes in respect of minerals mined, quarried, excavated or collected. It is true that no rules have in fact been framed by the Central Government in regard to the levy and collection of any fees; but, in our opinion, that would not make any difference. If it is held that this act contains the declaration referred to in Entry 23 there would be no difficulty in holding that the declaration covers the field of conservation and development of minerals, and the said field is indistinguishable from the field covered by the impugned Act. What Entry 23 provides is that the legislative competence of the State Legislature is subject to the provisions of List I with respect to regulation and development under the control of the Union, and Entry 54 in List I requires a declaration by Parliament by law that regulation and development of mines should be under the control of the Union in public interest. Therefore, if a Central Act has been passed for the purpose of providing for the conservation and development of minerals, and if it contains the requisite declaration, then it would not be competent to the State Legislature to pass an act in respect of the subject-matter covered by the said declaration. In order that the declaration should be effective it is not necessary that rules should be made or enforced; all that is required is a declaration by Parliament that it is expedient in the public interest to take the regulation and development of mines under the control of the Union. In such a case the test must be whether the legislative declaration covers the field or not. Judged by this test there can be no doubt that the field covered by the impugned Act is covered by the Central Act.

It still remains to consider whether s.2 of the said Act amounts in law to a declaration by Parliament as required by Art.54. when the said Act was passed in 1948 the legislative powers of the Central and the Provincial Legislatures were governed by the relevant Entries in the Seventh Schedule to the Constitution Act of 1935. Entry 36 in List I corresponds to the present Entry 54 in List I. It reads thus: "Regulation of Mines and Oil Fields and mineral development to the extent to which such regulation and development under Dominion control is declared by Dominion law to be expedient in public interest". It would be noticed that the declaration required by Entry 36 is a declaration by Dominion law. Reverting then to s.2 of the said section is put in the passive voice; but in the context there would be no difficulty in holding that the said declaration by necessary implication has been made by Dominion law. It is a declaration contained in a section passed by the Dominion Legislature, and so it is obvious that it is a declaration by a Dominion law; but the question is : Can this declaration by a Dominion law be regarded constitutionally as declaration by Parliament which is required by Entry 54 in List I.

Act it is clear that the declaration contained in the said

It has been urged before us by the learned Additional Solicitor-General and Mr.Amin that in dealing with this question we should bear in mind two general considerations. The Central Act has been continued under Art. 372(1) of the Constitution as an existing law, and the effect of the said constitutional provision must be that the continuance of the existing law would be as effective and to the same extent after the Constitution came into force as before. It is urged that after the said act was passed and before the Constitution came into force no Provincial Legislature could have validly made a law in respect of the field covered by the said act, and it would be commonsense to assume that the effect the continuance of the said law under Art. 372(1) cannot be any different. In other words, if no Provincial Legislature could have trespassed on the field covered by the said act before the Constitution, the position would and must be the same even after the Constitution came into force.

modifications

It is also contended that for the purpose of bringing the provision of existing laws into accord with the provisions of the Constitution the President was given power to make by order appropriate adaptations and of such laws, and the object of making such adaptation obviously was to make the continuance of the existing laws fully effective. It is in the light of these two general considerations, so the argument runs, must the point in question be considered.

The relevant clause in the adaptation of Laws Order, 1950 on which reliance has been placed in support of this argument is cl.16 in the Supplementary Part of the said Order. This clause provides that subject to the provisions of this Order any reference by whatever form of words in any existing law to any authority competent at the date of the passing of that law to exercise any powers or authorities, or to discharge any functions, in any part of India shall, where a corresponding new authority has been constituted by or under the Constitution, have effect until duly repealed or amended as if it were a reference to that new authority. The petitioners.

contend that as a result of this clause the declaration made by the Dominion Legislature in s.2 of the Central Act must now be held to be the declaration made by Parliament. Is this contention justified on a fair and reasonable construction of the clause? That is the crux of the problem.

In considering this question it would be relevant to recall the scheme of the Adaptation of Laws Order, 1950. It consists of Three Parts. Part I deals with the adaptation of Central Laws and indicates the adaptation made therein; Part II deals with the adaptation of Provincial Laws and follows the same pattern; and Part III is a Supplementary Part which contains provisions in the nature of supplementary provisions. A perusal of the clauses contained in Part I would show that though some adaptation was made in Act LIII of 1948 it was not thought necessary to make an adaptation in s.2 of the said Act whereby the declaration implied in the said section has been expressly adapted into a declaration by Parliament.

Now, the effect of cl. 16 in substance is to equate an authority competent at the date of the passing of the existing law to exercise any powers or authorities, or to discharge any functions with a corresponding new authority which has been constituted by or under the Constitution. Reference to the authority in the context would suggest cases like reference to the Governor-General eo nomine, or Central President or the Union Government. Prima facie the reference to authority would not include reference to a Legislature; in this connection it may be relevant to point out that Art. 372(1) refers to a competent Legislature as distinguished from other competent authorities. That is the first difficulty in holding that cl.16 refers to the Dominion Legislature and purports to equate it with the Parliament.

Government which respectively would be equated with the

It is clear that for the application of this clause it is necessary that a reference should have been made to the authority by some words whatever may be their form. In other words it is only where the existing law refers expressly to some authority that this clause can be invoked. It is difficult to construe the first part of this clause to include authorities to which no reference is made by any words in terms, but to which such references may be implied; and quite clearly the Dominion Legislature is not expressly referred to in s.2. In construing the present clause we think it would be straining the language of the clause to hold that an authority to which no reference is made by words in any part of the existing law could claim the benefit of this clause.

Besides, there is no doubt that when the clause refers to any authority competent to exercise any powers or authorities, or to discharge any functions, it refers to the powers, authorities or functions attributable to the existing law itself; that is to say, authorities which are competent to exercise power or to discharge functions under the existing laws are intended to be equated with corresponding new authorities. It is impossible to hold that the Dominion Legislature is an authority which was competent to exercise any power or to discharge any function under the existing law. Competence to exercise power or to discharge functions to which

defect in the said Act for the avoidance of which any adaptation is necessary. In fact what the petitioners seek to do is to read in s.2 of the said Act the declaration by Parliament required by Entry 54 so as to make the impugned Act ultra vires. Quite clearly cl.21 cannot be pressed into service for such a purpose. Therefore, we reach this position that the field covered by Act LIII of 1948 is substantially the same as the field covered by the impugned Act but the declaration made by s.2 of the said Act does not constitutionally amount to the requisite declaration by Parliament, and so the limitation imposed by Entry 54 does not come into operation in the present case. Act LIII of 1948 continues in operation under Art. 372; with this modification that so far as the State of Orissa is concerned it is the impugned Act that governs and not the Central Act. Article 372(1) in fact provides for the continuance of the existing law until it is altered, repealed or amended by a competent Legislature or other competent authority. In the absence of the requisite parliamentary declaration the legislative competence of the Orissa Legislature under Entry 23 read with Entry 66 is not impaired, and so the said Legislature is competent either to repeal, alter or amend the existing law which is the Central Act LIII of 1948; in effect, after the impugned Act was passed, so far as Orissa is concerned the Central Act must be deemed to be repealed. This position is fully consistent with the provisions of Art. 372. The result is that the material words used in cls. 16 and 21 being unambiguous and explicit, it is difficult to give effect to the two general considerations on which reliance has been placed by the petitioners. Incidentally the present case discloses that in regard to the requisite parliamentary declaration prescribed by Entry 54 in List I in its application to the pre-Constitution acts under corresponding Entry 36 in List I of the Constitution Act of 1935, there is a lacuna which has not been covered by any clauses of the Adaptation of Laws Order; that, however, is a matter for Parliament to consider.

There is one more point which is yet to be considered. Mr. Anin contends that Entry 23 in List II is subject to the provisions in List I with respect to regulation and development under the control of the Union, and according to him Entry 52 in List I is one of such provisions. In this connection he relies on the said Entry which deals with industries the control of which by the Union is declared by Parliament by law to be expedient in the public interest, and Industries (Development and Regulation) Act, 1951 (LXV of 1951). This act has been passed to provide for the development and regulation of certain industries one of which undoubtedly is coal mining industry. Section 2 of this act declares that it is expedient in the public interest that the Union should take under its control the industries specified in the First Schedule. This declaration is a declaration made by Parliament, and if the provisions of the act read with the said declaration covered the same field as is covered by the impugned Act, it would undoubtedly effect the vires of the impugned Act; but in dealing with this question it is the impugned Act; but in dealing with this question it is important to bear in mind the doctrine of pith and substance. We have already noticed that in pith and substance the impugned Act is concerned with the development of the mining areas notified under it. The Central Act, on the other hand,

deals more directly with the control of all industries including of course the industry of coal. Chapter II of this act provides for the constitution of the Central Advisory Council and Development Councils, chapter III deals with the regulation of scheduled industries, chapter IIIA provides for the direct management or control of industrial undertakings by Central Government in certain cases, and chapter IIIB is concerned with the topic of control of supply, distribution, price, etc., of certain articles. The last chapter deals with miscellaneous incidental matters. The functions of the Development Councils constituted under this act prescribed by s.6(4) bring out the real purpose and object of the act. It is to increase the efficiency or productivity in the scheduled industry or group of scheduled industries, to improve or develop the service that such industry or group/industries renders or could render to the community, or to enable such industry or group of industries to render such service more economically. Section 9 authorises the imposition of cess on scheduled industries in certain cases. Section 9(4) provides that the Central Government may hand over the proceeds of the cess to the development council there specified and that the Development Council shall utilise the said proceeds to achieve the objects mentioned in cls. (a) to (d). These objects include the promotion of scientific and industrial research, of improvements in design and quality, and the provision for the training of technicians and labour in such industry or group/industries. It would thus be seen that the object of the act is to regulate the scheduled industries with a view to improvement and development of the service that they may render to the society, and thus assist the solution of the larger problems of national economy. It is difficult to hold that the field covered by the declaration made by s.2 of this act, considered in the light of its several provisions, is the same as the field covered by the impugned Act. That being so, it cannot be said that as a result of Entry 52 read with Act LXV of 1951 the vires of the impugned Act can be successfully challenged.

Our conclusion, therefore, is that the impugned Act is relatable to Entries 23 and 66 in List II of the Seventh Schedule, and its validity is not impaired or affected by Entries 52 and 54 in List I read with Act LXV of 1951 and Act LIII of 1948 respectively. In view of this conclusion it is unnecessary to consider whether the impugned Act can be justified under Entry 50 in List II, or whether it is relatable to Entry 24 in List III and as such suffers from the vice of repugnancy with the Central Act XXXII of 1947.

The result is the petition fails and is dismissed with costs.

(Sd) P.B.Gajendragadkar.....J

(Sd) A.K.Sarkar .....J

(Sd) K.Subba Rao .....J

(Sd) J.R.Mudholkar .....J

Dated: the 21st November, 1960.

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W.P. 87/1959.

THE HINGER RAMPUR COAL CO. v. THE STATE OF ORISSA

JUDGMENT

WANCHOO.J.

I have read the judgment just delivered by my learned brother Gajendragadkar J. and regret that I have not been able to persuade myself that the cess levied in this case on all extracted minerals from any mine in any mining area at a rate not exceeding five per centum of the value of the minerals at the pit's mouth by the Orissa State Legislature under s.4 of the Orissa Mining Areas Development Fund Act, No. XXVII of 1952, (hereinafter called the Act) is a fee properly so called and not a duty of excise. The facts are all set out in the judgment just delivered and I need not repeat them.

The scheme of the Act, as appears from s.3 thereof, is to give power to the State Government, whenever it thinks it necessary and expedient to provide amenities, like communications, water-supply and electricity for the better development of any area in the State wherein any mine is situated or to provide for the welfare of residents or workers in any such area within which persons employed in a mine or a group of mines reside or work, to constitute such an area to be a mining area for the purposes of the Act, to define the limits of the area, to include within such area any local area contiguous to the same and defined in the notification and to exclude from such area any local area comprised therein and defined in the notification. A notification under s.3 is made, after hearing objections from owners or lessees of mines. After such an area is constituted under s.3, a cess is imposed under s.4 on all extracted minerals from any mine in any such area at the rate not exceeding five per centum of the value of the minerals at the pit's mouth. The cess so collected is credited to a fund called the Orissa Mining Area Development Fund created under s.5 of the Act, besides other amounts with which we are not concerned in this case. The Fund is to be applied to meet expenditure incurred in connection with such measures, which in the opinion of the State Government, are necessary or expedient for providing amenities like communications, water-supply and electricity, for the better development of mining areas and to meet the welfare of labour and other persons residing or working in the mining areas. Then come other provisions for working out the above provisions including s.8, which gives power to the State Government to frame rules to carry into effect the purposes of the Act. The Rules were framed under the Act in January 1955.

The constitutional competence of the Orissa State Legislature to levy the cess under the Act is attacked on two main grounds. In the first place, it is urged that the cess is in pith and substance a duty of excise under item 84 of List I of the Seventh Schedule and therefore the levy of such a cess is beyond the competence of the Orissa State Legislature. In the second place, it is urged that even if the cess is a fee, in view of the two Acts of the Central Legislature and Parliament, namely, The Mines and Minerals (Regulation and Development) Act, No. LIII of 1948 and The Industries (Development and Regulation) Act, No. LXV of 1952, the Orissa Legislature was not competent to pass the Act.

The petition has been opposed on behalf of the State of Orissa and the main contentions urged on its behalf are that the cess is a fee properly so called and not a duty of excise and therefore the Orissa State Legislature was competent to levy it and the two Central Acts do not affect that competence.

In the alternative it has been urged that even if the cess is a tax the State Legislature was competent to levy it under item 50 of List II of the Seventh Schedule.

The first question therefore that falls for consideration is whether the cess in this case is a tax or a fee. Difference between a tax properly so called and a fee properly so called came up for consideration before this Court in three cases in 1954 and was considered at length. In the first of them, namely, The Commissioner, Hindu Religious Endowments, Madras v. Sri Lakshmindra Thirtha Seminar of Sri Shirur Mutt (1), it was pointed out that -

"Though levying of fees is only a particular form of the exercise of the taxing power of the State, our Constitution has placed fees under a separate category for purposes of legislation and at the end of each one of the three legislative list, it has given a power to the particular legislature to legislate on the imposition of fees in respect to very one of the items dealt with in the list itself."

It was also pointed that -

"the essence of a tax is compulsion, that is to say, it is imposed under statutory power without the tax-payer's consent and the payment is enforced by law. The second characteristic of a tax is that it is an imposition made for public purpose without reference to any special benefit to be conferred on the payer of the tax. This is expressed by saying that the levy of tax is for the purposes of general revenue, which

(1) 1954 S.C.R. 1005.

"when collected forms part of the public revenues of the State. As the object of a tax is not to confer any special benefit upon any particular individual, there is, as it is said, no element of quid pro quo between the tax-payer and the public authority. Another feature of taxation is that as it is a part of the common burden, quantum of imposition upon the taxpayer depends generally upon his capacity to pay."

As to fees, it was pointed out that-

"a 'fee' is generally defined to be a charge for a special service rendered to individuals by some governmental agency. The amount of fee levied is supposed to be based on the expenses incurred by the Government in rendering the service, though in many cases the costs are arbitrarily assessed. Ordinarily, the fees are uniform and no account is taken of the varying abilities of different recipients to pay."

Finally, it was pointed out that-

"the distinction between a tax and a fee lies primarily in the fact that a tax is levied as a part of a common burden, while a fee is a payment for a special benefit or privilege..... Public interest seems to be at the basis of all impositions, but in a fee it is some special benefit which the individual receives."

The consequence of these principles was that -

(1) 1954 S.C.R. 1005.



"If, as we hold, a fee is regarded as a sort of return or consideration for services rendered, it is absolutely necessary that the levy of fees should, on the face of the legislative provision be co-related to the expenses incurred by Government in rendering the services.....If the money thus paid is set apart and appropriated specifically for the performance of such work and is not merged in the public revenues for the benefit of the general public, it could be counted as fees and not a tax."

Having laid down these principles, that case then considered the vires of s. 76 of the Madras Hindu Religious and Charitable Endowments Act, No. XIX of 1951, and it was pointed out that the material fact which negated the theory of fees in that case was, that the money raised by levy of the contribution was not ear-marked or specified for defraying the expenses that the Government had to incur in performing the services. All the collections went to the consolidated fund of the State and all the expenses had to be met not out of those collections but out of the general revenues by a proper method of appropriation as was done in the case of other government expenses. That in itself might not be conclusive, but in that case there was total absence of any co-relation between the expenses incurred by the Government and the amount raised by contribution under the provisions of s.76 and in those circumstances the theory of return or counterpayment or quid pro quo could not have any possible application to that case. Consequently, the contribution levied under s. 76 was held to be a tax and not a fee.

In the second case of Mahant Sri Jagannath Ramanui Das and Another v. The State of Orissa and another (2), a similar imposition by the Orissa Legislature came up for consideration. After referring to the earlier case, it was pointed out that -

"two elements are thus essential in order that a payment may be regarded as a fee. In the first place, it must be levied in consideration of certain services which the individuals accepted either willingly or unwillingly. But this by itself is not enough to make the imposition a fee, if the payments demanded for rendering of such services are not apart or specifically appropriated for that purpose but are merged in the general revenue of the State to be spent for general public purposes."

The Orissa imposition was held to be a fee because the collection made were not merged in the general public revenue and were meant for the purpose of meeting the expenses of the Commissioner and his office which was the machinery set up for due administration of the affairs of the religious institution. They went to constitute a Fund which was contemplated by s.50 of the Orissa Act and this fund was specifically set apart for rendering services involved in carrying out the provisions of the Act.

The third case, namely, Ratilal Panachand Gandhi v. The State of Bombay and Others (3) came from Bombay. Sec. 58 of the Bombay Act, No. XXIX of 1950, provided for an imposition in proportion to the gross annual income of the trust. This imposition was levied for the purpose of due administration of the trust property and for defraying

(2) 1954 (S.C.R.) 1046.

(3) 1954 S.C.R. 1055.

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the expenses incurred in connection with the same. After referring to the two earlier cases, the Court went on to say that -

"tax is a common burden and the only return which the taxpayer gets is participation in the common benefits of the State. Fees, on the other hand, are payments primarily in the public interest, but for some special service rendered or some special work done for the benefit of those from whom the payments are demanded. Thus in fees there is always an element of quid pro quo which is absent in a tax.....But in order that the collections made by the Government can rank as fees, there must be co-relation between the levy imposed and the expenses incurred by the State for the purpose of rendering such services."

It was then pointed out that the contributions, which were collected under s.58, were to be credited in the Public Trusts Administration Fund as constituted under s.57. This fund was to be applied exclusively for the payment of charges for expenses incidental to the regulation of public trusts and for carrying into effect the provisions of the Act. The imposition therefore was in that case held to be a fee.

These decisions clearly bring out the difference between a tax and a fee and generally speaking there is always an element of quid pro quo in a fee and the amount raised through a fee is co-related to the expenses necessary for rendering the services which are the basis of quid pro quo. Further, the amount collected as a fee does not go to augment the general revenues of the State and many a time a special fund is created in which fees are credited- though this is not absolutely necessary. But as I read these decisions, they cannot be held to lay down that what is in pith and substance a tax can become a fee merely because a fund is created in which collections are credited and some services may be rendered to the persons from whom collections are made. If that were so, it will be possible to convert many taxes not otherwise leviable into fees by the device of creating a special fund and attaching some service to be rendered through that fund to the persons from whom collections are made. I am therefore of opinion that one must first look at the pith and substance of the levy, and if in its pith and substance it is not essentially different from a tax it cannot be converted into a fee by creating a special fund in which the collections are credited and attaching some services to be rendered through that fund.

Let me then look at the pith and substance of the cess, which has been imposed in this case. The cess consists of a levy not exceeding five per centum of the value of the minerals at the pit's mouth on all extracted minerals. Prima facie such a levy is nothing more nor less than a duty of excise. Item 84 of List I gives power to levy duties of excise exclusively to the Union and is in these terms:-

"Duties of excise on tobacco and other goods manufactured or produced in India except-  
(a) alcoholic liquors for human consumption;  
(b) opium, Indian hemp and other narcotic drugs and narcotics,  
but including medicinal and toilet preparations containing alcohol or any substance included in sub-paragraph (b) of this entry."

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This item gives power to Parliament to impose duties of excise on all goods manufactured or produced in India with certain exceptions mentioned therein. Taking this particular case, coal is produced from the mine and would clearly be covered by the words "other goods produced in India" and a duty of excise can be levied on it. What then exactly is meant by a duty of excise? Reference in this connection may be made to Governor-General in Council v. Province of Madras(4). In that case the point arose whether the sales tax imposed by the Madras Legislature was a duty of excise. The Privy Council pointed out that-

"in a Federal constitution in which there is a division of legislative powers between Central and Provincial legislatures, it appears to be inevitable that controversy should arise whether one or other legislature is not exceeding its own, and encroaching on the other's constitutional legislative power, and in such a controversy it is a principle, which their Lordships do not hesitate to apply in the present case, that it is not the name of the tax but its real nature, its pith and substance' as it has sometimes been said, which must determine into what category it falls."

The Privy Council went on to consider what a duty of excise was and said that -

"it is primarily a duty levied on a manufacturer or producer in respect of the commodity manufactured or produced. It is a tax on goods not on sales or the proceeds of sale of goods. Though sometimes a duty of excise may be imposed on first sales, a duty of excise and a tax on the sale of goods were separate and distinct imposts and in law do not overlap."

The Privy Council approved of the decisions of the Federal Court in re. The Central Provinces and Berar Sales of Motor Spirit and Lubricants Taxation Act, 1938

(5) and the Province of Madras v. Messrs. Roddu Paidaya and Sons (6). It seems to have been urged that because in some cases a duty of excise may be levied on the occasion of the first sale and a sales tax may also be levied on the same occasion, there is really no difference between the two. It is however clear that a duty of excise is primarily a tax on goods manufactured or produced; it is not a tax on the sale of goods, though the taxing authority may as a matter of concession to the producer not charge the tax immediately the goods are produced and may postpone it, to make it easy for the producer and to pay the tax, till the first sale is made by him: nevertheless the charge is still on the goods and is therefore a duty of excise. On the other hand, a sales tax can only be levied when a sale is made and there is nothing to prevent its levy on the first sale. The two concepts are however different and, as the Privy Council pointed out, a sales tax and a duty of excise are separate and distinct imposts and in law do not overlap. The pith and substance of a duty of excise is that it is primarily a duty levied on a manufacturer or producer in respect of the commodity manufactured or produced.

Let me therefore see what the Orissa Legislature has done in the present case. It has levied a cess at a rate not exceeding five per centum on the value of minerals

(4) - 72 I.A.91: 2)-(1939) F.C.R. 18.  
 (6) (1948) F.C.R. 90.

at the pit's mouth on all extracted minerals. All the extracted minerals are nothing other than goods produced and the cess is levied on the goods produced at a rate not exceeding five per centum of the value at the pit's mouth. The cess therefore in the present case cannot be anything other than a duty of excise. The pith and substance of the cess in this case falls fairly and squarely within entry 84 of List I and is therefore a duty of excise, which cannot be levied by the Orissa State Legislature. I may in this connection refer to the cesses levied by the Central Legislature and Parliament by Act XXXII of 1947 and by Act No-LXV of 1951. Sec. 3 of Act XXXII of 1947 lays down that there shall be levied and collected as a cess for the purposes of that Act a duty of excise on all coal and coke despatched from collieries at such rate not less than four annas and not more than eight annas per ton as may from time to time be fixed by the Central Government by notification in the Official Gazette. This is obviously a tax on the goods produced, the basis of the tax being so much per ton. Again sec. 9 of Act LXV of 1951 lays down that there may be levied and collected as a cess for the purposes of that Act on all goods manufactured or produced in any such scheduled industry as may be notified order a duty of excise at a rate not exceeding two annas per centum of the value of the goods. This again is clearly a tax on goods produced or manufactured and is in the nature of a duty of excise, the basis of the tax being so much of the value of the goods. If these two taxes are duties of excise, I fail to see any difference in pith and substance between these two taxes and the cess levied under the Act.

specified in this behalf by the Central Govt. by

It is however urged that the method employed in the Act for realising the cess is only a method of quantification of the fee and merely because of this quantification the pith and substance of the impost does not change from a fee to a duty of excise. Reference in this connection was made to three cases of quantification. In Sir Byramjee Jeejeebhoy v. The Province of Bombay and Another a question arose with respect to a tax imposed on urban immovable property, whether it was a tax on lands and buildings. The challenge to the tax was on the ground that it was tax on income or capital value within items 54 and 55 of List I of the Seventh Schedule of the Government of India Act and could not therefore be imposed by the Bombay Legislature. It was held that the tax was a tax on lands and buildings within the meaning of item 42 of List II of the same Schedule and that the basis of the tax, which was the annual value, would not convert it into a tax on income or capital value. The High Court considered the pith and substance of the said Act and came to the conclusion that every tax on annual value was not necessarily a tax on income and it was held that the mode of assessment of a tax did not determine its character and one has to look to the essential character of the tax to decide whether it was a tax on income or on lands and buildings. That decision was in the circumstances of that case right because the intention of the legislature was not to tax the income of any one; the essential character of the tax in that case was to tax the lands and buildings and the annual value of the lands and buildings was only taken as a mode of levying the tax. In the present case, however, the very mode of the levy of the cess is nothing other than the levy of a duty of excise and therefore the principle of quantification for purposes of a fee cannot be extended to such an extent as to convert what is in pith and substance a tax into a fee on that basis.

Looking to the pith and substance of the tax it was held in that case that it was a tax on lands and buildings.

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The next case to which reference was made is Municipal Corporation Ahmedabad v. Patel Gardhandas Hargovandas and Others(8) In that case the Ahmedabad Borough Municipality had levied a rate on open lands and the basis of the levy was one per centum of the capital value of the land. It was urged that this amounted to a capital levy within entry 54 of List I; but the court repelled that contention and held that the levy was in pith and substance a tax on lands, which came within entry 42 of List II of the Seventh Schedule to the Government of India Act. A distinction was made between a tax on land which is levied on the basis of its capital value and a tax which is on capital treating it as an asset itself. This decision also, if I may say so with respect, is correct, for the basic idea was to tax lands and some method had to be found for doing so and the method evolved, though it might look like a capital levy, was in pith and substance not so. But the theory of quantification which is the basis of these two cases cannot be stretched so far as to turn levies which are in pith and substance taxes into fees, by the process of attaching certain services and creating a fund.

The third case is Ralla Ram v. The Province of East Punjab(9) That was a case of a tax on lands and buildings and annual value was the basis on which the tax was levied. The Federal Court rightly pointed out that the pith and substance of the levy had to be seen and on that view it was not income-tax but a tax on lands and buildings and the method adopted was merely a method of quantification. The Federal/Legislature and an Act of the Provincial Legislature, we must try to ascertain the pith and substance or the true nature and character of the conflicting provisions and that before an Act is declared ultra vires, there should be an attempt to reconcile the two conflicting jurisdictions, and, only if such a reconciliation should prove impossible, the impugned Act should be declared invalid." It may also be pointed out that in all these three cases, one source of income of an individual or one item out of the total capital of an individual was the basis of calculation while income-tax or capital levy is generally on the total income or the total capital of a person. That aspect must have gone into the decision that the method employed was merely a mode for imposing a tax on lands and buildings. In the present case, however, I see no difference between the method of imposing a duty of excise and the method employed in the Act for imposing a cess—a matter which will be clear from the cesses imposed under the two Central Acts already referred to (No. XXXII of 1947 and No. LXV of 1951). It is not as if there could be no method of imposing a fee properly so called in this case except the one employed. Two methods readily suggest themselves. A lumpsum annual fee could be levied on each mine even on a graded scale depending on the size of the mine as evidenced by its share capital. Or a similar graded fee could be levied on each mine depending on its size determined by the number of men employed therein. Where therefore the result of quantification is to bring a particular impost entirely within the ambit of a tax it would not be right to say that such an impost is still a fee, because, certain services have to be rendered and a fund has been created in which collections of the impost are credited. If this were permissible many taxes not otherwise leviable would be converted into fees by the simple device of creating a special fund and attaching certain services to be rendered from the amount in

(8)- I.L.R. 1954 Bom.41

(9)- (1948) F.C.R. 207.

∠Court  
also  
pointed  
out that  
"where  
there is  
an appar-  
ent con-  
flict  
between  
an Act  
of the  
Federal

in that fund. That would in my opinion be a colourable exercise of the power of legislation, as explained in K.C.Gajapati Narayan Deo and Others v. The State of Orissa (10).

Let me illustrate how taxes can be turned into fees on the so-called basis of quantification with the help of the device of creating a fund and attaching certain services to be rendered out of monies in the fund. Take the case of income-tax under item 82 of List I of the Seventh Schedule, which is exclusively reserved for the Union. Suppose that some State Legislature wants to impose a tax on income other than agricultural income in the garb of fees. All that it has to do is then to create a special fund out of the amounts collected and to attach rendering of certain services to the fund. All that would be necessary would be to define the services to be rendered so widely that the amount required for the purpose would be practically limitless. In that case there would be no difficulty in levying any amount of tax on income for the amount collected would always be insufficient for the large number of services to be rendered. What has to be done is to find out a number of items in Lists II and III of the Seventh Schedule in respect of which fees can be levied by the State Legislature. These fees can be levied on a total basis for a large number of services under various entries of Lists II and III. A fund can be created, say, for rendering services of various kinds to residents of one district. In order to meet the expenses of rendering such services, suppose, the legislature imposes a tax on every one in the district at 10 per centum of the net total income (other than agricultural income); the amount so collected is put in a separate fund and earmarked for such special services to be rendered to the residents of that district. Can it be said that such a levy is a fee justified under various entries of Lists II and III, and not a tax on income, on the ground that this is merely a mode of quantification? For an instance, take, item 6 of List II, "Public health and sanitation, hospitals and dispensaries;" item 9, "Relief of the disabled and unemployable"; item 11, Education; item 12, Libraries, museums and similar institutions; item 13, Communications that is to say, roads, bridges and other means of communication; item 17, "Water, that is to say water supplies, irrigation and canals, drainage and embankments, water storage and water power"; and item 25, "Gas and gas-works"; item 23 of List III, "Social Security and social insurance, employment and unemployment; item 24, "Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefits; item 25, "Vocational and technical training of labour"; and item 38, "Electricity". Assume that a fund is created for rendering these services to the residents of a district. The State Legislature is entitled to impose fees for rendering these services to the residents of the district; the costs of these services would obviously be limitless and in order to meet these costs, the State Legislature levies a consolidated fee for all these purposes at 10 per centum of the total net income on the residents of the district (excluding his agricultural income) as a measure of quantification of the fee. Can it be said in the circumstances that such a levy would not be income-tax, simply because a fund is created to be used in the district where collections are made and these services have to be rendered out of the fund so created to the residents of that district and to no others? The answer can only be one, viz., that the nature of the impost is to be seen in its pith and substance; and if in pith and substance it is income-tax within item 82 of List I of the Seventh Schedule it will still remain income-tax in spite of the creation of a fund and the attaching of certain services to the monies in that fund to be rendered in a particular area. Such an impost can never be justified as a consolidated fee on the ground that it is merely a method of quantification.

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Compare what has been done in this case. Sec.3 of the Act which refers to the services to be rendered mentions, communications, that is, roads, bridges and other means of communication (barring those given in List I), water-supply and electricity, for the better development of the area. These three items themselves would mean expenditure of such large amounts that anything could be charged as a fee to meet the costs, particularly in an undeveloped State like Orissa. Further, the section goes on to mention provision for the welfare of residents or workers in any such area, which would include such things as social security and social insurance, provident-funds, employer's liability, workmen's compensation, invalidity and old age pensions and maternity benefits and may be even employment and unemployment. Again large funds would be required for these purposes. Therefore, the services enumerated in s.3 being so large and requiring such large sums, any amount can be levied as a fee and in the name of quantification any tax, even though it may be in List I, can be imposed; and that is exactly what had been done, namely, what is really a duty of excise has been imposed as a fee for these purposes which fall under items 13 and 17 of List II and 23, 24 and 38 of List III. There can be no doubt in the circumstances that the levy of a cess as a fee in this case is a colourable piece of legislation. I do not say that the Orissa State Legislature did this deliberately. The motive of the legislature in such cases is irrelevant and it is the effect of the legislation that has to be seen. Looking at that, the cess in this case is in pith and substance nothing other than a duty of excise under item 84 of List I and therefore the State legislature was incompetent to levy it as a fee.

The next contention on behalf of the State of Orissa is that if the cess is not justified as a fee, it is a tax under item 50 of List II of the Seventh Schedule. Item 50 provides for taxes on mineral rights subject to any limitations imposed by Parliament by law relating to mineral development. This raises a question as to what are taxes on mineral rights. Obviously, taxes on mineral rights must be different from taxes on goods produced in the nature of duties of excise. If taxes on mineral rights also include taxes on minerals produced, there would be no difference between taxes on mineral rights and duties of excise under item 84 of List I. A comparison of Lists I and II of the Seventh Schedule shows that the same tax is not put in both the Lists. Therefore, taxes on mineral rights must be different from duties of excise which are taxes on minerals produced. The difference can be understood if one sees that before minerals are extracted and become liable to duties of excise somebody has got to work the mines. The usual method of working them is for the owner of the mine to grant mining leases to those who have got the capital to work the mines. There should therefore be no difficulty in holding that taxes on mineral rights are taxes on the right to extract minerals and not taxes on the minerals actually extracted. Thus tax on mineral rights would be confined, for example, to taxes on leases of mineral rights and on premium or royalty for that. Taxes on such premium and royalty would be taxes on mineral rights while taxes on the minerals actually extracted would be duties of excise. It is said that there may be cases where the owner himself extracts minerals and does not give any right of extraction to somebody else and that in such cases in the absence of mining leases or sub-leases there would be no way of levying tax on mineral rights. It is enough to say that these cases also, rare though they are, present no difficulty. Take the

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case of taxes on annual value of buildings. Where there is a lease of the building, the annual value is determined by the lease-money; but there are many cases where owners themselves live in buildings. In such cases also taxes on buildings are levied on the annual value worked out according to certain rules. There would be no difficulty where an owner himself works the mine to value the mineral rights on the same principles on which leases of mineral rights are made and then to tax the royalty which, for example, the owner might have got if instead of working the mine himself he had leased it out to somebody else. There can be no doubt therefore that taxes on minerals rights are taxes/ actually produced. Therefore the present cess is not a tax on mineral rights; it is tax on the minerals actually produced and can be no different in pith and substance from a tax on goods produced which comes under item 84 of List I, as duty of excise. The present levy therefore under s. 4 of the Act cannot be justified as a tax on mineral rights.

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ture and not  
taxes on min-  
erals

In the view I have taken, it is not necessary to consider the other point, raised on behalf of the petitioners, namely, that even if it is a fee, in view of the two Central Acts(mentioned earlier) the Orissa Legislature was not competent to pass the Act. I would therefore allow the petition, and declare that the Orissa Mining Areas Development Fund Act, 1952, is beyond the constitutional competence of the Orissa Legislature to pass it. The whole Act must be struck down because there will be very little left in the Act if s.4 falls as it must. The legislature would never have passed the Act without s.4.

.....J.  
( Sd.) ( K.N. WANCHOO

November 21, 1960.

SEAL

ORDER

In accordance with the majority judgment of the Court, the Writ Petition is dismissed with costs.

Sd/- P.B.Gajendragahav J.  
Sd/- A.K.Sarkar J.  
Sd/- K.Subha Rao J.  
Sd/- K. N.Wanchoo J.  
Sd/- J.R.Madhokar J.

Dated November 21, 1960.



**directors**

Shri N.S. Mani, I.C.S.  
Shri Balwant Sinha Mehta  
Shri N.N. Kashyap, I.C.S.  
Shri A.V. Venkateswaran  
Shri H.R. Dewan  
Shri H.P. Mathrani, I.S.E.  
Shri Jagjit Singh  
Shri D. Sandilya  
Shri S.N. Bilgrami  
Shri K.N. Subramanian, I.C.S.  
Shri S.D. Khungar  
Shri B.N. Raman  
Shri Bhagwan Singh, I.A.S.  
(Managing Director)

**secretary**

G.C. Sharma, I.R.S.

**bankers**

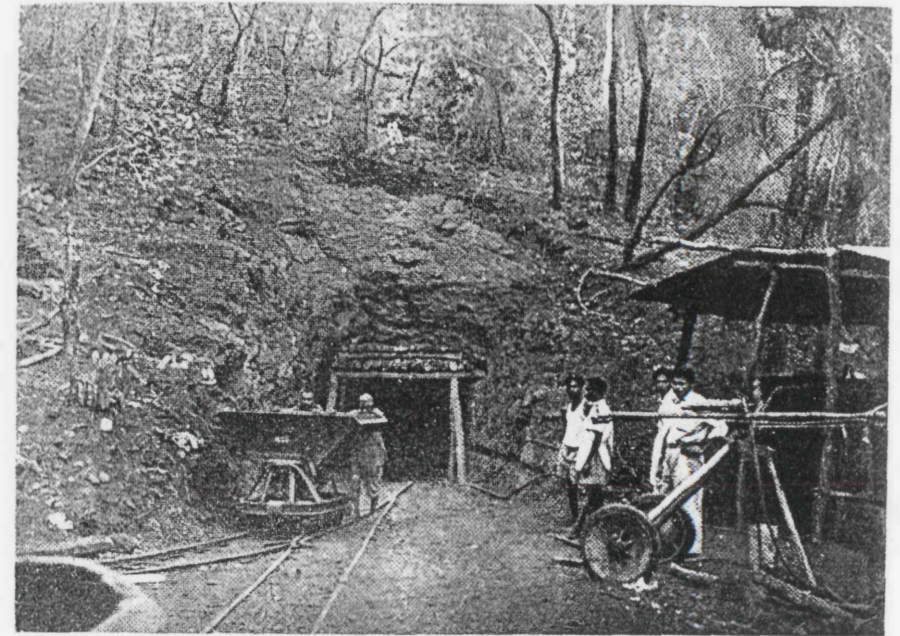
State Bank of India

**auditors**

Messrs. A.F. Ferguson & Co.,  
Chartered Accountants,  
Scindia House,  
New Delhi.

**registered office**

State Bank Building  
Parliament Street,  
New Delhi



*Exploratory  
shaft at  
Kuthira*

**national  
mineral  
development  
corporation  
limited**

*A Government of India  
Undertaking  
registered and incorporated  
as a Company  
on November 15, 1958  
under the  
Companies Act, 1956*

**second annual general meeting**

NOTICE is hereby given that the Second Annual General Meeting of the Company will be held on Thursday, the 20th April, 1961, at 3.00 p.m. at the registered office of the Company at State Bank Building, 11-Parliament Street, New Delhi, to transact the following business:

1. To receive and adopt the Report of the Board of Directors for the year ended 31st of March, 1960;
2. To receive and adopt the audited Balance Sheet as at March 31, 1960, along with the Auditors' Report thereon.

By Order of the Board

New Delhi  
4th April, 1961.

G. C. SHARMA  
Secretary

*N.B.* (i) Any member of the Company entitled to attend and vote at the meeting can appoint a proxy to attend and vote instead of himself and such proxy need not be a member of the Company.

(ii) Since a shorter notice than twenty-one days is given, members are requested to kindly accord their consent in writing for the same as required under Section 171 (2) (i) of the Companies Act, 1956.

**directors' report**

**second annual report 1959-60**

To  
The Shareholders,  
NMDC Ltd.

The Directors have pleasure in presenting their Second Annual Report, audited statements of accounts and the Auditors' Report for the financial year ending 31st March, 1960.

**general & organisation**

No change was made by Government in the Directors constituting the Board. The appointment of Shri K. N. Kaul as Chairman was made whole-time with effect from October 15, 1959 in view of the expansion in the activities of the Corporation.

With the prior approval of the Central Government, the word "Private" was deleted from the name of your Company with effect from 5-1-1960, pursuant to the resolution passed by you in terms of Section 21 of the Companies Act, 1956. The registered office of the Company was also shifted from its premises in Jorbagh to the State Bank building on Parliament Street on February 6, 1960.

The Central Government, in their communication dated December 8, 1959, assigned the development of the diamond bearing areas in Panna in Madhya Pradesh also to your Company. They indicated that the project would be in the charge of Shri K. N. Kaul, the Chairman, until a General Manager was appointed. The progress made by the two projects, assigned to your Company, during the year is outlined in the subsequent paragraphs of this Report.

**finance**

Shareholders will recall that the subscribed equity capital of the Company stood at Rs. 4,000/- only on 31-3-1959. This was augmented to Rs. 37,61,000/- by the end of March 1960 by the issue of an additional 3757 shares subscribed by the President. The subscription towards 292 shares received has been shown in the Balance Sheet under the head "Share Capital Suspense Account" since the allotment of these shares to the President was pending on March 31, 1960.

As will be seen from the Balance Sheet, current liabilities to sundry creditors amounted to Rs. 13,31,000.61. This includes liability to the Indian Bureau of Mines for undertaking the detailed prospecting of Kiriburu on behalf of the Company, which was discharged in 1960-61, and also to the Survey of India for the preparation of certain maps. Fixed assets on 31-3-1960 stood at Rs. 10,00,344.72, after allowing for depreciation; the value was Rs. 19,16,973.89, inclusive of capital works in progress and capital stores at cost. The incidental expenditure during the period of construction from 1-4-1959 to 31-3-1960 amounted to Rs. 15,37,995.55, and the total of such expenditure from the beginning up to 31-3-1960 amounted to Rs. 16,12,368.58.

## Kiriburu Project

The Kiriburu Project is designed to supply 2 million tons of iron ore to Japan annually for a period of ten years commencing from January 1, 1964. It is under a Managing Director who has his headquarters at Kiriburu. The Report on the year's working is set out in the ensuing paragraphs.

In the Annual Report for 1958-59, it was indicated that an agreement had been concluded on January 31, 1959 with the Japan Consulting Institute—the Consultants of the Corporation for the Kiriburu Iron Ore Project. A team of experts of the Japan Consulting Institute came over to India subsequently. They spent a little over a month and a half at the Kiriburu Project site for preliminary investigations and enquiry. At the conclusion of their stay, they indicated the following time-schedule for the development of the project:—

- |   |                          |
|---|--------------------------|
| 1. Exploratory work and field survey.                   | February—April, 1959.    |
| 2. Submission of outline mining scheme.                 | May—June, 1959.          |
| 3. Preparation of detailed project report.              | July—December, 1959.     |
| 4. Examination and approval of detailed project report. | January—April, 1960.     |
| 5. Execution of scheme.                                 | May 1960—December, 1962. |
| 6. Initial operation.                                   | January—February, 1963.  |
| 7. Training of personnel.                               | March—December, 1963.    |

The Japan Consulting Institute furnished an outline of the mining scheme in May, 1959. This was accepted by the Corporation in October, 1959, and taken as the basis for the preparation of the detailed project report.

The important outstanding items of work of the preceding year, as mentioned in the last Annual Report, were completed; for instance, the topographical mapping of about 13 sq. miles by the Survey of India, and the detailed prospecting of the North Block by the Indian Bureau of Mines. In addition, the required hydrological, meteorological, and allied data, were obtained and transmitted to the Japan Consulting Institute for the preparation of the detailed project report.

The detailed project report was received from the Consultants towards the beginning of January, 1960. A special committee of technical experts, including three eminent mining and geological experts from the industry, was set up for the technical scrutiny of the report. The recommendations of this committee, together with the results of the examination made by our own technical officers, was presented to the Board of Directors. After careful scrutiny and examination, the Corporation accepted the project report with suitable modifications towards the end of May, 1960.

Until November, 1959 the seat and the directive power of the Kiriburu Project was at the registered office of the Company at New Delhi. The Project began with a nucleus staff consisting of three engineers—one each for the mining, mechanical and electrical and the civil engineering branches.

In the beginning, conditions in Kiriburu were found to be far from satisfactory or pleasant. The place was not easily accessible, being located in a jungle and hilly area which was highly

malarious. The first step, therefore, was to clear the jungle, set up a Base Camp, and make provision for water supply and essential requirements for the staff posted. A camp office was set up in May, 1959, on the River Karo at Kiriburu to organise the field office, and the base for future operations. Recruitment of further technical and other staff was continued from the Delhi office and nearly two hundred employees—both technical and non-technical—were recruited. The selection of technical staff presented considerable difficulties on account of the fact that mechanised iron ore mining is yet in its infancy in the country. Also, Kiriburu, by the very nature of its remote location and extremely poor communications, did not prove attractive. These difficulties were, however, successfully overcome. After the initial organisation and recruitment had been completed at Delhi, each wing of the project was transferred to Kiriburu. The Mining Wing was transferred in August, 1959; the Civil Wing in the following month; and the Administration and Finance & Accounts Sections, though not fully organised, in September, 1959. The move was completed when the Managing Director shifted his own headquarters to the project site in December, 1959. In the meantime, a small purchase office had already been established at Calcutta in July, 1959.

The field organisation at Kiriburu now consists of:—

- i. a Mining Wing;
- ii. a Mechanical & Electrical Wing;
- iii. a Civil Engineering Wing;
- iv. an Administration Wing; and
- v. a Finance & Accounts Wing.

The setting up of a Base Camp having minimum accommodation for the officers and staff constituted a formidable task because of, firstly, lack of adequate communication and transport facilities; secondly, non-availability of building materials; and thirdly, the unwillingness of contractors to work in an area without the requisite facilities. These difficulties were, however, got over and a proper site for the Base Camp was selected and cleared of its thick forest growth. The Karo river was in spate, and the inmates of the camp were stranded for several days in August, 1959. Pending construction of residential accommodation, the officers and staff of the project had to be housed in aluminium huts and tents. By and by, construction work in the camp started. The first twenty-four houses in Class C for Class III staff and sixteen houses in Class D for Class IV staff were completed, consistently with the policy to show preference to the lower categories of employees. Construction of houses for the higher categories of personnel has also started. The progress would have been more rapid but for difficulties in the procurement of essential building materials. In spite of best efforts, the number of houses built by the end of the year was far from being adequate for the staff employed at the project. Improvised structures had, therefore, to be erected for accommodating some of the staff.

Basic amenities had to be provided at the Base Camp. Piped water supply was arranged from a nearby hill spring, after proper chemical examination of the water. Electricity was arranged, both for the workers and the workshop, by installing three 20 KVA generating sets at the site. A four-bedded hospital was set up, and the required medical staff put in position. Marketing facilities and a co-operative society were organised for the supply of essential requirements. Adequate measures were taken for the welfare of the workers so that their morale remained high, notwithstanding the difficult living conditions.

In road building, first priority was given to the road leading from Barbil, the nearest town and marketing place, to the camp. There existed a cart track which the project had to re-plan to construct a 'pucca' road from Barbil to the Base Camp. A major portion of this road was completed during the year. Karo river, which separates the camp and the mining area from Barbil, had also to be bridged. Construction of a semi-submersible bridge across this river was, therefore, started. The foundation stone for this bridge was laid by Shri Y. N. Sukthankar, Governor of Orissa, on February 5, 1960.

The Indian Bureau of Mines who had undertaken the detailed prospecting of the North Block of the Kiriburu range submitted their report during the course of the year. The results of the exploratory work carried out in the North Block indicated that the total reserves available in the deposit up to a reduced level of 2600 ft. was 114 million tons. After making a discount for gangue and soil, the total reserves work out to 111.5 million tons, the average recovery of  $+\frac{1}{2}$ " ore being estimated as 50%. The average grade of the reserves is 63.65% Fe. The available effective reserves give an assurance of life of 33 years for the deposit, if worked on a scale of million tons of iron ore per year for export.



On the work!—Two workers on their way to work spot.

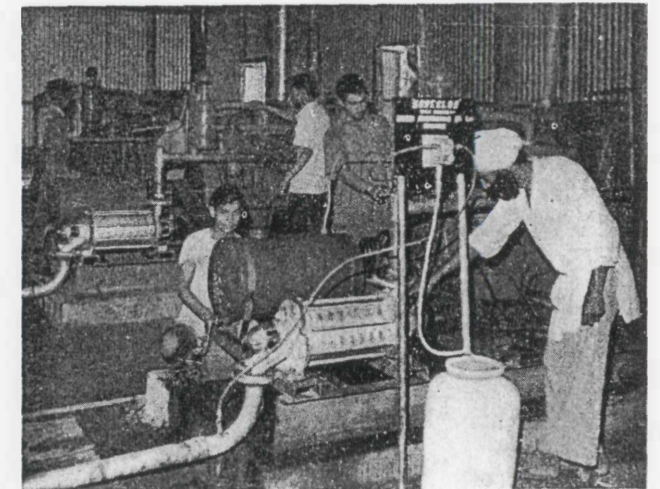
A panoramic view of the Kiriburu area.

As the prospecting teams were already organised on the spot, it was decided to get further prospecting in the South Block also completed through them, though the project report had already been based on the deposits of the North Block. A part of this work (pitting and aditing) was, however, taken up by the Mining Wing of the project. Special efforts had to be made in order to complete the work before the end of the year (1959-60). The final report on the South Block indicated that the total reserves upto a reduced level of 2,600' are of the order of 61.6 million tons. The average grade of the ore is 62.35% Fe and the recovery of  $+\frac{1}{2}$ " ore is only 36%. The reserves of the ore estimated in the South Block do not suffer from any defects in regard to chemical constituents of the ore. The grade of the ore is also well within marketable limits. But the reserves

indicate a draw-back in regard to the physical nature of the ore. The Board, therefore, decided not to undertake exploitation of the deposits in the South Block for the present.

It was necessary to locate a non-mineralised area for the proposed township as near the work site as possible before finalising the site. As such, 18 deep pits of 10 metres each were put in, and the non-mineralised area demarcated on the plan. The concurrence of the Indian Bureau of Mines to this was obtained under the Mineral Conservation Rules. The site for the township was finally approved by the Board of Directors on August 20, 1960. A land-use map was prepared thereafter, after a proper survey for planning the layout of the proposed township. During 1960-61, 600 quarters of various types are proposed to be constructed at the site which covers an area of 200 acres. The cost of the township is estimated at Rs. 75 lakhs. Preliminary work in the shape of jungle clearance etc. has been completed. The rates quoted by tenderers have again been found to be very high and a small instalment of work has been taken up departmentally.

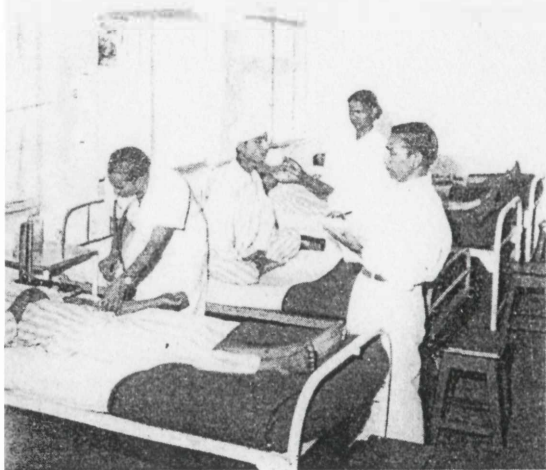
A delegation consisting of Shri Bhagwan Singh, Managing Director, and Shri D.R. Bharadwaj, Chief Engineer (Mining), was sent to Japan in October, 1959, with a view to studying locally the techniques of mechanised mining as carried out in that country, as also the organisations and techniques adopted in various types of modern factories there. The delegation returned after a two weeks' tour of Japan and furnished a detailed report to the Board.



Water pumping station Kiriburu.

The Board met at Kiriburu for the first time towards the end of the year under report in January, 1960, and the Directors went round the various work sites.

The main items of work to be done during 1960-61 are: (i) removal of overburden; (ii) publication of tenders for erection and construction works; (iii) selection of contractors for these works; (iv) publication of tenders for machinery and equipment; and (v) placement of orders for machinery and equipment.

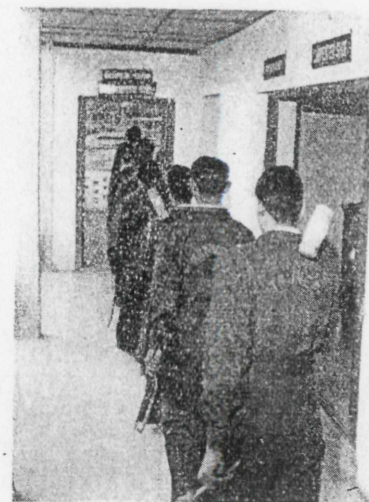
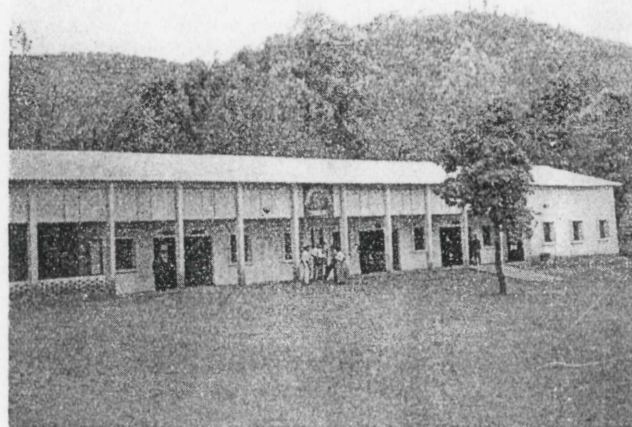


*The Hospital—Kiriburu.*



*Project children at play—Kiriburu School.*

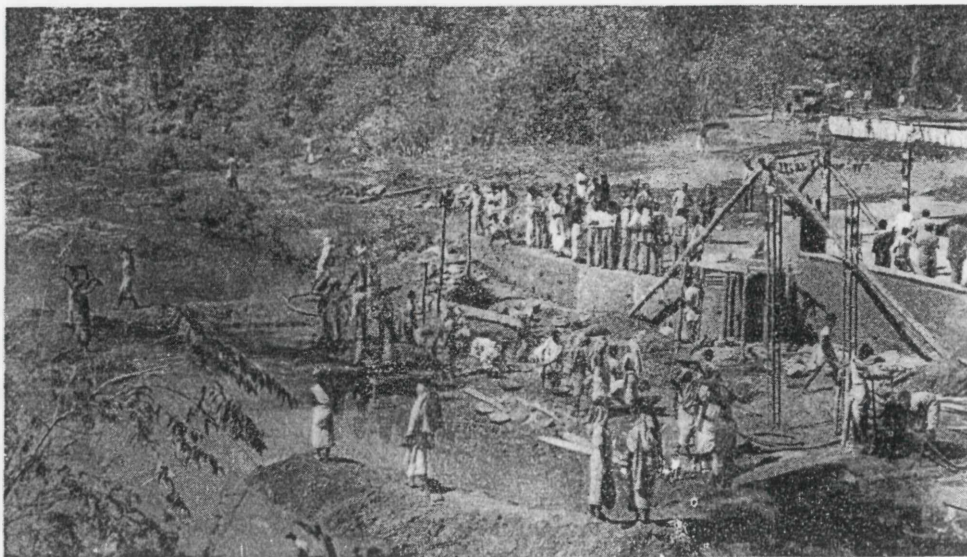
*The Training Institute.*



*Trainees on their way to the workshop.*

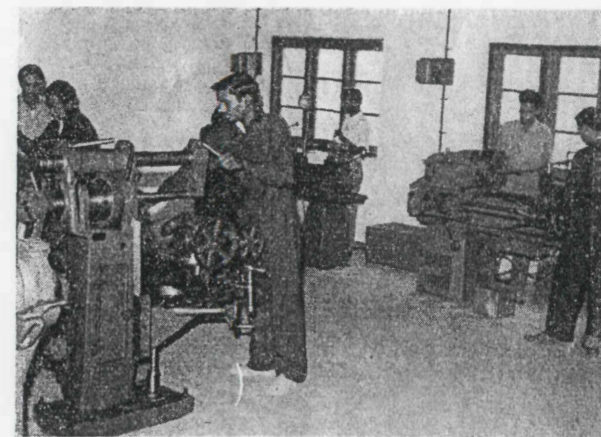
The important items of work incidental to the above are: the construction of a proper road from the Base Camp at Kiriburu to the hill top, an elevation of a thousand feet; shifting of staff to the work sites; and provision of electricity and water supply. These important items of incidental work have been completed.

*Construction work on the bridge over the Karo in progress—Kiriburu.*



## training institute

*A view of the Trainees at work.*



*Another view of the Trainees at work.*

# kiriburu

The work of removal of overburden is well in hand. Removal of 30,000 cu. metres of soil and laterite is required to be completed manually by April, 1961. Of this, about 13,000 cu. metres have been completed. Extra labour has been engaged to make up for the time-lag.

The construction work for the crushing plant includes both erection and construction of the crushing plant. This has been entrusted to M/s. Hindustan Construction Co. Ltd., on December 23, 1960. The work was actually to start in November, 1960. To cover the time-lag, part of the excavation work has been done departmentally. 35,000 cubic metres of excavation has been completed by manual labour in this way. This was possible by diverting the labour from overburden removal.

The service centre includes the erection and construction of (i) air compressing plant (ii) power sub-station (iii) machine shop (iv) general office (v) check office (vi) power delivery station (vii) magazines (viii) laboratory, and (ix) electric repair shop. The question of awarding contracts for these works is under examination.

The water supply includes (i) mill water supply for the plants and (ii) drinking water supply for the township. The mill water supply is being tapped from the Gagiratha Nale and the drinking water supply from the river Karo. The water supply contract has been awarded to M/s. M.L. Dalmiya & Co., Ltd. in January, 1961 and the work has commenced.

For purchase of machinery and equipment, global tenders were floated through the agency of the D.G.S. & D. The scrutiny of the tenders received has been completed by the project officers, the Consultants and, later, by a sub-committee of the Board. The final orders are expected to be placed shortly.

With the placement of these orders, and the award of contracts for the service centre, the Project will be well set on its way to execution.

### panna project

The development of the diamond deposits of Madhya Pradesh is the second project assigned to the Corporation by Government in the Department of Mines & Fuel's letter No. 19(92)/59-MIV, dated December 8, 1959. The occurrence of diamonds in Panna has been known for long; it is entwined in our history. Diamonds have continued to be exploited as and when society was orderly and political conditions were stable. The techniques employed were primitive; they have not altered with the years and survive in much their pristine form to the present day. This is so because Panna formed part of Princely India, which was largely unaffected by the tide of industrialism that swept other parts of the country and brought technological advance in its wake. Moreover, interest at the time was centred on the recovery of the gem variety of diamonds alone. The industrial variety had no particular appeal or value since its industrial uses had still to be discovered. Today, diamonds occupy a place of increasing importance in industry. A whole range of precision tools, scientific instruments and drilling bits, to mention but a few examples, depend to a very considerable extent for their accuracy and utility on diamonds. It was perhaps in realisation of their industrial and scientific importance that Government decided to entrust the development of the diamond resources of Madhya Pradesh to the Corporation in order that they may be fully explored and exploited in a skilled and organised manner.

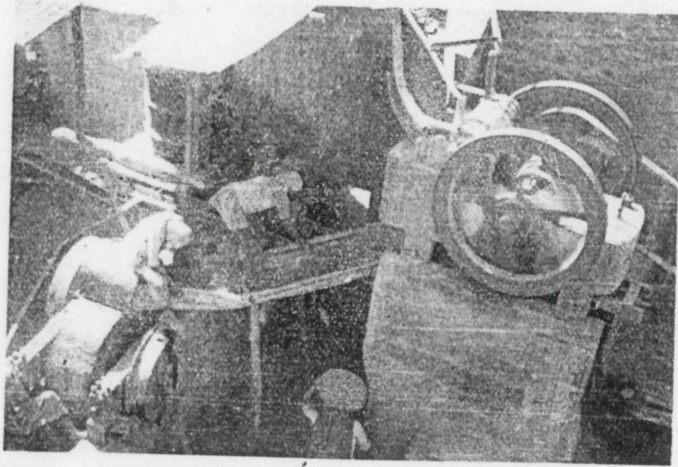
Soon after the assignment of the project on 8.12.1959, efforts were made to set up a suitable organisation at the project site. Your then Chairman was put in exclusive charge of the project as its executive head, and he was assisted in the discharge of his duties by a Mining Engineer, a Deputy Financial Adviser and a Prospecting Engineer and other technical and administrative staff at the project. The Mining Engineer joined by the middle of February 1960, and he started immediately a detailed survey of the diamond bearing areas of Panna and devoted the first few weeks in absorbing all the available information and data concerning the geology of the area and its diamond bearing potentialities. The diamond belt apparently stretches from the Kalingar Fort to the Ken River in the districts of Satna, Panna and Chattarpur, covering an area of some 400 sq. miles. It transpired that the records of the work done by the private lessees in the past either did not exist at all or were exiguous in the extreme. It was, therefore, considered necessary as an essential preli-



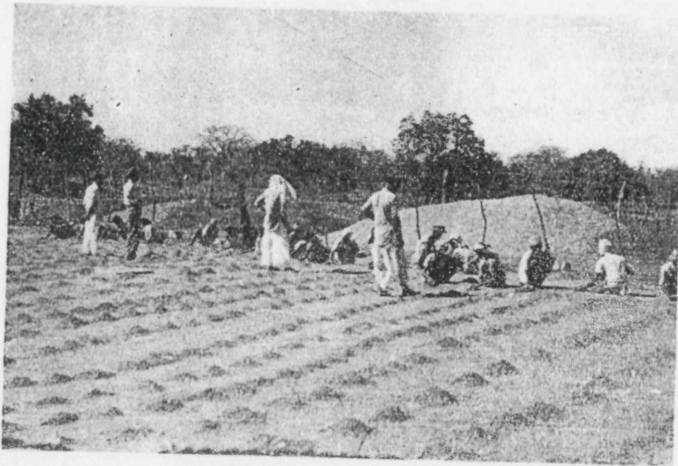
*Removal of overburden in progress*

minary to exploitation, to prospect the area in detail with a view to establishing the reserves, proven and probable. Government have set a target of production of 90,000 carats by 1963. The feasibility of achieving this output had first to be established and consequently the Mining Engineer was asked to submit proposals for undertaking the detailed prospecting of the region. Diamonds occur in nature in a very different way from other minerals and the first concern was to locate the primary source of diamonds in the Panna region. 23 pockets in the area were selected for detailed investigation and a prospecting licence over an area of 26.74 sq. miles covering these pockets was obtained through the good offices of the Madhya Pradesh Government. Prospecting operations have been organised in that area in accordance with a time-schedule, to be completed by the end of March 1961, when a report is to be rendered to Government with proposals for exploitation on commercial scale, by June 1963 at the latest.

The entire area for purposes of prospecting has been divided into 3 groups on the basis of the nature of deposits, and it was proposed to drill 4 to 9 holes per sq. miles. The total number of



*Primary and Secondary  
Crushing arrangements at  
Majhgawan.*



*Hand picking of Diamonds  
at Majhgawan.*

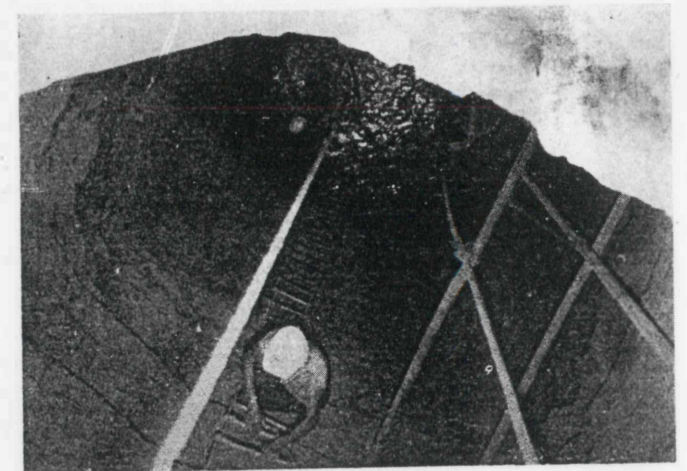
holes thus works out to about 200. The schedule of detailed prospecting work during the year 1960, however, could not be adhered to, owing to want of mechanical equipment and trained personnel. In spite of these odds, the project has been able to make progress as summarised below, up to the time of presentation of the Annual Report:

Area granted for prospecting	..	26.74 sq. miles
Pits dug for gravel	..	100
Pits dug for tuff/conglomerate	..	97
Pits completed	..	113
Pits being dug	..	93
Area where drilling is being done by IBM	..	20.00 sq. miles
Holes bored	..	36

Incidental recovery of diamonds during prospecting	..	175 diamonds, weighing 120 ratties.
Gem:	..	88 weighing 65.25 ratties valued at Rs. 300 per ratti (approximately.)
Industrial:	..	87 weighing 54.75 ratties valued at Rs. 35.40 per ratti (approximately.)

It is hoped that adequate information will have been secured by the end of March, 1961, notwithstanding the handicap of lack of model equipment and trained and experienced manpower, to be able to decide with some confidence the nature and scale of mining operations to be undertaken.

When the State Government granted a prospecting licence over an area of 26.74 sq. miles, it had excluded the area held under a working permit granted to a private firm. The area so excluded included Ramkheria, Akla & Hatupur. This permit expired on December 31, 1960 and your Company has since obtained a mining lease over the Ramkheria area and applied for a prospecting licence for the Akla and Hathpur areas. It has been considered that exploitation can be taken up immediately in Ramkheria. The matter is under further examination.



*Prospecting Shafi (Majhgawan) Sample of Agglomeratic Tuff at 90' depth from surface at Majhgawan.*

The expenditure on the Project during the financial year 1959-60 was Rs. 30,907.02.

For and on behalf of the Board of Directors

New Delhi,  
11-Parliament Street.  
23.3.61

Sd/- N.S. MANI  
23-3-61  
Chairman.

**NATIONAL MINERAL DEVELOPMENT CORPORATION LIMITED**



*Balance Sheet as at 31st March 1960*

31.3.1959		LIABILITIES	
Rs.		Rs.	
	<b>SHARE CAPITAL</b>		
	<b>Authorised</b>		
15,00,00,000.00	1,50,000 Equity Shares of Rs. 1,000/- each	15,00,00,000.00	
	<b>Subscribed</b>		
4,000.00	3,761(4—1958-59) Equity Shares of Rs. 1,000/- each fully paid up in cash	37,61,000.00	
	<b>Share Capital Suspense</b>		
4,96,000.00	Amount awaiting allotment of shares	2,92,000.00	
	<b>CURRENT LIABILITIES &amp; PROVISIONS</b>		
1,09,320.67	Sundry Creditors	13,31,000.61	
6,09,320.67	<b>Total ...</b>	53,84,000.61	

Sd/- G. C. SHARMA  
Secretary  
21.2.1961.

Sd/- BHAGWAN SINGH  
Managing Director  
21.2.1961.

31-3-59		ASSETS	
Rs.		Rs.	Rs.
	<b>FIXED ASSETS</b>		
18,626.99	Fixed assets at cost less depreciation (As per Schedule 'A' annexed)	10,00,344.72	
1,01,884.27	Capital Works in Progress	6,16,952.54	
	Capital Stores, at cost	2,99,676.63	19,16,973.89
	<b>Incidental Expenditure during Construction</b>		
74,373.03	As per last Balance Sheet	74,373.03	
	Expenditure for the year ended 31st March, 1960 (As per Schedule 'B' annexed)	15,37,995.55	16,12,368.58
	<b>Loans and Advances</b>		
	<i>Unsecured</i> — considered good Advances recoverable in Cash or in kind or for value to be received.	1,77,609.12	
	Due from a private company in which some of the Directors of this company are Directors.	401.83	1,78,010.95
	<b>Cash and Bank Balances</b>		
3,73,083.96	With State Bank of India, on current accounts.	4,26,052.37	
2,436.61	Cash in hand and in transit	66,072.79	4,92,125.16
	<b>Miscellaneous expenditure and Losses</b> (To the extent not written off)		
	<b>Preliminary Expenses</b>		
38,915.81	As per last Balance Sheet	38,915.81	
	Add: Expenditure during the year	176.00	39,091.81
	Prospecting and Exploration Expenses	11,45,430.22	11,84,522.03
6,09,320.67	<b>Total ...</b>	53,84,000.61	

Sd/- K. N. KAUL  
Chairman  
21.2.61

New Delhi, 25th Feb, 1961  
As per our report attached  
Sd/- A. F. FERGUSON & CO.  
Chartered Accountants



**national mineral development  
corporation limited**

**schedule  
A**

*Schedule of Fixed Assets Annexed to and Forming Part of the Balance Sheet as at 31st March, 1960*

Particulars	Cost to 31st March, 1959	Additions during the year.	Cost to 31st March, 1960
	Rs.	Rs.	Rs.
<b>Buildings on Leasehold Land:</b>			
Aluminium Hutments	—	1,04,595.65	1,04,595.65
Tents	—	65,217.65	65,217.65
<b>Plant and Machinery</b>	—	2,83,361.74	2,83,361.74
<b>Furniture, Fittings and Office Equipment</b>	4,052.84	1,19,302.28	1,23,355.12
<b>Motor Vehicles and Cycles</b>	14,726.00	4,07,491.43	4,22,217.43
<b>Telephone Installation</b>	—	12,988.12	12,988.12
<b>Fire Fighting Appliances</b>	—	3,219.30	3,219.30
<b>Equipments</b>	—	19,362.56	19,362.56
<b>Surveying &amp; Drawing Equipments</b>	—	18,243.40	18,243.40
<b>Library</b>	—	3,303.86	3,303.86
Total Rs. ...	18,778.84	10,37,085.99	10,55,864.83
Previous period ...		18,778.84	18,778.84

Sd/- G. C. SHARMA  
Secretary  
21.2.1961

Sd/- BHAGWAN SINGH  
Managing Director  
21.2.1961

To 31st March, 1959	Depreciation		Written down value as at 31st March, 1960
	For the year	to 31st March, 1960	
Rs.	Rs.	Rs.	Rs.
Nil	3,922.35	3,922.35	1,00,673.30
Nil	64,49.50	6,449.50	58,768.15
Nil	10,842.72	10,842.72	2,72,519.02
151.85	6,533.61	6,685.46	1,16,669.66
Nil	26,463.98	26,463.98	3,95,753.45
Nil	338.97	338.97	12,649.15
Nil	96.60	96.60	3,122.70
Nil	424.35	424.35	18,938.21
Nil	296.18	296.18	17,947.22
Nil	Nil	Nil	3,303.86
151.85	*55,368.26	55,520.11	10,00,344.72
	151.85	151.85	18,626.99
			51,851.12
			3,517.14
			55,368.26

\*Depreciation charged to:  
Incidental Expenditure during construction  
Prospecting and Exploration Expenditure

Sd/- K.N. KAUL  
Chairman  
21.2.61

**NATIONAL MINERAL DEVELOPMENT  
CORPORATION LIMITED**

**SCHEDULE  
B**

*Incidental Expenditure during construction for the year ended 31st March, 1960*

Period from  
15.11.1958 to  
31.3.1959

Rs.		Rs.
62,990.33	Consultants' fee	4,40,914.11
4,631.59	Salaries, Wages, Bonus, etc.	6,62,196.79
365.57	Pension Contribution	10,769.34
—	Staff Welfare Expenses	13,811.54
—	Rent	38,499.93
—	Consumption of Petrol, Oil, Lubricants and Sundry Stores	49,420.93
50.00	Insurance Charges	1,452.57
—	Rates and Taxes	7,814.00
—	Mining Lease, Process Fees and Filing Fees	10,545.25
6,023.69	Miscellaneous Expenses	2,56,996.64
160.00	Directors' Fee	1,190.00
151.85	Depreciation	51,851.12
74,373.03		15,45,462.22

Period from  
15.11.1958 to  
31.3.1959.

Rs.		Rs.
—	By Miscellaneous Receipts	7,466.67
74,373.03	Balance, being Expenditure during Construction — for the year carried over to Balance Sheet	15,37,995.55
74,373.03		15,45,462.22

*Note:* The total remuneration of the Chairman and the Managing Director, not entitled to fees, amounts to Rs. 26,043/- and Rs. 37,289/- respectively (Including leave salaries contribution Rs. 2,912.90 and Rs. 1,375/- respectively), previous period Rs. Nil and Rs. 1,825/- respectively.

Sd/- G. C. SHARMA  
Secretary  
21.2.1961

Sd/- BHAGWAN SINGH  
Managing Director  
21.2.1961

Sd/- K. N. KAUL  
Chairman  
21.2.1961.

# auditors' report

A. F. FERGUSON & Co.  
Chartered Accountants  
BOMBAY and NEW DELHI

NEW DELHI, 25TH FEBRUARY, 1961.

We have audited the attached Balance Sheet of National Mineral Development Corporation Limited as at 31st March, 1960. The Profit and Loss Account of the Company has not been prepared as the Company has not yet commenced any revenue operations. As the Company's financial year ends on 31st March, 1960, the Balance Sheet has been drawn in accordance with the Companies Act, 1956, before amendment and therefore does not give the information additionally required by the Companies (Amendment) Act, 1960 in the manner so required.

Subject to the foregoing, we report that:

(1) We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purposes of our audit ;

(2) in our opinion, proper books of account as required by law have been kept by the Company, so far as appears from our examination of the books ;

(3) the Balance Sheet dealt with by this report is in agreement with the books of account ;

(4) in our opinion and to the best of our information and according to the explanations given to us, the Balance Sheet gives the information required by the Companies Act, 1956, in the manner so required and gives a true and fair view of the state of the affairs of the Company as at 31st March, 1960.

A. F. FERGUSON & Co.  
Chartered Accountants.

No. 95-8 (I)- Rep. 1 61-62

OFFICE OF THE  
DIRECTOR OF COMMERCIAL AUDIT,  
Dr. Rajendra Prasad Road,

NEW DELHI-1, 18-4-61

From

THE DIRECTOR OF COMMERCIAL AUDIT, NEW DELHI-1.

To

The Secretary,  
National Mineral Development Corporation Limited, New Delhi.

SUBJECT: Comments of the Compt. & Auditor General of India under Section 619(4) of the Companies Act, 1956 on the audited accounts of the National Mineral Development Corporation Limited for the year ended 31.3.1960.

Sir,

I enclose herewith the comments of the Comptroller & Auditor General of India under Section 619(4) of the Companies Act, 1956 on the accounts of the National Mineral Development Corporation Limited for the year ended 31.3.1960.

The receipt of this letter may kindly be acknowledged.

Encl: One:

Your faithfully,  
Sd/- M. M. MEHTA  
Deputy Director of Commercial Audit

**Comments of the Comptroller and Auditor General of India  
under Section 619(4) of the Companies Act, 1956.**

With reference to the comment in the Company Auditors' Report regarding non-preparation of the Profit and Loss Account, it may be stated that the Corporation has prepared the "Incidental Expenditure Account during the period of Construction". This Account may be deemed to be the "Profit and Loss Account" within the meaning of Section 210(3) of the Companies Act and in adequate compliance of the statutory requirements.

New Delhi  
The 18th April, 1961.

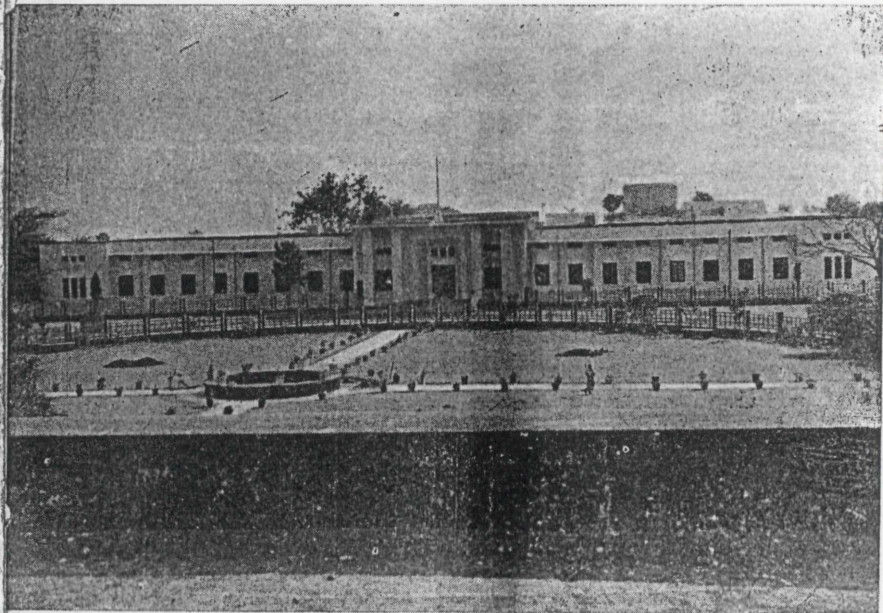
Sd/- M.M. MEHTA  
Deputy Director of Commercial Audit

270



Government of India  
Ministry of Labour & Employment

## COAL MINES LABOUR WELFARE ORGANISATION



*Head quarters—Coal Mines Labour Welfare Fund.*

# REPORT

ON THE

ACTIVITIES OF THE COAL MINES  
LABOUR WELFARE FUND 1959-60

PRINTED BY  
S. N. CHATTERJEE  
AT THE  
ART PRESS, DHANBAD.

ANNUAL REPORT ON THE ACTIVITIES OF THE COAL MINES  
LABOUR WELFARE ORGANISATION FOR THE  
YEAR 1959-60.

**I. INTRODUCTION.**

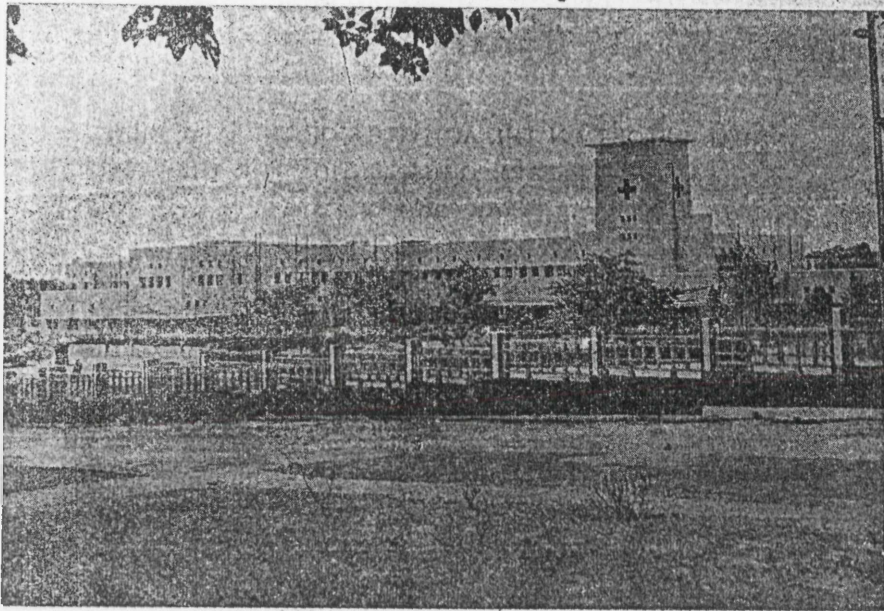
The Coal Mines Labour Welfare Organisation set up for promotion of the Welfare of labour employed in coal mining industry completed fifteen years of valuable service to the coal mining population. The year under review was marked for the progress achieved particularly in two of the major welfare measures undertaken by the Organisation viz., the New Housing Scheme and Domiciliary T. B. Treatment Scheme and the unique achievement of running the first special train for coal miners and of organising the first All-India Coalfields Sports.

The levy of cess on despatches of coal which is the main source of income of the Fund continued at the rate of 37.5 naye paise and was apportioned between the General Welfare Account and the Housing Account of the Fund in the ratio of 6:31. The income of the Fund during the year was Rs. 162.59 lakhs (Rs. 30.43 lakhs in the General Welfare Account and Rs. 132.16 lakhs in the Housing Account.) The total expenditure was Rs. 149.44 lakhs (Rs. 76.33 lakhs in the General Welfare Account and Rs. 73.11 lakhs in the Housing Account).

**II. MEDICAL FACILITIES.**

The achievements of the Organisation in regard to provision of medical facilities, which is one of the major projects tackled by it, have been quite considerable. The amount spent on medical schemes during the year 1958-59 was Rs. 28,95,524/- including construction works. The measures undertaken under this project include establishment of Hospitals, Maternity and Child Welfare centres, T. B. Clinics and Dispensaries, Domiciliary T. B. Treatment Scheme, grant-in-aid to voluntary organisations and other agencies etc. as detailed in the following paragraphs.

1. **Central Hospital, Dhanbad.**—A 250-bedded modern well equipped Central Hospital is run by the organisation at Dhanbad since 1951. All kinds of specialised treatment is available at the hospital. The average daily number of in patients treated in the hospital during the year was 302 against



*Central Hospital, Dhanbad.*

266 during the previous year. The number of new patients treated in different departments of the hospital during the year is given in the following table :—

Department.	O. P. D.	Indoor.
1. Medical	8044	2674
2. Surgical	11080	2361
3. Maternity & Gynaecological	1985	951
4. Eye & E. N. T.	2959	291
5. Dental	808	—
6. V.D.	989	147
<b>Total :</b>	<b>25865</b>	<b>6424</b>

One thousand six hundred and eighty three operations were done. Plaster of paris was applied in 1159 cases. Anaesthesia was given in 1491

cases, and the number of pathological investigations done during the year was 34730. The number of patients X'rayed was 8488 and that screened 331.

2. **Central Hospital, Asansol.**—The other Central Hospital of the Fund at Kalla in the Raniganj Coalfield entered the fifth year of its existence. The average daily number of in patients treated in the hospital during the year was 266 against 260 during the previous year. Expansion of this hospital was under way. Construction of 22 quarters for Class IV staff and 5 quarters for Class III staff and two quarters for married sisters was completed. The work of the additional wards was started. Work on construction of recreational room of the hospital had also been started. Steps were taken for purchase of equipments for the newly sanctioned Deep X'ray therapy Department and necessary indents were placed with the Director General of Supplies and Disposals.

The following table indicates the number of new patients treated in the different departments of the hospital :—

Department	O.P.D.	Indoor
1. Medical	8731	2184
2. Surgical	4912	2056
3. Maternity and Gynaecological	3282	2176
4. Eye & E.N.T.	5568	367
5. Dental	2011	36
6. V.D.	536	66
<b>Total :—</b>	<b>25040</b>	<b>6885</b>

One thousand seven hundred and forty six operations were done. Plaster of paris was applied in 745 cases. Anaesthesia was given in 1637 cases. The number of pathological investigations was 24345. The number of patients who were X'rayed and screened was 6893 and 1450 respectively.

At the Blood Bank of the hospital 8040 c.c blood were collected and the number of persons who donated blood was 31.

The Social Worker attached to each of the hospitals attended to the needs of the patients and helped them in their correspondence, in learning Hindi/Bengali and taking advantage of recreational and reading room facilities.

At the rehabilitation centres attached to the two central hospitals a total of 18331 patients was treated. The treatment given included active exercises, infra-red and ultra-violet, electrical stimulation massage, paraffin bath, radium heat bath and occupational therapy.

3. **Regional Hospitals** :— Eight Regional Hospitals cum-Maternity and Child Welfare Centres were maintained by the organisation one, each at Katras and Tisra in the Jharia coalfield, at Chora and Searsole in Raniganj coalfield, at Naisarai in Ramgarh Karanpura Coalfield, at Phusro in Bokaro Coalfield, at Jamai in Pench Valley Coalfield and at Dhanpuri in Vindhya Pradesh Coalfield. Construction of hospital building at Phusro in Bokaro coalfield had reached roof level. Pending completion of the hospital buildings, arrangement for indoor treatment continued in other buildings of the hospital.

The number of new patients treated at the Regional Hospitals during the year are given in the following table :—

Regional Hospital	O P.D.	Indoor	Total
1. Katras (Jharia Coalfield)	4805	1071	5876
2. Tisra -do-	4898	755	5653
3. Searsole (Raniganj Coalfield)	1418	95	1513
4. Chora -do-	9117	1335	10452
5. Jamai (Pench Vally Coalfield)	4730	850	5580
6. Naisarai (Ramgarh-Karanpura Coalfield)	3259	670	3929
7. Dhanpuri (Vindhya Pradesh Coalfield)	2073	449	2522
8. Phusro (Bokaro Coalfield)	6633	97	6730

4. **Maternity and Child Welfare Centres**.—Besides the centres attached to the Regional Hospitals, a centre was run by the Fund at Jatachappa in the Pench Valley Coalfield. A centre under a Lady Health Visitor was also maintained in each of the Andhara Pradesh, Talcher and Sambalpur Coalfields. Maternity and Child Welfare services were also rendered by the Jharia and Asansol Mines Boards of Health for which the Fund was paying an annual grant of Rs. 50,000,- to each of the Boards. For simillar arrangements in the Hazaribagh Coalfields sanction of the Government was obtained for payment of a grant in aid to the Hazaribagh Mines Board. A total of forty nine centres was thus run through the three Boards. Payment of an annual grant-in-aid of Rs 1000/- for maintenance of the 10 bed Maternity Block at the Government Hospital, Chanda for treatment of colliery cases in the areas was continued.

#### 5. T. B. Treatment.

- (i) With the provision of 25 beds at the Regional Hospital Searsole, a total Number of 49 beds have been provided by the Fund for the treatment of Colliery T. B. Patients.—12 beds each in Katras and Searsole T. B. Clinics and 25 beds by conversion of the Regional Hospital section of the Searsole Hospital.

- (ii) In addition to the above, a total of 81 beds were also reserved by the Fund in various sanatoria for treatment of colliery T. B. Patients as shown in the following table :—

Name of Sanatoria.	No. of beds reserved.	No. of beds occupied as on 31-3 60.
1. Ramkrishna Mission T. B. Sanatorium, Ranchi.	39	39
2. Govt T B Sanatorium Nowgong, M. P.	5	4
3. Govt T. B Sanatorium Chhindwara, M. P.	5	5
4. Pendra Road T. B. Sanatorium Korea, M. P.	11	11
5. Christian Mission Hospital and Sanatorium, Jorhat, Assam.	5	5
6. Yerragadda T. B. Sanatorium Hyderabad.	5	5
7. Mahadevi Birla T. B. Sanatorium, Ranchi.	11	11
Total :—	81	80

- (iii) Plans and estimates for construction of a 100 bedded T. B. Block as an adjunct to the Two Central Hospitals at Dhanbad and Asansol were under consideration of the Government of India. Dr. Benjamin, T. B. Advisor to the Government of India who was deputed to see the working of the various T. B. Measures of the organisation made several recommendations which included establishment of a 12 bedded T. B. Clinic at each of the Regional Hospitals and one in the Andhra Pradesh Coalfields, increasing the number of beds in Katras T. B. Clinic and those reserved in various sanatoria, conversion of the entire Regional Hospital at Searsole into a 50 bed T. B. Hospital, provision of about 130 beds in segregation wards in the different coalfields etc. These were under examination.

- (iv) The scheme for payment of subsistence allowance at a rate not exceeding Rs. 50/- per month to the dependents of T.B. patients undergoing treatment as in-patients at the Fund's T.B. Clinics or at the beds reserved by the Fund in various sanatoria was continued during the year.

- (v) The scheme of domiciliary T.B. treatment to the coal mine workers which was introduced as a pilot scheme in the coalfields of Bihar and West Bengal on 1st August, 1958 with provision for treatment of 300 patients was giving excellent results. With a view to bringing all patients requiring such treatment under the scheme, provision for treatment of 700 additional patients in the said coalfields was made.



*Chemotherapy Centres - Domiciliary T. B. Treatment.*

The scheme was also extended to the coalfields of Madhya Pradesh and Rajasthan providing for treatment of a total of 41 cases. The question of introduction of the scheme in other coalfields was under active consideration. Free supply of medicines upto Rs. 40/- per patient per month, payment of a grant-in-aid for special diet upto a maximum of Rs. 50/- per month per patient for a maximum period of six months and subsistence allowance to dependents are the special features of the scheme.

- (vi) A convalescent Home for cured T.B. patients was started by the Organisation at Bhuli on 18th January, 1960 with eight cured patients. Besides free supply of medicines required for such convalescent persons

according to prescriptions, training in the crafts of garment making and basket making was also given to each person and a monthly stipend at the rate of Rs. 30/- per month per head was also given for a period of three months.

6. **Dispensaries :** At the two dispensaries run by the Fund, one at the Bhuli Township in the Jharia Coalfield and the other at the Mugma Coalfield 9745 and 4419 new cases respectively were treated. The Mobile Medical Units in the Damua area in Pench Valley Coalfield and Karanpura Ramgarh Coalfield continued to render useful services to colliery workers.

7. **Ayurvedic Dispensaries :** With the opening of six Ayurvedic Dispensaries during the year, the Organisation was also running thirteen Ayurvedic Dispensaries including one recently opened at Bellampalli in the month of March, 1960 in the Andhra Pradesh Coalfield. The number of new patients treated at each of the dispensaries is given below —

Name of Dispensaries	Total number of patients treated
1. Jagjivan Nagar	3,987
2. Bokaro	3,993
3. Khas Jeenagora	4,277
4. Kothagudium	8,410
5. Birsinghpur	3,268
6. Churi	5,056
7. Central Saunda	4,599 (only for 11 months)
8. Bhuli	15,015 (only for 8 months)
9. Rudrampur	7,063 -do-
10. Ramavaram	2,105 (only for 3 months)
11. Ledo	161 (only for 4 months)
12. Newton Chicky	2,169 (only for 3 months)

8. **Financial Assistance to Dispensaries services :—**The Organisation pays annual grants-in-aid to the colliery owners as maintain dispensaries of the prescribed standard for the benefit of labour employed in their collieries. The amount of the grant payable under the scheme is the amount of the cess at the rate of eight pies per ton recovered in respect of coal or coke despatched from the colliery less the proportionate cost of recovery or the amount spent on the maintenance of the dispensary, which ever is less. The following table indicates the position as on 31st March,



1960 of the applications received, inspections conducted and payments of the grants-in-aid made for the years 1950—58.

Year	No of application received	No. of dispensaries which found not conforming to the standard prima facia	No of dispensaries inspected	No of dispensaries yet to be inspected	No. of dispensaries found conforming to standards.	Amount Paid
1950	156	61	95	Nil	25	Rs. 97,931 15 9
1951	64	25	39	Nil	38	1,60,244 1 0
1952	65	26	39	Nil	33	1,69,069 2 0
1953	67	22	45	Nil	41	2,92,654 12 3
1954	70	20	50	Nil	43	2,61,115 98 nP.
1955	73	20	53	Nil	46	2,81,071 73 ..
1956	69	25	44	Nil	35	2,47,524 76 ..
1957	81	18	53	Nil	36	2,29,758 49 ..
1958	72	14	52	6	39	2,98,396 34 ..

With a view to providing incentive to colliery owners to improve the existing dispensaries a scheme of financial assistance was sanctioned by Government. The financial assistance under the scheme consists of an interest free loan equal to actual cost of construction of new building or for improvement of existing buildings for dispensaries including purchase of equipments, subject to a maximum of 16 times the annual grant-in-aid admissible under the former scheme. The loan is repayable is not more than 32 annual instalments. Up to the 31st March, 1960 five applications had been received. Out of them only two colliery companies have been sanctioned loan as detailed below :—

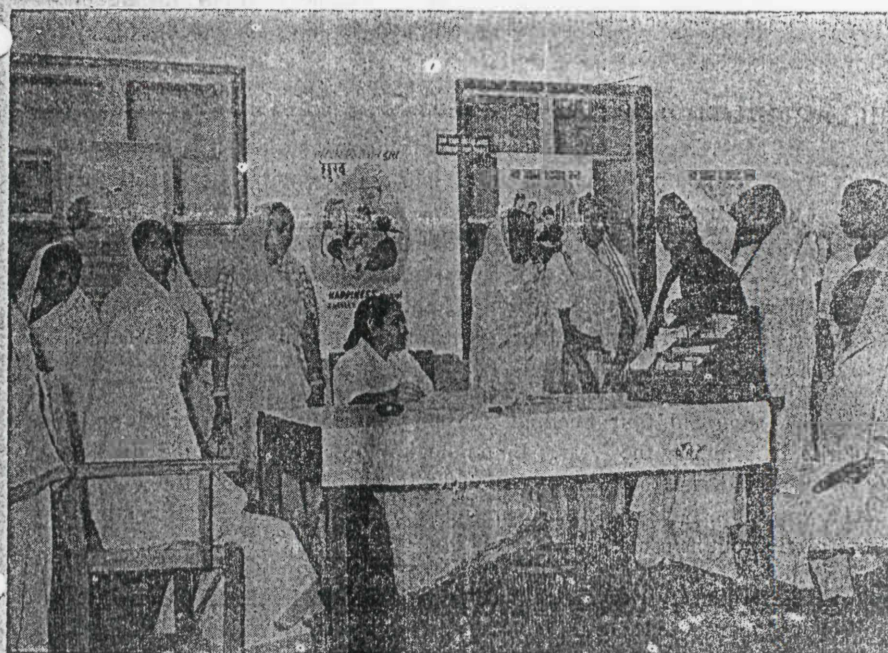
M/s. Selected Satgram Collieries	...	Rs. 60,000/-
M/s. Bird & Co.	...	Rs. 7,01,408/-

9. **X'ray facilities** :—X'ray plants are being supplied by the Fund to colliery hospitals for facilitating diagnosis. Five such plants had already been supplied to the hospitals at Giridih, Barkui, Nowrozabad, Kothagudium and Margherita. Supply of three more plants one each to Kustore, Jamadoba and Bhowrah hospitals was awaiting supply of equipments from the D. G. S. & D. Supply of X'ray plants to all the Fund's Regional Hospitals and a colliery hospital in Sambalpur Coalfield was also approved by the Government.

10. **Ambulance Vans** : The Fund has provided ambulance vans to the Central and Regional Hospitals for carrying patients. The van attached to the Central Hospital, Dhanbad carried 472 patients and covered 7594

miles and that at the Central Hospital, Asansol 770 patients covering 12 454 miles. The ambulance van attached to the Regional Hospital, Katras carried 237 patients covering a distance of 10'082 miles. The vans at Regional Hospitals Tisra and Naisarai carried 262 and 180 patients respectively and covered a distance of 8,842 and 8 687 miles. These vans were also used for Domiciliary T.B. treatment. Supply of new vans one each for the Regional Hospitals at Searsole, Chora and Jamai was awaited from the D. G. S. & D. with whom indents had been placed.

11. **Family Counselling** : Family counselling centres were run at the two Central Hospitals and five Regional Hospitals. Two thousand one



*Family Counselling Centre—Central Hospital, Asansol.*

hundred and seventy five cases were attended to. Sterilization was done on 222 cases.

Family planning lectures and demonstrations were also given to mothers in all the 33 Maternity and Child Welfare Centres run by the Jharia Mines Board of Health. The Field workers of the Women's Welfare Section continued wide propaganda on the advantages of family planning among the women folk. Over 4,000 women were thus advised and some were taken to clinics.

12. **Leprosy:** For treatment of colliery workers suffering from Leprosy, a total of 46 beds have been provided by the Fund, 22 at the Tetulmary Leprosy Hospital and 24 at the Asansol Leprosy Hospital and grant for their maintenance is being paid by the Fund. Government sanctioned payment of a grant-in-aid to the Kulti Division of the Asansol Leprosy Association towards expenditure on construction of a 16 bedded hostel for segregation of infectious leprosy cases and recurring grant for maintenance of 8 beds thereof for exclusive use of the colliery workers.

13. **Residential Home for children:** In order to protect from infection the children of coal miners suffering from Leprosy and T.B. and to provide them with nourishing food, establishment of a Residential Home for about 30 children in the age group of 6-14 at Bhuli Township was sanctioned by Government. Steps were taken to start the home.

### III. ANTI-MALARIA OPERATIONS:

The Malaria control operations in coalfields areas which were switched over to eradication programme stepped into its fifteenth year. Anti larval work in the form of drainage work, clean weeding etc. was carried out in all the coalfields before commencement of residual insecticidal spraying in June, 1959. Two rounds of spraying were completed in all the coalfields except in Assam where three rounds are generally given. About 779 collieries and 550 adjoining villages were sprayed during the year protecting a population of about 11,66,600.

Six thousand four hundred and fifty three persons received anti-malarial drugs during the year. Entomological observations on the density of anopheline mosquitoes were carried out. It was observed that the density was low in all the areas. Spleen parasite and infant parasite examinations were carried out as usual.

Filaria Survey was started in the Jharia Coalfield. Regular mosquito collections were started from Dhowrahs of collieries and adjoining villages. Besides adult collections, search for breeding places as well as larval collections from all types of breeding places were also made. Heavy culicine breeding was found in most of the breeding places. The density of culicines were found to be much higher than anophelines in cattle sheds and mixed dwellings, while in the human dwellings no anopheline was recorded.

### IV. EDUCATION AND RECREATION.

1. **Miners' Institute:**—For providing educational and recreational facilities to colliery workers, their children and other dependents, miners'

institutes each comprising a Centre for the welfare of women and children and an Adult Education Centre for males are established in the various coalfields. The Organisation erects its own buildings for the institutes and where land is not readily available, the centres are temporarily started in accommodation offered by colliery companies. With the completion of one more institute building at Samla Kendra in the Raniganj Coalfield, 50 Miners' Institute buildings had been constructed by the Fund in various coalfields up to 31st March, 1960.

2. **Women's Welfare Centres:**—Up to the end of the last year 55 Centres had been established in the various coalfields. During the year under review 4 more centres started functioning at Kharkharee in the Jharia Coalfields, Central Saunda in the Karanpura-Ramgarh Coalfield and Nigha and Girmint in the Raniganj Coalfield.

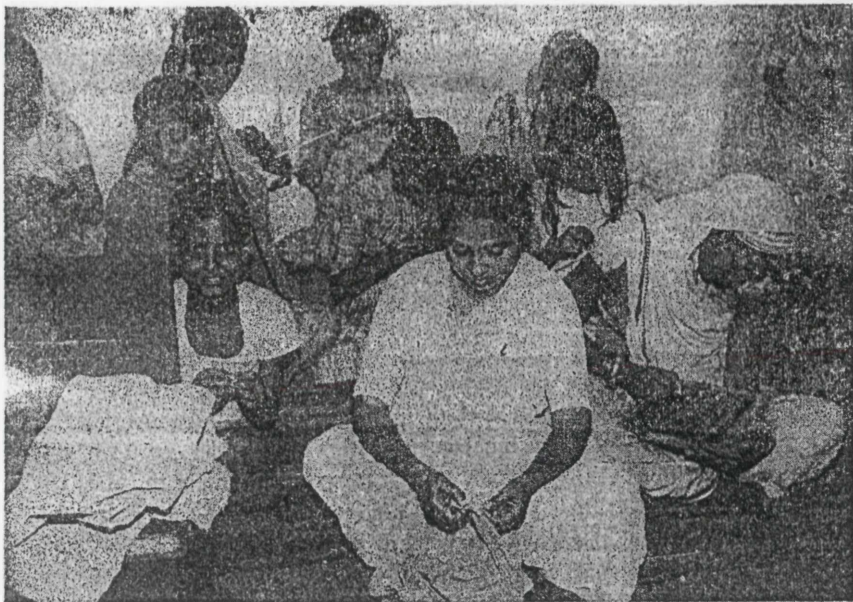
The Centres continued to provide elementary education to workers, children upto class II standard. The children attending the centre were given bath in the morning by Ayah of the centre. They were then dressed with garments supplied free by the Organisation. Healthy and interesting games were played at all the centres. Milk and tiffin continued to be distributed to the children attending the Women's Welfare centres. On every working day Chura, Gur, Kismis and UNICEF milk powder were supplied to them. Medical check up of children's health continued at all the centres. The health of the children was checked up quarterly during the year by the Medical Officer of the Organisation. Average health of the children was found satisfactory.

Besides training in handicrafts like sewing, tailoring, embroidery, repair of garments etc., literacy classes are also held for women at all the centres. The total number of women declared literate up to 31st March, 1960 was 580. All the Centres have been provided with a sewing machine each and other materials required for handicraft work.

The Field Worker went to Dhowrah daily and spent at least five minutes in each house giving talk on various subjects such as education, cottage industries, kitchen, gardening, poultry keeping, evil effects of drinking, civic duties, saving of money, etc. which would assist in the general welfare of the miners' families and raise their standard of living. They had also assisted the women in various matters such as admission to hospital, etc.

3. **Adults Education Centres:** Up to the end of the last year 56 Adult Education Centres had been established. During the year, 4 more centres

started functioning at Kharkharee, Central Saunda, Ningha and Girmint. During the year under review 1137 adults were made literate. The total number of adults made literate up to 31st March, 1960 was 7450.



*Miners' Institutes—Women & Children at Work.*

A small library containing about 400 books was being maintained at each centre which was being used by a fairly large number of persons. Study tours and excursions to places of interest were arranged. A batch of 30 workers of Kargali No. 1 miners' institute went to Bokaro Thermal Plant for an education tour. A party of 14 persons from No. 3 Incline visited Hyderabad and Secunderabad. Another batch of 12 workers from Yellandu centre visited Madras, Tirupathi Mahabalipuram and Vijayawada. Cultural activities arranged at the centres included musical concerts, physical and yogic feats Bhajan and Kirtan staging of dramas, Birha Programmes, folk dances, Kawali etc. Football Volleyball, table tennis, and carrom were played at the centres. Republic Day, Independence Day, Gandhijee's Birthday, Rabindra Jayanti B. B. Kunwar Singh's Day, Tulsi Jayanti, Krishna Jayanti, Swaraswati Puja were celebrated at various centres. The 16 film projector in the Jharia coalfield was used for exhibition of shows at the centres in the Jharia coalfield. Provision of such film projectors in other coalfields was awaiting supply from the Director General of Supplies and Disposals with whom indents had already been placed.

With a view to expanding the adult education activities, a scheme of feeder Adult Education Centres was introduced during the last year. Up to the end of the last year 35 such centres had been established. During the year 34 more centres were opened in the various coalfields. Thus there were 23 centres in Jharia, 7 in Hazaribagh, 16 in Raniganj, 7 in Andhra Pradesh, 12 in Madhya Pradesh and 4 in Assam.

4. **Primary Schools** :—Monthly grants in-aid were continued to three Schools in Talcher, four Schools in Andhra Pradesh and one School each in Korea, Assam and Darjeeling coalfields.

A non-recurring grant of Rs. 1500/- was sanctioned for payment to three colliery Schools in Bokaro coalfield for purchase of furniture and equipment.

5. **Training of Welfare Personnel** :—The third course of training commenced from 2nd November 1959 at the Welfare Personnel Training Institute, functioning at Bhuli from August, 1958. The first course of training ended on the 31st January 1959. Forty three persons completed the training successfully out of 51 who sat for the final examination. Out of 47 persons of the second course ended on 31st August, 1959 who sat for the examination 38 were declared successful.

6. **Grant of Scholarships** :—Seventy five scholarships @ Rs. 20/- per month each are awarded for higher general education and 22 @ Rs. 30/- per month each for technical education. Government have also sanctioned grant of 50 stipends @ Rs. 20/- per month each to sons and daughters of colliery employees undergoing training at the various training institutes opened under the Director General of Resettlement and Employment Training Scheme in the coalfields of different states. A total sum of Rs. 13 102/- was spent on scholarships during the year.

7. **Facilities for training in leadership and discipline** :— For providing facilities for training in leadership and discipline to children of coal miners, the Ministry of Education were requested to introduce their National Discipline Scheme in some of the educational institutions in coalfield areas. They agreed to the request and the scheme was introduced in 6 institutions in the coalfield areas of West Bengal. With a view to providing an incentive to the children to attend the classes it was decided to supply at the cost of the Fund a set of uniform consisting of shirts, shorts, stockings and shoes to each of the children of colliery workers undergoing training under the scheme.

**8 Training Camps for Children of Coal Miners in Leadership and Discipline:**—A proposal for imparting training in leadership, physical education and discipline to the children of colliery workers attending the Fund's miners' institutes by holding training camps was also approved by Government. The first training camp was held at Bhuli from 18th to 30th September, 1959. Thirty children selected from different institutes were admitted for the training. Each was supplied with a set of uniforms free of cost. The second training camp for another thirty children was held from 2nd November, 1959 and the 3rd camp in February, 1960. All the children trained at the camp will set an example to other children attending the miners' institutes and help introduction of the training classes at the institutes.

**9. Games and Sports:**—A total sum of Rs. 55,000/- was spent towards organising games and sports for colliery workers in the different coalfields in conjunction with the coal industry. During this year the first All India



*All India Coalfield Sports—Union Dy. Labour Minister Inspecting Athletes*

Coalfield Sports meet was organised by the organisation at Lodna Sports Ground in Bihar on the 24th January, 1960. Workers from all the coalfields participated in the sports. The function was inaugurated by Shri Abid Ali, Union Deputy Labour Minister.

**10. Health Week:**—Health Week/Fortnight was also organised in most of the coalfields and a total sum of Rs. 23,250/- was sanctioned for this purpose.

**11. Exhibition of Films:** The four Mobile Cinema units maintained by the organisation one each in Jharia, Raniganj, Karanpura, Ramgarh and Pench Valley Coalfields gave a total of 961 shows during the year.

#### V. ENFORCEMENT OF STATUTORY PROVISIONS.

**1 Coal Mines Pithead Bath:** The Coal Mines Pithead Bath Rules 1946 continued to be administered by the Coal Mines Labour Welfare Organisation. Under the Rules it is obligatory to provide pithead baths at every coal mine whose monthly output during the previous calendar year exceeded 500 tons. Exemption from the provision of Pithead Bath is granted in case of those mines the resources of which are not sufficient to enable them to make adequate supply of water and also to those which are likely to be exhausted within the next three years. The total number of collieries where Pithead Baths had been completed was 215 and that of collieries where they were under construction was 90.

**2. Creche in Coal Mines:**—The Mines Creche Rules, 1946 were repealed on the 7th November, 1959 and under the present Rules the owner Agent or Manager of every mine in which not less than 50 women workers had been employed on any one day of the preceding twelve months were required to provide creche. Creches had been completed in a total of 389 up to November 1959. Supply of diet to children at the creches were made compulsory. Introduction of diet improved matters. Attendance of children increased and also the popularity of the creches.

**3. Prosecution:**—For contravention of the Coal Mines Pithead Bath Rules and Mines Creche Rules, 46 prosecutions were launched during the year.

**4. Maternity Benefit:**—The Mines Maternity Benefit Act and Rules made thereunder also continued to be administered by the Coal Mines Labour Welfare Organisation. During the year mines maternity benefit was paid by the employers in a total of 22 cases.

**5. Workmen's Compensation:**—Under order of the Government members of the Inspectorate of the Organisation followed up cases of accidents in coal mines which involved payment of compensation. No legal authority to enforce quick settlement of such cases had, however, been given. Out of a total of 4692 cases reported 215 were followed up during the year. 2916 were admitted and 339 were not admitted. Payment was made in 1437 cases.

## VI. MINERS HOUSES :

1. **Township** :—Under the Fund's first scheme of construction of experimental townships, the organisation constructed in all 1566 houses at Bhuli, 48 houses at Bijoyagar, 219 houses at Bokaro, 180 houses at Kargali 50 at Giridih, 50 at Bhurkunda and 40 at Kurasia.

2. **Subsidised Housing Scheme** :—Under the old subsidy scheme of the Fund envisaging payment of subsidy to colliery owners at the rate of 20% of the cost of construction, the number of houses constructed was 1638 upto the end of the year.

3. **Subsidy-cum-loan Scheme** :—Under this scheme which provides for payment of a subsidy of 25% and loan of 37½% of the cost, 2070 houses were completed and 103 houses were under construction on 31-3-60. Sums of Rs. 1,41,644 and Rs. 1,13,125 had been paid as subsidy and loan under the scheme upto 31-3-1960.

4. **New Housing Scheme** : Under the New Housing Scheme of the Fund which provides for construction of 30,000 houses by the Fund at a cost of about Rs. 10 crores, 10553 houses were under construction in 211 collieries towards the end of the year.

5. **Kutchra Houses** : Government sanctioned a sum of Rs. 10,000/- for construction of 50 Kutchra houses on an experimental basis in Madhya Pradesh coalfield and allotment was made to the following collieries :

1. Messrs. Shaw Wallace & Co.	— 20 houses
2. Messrs. N. S. Ojha & Co. Ltd.	— 10 houses
3. Messrs. Jhorwari Kitar Colliery	— 10 houses
4. Messrs. Jharawan and Hirdagarh colliery	— 10 houses
Total	— 50 houses

## VII. OTHER AMENITIES :

1. **Death Benefit** :—The scheme for grant of financial assistance to the widows and school going children of colliery workers who meet with death as a result of fatal accidents at collieries at the following rates was in operation during the year. Under the scheme a monthly allowance of Rs. 10 per month to the widow of the deceased worker for a period of 2 years and a scholarship of Rs. 5/- per month to each of the children of the deceased worker attending school for a period of three years were being paid. A total sum of Rs. 26,400 was sanctioned during the year for payment to 95 widows and 20 school-going children.

2. **Co-operative movement in coalfields** :—The drive for coal miners co-operatives launched by the organisation continued to make steady progress. The number of new societies established in different coalfields was 35. The organisation was making all efforts to help the societies run on sound economic units. Upto 31st march, 1960, 39 societies were paid non-recurring grant at the rate of Rs. 67 each towards preliminary cost of establishment. The scheme for payment of loan on nominal interest from out of the Coal Mines Labour Welfare Fund to Co-operative Societies of colliery workers was under active consideration.

3. **Holiday Home for Coal Miners** :—A Holiday Home has been set up by the organisation in hired accommodation at Rajgir in Bihar which is famous for its hot springs and is a place of historical importance and pilgrimage for people of all religions. For transport of workers to and from the Home conveyance is provided by the organisation free of cost. Facilities for indoor and other recreational activities have been provided at the Home. Batches of workers were sent to the Home. The workers visited Banganga. Hot springs, Pawapuri, Hazrat Kund, Nalanda University and museum. On their way they were shown Tilaya Dam and the Mica mines.

4. **Centres for imparting training in tailoring for dependents of the victims of the Chinakuri accident** :—A centre for imparting training in tailoring to female dependents of the victims of the Chinakuri accident was run at the Fund's Miner's Institutes at Chinakuri from February, 1959 to August 1959. Fifteen female dependents were trained. A stipend of Rs. 30 per month was paid to each trainee during the period. On completion of the training period a sewing machine was given to each to enable them to earn their living. The scheme was financed from out of the donations received from various sources.

5. **Establishment of a Rehabilitation cum-Convalescent Home** :—A proposal for establishment of two Rehabilitation-cum-Convalescent Home one for Bihar and West Bengal and the other for the coalfields in Madhya Pradesh was approved by Government. As the intention was to start the Homes in suitable buildings available on hire or purchase the possibility of obtaining such accommodation was being explored.

6. **Facilities of training in handicrafts to disabled colliery workers** :—With a view to providing facilities of training in handicrafts to partially disabled colliery workers, a scheme of establishment of a training centre at Chinakuri Miners Institute was started in May, 1959. Five disabled persons were trained in the crafts of basket making and tailoring. During the first three months of the training period the disabled persons were being paid a stipend of Rs. 30/- per month per head. Another such centre was also opened at Jamadoba Miners Institute on 9-11-1959.

7. **Excursion-cum-Study tour for Coal Miners** :— With a view to providing an opportunity to the coal miners to visit important places in the country, an excursion-cum-study tour was arranged. It was the first venture of the organisation to run a Special Train. The first special train carrying over 500 miners left Dhanbad on the 5th April, 1959 and returned on the 20th April, 1959 after visit to many important places like Lucknow, Haridwar, Bhakra Nangal, New Delhi, Mathura, Agra, Varanasi and Puri. The Coal



*Miners Special Train - Miners Meeting President.*

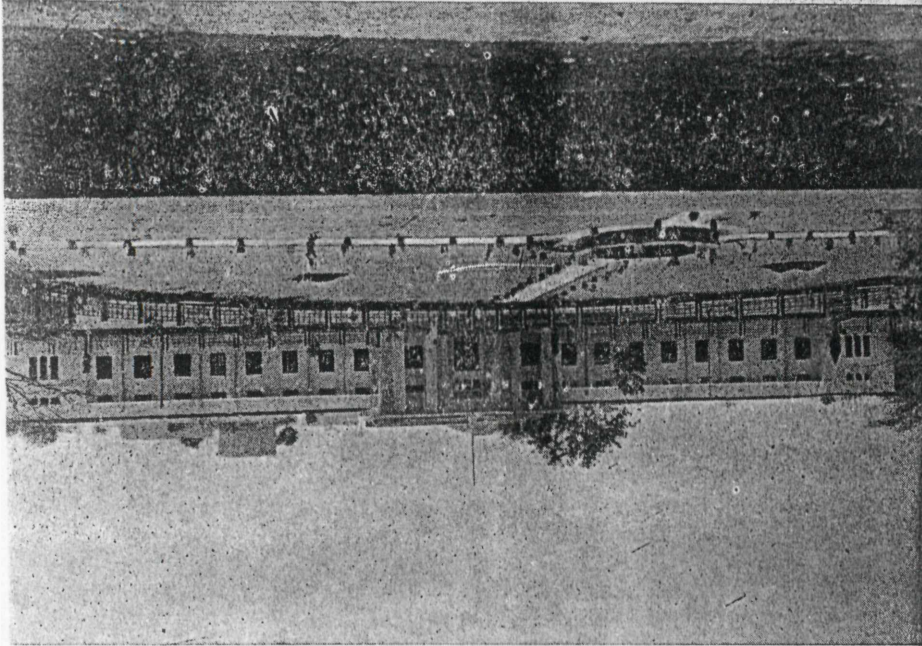
Miners had the unique opportunity of meeting the Governor of Uttar Pradesh, Swami Sivananda, the Union Minister and Deputy Minister for Labour and Employment, the Prime Minister and the President of India. A second special train was also arranged in March 1960. It started on the 23rd March, 1960. After successful completion of 15 days country-wide tour the second special train carrying 626 coal miners arrived back at Dhanbad on the 6th April, 1960. The coal miners of this special train had also occasion to meet the President, Prime Minister and the Union Labour Minister and visited Benaras, Lucknow, Haridwar, Bhakra-Nangal, Delhi, Amritsar, Agra, Vishakapatnam and Puri.

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# काशी का विश्व

के लिए विश्व कक्षाएँ और विश्व

काशी विश्व कक्षाएँ और विश्व का विश्व का विश्व



# काशी विश्व कक्षाएँ और विश्व

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काशी विश्व कक्षाएँ और विश्व



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भारत सरकार

श्रम तथा रोजगार मंत्रालय

कोयला खान मजदूर कल्याण संस्था के कामों का सक्षिप्त विवरण

१९५६-६०

यह संस्था पिछले १५ वर्षों से कोयला खान मजदूरों और उनके बाल बच्चों की भलाई के लिये काम करती आ रही है।

कल्याण खाते में ३०.४३ लाख रुपये आये और ७६.३३ लाख रुपये खर्च किये गये। मकान खाते में १३२.१६ लाख रुपये आये और ७३.११ लाख रुपये खर्च हुए।

अस्पताल की सुविधायें

केन्द्रीय अस्पताल, धनवाद :—इसमें २५० पलंगों का बन्दोबस्त किया गया है। मजदूरों के इलाज की व्यवस्था अच्छी है। अस्पताल में भर्ती हुए मरीजों की रोज की तादाद औसतन ३०२ है।

अस्पताल के विभिन्न विभागों में इस साल ३२,२८६ मरीजों का इलाज हुआ। १,६८३ आपरेशन किये गये। १,१५६ प्लास्टर किये गये। ३४,७३० व्यक्तियों की रोग जाँच की गई। ८,४८८ एक्सरे लिये गये और ३३६ लोगों का स्कीनिंग किया गया।

केन्द्रीय अस्पताल, आसनसोल :—अस्पताल के विभिन्न विभागों में ३१,६२५ मरीजों का इलाज हुआ। अस्पताल में भर्ती हुए मरीजों की रोज की तादाद औसतन २६६ थी।

चिकित्सालय के २५० पलंगों के लिये विस्तार कार्य हो रहा था। अतिरिक्त वार्ड बनाने का कार्य प्रारम्भ हुआ। चिकित्सालय से सम्बन्धित आमोद-प्रमोद के घर बनाने का कार्य शुरू हुआ। डीप एक्सरे-थरपी विभाग के सामग्रियों को खरीदने के लिये कदम उठाये गये। १,७४६ आपरेशन हुए। ७४५ प्लास्टर बाँधे गये। २४,३४५ व्यक्तियों की जाँच की गई। ६,८६३ एक्सरे लिये गये और १,४५० लोगों का स्कीनिंग हुआ।

अस्पताल के खून केन्द्र में ३१ आदिमियों ने ८,०४० सी० सी० खून दान दिया।

प्रत्येक केन्द्रीय चिकित्सालयों में समाज सेविका की नियुक्ति की गई है जो रोगियों के पत्राचार में मदद देती है तथा हिन्दी/बांग्ला-सिखलाती है।

दोनों केन्द्रीय चिकित्सालयों से सम्बन्धित पुनर्वास केन्द्रों में १८,३३१ रोगियों का इलाज किया गया।

प्रादेशिक चिकित्सालय

आठ प्रादेशिक चिकित्सालयों में जे.बी.बच्चा कल्याण केन्द्र जो कतरास, तीसरा (भरिया कोयला क्षेत्र), भौरा और सियारसोल (रानीगंज कोयला क्षेत्र)



नई सराय ( रामगढ़ करनपुरा कोयला क्षेत्र ), फुसरो ( बोकारो कोयला क्षेत्र ) जमाई ( पंचवैली कोयला क्षेत्र ) तथा धानपुरी ( विन्ध्य प्रदेश कोयला क्षेत्र ) में हैं, अच्छी तरह चालू रहे। बोकारो कोयला क्षेत्र स्थित फुसरो चिकित्सालय का मरदान 'रूप लेवल' तक पहुँच चुका।

भादेशिक अस्पतालों में इस साल जितने मरीजों का इलाज हुआ उनकी संख्या नीचे दी गई है।

प्रादेशिक चिकित्सालय	वाहरी	भीतरी	कुल
कतरास	४,५०५	१,०७१	५,५७६
सियारा	४,५६८	७५५	५,३२३
सियारसोल	१,४१८	६५	१,४८३
चोरा	६,११७	१,३३५	७,४५२
जमाई	४,७३०	८५०	५,५८०
नई सराय	३,२५६	६७७	३,९३३
धानपुरी	२,०७३	४४६	२,५१९
फुसरो	६,६३३	६७	६,७००

### जञ्चा और बञ्चा कल्याण केन्द्र

हर प्रादेशिक अस्पतालों में जञ्चा और बञ्चा कल्याण केन्द्र है। इस तरह का एक और जातावापा (पंचघाटी कोयला क्षेत्र) में है। अन्ध प्रदेश, नालचर और सम्बलपुर कोयला क्षेत्रों में महिला स्वास्थ्य निरीक्षिकाएँ नियुक्त हैं जो इन इलाकों में जञ्चा सम्बन्धी काम को देखती हैं।

भरिया और आसनसोल खदान स्वास्थ्य बोर्ड के मार्फत भी जञ्चा और बञ्चा कल्याण केन्द्र चलाये जाते हैं। इन बोर्डों को कोष की तरफ से पचास-पचास हजार रुपये की सहायता दी जाती है। हजारीबाग कोयला क्षेत्र में भी ऐसा ही प्रवन्ध करने के लिये सरकार ने बंजुरी दे दी है। इस प्रकार इन तीन मण्डलों की तरफ से ४६ केन्द्र संचालित हो रहे हैं। सरकारी अस्पताल चौंदा में मजदूर स्त्रियों के लिये एक जञ्चा ब्लॉक है जिसमें दस पलंगों का इन्तजाम किया गया है। इसके लिये एक हजार रुपये की वार्षिक सहायता दी जा रही है।

### तर्पदिक (टी० बी०)

कतरास और सियारसोल में मजदूरों के इलाज के लिये टी० बी० अस्पताल है। इन अस्पतालों में ४६ पलंगों का प्रवन्ध किया गया है।

टी० बी० के मरीजों के लिये निम्नलिखित अस्पतालों में भी इन्तजाम किया गया है :-

- १—रामकृष्ण मिशन टी० बी० सैनटोरियम, राँची ३६ पलंग
- २—गवर्नमेन्ट टी० बी० सैनटोरियम, नवगाँव, मध्यप्रदेश ५ पलंग

३—गवर्नमेन्ट टी० बी० सैनटोरियम, छिन्दवरा, मध्यप्रदेश	...	५ पलंग
४—पेन्डारोड टी० बी० सैनटोरियम, कोरिया, मध्यप्रदेश	...	११ "
५—क्रिश्चियन मिशन चिकित्सालय तथा सैनटोरियम, जोरहट, आसाम	...	५ "
६—यरगड़ा टी० बी० सैनटोरियम, हैदराबाद	...	५ "
७—महादेवी बिरला टी० बी० सैनटोरियम, राँची	...	११ "
		८१ "

धनबाद तथा आसनसोल केन्द्रीय चिकित्सालयों से सम्बन्धित एक एक सौ पलंगों का टी० बी० ब्लॉक बनाने के लिये आयोजना एवं प्राक्कलन सरकार के विचाराधीन है।

भारत सरकार के टी० बी० सलाहकार डाक्टर बेनजामिन ने प्रत्येक प्रादेशिक चिकित्सालयों में १२-१२ पलंगों का टी० बी० क्लीनक्स, तथा एक आन्ध्रप्रदेश में टी० बी० क्लीनक्स, कतरास तथा विभिन्न सैनटोरियम में सुरक्षित की गई पलंगों को बढ़ाने, प्रादेशिक चिकित्सालय, सियारसोल को ५० पलंगों के टी० बी० चिकित्सालय में विलकुल परिणत कर देने तथा विभिन्न कोयला क्षेत्रों में करीब १३० पलंगों के लिये 'सेमेशन घाट' बनाने की निफारिश की। ये प्रस्ताव विचाराधीन है।

टी० बी० मरीजों के परिवारों को दी जाने वाली आर्थिक सहायता जारी है। टी० बी० रोगियों की इलाज की सुविधा के लिये गृह चिकित्सा नामक योजना जो पहली अगस्त १९५८ से लागू है, जारी रही। इस योजना के अन्तर्गत विहार तथा पश्चिमी बङ्गाल के ३०० रोगियों के इलाज के लिये प्रवन्ध किया गया था जिसका फल बहुत ही अच्छा रहा। इस योजना के अन्तर्गत ७०० और रोगियों के इलाज के लिये व्यवस्था की गई। मध्यप्रदेश और राजस्थान कोयला क्षेत्रों में भी ४१ मरीजों की चिकित्सा के लिये यह योजना लागू की गई। अन्य कोयला क्षेत्रों में इस योजना को लागू करने का प्रस्ताव विचाराधीन है।

टी० बी० से उन्मुक्त रोगियों के आराम के लिये भूलीनगर में संस्था की तरफ से स्वास्थ्य लाभ गृह की स्थापना की गई है जो १८ जनवरी, १९६० ई० से चालू रहा। गृह में आठ इस प्रकार के रोगी भर्ती हुए। निःशुल्क दवा की आपूर्ति के अतिरिक्त प्रत्येक रोगी को सिलाई तथा टोकरी बनाने की शिक्षा दी जाती है एवं ३० रुपये प्रति माह के दर से तीन माह तक गुजारा भत्ता भी दिया जाता है।

### खादाने

मुगमा और मूली के दवाखाने अच्छी तरह से चल रहे हैं। वहाँ क्रमशः ४,४१६ और ६,७४५ मरीजों का इलाज हुआ।

कोयला खान मालिक अपने दवाखानों को और उपयोगी बनायें, इसके लिये

आर्थिक सहायता देने की योजना सरकार ने मंजूर की है। इस योजना के अन्तर्गत मेसर्स सेलेक्टेड सतग्राम कोलियरी तथा मेसर्स बर्ड एण्ड को. को क्रमशः ६०,००० रु० तथा ७,०१,४०० रु० बगैर सूद पर कर्ज देने की मंजूरी दी गई।

### आयुर्वेद दवाखाने

वर्ष के अन्तर्गत ६ आयुर्वेदिक औषधालय खोले गये। इस प्रकार १३ आयुर्वेदिक औषधालय विभिन्न कोयला क्षेत्रों में चल रहे हैं, जिनमें आन्ध्रप्रदेश स्थित मार्च १९६० में खुले हुए वेलामपली औषधालय भी निहित है। इन दवाखानों में जितने नये मरीजों का इलाज हुआ उनकी तायदाद लीचे दी जाती है।

१- जगजीवन नगर	...	...	३,६८६
२- बोकारो	...	...	३,६६३
३- खासजीनागोरा	...	...	४,२७७
४- कोथागुडियम	...	...	८,४१०
५- वीरसिंहपुर	...	...	३,२६८
६- चुरी	...	...	५,०५६
७- सेंट्रल सौदा	...	...	४,५६६ (विक्रम ११ माह का)
८- भूली	...	...	१५,०१५ (विक्रम ८ माह का)
९- छदामपुर	...	...	७,०६३ (विक्रम ८ माह का)
१०- रामाधरम्	...	...	२,१०५ (विक्रम ३ माह का)
११- लिडो	...	...	१६२ (विक्रम ४ माह का)
१२- न्यूटन चिकली	...	...	२,१६६ (विक्रम ३ माह का)

फंड की तरफ से कोयला खान अस्पतालों को एकसरे की ५ मशीनें दी गई हैं। तीन और मशीनें कुस्तोर, जामाडोवा और औरा अस्पतालों को दी जाने वाली हैं। संस्था के सभी प्रादेशिक चिकित्सालयों तथा सम्भलपुर कोयला क्षेत्र स्थित चिकित्सालयों को एकसरे प्लान्ट की आपूर्ति के लिये सरकार ने मंजूरी दे दी। केन्द्रीय तथा प्रादेशिक अस्पतालों में बिमार-गाड़ी का बन्दोबस्त है।

### परिवार सलाह केन्द्र

केन्द्रीय एवं प्रादेशिक अस्पतालों में परिवार सलाह केन्द्र हैं जिनमें २,१७५ मजदूरों ने परिवार सम्बन्धी सलाह ली।

### कोढ़ का इलाज

कोढ़ के इलाज के लिये ४६ पलंगों की व्यवस्था की गई है। (तेतुलमारी लेप्रोसी अस्पताल में २२ पलंगों का तथा आसनसोल लेप्रोसी अस्पताल में २४ पलंगों का) इन पलंगों के निर्वाह के लिये कोष की तरफ से वार्षिक सहायता दी जाती है। आसनसोल लेप्रोसी एसोसिएशन के कुलटी डिविजन के कुट्ट रोगियों के इलाज के लिये एक सोलह पलंगों का होस्टल बनाने के लिये सरकार ने सहायक

अनुदान की मंजूरी दी जिसमें ८ पलंगें सिर्फ कोलियरी मजदूरों के लिये सुरक्षित रखी जायगी जिन्हें आवर्तक अनुदान की चुकती की जायगी।

### बच्चों के रहने के लिये गृह

कोढ़ रोग तथा टी० बी० रोग से पीड़ित कोलियरी मजदूरों के बच्चों को संक्रामक रोग से बचाने के लिये तथा उन्हें पुष्टिकारक भोजन देने के लिये भूलीनगर में एक गृह की स्थापना करने की स्वीकृति सरकार ने दे दी जिसमें ६ वर्ष से १४ वर्ष तक के ३० बच्चे एक साथ रह सकेंगे।

### मलेरिया

भरिया, हजारीबाग, रानीगंज, पंचघाटी, कोरिया, चाँदा, मावरोटा, तालचर, सम्भलपुर तथा आन्ध्रप्रदेश कोयला क्षेत्रों में मलेरिया को रोकने के लिये कार्रवाई पहले की तरह जारी रखी गई। करीब ७७६ कोयला खानों तथा इससे सम्बन्धित १५५० गाँवों में मलेरिया की रोकथाम की गई और लगभग ११,६६,६०० लाख की आबादी को मलेरिया से बचाया गया। वर्ष के अन्तर्गत करीब ६४५३ लोगों को मलेरिया प्रतिरोध औषधि दी गयी। एन्टिमालेजिकल निरीक्षण भी किये गये। स्प्लीन पैरासाईट तथा इनफैन्ट पारासाईट का परीक्षण किया गया।

भरिया कोयला क्षेत्र में फायनेरिया पैमाइश का काम शुरू किया गया। कोलियरियों एवं उससे सम्बन्धित अगल बगल के गाँवों में स्थित धावड़ों में निरन्तर मच्छड़ पकड़े गये। पैमाइश करने से क्यूनिसाईन का घनत्व ज्यादा पाया गया।

### शिक्षा और मनोरंजन

सैनिक संस्थान :— विभिन्न कोयला क्षेत्रों में अब तक ५० इमारतें तैयार हो चुकी हैं। इन संस्थानों में मजदूरों और उनके बाल बच्चों को शिक्षा और मनोरंजन की सुविधायें प्राप्त होती हैं। प्रत्येक संस्थान में स्त्रियों एवं बच्चों के लिये एक कल्याण केन्द्र और बालिगों के लिये एक शिक्षा केन्द्र है।

स्त्री और बाल कल्याण केन्द्र :— पिछले साल विभिन्न कोयला खानों में ५५ केन्द्र चल रहे थे। इस साल चार और केन्द्र खरखरी सेंट्रल सौदा (क्रमशः भरिया और रामगढ़ करनपुरा कोयला क्षेत्र) तथा निधा तथा गिरमोट (रानीगंज कोयला क्षेत्र) में खोले गये।

इन केन्द्रों में मजदूरों के बच्चों को सरी कक्षा तक शिक्षा दी जाती है। केन्द्र में जाने वाले बच्चों को रोज सबेरे स्नान कराती है, कपड़ा पहनाती है और दूध नास्ता आदि देती है। ये केन्द्र फण्ड की तरफ से मुफ्त दी जाती हैं।

औरतों को बुनाई, कढ़ाई, सिलाई और लिखना पढ़ना सिखाया जाता है। ३१ मार्च १९६० तक ५८० औरतें प्रशिक्षण की गईं। सभी केन्द्रों में एक एक सिलाई मशीन तथा दस्तकारी के अन्वेषण दिये गये हैं।

फील्ड वर्कर धावड़ों में जाकर साफ सुथरा रहने के लाभ, स्वास्थ्य सम्बन्धी बातें, कम खर्ची, रसोई, बागवानी, मुर्गी पालन, शराब पीने की बुराईयों आदि बातें बताती हैं।

### बालिंग शिक्षा केन्द्र

पिछले साल ५६ बालिंग शिक्षा केन्द्र थे। इस साल चार और शिक्षा केन्द्र खोले गये हैं। ये केन्द्र खरखरी, सेन्ट्रल सौधा, निधा तथा गिरमीट में खोले गये। ३१ मार्च १९६० तक कुल ७,४५० बालिंगों को लिखना पढ़ना सिखाया गया। प्रत्येक केन्द्र में एक पुस्तकालय कायम किया गया है जिसमें लगभग ४०० पुस्तकें हैं। अध्ययन यात्रा की भी व्यवस्था की गई। लोकनृत्य, फरवाली, संगीत समारोह, कवि सम्मेलन, फुटबाल, टेबुल टेनिस, कैरम बोर्ड इत्यादि का आयोजन किया गया। खनिक कल्याण सप्ताह, गणतन्त्र दिवस, स्वाधीनता दिवस, ग्रामीणी जयन्ती, तुलसी जयन्ती, सरस्वती पूजा, कृष्ण जयन्ती, बाबू कुँवर सिंह दिवस इत्यादि मनाये गये। भरिया कोयला क्षेत्र के फिल्म प्रोजेक्टरों से सिनेमा भी दिखाये गये। दूसरे कोयला क्षेत्रों के लिये फिल्म प्रोजेक्टर, डाइरेक्टर आफ सप्लाई एण्ड डिसपोजल से गात्र नहीं हुए हैं।

### परक बालिंग शिक्षा केन्द्र

बालिंगों की शिक्षा के लिए नव वर्ष तक एक और योजना लागू की गई। इस योजना के अन्तर्गत ३५ केन्द्र खोले गये थे। वर्ष के अन्तर्गत ३४ और केन्द्र अनेक कोयला क्षेत्रों में खोले गये।

### प्राइमरी स्कूल

तालचर के तीन स्कूलों आन्ध्रप्रदेश के चार स्कूलों और आसाम कोरिया तथा दार्जिलिंग कोयला क्षेत्र के एक एक स्कूलों को सहायक अनुदान जारी रखी गई।

बोकारो कोयला क्षेत्र स्थित तीन स्कूलों को बेंच, कुर्सी एवं अन्य सामानों को खरीदने के लिए १,५०० रुपये का अनावर्तक अनुदान की स्वीकृति दी गई।

### कल्याण कार्यकर्ताओं की ट्रेनिंग

भूलीनगर में प्रशिक्षण का वृत्तीय पाठ्यक्रम २ नवम्बर १९५९ से शुरू हुआ। प्रशिक्षण का प्रथम पाठ्यक्रम ३१ जनवरी १९५९ को खतम हुआ। इसमें ५१ प्रशिक्षणार्थी परीक्षा के लिये बैठे जिसमें ४३ उत्तीर्ण हुए। ट्रेनिंग का द्वितीय कोर्स जो ३१-५-५९ को समाप्त हुआ, ४७ में ३८ प्रशिक्षणार्थी उत्तीर्ण हुए।

### छात्रवृत्ति

कोयला खान मजदूरों के बच्चों को वजीफा देने की योजना जारी रही। इसके अनुसार ऊँची सामान्य शिक्षा के लिए २० रुपये प्रति माह के हिसाब से ७५ तथा ३० रुपये प्रति माह के हिसाब से २२ प्राविधिक शिक्षा के लिए छात्रवृत्ति

दी गई। भिन्न भिन्न राष्ट्रों के कोयला क्षेत्रों में स्थित कोलियरी मजदूरों के लड़कों तथा लड़कियों को २० ह० प्रत्येक बच्चों को प्रति माह के हिसाब से ५० वजीफे देने के लिये सरकार ने मंजूरी दी। ये वजीफे उन्हीं लोगों को दिये जायेंगे जो डी० जी० आर० ई० प्रशिक्षण योजना के अन्तर्गत खोले गये प्रशिक्षण संस्थाओं में पढ़ रहे हैं। छात्रवृत्ति मद में वर्ष के अन्तर्गत १३,१०२ रुपये दिये गये।

### अनुशासन ट्रेनिंग

मजदूरों के बच्चों को अनुशासन सम्बन्धी ट्रेनिंग देने के लिये एक योजना मंजूर हुई। यह योजना बंगला कोयला क्षेत्र के ६ विद्यालयों में लागू की गई। मजदूरों के प्रत्येक बच्चे को कोष के खर्च से कमीज, पैन्ट, मोजा तथा जूते दिये जाते हैं।

### नेतृत्व एवं अनुशासन प्रशिक्षण कैम्प

श्रमिक कल्याण केन्द्र में उपस्थित मजदूरों के बच्चों को अनुशासन की ट्रेनिंग देने के लिये कैम्प चलाने का प्रस्ताव सरकार द्वारा मंजूर हुआ। इस योजना के अन्तर्गत भूलीनगर में तीन कैम्प चले। ये प्रशिक्षित लड़के केन्द्र में जाकर अन्य लड़कों को मदद करेंगे।

### खेल-कूद

कोयला क्षेत्रों में खेल-कूद के लिये ५५,००० रुपये खर्च हुये। इस वर्ष में ता० २४-१-६० को भरिया कोयला क्षेत्र स्थित लोदना खेल-कूद के मैदान में प्रथम अखिल भारतीय कोयला क्षेत्र खेल-कूद आयोजन किया गया।

### स्वास्थ्य सप्ताह

स्वास्थ्य सप्ताह पाक्षिक करीव सभी कोयला क्षेत्रों में मनाये गये तथा रुपये खर्च के लिये स्वीकृत हुए।

### फिल्म

भरिया, रानीगंज, करनपुरा, रामगढ़ तथा पेंचबेली कोयला क्षेत्रों में चलते फिरते सिनेमा इकाइयों (यूनिट्स) से ६६१ शो दिखायाये गये।

### मजदूरों के लिये घर

कोष की तरफ से मजदूरों के लिये १,५६६ घर भूली में, ४८ घर विजय नगर में और ४० कुरासिया में, २० बोकारो में, १८० करगली में, ५० गिरीडीह और ५० मुरकुंडा में बनाये गये। पिछली वार्षिक सहायता योजना के अधीन १,६३८ मकान बनाये गये।

आर्थिक सहायता एवं कर्ज योजना के अधीन २,०७० मकान बनाये गये तथा १०३ मकान बनाये जा रहे हैं। ता० ३१-३-६० तक क्रमशः १,४१,६४४ रु० तथा १,१३,१२५ रु० सहायता एव कर्ज के रूप में चुकती किये गये। मकान

बनाने की नई योजना के अधीन २११ कोलियरियों में १०,५५३ मकान बन रहे थे। सरकार ने मध्य प्रदेश में ५० कच्चे मकान बनाने के लिये १०,००० रु० मंजूरी किये। मकान बनाने का एलाइमेंट चार कोलियरी कम्पनियों को दिया गया है।

### अन्य सुविधायें

जो मजदूर दुर्घटना में मर जाते हैं उनकी विधवाओं को फण्ड से दो साल तक हर महीने १० रु० की सहायता दी जाती है। स्कूल जाने वाले बच्चों को भी तीन साल तक पाँच पाँच रुपये प्रति महीने के हिसाब से वजीफा दिया जाता है।

### सहकारिता

कोप द्वारा खोली गई सहयोग समितियों की प्रगति अच्छी रही। वर्ष के अन्तर्गत ३५ नई समितियों की स्थापना की गई। प्रारंभिक खर्चों के लिये ६७ रुपये का अनावर्तक अनुदान ३६ समितियों को दिया गया। कोप की तरफ से सहयोग समितियों को साधारण सूद पर कर्ज देने का प्रस्ताव विचारधीन रहा।

### मजदूर का छुट्टी घर

राजगृह में मजदूरों के आराम के लिये छुट्टी घर का प्रबन्ध किया गया है। कोप की तरफ से मजदूरों को आने जाने को निःशुल्क प्रबन्ध किया गया है। वहाँ मजदूरों को गरम भरना, पावापुरी, हजरत कुण्ड, जालन्दा विश्वविद्यालय तथा अजायबघर दिखलाये जाते हैं। रास्ते में उन्हें तिलैया बाँध तथा अन्नक खान भी दिखलाये जाते हैं।

### सिलाई केन्द्र

चीनाकुरी दुर्घटना में मृत्यु व्यक्तियों के महिला यात्रियों को सिलाई का काम सिखलाने के लिये चीनाकुरी में फरवरी १९५६ से अगस्त १९५६ तक केन्द्र चला। १५ महिला यात्रियों को ट्रेनिंग दी गई। इस अवधि में ३० रुपये के हिसाब से प्रत्येक महिला प्रशिक्षणार्थी को वजीफा दिया गया। प्रशिक्षण समाप्त होने पर प्रत्येक को एक एक सिलाई की मशीन जीविकोपार्जन के लिये दी गई।

### स्वास्थ्य-लाभ गृह

बिहार तथा बंगाल कोयला खानों के लिये एक तथा दूसरा मध्य प्रदेश कोयला क्षेत्र के लिये स्वास्थ्य-लाभ गृह का प्रस्ताव सरकार द्वारा मंजूर कर लिया गया।

Government of India  
Ministry of Labour & Employment

Dated New Delhi, the 29th Dec. 1960

NOTIFICATION

G.S.R...31....In exercise of the powers conferred by section 58 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following rules to amend the Mines Rules, 1955, the same having been previously published as required by sub-section (1) of section 59 of the said Act, namely:-

1. These rules may be called the Mines (Amendment) Rules, 1960.
2. In rule 30 of the Mines Rules, 1955, hereinafter referred to as the said rules, for the words "half a gallon" the words "two litres" shall be substituted.
3. In clause (e) of rule 34 of the said rules, for the words "four feet" the word and figures "1.25 metres" shall be substituted.
4. In clause (3) of rule 43 of the said rules, for the words and figures "100 square feet" the words and figures "10 square metres" shall be substituted.
5. In clause (a) of rule 63 of the said rules
  - (i) for the words and figures "150 square feet" the words and figures "14 square metres" shall be substituted; and
  - (ii) for the words and figures "a height to the lowest part of the roof of not less than 9 feet" the following shall be substituted namely:-
    - "(i) in the case of a flat roof, a height of not less than 2.5 metres to the lowest part of the roof; and
    - (ii) where the roof is a sloping one, a height of not less than 1.8 metres to the lowest part of the roof and of not less than 2.5 metres to the highest part of the roof."
6. In clause (b) of rule 65 of the said rules, for the expression "50 ft." the word and figures "15 metres" shall be substituted.
7. In the Second Schedule to the said rules -
  - (i) in item (a) for the word and figures "2½ feet", the word and figures "0.75 metres" shall be substituted;

(ii) in item (h), for the expression "4½ ft. 3 ft., and 1 foot" the words and figures "1.40 metres, 0.90 metre and 0.30 metre" shall respectively be substituted.

8. In the Third Schedule to the said rules, in item (b) for the expression "4½ ft., 3 ft., 1 ft.," the words and figures "1.40 metres, 0.90 metre and 0.30 metre" shall respectively be substituted.

[M.R./Am. (6)M-III-5(5)60]

Sd/-

(A.P.Veera Raghavan)  
Under Secretary

dt: 5-8-61

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT

Dated New Delhi, the

11/8/61  
1961.

NOTIFICATION

G.S.R. 1014 In exercise of the powers conferred by section 57 of the Mines Act, 1952 (35 of 1952) the Central Government hereby makes the following Regulations further to amend the Coal Mines Regulations 1957, the same having been previously published and referred to the Mining Boards as required by sub-sections (1) and (4) respectively of section 59 of the said Act, namely:-

1. These regulations may be called the Coal Mines (Amendment) Regulations, 1961.

2. In regulation 8 of the Coal Mines Regulations, 1957 (hereinafter referred to as the said regulation, in the proviso to clause (a) of sub-regulation (1), the words "a member of" shall be omitted.

3. In regulation 13 of the said regulations; in sub-regulation (4), for the words "The Board may make bye-laws as to the conduct of the examinations", the words "The Board may make bye-laws as to the procedure for, and the conduct of, the examinations" shall be substituted.

4. In regulation 15 of the said regulations, in sub-regulation (2), for the word "Mate's", the word "Sirdar's" shall be substituted.

5. In regulation 21 of the said regulations, in sub-regulation (2) -

(a) for the words "under the sub-regulation", the words brackets and figure "under sub-regulation (1)" shall be substituted;

(b) in the proviso for the words "in the form prescribed for the purpose", the words brackets and figures "in the form prescribed by the Board for the purpose in the bye-laws made under sub-regulation (4) of Regulation 13" shall be substituted;

(c) after the existing proviso, the following further proviso shall be added, namely:

"Provided further that the aforesaid requirement in regard to practical training may be dispensed with in the case of a candidate who has had already obtained not less than six months' practical experience approved by the Board and of the nature specified in sub regulation (2) of Regulation 16, in a coal mine in India".

6. In regulation 25 of the said regulations-

(i) in sub-regulation (1), the words "or gross negligence" shall be omitted;

(ii) in sub-regulation (2), after clause (i), the following clause shall be inserted, namely:-

"(ii) The Court shall, for the purpose of the inquiry, have all the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908), for the purpose of enforcing the

attendance of witnesses and compelling the production of registers, plans, sections, reports and other documents and material objects."

7. In regulation 65 of the said regulations, after sub-regulation (2), the following sub-regulation shall be inserted, namely:-

"(3) If the plan or section required to be prepared under sub-regulation (2) is not prepared within the time specified in the order, or to the satisfaction of the Regional Inspector, or the plan or section is not prepared or brought upto-date as required under these regulations, he may get the plan or section prepared by any other agency; and the cost thereof, as certified by the Chief Inspector, shall be defrayed by the owner of the mine and recoverable from him as an arrear of land revenue."

8. Regulation 106 of the said regulations shall be re-numbered as sub-regulation (1) of that regulation and the following sub-regulations shall be inserted after sub-regulation (1) as so re-numbered, namely:-

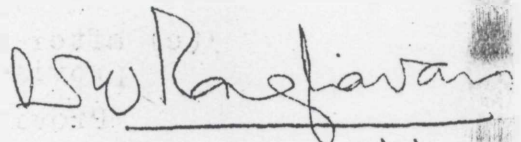
"(2) If the owner fails to construct such protective works within the time specified in the order, the Chief Inspector may get the works executed by any other agency, and the cost thereof, as certified by the Chief Inspector, shall be defrayed by the owner of the mine and recoverable from him as an arrear of land revenue,

(3) Until the protective works have been constructed to the satisfaction of the Chief Inspector, the means of entering the mine at not less than two entrances shall be kept intact and in working order."

9. In regulation 204 of the said regulations, in clause (1) of sub-regulation (1); for the word and figures "regulation 106" the words "sub-regulation (1) of regulation 106" shall be substituted.

brackets  
and  
figures

(F.1/21/61-MI.)



( A.P.Veera Raghavan )  
Under Secretary.

To

The Publisher,  
The Gazette of India,  
Government of India Press,  
New Delhi.

Copy with 50 spare copies forwarded for information to the Chief Inspector of Mines, Dhanbad, with reference to his d.o.letter No.442, dated the 22nd/24th April, 1961.

sks.25.7.

B. N. Tavan  
for Under Secretary.



270

(TO BE PUBLISHED IN PART II SECTION 3 SUB-SECTION (i) OF THE GAZETTE OF INDIA)

Government of India  
Ministry of Labour and Employment  
.....

New Delhi, dated the 7th Jan. '61

NOTIFICATION

G.S.R..... In exercise of the powers conferred by clauses (d) and (w) of section 58 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following rules to amend the Mines Creche Rules, 1959 the same having been previously published as required by sub-section (1) of section 59 of the said Act, namely:-

1. These rules may be called the Mines Creche (Amendment) Rules, 1961.

2. In the Mines Creche Rules, 1959 (hereinafter referred to as the said rules), in sub-rule (1) of rule 3, for the words and figures "The owner, agent or manager of every mine in which not less than 50 women workers are employed on any one day of the preceding twelve months, hereinafter referred to as the said person", the words and brackets "The owner, agent or manager of every mine wherein any women are employed or were employed on any day of the preceding twelve months (hereinafter referred to as the said person)" shall be substituted.

3. In the proviso to rule 4 of the said rules, for the words, figures and brackets "clauses (ii), (iii) and (vi)", words, figures and brackets "clauses (iii), (iv) and (vi)" shall be substituted.

No.8(6)/60-MIII

(A.P. Veera Raghavan)  
Under Secretary to the Government of India.

To

The Publisher,  
Gazette of India,  
Government of India Press,  
New Delhi.

Copy to:-

- i) Chief Inspector of Mines Dhanbad.
- ii) Coal Mines Welfare Commissioner, Dhanbad.
- iii) Chief Labour Commissioner, New Delhi.

*C.N. Subramanian*  
(C.N. Subramanian)  
for Under Secretary.

Government of India  
Ministry of Labour and Employment

\*\*\*\*\*

Dated. New Delhi, the

12 1 DEC 1960

Notification

S.O. \_\_\_\_\_ PWA/Mines/Rules. In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following rules to further amend the Payment of Wages (Mines) Rules, 1956, the same having been previously published as required by sub-section (5) of the said section 26, namely:-

1. These rules may be called the Payment of Wages (Mines) Amendment Rules, 1960.
2. In the Payment of Wages (Mines) Rules, 1956, hereinafter referred to as the said rules, in sub-rule (2) of rule 17, for the words, figures and brackets " the Measure of Length Act, 1889(2 of 1889) and the Standards of Weights Act, 1939 (9 of 1939)" the words, figures, and brackets "the Standards of Weights and Measures Act, 1956 (89 of 1956)" shall be substituted.
3. In the said rules, in rule 22, for the word and figures "17 or 18", the word and figures "17, 18 or 19" shall be substituted.

[Fac. 535/6/60]

*P. D. Gaiha*  
( P.D.Gaiha )  
Under Secretary.

To

The Manager,  
Government of India Press,  
NEW DELHI.

Copy forwarder to:-

1. The Chief Labour Commissioner ( with ten spare copies)  
His U.O.No. PW-3(1)/5/60-LS. dated 15th July,1960, refers.
2. Director, Labour Bureau, Simla.
3. Chief Inspector of Mines, Dhanbad.
4. Coal Mines Welfare Commissioner, Dhanbad.
5. Ministry of Steel, Mines & Fuel (Deptt. of Mines & Fuel)  
with 5 spare copies.
6. Ministry of Commerce & Industry with reference to their  
u.o. No. SMC-21(3)/60, dated 24th June,1960.

(from prepage)

--:2:--

7. Lok Sabha Secretariat.

8. General Section ( Their note No. nil dated 7th April, 1960 refers).

*Lawan*  
*11/12*

for Under Secretary

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT

\*\*\*\*\*

Dated New Delhi, the 12/1/61

NOTIFICATION

S.O. PWA/Mines/Rules/Am. The following draft of rules further to amend the Payment of Wages (Mines) Rules, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), is published as required by sub-section (5) of the said section 26, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 25th April, 1961.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government. Such objection or suggestion should be addressed to the Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

Draft Rules

1. These rules may be called the Payment of Wages (Mines) Amendment Rules, 1961.
2. In the Payment of Wages (Mines) Rules, 1956, in rule 6 and in rule 22 after the figure "5", the figure and letter "5A" shall be inserted.

[ Fac.535(9)/60 ]

*P. D. Gaiha*  
(P.D. Gaiha)  
Under Secretary

To

The Manager,  
Govt. of India Press,  
New Delhi.

Copy forwarded to:-

1. Chief Labour Commissioner with reference to his U.O.No. dated (with 10 spare copies)
2. Director Labour Bureau, Simla.
3. Chief Inspector of Mines, Dhanbad.
4. Coal Mines Welfare Commissioner, Dhanbad.
5. Ministry of Steel Mines & Fuel (Deptt. of Mines & Fuel) with 5 spare copies)
6. Lok Sabha Secretariat.

*Lewari*  
for Under Secretary

Government of India  
Ministry of Labour & Employment

Dated New Delhi, the 9th Feb, 1961.

Notification

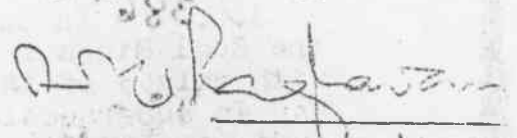
S.O.386 In exercise of the powers conferred by Section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947) read with rule 3 of the Coal Mines Labour Welfare Fund Rules, 1949, and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No.SRO.3266 dated the 8th October 1957, as subsequently amended, the Central Government hereby constitutes an Advisory Committee consisting of the following members, namely :-

1. The Secretary to the Government of India, Ministry of Labour & Employment, who is hereby appointed as Chairman.
2. The Coal Mines Welfare Commissioner. Vice-Chairman.
3. The Chief Inspector of Mines
4. The Commissioner, Burdwan Division, West Bengal. Nominated by the Government of West Bengal.
5. The Commissioner, Chotanagpur Division, Bihar. Nominated by the Government of Bihar.
6. The Labour Commissioner, Madhya Pradesh. Nominated by the Government of Madhya Pradesh.
7. Shri R.H. Wright.) Nominated by the Indian Mining Association.
8. Shri R. Lall )
9. Shri J.G. Kunaramangalan. Nominated to represent Government Collieries.
10. Shri N.B. Lall Singha. Nominated by the Indian Mining Federation.
11. Shri Arjun Agarwalla. Nominated by the Indian Colliery Owners Association.
12. Dr. M.S. Katre. Nominated by the Madhya Pradesh Mining Association.
13. Shri Chinmoy Mukherjee ) Nominated by the
14. Shri B.N. Tewari. ) Central Government
15. Shri S. Dasgupta ) to represent the
16. Shri Bindeshwari Dubey.) the interests of
17. Shri R.L. Malaviya. ) workmen employed in
18. Shri B.P. Jha. ) coal mines.
19. Shri D.N. Vashisht. Nominated on the recommendation of the Indian Mine Managers Association.
20. Shri T.C. Anand. Nominated on the recommendation of the National Association of Colliery Managers.

21. Dr. (Smt.) Seeta Parmanand

Nominated by the Central Government.

[3/16/60 MII]



( A.P. Veera Raghavan )

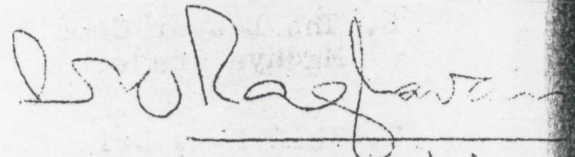
Under Secretary to the Government of India.

To

The ~~General~~ Manager,  
Gazette of India,  
Government of India Press,  
NEW DELHI.

Copy forwarded to the Coal Mines Welfare Commissioner,  
Dhanbad.

Copy also to members.



( A.P. Veera Raghavan )

Under Secretary to the Government of India.

"D.A.Nil"  
\*DAYAL\* 26/1/60

A. I. T. U. C.  
Received 782 6/12-46  
Replied..... DL. 335.60.  
3,000

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 18th October 1960

G.S.R. 337.—In exercise of the powers conferred by Section 57 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following Regulations, the same having been previously published as required by subsection (1) of Section 59 of the said Act.

METALLIFEROUS MINES REGULATIONS, 1961

CHAPTER I

PRELIMINARY

1. Short title, extent and application.—(1) These regulations may be called the Metalliferous Mines Regulations, 1961.

(2) They extend to the whole of India except the State of Jammu and Kashmir.

(3) They shall apply to every mine of whatever description other than a coal or an oil mine.

2. Definitions.—In these regulations, unless there is anything repugnant in the subject or context—

(1) "Act" means the Mines Act, 1952;

(2) "approved safety lamp" and "approved electric torch" mean, respectively, a safety lamp and an electric torch manufactured by such firm and of such type as the Chief Inspector may from time to time specify by notification in the Official Gazette;

(3) "Assistant Manager" means a person possessing a Manager's Certificate appointed in writing by the owner, agent or manager to assist the manager in the control, management and direction of the mine or part thereof, and who takes rank immediately below the manager;

(4) "auxiliary fan" means a forcing fan or an exhausting fan, used below-ground wholly or mainly for ventilating a face or faces or blind ends;

(5) "bankmen" means a person appointed to superintend the lowering and raising of persons, tools and materials and the transmission of signals at the top of a shaft or winze;

(6) "blaster" means a person possessing a Manager's, Foreman's, Mate's or Blaster's Certificate and appointed by the manager in writing to perform the duties of a blaster under these regulations, and includes a Shotfirer;

(7) "bellman" means a person appointed to superintend the raising and lowering of persons, tools, materials and the transmission of signals at any landing;

(8) "Committee" means a committee appointed under section 13 of the Act;

(9) "competent person" in relation to any work or any machinery, plant or equipment means a person who has attained the age of 21 years and who has been duly appointed in writing by the manager as a person competent to supervise or perform that work or to supervise the operation of that machinery, plant or equipment, and who is responsible for the duties assigned to him, and includes a blaster;

(10) "District Magistrate" in relation to any mine, means the District Magistrate or the Deputy Commissioner, as the case may be, who is vested with the executive powers of maintaining law and order in the revenue district in which the mine is situated:

Provided that in the case of a mine which is situated partly in one district and partly in another, the District Magistrate for the purposes of these regulations shall be the District Magistrate authorised in this behalf by the Central Government;

(11) "explosive" shall have the same meaning as is assigned to that term in the Indian Explosives Act, 1884;

- (12) "face" means the moving front of any working place or the inbye end of any drive, level, crosscut, raise or winze;
- (13) "gas" includes fume or vapour;
- (14) "landing" means any floor or platform in a shaft or winze, which is an authorised stopping place of the cage or other means of conveyance, and includes a 'plat';
- (15) "machinery" means—
- any locomotive or any stationary or portable engine, air-compressor, boiler or steam apparatus, which is, or
  - any such apparatus, appliance or combination of appliances intended for developing, storing, transmitting, converting or utilising energy, which is, or
  - any such apparatus, appliance or combination of appliances if any power developed, stored, transmitted, converted or utilised thereby is, used or intended for use in connection with mining operations;
- (16) "Manager" means a person possessing the prescribed qualifications and appointed in writing by the owner or agent to be in charge of a mine under the Act, and includes a Mine Superintendent if appointed under section 17 of the Act;
- (17) "material" includes rock, debris, stone, mineral, ore or any other material;
- (18) "metalliferous mine" includes every mine other than a coal or an oil mine;
- (19) "mine foreman" means a person possessing a Manager's or Foreman's Certificate and appointed by the manager in writing, under any designation whatsoever, to perform the duties of supervision or control in a mine or part thereof and includes a Shift Boss;
- (20) "mining mate" means a person possessing a Manager's, Foreman's or Mate's Certificate and appointed by the Manager in writing, under any designation whatsoever, to perform the duties of a mining mate under these regulations, and includes an Overseer or Head mestril;
- (21) "misfire" means the failure to explode of an entire charge of explosives in a shot-hole;
- (22) "month" means a calendar month;
- (23) "Official" means a person appointed in writing by the owner, agent or manager to perform duties of supervision in a mine or part thereof and includes an assistant manager, an underground manager, a mine foreman, a mining mate, an engineer and a surveyor;
- (24) "permitted explosive" means an explosive manufactured by such firm and of such type as the Chief Inspector may from time to time specify by notification in the Official Gazette;
- (25) "public road" means a road maintained for public use and under the jurisdiction of any Government or local authority;
- (26) "quarter" means a period of three months ending on the 31st March, 30th June, 30th September or 31st December;
- (27) "railway" means a railway as defined in the Indian Railways Act, 1890;
- (28) "Regional Inspector" means the Inspector of Mines in charge of the region or local area or areas in which the mine is situated or the group or class of mines to which the mine belongs, over which he exercises his powers under the Act;
- (29) "river" means any stream or current of water, whether seasonal or perennial, and includes its banks extending up to the highest known flood level;
- (30) "roadway" means any part of a passage or gallery belowground which is maintained in connection with the working of a mine;
- (31) "Schedule" means a schedule appended to these regulations;
- (32) "shaft" means a vertical or inclined way or opening leading from the surface to workings belowground or from one part of the workings belowground to another, and includes an incline;

- (33) "signalman" means a person appointed to transmit signals;
- (34) "socket" means a shot-hole or part of a shot-hole remaining after being charged with explosive and blasted, and which is not known to be a misfired shot-hole;
- (35) "support" includes timber-work, masonry, packwalls, sandpicks, iron-work, or any other form of support;
- (36) "tub" includes a wagon, car, truck, hutch, bandy, bucket or any other vehicle for conveying material, but does not include a railway wagon;
- (37) "underground Manager" means a person possessing a Manager's Certificate appointed in writing by the owner, agent or manager to be in charge of the whole of the underground workings or a specified portion thereof, under the direction of the manager, and is thus superior to a mine foreman and a mining mate, and includes an Underground Agent;
- (38) "ventilating district" means such part of a mine belowground as has an independent intake airway commencing from a main intake airway, and an independent return airway terminating at a main return airway and, in the case of a mine or part thereof which is ventilated by natural means, the whole mine or part;
- (39) "Winze" or "Raise" means a small shaft, either vertical or inclined, in the workings belowground;
- (40) "working place" means any place in a mine to which any person has lawful access.

## CHAPTER II

### RETURNS, NOTICES AND RECORDS

3. **Notice of opening.**—(1) The notice required by section 16 of the Act shall be submitted in Form I of First Schedule.

(2) When a mine has been opened, the owner, agent or manager shall forthwith communicate the actual date of opening to the Chief Inspector and to the Regional Inspector.

4. **Quarterly Returns.**—On or before the 20th day of January, April, July and October in every year, the owner, agent or manager shall submit to the Chief Inspector and the Regional Inspector correct returns in respect of the preceding quarter in Form II of First Schedule.

5. **Annual Returns.**—(1) On or before the 20th day of February in every year, the owner, agent or manager shall submit to the District Magistrate and to the Chief Inspector annual returns in respect of the preceding year in Form III of First Schedule.

(2) If a mine is abandoned or working thereof is discontinued for a period exceeding 60 days, or if a change occurs in the ownership of a mine, the returns required under sub-regulation (1) shall be submitted within 30 days of abandonment or change of ownership or within 90 days of discontinuance, as the case may be:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, allow such returns to be submitted up to any date not later than the 20th day of February in the year following that to which they relate:

Provided further that nothing in this sub-regulation shall be deemed to authorise the submission of any return later than the 20th day of February in the year following that to which it relates.

6. **Notice of abandonment or discontinuance.**—(1) (a) When it is intended to abandon a mine or to discontinue working thereof for a period exceeding four months, the owner, agent or manager shall, not less than 30 days before such abandonment or discontinuance, give to the Chief Inspector and the Regional Inspector a notice stating the reasons for the proposed abandonment or discontinuance and the number of persons likely to be affected thereby:

Provided that in the case of a mine or part thereof to which Regulation 142 applies, notice as aforesaid shall also be given whenever it is intended to abandon



a district or part of the mine, or to discontinue working thereof for a period exceeding four months:

Provided further that when, on account of unforeseen circumstances, a mine or part as aforesaid is abandoned or discontinued before the notice has been given or when without previous intention the discontinuance extends beyond a period of four months, the notice shall be given forthwith.

(b) Notwithstanding anything contained in clause (a), when it is intended to abandon, or discontinue for more than four months, any workings belowground over which is situated any property vested in the Government or any local authority or any railway or any building or permanent structure not belonging to the owner, the owner, agent or manager shall not less than 30 days before the date of such abandonment or discontinuance, give notice of his intention to the Chief Inspector and the Regional Inspector.

(2) When a mine or part aforesaid has been abandoned, or working thereof has been discontinued over a period exceeding four months, the owner, agent or manager shall, within seven days of the abandonment or of the expiry of the said period, give to the Chief Inspector, the Regional Inspector and the District Magistrate notice in Form I of First Schedule.

7. Notice of re-opening.—(1) When it is intended to reopen a mine after abandonment, or after discontinuance for a period exceeding four months, the owner, agent or manager shall, not less than 30 days before resumption of mining operations, give to the Chief Inspector, the Regional Inspector and the District Magistrate notice in Form I of First Schedule:

Provided that in the case of a mine or part thereof to which Regulation 142 applies, notice as aforesaid shall also be given whenever it is intended to reopen a district or part of the mine after abandonment or after discontinuance for a period exceeding four months.

(2) When a mine or part as aforesaid has been reopened, the owner, agent or manager shall forthwith communicate the actual date of reopening to the Chief Inspector and the Regional Inspector.

8. Change of ownership and addresses etc.—(1) (a) When a change occurs in the name or ownership of a mine or in the address of the owner, the owner, agent or manager shall, within seven days from the date of the change, give to the Chief Inspector and the Regional Inspector a notice in Form I of First Schedule:

Provided that where the owner of a mine is a firm or other association of individuals, a change—

- (i) of any partner in the case of a firm;
- (ii) of any member in the case of an association;
- (iii) of any director in the case of a public company; or
- (iv) of any shareholder in the case of a private company;

shall also be intimated to the Chief Inspector and the Regional Inspector, within seven days from the date of the change.

(b) When the ownership of a mine is transferred, the previous owner or his agent shall make over to the new owner or his agent, within a period of seven days of the transfer of ownership, all plans, sections, reports, registers and other records maintained in pursuance of the Act and of the regulations, and orders made thereunder, and all correspondence relating to the working of the mine relevant thereto; and when the requirements of this clause have been duly complied with, both previous and the new owners or their respective agents shall forthwith send the Chief Inspector and the Regional Inspector a detailed list of the plans, sections, reports, registers and other records that have been transferred.

(2) When any new appointment is made of an agent, manager, assistant manager, underground manager, surveyor or an engineer, if any, or when the employment of any such person is terminated or any such person leaves the said employment, or when any change occurs in the address of any agent or manager, the owner, agent or manager shall, within seven days from the date of such appointment, termination, leaving or change, give to the Chief Inspector and the Regional Inspector a notice in Form I of First Schedule.

9. Notice of Accident.—(1) (a) When there occurs in or about a mine—

- (i) an accident causing loss of life or serious bodily injury in connection with mining operations;

- (ii) an explosion or ignition;
- (iii) a spontaneous heating or outbreak of fire, or appearance of smoke or other indication of heating or outbreak of fire;
- (iv) an influx of noxious gases;
- (v) an occurrence of inflammable gas in a mine to which Regulation 142 does not apply;
- (vi) an irruption of water;
- (vii) a rock-burst in workings below ground;
- (viii) a premature collapse of any part of the workings;
- (ix) any accident due to explosives;
- (x) a breakage or fracture of a rope, chain, headgear pulley or axle or bearing thereof, or other gear by which persons are lowered or raised;
- (xi) an overwinding of cages or other means of conveyance while men are being lowered or raised;
- (xii) a breakage or fracture of any essential part of winding engine, crank-shaft, coupling, bearing, gearing, clutch, drum or drum-shaft; or failure of emergency brake;
- (xiii) a bursting of any equipment containing steam, compressed air or other substance at high pressure; or
- (xiv) a breakage, fracture or failure of any essential part of any machine or apparatus whereby the safety of persons may be endangered;

the owner, agent or manager shall forthwith inform the Regional Inspector about the occurrence by telephone or express telegram or by special messenger; and shall also, within 24 hours of every such occurrence, give notice thereof in Form IV-A of First Schedule to the District Magistrate, the Chief Inspector and the Regional Inspector; and shall simultaneously exhibit a copy of the notice on a special notice board outside the office of the mine and shall ensure that the notice is kept on the board in a legible condition for not less than 14 days from the date of such exhibition.

(b) When an accident causing loss of life or serious bodily injury occurs in or about a mine in connection with the generation, storage, transformation, transmission, supply or use of electrical energy, the owner, agent or manager shall also forthwith inform the Electrical Inspector of Mines by telephone, express telegram or special messenger.

(2) If death results from any injury already reported as serious under sub-regulation (1), the owner, agent or manager shall within 24 hours of his being informed of the death, give notice thereof to the District Magistrate, the Chief Inspector and the Regional Inspector.

(3) In respect of every person killed or injured as above, the owner, agent or manager shall, send to the Chief Inspector, particulars in Forms IV-B and IV-C of First Schedule, within seven days of the occurrence or 15 days of the injured person returning to duty, as the case may be.

10. Notice of disease.—Where any person employed in a mine contracts any disease notified by the Central Government in the Official Gazette, the owner, agent or manager shall, within three days of his being informed of the disease, send notice thereof in Form V of First Schedule to the District Magistrate, the Chief Inspector, the Regional Inspector and the Inspector of Mines (Medical).

### CHAPTER III

#### EXAMINATIONS AND CERTIFICATES OF COMPETENCY AND OF FITNESS

11. Board of Mining Examinations.—(1) For the purpose of these regulations there shall be constituted a Board of Mining Examinations, hereinafter referred to as "the Board". The Board shall consist of the Chief Inspector, who shall be the Chairman of the Board, and four members possessing technical qualifications and practical experience in metalliferous mines, and shall be appointed by the Central Government for a term of three years:

Provided that on the expiry of any term for which he had been appointed, any member shall be eligible for re-appointment.

(2) A member of the Board (other than the Chairman) shall receive such remuneration as the Central Government may fix.

(3) An Inspector or Inspectors nominated by the Chief Inspector shall act as Secretary to the Board.

(4) The Board may make bye-laws for regulating the procedure of its working.

**12. Certificates granted by the Board.**—(1) Certificates under these regulations shall be granted by the Board.

(2) Certificates granted by the Board shall be valid throughout the territories to which these regulations extend, and shall be of the following kinds—

- (a) Manager's first class certificate of competency to manage a metalliferous mine (in these regulations referred to as a First Class Manager's Certificate);
- (b) Manager's second class certificate of competency to manage a metalliferous mine (in these regulations referred to as a Second Class Manager's Certificate);
- (c) Surveyor's certificate of competency to survey the workings of a mine (in these regulations referred to as a Surveyor's Certificate);
- (d) Mine Foreman's certificate of competency to carry out inspections and duties as required under these regulations (in these regulations referred to as a Foreman's Certificate);
- (e) Mining Mate's certificate of competency to carry out inspections and duties as required under these regulations (in these regulations referred to as a Mate's Certificate);
- (f) Winding engineman's I class certificate of competency to drive a winding engine (in these regulations referred to as a I Class Engine-driver's Certificate);
- (g) Winding engineman's II class certificate of competency to drive a winding engine (in these regulations referred to as a II Class Engine-driver's Certificate);
- (h) Blaster's certificate of competency to fire shots in a metalliferous mine (in these regulations referred to as a Blaster's Certificate); and
- (i) Certificate of competency to test for the presence of inflammable gas (in these regulations referred to as a Gas-testing Certificate);

Provided that any Mine Foreman's or Mining Mate's certificate may be restricted to mines having open-cast workings only, and this fact shall be endorsed on the certificate.

**13. Examinations and Examiners.**—(1) Certificates of competency shall be granted to successful candidates after such examination and in such form as the Board may prescribe.

(2) The examinations shall be held at such times and at such centres as may be fixed by the Board, and shall be conducted by examiners appointed by the Board.

(3) The examiners so appointed shall be subject to the orders of the Board in respect of all matters relating to the conduct of the examinations, and shall receive such remuneration as the Board, with the sanction of the Central Government, may fix.

(4) The Board may make bye-laws as to the conduct of the examinations and as to the granting of certificates of competency and of fitness as required under these regulations, and shall, so far as may be practicable, provide that the standard of knowledge required for the grant of certificates of any particular class and the standard of medical fitness shall be uniform throughout the territories to which these regulations extend. Every bye-law made by the Board under this regulation shall be published in the Official Gazette; and no such bye-law shall have effect until three months after the date on which it was so published.

**14. Submission of applications.**—(1) Applications for an examination conducted by the Board shall be made on a form supplied for the purpose.

(2) Notice regarding the date and place of the examinations for the Manager's and Surveyor's certificates shall be published under the order of the Board, in such periodicals as the Board may direct, not less than 60 days prior to the date fixed by the Board for receiving applications. The closing date for receipt of applications shall not be less than 60 days prior to the date fixed for the examination.

**15. Age and general qualifications etc. of candidates.**—(1) (a) No person shall be admitted as a candidate at any examination held by the Board unless he is 21 years of age.

(b) No person shall be admitted as a candidate at any examination for a Manager's, Surveyor's, Foreman's, Mate's or Blaster's Certificate unless he holds a valid first aid certificate of the standard of the St. John Ambulance Association (India):

Provided that if any candidate satisfies the Board that he has not had sufficient opportunity to obtain first-aid certificate, the Board may admit him to the examination on such conditions, if any, as it thinks fit to impose.

(c) Every application for any examination as aforesaid shall be accompanied by:—

(i) A certificate of age granted by a Gazetted Officer or by the head-master of a school of a Higher Secondary or equivalent standard.

Provided that in the case of a person holding a matriculation or equivalent certificate, such certificate be submitted as evidence of age;

(ii) a medical certificate obtained not more than two years prior to the date of his application, from a qualified medical practitioner not below the rank of a Civil Assistant Surgeon, or from a Certifying Surgeon certifying the candidate to be free from deafness, defective vision or any other infirmity, mental or physical, likely to interfere with the efficiency of his work; and

(iii) a certificate from some person of good repute as to the general good conduct and sobriety of the candidate.

(2) After the 1st January 1965, no person shall be admitted as a candidate at any examination for a Manager's or Surveyor's Certificate unless he has passed the matriculation examination of a recognised university, or its equivalent, and for a Foreman's, Mate's, Engine-driver's or Shotfirer's Certificate unless he satisfies the Board that he is literate.

(3) No person shall be admitted as a candidate at any examination for a Manager's or Foreman's Certificate unless he has obtained a Mate's and a Gas-testing Certificate:

Provided that if a candidate satisfies the Board that he has not had sufficient opportunity to obtain the Mate's or Gas-testing Certificate, the Board may admit him to the examination on such conditions, if any, as it thinks fit to impose:

Provided further that, in the case of a candidate for the grant of a Foreman's Certificate restricted to opencast workings, so much of this sub-regulation as required the candidate to hold a Gas-testing Certificate shall not apply.

**16. Practical experience of candidates for Manager's Examinations.**—(1) No person shall be admitted as a candidate at any examination for a First or Second Class Manager's Certificate (other than an Exchange or Service Certificate to which the provision of Regulations 22 and 23 respectively apply), unless he has satisfied the Board that he has had practical experience in a metalliferous mine for a period of not less than five and three years, respectively:

Provided that—

(a) in the case of a candidate who has received a diploma or degree in mining engineering at an educational institution approved in that behalf by the Central Government, such period shall be reduced to three and two years, respectively; and

(b) in the case of a candidate who has received a diploma or degree in applied geology or in civil, mechanical or electrical engineering at an educational institution approved in that behalf by the Central Government, such period shall be reduced to four and two-and-a-half years, respectively.

(2) The nature of the practical experience required of a candidate for a Manager's Certificate shall be experience approved by the Board and gained in one or other of the following capacities in a metalliferous mine having an average employment of not less than 60 in workings belowground or not less than 160 in all in the mine—

(a) As a workman, or a mining apprentice having direct practical experience of getting ore and of stonework, timbering and repairing; or

(b) as an official in respect of mining operations:

Provided that not less than 18 months and 12 months, respectively, of the experience required from candidates for the examinations for the First and Second Class Manager's Certificate shall have been experience approved as aforesaid in the workings belowground of a mine.

**17. Practical experience of candidates for Surveyor's Examinations.**—No person shall be admitted as a candidate at any examination for a Surveyor's Certificate unless he has satisfied the Board that he has had not less than two years' practical experience of surveying, of which at least six months shall have been practical experience of surveying the workings belowground of a mine having an average employment of not less than 60 in workings belowground:

Provided that such period shall be reduced to six months, to be wholly obtained in the workings belowground of a mine as aforesaid, in the case of a candidate who has successfully attended classes in theoretical and practical surveying at an educational institution approved in that behalf by the Central Government.

**18. Practical experience of candidates for Mate's and Blaster's examinations.**—(1) No person shall be admitted as a candidate at any examination for a Mate's or Blaster's Certificate unless he has satisfied the Board that he has had practical experience in a metalliferous mine for a period of not less than three and two years, respectively:

Provided that in the case of a candidate for Blaster's Certificate, such practical experience shall include experience in shot-firing for a period of at least six months:

Provided further that such period shall be reduced to a period of one year in the case of a candidate who has received a diploma or degree or certificate in scientific and mining training after a course of at least two years at an educational institution approved in that behalf by the Central Government or who has taken a degree in scientific and mining subjects at a university approved in this behalf by the Central Government.

(2) The nature of practical experience required of candidates for the aforesaid examination shall be experience of a type approved by the Board.

**19. Approval of experience in Coal Mines.**—In the case of a candidate part of whose experience has been obtained in a coal mine, the period of practical experience in a metalliferous mine as prescribed in regulations 16 and 18 may be reduced by the Board to such an extent and subject to such conditions as it may specify.

**20. Practical experience of candidates for Engine-driver's Certificates.**—No person shall be admitted as a candidate at any examination for an Engine-driver's Certificate unless he has satisfied the Board that he has had practical experience of driving a winding engine or as an assistant to a qualified winding engine driver for a period of at least one year:

Provided that no person shall be permitted to appear at any examination for a I Class Engine-driver's Certificate unless he holds a II Class Engine-driver's Certificate.

**21. Examination fees.**—(1) Fees on the following scale shall be paid in respect of every application for admission to an examination—

	Rs.
(a) in the case of an examination for a First Class Manager's Certificate ..	50
(b) in the case of an examination for a Second Class Manager's Certificate ..	30
(c) in the case of an examination for a Surveyor's Certificate ..	20
(d) in the case of an examination for a Foreman's Certificate ..	10
(e) in the case of an examination for a Mate's Certificate ..	5
(f) in the case of an examination for a I Class Engine-driver's Certificate ..	10
(g) in the case of an examination for a II Class Engine-driver's Certificate ..	5
(h) in the case of an examination for a Blaster's Certificate ..	3
(i) in the case of an examination for a Gas-testing Certificate ..	2

(2) The amount of any fee referred to in sub-regulation (1) less the following amounts, shall be returnable to the person by whom it has been paid if the application of such person for admission to the examination is rejected—

(a) Rupee one in the case of the fee paid for admission to an examination for a Blaster's or a Gas-testing Certificate.

(b) Rupees two in the case of the fee paid for admission to an examination for an Engine-driver's, Mate's or Foreman's Certificate.

(c) Rupees five in any other case.

(3) The Chief Inspector may also permit the refund—

(a) of any fee paid under sub-regulation (1) where the candidate has died before the examination or where the fee has been erroneously paid; and

(b) of any amount paid in excess of that specified in sub-regulation (1).

**22. Exchange Certificates.**—(1) The Board may grant to any person holding a Manager's, Surveyor's, Overman's or Foreman's, Sirdar's or Mate's, or Engine-driver's or Shotfirer's or Blaster's Certificate granted under any Act for the regulation of mines for the time being in force in any other country, a certificate of similar class under these regulations if he passes such examination as the Board may stipulate:

Provided that a candidate for the grant of a Manager's Exchange Certificate shall also satisfy the Board that he has undergone, for a period of not less than six months, a course of practical training in India in the manner and in the mines approved by the Chief Inspector for the purpose. Before the commencement of his practical training in India as aforesaid, every such candidate shall submit to the Chief Inspector an application in a form supplied for the purpose.

(2) The Board may grant to any person holding a certificate referred to in sub-regulation (1) granted under the Coal Mines Regulations made under the Act a similar certificate under these regulations if he passes such examination as the Board may stipulate:

Provided that no person who has obtained not less than three years' practical experience in metalliferous mines in India shall be required to pass such examination.

(3) Every application for the grant of an 'Exchange Certificate under this regulation shall be accompanied by:

(i) a medical certificate obtained not more than two years prior to the date of his application, from a qualified medical practitioner not below the rank of a Civil Assistant Surgeon or from a Certifying Surgeon, certifying the candidate to be free from deafness, defective vision or any other infirmity, mental or physical, likely to interfere with the efficient discharge of his duties; and

(ii) a certificate from some person of good repute as to the general good conduct and sobriety of the candidate.

(4) Fees on the scale laid down in Regulation 21 shall be paid in respect of every examination under this regulation.

**23. Service Certificates.**—(1) The Board may grant, until such date as may be notified by the Central Government for the purpose in the Official Gazette, without written examination:

(a) a Manager's Certificate to any person—

(i) who has attained the age of 35 years and who satisfies the Board that he has worked in the capacity of an assistant manager or underground manager, or manager, or in a superior capacity in the control and direction of mining operations as the case may be, of metalliferous mines in India for a period of not less than eight years, for the First Class Manager's Certificate, and six years for the Second Class Manager's Certificate, if he passes a *viva-voce* examination in such subjects as the Board may stipulate; or

(ii) who has attained the age of 25 years and has received a diploma or certificate or degree in mining engineering or in applied geology or in civil, mechanical or electrical engineering at an educational institution approved in this behalf by the Central Government, if he satisfies the Board that he has had practical experience of the nature approved by the Board for periods of not less than five years for a First Class Manager's Certificate and three years for a Second

Class Manager's Certificate and if he passes a *viva-voce* examination in such subjects as the Board may stipulate:

Provided that not less than two years and one year respectively, of the said practical experience shall have been obtained in metalliferous mines in India; and

For the purpose aforesaid only such experience shall be approved, as complies with the provision of regulation 16(2), or is experience in the capacity of a manager or in a superior capacity in the control and direction of mining operations.

(b) a Foreman's, Mate's or Blaster's Certificate to any person who has attained the age of 30 years and who satisfies the Board that he has worked in the capacity of a mine foreman, a mining mate or a blaster respectively in a metalliferous mine in India for a period of not less than seven years, if he has passed such *viva-voce* examination as the Board may stipulate.

(2) Any Service Certificate granted under sub-regulation (1) may be restricted to mines having opencast workings only; and this fact shall be endorsed on the Certificate.

(3) Every application for the grant of a Service Certificate under this sub-regulation shall be accompanied by:

(i) a certificate of age granted by a Gazetted Officer of the Government or by the head-master of a school of a Higher Secondary or equivalent standard or by a qualified medical practitioner not below the rank of a Civil Assistant Surgeon;

Provided that in case of a person holding a matriculation or equivalent certificate, such certificate shall be submitted as evidence of age;

(ii) a medical certificate obtained not more than two years prior to the date of his application, from a qualified medical practitioner not below the rank of a Civil Assistant Surgeon or from a Certifying Surgeon, certifying the candidate to be free from deafness, defective vision or any other infirmity, mental or physical, likely to interfere with the efficient discharge of his duties; and

(iii) a certificate from some person of good repute as to the general good conduct and sobriety of the candidate.

(4) Fees on the scale laid down in Regulation 21 shall be paid in respect of every examination under this Regulation.

**24. Service Certificate for Surveyors.**—(1) The Board may grant, until such date as may be notified by the Central Government for the purpose in the Official Gazette, a Surveyor's Certificate (restricted to metalliferous mines) to any person—

(i) who has attained the age of 35 years and who satisfies the Board that he has worked as surveyor of metalliferous mines in India for a period of not less than 10 years, if he passes such *viva-voce* examination as the Board may stipulate; or

(ii) who has attained the age of 25 years and has received a diploma or certificate or degree in mining engineering or civil engineering, or has attended classes in theoretical and practical surveying, at an educational institution approved in this behalf by the Central Government, if he satisfies the Board that he has had practical experience in surveying of the nature approved by the Board for a period of not less than two years (including not less than six months in the workings belowground of a metalliferous mine in India) and if he passes such *viva-voce* examination as the Board may stipulate.

(2) Every application for the grant of a Service Certificate under this sub-regulation shall be accompanied by:

(i) a certificate of age granted by a Gazetted Officer of the Government or by the head-master of a school of a Higher Secondary or equivalent standard or by a qualified medical practitioner not below the rank of a Civil Assistant Surgeon;

Provided that in case of a person holding a matriculation or equivalent certificate, such certificate shall be submitted as evidence of age;

(ii) a medical certificate obtained not more than two years prior to the date of his application, from a qualified medical practitioner not below

the rank of a Civil Assistant Surgeon or from a Certifying Surgeon, certifying the candidate to be free from deafness, defective vision or any other infirmity, mental or physical likely to interfere with the efficient discharge of his duties; and

(iii) a certificate from some person of good repute as to the general good conduct and sobriety of the candidate.

(3) Fees on the scale laid down in Regulation 21 shall be paid in respect of every examination under this regulation.

**25. Validity of old certificates.**—Any Engine-driver's or Blaster's Certificate granted under the Mysore Gold Mines Regulations, which is valid at the commencement of these regulations shall be deemed respectively to be the equivalent of an Engine-driver's or Blaster's Certificate granted under these regulations.

**26. Duplicate Certificates.**—If any person proves to the satisfaction of the Board that he has, without any fault on his part, lost or been deprived of a certificate granted to him under these regulations, the Board may, upon realisation of the following fees and subject to such terms and conditions as it thinks fit, cause a copy of the certificate to be delivered to him—

	Rs.
(a) in the case of a Manager's or Surveyor's Certificate	5
(b) in the case of any other Certificate	2

The word "DUPLICATE" shall be stamped across every such copy.

**27. Certificates to be delivered to the manager.**—When the holder of a Foreman's, Mate's, Engine-driver's, Blaster's or Gas-testing certificate is employed in a mine in a capacity which requires the possession of the said certificate, he shall deliver such certificate to the manager of the mine in which he is for the time being employed. The manager shall deliver to him a receipt for the same; and shall retain the certificate in the office at the mine so long as the holder thereof is so employed, and shall return it to him on his ceasing to be so employed.

**28. Court of Enquiry into fitness of a person to hold a Manager's or Surveyor's Certificate.**—(1) If a person who is the holder of a Manager's or Surveyor's Certificate, has been convicted of an offence made punishable under the Act with fine which may extend to Rs. 500 or more or with imprisonment, or if it appears to the Central Government that he is unfit to continue to hold such a certificate by reason of incompetence or misconduct in the performance of his duties under the Act or under these regulations, the Central Government may appoint a Court to hold an inquiry to determine as to whether or not such person is fit to continue to hold such certificate.

(2) The following provisions shall have effect with respect to the constitution and procedure of the Court holding such an enquiry:—

(a) The Court shall consist of a person or persons appointed by the Central Government and may conduct the inquiry either alone or with the assistance of an assessor or assessors so appointed.

(b) The Central Government may pay to the person or persons constituting the Court and to any assessor appointed to assist the Court, such remuneration and allowance as it may fix.

(c) The inquiry shall be public and shall be held at such place as the Central Government may appoint.

(d) The Central Government may appoint any person to undertake the management of the case.

(e) The Central Government shall, before the beginning of the inquiry, furnish to the person whose fitness to continue to hold a certificate is to be inquired into, a statement of the case on which the inquiry is instituted.

(f) The said person may appear at the inquiry either in person or by counsel, solicitor or agent approved by the Court, and may give evidence or call such witnesses as he thinks fit.

(g) If a majority of the persons constituting the Court thinks fit, the person whose conduct is under inquiry may be required to deliver up his certificate at any time before or during the inquiry; and such person shall be bound to comply with such requisition, unless he shows to the satisfaction of the Court sufficient cause to the contrary.

(h) The Court shall, for the purpose of the inquiry, have all the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908) for the purpose of enforcing the attendance of witnesses and compelling the production of registers, plans, sections, reports and

other records and material objects; and any person required as aforesaid to attend or to furnish any information shall be deemed to be legally bound to do so within the meaning of Section 176 of the Indian Penal Code, 1860 (45 of 1860).

- (i) The Court, for the purpose of the inquiry, may exercise such of the powers of an Inspector under the Act as it may think necessary or expedient.
- (j) The Court shall, subject to the foregoing, have powers to regulate the procedure of the inquiry and to adjourn it from time to time.
- (k) A person appearing as a witness before the Court may be paid by the Central Government such expenses as would be allowed to a witness attending a civil or criminal court.
- (l) At the conclusion of the inquiry, the Court shall send to the Central Government a report containing a full statement of the case together with its opinion thereon, note of dissent, if any, submitted by the assessor or assessors and such account of or extracts from, the evidence as it may think fit; and if it considers that the certificate in question should be cancelled or suspended, it shall add a recommendation to that effect. Where the Court consists of more than one person, not including the assessor(s), and there is disagreement between the members of the Court, a dissentient from the opinion of the majority may forward a separate report to the Central Government with a statement of his recommendations.

(3) The Central Government may, on the recommendation of the Court, cancel or suspend a certificate; and if it does so, the fact of such cancellation or suspension shall be notified in the Official Gazette and if the certificate or a duplicate thereof granted under regulation 26, is produced, be endorsed upon it.

**29. Suspension of a Foreman's, Mate's, Engine-driver's, Blaster's or Gas-testing Certificate.**—(1) If in the opinion of the Regional Inspector, a person to whom a Foreman's, Mate's, Engine-driver's, Blaster's or Gas-testing Certificate has been granted is incompetent, or is guilty of negligence or misconduct in the performance of his duties, the Regional Inspector, may, after giving the person an opportunity to give a written explanation, suspend his certificate by an order in writing.

(2) When the Regional Inspector has suspended a certificate under sub-regulation (1), he shall, within a week of such suspension report the fact to the Board together with all connected papers including the explanation, if any, received from the person concerned. He shall also, by requisition addressed to the manager concerned, obtain the certificate he suspended and forward it to the Board on receipt.

(3) The Board may, after such inquiry as it thinks fit, either confirm or modify or reduce the period of suspension of the certificate or cancel the certificate.

**30. Validity of Foreman's, Mate's, Engine-driver's, Blaster's and Gas-testing Certificates.**—(1) (a) No Foreman's, Mate's, Engine-driver's or Blaster's Certificate shall remain valid for a period of more than five years unless the certificate bears an endorsement by the Regional Inspector to the effect that the holder thereof has, within the preceding five years, been examined and certified by a qualified medical practitioner appointed by the Chief Inspector to be free from deafness, defective vision or any other infirmity, mental or physical, likely to interfere with the efficient discharge of his duties.

(b) An application in respect of an examination of fitness in pursuance of clause (a) shall be made to the Chief Inspector, accompanied by a fee of five rupees.

(2) No Gas-testing Certificate shall remain valid for a period of more than three years unless it bears an endorsement by the Regional Inspector to the effect that the holder thereof has, within the preceding three years, passed another examination in gas-testing.

**31. Medical Certificate of fitness to be required in certain cases.**—(1) No person shall act as a manager or an official or a blaster or a winding engineman in a mine after attaining the age of 60 years unless he has obtained, within the preceding one year, a medical certificate of fitness certifying him fit to carry out the duties prescribed for him in the Act and in the regulations and orders made thereunder:

Provided that if the Chief Inspector or the Regional Inspector is of the opinion that a person as aforesaid, though less than 60 years of age, is medically unfit to carry on the duties prescribed for him in the Act and in the regulations and orders made thereunder, the Chief Inspector or the Regional Inspector may, by an order in writing, require such person to obtain a medical certificate of fitness within such period, not exceeding three months, as he may specify therein; and no such person shall continue to act in any capacity as aforesaid after the period so specified unless he has obtained a medical certificate of fitness.

(2) The medical certificate of fitness as aforesaid shall be obtained from such authority and in such manner and after the payment of such fees as the Board may prescribe.

#### CHAPTER IV

##### INSPECTORS AND MINE OFFICIALS

**32. Qualifications of Inspectors.**—(1) After the coming into force of these regulations, no new persons shall be appointed as Chief Inspector unless he holds a degree or diploma in mining engineering of an educational institution approved by the Central Government and if he has not been working as an Inspector subordinate to the Chief Inspector on the date of coming into force of these regulations also a First Class Manager's Certificate granted under these regulations.

(2) After the coming into force of these regulations, no person shall be appointed as an Inspector unless he holds a degree or diploma in mining engineering of an educational institution approved by the Central Government and also a First Class Manager's Certificate granted under these regulations:

Provided that—

- (i) in relation to electrical machinery installed in mines, a person holding a degree or diploma in electrical engineering of an educational institution approved by the Central Government may be so appointed;
- (ii) in relation to other machinery or mechanical appliances installed in mines, a person holding a degree or diploma in mechanical engineering of an educational institution approved by the Central Government may be so appointed; and
- (iii) in relation to the provisions of the Act and of the regulations, and of orders made thereunder, which relate to matters concerning the health and welfare of persons, a person holding a degree or diploma in medicine, surgery and/or in social science or labour welfare, as the case may be, of an educational institution approved by the Central Government may be so appointed.

(3) The Central Government may appoint any person whom it considers competent, as an Inspector notwithstanding that such person does not possess the qualifications prescribed in that behalf by this regulation.

**33. Definitions.**—For the purpose of this Chapter—

- (a) every system of workings below and inter-connected in such a manner that communication is practicable from any one part of the system to any other part by means of channels or drifts below-ground shall be deemed to constitute one mine. If access from one system of such workings below-ground to another such system is not practicable, such system shall be deemed to constitute a separate mine:

Provided that where two or more systems of workings below-ground not belonging to the same owner, for any special reasons are inter-connected, each such system shall be deemed to constitute a separate mine:

Provided further that where special conditions exist, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit or require the division of any one such system into two or more separate mines;

(b) the expression 'average employment' means the average per day of the total employment of the mine or mines during the preceding quarter (obtained by dividing the number of mandays worked by the number of working days, excluding rest-days and other non-working days).

34. Qualifications and appointment of managers.—(1) (a) No mine shall be opened, worked or reopened unless there is a manager of the mine, being a person duly appointed and having such qualifications as are required by these regulations.

(b) No person shall act or be employed as a manager unless he is 23 years of age and is paid by, and is directly answerable to, the owner or agent of the mine.

(2) Except as hereinafter provided in sub-regulation (6), and subject to the provisions of sub-regulation (3), no person shall act or continue to act, or be appointed, as manager of a mine or mines the average employment of which corresponds to the figures given in column (i) of the table below unless he holds the corresponding qualifications given in column (ii) thereof:

(i)	(ii)
(a) In excess of 150 in workings belowground, or of 400 in all in the mine:	A First Class Manager's Certificate.
(b) In excess of 75 but not exceeding 150 in workings belowground, or in excess of 150 but not exceeding 400 in all in the mine:	A First or Second Class Manager's Certificate.
(c) In any other case:	A First or Second Class Manager's Certificate or a Manager's Permit granted under sub-regulation (5):

Provided that no person shall act or continue to act, or be appointed, as manager of a mine or mines where work is being carried on by a system of deep-hole blasting and/or with the help of heavy machinery for the digging, excavation and removal, etc., of earth, stone, mineral or other material unless he holds a First Class Manager's Certificate:

Provided further that where special conditions exist, the Chief Inspector may, by an order in writing, direct that in the case of any such mine as is referred to in clause (b) of the table, the manager thereof shall be the holder of a First Class Manager's Certificate, and that in the case of any such mine as is referred to in clause (c) of the table, the manager thereof shall be the holder of a First or Second Class Manager's Certificate:

Provided further that if any mine-undertaking consists of two or more separate mines and if, in the opinion of the Chief Inspector, they are not sufficiently near to one another to permit of daily personal supervision being exercised by one manager, he may, by an order in writing, require the appointment of a separate manager for each of such mines.

(3) Where under the provisions of sub-regulation (2), a person holding a First or Second Class Manager's Certificate has been appointed as manager, a person holding lower qualifications shall not, except with the previous permission in writing of the Chief Inspector and subject to such conditions as he may specify therein, be so appointed during the succeeding twelve months, notwithstanding any reduction in the average employment of the mine.

(4) No person shall act, or be appointed, as manager of more than one mine except with the previous permission in writing of the Chief Inspector and subject to such conditions as he may specify therein. No such permission shall have effect for a period exceeding 12 months, unless renewed. The Chief Inspector may at any time, by an order in writing, vary or revoke any such permission if the circumstances under which the permission was granted have altered or the Chief Inspector finds that the manager has not been able to exercise effective supervision in the mine under his charge.

(5) (a) The Chief Inspector may, after holding such examination as he may deem necessary and subject to such conditions as he may specify, grant to any person holding a Foreman's Certificate, a permit (in these regulations referred to as a Manager's Permit) authorising such person to act as the manager of any specified mine, the average employment of which does not exceed 75 in workings belowground or 150 in all in the mine.

(b) A Manager's Permit shall be valid only for such period, not exceeding 12 months, as may be specified therein. The Chief Inspector may renew any Manager's Permit for further periods not exceeding 12 months at a time.

(c) A fee of Rs. 10 shall be payable in respect of every application for the grant of a Manager's Permit. No fee shall be charged for renewal thereof.

(d) The Chief Inspector may, after giving the holder of a Manager's Permit an opportunity to make his representation, by an order in writing, cancel his permit.

(6) The Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, authorise any person whom he may consider competent, to act as manager of any mine or mines for a specified period, notwithstanding that such person does not possess the qualifications prescribed in that behalf by sub-regulation (2), and may by a like order revoke any such authority at any time.

(7) (a) Where by reason of absence or for any other reason, the manager is unable to exercise daily personal supervision or is unable to perform his duties under the Act and under these regulations and orders made thereunder, the owner, agent or manager shall authorise in writing a person whom he considers competent to act as manager of the mine:

Provided that—

(i) such person holds a Manager's or Foreman's Certificate;

(ii) no such authorisation shall have effect for a period in excess of 30 days, except with the previous consent in writing of the Chief Inspector and subject to such conditions as he may specify therein; nor without a like consent shall a second authorisation be made to take effect upon the expiry of the first. The Chief Inspector shall not permit any such authorisation to extend over a period exceeding 60 days unless the person holds qualifications specified in sub-regulation (2);

(iii) the owner, agent or manager, as the case may be, shall forthwith send by registered post to the Chief Inspector and the Regional Inspector a written notice intimating that such an authorisation has been made, and stating the reason for the authorisation, the qualifications and experience of the person authorised, and the date of the commencement and ending of the authorisation; and

(iv) the Chief Inspector or the Regional Inspector may, except in the case of a person possessing qualifications specified in sub-regulation (2), by an order in writing, revoke any authority so granted.

(b) The person so authorised shall, during the period of such authorisation, have the same responsibility, discharge the same duties, and be subject to the same liabilities as the manager.

(8) (a) No manager shall vacate his office without giving due notice in writing to the owner or agent at least 30 days before the day on which he wishes to vacate his office:

Provided that the owner or agent may require the manager to vacate his office after giving a shorter notice.

(b) No owner or agent shall transfer, discharge or dismiss a manager unless the manager has been relieved by a duly qualified person as prescribed under sub-regulation (2).

(c) Nothing in sub-regulation (7) shall confer on the owner, agent or manager the right to authorise during any period of such notice, any person not duly qualified to manage the mine under sub-regulation (2), to act as the manager except in case of illness or other causes over which the manager has no control, or with the previous written permission of the Chief Inspector and under such conditions as he may specify therein.

(d) A copy of every such notice and authorisation shall forthwith be sent to the Chief Inspector and to the Regional Inspector by registered post.

(9) (a) The owner or agent shall provide suitable residential accommodation for the manager, the assistant manager and the underground manager within a distance of three miles from all mine openings; and every manager, assistant manager and underground manager shall reside in the accommodation so provided:

Provided that where special difficulties exist which render compliance with these provisions not reasonably practicable, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant exemption from the same.

(b) No manager shall be entrusted by the owner or agent with any work, nor shall he himself perform any work, which will necessitate his frequent or prolonged absence from the mine.

(c) If any dispute arises as to any matter referred to in the foregoing clauses of this sub-regulation, it shall be referred to the Chief Inspector for decision.

(10) No manager shall act as agent or assistant manager or underground manager or in any other supervisory capacity in another mine.

**35. Appointment of assistant managers or underground managers.**—In every mine the average employment of which exceeds 450 in workings belowground or 1,200 in all in the mine, the manager shall be assisted by assistant managers and/or underground managers on the following scale:

Average employment	Number of assistant manager and/or underground manager
Upto 600 in workings belowground, or 1,600 in all in the mine:	One.
In excess of 600 in workings belowground or 1,600 in all in the mine:	One additional assistant manager or underground manager, for every additional 500 persons employed belowground or 800 in all in the mine, or part thereof, for a period of five years from the commencement of the Regulations, and thereafter, for every 300 additional persons employed belowground or 800 in all in the mine or part thereof:

Provided that in a mine where the average employment exceeds 1,200 in workings belowground or 3,200 in all in the mine, at least one of the assistant managers or underground managers as aforesaid shall hold a First Class Manager's Certificate:

Provided further that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit or require the appointment of assistant managers or underground managers in variation with these provisions.

**NOTE.**—For the purpose of this regulation, the expression "assistant manager or underground manager" shall include persons such as safety officers who hold equivalent qualifications.

**36. Appointment of engineers.**—(1) At every mine where machinery is used, an engineer or other competent person not less than 23 years of age shall be appointed to hold general charge of such machinery, and to be responsible for its installation, maintenance and safe working:

Provided that nothing in this sub-regulation shall be deemed to prohibit the employment of two or more engineers or competent persons at one mine so long as the jurisdiction and sphere of responsibility of every such engineer or competent person is defined by the manager in his letter of appointment:

Provided further that after such date as the Central Government may notify in the Official Gazette, no person (unless he holds a degree or diploma in mechanical engineering of an educational institution approved for the purpose by the Central Government) shall, except with the previous permission in writing of the Chief Inspector and subject to such conditions as he may specify therein, be so appointed in an open-cast mine worked by heavy earth-moving machinery in which the aggregate h.p. of all the machinery used exceeds 750, or in any other mine in which the aggregate h.p. of all the machinery used exceeds 250.

(2) A notice of every such appointment, giving the name and full particulars of the qualifications and experience of the person so appointed, shall be sent to the Regional Inspector within seven days of such appointment.

(3) No person shall undertake the duties of an engineer at more than one mine without the previous permission in writing of the Regional Inspector and subject to such conditions as he may specify therein. The Regional Inspector may at any time, by an order in writing, vary or revoke such permission.

(4) Where by reason of temporary absence or for any other reason, the engineer or competent person appointed under sub-regulation (1) is unable to perform his duties, the manager shall authorise in writing a person whom he considers competent to act in his place:

Provided that—

- notice of every such authorisation shall be sent to the Regional Inspector forthwith;
- no such authorisation shall have effect for a period in excess of 30 days except with the previous consent in writing of the Regional Inspector and subject to such conditions as he may specify therein; and
- the Regional Inspector may, by an order in writing, revoke any authority so granted.

**37. Appointment and qualifications of senior officials.**—(1) (a) At every mine, one or more mine foreman shall be appointed to hold charge of the different districts of the mine on each working shift.

(b) The mine or district assigned to a mine foreman shall not be of such a size, nor shall any additional duties other than his duties under the regulations be such, as to be likely to prevent him from carrying out in a thorough manner the duties prescribed for him under the regulations. If any doubt arises as to the foregoing, it shall be referred to the Chief Inspector for decision.

(2) Every person employed under sub-regulation (1)(a) as an official subordinate to the manager or to an assistant manager or underground manager and superior to the mining mate shall hold either a Manager's Certificate or a Foreman's Certificate.

**38. Appointment of surveyors.**—(1) At every mine having workings belowground and at such other mines or classes of mines as may be notified from time to time by the Central Government a person not less than 23 years of age and holding a Surveyor's Certificate shall be appointed to be the surveyor for carrying out the surveys and levellings and for preparing the plans and sections required under the Act, or the regulations, or orders made thereunder:

Provided that nothing in this sub-regulation shall be deemed to prohibit the employment of two or more surveyors at one mine so long as the jurisdiction and sphere of responsibility of each of the surveyors is defined by the manager in his letter of appointment.

(2) A notice of every such appointment, giving the name and full particulars of the qualifications of the person so appointed, shall be sent to the Regional Inspector within seven days of such appointment.

(3) No person shall be appointed as surveyor of more than one mine or in any other supervisory capacity in the same mine, without the previous permission in writing of the Regional Inspector and subject to such conditions as he may specify therein. The Regional Inspector may by an order in writing, revoke such permission if the circumstances under which it was granted have

altered or the Regional Inspector finds that the surveyor has not been able to carry out satisfactorily the work allotted to him.

39. **Appointment of officials and competent persons.**—(1) (a) The owner, agent or manager shall appoint such number of competent persons, including officials and technicians, as is sufficient, to secure during each of the working shifts—

- (i) adequate inspection of the mine and of the equipment thereof;
- (ii) a thorough supervision of all operations in the mine;
- (iii) the installation, running and maintenance, in safe working order, of all machinery in the mine; and
- (iv) the enforcement of the requirements of the Act and of the regulations and orders made thereunder:

Provided that if the Regional Inspector finds that those appointed are inadequate, he may require the appointment of such number of additional competent persons by the owner, agent or manager as he considers necessary.

(b) Without prejudice to the requirements of clause (a), where the mine is worked on more than one shift, the owner, agent or manager shall ensure that, during the afternoon shift and the night shift, the mine is under the general supervision of an assistant manager or underground manager, if any, and of an experienced mine foreman in other cases.

(2) It shall be the responsibility of the manager to see that the persons so appointed are competent to perform the duties assigned to them. No person shall be so appointed unless he is paid by the owner or agent and is answerable to the manager.

(3) Copies of all appointments made under sub-regulation (1) shall be entered in a bound paged book kept for the purpose. A list of all such competent persons shall also be maintained.

(4) Without prejudice to the requirements of sub-regulation (2), every manager on taking over charge of a mine, shall satisfy himself that all persons already appointed under sub-regulation (1) are competent to perform the duties assigned to them, and if he finds them competent, he shall either countersign their authorisations or issue fresh ones.

40. **General management.**—(1) The owner, agent and manager shall provide for the safety and proper discipline of persons employed in the mine.

(2) Except in a case of emergency, no person who is not an official or a competent person shall give, otherwise than through the manager, instructions to a person employed in a mine who is responsible to the manager.

## CHAPTER V

### DUTIES AND RESPONSIBILITIES OF WORKMEN, COMPETENT PERSONS AND OFFICIALS, ETC.

41. **Duties of persons employed in mines.**—(1) (a) Every person shall strictly adhere to the provisions of the Act and of the regulations and orders made thereunder, and to any order or direction issued by the manager or an official with a view to the safety or convenience of persons, not being inconsistent with the Act and these regulations; nor shall he neglect or refuse to obey such orders or directions.

(b) No person shall interfere with, impede or obstruct any other person in the discharge of his duties, nor shall he offer or render any service, or use any threat, to any other person with a view to preventing him from complying with the provisions of the Act and of these regulations and orders made thereunder or from performing his duties faithfully. If any person who receives any such offer or threat, fails to inform the manager forthwith, he shall also be guilty of a breach of these regulations.

(2) Every person shall, immediately before proceeding to work and immediately after terminating work at the end of his shift, have his name recorded in the register maintained under Section 48(4) of the Act. In case of workings belowground, he shall get his name recorded every time he proceeds belowground or returns to the surface.

(3) No person shall go belowground unless he wears a hat of a type approved by the Chief Inspector

(4) (a) No person shall, except with the authority of an official, remove or pass through any fence, barrier or gate, or remove or pass any danger signal.

(b) Subject to any directions that may be given by an official, no person shall, except for some justifiable purpose, go into any part of the mine other than that part in which he works, or travel to or from his working place by any roadway other than the proper travelling roadway.

(5) No person shall, while on duty, throw any stone or other missile with intent to cause injury, or fight or behave in a violent manner.

(6) Every person receiving any injury in the course of his duty shall, as soon as possible, report the same to an official or to the competent person in charge of a first aid station, who shall arrange for the necessary first aid to the injured person.

(7) No person shall sleep whilst on duty.

(8) (a) No person shall test for inflammable gas with a naked lamp, or brush or waft out inflammable gas. Should any person having a flame safety lamp find himself in the presence of inflammable gas, he shall not throw the lamp away or attempt to blow it out; but shall shelter it, hold it near the floor, avoid jerking it, and take it steadily into fresh air. Where he cannot take it into fresh air, he shall smother out the light or extinguish it in water.

(b) No person shall, when trying or examining for the presence of inflammable gas with a flame safety lamp, raise the lamp higher than may be necessary to allow the presence of inflammable gas to be detected.

(c) Every person using a safety lamp shall take proper care of it and shall not place it within 0.6 metres of the swing of any tool, except in the case of a lamp which is actually worn attached to the body of such person. In the case of a flame safety lamp he shall not place it on the floor unless it is necessary to do so for the safe performance of any particular work; and if the lamp becomes damaged, he shall at once carefully lower the flame until it is extinguished, and shall, at the first opportunity, report the damage to his superior official.

(9) Subject to the provisions of the Act and of the regulations and orders made thereunder, no person shall remain in a mine beyond the period over which his shift extends.

42. **Duties of competent persons.**—Every competent person shall be responsible for the duties assigned to him. He shall be subject to orders of superior officials, and shall not—

- (a) depute another person to perform his work without the sanction of his superior official;
- (b) absent himself without having previously obtained permission from such official for the term of his absence or without having been relieved by a duly competent person; and
- (c) without permission from such official perform, during his shift, any duties other than those for which he has been so appointed.

43. **Duties of officials.**—(1) Every official shall be responsible for and shall carry out the duties assigned to him by the manager, assistant manager or underground manager in accordance with the provisions of the Act and of the regulations and orders made thereunder.

(2) Every official shall, to the best of his power, see that persons under his charge understand and carry out their respective duties properly.

44. **Duties and responsibilities of manager.**—(1) (a) In every mine daily personal supervision shall be exercised by the manager; and in case of workings belowground, he shall visit and examine a particular section of the workings belowground on at least four days in every week to see that safety in every respect is ensured. Of these inspections, one at least in every fortnight shall be made during the night shift:

Provided that in the case of a mine where an assistant manager or underground manager holding a First Class Manager's Certificate is employed in compliance with the first proviso to regulation 45 and visits and examines the



workings belowground on not less than five days in every week, it shall suffice if the manager visits and examines the workings belowground on not less than two days in every week:

Provided further that when, owing to any unavoidable cause, the manager or the assistant manager or underground manager aforesaid is unable to carry out the aforesaid duties or inspections, he shall record the reason for the same in the book kept under clause (b).

(b) The manager, the assistant manager and the underground manager, if any, shall each maintain, in a bound paged book kept for the purpose, a diary; and shall record therein the findings of each of his inspections and also the action taken by him to rectify the defects mentioned, if any.

(2) The manager shall make arrangements for all mine foremen and other officials concerned to meet him or the assistant manager or the underground manager once in every working day for the purpose of conferring on matters connected with their duties.

(3) (a) The manager shall see that a sufficient supply of proper materials and appliances for the purpose of carrying out the provisions of the Act and of these regulations and orders made thereunder and for ensuring the safety of the mine and the persons employed therein, is always provided at the mine; and if he be not the owner or agent of the mine, he shall report in writing to the owner or agent when anything is required for the aforesaid purpose, that is not within the scope of his authority to order. A copy of every such report shall be recorded in a bound paged book kept for the purpose.

(b) On receipt of a requisition under clause (a), the owner or agent shall take suitable action immediately and also shall within three days of the receipt of the requisition inform the manager in writing of the action taken.

(4) The manager shall assign to every official and competent person his particular duties defining his sphere of responsibility, shall on his appointment make over to him a copy of the regulations, rules and bye-laws under the Act and of any orders made thereunder which affect him and shall take all possible steps to ensure that every such person understands, carries out and enforces the provisions therein contained in a proper manner.

(5) The manager shall provide every mine foreman with a tracing, up to the date of last survey, showing the workings of the district belowground assigned to him. Where any work of reduction or extraction of pillars or blocks of mineral is being carried out, such tracing shall show clearly the order in which such reduction or extraction is to be carried out.

(6) The manager shall examine all reports, registers and other records required to be made or kept in pursuance of the Act and of these regulations and orders made thereunder, and shall countersign the same and date his counter-signature. He may, however, by an order in writing, delegate this duty to an assistant manager or underground manager except in cases where a specific provision is made requiring the manager to countersign a report or register.

(7) The manager shall give attention, to and cause to be carefully investigated, any specific representation or complaint that may be made to him in writing by an employee of the mine as to any matter affecting the safety or health of persons in or about the mine.

(8) When any accident resulting in serious bodily injury to any person or in loss of life occurs in a mine, the manager shall inspect the site of accident as soon as possible, and shall also, either himself or through an assistant manager or underground manager, have an inquiry made into the cause of and circumstances attending the accident. The result of every such enquiry and a plan of the site of the accident showing details, shall be recorded in a bound paged book kept for the purpose.

(9) The manager shall perform such other duties as have been prescribed in that behalf under the Act and under these regulations and orders made thereunder.

(10) The manager may suspend, or take such disciplinary action as he thinks fit against, a workperson for contravention of any provision of the Act and of the regulations and orders made thereunder.

**45. Duties and responsibilities of assistant managers or underground managers.**  
(1) Every assistant manager or underground manager shall carry out the duties assigned to him by the manager, and shall see that in the part of the mine assigned to him by the manager, all work is carried out in accordance with the provisions of the Act and of these regulations and orders made thereunder.

(2) The assistant manager or underground manager shall, subject to the orders of the manager, visit and examine the workings under his charge, or part thereof, on every working day.

(3) The assistant manager or underground manager shall, from time to time, carefully examine every travelable part of the mine or part thereof placed under his charge, whether frequented by workpersons or not.

(4) In the absence of the manager, the assistant manager or the underground manager shall have the same responsibility, discharge the same duties and be subject to the same liabilities as the manager, but not so as to exempt the manager therefrom.

**46. Duties and responsibilities of mine foreman.**—Every mine foreman or other competent person appointed under regulation 37(1) shall strictly observe the following provisions, namely—

(1) (a) Subject to orders of superior officials, he shall have responsible charge and control of such district of the mine and shall carry out such duties as may be assigned to him by the manager.

(b) In the case of workings belowground shall, while on duty, carry a tracing of the workings of such district, and shall keep the tracing up-to-date.

(c) He shall, in his district, make the inspections and reports required by the regulations.

(2) (a) He shall be responsible to see that the subordinate officials and competent persons in his district carry out their respective duties in a proper manner.

(b) He shall, to the best of his power, enforce in his district the provisions of the Act and of these regulations and orders made thereunder; and shall, subject to the control of the manager and the assistant manager or underground manager, if any, give such directions as may be necessary to ensure compliance with those provisions, and to secure the safety of the district and the safety and proper discipline of the persons employed therein.

(c) He shall have power to send out of the mine any person under his charge infringing or attempting to infringe any provisions of the Act and of these regulations and orders made thereunder, or failing to carrying out any direction given with regard to safety, and shall report in writing any such infringement or attempted infringement or failure to the manager or assistant manager or underground manager.

(3) He shall see that sufficient supplies of timber, brattice and other necessaries required for the safe working of his district are kept in convenient places therein.

(4) (a) He shall see that every air-crossing, stopping, door, brattice and other ventilation device is maintained in good order.

(b) He shall, in his district, see that the ventilation is effective; and when brattices or air pipes are required to be used for the ventilation of the working places, he shall see that they are kept sufficiently advanced to ensure that an adequate amount of air reaches every such working place.

(5) (a) He shall see that all tracks and tramlines are properly laid, graded ballasted or otherwise packed.

(b) He shall see that the manholes on the haulage roadways are kept safe, clear of obstruction, and properly white-washed.

(c) He shall see that stop-blocks, run-of-way switches and other safety devices are fixed and used as required under the regulations, that drags or back-stays are provided and regularly used behind ascending inclines, and that a sufficient supply of suitable sprags is provided where tubs are loaded on a gradient or lowered down a gradient by hand.

(d) He shall, if he finds any of the ropes, chains, signals, brakes, jig wheels and posts or other apparatus in use in his district to be in an unsafe condition, stop the use of the same forthwith.

(6) He shall be responsible to see that, except for the purpose of inspection, examination and repairs, every person other than an official or a haulage attendant travels by the travelling roadway.

(7) He shall give prompt attention to the removal of any danger observed by or reported to him, and shall see that dangerous places are adequately fenced off.

(8) He shall, under the directions of the manager and other superior officials, see that approved safety lamps are used and naked lights excluded wherever and whenever danger from inflammable gas is apprehended.

(9) (a) He shall devote the whole of his time to his duties, and shall visit each working place in his district as often as may be necessary or possible.

(b) He shall not, except for a justifiable cause, leave the district under his charge until he has finished the inspections required under these regulations and any other duties that he is required to perform, or until relieved by a duly appointed substitute.

(c) He shall, if the mine is working in a continuous succession of shifts, confer with official succeeding him and shall give him such information as may be necessary for the safety of his district and of persons employed therein.

(10) He shall, at the end of his shift, record in a bound paged book kept for the purpose, a general report on the performance of all his duties during the shift, including anything concerning the proper working of the mine and the safety and discipline of persons employed in his district.

**47. Duties and responsibilities of mining mates.**—Every mining mate or other competent person appointed under regulation 116 shall strictly observe the following provisions, namely—

(1) (a) Subject to orders of superior officials, he shall have responsible charge and control of the district of the mine assigned to him by the manager or assistant manager or underground manager.

(b) He shall take reasonable means to ensure the proper observance of the requirements of the Act and of these regulations and orders made thereunder by persons under his charge; and shall, as soon as practicable, report any contravention thereof to his superior official.

(2) (a) He shall make such inspections and reports as are required by the regulations; and in making such examination, he shall pay particular attention to the checking of supports.

(b) Except in the case of a mine working in a continuous succession of shifts, he shall, on completion of the first inspection of the district, proceed to the station appointed under regulation 116 and instruct all persons as to their places of work and as to any special precaution necessary to be observed by them.

(c) If he finds any person in a place other than the one assigned to him, he may order such person out of the mine, and shall forthwith report the matter to his superior official.

(d) He shall ensure that no inexperienced person is employed on any work except under the supervision of an experienced person.

(3) (a) He shall see that all travelling roadways, to and working places in, his district are made and kept secure.

(b) He shall report to his superior official any deficiency in timber, appliances and other necessities required for the safe working of the district.

(4) Where either of the two ways affording means of egress from the district to the surface is not ordinarily used for travelling, he shall travel, once at least in every seven days, the whole of such way in order to make himself thoroughly acquainted with the same.

(5) (a) If he observes any dangerous place during the course of his inspections, or if any danger is reported to him at a place where workpersons are employed, he shall, if the danger cannot be removed forthwith, withdraw all persons from such place and shall not leave such place until the danger has been removed in his presence or all approaches to the place have been fenced off so as to prevent persons from inadvertently entering such place.

(b) He shall take care that every dangerous operation is carried out with due precaution, and in such cases shall be present throughout whenever any work of clearing falls of ground and setting of supports therein is being carried out.

(c) He shall cause the entrance to every place which is not in actual use or in course of working or extension, to be fenced across the whole width so as to prevent persons from inadvertently entering such place.

(d) If he finds any accumulation of inflammable or noxious gases, he shall carry out the provisions of regulation 141 and shall not remove such accumulation until he has received instructions in that behalf from his superior official.

(6) He shall, on receipt of information of an accident to any person in his district, proceed at once to the place of accident, inspect the place and, if required, supervise the rescue operations; and shall report or send notice of the accident to the manager or assistant manager or underground manager.

(7) (a) He shall devote the whole of his time to his duties, and shall not leave the district under his charge until the end of the shift or until he has been relieved by a duly appointed substitute.

(b) If the mine is working in a continuous succession of shifts, he shall, before leaving his district, confer with the mining mate or competent person succeeding him; and shall acquaint him with all matters requiring his personal attention and give him such other information as may be necessary for the safety of his district and of the persons employed therein.

**48. Duties and responsibilities of blasters.**—Every blaster shall—

(a) carry out his duties in accordance with the provisions of the regulations and of any orders made thereunder with respect to the transport and use of explosives;

(b) be responsible for the observance by his assistants, if any, of such provisions and of any direction with a view to safety which may be given to them by a superior official;

(c) not hand over any explosives to any unauthorised person;

(d) see that clay, sand or other suitable stemming material is available in sufficient quantities at convenient places;

(e) be present when shots are being charged and stemmed; and shall himself fire the shots; and

(f) be responsible when a shot has misfired, for seeing that the place is adequately fenced, and that the provisions of regulation 167 are strictly observed.

**49. Duties of timbermen.**—Every timberman shall carry out the orders of the manager, assistant manager, underground manager, mine foreman, mining mate or other competent persons with respect to the securing of hangwall, footwall and back (roof). He shall at once report to the mining mate or other competent person any shortage of timber in his district. He shall also be responsible to see that wood-cuttings are not left in any working below ground.

**50. Duties of attendants of main mechanical ventilators.**—Every person in charge of the main mechanical ventilator shall—

(a) keep the ventilator running at the speed fixed by the manager;

(b) examine the machinery and observe the pressure-recording or water gauge and the speed-indicator at intervals of not more than one hour, and shall enter the readings of the gauge in a bound paged book kept for the purpose in the fan-house;

(c) immediately report to his superior official any stoppage of, damage to, or defect or derangement in the machinery or any unusual variation in the water-gauge or other indicators; and shall also immediately report to him any unusual instances in regard to mine ventilation which may come to his notice; and

(d) where the ventilator is continuously operated, shall not leave his post until relieved by a duly appointed substitute.

51. **Duties of lamproom incharges.**—Every competent person in charge of a safety lamp room—

- (a) shall be responsible for ensuring that all lamps in the safety lamp room are properly maintained in accordance with the provisions of the regulations;
- (b) shall see that the safety lamp room is kept in a neat and tidy condition, and that all damaged and defective gauges, glasses and other parts of safety lamps are not kept or stored in such room;
- (c) shall see that fire extinguishers or other means of dealing with fire provided in the safety lamp room are in good condition; and readily available for use;
- (d) shall see that all records required by the regulations for the issue, return and maintenance of safety lamps are properly maintained; and
- (e) shall carry out such other duties relating to the maintenance, issue and return of safety lamps as may be specified by the manager or assistant manager or underground manager.

52. **Duties and responsibilities of surveyors.**—(1) Every surveyor shall—

- (a) make such surveys and levellings, and prepare such plans and sections, and tracings thereof as the manager may direct or as may be required by the Act or by the regulations or orders made thereunder, and shall sign the plans, sections and tracings and date his signature; and
  - (b) be responsible for the accuracy of any plan and section, or tracings thereof, that has been prepared and/or signed by him;
- (2) The surveyor shall record in a bound paged book kept for the purpose—
- (a) the full facts when the workings of the mine have approached to about 75 metres from the mine boundary or from disused or waterlogged workings;
  - (b) any doubts which may exist concerning the accuracy of the plans and sections prepared under these regulations; and
  - (c) any other matter relating to the preparation of the plans sections and tracings that he may like to bring to the notice of the manager.

Every entry in the book shall be signed and dated by the surveyor, and countersigned and dated by the manager:

Provided that where in any mine two or more surveyors are employed, each of the surveyors shall make the entries aforesaid in respect of the workings in his jurisdiction or the plans and sections in his charge.

(3) Nothing in sub-regulation (2) shall absolve the owner, agent or manager of his responsibility under the Act and under these regulations and orders made thereunder.

53. **Duties and responsibilities of engineers.**—The engineer or other competent person appointed for the purpose—

- (a) shall, subject to the orders of the manager and other superior officials, hold general charge of all machinery at the mine; and shall be responsible for the proper installation, maintenance and safe working of such machinery;
- (b) shall, when any machinery is shifted or newly installed, see that it is given a trial run before it is put into use; he shall be present during every such trial run;
- (c) shall be present throughout whenever any work of installing, changing or recapping of any winding rope, or of installing, changing or annealing any suspension gear, is being carried on;
- (d) shall see that the provision of the Act and of the regulations and orders made thereunder relating to the installation, maintenance, operation or examination of machinery are properly carried out by himself or by subordinate officials or by competent persons or by workpersons as the case may be, appointed for the purpose; and
- (e) shall, if mechanics or other subordinate officials or competent persons are appointed for the purpose, examine all reports, registers and other records relating to the installation, maintenance, operation or

examination of machinery required to be made or kept in pursuance of the Act and of the regulations and orders made thereunder, and shall countersign the same and date his signature:

Provided that where in any mine two or more engineers or other competent persons are employed, every engineer or competent person shall be responsible for, and shall perform, the duties aforesaid in respect of such machinery as has been placed within his jurisdiction.

54. **Duties of winding enginemen.**—(1) At the beginning of his shift, every winding engineman shall examine the engine, brakes and all appliances in his charge, and shall satisfy himself that they are in good working order.

(2) Every winding engineman shall, during his shift, keep the winding engine and apparatus connected therewith properly cleaned and oiled, and shall see that the engine room is cleaned and free of inflammable material.

(3) The winding engineman shall immediately report in writing to the engineer or other competent person appointed for the purpose any defect he has noticed in the engine, brake, indicator, drum, rope or other appliances under his charge.

(4) The winding engineman shall not allow any unauthorised person to enter the engine room or in any way to interfere with the engine.

(5) Every winding engineman shall thoroughly acquaint himself with, and carefully attend to, the prescribed code of signals; and shall not start the engine until he has received the proper signal to do so. If the signal is indistinct, he shall not start the engine until it has been repeated and he clearly understands it.

(6) The winding engineman shall avoid jerk in starting, running and stopping the engine, and shall cause the cage or other means of conveyance to be brought gently to rest at any stopping place.

(7) While persons are being lowered or raised in the shaft, the winding engineman shall not drive the engine at a speed higher than the speed that shall be fixed by the manager for manwinding purposes and approved by the Regional Inspector by an order in writing.

(8) The winding engineman shall not unclutch the drum of his engine until he has assured himself beforehand by testing the brake of the drum against the full power of the engine that the brake is in proper condition to hold the load suspended from the said drum. When the drum is unclutched, he shall use the brake only for the purpose of maintaining such drum stationary and shall not wind men or material from an unclutched drum.

(9) The winding engineman shall on no pretext leave the handle or brake whilst the engine is in motion, or while persons are riding a cage or other means of conveyance in the shaft.

(10) The winding engineman shall not leave the engine whilst persons are at work in the shaft. Whenever he has occasion to leave the engine, he shall secure the drums with the brake and cut off the power.

(11) The winding engineman of a winding engine by which persons are lowered or raised in a shaft, shall not leave the engine at the end of his shift unless all the persons have come out of the shaft or unless he has been relieved by a duly appointed substitute.

55. **Duties of Banksmen, bellmen and signalmen.**—(1) Every banksmen, bellman and signalman, as the case may be, shall observe the following provisions—

(a) He shall, subject to orders of a superior official, have full control of the top of the shaft or winze or the landing, as the case may be; and shall report to such official any person who, without authority, gives a signal or disobeys instructions.

(b) He shall thoroughly acquaint himself with, and carefully attend to, the prescribed code of signals, and properly transmit the signals by the means provided. He shall not act on any signal the correctness of which he is in doubt, except a signal which he believes to be 'to stop'. He shall not allow any unauthorised person to give signals.

(c) He shall immediately report to his superior any defect in the signalling installation.

(d) He shall devote the whole of his time to his duties, and shall not leave his post during the period of his duty. Where persons are raised or

lowered in the shaft, he shall not leave his post at the end of his shift unless all the persons have come out of the shaft or unless he has been relieved by a duly appointed substitute.

- (e) He shall not allow more than the authorised number of persons to enter the cage or other means of conveyance at any one time.
- (f) He shall not, unless specially authorised in writing by the manager in that behalf, allow any person when riding in a cage or other means of conveyance, to take with him any bulky material other than tools and instruments:
- Provided that nothing in this clause shall be deemed to prohibit the carrying, in a cage or other means of conveyance, of explosives by a blaster or other competent person.
- (g) After a stoppage of winding for repairs or for any other cause for a period exceeding two hours, he shall not allow any person to ride in a cage or other means of conveyance unless it has been run at least one complete trip up and down the working portion of the shaft.
- (h) He shall not allow any person to ride on the top or edge of any cage or other means of conveyance except when engaged in examination, repair or any other work in the shaft.
- (i) He shall, after persons have entered the cage, see that the cage gates on both sides are in position and closed, before signalling for the cage to be lowered or raised.
- (j) He shall not allow any unauthorised person to handle tubs in or out of the cage. While tubs are being lowered or raised, he shall also see that the catches are holding the tubs properly before signalling the cage or other means of conveyance away. If he notices any defect in the tub-catches, he shall immediately inform his superior official.
- (k) He shall not, at any entrance into a shaft, winze or landing which is provided with gates or fences not worked by the cage or other means of conveyance, begin to remove the gate or fence until the cage or other means of conveyance has stopped at the entrance, and shall close the gate before he has signalled the cage or other means of conveyance away. He shall not permit any unauthorised person to open or interfere with the gate.
- (l) He shall see that all fences and gates provided at the top of the shaft, winze or landing are in position.
- (m) He shall not permit any unauthorised person to remove a fence or gate; and if he notices any defect in such fence or gate, he shall immediately inform his superior official.
- (n) He shall keep the top of the shaft or the inset and the floor of every cage free from loose material.
- (o) He shall, when long timber, pipes, rails or other material projecting over the top of a cage or other means of conveyance are lowered or raised, see that the projecting ends are securely fastened to the rope, chains or bow.
- (p) He shall, when he suspects that the cages are not working smoothly in the shaft or winze or when he hears anything unusual happening in the shaft or winze while the winding engine is working, immediately give signal to the winding engineman to stop the engine.

(2) (a) At the beginning of his shift, every banksman shall see that the keps are in proper working order.

(b) The banksman, when he is informed of any danger in the shaft or winze, shall not allow any person to descend except for the purpose of examination or repair; and during the time that such examination or repair is going on, shall be on duty and listen for signals.

(c) The banksman shall not permit any person descending the shaft to carry any intoxicating drink or drug, or allow any intoxicated person to descend.

(3) Where the manager so directs by an order in writing, the banksman or the bellman, as the case may be, shall also carry out the duties of a signalman.

56. **Duties of haulage enginemen, brakemen and signallers.**—(1) At the beginning of his shift, every haulage engineman shall examine the engine, its brakes and all appliances in his charge, and shall satisfy himself that they are in good working order.

(2) Every haulage engineman shall, during his shift, keep the haulage engine and apparatus connected therewith properly cleaned and oiled, and the engine room clean and free of inflammable material.

(3) The haulage engineman and brakeman shall report immediately to the engineer or other competent person appointed for the purpose any defect which he has noticed in the engine, brake-drum, rope or other appliance under his charge.

(4) Whenever the haulage engineman has occasion to leave the engine, he shall cut off the power and secure the engine with the brake.

(5) The haulage engineman, brakeman and signaller shall not allow any unauthorised person to enter the engine room or in any way to interfere with the engine or signal, as the case may be.

(6) Every haulage engineman, brakeman and signaller shall thoroughly acquaint himself with, and carefully attend to, the prescribed code of signals. The haulage engineman shall not start the engine until he has received the proper signal to do so. If the signal is indistinct, he shall not start the engine until it has been repeated and he clearly understands it.

(7) The person in charge at the top of any haulage plane or incline shall see that the stop-blocks are blocking the way, before allowing any tub to be brought on to the top landing; and shall cause the tubs to be securely coupled up to each other and to the rope or chain before the stop-block is opened. In case any alternative safety appliance is provided, he shall cause the same to be brought into use on every such occasion.

(8) The person who is responsible for the attachment, to the haulage rope, of any tub or set of tubs at any stopping place on any haulage plane or incline, shall see that no person remains in a position of danger at or near such stopping place while the rope is in motion.

(9) The person in charge of any tub or set of tubs, which it is intended to send up any haulage plane or incline on which drags or back-stays are required to be used, shall securely fix the drag or back-stay or cause it to be so fixed, before such tub or set of tubs is sent in motion.

(10) The person in charge at the top or bottom of the incline shall see that no unauthorised person rides on any tub or haulage rope.

(11) Before a train of side-tipping tubs is set in motion, the person in charge shall see that the safety catches of all such tubs are properly secured.

57. **Duties of locomotive drivers and shunters.**—(1) Every locomotive driver shall, before commencing work in his shift, ensure that the whistle or warning bell and the brakes of the locomotive are in proper working order.

(2) The locomotive driver shall not work the locomotive except during hours of daylight, unless the locomotive is fitted with sufficient headlights as prescribed.

(3) The locomotive driver shall immediately report to the engineer or other competent person appointed for the purpose any defect which he has noticed in the locomotive or any part or fitting thereof.

(4) The locomotive driver shall not set the locomotive in motion until whistle or warning bell has been given by him to persons whose safety may be endangered. He shall also give the whistle or warning bell when the locomotive is approaching a level crossing or any place where any person is at work or where the driver's sight is intercepted.

(5) The locomotive driver shall not leave a locomotive unattended away from the places where it is housed, unless he has ensured that it cannot be set in motion by any unauthorised person.

(6) The locomotive driver shall ensure that no unauthorised person drives, handles or rides on a locomotive.

(7) When tubs or wagons are being pushed in front of the locomotive, the shunter shall accompany the leading wagon.

58. **Duties of magazine incharges.**—Every magazine incharge—

- (a) shall, subject to orders of superior officials, be responsible for the proper receipt, storage and issue of explosives in and from the magazine;

- (b) shall maintain such records of explosives so received, stored and issued, as are required by the rules made under Indian Explosives Act, 1884, and under the Act and the regulations and orders made thereunder;
- (c) shall not issue explosives to any person other than a competent person; and when explosives are returned to the magazine, shall re-issue such explosives before issuing fresh stock;
- (d) shall record in a bound paged book kept for the purpose the names of various competent persons, and the quantity and nature of explosives issued to each of them; and shall similarly record the quantity and nature of explosives returned to the magazine by each person;
- (e) shall securely lock each canister before issuing it to the competent person and shall also check whether the canister is returned to the magazine in locked condition; he shall not issue explosives in any canister which is not in proper repair or which cannot be securely locked;
- (f) shall not allow any unauthorised person to enter the magazine; and
- (g) shall, if he discovers any shortage of explosives in the magazine, forthwith inform the manager in writing.

59. Duties of register keepers and attendance clerks etc.—(1) Every person appointed to keep registers or other records required by or under the Act and the regulations and any orders made thereunder, or to make entries therein, shall make the necessary entries in ink and with reasonable despatch.

(2) During the whole time that persons are at work, the attendance clerk shall remain on duty at the attendance cabin which shall be provided near the work-places or, in the case of workings belowground, near the outlet used by the work-people to enter and leave such workings.

(3) No person who is not an employee of the mine or is not entitled to enter the mine under the Act and under the regulations and orders made thereunder, or is not so authorised by the manager, shall enter the mine. It shall be the duty of the attendance clerk to see that no such person enters the mine; and if any such person forcibly enters the mine, the attendance clerk shall immediately report the matter in writing to the manager.

(4) If after the commencement of a shift, any official or a competent person has not got his attendance recorded in the register maintained under Section 48(4) of the Act, the attendance clerk concerned shall, within two hours after the commencement of the shift, report the fact in writing to the manager or assistant manager or under-ground manager or other official in charge of the shift.

#### CHAPTER VI PLANS AND SECTIONS

60. General requirements about mine plans and sections.—(1) Every plan or section prepared or submitted in accordance with the provisions of these regulations shall—

- (a) show the name of the mine and of the owner and the purposes for which the plan or section is prepared;
- (b) show the true north or the magnetic meridian and the date of the latter;
- (c) show a scale of the plan, at least 25 centimetres long and suitably subdivided;
- (d) unless otherwise provided, be on a scale having a representative factor of—
- (i) 200:1, in case of mica mines and other mines having small-scale workings belowground;
  - (ii) 2,000:1, in case of mines having large open cast workings and also in case of surface plans of large leasehold areas; and
  - (iii) 1,000:1, in other cases:

Provided that the Chief Inspector may, by an order in writing, and subject to such conditions as he may specify therein permit or require the plans to be prepared on any other suitable scale; and

- (e) be properly inked in on durable paper or on tracing cloth, and be kept in good condition.

(2) The conventions shown in Second Schedule shall be used in preparing all plans and sections required by the regulations.

(3) The plans and sections shall be accurate within such limits of error as the Chief Inspector may specify by a general or special order.

(4) The plans and sections required under these regulations shall be maintained up-to-date within three months except in case of open-cast workings in respect of which it shall suffice if the plans are maintained up-to-date within 12 months:

Provided that where any mine or part is proposed to be abandoned or the working thereof to be discontinued or rendered inaccessible, the plan and section shall be brought up-to-date before such abandonment or at the time of discontinuance, as the case may be, unless such abandonment or discontinuance has been caused by circumstances beyond the control of the owner, agent or manager, in which case the fact that the plan or section is not up-to-date shall be recorded on it.

(5) Plans and sections required to be maintained under these regulations shall be kept available for inspection in the office at the mine, and shall not be removed therefrom except by or with the approval in writing of an Inspector, unless a true copy thereof has been kept therein.

61. Types of plans and sections.—(1) The owner, agent or manager of every mine shall keep the following plans and sections:

- (a) A surface plan showing every surface feature within the boundaries, such as telephone, telegraph or power transmission line, water-main, tramline, railway, road, river, water-course, reservoir, tank, bore-hole, shaft and incline opening, open-cast working, subsidence and building on the surface.
- (b) An underground plan showing:
- (i) the position of the workings of the mine belowground;
  - (ii) every borehole and shaft (with depth), drive, crosscut, winze, rise, excavation (stoped ground) and every tunnel and air passage connected therewith;
  - (iii) every pillar or block of mineral left for the support of any structure on the surface; and underground magazines, if any;
  - (iv) every important feature within the boundaries such as railway, road, river, stream, water-course, tank, reservoir, open-cast working and building which is within 200 metres of any part of the workings measured on the horizontal plane;
  - (v) the general strike of the veins, lodes, reefs and mineral beds or deposits;
  - (vi) the position of every dyke, fault and other geological disturbance with the amount and direction of throw; and
  - (vii) an abstract of all statutory restrictions in respect of any specified workings, with a reference to the order imposing the same.

Whenever this plan is brought up-to-date, the then position of the workings shall be shown by a dotted line drawn through the ends of the workings, and such dotted line shall be marked with the date of the last survey;

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, approve any other method of showing the up-to-date position of the workings of the mine.

- (c) A transverse section or sections of the workings through the shaft or shafts and main adits indicating nearly the surface and the dips of the vein, lode, reef or mineral or deposit at different points; and such sections of the strata shall be driven through in the mine or proved by boring, as may be practicable.
- (d) A vertical mine section or sections showing a vertical projection of the mine workings, where a reef, vein, lode or mineral bed or deposit has an average dip of more than 30 degrees from the horizontal:

Provided that, with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein, such sections may be prepared in relation to any other suitable plane.

- (e) A ventilation plan, and section where necessary, showing the system of ventilation in the mine, and in particular—
- (i) the general direction of air-current;
  - (ii) every point where the quantity of air is measured;
  - (iii) every device for the regulation and distribution of air;
  - (iv) every fire refuge chamber, if provided;
  - (v) every room used for storing inflammable material;
  - (vi) the position of fire-fighting equipment;
  - (vii) every water-dam with dimensions and other particulars of construction;
  - (viii) every pumping, telephone and ambulance station, every underground magazine; and
  - (ix) every haulage and travelling roadway.
- (f) A water-danger plan and section showing:
- (i) the position of the workings belowground; and every borehole and shaft (with depth), drive, crosscut, winze, rise, excavation and air passage connected therewith;
  - (ii) the position of every dyke, fault and other geological disturbance, with the amount and direction of throw;
  - (iii) levels taken in workings belowground at easily identifiable points sufficient in number to allow of the construction of sections along all drives, mainheadings and haulage roadways;
  - (iv) every source of water such as river, stream, water-course, reservoir, water-logged opencast workings on the surface, and also the outline of all water-logged workings belowground lying within 60 metres of any part of the workings measured in any direction;
  - (v) every reservoir, dam or other structure, either above or belowground, constructed to withstand a pressure of water or to control an inrush of water, along with reference to its design and other details of construction;
  - (vi) surface contour lines drawn at vertical intervals not exceeding five metres (or ten metres in the case of a mine where there are no workings belowground; or in case of mines situated in hilly terrain, such other larger interval as the Regional Inspector may permit by an order in writing and subject to such conditions as he may specify) over the whole area lying within 200 metres of any part of the workings; and
  - (vii) the highest flood level of the area.

All levels taken above and belowground shall be referred to a plane in relation to a bench-mark which shall be established on the surface in the mine. Particulars of this bench-mark, together with its height above the Mean Sea Level, shall be shown on the plans and sections maintained under this clause.

- (g) A geological plan of the area of leasehold, on a suitable scale specified or approved by the Chief Inspector by a general or special order in writing.

(2) Where different reefs, lodes, veins or mineral beds or deposits overlie or run parallel to one another, the workings of each reef, lode, vein or mineral bed or deposit shall be shown on a separate plan and/or longitudinal section or sections; so however that if two reefs, lodes, veins or mineral beds or deposits are so situated in relation to each other that the parting between workings made therein is less than 10 metres at any place, such workings shall also be shown on a combined plan and/or longitudinal section, as the case may be in different colours.

(3) (a) (i) The plans kept under clauses (a) and (b) of sub-regulation (1) shall also show the settled boundary of the mine, or where the boundary is in dispute, the boundaries claimed by the owner of the mine and by the owners of the mines adjacent to the disputed boundary.

Provided that where it is not possible to show the complete boundary of leasehold on the same plan, an additional key plan on any other suitable scale showing such boundaries and the outline of the workings shall also be maintained.

(ii) The plans required to be kept under clause (b) of sub-regulation (1) shall also show the workings both above or belowground of all adjacent mines as are situated within 60 metres, measured on any plane, of the boundary claimed by the owners of the mines. The position of these workings also shall be maintained up-to-date within three months, or 12 months if permitted under regulation 60(4).

(iii) The plans kept under clause (b) of sub-regulation (1) shall also, on every occasion that the workings are brought up-to-date in compliance with the provisions of clause (ii) of this sub-regulation, be signed by the surveyor and the manager of every adjoining mine having workings within 60 metres of the common boundary (or where the boundary is in dispute, within 60 metres of the boundary claimed by the owner of the mine) signifying the correctness of the common boundary, or the disputed boundaries as the case may be, and of the position of the workings in relation to one another.

(b) The owner, agent and manager of every mine shall give all reasonable facilities to the surveyors of its adjacent mines to carry out the surveys and levelings required to be made under this sub-regulation.

(4) (a) The Regional Inspector may, by an order in writing, require such additional details to be shown on the plans and sections required to be kept under the regulations, or the preparation and maintenance of such other plans and sections showing such details and on such scale and within such time as he may specify in the order.

(b) The Regional Inspector may, by an order in writing, require the owner, agent or manager to submit to him within such time, such plans and sections, or tracings thereof, as he may specify in the order.

(c) The owner, agent or manager shall at any time if required by an Inspector, show on any plan or section the then position of the workings of the mine.

62. Copies of plans and sections to be submitted.—The owner, agent or manager shall, on or before the 30th April of every year, submit to the Chief Inspector, two up-to-date copies of the plans and sections maintained under clauses (b), (c) and (d) of regulation 61 (1). The provisions of this regulation shall be deemed to have been complied with if the owner, agent or manager gets the copies of the plans and sections submitted hereunder during the previous years brought up-to-date at his own expense.

63. Plans and Sections to be submitted after abandonment or discontinuance.—

(1) Where any mine (or in case of a mine to which regulation 142 applies, any part thereof) is abandoned or the working thereof has been discontinued over a period exceeding four months, the person who was the owner of the mine at the time of the abandonment or discontinuance shall, within 30 days after the abandonment or within five months after the discontinuance of the workings, as the case may be, submit to the Chief Inspector two true copies of the up-to-date plan and section of the workings of the mine or part maintained under clauses (b), (c) and (d) of regulation, 61 (1). Every such copy shall show the bearing and distance of at least one of the shafts or openings of the mine from a trijunction or revenue pillar or from any other prominent and permanent surface feature, the position of all water-dams built belowground (with their dimensions and other particulars of construction) and also the spot-levels at the ends of the workings:

Provided that if a change of ownership occurs after the abandonment or discontinuance and before the expiry of the 30 days or five months aforesaid, as the case may be, such plans and sections shall be submitted forthwith.

(2) The original or a certified true copy of the plans and Section submitted under sub-regulation (1) shall be kept in the office of the mine.

(3) The Chief Inspector may, on such conditions as he thinks fit to impose and on payment of the cost of preparing copies as determined by him, supply copies of a plan or section submitted to him under sub-regulation (1) or such parts thereof as he thinks fit—

- (a) to any person having a bonafide interest in the mine or part; or
- (b) to the owner, agent or manager of the adjacent mine.

64. **Survey instruments and materials.**—The owner or agent shall provide accurate and reliable survey instruments and materials for the proper carrying out of all survey and levelling work and for preparing the plans and sections required under these regulations; and no other instruments or implements shall be used in connection with any such survey or levelling work.

65. **Lists of plans, sections and instruments; and their storage.**—(1) All plans and sections, and tracings or copies thereof, kept at a mine shall be serially numbered or suitably indexed.

(2) Suitable arrangements shall be made at every mine for the proper storage and maintenance of every plan and section and of all instruments and materials. Such arrangements shall unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify provide for flat storage of every plan and section maintained under clauses (b), (c) and (d) of regulation 61 (1).

(3) Every field book and other notes used in the preparation of plans and sections required under the regulations shall be duly indexed and kept in the office at the mine.

(4) A list of all plans and sections maintained under these regulations and under any orders made thereunder, and tracings or copies thereof; of all survey instruments provided under regulation 64 with their respective types, specifications and identification numbers; and of all field books and other notes kept under sub-regulation (3) shall be kept in a bound paged book kept for the purpose, and shall be brought up-to-date whenever necessary. Every entry in the book shall be signed and dated by the surveyor, and countersigned and dated by the manager.

66. **Preparation of plans by surveyors.**—(1) Every plan and section, and tracing thereof, prepared under the regulations shall be prepared by or under the personal supervision of a surveyor appointed under regulation 38.

(2) Every plan or section, or any part thereof, prepared by or under the personal supervision of a surveyor shall carry thereon a certificate by him to the effect that the plan or section or part thereof is correct; and shall be signed and dated by the surveyor and countersigned and dated by the manager on every occasion that the plan or section is brought up-to-date.

(3) Every tracing of a plan or section, or of any part thereof, shall bear a reference to the original plan or section from which it was copied and shall be certified thereon by the surveyor to be a true copy of the original plan or section. The certificate shall be signed and dated by him.

(4) If the surveyor fails or omits to show any part of the workings or allows any plan or section to be inaccurate, he shall be guilty of a breach of these regulations. Nothing in this regulation shall, however, exempt the owner, agent or manager of his responsibility to ensure that every plan or section prepared, kept or submitted under these regulations or by an order made thereunder is correct and maintained up-to-date as required thereunder.

67. **Plans and sections to be checked on change of ownership or re-opening.**—

(1) When there is a change in the ownership of a mine, or where a mine or part thereof is reopened, or where in any mine or part thereof it is intended to start stopping operations or the extraction or reduction of pillars or blocks of minerals, the owner, agent or manager shall ensure himself that the plans and sections of the mine or part are accurate. If any doubt arises as to the accuracy of the plans and sections in any respect, he shall have accurate plans and sections prepared afresh of all accessible workings before any drivage or other work of development or stopping operations or of extraction or reduction of pillars or blocks of minerals is commenced.

(2) If the Regional Inspector is of the opinion that any plan or section prepared, kept or submitted under these regulations is inaccurate, he may, by an order in writing, require a fresh survey made and a new plan or section prepared within such time as he may specify therein.

(3) If the plan or section required to be prepared under sub-regulation (2) is not prepared within the time specified in the order or to the satisfaction of the Regional Inspector, or the plan or section is not prepared or brought up-to-date as required under these regulations, he may get the plan or section prepared by any other agency; and the cost thereof, as certified by the Chief Inspector, shall be

defrayed by the owner of the mine and recoverable from him as an arrear of land revenue.

## CHAPTER VII

### MEANS OF ACCESS AND EGRESS

68. **Outlets from a mine.**—(1) No person shall be employed, or be permitted to enter or remain for purposes of employment, in any working belowground, unless the working is provided with at least two shafts or other outlets to the surface—

(a) with which every lode, reef, vein or mineral bed or deposit, or section thereof, for the time being at work has a communication so as to afford separate means of ingress and egress to the persons employed therein;

(b) which do not have their surface openings in the same buildings; and

(c) which are under the sole control of the manager:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the employment belowground of persons even in a case where the two shafts or outlets are not under the control of the same manager.

(2) Suitable arrangements shall be made for persons to descend and ascend by each of such shafts or outlets. Where the shaft is vertical and more than 60 metres in depth, such arrangements shall be by means of a proper winding engine. Every such winding engine shall be so installed and maintained as to be constantly available for use. If any doubt arises as to whether any such arrangement is suitable or not, it shall be referred to the Chief Inspector for decision:

Provided that, if required by the Regional Inspector by an order in writing a proper winding engine shall also be provided in a shaft more than 60 metres in depth even if it is not vertical.

(3) Such shafts or outlets shall not be less than 15 metres distant from one another at any point, and each shall be connected with the other by means of a walkable passage not less than 1.8 metres high and 1.5 metres wide, through the workings below ground that are served by such shafts or outlets:

Provided that outlets made before the coming into force of these regulations may be closer than 15 metres but not less than 6 metres apart.

(4) Whenever the connection between two outlets which are required to be maintained under sub-regulation (1) has been obstructed or found dangerous, only such persons as are necessary to clear the obstruction or to repair the dangerous part of the connection or to make a new second outlet, as the case may be, shall be employed belowground until such time as the connection has been re-established or a new second outlet has been provided.

(5) The foregoing provisions of this regulation with respect to shafts and cutlets shall not apply:—

(a) to a shaft which is being sunk or to an outlet which is being made;

(b) to any working for the purpose of making a connection between two or more shafts or outlets; and

(c) to any working for the sole purpose of searching for or proving minerals;

so long as not more than 20 persons are employed belowground at any one time in the whole of the workings belowground in connection with a single shaft or outlet:

Provided that if the single outlet is an un-walkable shaft (other than a shaft in the course of being sunk) and exceeds 30 metres in depth, it shall be provided both with ladders and with other means of raising and lowering persons:

Provided further that nothing in this sub-regulation shall be deemed to authorise the driving of roadways for development purposes before a second outlet has been made in accordance with the said provisions.

(6) The Chief Inspector may, by an order in writing and subject to such conditions as he may specify, exempt from the operation of this regulation any mine in the case of which special difficulties exist which in his opinion make compliance with the provisions thereof not reasonably practicable.

69. Working shafts and winzes.—(1) Every shaft or winze in use or in course of being sunk and every other outlet shall be made and kept secure.

(2) Every shaft (and every winze to be raised intended to be used for purposes of winding or haulage) in the course of being sunk through strata which are not stable shall be provided with a permanent lining, either of timber, metal, brick, concrete or masonry, which shall at no time be more than six metres from the bottom of the shaft or winze:

Provided that where iron or steel rings with a substantial lagging are used below the permanent lagging and are kept close to the bottom of the shaft, this distance may be increased to not more than 20 metres.

If any doubt arises as to whether the strata are stable or not, it shall be referred to the Chief Inspector for decision.

(3) Every shaft or winze regularly used for lowering and raising persons or materials, in which water seeps out of the strata, shall be provided with water garlands or other means of collecting and conducting away the seepage water.

(4) The top and all landings between the top and bottom, of every working shaft and winze, and the sump thereof shall be kept clear and free from loose materials, tools and debris.

70. Fencings and gates at outlets.—(1) Every entrance to a mine from the surface, and the top and all entrances between the top and bottom, including the sump if any, of every working, ventilating or pumping shaft or winze shall be kept securely fenced.

(2) Every walkable entrance from the surface to the workings belowground shall be provided with a substantial gate which shall be kept closed and locked when there are no persons belowground:

Provided that where such entrance is not used as a means of ingress or egress in or out of the mine, it shall be permanently closed so as to effectively prevent persons from entering therein.

71. Outlets from mine parts.—Every part of a mine shall, where practicable, be provided with at least two ways affording means of egress to the surface. If any doubt arises as to whether the provision of two such ways is practicable or not, it shall be referred to the Chief Inspector for decision.

72. Periodic examination of outlets.—(1) Every shaft and other outlet provided as required by regulation 68 shall be examined, once at least in every seven days, by a mine foreman or other competent person. A report of every such examination shall immediately thereafter be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the examination.

(2) If at the time of such examination or at any other time, the shaft and other outlet is found to be not safe, it shall not be used for any purpose, except as a natural airway, until it has been made safe in all respects. Report of every such action taken shall be recorded in the book kept under sub-regulation (1).

## CHAPTER VIII

### LADDERS AND LADDERWAYS

73. Provision of ladderways etc.—(1) Every shaft or winze, including a shaft or winze in the course of being sunk, which has an inclination exceeding 25 degrees from the horizontal, shall be provided with a ladderway from the top to the bottom:

Provided that in the case of a shaft or winze in the course of being sunk, the ladderway may be provided to within such distance, not exceeding 20 metres, from the bottom as to secure it from danger during blasting operations, and a chain or rope ladder shall be provided from this point to the bottom of the shaft or winze:

Provided further that where the Chief Inspector is of the opinion that compliance with the provisions of this sub-regulation is not reasonably practicable, he may, by an order in writing and subject to such conditions as he may specify therein, grant an exemption therefrom.

(2) Every working place shall be provided with platforms or other means of keeping a foothold, and where necessary, with ladders for climbing.

74. Ladders.—(1) Every ladder used in a mine shall—

(a) be of strong construction;

(b) subject to the provision of sub-regulation (2), be securely fixed in the shaft, winze or stope at an inclination of not more than 80 degrees from the horizontal;

(c) be made continuous or without perceptible overlapping or break except at a platform or collar;

(d) project at least one metre above the mouth of the shaft, winze, rise or stope and above every platform, except where strong holdfasts or hand-rails are provided;

(e) have rungs equally spaced and at a sufficient distance from the wall or from any timber to ensure proper foothold; and

(f) be maintained in good repair.

(2) Except in respect of the lowest 10 metres of a sinking shaft or winze, no ladder shall be placed at an inclination of more than 80 degrees from the horizontal:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit a ladder to be fixed at a steeper inclination.

75. Provision of collars etc.—(1) If a ladderway provided under regulation 73(1) exceeds 20 metres in depth and has an inclination of more than 30 degrees with the horizontal, platforms or collars shall be provided at intervals of not more than 15 metres along the underlie or slope of the shaft or winze. Where the inclination is more than 60 degrees from the horizontal, the platforms or collars shall be provided at intervals of not more than 10 metres.

(2) If a manhole is provided at any platform in any shaft or winze, it shall be placed behind the ladder leading up from the platform.

(3) Every opening in a platform provided for the handling of timber or other materials shall be effectively closed off from the rest of the platform.

76. Guarding of ladderways.—(1) Every ladderway in a shaft or winze used for winding or other purposes shall be in a separate compartment or shall be adequately guarded from other compartments.

(2) Every ladderway below any place or travelling roadway where persons are stationed or pass, shall be provided with a suitable cover or substantial fence or guard.

77. Carrying of materials on ladderways.—No person shall carry or be permitted to carry a drill, tool, explosives or any loose material on a ladderway in a shaft or winze having an inclination of more than 45 degrees from the horizontal except so far as may be necessary for carrying out repairs:

Provided that nothing in this regulation shall prevent a person from carrying a drill, tool or explosives in a suitable sling or container secured to his person.

## CHAPTER IX

### TRANSPORTATION OF MEN AND MATERIALS—WINDING IN SHAFTS

78. Appointment of winding engine men and their duties.—(1) No person shall be appointed as a winding engine man unless he holds—

(a) in the case of an electric winding engine of 75 h.p. or more or of a steam or compressed air winding engine which has cylinders exceeding 30 centimetres in diameter, a I Class Engine-driver's Certificate; and

(b) in any other case, a II Class Engine-driver's Certificate:

Provided that this clause shall not apply to the driver of an electric winding engine of up to 30 h.p. or of a steam or compressed air winding engine which has cylinders not exceeding 18 centimetres in diameter and which is not used for raising or lowering persons.



(2) Where special difficulties exist which make compliance with the provisions of sub-regulation (1) not reasonably practicable, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, relax the said provisions.

(3) No person, other than a winding engineman appointed under sub-regulation (1) or a duly appointed assistant working under his direct personal supervision shall operate any winding engine:

Provided that in an emergency any other competent person may be permitted to operate the engine.

(4) The name of the winding engineman on duty, together with the period of his shift, shall be posted in the winding engine room. Where the Regional Inspector is of the opinion that the duties of any winding engineman are unduly arduous, he may by an order in writing, require the period of his shift to be reduced to such period, not less than five hours, as he may specify.

**79. New winding installations.**—(1) When it is intended to bring into use any new winding installation for lowering and raising persons, the owner, agent or manager shall, not less than 30 days before such use, give notice of such intention to the Chief Inspector and the Regional Inspector. The notice shall contain detailed specifications of the installation.

(2) If the Chief Inspector by an order in writing so requires, such additions or alterations shall be made to the installation, as he may specify in the order.

**80. Construction and installation of winding equipment.**—(1) Every part of a winding installation, including headgear, shall be of sound construction and adequate strength, and shall be maintained in safe working order. If any doubt arises as to the foregoing, it shall be referred to the Chief Inspector for decision.

(2) The engine shall be firmly connected to a rigid foundation and shall be so designed, constructed and maintained that, with the power provided, the raising and lowering of persons or materials can be carried out with ease, regularity and safety.

(3) Unless otherwise permitted in writing by the Chief Inspector and subject to such conditions as he may specify therein, every engine for winding shall be so situated in relation to the headgear that the winding rope shall not, in its extreme position, subtend in either direction an angle of more than one and a half degree with the plan of the sheave or pulley used in connection with the rope.

(4) (a) The diameter of the drums or sheaves of the winding engine, and of the pulleys and sheaves used in connection with the winding shall, unless otherwise permitted in writing by the Chief Inspector and subject to such conditions as he may specify therein, be not less than 80 times the diameter of the rope in the case of winding installations installed before the coming into force of these regulations and not less than 100 times the diameter of the rope in other cases:

Provided that the Chief Inspector may, by an order in writing, require that in the case of any specified winding installation installed before the date aforesaid, the diameter of the said drums, pulleys or sheaves shall not be less than such size, upto 100 times the diameter of the rope, as he may specify in the order.

(b) The grooves of such sheaves or pulleys shall be suited to the diameter of such rope.

(c) Every pulley or sheave used in connection with winding shall, while in motion, rotate in a vertical plane, and shall be maintained in such a condition that slipping is reduced to a minimum.

**81. Spare rope to be kept in store.**—At every mine where a shaft or winze is used for lowering or raising persons, at least one spare winding rope, suitable for use in such shaft or winze shall be kept in reserve.

**82. Fittings of winding engines.**—At every shaft or winze, including a shaft or winze in the course of being sunk, where winding is effected by means of an engine, the following provisions regarding winding engines shall have effect, namely:—

(1) There shall be on the drum such flanges, and also if the drum is conical or spiral, such other appliances, as will be sufficient to prevent the rope from slipping or coiling unevenly. Except in the 'Koepe' system of winding, the end

of the rope shall be securely fixed in such a manner that the rope is not unduly strained. There shall be at least two turns of the rope on the drum when the cage or other means of conveyance is at its lowest working point in the shaft or winze.

(2) (a) There shall be provided one or more brakes on the drum which—

(i) if there are two cages or other means of conveyance, will hold such cages or other means of conveyance when the maximum torque is applied in either direction; or

(ii) if there is only one cage or other means of conveyance, will hold the loaded cage or other means of conveyance in midshaft when the maximum torque is applied downwards.

(b) At least one of the brakes shall be so designed that the brake remains at the 'on' position except when operated.

(c) Where the brake or brakes are power-operated, at least one of them shall be arranged to be applied automatically at all times if the power supply fails. In no case shall a brake be operated by an auxiliary electric current.

(d) The brake on the drum shall be used only for the purpose of keeping such drum stationary and not for lowering the cage or other means of conveyance except in cases where the engine is to be worked at a very low speed, as when examining the winding rope or the shaft or winze.

(3) Where the winding engine is worked by steam or compressed air, a screw stop-valve shall not be used as the controlling valve of the engine.

(4) Every engine shall be equipped with a reliable depth-indicator (in addition to any mark on the rope) showing to the winding engineman the position of the cage or other means of conveyance in the shaft or winze and an automatic device that will ring a bell in the engine room when the ascending cage or other means of conveyance is that at a distance of not less than two revolutions of the drum from the top of the shaft or winze. The depth-indicator shall be tested after every adjustment or replacement of the winding rope:

Provided that, in the case of a winding engine installed before the coming into force of these regulations where compliance with the provisions of this sub-regulation is not reasonably practicable, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant an exemption from these provisions.

**83. Shaft fittings.**—At every winding shaft or winze, other than a shaft or winze in the course of being sunk to which the provisions of regulation 87 shall apply—the following provisions shall have effect, namely—

(1) (a) Efficient means shall be provided and maintained for inter-changing separate distinct and definite signals between the top of the shaft or winze and—

(i) the bottom or other permanent landing of the shaft; and

(ii) every inset for the time being in use.

There shall also be provided and maintained efficient means for transmitting such signals from the top of the shaft or winze to the winding engineman. All signals shall be transmitted by mechanical or electrical means.

(b) In signalling, the following code or signals shall be used and strictly observed—

ONE RAP — STOP

TWO RAPS — LOWER

THREE RAPS — RAISE

FOUR RAPS — MEN ready to ascend or descend.

FOUR RAPS — IN REPLY — men may enter the cage or other means of conveyance.

Any other signals shall be in addition to, and shall not interfere with the foregoing:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use of any code of signalling other than that specified above.

(c) A printed copy of the code of signals, including additional signals, if any, shall be posted prominently at the top of the shaft or winze and at every such inset and landing and also in the winding engine room.

(d) No person other than the banksman, bellman or signalmen shall give any signal unless he is an official of the mine or is authorised in writing by the manager to give signals.

(2) (a) Where the shaft or winze is vertical and exceeds 45 metres in depth, it shall be provided with sufficient number of guides to ensure smooth and safe travel of the cage or other means of conveyance.

(b) Where rope guides are used, the cheese-weights or the bottom clamps shall be kept so exposed as to permit regular examination.

(3) Above the topmost landing in every vertical shaft or winze, 'dogs' or other devices for holding the cage or other means of conveyance in the event of an overwind shall be provided, or the guides, runners or receivers shall be sprung.

(4) Where the shaft or winze is vertical, protective roofing or pent-house sufficient to prevent danger from anything falling in the shaft or winze, shall be provided and maintained at the bottom of the shaft or winze and at all landings where persons ascend or descend. The gap, both vertical and horizontal, between the protective roofing or pent-house and the top of cage, when the cage is at the bottom of the shaft or winze, shall not exceed 15 centimetres.

84. **Manwinding.**—At every shaft or winze, other than a shaft or winze in the course of being sunk, where a winding engine is used for the purpose of lowering or raising persons, the following provisions shall have effect, namely:—

(1) In respect of every part of the winding installation, including pulleys or sheaves, cages, chains, distribution plates and detaching hooks, the following particulars shall be recorded in a bound paged book kept for the purpose—

- (a) Name of the manufacturer and the year of manufacture;
- (b) Specifications and dimensions;
- (c) Reference to every certificate supplied with the part; and
- (d) Any other detail that may be necessary or required by the Regional Inspector.

All entries in the book shall be made and signed by the engineer or other competent person, and shall be countersigned and dated by the manager.

(2) Whenever any part or article is replaced or any repaired part or article is used in any winding installation, the fact of such replacement or repair shall be recorded in the book kept under sub-regulation (1).

(3) Where drum-clutches are provided, the following provisions shall have effect, namely—

(a) The operating gear of the clutch of the drum shall be provided with locking gear to prevent inadvertant withdrawal of the clutch.

(b) Every engine used for the lowering or raising of persons shall have a suitable interlocking device so fitted that it is not possible—

- (i) to unclutch any drum unless the brakes of such drum are applied; or
- (ii) to release the brakes until the drum clutch is fully engaged and securely locked.

(c) Unless the cage or other means of conveyance attached to the drum is resting at the bottom of the shaft or winze, the drum shall not be unclutched unless the winding engineman has assured himself immediately beforehand that the brake is fully applied.

(4) If the shaft or winze is vertical, except in the 'Koepe' system of winding, there shall be provided between the rope and the cage or other means of conveyance a detaching-hook. The space between such detaching-hook, measured from the centre of the hole for attaching it to the rope shackle and the detaching-bell or plate when the cage or other means of conveyance at its normal position at the top of the shaft or winze, shall not be less than 3.6 metres where a geared engine is used, and not less than 7.5 metres where a direct-acting engine is used.

(5) If the shaft or winze exceeds 300 metres in depth, there shall be a clear over-run space of not less than 7.5 metres below the lowest landing place. The sump below the lowest landing place shall be kept free from water or other liquid matter to such an extent that in case of an overwind, the persons riding in the cage or other means of conveyance will not be submerged.

(6) In the case of every shaft or winze exceeding 100 metres in depth, unless exempted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, the engine shall be fitted with an automatically-recording speed-indicator.

(7) (a) In the case of every shaft or winze exceeding 100 metres in depth, there shall be provided an effective automatic contrivance to prevent over-speeding and overwinding, hereinafter called the "Automatic Contrivance". The Automatic Contrivance shall prevent the descending cage or other means of conveyance from being landed at the bottom of the shaft or winze or other permanent landing at a speed exceeding 1.5 metres per second, and shall also control the movement of the ascending cage or other means of conveyance in such a manner as to prevent danger to persons riding therein. The Regional Inspector may, by an order in writing, specify the maximum speed of winding in any shaft:

Provided that in case of any shaft or winze the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant exemption from the provisions of this sub-regulation.

(b) Tests of every Automatic Contrivance and every brake shall be made by the engineer or a competent person appointed for the purpose, in the following manner—

- (i) once at least in every seven days, by raising each cage or other means of conveyance, in turn, to pass the last control point above the topmost landing; and
- (ii) once at least in every three months, by attempting to land the descending cage at a speed 25 percent in excess of the normal landing speed. For the purpose of this test, the setting of the Automatic Contrivance may be altered so that a pre-determined point in the shaft or winze is regarded as the landing.

The results of every such test shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the test:

Provided that where special conditions exist, the Chief Inspector, may, by an order in writing and subject to such conditions as he may specify therein, permit the tests aforesaid to be carried out in such other manner as he may specify in the order.

(c) Unless the Automatic Contrivance is in full and fixed engagement with the winding engine, it shall be fully engaged, either automatically or by the winding engineman, whenever persons are to be lowered or raised; and a proper automatic indicator to show that this has been done shall be provided in such a position as to be easily seen by the banksman. No person shall be allowed to enter any cage or other means of conveyance until the indicator shows that the Automatic Contrivance has been fully engaged.

(8) Except where an Automatic Contrivance is provided to prevent overwinding, a point shall be fixed and marked on the indicator of the engine in such a way as to show when the cage or other means of conveyance is at a distance of not less than twice the circumference of the drum from the completion of the wind; and if such cage or other means of conveyance contains persons, the winding engineman shall not, as soon as it has reached the point aforesaid, raised it for the remaining distance at a speed exceeding 1.2 metres per second.

(9) Where the only means of escape in a mine is by apparatus worked by steam or electricity, precautions shall be taken to ensure that the two winding engines do not fail simultaneously; and in particular in the case of electric winding engines, the engines shall be capable of being connected to two separate power supplies. Unless the Chief Inspector, by an order in writing otherwise directs, the provisions of this sub-regulation shall be deemed to be satisfied if an emergency winding gear is maintained.

(10) (a) Except in the 'Koepe' system of winding, at the top of every shaft or winze where cages are used, suitable keps shall be provided and so arranged as to fall into the 'on' position when the operating lever is released.

(b) At every inset where keps or folding platforms are provided, arrangements shall be made to lock the keps or platforms securely in the 'off' position; and when in the 'off' position, such keps or platforms shall leave the shaft or winze clear for the passage of the cage. In every such cage, a proper automatic indicator to show the position of the keps or platforms, as the case may be, shall be provided in such a position as to be easily seen by the banksman.

(11) (a) Unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein every cage or other means of conveyance in which persons ride in a vertical or steeply inclined shaft or winze shall be—

- (i) covered completely at the top;
- (ii) closed in at the two sides in a manner sufficient to prevent persons or things from projecting beyond the sides;
- (iii) provided with a rigid hand-bar fixed in a position where it can be easily reached by all persons in the cage or other means of conveyance; and
- (iv) provided with suitable gates or other rigid fences such that the gap between the floor of the cage or other means of conveyance and the lowest part of the gate or fence, does not exceed 15 centimetres and that between any two adjacent members of the gate or fence does not exceed 25 centimetres. Gates or fences shall not open outwards; and they shall be so fitted and maintained that they cannot be accidentally opened;

Provided that so much of this sub-regulation as requires a covering at the top shall not apply in a shaft or winze which is less than 30 metres in depth.

(b) The floor of every cage or other means of conveyance shall be strongly constructed and so maintained as to prevent any part of the body of a person riding in the cage or other means of conveyance from projecting beyond the floor.

(12) Not more than such number of persons as may be authorised by the manager shall be allowed to ride in the same cage or same deck of a cage or other means of conveyance at one time, and a notice specifying such number shall be posted at the top of every shaft or winze and at every inset and landing:

Provided that where the Regional Inspector is of the opinion that the number so authorised is high, he may, by an order in writing, require the manager to fix a lower maximum number of persons as may be specified by him.

(13) (a) Unless permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, the total load when the authorised number of persons ride at any one time in any cage or other means of conveyance shall not exceed 60 per cent of the maximum load when materials are wound.

(b) No person shall, when ascending or descending a shaft or winze, take with him any bulky material other than tools and instruments except when engaged in repairing the shaft or winze or with the written authority of the manager.

85. Multi-decks.—Where a cage has two or more decks which are used simultaneously, each floor at a landing shall be connected by an effective signalling device with the main floor of the landing; and only the banksman or the bellman or the signalman or an official, as the case may be, at such main floor shall give the action signal, and only after he has satisfied himself that all cage gates are closed.

86. Winding of Material.—(1) Every cage used for the raising or lowering of tubs shall be provided with catches or other effective contrivances to prevent the tubs falling out. The cage shall not be set in motion unless the catches or other effective contrivances are in position.

(2) (a) The floor of every cage shall be kept clean; and no skip, bucket or tub shall be filled up to such a height that any of the contents can fall out.

(b) Before long timber, pipes, rails, or other material projecting over the top of the cage or other means of conveyance are lowered or raised, the projecting ends shall be securely fastened to the rope, chains or bow.

87. Winding in sinking shafts.—At every shaft or winze in course of being sunk, where a winding engine is used, the following provisions shall have effect, namely—

(1) If the shaft or winze is vertical and exceeds 45 metres in depth, there shall be provided for each bucket or other means of conveyance a detaching-hook. Between the centre of the hole for attaching the detaching-hook to the rope shackle, and the detaching-bell or plate, when the bucket or other means of conveyance is at the top landing, there shall be a clear over-run space of not less than 3.6 metres.

(2) Where the shaft or winze is vertical and exceeds 150 metres in depth—

(a) the bucket or other means of conveyance, when used for lowering or raising persons, shall be provided with sufficient cover overhead for protection from things falling down the shaft; and

(b) there shall be provided for each bucket or other means of conveyance a sufficient number of guides which shall be kept extended to within 22.5 metres of the shaft bottom at all times when sinking is in progress:

Provided that the Regional Inspector may, by an order in writing, require the provision of guides in a shaft or winze which is less than 150 metres in depth or is not vertical.

(3) (a) There shall be provided and maintained two separate means of transmitting distinct and definite signals between the bottom and the top of the shaft or winze. Efficient means shall also be provided and maintained for transmitting such signals from the top of such shaft or winze to the winding engineman. The signalling appliance shall be examined by a competent person once at least in every 24 hours; and the result of every such examination shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the examination.

(b) In signalling, the following code of signals shall be used and strictly observed—

ONE RAP	..	STOP
TWO RAPS	..	LOWER
THREE RAPS	..	TAKE UP SLACK OR RAISE
FOUR RAPS	..	TAKE UP SLACK OR RAISE when men are riding.

Any other signals shall be in addition to, and shall not interfere with, the foregoing:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use of any code of signalling other than that specified above.

(c) A printed copy of the code of signals, including additional signals, if any, shall be posted prominently at the top of the shaft or winze and also in the winding engine room.

(d) Except while riding in a bucket or other means of conveyance, no person other than the chargeman or a person authorised in writing by the manager, shall give any signal.

(4) Every bucket or other means of conveyance in which persons or materials are conveyed, shall be of strong construction and so maintained as to prevent persons or materials from falling.

(5) (a) At the top of the shaft or at the landing where the bucket or other means of conveyance is normally landed, suitable doors or covering shall be provided. Except as may be required for the passage of the bucket or other means of conveyance, the doors or covering shall always be kept closed.

(b) Where the shaft or winze has an inclination of 35 degrees or more from the horizontal and exceeds 45 metres in depth measured along its plane, persons working at the bottom shall also be protected by a suitable protective covering extending over the whole area of the shaft or winze, sufficient space being left therein only for the passage of the bucket or other means of conveyance; and the cover or scaffold shall be kept lowered—

(i) if the shaft or winze is vertical, to not more than 22.5 metres from the bottom; and

(ii) in any other case, not more than 30 metres from the bottom:

Provided that where special circumstances exist, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant an exemption from the provisions of this clause.

(6) Not more than such number of persons as may be authorised by the manager shall be allowed to ride in the bucket or other means of conveyance at one time; and a notice specifying such number shall be posted prominently at the top of the shaft or winze.

(7) When tools, implements or other materials, are lowered or raised, the banksman or chargeman, as the case may be, shall see that—

- (a) the bucket is properly loaded;
- (b) materials are not loaded above the rim;
- (c) long timber, pipes, rails, tools or other materials with ends projecting over the rim are securely fastened to the rope, chains or bow; and
- (d) the bucket, before being sent away, is steadied, and the bottom and sides thereof are free from adhering material.

(8) Where guides are provided, the bucket or other means of conveyance shall be raised slowly from the bottom of the shaft or winze, until the rider is picked up.

(9) While persons are at work on any scaffold or platform in the shaft or winze, the following precautions shall be strictly observed—

- (a) The scaffold or platform shall be secured to the sides of the shaft or winze in order to prevent it from swinging.
- (b) The opening for the passage of the bucket or other means of conveyance shall be so protected as to effectively prevent anything falling through it.
- (c) The scaffold or platform shall not be lowered or raised except under the order of the chargemen or other competent person.

88. Winding ropes etc.—At every shaft or winze, where a rope is used for winding purposes, the following provisions shall have effect, namely—

(1) (a) No rope, bar, link, chain or other attachment to a cage or other means of conveyance shall be used unless it is of good quality and manufacture, is free from any visible defect and is of adequate calculated strength:

Provided that the Chief Inspector may, by an order in writing, prohibit the use of any rope or type of rope or bar, link, chain or other attachment where, in his opinion, such use is unsafe.

(b) A single-linked chain shall not be used, except for the short coupling chain attached to a cage or other means of conveyance. Such single-linked chain shall be attached to the safety hook through a distribution plate or other approved appliance.

(c) Where safety-chains are used, their length shall be such that if the king-bolt breaks, the shock to the cage or other means of conveyance is as slight as possible.

(d) The attachment between the rope and the cage or other means of conveyance shall be of such type and be maintained in such manner as to obviate accidental disconnection.

(e) In case of a doubt as to the fitness of any rope, bar, link, chain or other attachment used or intended for use, it shall be referred to the Chief Inspector for decision.

(2) (a) Except in a sinking shaft or winze less than 30 metres in depth, every winding rope shall be made of cold drawn steel wire, and the gauge of the wires used in the construction of such rope shall be suited to the diameter of the drums, pulleys and sheaves of the winding installation.

(b) In any shaft or winze, including a shaft or winze in course of being sunk, where persons are lowered or raised and where guides are not provided, no rope other than a rope of non-spinning type shall be used.

(c) No rope which has been spliced shall be used for winding purposes.

(d) No winding rope shall be used or continued in use, if its safety factor (i.e. the ratio between breaking load on the rope at any point and the maximum static load on it when the cage or other means of conveyance is at the lowest working point) is or becomes—

- (i) less than 10 in the case of a shaft not exceeding 300 metres in depth;
- (ii) less than 9 in the case of a shaft exceeding 300 metres but not exceeding 500 metres in depth;
- (iii) less than 8 in the case of a shaft exceeding 500 metres but not exceeding 700 metres in depth;
- (iv) less than 7 in the case of a shaft exceeding 700 metres but not exceeding 1000 metres in depth;
- (v) less than 6 in the case of a shaft exceeding 1000 metres but not exceeding 1500 metres in depth; or
- (vi) less than 5 in the case of a shaft exceeding 1500 metres in depth.

(3) (a) For every rope in use or intended for use, a certificate showing its breaking load, quality, construction and diameter (obtained from the manufacturer or supplier) and a history of its use, including a record of diameters of the drums, sheaves and pulleys used in conjunction with the rope, shall be kept in a bound paged book kept for the purpose. All entries therein shall be made and signed by the engineer or other competent person, and shall be countersigned and dated by the manager.

(b) If in the case of a new rope a test certificate as to the amount of its breaking load is not available, it shall not be used unless a portion thereof, not less than three metres in length, has been cut off and tested in a laboratory, institution or test house approved by the Central Government for the purpose.

(4) No winding rope which has been in use for more than three and half years shall be used for winding purposes:

Provided that where the Regional Inspector is satisfied that, due to sparing use, any such rope is in good condition even after the expiry of the said period, he may, by an order in writing and subject to such conditions as he may specify therein, allow the use of such rope for a longer period. Every application for permission to use a rope after the period of three and a half years aforesaid shall be accompanied by a copy of the entries, in respect of the rope, in the book kept for the purpose under sub-regulation (3), and also by a certificate as to the strength of the rope obtained in the manner laid down in clause (b) of that sub-regulation. The certificate aforesaid shall relate to a piece of the rope cut off not more than three months prior to the date of the application:

Provided further that where the Regional Inspector is of the opinion that any rope has become unsafe for use in a shaft before the expiry of the period of three and a half years aforesaid he may, by an order in writing, prohibit the use of such rope for winding purposes. An appeal against any such order may be preferred to the Chief Inspector.

(5) (a) No mode or type of capping shall be used, which fails to withstand a load of at least 10 times the maximum static load thereon.

(b) The cappel of a round rope shall not be attached to the rope by rivets passing through the rope.

(c) In those forms of capping, in which the wires at the end of the rope are bent back on the rope itself to form a cone, wedges formed by the lapping of soft iron wire shall be placed between the rope and that portion which is bent back. The length of the tapered portion of the socket shall be not less than 12 times the diameter of the rope.

(d) Where white metal is used in the capping of ropes, the tapered portion of the socket shall not be less than 12 times the diameter of the rope.

(e) If white metal is used in the capping of ropes—

- (i) Its melting point shall not exceed 300 degrees centigrade, and its temperature when poured into the socket shall not exceed 363 degrees centigrade;

- (ii) in the length of rope which is to lie within the tapered part of the socket, the fibre core, if any, shall be cut out and the wires shall be untwisted and thoroughly cleaned; and
- (iii) the socket shall be heated to a temperature of 100 degrees centigrade before the white metal is poured into it.

(6) Except in the 'Koepe' a system of winding, every rope shall be recapped once at least in every six months, or if necessary, at shorter intervals and also after every overwind. Before every such recapping, a length, including the capping, of at least two metres shall be cut off the rope. Each piece of rope so cut off shall be opened and its interval condition examined. The operation shall be carried out under the personal supervision of the engineer or other competent person, who shall record the date and other particulars thereof (including the length of the rope remaining after recapping) in a bound paged book kept for the purpose; and shall sign and date the same.

89. Suspension gear.—(1) All parts of suspension gear in regular use shall, unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, be renewed after a period of service of not more than ten years, and at shorter intervals if necessary.

(2) (a) All cage chains in general use and all other parts of a suspension gear between the rope and the cage or other means of conveyance, including the detaching-hook, shall be taken apart, cleaned and carefully examined as to wear and tear (where necessary, by gauging) and for rust and cracks, once at least in every six months, or if necessary, at shorter intervals. The various parts shall be annealed or given other proper heat treatment before being refitted:

Provided that in the case of such chains or gear manufactured from a steel which is not liable to deterioration necessitating annealing or heat treatment, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant exemption from the carrying out of this operation.

(b) Every detaching-bell or plate used in connection with a safety-hook shall be examined, and the opening therein checked by calipers or gauges, once at least in every 30 days.

(c) The operations and examinations required under this sub-regulation shall be carried out by or under the supervision of the engineer or other competent person, who shall record the date and other particulars thereof in a bound paged book kept for the purpose, and shall sign and date the same.

90. Precautions after recapping etc.—After every installation or recapping of a rope and after every renewal or refitting of any suspension gear, the engineer or other competent person shall, after the cages or other means of conveyance fully loaded with materials have made five trips up and down the working portion of the shaft or winze, examine the cappel and other parts of the suspension gear to see that they are in proper working order. A report of every such examination shall be recorded in the book kept under regulation 89(2) and shall be signed and dated by the person making the examination.

91. Examination of winding equipment.—(1) It shall be the duty of the engineer or other competent person to examine—

- (a) Once at least in every 24 hours—
  - (i) the attachment of the winding rope to the drum, the depth indicator, every part of the suspension gear in the shaft or winze, including cages or other means of conveyance and their gates and every external part of the winding apparatus, upon the proper working of which the safety of persons depends; and
  - (ii) the brakes of the winding engine;
- (b) Once at least in every seven days—
  - (i) each winding rope, by passing the rope at a speed not exceeding one metre per second; and
  - (ii) the external parts of the winding engine, the guides and the signalling arrangements fitted in a shaft or winze;

(c) Once at least in every 30 days, every winding rope, by passing the rope at a speed not exceeding 0.5 metres per second. For the purpose of this examination, the rope shall be cleaned of any encrusted dirt and grease at all places particularly liable to deterioration and at other places, not more than 30 metres apart, throughout the length; and any reduction in the circumference of the rope and the superficial condition of the wires as to wear, corrosion, brittleness and fracture at every such place shall be noted; and

(d) Once at least in every 12 months, the winding engine as to the condition of its internal parts.

(2) A report of every such examination shall be recorded in a bound paged book kept for the purpose, and shall be signed and dated by the person who made the examination and countersigned and dated by the engineer, or where there is no duly qualified engineer, by the manager.

(3) If on any examination made as aforesaid there is discovered any weakness or defect by which the safety of persons may be endangered, such weakness or defect shall be immediately reported in writing to the engineer or other competent person and to the manager; and until such weakness or defect is remedied, the winding installation shall not be used.

92. Gates and fences.—(1) At the top of every shaft or winze and at every landing which is in use, there shall be provided suitable gates or fences which shall effectively close the openings into the shaft or winze at all times when a cage or other means of conveyance is not at the top or the landing. Except with the permission of the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, every such gate at the top of a vertical shaft shall be self-operating.

(2) (a) At every landing where it is necessary for persons to pass from one side of the shaft to the other, an adequate passbye shall be provided for enabling them to do so without entering or crossing a winding compartment. Every passbye so provided shall be not less than 1.8 metres high and 1.2 metres wide, and shall be kept clear of all obstructions.

(b) No person shall enter or cross, or be permitted to enter or cross, the winding compartment of a shaft or winze except for the purpose of entering or leaving a cage or other means of conveyance or for undertaking an examination, repair or any other work therein; and no person shall be allowed to work in any such space unless the cages or other means of conveyance, if any, have been stopped and adequate precautions have been taken for the protection of such person.

93. Duties of persons riding or working in shafts.—(1) No person shall get on or off a cage or other means of conveyance after the same has been signalled to be set in motion, or leave it until it has reached the appointed stopping place; nor shall any person ride on the top or edge of any cage or other means of conveyance except when engaged in an examination, repair or any other work in the shaft or winze.

(2) Every person, when at or about the top or bottom of a shaft or winze or any landing, shall obey the lawful orders and directions of the banksman or bellman, as the case may be.

(3) (a) No person shall enter or shall carry out any examination, repair or other work in any winding compartment while winding operations are being carried on; and no winding shall be carried on or permitted while persons are engaged in such examination, repair or work, except where winding is necessary for the same.

(b) The person in immediate charge of any examination, repair or other work in any winding compartment shall warn the banksman and the winding engineer that such examination, repair or work is about to be undertaken.

(c) Every person while engaged in any examination, repair or other work in a shaft or winze shall be accompanied by at least one other person; and all such persons shall be provided with effective safety belts unless otherwise efficiently protected against the risk of falling.

(d) Every person engaged in carrying out an examination, repair or work in a shaft or winze shall be protected by a suitable covering from objects falling

from above. Every such person shall also be provided with a protective hat and shall wear the same when so engaged.

94. **General precautions.**—(1) No unauthorised person shall enter, or be allowed in, a winding engine room.

(2) No adolescent or woman shall descend or ascend a shaft or winze in a cage or other means of conveyance unless accompanied by one or more adult males.

## CHAPTER X

### TRANSPORT OF MEN AND MINERALS—HAULAGE

95. **Haulage roadways.**—The following provisions shall have effect with respect to every length of road or roadway in a mine where materials are transported in tubs by means of gravity or mechanical power, namely:

(1) Every such road or roadway shall—

(a) be of adequate dimensions, and as far as practicable, shall be straight and of regular gradient; and

(b) have tracks properly laid with rails of adequate section.

(2) (a) Pulleys, sheaves and rollers that alter the direction of a rope shall be securely fixed.

(b) No person shall guide or adjust a moving rope onto a drum, pulley, sheave or roller, except with a lever or other proper appliance.

(3) Where haulage is affected, by one or more ropes, there shall be provided and maintained—

(a) at the top of every inclined plane, at least one stopblock or other effective contrivance to arrest tubs from running or moving out of control;

(b) at least one runaway switch or other effective contrivance below the first stopblock or other effective contrivance at a distance greater than the length of a set or train of tubs:

Provided that such distance shall not exceed the length of a set or train of tubs by more than 10 metres;

Provided further that where the Regional Inspector, by an order in writing, so requires, the stopblock and the switch or other effective contrivance aforesaid shall be so intercoupled that they do not remain simultaneously ineffective;

(c) an attachment, behind an ascending tub or set or train of tubs, of a back-stay, drag or other suitable contrivance for preventing the tub, set or train of tubs running back. Where an endless rope of chain is used, the provisions of this clause shall be deemed to have been satisfied if suitable automatic catches or other effective contrivances are provided at suitable intervals along the track to prevent the ascending tubs running back:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant exemption from the operation of this clause on grounds that compliance with the provisions thereof is not reasonably practicable;

(d) safety hooks, jazz-rails or other suitable contrivances to prevent runaway in the forward direction;

(e) tub-re-railers at intervals of not more than 250 metres; and

(f) on every haulage road or roadway exceeding 30 metres in length, effective means of transmitting signals from every stopping place on the roadway to the place at which the machinery working the rope is operated. All signals shall be transmitted by mechanical or electrical means:

Provided that the Regional Inspector may, by an order in writing, require means of transmitting signals in the reverse direction also. If any doubt arises as to whether any means of transmitting signals is effective or not, it shall be referred to the Chief Inspector for decision.

(4) (a) (i) The following code of signals shall be used and strictly observed—

ONE RAP—STOP when in motion.

TWO RAPS—LOWER or haul in slowly.

THREE RAPS—Start when at rest.

FOUR RAPS—RAISE or haul out slowly.

Any other signals shall be in addition to and shall not interfere with, the foregoing:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use of any code of signals other than that specified above.

(ii) A printed copy of the code of signals, including additional signals if any, shall be posted prominently at the place in which the machinery that works the rope is operated and at all regular stopping places along the road or roadway.

(iii) No person, other than a competent person or an official, shall give any signal.

(b) Where in any mine belowground, a system of haulage roadways (and conveyors, if any) extends to a distance of more than 600 metres from the shaft or the entrance to the mine, efficient telephonic communication shall be provided and maintained between the end of every such system and the bottom and top of the shaft or the entrance to the mine, as the case may be:

Provided that where travelling is unduly arduous, the Regional Inspector may, by an order in writing, require the provision and maintenance of telephonic communication in any other case also.

(c) Where telephones or electrical signals are provided—

(i) adequate precautions shall be taken to prevent signal and telephone wires from touching cables and other electrical apparatus;

(ii) signal wires shall be supported on insulators, and shall not be energised at more than 30 volts;

(iii) contact makers shall be so constructed as to prevent the accidental closing of the circuit; and

(iv) in every mine or part thereof to which regulation 142 applies, all signalling or telephonic communication circuits shall be constructed, installed, protected, operated and maintained in such a manner as to be intrinsically safe.

(5) At places where telephone receivers are installed or where signals and safety contrivances are regularly operated, every person using the telephone or operating any such signal or safety contrivance shall be afforded adequate protection against tubs moving out of control.

(6) (a) Where any person is allowed to work or pass while the haulage is in motion, manholes for refuge shall be provided at intervals of not more than 10 metres:

Provided that where the gradient is less than 1 in 6, such manholes may be provided at intervals of not more than 20 metres.

(b) Manholes shall be not less than 1.8 metres in height and 1.2 metres in depth, and not less than 0.75 metre but not more than one metre in width:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use as manholes of cross roadways other than haulage roadways, of dimensions larger than aforesaid.

(c) Every manhole shall be kept clean and clear of obstruction, and white-washed both inside and for a distance of not less than 0.3 metre around the aperture.

(d) As far as practicable, all manholes shall be provided on one side of the haulage roadway.

(e) In case where there are serious practical difficulties in providing manholes as specified in clauses (a) and (b), the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit manholes to be at greater intervals or of other dimensions.

(f) Except where haulage is affected by means of an endless rope of chain, whenever the haulage rope is in motion, every person on the haulage roadway shall take shelter in a manhole.

(7) The manager or assistant manager or underground manager shall, by an order in writing, in respect of every haulage road or roadway, fix the maximum number of tubs, according as to whether they are loaded or not loaded, that may be coupled together to run as a set or train. A notice specifying the number of tubs so fixed shall be posted prominently at the top, and at all regular stopping places, of the haulage road or roadway.

(8) At all places where tubs are coupled or uncoupled, there shall be a clear space of not less than one metre—

- (i) between the tubs and one side of the roadway; and
- (ii) where there are two or more tracks, also between the adjacent tracks

(9) (a) When any roadway or face is in direct line with a haulage track and persons may be exposed to danger from runaway tubs, a strong buffer or other effective contrivance to prevent such danger shall be provided and maintained.

(b) A stop block or other effective contrivance shall be provided near the entrance of every tramming road or roadway branching off the main haulage road or roadway, and on every track which slopes towards a shaft or winze.

96. Travelling roadways.—(1) Except when an exemption in writing has been granted by the Regional Inspector and subject to such conditions as he may specify therein, travelling roadways or compartments, separate from haulage roadways or compartments on which haulage is effected by mechanical means or gravity, shall be provided for persons to travel to and from their working places.

(2) Every such travelling roadway or compartment shall—

- (a) be not less than 1.8 metres high throughout;
- (b) where the inclination exceeds 30 degrees from the horizontal, be provided with suitable steps or ladders;
- (c) where the inclination exceeds 45 degrees from the horizontal, be provided, in addition to steps or ladders, with hand rails or ropes so as to ensure safe travel; and
- (d) where the inclination exceeds 60 degrees from the horizontal, be provided, in addition to the steps or ladders and hand rails or ropes, with suitable platforms at intervals not exceeding 10 metres measured along the slope.

(3) Except for purposes of inspection, examination or repairs, every person other than an official or a haulage attendant shall travel by the travelling roadway or compartment.

(4) Where persons using a travelling roadway or compartment have to cross a conveyor or a haulage worked by gravity or mechanical means, a suitable cross-over or cross-under bridge or other suitable device approved in writing by the Regional Inspector shall be provided.

(5) No haulage shall be used for the general conveyance of persons except with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

97. Tubs and their movement.—(1) (a) On every tub there shall be provided and maintained, at each coupling end a strong buffer projecting beyond the end and so arranged that when two such tubs are in tandem, the gap between the innermost ends shall not be less than 20 centimetres.

(b) On every side-tipping tub in use, safety-catches shall be provided to prevent accidental tipping. No tub or set or train of tubs shall be set in motion unless all the safety-catches are properly secured.

(c) The attachment between a rope or locomotive and a tub or set or train of tubs, and the attachment between any two tubs in a set or train, shall be of a type approved by the Chief Inspector by a general or special order and so maintained as to obviate accidental disconnection.

(d) The state of every buffer and drawbar of every tub in use and of every safety-catch, coupling-chain and other attachment shall be examined, once at least in every seven days, by a competent person appointed for the purpose. A report of every such examination shall be recorded in a bound pagged book kept for the purpose, and shall be signed and dated by the person who made the examination.

(2) (a) When tubs are about to be moved, persons likely to be endangered shall be warned.

(b) Two or more tubs shall not be moved by hand in close succession but shall be coupled and moved together. Two tubs shall be deemed to be in close succession when the distance between them at any time is less than 10 metres.

(c) No person shall cause or permit a tub to run uncontrolled except with the written permission of the manager:

Provided that the Regional Inspector may, by an order in writing, prohibit the uncontrolled movement of tubs at any place if he is of the opinion that such movement is likely to cause danger.

(d) No person while taking a tub down a gradient exceeding 1 in 20 shall go in front of the tub; and in every case where the conditions are such that a person cannot control the tub from behind, he shall not take the tub down unless sprags or other suitable contrivances are used to control it.

(e) Where required for use, a sufficient number of sprags of suitable material and dimensions shall be provided.

(f) Every tub while standing on a track having a gradient of more than 1 in 20, shall unless held effectively by brakes or securely coupled to a haulage rope or locomotive, be effectively blocked, chained or otherwise secured.

(g) Except where haulage is effected by means of an endless rope, the coupling and uncoupling of tubs shall as far as practicable, be done only when the tub or set of the tubs and the rope if connected to the set, is not in motion.

(h) As far as practicable, tubs shall not be coupled or uncoupled on a gradient.

(i) Whenever it comes to the attention of a haulage attendant that a tub being hauled by a rope, chain, locomotive or other mechanical means has got derailed, he shall immediately cause the haulage to be stopped. The tub shall then be re-railed, or detached from the rope etc., before the haulage is started again.

(3) No person shall ride on any tub or haulage rope except with the written authority of the manager. A list of all persons so authorised shall be maintained.

98. Protection at loading chutes.—Every chute where tubs are loaded shall be provided with suitable gates for holding back the column of material.

99. Haulage engines and ropes.—(1) Every haulage engine shall be provided with an effective brake.

(2) (a) No rope shall be used for purpose of haulage if it has any serious visible defect over any length.

(b) Every rope which is capped shall be recapped once at least in every six months and, if necessary, at shorter intervals, under the supervision of a competent person.

(c) For every haulage rope in use, record of size, construction, quality, name of supplier, and dates of installation and of recapping, shall be kept in a bound pagged book kept for the purpose; and all entries therein shall be made by the competent person who shall sign the same and date his signature.

100. Roadway conveyors.—(1) Every roadway conveyor shall be so installed that—

(a) between the conveyor and one side of the roadway, there is a travelling space free from obstruction not less than one metre wide;

(b) the conveyor or any part thereof does not scrape against wooden props or supports;

(c) the anchoring of the return station of the conveyor is independent of the face or roadway support.

(2) Where the inclination of the conveyor is such as to give rise to danger from sliding objects or material, suitable devices shall be used to provide adequate protection against such danger.

(3) On every length of roadway in which a conveyor is installed for transporting loads over a distance exceeding 30 metres, there shall be provided and maintained effective means of transmitting signals from every point on the length of the road to the place at which the machinery working the conveyor is operated:

Provided that the Regional Inspector may, by an order in writing, require means of transmitting signals in the reverse direction also.

(4) No belt conveyor shall be used in a mine belowground without the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

101. Examination of haulage engine and track etc.—(1) It shall be the duty of a competent person to examine carefully—

- (a) once at least in every 24 hours, every haulage engine, brake-wheel, rope and other appliance in use; and
- (b) once at least in every seven days, every track where the haulage is effected by means of mechanical power or gravity, and every safety contrivance fitted thereon.

(2) A report of every such examination shall be recorded in a bound paged book kept for the purpose, and shall be signed and dated by the person who made the examination.

102. Examination of haulage and travelling roadways.—It shall be the duty of the mine foreman or other competent person to examine carefully, once at least in every seven days, the state of all haulage and travelling roads and roadways, including roadways leading to all the outlets of the mine which are in use. A report of every such examination shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person who made the examination.

103. Locomotives.—(1) No locomotive shall be used belowground otherwise than in accordance with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

(2) No locomotive shall be used where the gradient exceeds 1 in 15.

(3) No person other than the driver shall ride on any locomotive unless authorised in writing to do so by the manager.

(4) Except during shunting operations, the locomotive shall lead the tubs or set or train of tubs.

104. Movement of railway wagons.—(1) No adolescent shall be employed in moving railway wagons.

(2) The movement of railway wagons shall be carried on under the supervision of a competent male person appointed for the purpose who shall himself control the brake.

(3) Before wagons are moved, persons likely to be endangered shall be warned by the competent person appointed under sub-regulation (2).

(4) No person shall move or attempt to move a wagon by pushing at the buffer, or by pulling from in front.

(5) Where two or more wagons are moved simultaneously, the wagons shall be coupled together; and the number shall not exceed the number which can be effectively controlled; they shall be moved only by pushing from the side or from behind the last wagon.

(6) No locomotive or wagon shall be moved when the natural light is insufficient, unless the approaching end is distinguished by a suitable light or accompanied by a person carrying a lamp.

(7) No person, other than the competent person appointed under sub-regulation (2), shall pass immediately in front of wagons moving under bins or screens nor between moving wagons and the under-structure of the bins or screens.

(8) No person shall be upon the buffer or a locomotive or wagon in motion unless there is a secure handhold, or stand thereon unless there is also a secure footpace. No person shall pass over the couplings between any two wagons while the wagons are moving.

(9) No person shall cross a line of rails by crawling or passing underneath a train or wagon, nor shall a person sit or sleep underneath a wagon.

(10) Wherever railway wagons are specially placed so as to afford a thoroughfare, such thoroughfare shall be not less than five metres in width.

(11) No material shall be placed or dumped within 1.2 metres from either side of a track of rails.

105. Fencings and gates.—(1) Where any haulage road or tramline passes over a public road, suitable gates shall be provided to prevent danger to public from moving tubs, sets or trains of tubs or locomotives. Every such gate shall be fitted with a danger signal and, when the natural light is insufficient, also with warning lamps.

(2) Where occupied buildings are situated within 15 metres of any haulage road or tramline, a substantial fence shall be provided and maintained between such buildings and the haulage road or tramline.

## CHAPTER XI

### MINE WORKINGS

106. Opencast workings.—In opencast workings, the following precautions shall be observed, namely—

(1) In alluvial soil, morum, gravel, clay, debris or other similar ground—

(a) (i) the sides shall be sloped at an angle of safety not exceeding 45 degrees from the horizontal or such other angle as the Regional Inspector may permit by an order in writing and subject to such conditions as he may specify therein; or

(ii) the sides shall be kept benched, and the height of any bench shall not exceed 1.5 metres and the breadth thereof shall not be less than the height:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, exempt from the operation of this clause any working in the case of which special difficulties exist, which in his opinion make compliance with the provisions thereof not reasonably practicable; and

(b) where any pillar is left 'in situ' for the purpose of measurement, its height shall not exceed 2.5 metres; and where the height of such pillar exceeds 1.25 metres the base of the pillar shall not be less than 1.5 metres in diameter.

(2)(a) Where 'float' or other similar deposit is worked by manual means on a sloping face, the face shall be benched and the sides shall be sloped at an angle of not more than 60 degrees from the horizontal. The height of any bench shall not exceed six metres and the breadth thereof shall not be less than the height:

Provided that where the ore-body consists of comparatively hard and compact rock, the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the height of the bench to be increased upto 7.5 metres while its width is not less than six metres.

Provided further that in case of a mine or part where special difficulties exist, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, relax the provisions of this sub-regulation.

(b) Where in any mine or part it is proposed to work by a system of deep-hole blasting and/or with the help of heavy machinery for its digging, excavation and removal in such manner as would not permit of compliance with the requirement of sub-regulation (1) the owner or agent or manager shall, not less than 60 days before starting such work, give notice in writing of the method of working to the Chief Inspector and the Regional Inspector; and no such work shall be commenced or carried out except in accordance with such conditions as the Chief Inspector may specify by an order in writing. Every such notice shall be in duplicate, and shall give the details of the method of working including the precautions that are proposed to be taken against the danger from falls of sides and material.



(3) In an excavation in any hard and compact ground or in prospecting trenches and pits, the sides shall be adequately benched, sloped or secured so as to prevent danger from fall of sides.

(4) No tree, loose stone or debris shall unless otherwise permitted in writing by the Chief Inspector be allowed to remain within a distance of three metres from the edge or side of the excavation.

(5) No person shall undercut any face or side, or cause or permit such undercutting as to cause any overhanging.

**107. Underground workings.**—In every mine worked by a system of workings belowground, the following provisions shall have effect, namely—

(1) Unless otherwise permitted by the Regional Inspector by an order in writing and subject to such conditions as he may specify therein, the height of every main drive shall be not less than 1·8 metres.

(2) The dimensions of pillars or blocks formed in any vein, lode, reef or mineral bed or deposit shall be such as to ensure stability of the workings during the development and stoping stages and between such stages.

(3) Such pillars or blocks shall not be split, reduced or extracted except by a method of systematic stoping. If any doubt arises as to whether the method of stoping is systematic or not, the matter shall be referred to the Chief Inspector for decision.

(4) Nothing in sub-regulation (3) shall prevent the splitting or reduction of any pillar or block of mineral bed or deposit where, in the opinion of the manager, such work is necessary for haulage, ventilation, drainage or any other purpose necessary for the proper working of the mine, if 14 days' previous notice in writing of the intention to commence such work has been given to the Regional Inspector. Every such notice shall be accompanied by an offset plan showing details of the operation. If in the opinion of the Regional Inspector such work is likely to endanger the stability of the workings, he may, by an order in writing, require the completion, before commencing such drive or enlargement, of such protective works as he may specify therein.

(5) Proper provision shall be made to prevent the premature collapse of workings; and adequate steps shall be taken to isolate, control or remedy any such collapse which may occur.

**108. Powers of Inspectors.**—If in any mine or part thereof, it appears to the Regional Inspector that the provisions of regulations 106 and 107 or of any order issued under any of these regulations, have not been complied with, he may give notice in writing to the owner, agent or manager requiring him to take such protective measures, within such time, as he may specify in the notice. In case of non-compliance with the requirements of the notice, the Regional Inspector may, by an order in writing, prohibit until the requirements specified in the notice are complied with to his satisfaction, the employment of any person other than those required for complying with the said requirements, in the part or parts of the mine in which protective measures are required to be taken.

**109. Workings under railways and roads etc.**—(1) No workings shall be made and no work of stoping or extraction or reduction of pillars or blocks of minerals shall be conducted at, or extended to, any point within 45 metres of any railway or of any public works in respect of which this regulation is applicable by reason of any general or special order of the Central Government, or of any public road or building, or of other permanent structure not belonging to the owner of the mine, without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

(2) Every application for permission under sub-regulation (1) shall specify the position of the workings of the mine in relation to the railway or public road or works or building or structure concerned, the manner in which it is proposed to carry out the intended operations, and the limits to which it is proposed to carry out the said operations; and shall be accompanied by two copies of a plan showing the existing and the intended mining operations in so far as they effect the railway or public road or works or building or structure concerned. A copy of the application shall also be sent, in the case of a railway, to the railway administration concerned; and in the case of any public works as aforesaid, to such authority as the Central Government may by general or special order direct.

(3) Notwithstanding anything contained in these regulations, the stability of such railways, roads, buildings or structures shall not be endangered until they have been dismantled, diverted or vacated, as the case may be.

(4) Where the stability of such railway, road, works, building or structure has been endangered due to any mining operation, the Chief Inspector may, by an order in writing, require the owner to construct in the mine belowground or on the surface such protective works within such time as he may specify in the order.

**110. Protective works before a mine is closed.**—(1) The Chief Inspector may, by an order in writing, require the owner of any mine to which regulation 6 applies, to construct in the mine belowground or on the surface such protective works within such time as he may specify therein.

(2) If the owner fails to construct such protective works within the time specified in the order, the Chief Inspector may get the works executed by any other agency, and the cost thereof as certified by the Chief Inspector shall be defrayed by the owner of the mine and recoverable from him as an arrear of land revenue.

(3) Until the protective works have been constructed to the satisfaction of the Chief Inspector, the means of entering the mine at not less than two entrances, shall be kept intact and in working order.

**111. Workings near mine-boundaries.**—(1) No working shall be made within a distance of 7·5 metres of the boundaries of any mine and, in case of a disputed boundary, no working shall be made within a distance of 7·5 metres of the boundary claimed by the owner of an adjacent mine until such time as a binding agreement has been reached as to the correct boundary or the question has been finally determined by a court of law.

(2) Notwithstanding anything contained in sub-regulation (1), the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the workings of any mine or part thereof to extend to within any shorter distance than 7·5 metres aforesaid, or may require that the said work workings shall not extend further than a specified distance, not exceeding 60 metres, of such boundary.

**112. Support of workings.**—(1) The roof or back, hanging wall, footwall and sides of every roadway and working place, including airways and travelling roadways to second outlets, shall be made and kept secure.

(2) (a) If the Regional Inspector is of the opinion with respect to any mine or part thereof that systematic support for the roof or back, hanging wall, footwall and sides, or either of them, ought to be provided and maintained for the purpose of securing the safety of persons employed therein, he may serve upon the owner, agent or manager an order in writing specifying the mine or part, stating that he is of opinion aforesaid and requiring the provision and maintenance of support in accordance with a code of Timbering Rules which he may specify in the order.

(b) The manager shall hand over copies of the code of Timbering Rules to the assistant manager, the underground manager and to all other supervising officials concerned, and shall also post such copies at conspicuous places in the mine.

(c) The manager, assistant manager, underground manager and such supervising officials shall be responsible for securing effective compliance with the provisions of the Timbering Rules, and the mine or part thereof shall not be worked in contravention thereof.

**113. Setting of supports.**—(1) Every piece of timber used as a support shall be set securely and on a secure foundation; and whenever it becomes loose or broken shall, as soon as possible, be tightened or replaced.

(2) Every crib set or pigstye used as a support shall be well built on a secure foundation, and shall be made and kept tight. Only rectangular pieces of material shall be used as members of a crib set or pigstye; so however that in case of timber it shall be sufficient to joggle two opposite sides to provide flat surfaces.

(3) The sides of every pack used for the purpose of support shall be well built on secure foundation. The pack shall be filled with debris or other suitable incombustible material, if so required by the Regional Inspector and shall be made as tight as practicable over its whole area.

(4) Where sand or other material is stowed for the purpose of support, it shall be packed tight.

(5) Except where it is no longer necessary for purposes of support, any support dislodged by or removed for any operation shall be replaced with the least possible delay.

(6) In every place wherein a fall of ground involving the displacement or breakage of supports has occurred, no work of clearing the fall or any part thereof shall be undertaken until the newly exposed roof or back, hanging wall, footwall or side has been examined and made safe—if necessary, by temporary supports.

114. **Steep Workings.**—(1) In workings having an inclination of 30 degrees or more from the horizontal, adequate precautions shall be taken to prevent danger to persons from falling or rolling of timber, tools or other appliances or material.

(2) No person shall work or be permitted to work at any place having an inclination of 45 degrees or more from the horizontal, where he is likely to slip or overbalance, unless he is secured by a safety-belt or life-line or is otherwise safeguarded.

115. **Fencing and gates.**—(1) (a) Unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify the top of every opencast working shall be kept securely fenced.

(b) Where an excavation which has been formed as a result of any mining operation extends within a distance of 15 metres from a public road or any building, substantial fencing shall be erected and maintained around the excavation.

(c) Where as a result of mining operations, a subsidence of the surface has taken place or is likely to take place and persons are likely to be endangered thereby, the owner, agent or manager shall keep the entire surface area securely and effectively fenced.

(2) Every entrance to a shaft, winze, ore-pass, chute, sump, stope or other dangerous place shall be provided with an efficient fence barrier or gate, so designed and constructed as to effectively prevent any person from entering or falling therein.

(3) Where a shaft, winze, rise, chute, ore-pass or stope leads directly into a working place or travelling roadway, such place or roadway and any working place situated on its dip side, shall be securely guarded or otherwise protected as to prevent danger to persons from falling materials.

(4) Every entrance from a roadway in a mine to a part of the mine which, for the time being, is neither being worked nor being used for any purpose, by reason of any cause whatsoever, shall be provided with a fence, barrier or gate so designed and constructed as to prevent any person from inadvertently entering that part of the mine.

(5) (a) Shaft and opencast workings temporarily or permanently out of use and any place in or about an excavation which is dangerous shall be completely filled in or kept securely fenced:

Provided that if in the opinion of the Regional Inspector, any disused trench, pit or other excavation is dangerous, he may, by an order in writing, require the same to be filled in to the level of the adjacent ground.

(b) Before a mine is abandoned or the working thereof discontinued, the owner, agent or manager shall cause the top or entrance of every shaft, incline or other opening into the mine to be fenced by a structure of permanent character sufficient to effectively prevent persons falling into or entering the same.

116. **Examination by mining mates.**—(1) Every place in a mine, whether below-ground or in opencast workings, including travelling roadways and landings, where work is carried on or where persons are stationed or required to pass shall be placed under the charge of a mining mate or other competent person.

(2) The mine or district assigned to a mining mate or other competent person shall not be of such a size, nor shall any additional duties other than his duties under the regulations be such, as to be likely to prevent him from carrying out in a thorough manner the duties prescribed for him under the regulations. If any doubt arises as to the foregoing, it shall be referred to the Chief Inspector for decision.

(3) (a) At the entrance to every mine or district, one or more stations shall be fixed by the manager; and except in the case of a mine worked by a continuous succession of shifts, no person other than the persons making the examination under clause (b) or an official shall pass beyond any such station until all the roadways and working places to which such persons are required to have access, have been examined by the competent person in charge of the mine or district and found to be satisfactorily ventilated and in safe condition. Every such station shall be legibly marked 'STATION' and shall be of such a size as to accommodate all the persons employed in the district in any one shift.

(b) The mining mate or other competent person, accompanied by such assistants as he required shall, within two hours before the commencement of work in a shift inspect every part of the mine or district assigned to him, in which persons have to work or pass during the shift, and all roadways and working places where work is temporarily stopped; and shall ascertain the condition thereof as regards ventila-

tion, sanitation, the presence of gases, the state of the roof or back, hanging wall, footwall and sides, and generally so far as the safety of the person is concerned:

Provided that in the case of a mine or part to which regulation 142 applies, such inspection shall be made with an approved flame safety lamp; and that in the case of a mine or part to which regulation 123(1) applies, a cage containing suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector shall be carried during every such inspection.

(c) Similar inspections shall be made once at least in every four hours during which the shift continues, of all the roadways and other working places to which persons engaged in the mine or district are required to have access.

(d) The mining mate or other competent person shall, at the completion of his shift, record without delay the result of his inspections in a bound paged book kept for the purpose. Every such report shall be a full and accurate report of the inspections and shall include the following—

(i) the details referred to in clause (b);

(ii) the number of persons working under his charge;

(iii) such instructions for the purposes of securing the safety of the persons as the competent person may have given during his shift; and

(iv) the date and time of the inspections, the signature of the mining mate or other competent person and the date and time when the report was written.

(e) In case of a mine where any other system of examination of working places has been in force, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit such a system to be continued in lieu of the system of examination laid down in this sub-regulation.

(4) In the case of a shaft in the course of being sunk, the competent person or chargeman shall—

(a) have entire charge of the shaft bottom and shall, in his shift, remain in the shaft while persons are at work at the bottom of the shaft. He shall be the last person to ascend the shaft at the end of the shift; and if his shift is succeeded immediately by another shift, he shall not leave the bottom of the shaft until after the descent of the chargemen of the succeeding shift; and

(b) after each round of shots, and at the beginning of every shift and after every cessation of work in the shaft for a period exceeding two hours, shall examine the sides of the shaft and with such assistance as is necessary, remove all loose pieces before persons are allowed to descend.

117. **Avoidance of dangers.**—(1) If at any time it is found by a competent person in charge of a mine or district that, by reason of any cause whatsoever, the mine or district is dangerous, he shall immediately withdraw all persons from the mine or district; and the mine or district shall be fenced off so as to prevent persons inadvertently entering therein.

(2) The competent person shall also immediately inform the manager or assistant manager or underground manager about the danger, and shall record the fact in the book kept under sub-regulation (3).

(3) The manager or assistant manager or underground manager shall make, or cause to be made by a competent person, a careful examination of the mine or district; and no person shall, except in so far as is necessary for enquiring into the cause of the danger or for the removal thereof or for exploration, be re-admitted into the mine or district until the mine or district is reported to be safe. A report of every such examination shall be recorded without delay in a bound paged book kept for the purpose and shall be signed and dated by the person who made the examination.

(4) If the work of removing the danger is suspended before the danger is removed, the mine or district shall be securely fenced off so as to effectively prevent persons entering during the period of suspension.

(5) Notwithstanding anything contained in these regulations—

(a) where the danger arises from the presence of inflammable or noxious gas, the provisions of regulation 141 shall apply; and

(b) where the appearance in any part of a mine of smoke or other sign indicates that a fire or spontaneous heating has or may have broken out, the provisions of regulation 120 shall apply.

118. **General precautions.**—(1) Where several persons are working together in any place, one of them shall be placed in charge. No person shall be so appointed unless he is 21 years of age and has had not less than three years' experience in the workings of a mine.

(2) No person shall work in any place other than his authorised working place.

(3) Every person shall carefully examine his working place before commencing work and also at intervals during the shift. If any dangerous condition is observed, he shall cease all work at that place and shall either take immediate steps to remove such danger or inform an official or the competent person in charge of the mine or district. Where several persons are working together, the examination required by this sub-regulation shall be made by the person in charge.

(4) No person shall work or travel on any ledge or footpath less than 1.5 metres wide, from which he will be likely to fall more than 1.8 metres, unless he is protected by guard rails, fence or rope suitably fixed and sufficiently strong to prevent him from falling.

(5) (a) No person shall carry or be permitted to carry any load along a road or footpath having an inclination of 30 degrees or more from the horizontal.

(b) Every road or footpath, along which loads are carried by human agency, shall comply with the following requirements:

(i) its breadth shall not be less than one metre, and

(ii) at every place where the inclination exceeds 15 degrees from the horizontal, level steps shall be provided such that the vertical height of every step does not exceed 0.20 metre and the distance from the edge to the back is not less than 0.35 metre.

*Explanation.*—Gang-planks used for loading purposes shall not be deemed to be part of a footpath for the purposes of this sub-regulation, provided that every gang-plank shall be so inclined or constructed as to give a secure foot-hold.

(6) No person shall be employed to lift, carry or move a load so heavy as is likely to cause bodily injury to, or injury to health of, that person. If any doubt arises as to whether risk of bodily injury or injury to health is involved, it shall be referred to the Chief Inspector for decision.

(7) Every person shall ensure that tools, wood, stones or other articles are not put down, or allowed to remain, in or near a shaft, winze, or opening into a stope where work is going on, in such a position as may result in their falling into the shaft, winze or stope, as the case may be.

(8) No person shall cast any material down any chute, pass or stope or other place until he has assured himself that no person is in the way.

(9) No person shall work or be permitted to work alone in any remote part of a mine where, if any accident occurred, he would not soon be discovered or assisted.

(10) No inexperienced person shall be employed in the mine for any work whereby he or other persons can be endangered, except under the supervision and guidance of an experienced person.

## CHAPTER XII

### PRECAUTIONS AGAINST DANGERS FROM FIRE, DUST, GAS AND WATER

119. **Precautions against fire.**—(1)(a) No oil, grease, canvas or other inflammable material shall be stored in any mine except in a fire-proof receptacle. Greasy or oily waste in workings belowground, shall be regularly removed to the surface.

(b) No person shall place or throw, or cause or permit to be placed or thrown, any naked light or lamp or 'cheesa stick' or 'kai-piece' on or near any timber, wooden structure or other combustible material.

(c) Where explosives are used in blasting any timber forming part of stulls, sets and chutes sufficient water shall be applied to the timber both before and after firing a shot.

(2)(a) All surface structures and supports within a horizontal distance of 10 metres from all entrances to a mine shall be of incombustible material:

Provided that this clause shall not apply to temporary structures, supports and coverings at the top of a shaft or winze which is in the course of being sunk and to the small lid of a shaft-covering operated by the rope cappel.

(b) Dead leaves or dry vegetation shall not be allowed to accumulate or remain, and combustible materials other than materials required for use within a period of 24 hours, and inflammable materials, shall not be stored, within a distance of 15 metres from any entrance to a mine, which is not effectively sealed off from the workings belowground.

(c) No person shall light a fire or permit a fire to be lighted on the surface within a distance of 15 metres from any entrance to a mine, except by an order in writing of the manager and only for a special purpose specified in such order. All such orders shall be recorded in a bound paged book kept for the purpose:

Provided that this clause shall not apply to boilers other than vertical boilers.

(3) (a) Except with the previous permission in writing of the Regional Inspector and subject to such conditions as he may specify therein, no timber or other combustible material shall be used in the construction of, or in connection with, any shaft lining or any room housing any machinery or apparatus belowground.

(b) Wood cuttings shall not be left in any working belowground, but shall be removed to the surface at the end of every shift.

(c) No person shall light a fire or permit a fire to be lighted in any workings belowground:

Provided that—

(i) in the case of a mine to which regulation 142 does not apply, flame or electric welding or repairing apparatus may be used belowground if permitted by an order in writing of the manager or assistant manager or underground manager. Every such order shall specify person who shall be in charge of the apparatus; and it shall be the duty of such person to bring the apparatus back to the surface when no longer required belowground; and

(ii) in the case of a mine where the provisions of regulation 142 apply, a flame or electric welding or repairing apparatus may be used belowground if prior permission in writing has been obtained from the Regional Inspector and subject to such conditions as he may specify therein.

(d) No person shall leave a portable light or lamp belowground unless he has placed it in charge of some other person remaining therein.

(e) At the end of a shift, unless the mine is worked by a continuous succession of shifts, after all persons have left the mine, all lights shall be extinguished and all power cut off:

Provided that nothing in this clause shall be deemed to prohibit the running of a mechanical ventilator or auxiliary fan belowground after the shift is over.

(f) Proper provision shall be made to prevent an outbreak of fire or spontaneous heating belowground or the spread of fire to the mine from any adjoining mine; and adequate steps shall be taken to control or isolate any such fire or heating that may occur. Where in the opinion of the Regional Inspector the provisions of this clause have not been complied with or the steps so taken are inadequate, he may, by an order in writing, require such additional precautions or steps to be taken within such time as he may specify therein. If any such order is not complied with within the specified period, the Regional Inspector may prohibit until the order has been complied with, the employment in the mine or part, of any person whose employment is not, in his opinion, necessary for the purpose of complying with the order.

120. **Precautions after a fire has broken out.**—(1) (a) On the appearance in any part of a mine, of smoke or other signs indicating that a fire or spontaneous heating has or may have broken out, all persons other than those whose presence in the mine is deemed necessary for dealing with the fire or heating shall be immediately withdrawn from the mine. No person, other than those required for dealing with or sealing off the fire or heating, shall be re-admitted in the mine until the fire or heating has been extinguished or effectively sealed off and an examination has been made by the manager or by the assistant manager or underground manager and the mine has been declared to be safe. A report of

every such examination shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the examination:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the employment in the mine, of persons other than those required to deal with the fire or heating.

(b) The examination required by clause (a) shall be made with a cage containing suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector.

(2) During the whole time that any work of dealing with or sealing off a fire or heating belowground is in progress—

- (a) a competent person shall be present on the spot throughout;
- (b) there shall be available, at or near the place, two smoke helmets or other suitable apparatus for use in emergency; and
- (c) a cage containing suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector shall be kept at all places where persons are employed.

121. **Equipment for fire-fighting.**—(1) A sufficient supply of sand or incombustible dust or sufficient portable fire-extinguishers shall be provided at every entrance to a mine, at every landing and the bottom of every shaft or winze in use, at every engine room and at every other place where timber, canvas, grease, oil or other inflammable material is stored.

(2) At every mine, the following provisions shall be made for dealing with any fire or heating belowground—

- (a) A sufficient supply of sand or incombustible dust or sufficient portable fire extinguishers shall be kept at suitable places at the entrance to every district; and
- (b) In every mine employing 100 persons or more belowground on any one day in that or the previous year—
  - (i) where pipes containing water under pressure are available, and adequate number of taps, not more than 120 metres apart, shall be provided on such pipes. Hose-pipes not less than 60 metres in length, with necessary fittings shall be kept readily available at suitable places belowground; or
  - (ii) portable water tanks fitted with hand pressure pumps and hose pipes not less than 60 metres in length and the necessary fittings shall be provided.
- (3) (a) Soda acid type extinguishers or water shall not be used for fighting oil or electrical fires.
- (b) Foam type extinguishers shall not be used for fighting electrical fires.
- (c) Fire extinguishers containing chemicals which are liable, when operated, to give off poisonous or noxious gases, shall not be provided or used belowground:

Provided that nothing in this clause shall be deemed to prohibit the use belowground of fire extinguishers giving off carbon dioxide when operated.

(4) A competent person shall, once at least in every three months, examine every fire-extinguisher so provided, and shall discharge and refill it as often as may be necessary to ensure that it is in proper working order. A report of every such examination or refilling shall be kept in a bound paged book kept for the purpose, and shall be signed and dated by the person making the examination or refilling.

122. **Apparatus for testing for Carbon Monoxide.**—In every mine to which regulations 123(1) and 142 apply, there shall be kept at the mine, constantly available for use, two or more suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector:

Provided that the Regional Inspector may, by an order in writing, require compliance with this regulation in case of any other mine also.

123. **Precautions when a fire exists belowground.**—(1) In every mine in which a fire or spontaneous heating exists in workings belowground (whether such fire has been isolated by means of suitable seals or not), no work whatsoever shall

be done in any part or section adjacent to the part or section on fire or believed to be on fire, except with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

(2) In every mine to which sub-regulation (1) and regulation 142 apply, arrangements shall be made, once at least in every 30 days, to ascertain the atmospheric conditions behind the seals of an area of old workings or a fire or spontaneous heating unless such seals are capable of resisting the force of an explosion:

Provided that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, exempt any mine or part thereof from the operation of this sub-regulation where in his opinion special difficulties exist which make compliance with provisions thereof not reasonably practicable.

(3) (a) Every seal erected to isolate or control a fire or spontaneous heating belowground shall be numbered, and shall be of adequate strength and shall be so maintained as to prevent any leakage of air or gas through it. Where water is likely to accumulate behind any such stopping, there shall be provided in the stopping a suitable pipe or other device to drain away the water without permitting any leakage of air or gas etc.

(b) Where in any mine or part thereof the provisions of clause (a) have not been complied with or where in the opinion of the Regional Inspector the steps so taken are inadequate, he may give notice in writing to the owner, agent or manager requiring him to take such protective measures, within such time, as he may specify therein. In case of non-compliance with the requirements of the notice, the Regional Inspector may, by an order in writing, prohibit until the requirements of the notice have been complied with to his satisfaction, the employment in the mine or part, of any person whose employment is not, in his opinion, necessary for the purpose of complying with the requirements aforesaid.

(4) A competent person shall, once at least in every seven days, inspect all seals erected to isolate or control a fire or spontaneous heating belowground. During every such inspection, he shall ascertain the general condition of every seal, check it for leakage and presence of gas, and ascertain the temperature and humidity of the atmosphere outbye the seal. For every seal, he shall place his signature, with date, on a check-board provided for the purpose at a suitable position on the seal; and this record shall be maintained for a period of not less than three months. A report of every such inspection shall also be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the inspection:

Provided that the Regional Inspector may, by an order in writing, require such inspection to be made at such shorter intervals as he may specify therein.

124. **Precautions against dust.**—To prevent the liberation and accumulation of dust and the propagation of air-borne dust, the following provisions shall have effect, namely—

- (1) (a) Dust shall be suppressed as close as possible to its source of formation.
- (b) As far as practicable, the velocity of air in any roadway or working place belowground shall be such as not to raise dust in the atmosphere.
- (2) During any operation of drilling:
  - (a) the production of dust shall be reduced by—
    - (i) using drill-bits which are sharp and of proper shape;
    - (ii) keeping suitable air pressure on the bit; and
    - (iii) clearing the cuttings from the bit;
  - (b) except in naturally wet ground, no person shall use, or cause or permit to be used, any power-drill unless a jet of water is directed onto the cutting edge of the drill throughout the drilling operations, or other equally efficient device approved by the Chief Inspector is provided so as to prevent the atmosphere being charged with dust:

Provided that where drilling is done by hand, it shall be sufficient if holes are kept constantly moist during such drilling; and

- (c) Where wet pneumatic drilling is performed, a sufficient quantity of water shall be made to flow through the drill to wet the cuttings. The water shall be turned on before turning on compressed air to the drill.

## (3) In any workings belowground—

- (a) before any shots are fired, the roof or back, hanging-wall, foot-wall and sides in the vicinity shall, where practicable and unless naturally wet throughout, be thoroughly wetted with water;
- (b) as far as practicable, the times for shot-firing shall be so chosen that a minimum number of persons are exposed to dust; and
- (c) after shots have been fired—
  - (i) the airborne dust in the place shall be actively removed by a current of air; and
  - (ii) after the place has been examined and declared safe, the face, walls and sides and all loose rock within a radius of 4.5 metres of the site of blasting shall be thoroughly wetted with water.

(4) (a) If any broken rock or ground is in a dusty condition, it shall not be moved unless it has been thoroughly wetted with water.

(b) When a tub is loaded with broken rock or other material, such material shall be thoroughly wetted with water unless it is already wet or other effective means of dust suppression are used.

(c) The descent of material in chutes, spiral conveyors, ore passes, tipplers, and skip loading and unloading installations shall be controlled so as to reduce the production of dust to the minimum.

(d) The vicinity of the top of the downcast shaft shall, as far as practicable, be kept clear of cinder heaps, sand, mortar, cement and other dry fine material, and such material shall be so handled as to prevent it from becoming airborne.

(e) If in any operation of loading, unloading, crushing or dressing of stone or minerals, dust is likely to be produced in such quantity as may be injurious to the health of persons, effective exhaust ventilation or efficient watering or other arrangements shall be provided and used.

(5) In case of a mine where, owing to special difficulties, it is not possible to use water for dust suppression as required by the sub-regulation (2), (3) and (4), the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant exemption from the provisions thereof.

(6) Where dust cannot be sufficiently suppressed to safe limits, the Chief Inspector may, by an order in writing, require that every person exposed to such dust shall be provided with a suitable respirator.

(7) The manager, the assistant manager and the underground manager shall take steps to ensure that every device used for the suppression of dust and every respirator is properly used and maintained.

(8) If any doubt arises as to whether any place is naturally wet or whether the steps taken to suppress dust under this regulation are adequate, it shall be referred to the Chief Inspector for decision.

125. **Precautions against irruption of gas.**—Where any working is extended to within 30 metres of any stoped-out area or disused workings containing or likely to contain an accumulation of inflammable or noxious gases, there shall be maintained at least one bore-hole not less than 1.5 metres in advance of the working. The operation of drilling the bore-hole shall be carried out under the supervision of a competent person; and where inflammable gas is present or likely to be present, no lamp or light other than an approved safety lamp or torch shall be used in any such working.

126. **Recovery and exploratory work.**—(1) After an explosion of inflammable gas has occurred in a mine, only such persons as are authorised by the manager or by the principal official present at the surface, shall be allowed to enter the mine.

(2) When it is intended or proposed to reopen a mine or part thereof, which has been isolated, sealed off or flooded with water to deal with a fire or spontaneous heating, the owner, agent or manager shall, not less than 14 days before the commencement of such work, give notice in writing of such intention or proposal to the Regional Inspector and the Chief Inspector.

(3) Where it is intended to carry out any exploratory work in a mine or part belowground likely to contain irrespirable atmosphere—

- (a) no party of less than three persons shall be allowed to proceed to carry out such work; and

(b) every such party shall carry a cage containing suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector and also an approved flame safety lamp.

127. **Danger from surface water.**—(1) Where any mine or part thereof is so situated that there is any danger of inrush of surface water into the mine or part, adequate protection against such inrush shall be provided and maintained. If any dispute arises as to whether such protection is adequate or not, it shall be referred to the Chief Inspector for decision.

(2) No workings shall be made in any mine vertically below—

- (a) any part of any river, canal, lake, tank or other surface reservoir; or
- (b) any spot lying within a horizontal distance of 15 metres from either bank of a river or canal or from the boundary of a lake, tank or other surface reservoir;

except with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

(3) Every application for permission under sub-regulation (2) shall be accompanied by two copies of a plan and section showing the existing position of the workings of the mine, the proposed layout of workings the depth of the workings from the surface, the position and depth of any stoped-out area in the neighbourhood, all faults and other geological disturbances and such other particulars as may affect the safety of the mine or of the persons employed therein.

*Explanation.*—Where sand or alluvium are lying in the course of a river, canal, lake, tank or reservoir, the depth from the surface shall be reckoned from the surface of hard ground underlying such sand or alluvium.

128. **Danger from underground inundation.**—(1) Proper provision shall be made in every mine to prevent irruption of water or other liquid matter from the workings of the same mine or of an adjoining mine.

(2) (a) No working which has approached within a distance of 60 metres of any disused or abandoned working (not being workings which have been examined and found to be free from accumulation of water or other liquid matter); whether in the same mine or in an adjoining mine, shall be extended further except with the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein:

Provided that if any heavy seepage of water is noticed in any working approaching, but not within 60 metres of, any such disused or abandoned working, such working shall be immediately stopped, and the Chief Inspector and the Regional Inspector shall forthwith be informed about the occurrence. The working shall not be extended further except with the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

*Explanation.*—For the purpose of this sub-regulation, the distance between the said working shall mean the shortest distance between the said workings measured in any direction whether horizontal, vertical or inclined.

(b) Every application for permission under clause (a) shall be accompanied by two copies of a plan and section showing the outline of such disused or abandoned workings in relation to the workings which are approaching the said workings and such other information as may be available in respect of the said workings.

(c) Except where otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, no such working shall exceed two meters in width or height; and there shall be maintained at least one bore-hole near the centre of the working face, and sufficient flank holes on each side and where necessary bore-holes above and below the workings, at intervals of not more than five metres. All such bore-holes shall be, and shall be constantly maintained, at sufficient distance in advance of the working; and such distance shall in no case be less than three metres. These precautions shall be carried out under the direct supervision of a competent person specially authorised for the purpose.

(d) The precautions laid down in clause (c) shall also be observed in any other working where any heavy seepage of water is noticed whether approaching disused or abandoned workings or not.

129. **Intentional flooding.**—(1) When the owner, agent or manager intends or proposes, by introducing water from the surface or from any other part of the mine or from an adjacent mine, to flood any part of the workings of his mine, he shall give in writing not less than 14 days' notice of such intention or proposal to the Chief Inspector and the Regional Inspector and to the management of all adjoining mines and of such other mines as might be affected by such flooding:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit such operations to be commenced on any day prior to the expiry of the said 14 days;

Provided further that the Regional Inspector may, by an order in writing, either prohibit any such operation or require that such operation shall not be commenced until such precautions as he may specify therein, have been taken to his satisfaction.

*Explanation.*—For the purposes of this sub-regulation, a mine shall have the meaning assigned to it under regulation 33.

(2) If the operations in respect of which notice is given under sub-regulation (1), are not commenced within 60 days from the expiry of the said 14 days, the notice shall be deemed to have lapsed and the provision of the sub-regulation (1) shall apply as if no such notice had been given.

130. **Construction of a reservoir, dam or other structure.**—(1) Where in any mine it is intended to construct a reservoir, dam or other structure to withstand a pressure of water or other material which will flow when wet, or to control an inrush of water (other than a reservoir, dam or structure for storing small quantities of water) the owner, agent or manager shall give in writing not less than 14 days' notice of such intention to the Regional Inspector. Every such notice shall be accompanied by two copies of plans and sections showing the design and other details of the proposed construction:

Provided that where the safety of the mine or of the persons employed therein is seriously threatened, the provisions of this regulation shall be deemed to have been complied with if the said notice is given to the Regional Inspector as soon as the work of construction is commenced;

Provided further that where such a reservoir, dam or other structure was constructed before the coming into force of these regulations, the said copies of the plans and sections shall be submitted to the Regional Inspector within three months of the coming into force of these regulations. Where these details are not available, the Regional Inspector shall be informed of the fact within the aforesaid period.

(2) The Regional Inspector may, by an order in writing, require such modification or alterations to be made in the design of any such reservoir, dam or structure, as he may specify therein.

## CHAPTER XIII

### VENTILATION

131. **Standard of ventilation.**—(1) It shall be the duty of the owner, agent or manager of every mine to take such steps as are necessary for securing that there is constantly produced in all parts of the mine belowground, ventilation adequate to clear away smoke, steam and dust; to dilute gases that are inflammable or noxious so as to render them harmless; to provide air containing a sufficiency of oxygen; and to prevent such excessive rise of temperature or humidity as may be harmful to the health of persons. If any doubt arises as to whether the ventilation in a mine or part thereof is adequate or not, it shall be referred to the Chief Inspector for decision.

(2) For the purpose of this regulation, a place shall not be deemed to be in a safe state for persons to work or pass therein if the air contains either less than 19 per cent of oxygen or more than 0.5 per cent of carbon dioxide or any noxious gas present in quantity likely to affect the health of any person; and such place shall not be deemed to be normally kept free from inflammable gas if the percentage of such gas at any point in that place exceeds one and a quarter.

(3) If with respect to any mine or part thereof the Regional Inspector is of the opinion that the ventilation is not adequate, he may, by an order in writing,

require the installation and maintenance of such a mechanical ventilator as is capable of producing adequate ventilation in the mine or part.

132. **Mechanical ventilators and their fittings.**—(1) Every mechanical ventilator shall be installed in a fire-proof housing situated at a safe distance from the opening, shaft or winze; and every mechanical ventilator, other than an auxiliary fan, shall be so designed and maintained that the current of air can be reversed when necessary.

(2) In every mine to which regulation 142 applies, if electricity is used for driving the mechanical ventilator, current shall be supplied to the drive motor of the ventilator through a separate circuit from the main distribution point of the mine.

(3) There shall be provided and maintained at every main mechanical ventilator—

(a) a suitable pressure-recording gauge or watergauge; and

(b) except where the ventilator is driven by a constant-speed drive, a recording instrument by which the speed of the ventilator shall be continuously registered.

(4) At every shaft or winze ordinarily used for lowering or raising of persons or material, where a mechanical ventilator is installed, there shall be provided a properly constructed air-lock:

Provided that unless the Regional Inspector so requires by an order in writing, the provision of this sub-regulation shall not apply to a shaft or winze where a mechanical ventilator was installed before the coming into force of these regulations.

(5) The flow of air produced by a mechanical ventilator shall, as far as practicable, be so arranged as to aid the natural ventilation.

(6) Every mechanical ventilator shall be in charge of a competent person appointed for the purpose, who shall not be entrusted with any other additional duties which may require him to go outside the fan house or which may interfere with his duties as incharge of the mechanical ventilator.

(7) In every mine in which a mechanical ventilator is in use, the quantity of air circulating in every ventilating district shall be measured once at least in every 30 days and recorded in a bound paged book kept for the purpose.

133. **Standing Orders.**—(1) The manager of every mine in which a mechanical ventilator other than an auxiliary fan is installed, shall submit to the Regional Inspector within 60 days of the coming into force of these regulations, and in case of a new installation, within 30 days of its installation, Standing Orders specifying the action that shall be taken with respect to the withdrawal of persons from the mine or part thereof in the event of a stoppage of the ventilator.

(2) The Regional Inspector may, by an order in writing, approve of such Standing Orders, either in form submitted to him or with such additions and alterations as he may think fit; and the Standing Orders so approved shall be enforced at the mine.

(3) A copy of the Standing Orders shall be posted in conspicuous places in the mine, both above and belowground.

134. **Splits and airways.**—(1) For the purpose of ventilation, every mine shall be divided into such number of districts or splits as to ensure that separate current of fresh air is made available in every such district or split.

(2) The intake air shall be so arranged as to travel away from all stagnant water.

(3) In any mine or part where a mechanical ventilator is used, every drive, crosscut, winze or rise which is a connection between a main intake airway and a main return airway shall, until it has ceased to be required and has been sealed off, be provided with at least two doors so spaced that whenever one door is opened, the other door can be kept closed. Steps shall be taken to ensure that at least one of the doors is always closed. Any such connection which has ceased to be so required, shall be effectively sealed.

135. **Brattices, doors, stoppings and aircrossings.**—(1) There shall be provided and maintained in every mine such number of stoppings, doors and other

devices as may be adequate to ensure compliance with the provisions of regulation 131. If any doubt arises as to the adequacy of such ventilation devices, it shall be referred to the Chief Inspector for decision.

(2) (a) The space between the frame of every ventilation door and the roof and sides of the road, shall be built up with masonry or concrete, not less than 25 centimetres in thickness.

(b) Every such door shall be self-closing; and whenever opened, it shall be closed as soon as possible, and shall not be propped or fixed so as to remain open.

(c) If such door is required to be frequently kept open for the passage of men or material, there shall be, throughout every working shift, a door-attendant at the door.

(d) Unless required for purposes of control of fire or otherwise, if a door is not in use, it shall be taken off its hinges and placed in such a position that it shall not cause any obstruction to the air current.

(3) (a) Every stopping between the main intake and main return airways shall be constructed of masonry or brickwork, not less than 25 centimetres in thickness or such greater thickness as may be required by the Regional Inspector, and shall be faced with a sufficient thickness of lime or cement plaster to prevent leakage of air.

(b) Every stopping in use shall be kept accessible for inspection.

(4) The partitions and walls of every air-crossing shall be not less than 25 centimetres in thickness if constructed of masonry or of concrete not properly reinforced, and not less than 15 centimetres in thickness if constructed of properly reinforced concrete.

(5) Every air-crossing, ventilation stopping, door or brattice shall be maintained in efficient working order and good repair.

(6) A competent person shall, once at least in every 30 days, examine every airway, air-crossing, ventilation stopping and door in use, and shall record the result thereof in a bound paged book kept for the purpose, and shall sign the same and date his signature.

136. Auxiliary fans.—(1) Every auxiliary fan:

(a) shall be installed, located and worked in such a manner that—

(i) a sufficient quantity of air shall, at all times, reach it so as to ensure that it does not re-circulate air; and

(ii) there is no risk of the air which it circulates being contaminated by any substantial quantity of inflammable or noxious gases or dust; and

(b) shall have an air-duct for conducting the air to or from the face or blind end; and such air-duct shall be so maintained as to minimise any leakage of air and to ensure an adequate supply of air to within 4.5 meters of the face or blind end.

(2) No auxiliary fan shall be started, stopped, removed, replaced or in any way altered or interfered with, except by or on the authority of an official.

(3) No person shall enter or remain in any place which is dependent for its ventilation on an auxiliary fan, unless such fan is operating efficiently. Whenever the ventilation of any such place has been interrupted, whether by the stoppage of the fan or otherwise, no person shall so enter or remain therein, except for the purpose of restoring the ventilation, unless the place has been examined by a competent person and declared safe.

137. Precautions against fire in ventilation appliances.—The covering of every shaft, winze or rise sealed off or covered for ventilation purposes, every fan drift, duct or casing and every part of a mechanical ventilator or fan within such drift, duct or casing, and every air-crossing and ventilation door shall be constructed of fire-proof material;

Provided that this regulation shall not apply to the small lid of a shaft covering operated by the rope cappel.

138. Ventilation plants to be brought up-to-date.—As soon as any alteration is made in the ventilation of a mine, involving the erection or removal of an air-crossing or stopping or the alteration in the position or installation of a ventilator belowground, the erection, removal, alteration or installation, as the case may be, shall be shown on the ventilation plan maintained under regulation 61.

139. Obstructions, interruptions and alterations.—(1) No material or debris shall be allowed to accumulate in any level, drive, crosscut or any other part of the working belowground so as to impede the ventilation.

(2) Every roadway and working belowground which is not adequately ventilated shall be fenced or barricaded so as to effectively prevent persons entering the same.

(3) If any person becomes aware of any obstruction in, or interference with, or deficiency of, ventilation in any mine or part thereof, he shall—

(a) if it falls within his power to remedy such obstruction, interference or deficiency, immediately take steps to do so; or

(b) cease all work at that place, and shall forthwith inform his superior official of such obstruction, interference or deficiency.

(4) Whenever there is any interruption of ventilation by the stoppage of any mechanical ventilator, including an auxiliary fan, installed belowground, the official in charge of the mine or part shall immediately take precautionary measures, including withdrawal of men, if necessary, against dangers that may arise out of non-compliance with the provisions of regulation 131, to restore the ventilation in the mine or part.

(5) No person shall alter the general system of ventilation in any mine or part except with the authority of the manager:

Provided that, in an emergency, an official of the mine may carry out such alteration as he may deem necessary for the safety of persons, but he shall as soon as possible inform his superior official and the manager about the same in writing.

140. Precautions against gas during dewatering and re-opening.—(1) No disused mine or shaft shall be de-watered except under the constant supervision of a competent person; and during such de-watering, approved safety lamps or torches shall be exclusively used, and there shall also be kept burning at every place where persons are at work at least one approved flame safety lamp.

(2) (a) The first inspection of a mine or part which is re-opened after a discontinuance of mining operations for a period exceeding seven days and of any part of a mine after being de-watered shall be made by a competent person with an approved flame safety lamp; and during such inspection, no additional light or lamp other than an approved electric torch or lamp shall be used.

(b) The result of every such inspection shall be recorded in a bound paged book kept for the purpose, and shall be signed and dated by the persons making the inspection, and countersigned and dated by the manager.

141. Precautions against inflammable and noxious gases.—(1) For the purpose of this regulation, inflammable gas shall be deemed to have been found or detected when it is indicated by the lowered flame of a flame safety lamp or, where methane indicators are used, they indicate one and a quarter per cent or more of inflammable gas.

(2) When any person detects the presence of inflammable gas, he shall not brush or waft it out, but shall immediately withdraw from the place and shall inform his superior official about the same.

(3) Where in any place in a mine inflammable or noxious gas is detected, all persons shall be withdrawn from the place, and the place shall be immediately fenced off so as to prevent persons inadvertently entering the same. The competent person in charge shall, without delay, take steps to remove the gas by improving the ventilation.

(4) During the removal of such gas all persons, except those necessary for such removal, shall be withdrawn from the return side of the ventilating district in which the gas has been detected, unless the quantity of gas is, in the opinion of the competent person, so small that such withdrawal is not necessary:

Provided that where the danger arises from the presence of inflammable gas, no naked light shall be used in the ventilating district in which the gas is detected.

(5) No person shall be re-admitted into the place where the gas was detected until a competent person has examined the place and has reported that the place is free from gas. Every such examination shall be made with an approved flame safety lamp and, in the case of noxious gas, also with a cage containing suitable birds or other means of detecting carbon monoxide gas approved by the Chief Inspector.

(6) Particulars of every occurrence referred to in sub-regulation (2) and of every examination made under sub-regulation (5), together with a statement as to where and when the gas was found and when it was removed, and in case of inflammable gas, the percentage thereof, shall be recorded in a bound paged book kept for the purpose. Every such entry shall be signed and dated by the competent person making the report, and countersigned and dated by the manager.

(7) In any part of a mine to which regulations 123(1) and 142 apply, or where the Regional Inspector may require by an order in writing, all unused workings which have not been sealed off, shall once at least in every seven days be inspected by a competent person for the presence of inflammable or noxious gas. A report of every such inspection shall be recorded in a bound paged book kept for the purpose, and shall be signed and dated by the person who made the inspection.

**142. Safety lamps to be used in gassy mines.**—No lamp or light other than an approved safety lamp or torch or other installation permitted under the Indian Electricity Rules 1956, shall be used or permitted to be used belowground in any mine,—

- (a) in any part of a mine in which an explosion or ignition of inflammable gas has occurred;
- (b) in any ventilating district in which inflammable gas has been found; and
- (c) in any place in which, in the opinion of the Regional Inspector, inflammable gas is likely to be present in such quantities as to render the use of naked lights dangerous:

Provided that if safety lamps are not immediately available in the case of any mine to which clauses (b) and (c) apply, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant a temporary exemption from the operation thereof until such time as safety lamps can be obtained:

Provided further that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, exempt any mine or part thereof from the operation of this regulation on the ground that on account of the special character of the mine or part, the use of safety lamps is not necessary therein.

**143. Contrabands.**—In every mine or part to which regulation 142 applies, the following provisions shall have effect, namely—

(1) No person shall have in his possession belowground any cigar, cigarette, 'biri' or other smoking apparatus, or any match or other apparatus of any kind capable of producing a light, flame or spark:

Provided that nothing in this sub-regulation shall be deemed to prohibit the use belowground of any apparatus for the purpose of shot-firing or of relighting safety lamps, of a type approved by the Chief Inspector.

(2) For the purpose of ascertaining whether any person proceeding belowground has in his possession any article as aforesaid, a competent person other than the banksman, if any, shall be appointed to search every such person immediately before he enters the mine. The competent person shall be on duty throughout the shift, and no duties other than those under this regulation and regulation 149(2) shall be entrusted to him.

(3) The competent person so appointed shall make a thorough search for the articles aforesaid and in particular shall—

- (a) search or turn out all pockets;
- (b) pass his hand over all clothings; and

(c) examine any article in the possession of the person searched.

Such search shall be made every time a person proceeds belowground notwithstanding that he has been so searched previously also.

(4) If the competent person suspects that the person searched is concealing any article as aforesaid, he shall detain him, and as soon as possible refer the matter to the manager or assistant manager or underground manager. No such person shall be allowed to enter the mine until the manager or other superior official is satisfied that the person has no such article in his possession.

(5) Any person who refused to allow himself to be so searched or who on being searched is found to have in his possession any of the article aforesaid, shall be guilty of an offence against this regulation.

**144. Determination of environmental conditions.**—In every mine having workings belowground extending to a depth of more than 50 metres from the surface, determinations shall, once at least in every 30 days be made of temperature, humidity and such other environmental conditions as the Regional Inspector may by an order in writing stipulate, at the blind end of every driftage and at such other points as the Regional Inspector may specify.

**145. Appointment of Ventilation Officer.**—In the case of any mine having extensive workings belowground, if the Chief Inspector by an order in writing so requires, the manager shall be assisted by a Ventilation Officer, holding such qualification as the Chief Inspector may specify in the order, who shall be responsible for supervising the maintenance of the ventilation system of the mine in accordance with the provisions of these regulations.

## CHAPTER XIV

### LIGHTING AND SAFETY LAMPS

**146. General lighting.**—(1) Adequate general lighting arrangements shall be provided during working hours—

(a) on the surface where the natural light is insufficient: in every engine house, in the vicinity of every working shaft, at every opencast working, at every shunting or marshalling yard, and at every place where persons have to work; and

(b) belowground—

(i) at every shaft landing and shaft bottom or siding which is in regular use;

(ii) in every travelling roadway normally used by 50 or more persons during any shift and in every working stope;

Provided that the provisions of this clause shall be deemed to have been complied with where electric or carbide lamps or lights are provided to every workperson;

(iii) at the top and bottom of every self-acting incline in regular use;

(iv) at every place on a haulage roadway, at which tubs are regularly coupled or uncoupled or attached to or detached from a haulage rope;

(v) at every place at which tubs are regularly filled mechanically;

(vi) at every room and place containing any engine, motor or other apparatus in regular use;

(vii) at every first aid station belowground.

Provided that in a mine or part where regulation 142 applies, the lighting fixtures shall comply with the provisions of the Indian Electricity Rules, 1956.

(2) The lighting provided in a mine shall, as far as possible, be so arranged as to prevent glare or eye-strain.

(3) Where electric energy is available at the mine, the lighting arrangement made under sub-regulation (1) shall unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify be by electrical means.



(4) Where electric lighting is used, an additional light or lamp having no connection with electric supply shall be kept continuously burning—

(i) belowground, in every shaft bottom or landing in regular use and in every engine room; and

(ii) on the surface, after dark, at the top of every working shaft and in every engine room.

(5) Every electrical lamp-fitting shall be so constructed as to protect it from accidental damage; and adequate precautions shall be taken to prevent lamps being damaged from shotfiring.

147. Every person to carry a light.—The owner, agent or manager shall provide every person employed belowground with a light or lamp adequate to enable him to perform his duties in a proper and thorough manner; and no such person shall proceed or remain belowground without such light or lamp.

148. Standards of lighting.—(1) If any doubt arises as to whether any lamp or light is of adequate lighting performance or not, it shall be referred to the Chief Inspector for decision.

(2) The Chief Inspector may, from time to time, by notification in the Official Gazette, specify—

(a) the type of lamp to be provided to specified categories of persons employed in a mine; or

(b) the standard of lighting to be provided in specified areas or places in a mine.

149. Maintenance and examination of safety lamps.—In every mine or part thereof in which the use of safety lamps is for the time being required by or in pursuance of the regulations, the following provisions shall have effect, namely—

(1) A competent person appointed for the purpose shall clean, trim, examine and lock securely all such lamps before they are issued for use, and no such lamp shall be issued for use unless it is in safe working order and securely locked.

(2) A competent person appointed for the purpose shall examine every safety lamp at the surface immediately before it is taken belowground for use; and shall assure himself, as far as practicable from external observation, that such lamp is in safe working order and securely locked. The person so appointed shall not perform any other duties other than those prescribed under regulation 143(2).

(3) A competent person appointed for the purpose shall examine every safety lamp on its being returned after use. If on such examination any lamp is found to be damaged or misused, he shall record the nature of the damage or misuse in a bound paged book kept for the purpose. Every such entry shall be countersigned and dated by the manager.

(4) The manager, assistant manager, underground manager, or a competent person appointed for the purpose shall, once at least in every seven days, examine thoroughly every safety lamp in use, and shall record the result of examination of every such lamp in a bound paged book kept for the purpose.

(5) No person shall be appointed as a competent person under this regulation unless he holds a Gas-testing Certificate.

150. Use of safety lamps.—(1) Every safety lamp shall be numbered; and as long as the lamp is in use, the number thereof shall be maintained in a legible condition.

(2) A competent person appointed for the purpose shall maintain a correct record of the lamps issued from and returned to the lamp-room, and in the record so maintained, the number of the lamp issued to any person shall be entered against his name.

(3) If any person returns to the lamp-room a lamp other than the one issued to him, he shall explain the cause and circumstances of the change.

(4) No unauthorised person shall either himself take or give out any safety lamp from the lamp-room.

(5) Every person who receives a lamp shall satisfy himself that it is complete and in good order; and should he find any defect therein, he shall immediately return it to the lamp-room.

(6) No person shall wilfully damage or improperly use, or unlock or open, or attempt to unlock or open any safety lamp.

(7) Should any person find that the safety lamp in his possession has become defective, he shall at once carefully extinguish the flame, if any, and report the defect to his superior official.

151. Maintenance and repairs of safety lamps.—(1) Every safety lamp shall be properly assembled and maintained in good order. If any lamp is found to be defective or damaged, it shall not be issued for use until the defect or damage has been remedied.

(2) If the wires of any gauge of a flame safety lamp are broken or burnt away, the gauze shall not be reconditioned for further use.

(3) Damaged and defective gauzes, glasses and other parts of a safety lamp shall not be kept or stored in the safety lamp-room.

(4) No glass of a safety lamp and no bulb of an electric safety lamp, shall be replaced except by a glass or bulb of such type as the Chief Inspector may, from time to time specify by notification in the Official Gazette; and no other part of a safety lamp (other than a wick or battery, as the case may be) shall be replaced except by a part manufactured by the manufacturers of the lamp to approved specifications. No repaired part shall be used in a safety lamp.

(5) In every flame safety lamp kept for the purpose of inspection or of testing for or detecting the presence of inflammable gas, no oil other than an oil of a type approved by the Chief Inspector shall be used.

152. Precautions to be taken in safety lamp-room.—(1) No unauthorised person shall enter the safety lamp-room.

(2) No person shall smoke in the safety lamp-room.

(3) Where petrol, benzol, or any other highly volatile spirit is used in safety lamps, the following precautions shall be observed—

(a) lamps shall be cleaned, refitted and refilled in a separate room;

(b) only such quantity of volatile spirit as is required for one working day shall be kept in any such room;

(c) internal relighters shall not be taken out of lamps and cleaned, repaired or refitted on the same table where lamps are cleaned, refitted or refilled; and

(d) adequate number of suitable fire extinguishers shall be provided and kept ready for use in every such room.

## CHAPTER XV

### EXPLOSIVES AND SHOTFIRING

153. Type of explosives to be used in mines.—No explosive shall be used in a mine except that provided by the owner, agent or manager. The explosives provided for use shall be of good quality and, as far as can be known, in good condition.

154. Storage of explosives.—(1) No owner, agent or manager shall store, or knowingly allow any other person to store, within the premises of a mine any explosives otherwise than in accordance with the provisions of rules made under the Indian Explosives Act, 1884.

(2) Explosives shall not be taken out of or kept in any building except a magazine duly approved by the Licensing Authority under the Indian Explosives Act, 1884:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use of any store or premises specially constructed at or near the entrance to a mine, for the temporary storage of explosives intended for use in the mine or of surplus explosives brought out of the mine at the end of a shift.

(3) Explosives shall not be stored belowground in a mine except with the approval in writing of the Chief Inspector and subject to such conditions as he may specify therein. Such storage shall be done only in a magazine or magazines duly licenced in accordance with the provisions of rules made under the Indian Explosives Act, 1884.

(4) Every licence granted by the Licencing Authority under the Indian Explosives Act, 1884 for the storage of explosives, or a true copy thereof, shall be kept at the office of the mine.

**155. Cartridges.**—(1) Unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, no explosive, other than a fuse or a detonator, shall be issued for use in a mine, or taken into or used in any part of a mine, unless it is in the form of a cartridge. Cartridges shall be used only in the form in which they are received.

(2) The preparation of cartridges from loose gunpowder, the drying of gunpowder and the reconstruction of damp cartridges shall be carried out by a competent person and only in a place approved by the Licencing Authority and in accordance with the rules made under the Indian Explosives Act, 1884.

**156. Magazines, stores and premises to store explosives.**—(1) Every magazine, or store or premises, where explosives are stored shall be in charge of a competent person who shall be responsible for the proper receipt, storage and issue of explosives.

(2) Explosives shall not be issued from the magazine unless they are required for immediate use. If any explosives are returned to the magazine or store or premises, they shall be re-issued before fresh stock is used.

(3) Explosives shall be issued only to competent persons upon written requisition signed by the blaster or by an official authorised for the purpose and only against their signature or thumb impression. Such requisition shall be preserved by the person in charge of the magazine or store or premises.

(4) The person in charge of the magazine or store or premises shall maintain in a bound paged book kept for the purpose, a clear and accurate record of explosives issued to each competent person and a similar record of explosives returned to the magazine or store or premises.

**157. Cases and containers for carrying explosives.**—(1) No explosive shall be issued from the magazine or taken into any mine except in a case or container of substantial construction and securely locked. Cases or containers made of iron or steel shall be heavily galvanised; and no case or container provided for carrying detonators shall be constructed of metal or other conductive material.

(2) No detonator shall be kept in a case or container which contains other explosives, materials or tools; and two or more types of detonators shall not be kept in the same case or container:

Provided that nothing in this sub-regulation shall restrict the conveyance of primer cartridges fitted with detonators in the same case or container for use in a wet working or in a sinking shaft or winze.

(3) No detonator shall be taken out from a case or container unless it is required for immediate use.

(4) No case or container shall contain more than five kilogrammes of explosives; and no person shall have in his possession at one time in any place more than one such case or container:

Provided that nothing in this sub-regulation shall prohibit the conveyance of larger quantity of explosives in bulk for supplying an underground magazine.

Provided further that the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the carrying of larger quantity of explosives in a single case or container, or the use, at one time in one place, of more than one such case or container.

(5) Every case or container shall be numbered; and as far as practicable the same case or container shall be issued to the same blaster or competent person, as the case may be, every day.

(6) The key of every case or container shall be retained by the blaster in his own possession throughout his shift.

**158. Transport of explosives.**—(1) While explosives in bulk are lowered or raised in a shaft or winze, a distinguishing mark shall be attached to the cage, skip or bucket containing the explosives; or the person in charge of explosives shall travel in the same cage, skip or bucket.

(2) Every cage, skip or bucket containing explosives shall be gently lowered or raised; and it shall be the duty of the banksman or bellman, as the case may be, to adequately warn the winding engineman before the cage, skip or bucket is set in motion.

(3) Where explosives are being carried on a ladder, every case or container shall be securely fastened to the person carrying it.

(4) No person other than a blaster shall carry any priming cartridge into a shaft which is in the course of being sunk. No such cartridge shall be so carried except in a thick felt bag or other container sufficient to protect it from shock.

**159. Reserve Stations.**—No case or container containing explosives shall be left or kept belowground except in a place appointed by the manager or assistant manager or underground manager for the purpose and so situated that it is not frequented by workpersons. Every such place shall be kept clean, safe and adequately fenced, and legibly marked 'RESERVE STATION'.

**160. Blasters.**—(1) The preparation of charges and the charging and stemming of holes shall be carried out by or under the personal supervision of a competent person, in these regulations referred to as a 'blaster'. The blaster shall fire the shots himself.

(2) No person shall be appointed to be a blaster unless he is the holder of Manager's, Foreman's, Mate's or Blaster's Certificate.

(3) If 30 or more persons are employed belowground at any one time in any mine or district under the charge of a competent person referred to in regulation 116, such person shall not perform the duties of a blaster.

(4) No person whose wages depend on the amount of mineral, rock or debris obtained by firing shots, shall be appointed to perform the duties of a blaster.

(5) The manager shall fix, from time to time, the maximum number of shots that a blaster may fire in any one shift; and such number shall not unless the Regional Inspector by an order in writing and subject to such conditions as he may specify therein otherwise permits, exceed 80 in case they are fired electrically or by means of an igniter cord and 50 in other cases, and shall be based upon—

- (i) the time normally required to prepare and fire a shot in accordance with the provisions of these regulations;
- (ii) the time required for that blaster to move between places where shots are fired;
- (iii) the assistance, if any, available to him in the performance of his said duties; and
- (iv) any other duties assigned to him, whether statutory or otherwise.

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify, permit the manager to fix the maximum number of shots to be fired by a blaster differently from the limits specified in this sub-regulation.

(6) The number of detonators issued to and in the possession of, a blaster during his shift shall not exceed the maximum number of shots that he is permitted to fire under sub-regulation (5).

**161. Shotfiring tools.**—(1) Every blaster on duty shall be provided with—

- (a) a suitable electric lamp or torch;
- (b) a tool, made entirely of wood, suitable for charging and stemming shot-holes;
- (c) a scraper made of brass or iron, suitable for cleaning out shot-holes;
- (d) where fuses are used, a knife for cutting off fuses and, unless machine-capped fuses are provided, also a pair of suitable crimpers for crimping detonators; and
- (e) where detonators are used, a picker made of wood or a non-ferrous metal for priming cartridges.

(2) No tool or appliance other than that provided as above shall be used by a blaster.

**162. Drilling, charging, stemming and firing of shotholes.**—(1) No drill shall be used for boring a shothole unless it allows a clearance of at least 0.3 centimetres over the diameter of the cartridge of explosive which it is intended to use.

(2) No shothole shall be charged before it is thoroughly cleaned.

(3) Before any shothole is charged, the direction of the hole shall, where practicable, be distinctly marked on the roof or other convenient place.

(4) No detonator shall be inserted into a priming cartridge until immediately before it is to be used: however that in case of wet workings, priming cartridges may be prepared at the nearest convenient dry place; and such primed cartridges shall be carried to the working place in a securely closed case or container. Detonators once inserted into a priming cartridge shall not be taken out.

(5) Unless otherwise permitted by the Chief Inspector by an order in writing and subject to such conditions as he may specify therein, the charge in any shothole shall consist of one or more complete cartridges of the same diameter and the same type of explosive.

(6) The blaster shall, to the best of his judgment, ensure that no charge in a shothole is overcharged or undercharged, having regard to the task to be performed.

(7) No shothole shall be fired by a fuse less than 1.2 metres in length.

(8) Every shothole shall be stemmed with sufficient and suitable non-inflammable stemming so as to prevent the shot from blowing out. Only sand loosely filled in, or soft clay lightly pressed home, or a compact but not hard mixture of sand and clay or water shall be used as stemming.

(9) In charging or stemming a shothole, no metallic tool, scraper or rod shall be used; and no explosive shall be forcibly pressed into a hole of insufficient size.

(10) No shot shall be fired except in a properly drilled, charged and stemmed shothole.

(11) Blasting gelatine or other high explosives shall not be lighted in order to set fire to fuses; but specially prepared 'kai-pieces' of such explosives may be so used. Such 'kai-pieces' shall be prepared only in the magazine, and a correct record of the issue, use and return of such 'kai-pieces' shall be maintained in the books kept under regulations 156(4) and 169(b).

(12) All surplus explosives shall be removed from the vicinity of a shothole before a light is brought near it for the purpose of lighting the fuse.

(13) As far as practicable, a shot shall be fired by the same blaster who charged it.

(14) In any mine in which explosives other than gunpowder are used, every shot shall, if so required by the Regional Inspector, be fired electrically.

(15) Not more than 10 holes shall be fired in one round unless they are fired electrically or by means of an igniter cord.

(16) No shothole shall be charged except those which are to be fired in that round; and all shotholes which have been charged shall be fired in one round.

(17) Where a large number of shots has to be fired, shotfiring shall, as far as practicable, be carried out between shifts.

(18) No person shall remove any stemming otherwise than by means of water or an approved device, or pull out any detonator lead or remove any explosive from any charged shothole.

**163. Electric Shotfiring.**—Where shots are fired electrically, the following provisions shall have effect, namely:—

(1) (a) No shot shall be fired except by means of a suitable shotfiring apparatus; and the number of shots fired at any one time by the apparatus shall not exceed the number for which it is designed.

(b) Every electrical shotfiring apparatus shall be so constructed and used that—

- (i) it can only be operated by a removable handle or plug. This handle or plug shall not be placed in position until a shot is about to be fired and shall be removed as soon as a shot has been fired; and
- (ii) the firing circuit is made and broken either automatically or by means of a push-button switch.

(c) (i) No apparatus shall be used which is defective; and every apparatus shall, once at least in every three months, be cleaned and thoroughly overhauled by a competent person.

(ii) If the apparatus fails to fire all the shots in a properly connected circuit, the blaster shall return the apparatus to the manager or assistant manager or underground manager as soon as possible, and it shall not be used again unless it has been tested on the surface and found to be in safe working order.

(iii) The result of every overhaul test or repair as aforesaid shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person making the overhaul, test or repair.

(2) No current from a signalling, lighting or power circuit shall be used for firing shots.

(3) The blaster shall—

- (a) retain the key of the firing apparatus in his possession throughout his shift;
- (b) use a well-insulated cable of sufficient length to permit him to take proper shelter, and in no case, shall this cable be less than 20 metres in length;
- (c) before coupling the cable to the firing apparatus, couple up the cable himself to the detonator leads;
- (d) take care to prevent the cable from coming into contact with any power or lighting cable or other electrical apparatus;
- (e) take adequate precautions to protect electrical conductors and apparatus from injury;
- (f) himself couple the cable to the firing apparatus; and before doing so, see that all persons in the vicinity have taken proper shelter as provided under regulation 164; and
- (g) after firing the shots and before entering the place of firing, disconnect the cable from the firing apparatus.

(4) When more than one shot are to be fired at the same time—

- (a) care shall be taken that all connections are properly made;
- (b) all shots if fired belowground shall be connected in series;
- (c) the circuit shall be tested either for electrical resistance or for continuity before connecting it to the firing apparatus. Such a test shall be made with an apparatus specifically designed for the purpose and after the provisions of regulation 164 have been complied with; and
- (d) the cable to the shotfiring apparatus shall be connected last.

**164. Taking shelter, etc.**—(1) The blaster shall, before a shot is charged, stemmed or fired, see that all persons in the vicinity have taken proper shelter. He shall also take suitable steps to prevent any person approaching the shot and shall himself take adequate shelter.

Provided that in a opencast working the blaster shall give sufficient warning, by an efficient system of signals or by other means approved by the manager, over the entire area of the danger zone, that is to say unless otherwise permitted in writing by the Chief Inspector and subject to such conditions as he may specify therein an area of ground falling within a radius of 300 metres from the place of firing.

(2) Where the workings, either above or belowground, offer insufficient protection against flying fragments or missiles, adequate shelter or other protection shall be provided.

(3) When two working places belowground have approached within three metres of each other, the blaster shall not fire any shot in any one of the said

workings unless all persons have been withdrawn from the other working place and the same has been so fenced off as to prevent persons inadvertently coming in direct line of the shot.

(4) Where shots are to be fired in two or more adjoining stopes, the blasters shall so arrange to time the firing of shots that shots in only one of the stopes are fired at one time.

**165. Use of Permitted Explosives.**—(1) No explosive other than a Permitted Explosive shall be used in any mine or part to which regulation 142 applies or where the Regional Inspector may, by an order in writing, require the use of such explosive.

(2) In any mine or part in which the use of Permitted Explosives is required under sub-regulation (1), no detonator shall be used unless it is an electric detonator with a copper tube.

(3) No shot of a Permitted Explosive shall be fired except by means of a shot-firing apparatus of a type approved by the Chief Inspector from time to time by notification in the Official Gazette:

Provided that where special conditions exist, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the use of any other shot-firing apparatus.

(4) In any mine to which regulation 142 applies, the following provisions shall have effect, namely:—

- (a) Notwithstanding anything contained in the regulations, no shot shall be a stemmed or fired by any person who does not hold either a Manager's Certificate, or Foreman's or Mate's Certificate together with a Gas-testing Certificate.
- (b) Where more shots than one are charged for firing, the shots shall be fired simultaneously. No delay-action detonator shall be used, except with the previous permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.
- (c) If in a ventilating district, presence of inflammable gas is detected in any place, no shothole shall be charged, stemmed or fired in that place or in any other place situated on its return side till such place has been cleared of gas and declared safe.
- (d) Immediately before charging a shothole or a round of shotholes, and again before firing the shots, the blaster shall carefully test for inflammable gas at all places within a radius of 20 metres of the place of firing.

**166. Inspections after shot-firing.**—(1) After a shot has been fired, no person other than the blaster or any other competent person holding a Manager or Foreman certificate appointed for the purpose by the Manager shall enter, or allow any other person to enter, the place until the area is free from dust, smoke or fumes. The blaster or other competent person shall, before any other person enters the place, make a careful examination and with his assistants, if any, make the place safe. No other person shall enter the place and where guards have been posted, they shall not be withdrawn until the examination has been made and the place has been declared to be safe in all respects. In the case of opencast workings, after shots have been fired, an all-clear signal shall be given except in the case of a misfire.

(2) After shots have been fired, all persons engaged in clearing mineral, rock or debris shall look for unexploded cartridges and detonators. If such a cartridge and detonator is found, it shall be removed and shall as soon as possible be handed over to a blaster or other official.

**167. Misfires.**—(1) The number of shots which explode shall, unless shots are fired electrically or by means of an igniter cord, be counted by the blaster and another competent person authorised for the purpose; and unless it is certain that all the shots have been exploded, no person shall re-enter or be permitted to re-enter the place until 30 minutes after the firing of shots:

Provided that where shots are fired electrically, this interval may be reduced to not less than five minutes after the source of electricity has been disconnected from the cable.

(2) In the event of a misfire, the entrance or entrances to the working place shall be barricaded or fenced so as to prevent inadvertent access; and no work

other than that of locating or relieving the misfire shall be done therein until the misfire has been located and relieved. In opencast workings, it shall be sufficient to mark the place of the misfire with a red flag.

(3) In the event of a misfire, the tamping may be slugged out with compressed air or water under pressure, or removed by such other means as may be approved in writing by the Chief Inspector and subject to such conditions as he may specify therein. The hole shall thereafter be reprimed and fired.

(4) If the misfire contains a detonator, the leads or fuse thereof shall be attached by a string to the shotfiring cable or some distinctive marker.

(5) Except where the misfire is due to a faulty cable or a faulty connection, and the shot is fired as soon as practicable after the defect is remedied, or where a shot has been reprimed and fired under sub-regulation (3), another shot shall be fired in a relieving hole which shall be so placed and drilled in such a direction that at no point shall it be nearer than 30 centimetres from the misfired hole. The new hole shall be bored in the presence of a blaster, preferably the same person who fired the shot.

(6) After a relieving shot has been fired, a careful search for cartridges and detonators, if any, shall be made in the presence of the blaster or other competent person holding a Manager's or Foreman's certificate appointed for the purpose by the Manager amongst the material brought down by the shot:

Provided that in the case of workings belowground if such cartridge or detonator is not recovered, the tubs into which the material is loaded shall be marked and a further search made on the surface. As far as possible, the search for the detonators and cartridges and the loading of any ore stone or debris which may contain a detonator, shall be carried out without the aid of tools.

(7) If a misfired hole is not dislodged by a relieving shot, the procedure laid down in sub-regulations (5) and (6) shall be repeated. A misfired hole which cannot be dealt with in the manner so prescribed, shall be securely plugged with a wooden plug; and no person other than a blaster, a mining official or a person authorised for the purpose shall remove or attempt to remove such plug.

(8) When a misfired shot is not found, or when a misfired shot is not relieved or reblasted, the blaster shall, before leaving the mine, give information of the failure to such official as may relieve or take over charge from him. He shall also record, in a bound paged book kept for the purpose, a report on every misfire, whether suspected, and whether relieved or not relieved. It shall be the responsibility of the relieving blaster or official also to sign the report and later to record in the said book the action taken for relieving the misfired shothole.

(9) The blaster of the next shift shall locate and reblast the misfired hole, but if after a thorough examination of the place where the misfire was reported to have occurred, the blaster or other competent person holding a Manager's or Foreman's certificate appointed for the purpose by the Manager, is satisfied that no misfire had actually occurred, he may permit drilling in the place.

**168. Precaution in case of sockets etc.**—(1) Before the commencement of drilling in any working place, the competent person in charge of the place shall see that all loose rock is removed from the face and the area lying within a radius of two metres of the proposed shothole is thoroughly cleaned or washed down with water and carefully examined for the presence of misfires or sockets:

Provided that where special conditions exist, the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, grant a relaxation from these provisions.

(2) If any socket is found, it shall be dealt with in the manner prescribed in regulation 167.

(3) No person shall bore out a hole that has once been charged, or attempt to withdraw a charge either before firing or after a misfire, or deepen or tamper with any empty hole or socket left after shotfiring.

**169. Duties of blaster at the end of his shift.**—Immediately after the end of his shift, the blaster—

- (a) shall return all unused explosive to the magazine, or where a store or premises or underground magazine is provided under regulation 154, to such store or premises or magazine; and

(b) shall record, in a bound paged book kept for the purpose, the quantity of explosive taken, used and returned, the places where shots were fired and the number of shots fired by him, and misfires, if any. Every such entry shall be signed and dated by him.

**170. General precautions regarding explosives.**—(1) No person, whilst handling explosives or engaged or assisting in the preparation of charges or in the charging of holes, shall smoke or carry or use a light other than an enclosed light, electric torch or lamp:

Provided that nothing in this sub-regulation shall be deemed to prohibit the use of an open light for lighting fuses.

(2) No person shall take any light other than an enclosed light, electric torch or lamp into any explosive magazine or store or premises.

(3) No person shall have explosives in his possession except as provided for in these regulations, or secrete or keep explosives in a dwelling house.

(4) Any person finding any explosives in or about a mine shall deposit the same in the magazine or store or premises. Every such occurrence shall be brought to the notice of the manager in writing.

## CHAPTER XVI

### MACHINERY AND PLANT

**171. Use of certain machinery belowground.**—(1) No internal combustion engine or steam boiler shall be used belowground in a mine except with the permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.

(2) In every mine or part of a mine to which regulation 142 applies, only flame-proof electric apparatus and equipment shall be used belowground unless otherwise provided for under the Indian Electricity Rules, 1956.

**172. General provisions about construction and maintenance of machinery.**—All parts and working gear, whether fixed or movable, including the anchoring and fixing appliances, of all machinery and apparatus used as or forming part of the equipment of a mine, and all foundations in or to which any such appliances are anchored or fixed shall be of good construction, suitable material, adequate strength and free from visible defect, and shall be properly maintained.

**173. Apparatus under pressure.**—(1) All apparatus, used as or forming part of the equipment of a mine, which contains or produces air, gas or steam at a pressure greater than atmospheric pressure shall be so constructed, installed and maintained as to obviate any risk of fire, bursting, explosion or collapse or the production of noxious gases.

(2) Every air receiver forming part of a compressing plant shall be fitted with a safety valve and an air gauge which shows pressure in excess of the atmospheric pressure.

(3) Before an air-receiver is cased in or put in commission, the engineer or other competent person shall subject it to a hydraulic test at a pressure at least one-and-a-half times the maximum permissible working pressure. A similar test shall be made after every renewal or repair and in any case at intervals of not more than three years. The result of every such test shall be recorded in a bound paged book kept for the purpose and shall be signed and dated by the person carrying out the test.

(4) The supply of air for air-compressors shall be drawn from a source free from dust and fumes.

**174. Precautions regarding moving parts of machinery.**—(1) Every winch or windlass shall be provided with a stopper, pawl or other reliable holder.

(2) Every fly-wheel and every other dangerous exposed part of any machinery used as, or forming part of, the equipment of a mine shall be adequately fenced by suitable guards of substantial construction to prevent danger; and such guards shall be kept in position while the parts of the machinery are in motion or in use, but they may be removed for carrying out any examination, adjustment or repair if adequate precautions are taken.

(3) No person shall, or shall be allowed to, repair, adjust, clean or lubricate machinery in motion where there is risk of injury.

(4) No person shall, or shall be allowed to, shift or adjust a driving belt or rope while the machinery is in motion unless a proper mechanical appliance is provided and used for the purpose.

(5) No person in close proximity to moving machinery shall wear, or be permitted to wear, loose outer clothing.

(6) No unauthorised person shall enter any engine room or in any way interfere with the engine.

**175. Engine rooms and their exits.**—Every engine, motor and transformer room on the surface and every room in which highly inflammable materials are stored on the surface shall be kept clean, and be provided with at least two exits. Every such exit shall be properly maintained and kept free from obstruction.

**176. Working and examination of machinery.**—(1) No machinery shall be operated otherwise than by or under the constant supervision of a competent person.

(2) In every mine to which regulation 142 applies, no person shall be appointed to supervise or operate any electrical machinery, apparatus or appliance other than a telephone or signalling device or an electric lamp or light unless he holds a Gas-testing Certificate.

(3) Every person in charge of any machinery, apparatus or appliance shall, before commencing work, see that it is in proper working order; and if he observes any defect therein, he shall immediately report the fact to the manager, engineer or other competent person.

(4) Every person in charge of an air-receiver shall see that no extra weight is added to the safety valves and that the permissible pressure of air is not exceeded.

(5) A competent person or persons appointed for the purpose shall, once at least in every seven days, make a thorough inspection of all machinery and plant in use, and shall record the result thereof in a bound paged book kept for the purpose.

## CHAPTER XVII

### MISCELLANEOUS

**177. Fences.**—(1) Every tank or reservoir or other dangerous place in or about a mine, which has been formed as a result of, or is used in connection with, mining operations, shall be kept securely fenced.

(2) Every fence erected on the surface shall, once at least in every seven days, be examined by a competent person. A report of every such inspection shall be recorded in a bound paged book kept for the purpose, and shall be signed and dated by the person who made the examination.

(3) Any fence, gate or barricade may be temporarily removed for the purpose of repairs or other operations, if adequate precautions are taken.

(4) If any doubt arises as to whether any fence, guard, barrier or gate provided under these regulations is adequate, proper or secure, or as to whether the precautions taken under sub-regulation (3) are adequate, it shall be referred to the Chief Inspector for decision.

**178. Notices.**—Where at any place smoking or unauthorised entry is prohibited, notice to that effect shall be posted at conspicuous places at every entrance to the place.

**179. Storage belowground of calcium carbide.**—Calcium carbide shall not be taken or kept belowground until about to be used, except in a secure metal case or container containing not more than half a kilogramme in weight thereof. No person shall have in the mine at any one time more than one such case or container.

**180. Danger from poisonous substances.**—(1) At every mineral dressing or separating plant where cyanide or other poisonous substance is used, there shall be kept a sufficient supply of a satisfactory and efficient antidote for poisoning.

(2) Water containing poisonous or injurious matter in suspension or solution must be effectively fenced off to prevent inadvertent access to it, and notice

boards shall be put up at suitable places to warn persons from making use of such water.

(3) In no case shall water containing any poisonous matter in suspension or solution in a dangerous concentration be permitted to escape.

181. **General Safety.**—No person shall negligently or wilfully do anything likely to endanger life or limb in the mine, or negligently or wilfully omit to do anything necessary for the safety of the mine or of the persons employed therein.

182. **Use of protective equipment.**—Where it appears to the Regional Inspector or the Chief Inspector that any person or class of persons is exposed to undue hazard by reason of the nature of his employment, he may, by a general or special order, require the provision and use of gloves, boots, hard hats, goggles or other protective equipment.

183. **Information about sickness.**—Every official or competent person shall, in case of sickness or of absence, give early and sufficient notice thereof to his superior official or the underground manager or the assistant manager or the manager, as the case may be, so that a substitute may be arranged.

184. **Man-power Distribution Plan.**—During the first week of every month, a survey shall be made of the number of persons normally employed in every district and other places belowground in the mine; and a sketch plan showing the results of such a manpower survey, and signed and dated by the manager, shall be kept in the office of the mine and a copy thereof shall be kept with the attendance clerk.

185. **Mining Mates and Mine Foreman.**—(1) No person shall be appointed as a competent person under regulations 37(1), 72, 101, 120(2), 123(4), 135(5), 136(3) and 140(2) unless he is the holder of either a Foreman's or a Manager's Certificate:

Provided that in the case of a mine having workings belowground, the certificate aforesaid shall be one which is not restricted to mines having opencast workings only.

(2) No person shall be appointed as a competent person under regulations 116, 117, 125, 128(2)(c), 140(1) and 141, unless he is the holder of either a Mate's or a Foreman's or a Manager's Certificate:

Provided that—

(a) in the case of a mine having workings belowground, the certificate aforesaid shall be one which is not restricted to mines having opencast workings only; and

(b) in the case of a mine to which regulation 142 applies, every person holding a Mate's or Foreman's Certificate shall also hold a Gas testing Certificate.

186. **Delayed application of certain provisions.**—The provisions of regulations 32, 34, 35, 37, 38, 160(2), 176(2) and 185 shall not come into force in respect of any mine and the provisions of Regulation 78(1) shall not come into force in respect of any mine other than a gold mine until such date or dates as the Central Government may notify in that behalf in the Official Gazette:

Provided that, till such date as aforesaid, if any doubt arises as to whether any person appointed as a manager, assistant manager, underground manager, surveyor, mine foreman, mining mate, winding engineman or blaster is competent to perform the duties assigned to that post, it shall be referred to the Chief Inspector for decision.

187. **Officials to be literate.**—After the coming into force of these regulations, no person shall be appointed as an official of a mine unless he is literate and is conversant with the language of the district in which the mine is situated or with the language understood by a majority of the persons employed in the mine: Provided that this regulation shall not apply to any official employed in any mine on the date of coming into force of these regulations:

Provided further that so much of this regulation as requires a person to be conversant with the language of the district or of the majority of persons shall not apply to assistant managers, underground managers, engineers, and surveyors.

188. **Writing of reports.**—If any person required to make any report is unable to write, he shall be present when his report is written for him, and shall have it read over to him, and shall then attach his thumb mark to it or sign it. The person writing the report shall certify that it has been read over to the person for whom it was written, and shall sign the certificate and date his signature.

189. **Payment of fees.**—Any fees payable under these regulations shall be paid directly into the Treasury or a branch of the State Bank of India or by means of a Crossed Indian Postal Order and the receipt of the Treasury or Bank or Postal Order shall be sent to the Chief Inspector along with the application to which the fee relates.

190. **Place of accident not to be disturbed.**—When any accident in a mine results in serious bodily injury to three or more persons or in any loss of life, the place of accident shall not be disturbed or altered before the arrival of without the consent of an Inspector unless such disturbance or alteration is necessary to prevent further accidents, to remove bodies or to rescue persons from danger, or unless discontinuance of work at the place would seriously impede the working of the mine:

Provided that should an Inspector fail to make an inspection within 72 hours of the time of the accident, work may be resumed at the place of the accident.

191. **Taking samples from mines.**—Where for official purposes, an Inspector considers it necessary to take samples of any mineral, rope or other material, the owner, agent or manager shall make over to him such samples in such quantities as he may require.

192. **Signing of returns, notices and correspondence.**—All returns and notices required under, or correspondence made in connection with, the provisions of the Act and of the regulations, and orders made thereunder shall be signed by the owner, agent or manager of the mine:

Provided that the owner may, by a Power of Attorney, delegate this function to any other specified person.

193. **Chief Inspector etc. to exercise powers of the Regional Inspector.**—Any power granted under these regulations to the Regional Inspector may be exercised by the Chief Inspector or an Additional Chief Inspector or a Deputy Chief Inspector or any other Inspector authorised in writing in this behalf by the Chief Inspector.

194. **Appeals to the Chief Inspector.**—Against an order made by the Regional Inspector under any of these regulations, an appeal shall lie, within 15 days of the receipt of the order by the appellant, to the Chief Inspector who may confirm, modify or cancel the order.

195. **Appeals to the Mining Boards or the Central Government.**—(1) Against any order of the Chief Inspector specified below an appeal shall lie, within 20 days of the receipt of the order by the appellant, to the Mining Board constituted under Section 12 of the Act or, if no Mining Board has been constituted for the area in which the mine or part thereof is situated, to the Central Government:

(i) Original orders passed under proviso to regulation 34(2), regulation 107(3), regulation 109(1) and 109(4), regulation 110, regulation 111(2), regulation 123 (1), regulation 127(2) and regulation 128(2).

(ii) Orders passed on appeal against Regional Inspector's orders made under regulation 108, clause (a) of regulation 112(2), clause (e) of regulation 119(3) and clause (b) of regulation 123(3).

(2) Every order of the Chief Inspector against which an appeal is preferred under sub-regulation (1) shall be complied with pending the receipt at the mine of the decision of the Mining Board or of the Central Government, as the case may be:

Provided that the Mining Board or the Central Government, as the case may be, may on application by the appellant suspend the operation of the order appealed against pending the disposal of the appeal.

196. **Repeal and Saving.**—The Indian Metalliferous Mines Regulations, 1926 and the Mysore Gold Mines Regulations, 1953 are hereby repealed:

Provided that all acts done or orders issued under any of the said regulations shall, so far as they are not inconsistent with these regulations, be deemed to have been done or issued under the corresponding provisions of these regulations.

## FIRST SCHEDULE

## FORM I

(See Regulations 3, 6, 7, 8)

Notice of opening, Closing or Change etc.

From \_\_\_\_\_

To \_\_\_\_\_

1. The Chief Inspector of Mines \_\_\_\_\_, Dhanbad, E. R.
2. The Regional Inspector of Mines, \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Sir,

I have to furnish the following particulars in respect of (i) \_\_\_\_\_ at \_\_\_\_\_  
 (name) \_\_\_\_\_ (mineral) mine of \_\_\_\_\_  
 (owner) :

1. \*In case of CHANGE OF NAME OF MINE :  
 old name of mine \_\_\_\_\_ date of change \_\_\_\_\_
  2. (a) Situation of the mine : Village \_\_\_\_\_ Police  
 Station \_\_\_\_\_ Sub-Division (Taluk) \_\_\_\_\_  
 District \_\_\_\_\_ State \_\_\_\_\_  
 \* (b) In case of A NEW MINE, particulars of situation of mine :  
 Post office \_\_\_\_\_ Telegraph Office \_\_\_\_\_  
 Railway Station \_\_\_\_\_ Rest House \_\_\_\_\_  
 (Give distances therefrom)  
 Means of travelling \_\_\_\_\_
- |  | Present | Previous* |
|--|---------|-----------|
| 3. (a) Name and Postal address of (ii)   |         |           |
| (a) Owner . . . . .  | .       | .         |
| (b) Managing agent, if any . . . . .   | .       | .         |
| (c) Agent, if any . . . . .  | .       | .         |
| (d) Manager . . . . .  | .       | .         |
| (b) In case of change, date of change _____  |         |           |
| *4. (a) Name and qualifications etc. of Manager/Assistant Manager<br>Underground Manager/Engineer Surveyor (iii) whose ap-<br>pointment is terminated/who is appointed (iii) : |         |           |
| (b) Date of appointment/termination of appointment (iii) :   |         |           |
| *5 Date on which it is intended to open/re-open/abandon/discon-<br>tinue (iii) the mine :  |         |           |
| *6 Actual date of opening/re-opening/abandonment/discontinuance<br>(iii) of the mine :   |         |           |

Yours faithfully,

Signature \_\_\_\_\_  
 Owner/Agent/Manager.  
 Designation

Date \_\_\_\_\_

## INSTRUCTIONS

- (i) Mention the matter to which the notice refers.
- (ii) Need not be filled in if the notice relates to Item 4.
- (iii) Delete whatever is not applicable.

\*Only such columns to be filled in respect of which notice is given.

## FIRST SCHEDULE

## FORM II

(See Regulation 4)

Quarterly Return for the quarter ending \_\_\_\_\_ 19 \_\_\_\_\_

1. Name of mine \_\_\_\_\_ Mineral worked \_\_\_\_\_  
 Postal address of Mine \_\_\_\_\_
2. Situation of Mine : Place \_\_\_\_\_ District \_\_\_\_\_  
 State \_\_\_\_\_
3. Name of Owner \_\_\_\_\_  
 Postal address of owner \_\_\_\_\_
4. Name of managing agents, if any \_\_\_\_\_  
 Postal address of managing agents \_\_\_\_\_
5. Name of agent, if any \_\_\_\_\_  
 Postal address of agent \_\_\_\_\_
6. Name of manager \_\_\_\_\_  
 Postal address of manager \_\_\_\_\_
7. Tables A to C duly filled in, are attached.

Certified that the information given above and in Tables A to C below is correct to the best  
 of my knowledge.

Signature \_\_\_\_\_

Designation : Owner/Agent/Manager \_\_\_\_\_

Date \_\_\_\_\_

TABLE A  
MACHINERY

(1)

Number in use.

## 1. Rock-drills :

- (i)
- (ii)
- (iii)

## 2. Heavy earth-moving machinery :

- (i)
- (ii)
- (iii)
- (iv)
- (v)

## 3. Mechanical loaders used below ground :

- (i)
- (ii)
- (iii)

## 4. Conveyors :

- (i)
- (ii)
- (iii)

(2)

Signature of person  
 signing the Return \_\_\_\_\_

## INSTRUCTIONS

- (1) Give types.
- (2) Give length in metres.

TABLE B

## NUMBER OF MAN-DAYS, ETC.,

Give maximum number of persons employed on any one day during the quarter—

(i) in workings belowground on -----(a)

(ii) in all in the mine on -----(a)

Number of working days during the quarter :

Aggregate number of man-days worked		Aggregate number of man-days lost on account of absence					Total
(b)	(c)	Sickness	Accident	Leave	Other cause	(d)	
Men	Women						
<i>Below Ground :</i>							
(i) Face Workers and Loaders							
(ii) Others							
<i>Opencast Workings :</i>							
(i) Miners & Loaders							
(ii) Others (f)							
<i>Above ground :</i>							
TOTAL							

If there is any marked increase or decrease in attendance or absence, please account for it

Signature of person

Signing the Return

## INSTRUCTIONS

- Give day of the week and the date and month.
- This form should cover all persons "Employed" in the mine as defined in clause (b) of Section 3 of the Mines Act, 1952, including clerical and subordinate supervisory staff.
- Total number of man-days worked should be obtained by adding the daily attendance for the whole quarter.
- Total number of man-days lost by absence be obtained by adding the daily absences for the whole quarter.
- Reasons should include all cases in which a person is "scheduled to work" or is expected to turn up for work, but does not. All permanent employees are to be treated as "scheduled" to work. So far as temporary or casual employees are concerned, a person who attended work during the preceding week should be considered as scheduled to work during the week under consideration unless :
  - he has reported his intention to quit, or
  - his services have been terminated by the management, or
  - he does not turn up for work during the whole week.
 A person who has not worked during the preceding week, should be considered as "scheduled" to work only from the day in which he joins work during the week under consideration. Absence due to strike, lockout, lay-off or maternity leave should not be included as absence here.
- Persons employed in the removal of overburden should be included amongst "others" and not among "miners and Loaders".

TABLE C : HOURS OF WORK AND EARNINGS

Information should be furnished in respect of one complete working week during the last month of the quarter (a).

## I. Attendances, man-hours worked and cash earnings.

	Average daily attendance during the week (b)	Aggregate number of man hours worked during the week (c)	Total cash payments for work done during the week (d)			
			Basic wages	Dearness allowance	Other cash payments (e)	Total
			Rs.	Rs.	Rs.	Rs.
<i>Below Ground :</i>						
(i) Mine Foreman and Mining Mates						
(ii) Face Workers and Loaders						
(iii) Others						
<i>Opencast Workings.</i>						
(i) Mine Foreman and Mining Mates						
(ii) Miners & Loaders						
(iii) Others (men)						
(f) (Women)						
<i>Above Ground :</i>						
(i) Clerical and Supervisory staff						
(ii) Others (men)						
( Women )						
2. Total estimated value of concessions in kind (g) given during the week : Rs			-----			
3. Normal hours of production shifts :			-----			
			From		To	
1st Shift			-----			
2nd Shift			-----			
3rd Shift			-----			
4. Number of working days in the week			-----			
5. If there is any major change in wages or hours of work as compared to the preceding quarter, please account for the change here.			-----			
			Signature of person			
			signing the Return-----			



## INSTRUCTIONS

- (a) The information should cover all persons "employed" as in Table C. Particulars relating to payments etc. to monthly-paid staff should be included on a *pro-rata* basis.
- (b) Average daily attendance should be obtained by dividing the aggregate number of attendances on all the shifts on all days during the week by the number of working days. Any day on which the mine did not work, for any cause whatsoever, should not be treated as a working day.
- (c) Aggregate number of man-hours worked during the week should be obtained by adding for the whole week, the number of man-hours worked every day. The number of man-hours worked on a day is obtained by summing up the number of hours worked by each person attending work on each of the shifts during the day, including overtime worked, if any.
- (d) Total cash payments should include all remuneration payable (and paid) for work done during the week before making deductions, if any, towards fines, provident fund contributions, etc. Employers' contributions to the provident fund or on account of welfare provisions should not be included. Bonuses not payable for every pay-period should also not be included.
- (e) Including over-time payments.
- (f) Persons employed in the removal of overburden should be included among "Others" and not among "Miners and Loaders" or "Face Workers and Loaders."
- (g) Concessions in kind (such as supply of food-staff etc., free or at subsidised prices) should be estimated in terms of the difference between the monetary value of the food stuffs etc. at cost price and the value realised by sale at concessional price.

## FIRST SCHEDULE

## FORM III

(See Regulation 5)

Annual Return for the year ending on the 31st December, 19

1. Name of Mine—\_\_\_\_\_ Mineral worked—\_\_\_\_\_
2. Postal address of mine—\_\_\_\_\_
3. Date of opening—\_\_\_\_\_
4. Date of closing (if closed)—\_\_\_\_\_
5. Situation of mine District—\_\_\_\_\_ State—\_\_\_\_\_
6. Name of Owner—\_\_\_\_\_ Postal address of Owner—\_\_\_\_\_
7. Name of Managing Agents (if any)—\_\_\_\_\_ Postal address of Managing Agents—\_\_\_\_\_
8. Name of Agent (if any) as defined in section 2 (c) of the Mines Act, 1952—\_\_\_\_\_ Postal address of Agent—\_\_\_\_\_
9. Name of Manager—\_\_\_\_\_ Postal address of Manager—\_\_\_\_\_
10. Other superior supervisory staff employed as at the end of the year. (Please give designations and numbers employed).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 11 (a) Whether machinery is used—\_\_\_\_\_
- (b) Nature of power used, if any (e.g. electricity, steam, compressed air, etc.)—\_\_\_\_\_

12. Tables A to E2 duly filled in, are attached.

Certified that the information given above and in Tables A to E2 below is correct to the best of my knowledge.

Signature—\_\_\_\_\_

Designation : Owner/Agent/Manager—\_\_\_\_\_

Date—\_\_\_\_\_

TABLE A.—EMPLOYMENT

Minimum number of persons employed on any one day during the year—

- (i) in workings below ground on \_\_\_\_\_ (a) \_\_\_\_\_
- (ii) in all in the mine on \_\_\_\_\_ (a) \_\_\_\_\_

Classification	Total number of man-days worked during the year (b)			Number of days worked during the year	Average daily number of Persons employed (c)			Total wages or salary bill for the year (d)	
	Direct Labour	Contract labour	Total		Men	Women	Adolescents		Total
(1)	(2A)	(2B)	(2C)	(3)	(4A)	(4B)	(4C)	(4D)	(5)

## Below ground :

- (i) Foreman and Mining Mates
- (ii) Face workers and Loaders
- (iii) Others

## Opencast Workings :

- (i) Foreman and Mining Mates
- (ii) Miners and Loaders
- (iii) Others (e)

## Above grounds :

- (i) Clerical and Supervisory staff (excluding the superior supervisory staff mentioned in item 10 of Form III)
- (ii) Workers in any attached factory, work-shop or mineral dressing plant.
- (iii) Others

TOTAL

Signature of person signing the Return \_\_\_\_\_

## INSTRUCTIONS

- (a) Give day of the week and the month.
- (b) Obtained by adding the daily attendances for the whole year.
- (c) Obtained by dividing the number of man-days worked by the number of working days. The total shown in column (2C) should agree with the quotient obtained by dividing the total shown in column (2C) by the number of working days shown in column (3).
- (d) Includes all cash payments including bonuses, Employers' contributions to provident funds, welfare activities, etc. and concessions in kind should not be included.
- (e) Persons employed in the removal of overburden should be included among "Others" and not among Miners & Loaders or Workers and Loaders."

TABLE B : TYPE AND AGGREGATE HORSE-POWER OF ELECTRICAL APPARATUS

## 1. Electricity generated, purchased or received otherwise (in kwh).

Generated	Purchased or received
-----------	-----------------------

- (a) For own use  
(b) For sale

## 2. System of supply (whether direct current or alternating current) :—

- (i) Voltage of supply.  
(ii) Periodicity.  
(iii) Source of supply.

## 3. Voltage at which current is used for :—

Above ground	Below ground
--------------	--------------

- (i) Lighting  
(ii) Power

## 4. Length of cables (in metres)

- (i) High pressure  
(ii) Medium pressure

## 5. Total number and aggregate horse-power of motors.

	In use		In reserve	
	Number of units	Total h.p.	Number of units	Total h.p.

## (a) Installed above ground for :

- (i) Winding  
(ii) Ventilation  
(iii) Haulage  
(iv) Pumping  
(v) Mineral treatment plants.  
(vi) Workshops including foundry, smithy etc.  
(vii) Miscellaneous (specify)

TOTAL

In use In reserve

Number of units Total h. p. Number of units Total h. p.

## (b) Installed below ground for :

- (i) Winding  
(ii) Haulage  
(iii) Ventilation  
(iv) Pumping  
(v) Other portable machines (drills, etc.)  
(vi) Conveyors, loaders, scrapers, etc.  
(vii) Electric traction (locomotives etc.)  
(viii) Miscellaneous (specify)

TOTAL

Signature of person signing the Return

TABLE C.—TYPE AND AGGREGATE HORSE-POWER OF MACHINERY AND EQUIPMENT OTHER THAN ELECTRICAL APPARATUS

In use In reserve

Number of units Total h. p. Number of units Total h. p.

## I. Power generators:

- (a) Boilers  
(b) Steam Turbines  
(c) Diesel Engines  
(d) Gasoline, Gas or oil Engines other than Diesel Engines  
(e) Hydraulic Turbines or Water Wheels  
(f) Air Compressors

TOTAL

## II. Machinery installed above ground for :—

- (i) Winding  
(ii) Ventilation  
(iii) Haulage  
(iv) Pumping  
(v) Mineral dressing plants  
(vi) Workshops including smithy, foundry, etc.  
(vii) Miscellaneous (specify)

TOTAL

	In use		In reserve	
	Number of units	Total h. p.	Number of units	Total h.p.

III. Machinery installed below ground for :-

- (i) Winding
- (ii) Haulage
- (iii) Ventilation
- (iv) Pumping
- (v) Locomotive etc.
- (vi) Miscellaneous (Specify)

\_\_\_\_\_

\_\_\_\_\_

TOTAL

\_\_\_\_\_  
*Signature of person signing the Return*

TABLE D: EXPLOSIVES, SAFETY LAMPS, ROCK DRILLS AND MECHANICAL VENTILATORS

1. Explosives.

Name of explosive	Quantity used (in Kgm.)	Number of detonators used	
		Electric	Ordinary

2. Safety Lamps.

Name and type of safety lamps*	Number of safety lamps according to method of locking		
	Lead rivet	Magnetic	Other

\*Mention type, such as flame type, electric hand type, electric cap type etc.

3. Rock Drills.

Name and type etc. of rock drill	Number in use
----------------------------------	---------------

4. Mechanical Ventilators

Name and size of Mechanical Ventilator	Position where installed	Average total quantity of air delivered per minute	Water gauge obtained (in centimetres)
--	--------------------------	--	---------------------------------------

\_\_\_\_\_  
*Signature of person signing the Return*

(a) (b)  
TABLE E1 : OUTPUT ETC. OF MICA

	Opening stocks on 1st January 19	Output during the year	Value of mica produced (C)	Despatches		Closing Stock on 31st December, 19
				Consigned by rail or road	Sold locally	
Crude Mica						
Dressed Mica						
Mica Splittings						
Waste Mica						

Signature of person

signing the Return

INSTRUCTIONS.

- (a) In Kilogrammes.
- (b) If any other mineral such as beryl is also produced from the mine, give particulars regarding such minerals in Table E2.
- (c) The value required is the pit-head or ex-factory value. Royalty figures will not be accepted in place of value.

(a)  
TABLE E2 ; OUTPUT ETC. OF MINERALS OTHER THAN MICA

Name of mineral raised (b)	Opening stock on 1st January 19	Output of the mineral (c)		Value of the mineral produced (d)	Despatches		Closing stock on 31st December, 19	Metal extracted, if any, at the mine (e).		
		As received from the mine.	After processing if any.		For export market	For house consumption		Name	Quantity	Value
1	2	3A	3B	4	5A	5B	6	7A	7B	7C

Signature of person

signing the Return

INSTRUCTIONS

- (a) The figures should be stated :
  - (i) in the case of gem-stones, in carats ;
  - (ii) in the case of gold, silver and other precious metals, in grammes ;
  - (iii) in the case of alum, amber, asbestos, beryl, graphite, jadestone, steatite, tin-ore, tungsten-ore, radio-active minerals and rare minerals such as molybdenite monazite, pitch blende, samarskite, tantalite and triplite, and also in case of tin, in kilogrammes ; and
  - (iv) in the case of clay, limestone, magnesite, marble, phosphetic rock, slate, salt, and other stone, and all metalliferous ores except those referred to above, and also in case of other metals, in tons.
- (b) If more than one minerals are raised or metals extracted, separate figures should be given for each of them.
- (c) If the mineral is dressed, processed or treated before despatch, the output of the dressed, processed or treated mineral (instead of crude ore), as the case may be, should be given.
- (d) "Value" should be calculated upon actual or estimated selling price at the pit-head. Any charges incurred in transporting the mineral outside the mine property should not be included. Royalty figures will not be accepted.
- (e) Each metal should be shown separately.

FIRST SCHEDULE  
FORM IV-A

(See Regulation 9)

Notice of Accident/Occurrence

From

To

1. The Chief Inspector of Mines, Dhanbad, E. Rly.
2. The Regional Inspector of Mines, .....
3. The District Magistrate/District Collector, .....
4. The Electric Inspector of Mines (in case of electrical accidents only, Dhanbad), E. R.

Sir,

I have to furnish the following particulars of a fatal accident/a serious accident/a dangerous occurrence (i) which occurred at the ..... Mine (also state name of mineral produced) of .....(owner):

1. PARTICULARS OF THE MINE :

Situation of mine	Mineral worked	Name and postal address of Owner
Village		
Post Office		
Police Station		
Sub-Division (Taluq)		
District		
State		

2. PARTICULARS OF THE ACCIDENT :

Date and hour of accident/ Occurrence	Place and Location in mine	Number of person(s)	
		Killed	Seriously injured

Classification of accident/occurrence (ii)	Its cause and description

3. PARTICULARS OF INJURIES ETC :

Name of person (s) (iii)	Nature of employment	Age	Sex	Nature of injury and if fatal, cause of death (iv)
<b>Killed.</b>				
1.				
2.				
3.				
<b>Injured.</b>				
1.				
2.				
3.				

Particulars in respect of every person, killed or injured, in Form IV-B are enclosed/shall be forwarded within a week. (i)

Yours faithfully,

Signature.....  
Designation : Owner/Agent/Manager.  
Date.....

INSTRUCTIONS

- (i) Delete whatever is not applicable.  
(ii) Under one or other of the following heads, namely :

1. Explosion and ignition of inflammable gas :
2. Falls of ground :
  - (a) Falls of roof :
  - (b) Falls of side, wall or face ;
  - (c) Rockburst.
3. Haulage :
  - (a) Above ground ;
  - (b) Below ground ;
4. In shafts :
  - (a) Overwinding of cages or other means of conveyance ;
  - (b) Breakage of ropes, chains or drawgear ;
  - (c) While ascending or descending by machinery ;
  - (d) By falling ;
  - (e) By falling objects (excluding falls of ground) ;
  - (f) Miscellaneous ;
5. Explosives ;
6. Machinery,
  - (a) Above ground ;
  - (b) Below ground ;
7. Suffocation by gases ;
8. Irruption of water ;
9. Premature collapse of workings ;
10. Outbreak of fire or spontaneous heating ;
11. At railway sidings belonging to the mine ;
12. Electricity ; or
13. Miscellaneous,
  - (a) Above ground ;
  - (b) Below ground ;

(iii) In block capital.

(iv) Attach Separate Sheet, if necessary.

FIRST SCHEDULE

FORM IV-B

(See Regulation 9)

Particulars of Deceased/Injured person.

(To be given separately in respect of every person killed or injured in an accident in the mine)..

1. General :

- (i) Name of mine .....
- (ii) Mineral produced .....
- (iii) Owner .....
- (iv) District .....
- (v) State.....

2. Name of injured Worker : .....

3. Time of Accident :

- (i) Date ..... Time ..... (iii) Shift .....
- (iv) Number of shifts worked per day at the mine .....
- (v) Time when the worker began work on the day of the accident .....

## 4. Occupation and Experience of the Worker :

- (i) State the nature of job he was doing at the time of accident .....
- (ii) Was it his regular occupation ? .....
- (a) If yes, state length of experience at the occupation :  
at your mine .....  
previous experience, if any .....
- (b) If no, state how long employed at this job .....
- (iii) State total experience in mining, coal and metalliferous .....
- (iv) Give details of experience in mining work .....

## 5. Place of Accident :

- (i) If below ground, state :  
(a) Whether development area or depillaring/stopping area .....
- (b) Number or Name of Seam/Vein .....
- (c) Dimensions at the place of accident .....
- (ii) If on surface, state whether on railway, tramway, power plant or elsewhere (to be specified) .....
- (iii) If other, state whether open-workings, shaft or elsewhere (to be specified) .....

## 6. Nature of Injury :

- (i) State whether fracture, amputation, laceration, bruise, sprain, crushing injury or other (to be specified) .....
- (ii) Part of body injured (to be specified precisely) .....

## 7. Degree of Disability :

- (i) If fatal, date and time of expiry .....
- (ii) If permanent disablement, specify :-  
(a) The part or parts of the body lost, if any .....
- (b) The part or parts of body gone out of use .....
- (c) Whether disablement, was total or partial .....
- (iii) If temporary disablement, state number of days forced to remain idle .....

## 8. Responsibility for the Accident :

- (i) Was any safety provision(s) contravened ? .....
- (ii) If so, by whom ? .....
- (iii) What action was taken against the offender ? .....
- (iv) Could the accident have been avoided ? .....
- (v) If so, how ? .....

Signature .....

Designation : Owner/Agent/Manager.

Date .....

FIRST SCHEDULE

FORM IV-C

(See Regulation 9)

Particulars of Injured Person returned to duty.

(To be given separately in respect of every person within 15 days of his return to duty).

## I. GENERAL :

- (i) Name of mine .....
- (ii) Mineral produced .....
- (iii) Owner .....
- (iv) District .....
- (v) State .....

2. NAME OF INJURED WORKER : .....

## 3. RETURN TO DUTY :

- (i) Date when returned to work .....
- (ii) Whether returned to regular job or some other job (To be specified) .....

## 4. COMPENSATION :

State amount of compensation paid, or to be paid, if any .....

Signature .....

Designation : Owner/Agent/Manager .....

Date .....

FIRST SCHEDULE

FORM V

(See Regulation 10)

Notice of Disease notified under Section 25.

From .....

To

1. The Chief Inspector of Mines, Dhanbad, E. R.
2. The Regional Inspector of Mines, .....
3. The Inspector of Mines (Medical), Dhanbad, E. R.
4. The District Magistrate/District Collector .....

Sir,

I have to furnish the following particulars with respect to an occupational disease, contracted by a person employed in the ..... mine (also state name of mineral produced) of ..... (owner).

## I. PARTICULARS OF MINE ETC :

- (i) Situation of mine :  
Village .....
- Post Office .....
- Police Station .....
- Sub-Division (Taluq) .....
- District .....
- State .....
- (ii) Mineral worked .....
- (iii) Name and postal address of owner .....

## 2. PARTICULARS OF PERSONS AFFECTED :

- (i) Name (in Block Capitals) .....
- (ii) Caste or surname .....
- (iii) Permanent address—  
Village .....
- Police Station .....
- Post Office .....
- District .....
- Sub-Division (Taluq) .....
- State .....
- (iv) Sex .....
- (v) Date of birth (or age) .....
- (vi) Occupation .....
- How long engaged ? .....

(vii) Date of commencement of employment :

- (a) in your mine \_\_\_\_\_
- (b) in mining \_\_\_\_\_

3. PARTICULARS OF DISEASE ETC :

- (i) Nature of disease from which the person is suffering (state stage) \_\_\_\_\_
- (ii) Date of detection of disease \_\_\_\_\_
- (iii) Name, registration number and address of Medical Practitioner suspecting disease \_\_\_\_\_

Signature \_\_\_\_\_  
 Designation: Owner/Agent/Manager \_\_\_\_\_  
 Date \_\_\_\_\_

SECOND SCHEDULE - 169 -  
 CONVENTIONS FOR PREPARING PLANS AND SECTIONS  
 SEE REGULATION 60(2)

		SYMBOLS	REMARKS
1	COORDINATE LINES		IN BLACK
2	BOUNDARY OF MINING LEASE HOLD		IN RED
3	OUTCROP OF REEF, VEIN, LODE ETC.		IN YELLOW
4	OUTCROP OF DYKE		IN BROWN
5	SUBSIDENCE OF SURFACE		IN RED
6	PROHIBITED MINING AREA		IN RED
7	(a) BOREHOLE (VERTICAL) FROM SURFACE		IN RED
	(b) BOREHOLES (INCLINED) " "		IN RED
	(c) BOREHOLES (UNDERGROUND)		IN RED
8	(a) SHAFTS		IN BLACK
	(b) ABANDONED SHAFTS		IN BLACK
9	WINZES		ACCORDING TO SHAPE
10	ADIT		
11			
12	LEVELS		
13	VERTICAL PROJECTION OF UNDERGROUND WORKINGS		IN BLACK
14	(a) PACKS AND SAND FILL		IN BLACK
	(b) WASTE ROCK FILLING		IN BLACK
	(c) GRANITE PACK WALLS		IN BLACK
15	(a) FAULT PLANES		IN GREEN
	(b) PEGMATITE INTRUSIONS		IN BLUE

- 161 -		SYMBOLS	REMARKS
16	DYKES		IN BROWN
17	DATE OF LAST SURVEY		IN BLACK
18	(a) SURVEY STATIONS		IN BLACK
	(b) PERMANENT STATION		
19	BENCH MARK		IN BLACK
20	(a) BRICK, STONE OR CONCRETE VENTILATION STOPPINGS		IN BLACK
	(b) HORIZONTAL SEALS		IN BLACK
21	BRATTICE		IN RED
22	(a) FIRE DAMS OR SEALS, OPEN		IN RED
	(b) FIRE DAMS OR SEALS, CLOSED		IN RED
23	WATER DAMS		IN BLUE
24	(a) DOORS OPEN		IN BLACK
	(b) DOORS CLOSED		IN BLACK
25	REGULATORS		IN RED
26	AIR CROSSINGS		
27	(a) DIRECTION OF AIR CURRENT INTAKE		IN BLUE
	(b) RETURN		IN RED
28	AUXILIARY FAN		IN BLACK
29	TELEPHONES		IN GREEN
30	UNDERGROUND AMBULANCE STATION (IN RED)		IN RED
31	FIRE REFUGE CHAMBER		IN BLACK
32	UNDERGROUND MAGAZINE		
33	PUMP STATION		IN BLUE



C O R R I G E N D A

In the Ministry of Labour and Employment Notification  
No.GSR 337 published in the Gazette of India, Part II,  
Section 3, sub-section (i) dated the 11th March, 1961  
the following corrections shall be made.

\*\*\*\*\*

Page.	Regulation No.	For	Read.
1.	2.	3.	4.
360	Place and date	New Delhi, the 18th October 1960	New Delhi, the 11th March 1961.
360	2(5)	"banksmon"	"banksman"
364	10	sent	send
366	Proviso to 15(b)	obtain first-aid certificate	obtain such first- aid certificate
366	Proviso to 15(c)(i)	certificate be	certificate shall be
366	16(1)	provision	provisions
369	23(a)(ii)	provision	provisions
380	46(1)(b)	below ground shall	below ground he shall
386	56(8)	set or tubs	set of tubs
390	62	previous years	previous year
393	73 heading	Provision of ladder- ways etc.	Provision of ladderways.
395	80(3) (last line)	one and a half degree	one and a half degrees
395	80(4)(a) (first line)	drugs	drums
396	82(4)	other means of conveyance is that at a distance	other means of conveyance is at a distance
396	83 (second line)	lin the course	in the course
397	84(4)	other means of conveyance at	other means of conveyance is at
399	84(10)(b)	in every such cage	in every such case
405	95(3)(c)	runnings	running
407	95(6)(f)	rope of chain	rope or chain
410	104(8)	buffer or a locomotive	buffer of a locomotive
410	106(1)(b)	2:5	2.5
412	111(1) (second line)	boundaries	boundary
412	111(2)	the said work workings	the said workings

1.	2.	3.	4.		
412	112(2)(a)	handing wall	hanging wall		
413	116(3)(b) (second line)	required	requires		
415	118(5)(b)(ii)	0.20 metre	0.20 metres	444	I
415	118(5)(b)(ii)	0.35 metre	0.35 metres	450	I
420	128(2)(a) (second line)	working	workings	454	Fo
420	128(2)(a) Explanation	working	workings	457	(I
422	133(2)	in form	in the form		
423	136(1)(b)	4.5 meters	4.5 metres		
432	Proviso to 164(1)	a opencast	an opencast		
433	166(1)	Manager or Foreman certificate	Manager's or Fo certificate		
433	166(1)	blaster of other competent person	blaster or othe competent perso		
436	178(second line)	notice	notices		
439	Form I item 3(b)	(b)	*(b)		
439	Form I item 4(a)	and	and		
439	Form I item 4(a)	Engineer Surveyor	Engineer/Surveyor		
439	Form I	Owner/Agent/Manager Designation	Designation: Owner/ Agent/Manager		
440	Table A Instruction (1)	(1) Give types.	(1) Give types separately.		
441	Table B Instruction(d)	absence be obtained	absence should be obtained		
441	Table B Instruction (e)(iii)	"scheduled"to work	"scheduled to work"		
443	Table G Instruction (g)	food-staffs	Food staffs		
443	-do-	letc.	etc.		
444	Table A - Employment (first line)	Minimum number	Maximum number		
444	Table A Below ground:	(i)Foreman	(i) Foremen		
444	Table A Opencast Workings:	(i)Foreman	(i) Foremen		
444	Table A	Abovegrounds	Aboveground		

1.	2.	3.	4.
444	Instruction (e)	Workers and Loaders". "Face Workers and Loaders"	
450	Instruction (a)(iii)	Steatitute	Steatite
454	Form V item 2	PERSONS	PERSON
457	(In the end)	[No. AII-1(39)58]	[No. 1(39)58-MI]

\*\*\*\*\*

.....

A British workshop struck work where it was notified that as per fixation of their pay under T.C.P.C. their pay will be deducted and in the end management agreed to postpone it for two months in the meantime the negotiation is continuing with the Govt of India & N.C.D.C. on this issue.

In this connection please let me know whether Rao or K. G. has met Sri Cheddilal Dy. Secy. Steel, Mines & Fuel Ministry as we requested you?

Yours,  
Chaturman



To  
All India Trade Union Congress  
4, Asoke Road  
New-Delhi

that N.C.D.C. is also requesting for a parliamentary delegation with regard to wagon position or so (see New Age while Rao was Govt). So will you ask our M.L.s to raise the matter in the Parliament on the basis of our own resolution and also wagon position. I have already informed you that stacking of coal in absence of wagon <sup>availability</sup> is likely to catch fire in the summer which is affecting best in my next.

Yours,  
Chaturman



To  
All India Trade Union Congress  
4, Asoke Road  
New-Delhi

All India Trade Union Congress  
4, Asoke Road  
New Delhi



733  
I have not received your kind reply. Will you please receive attention to me?



Jaganathan we have received no reply nor from Sri Manon. ~~At~~ Sri Cheddilal Deputy Secretary Ministry of Steel & Mines & Fuel has also not replied anything though he promised to do it. Please ask Com. Vittal Rao to do something for that. ~~As I think that~~ we have appointed sometimes in the last week of March or so. Will please let me know when N.C.D.C. will come up for session during Pongal?

Yours,  
Chaturman



To Com. K. G. Srinivasar.  
All India Trade Union Congress  
4, Asoke Road  
New Delhi

20 FEB 1961

Pindia  
15.2.61

To

The General Secy.

A. I. T. U. C.

New Delhi.

Dear Comrade,

Yesterday Mr. Inkester of Hind reaches at 9 A.M. and we had a discussion with him on the issue of clearing Jharkhand + Kollamau pits and he has read given permission for working the pits. My Mr. Dine of Jharkhand some one thousand workers of the pit also reached the place and raised slogans for opening the pit. It was a good discipline demonstration. This is all about the closure.

In my previous letter I wrote to you to the Controller Production on N.C.D.C. has been forwarded

20 FEB 1961

Pindia  
17.2.61

Dear Com. Shivaram,

Last time when we

approached Sr. Nagam about the reorganisation of the Coal workers union he said that some clearings are awaited from the R.L.C. and now it is more than two months but no action has been taken. They have completed union even in Farangidih, Alwar, etc. We were in great hurry in Farangidih group of mines and have to start the work.

Request you to take up the matter with the joint Secretary or Sr. Nagam himself and decide the things. Regarding this issue which we discussed last time with Sr.

TOR

LTD Dosa  
25.6.61  
your letter.

Pindia  
26/6

Today there was workers Committee election at Bermo and out of 10 seats we contested 9 seats. We did not contest the 10th seat meant for clerical staff. Out of 9 we contested we got 6 and the rest 3 and also the 10th seat of clerical staff went to I.N.U.C. The I.N.U.C. also contested all the 10 seats and did not get any. The I.N.U.C. + I.N.S. both are recognised union, but we are not recognised.

Similarly in Farangidih Colliery though we got all the 5 seats, but the management refused to form the workers committee after election result.

On 15th June there was a demonstration of 600-700 in place Coal mines at Serampore Colliery where they were stopped from working and in the end the management agreed to allow them work as usual.

30 JAN 1961

270

Campbell Hospital  
Clement  
25-1-61.

Dear Com. Prasadani,

Since my return from Coimbatore,

I have been admitted to the Campbell Hospital for an operation in the left leg for removal of a bony growth. It is very serious but will keep me confined to bed for about a fortnight. As my absence in this greatly critical period will be keenly felt by the comrades at Panaji, will you please say

selhi. Fix his  
 talis in medicine  
 and let me know  
 is definite post  
 me for visit  
 area. Please do  
 not forget this or  
 the whole thing will  
 be upset  
 Palakur

पोस्ट कार्ड  
 POST CARD  
 जवाबी  
 REPLY  
 केवल पता  
 ADDRESS ONLY  
 ECONOMIC DELIVERY

5 IN 1947

Com. Mr. Pandhe  
 All India Trade Union Congress  
 4 Ashok Road  
 NEW DELHI

for fixing up an appointment  
 with the Saloon & Mines  
 minister but we don't  
 have any response from  
 you. Similarly I wrote to you  
 about Hindustan Steel and  
 N.C.D.C. staff, Pandhi  
 organisation but no  
 reply from you? I think  
 by this time you are in receipt  
 of our reply to C.L.C. and  
 R.L.C. Thanked about  
 the verification.  
 Waiting for your reply.  
 yours.  
 Chaturvedi

पोस्ट कार्ड  
 POST CARD  
 केवल पता  
 ADDRESS ONLY  
 ECONOMIC DELIVERY

5 IN 1947

To  
 Sri K. G. Srivastava  
 All India Trade Union Congress  
 4, Ashok Road  
 New-Delhi

you leaving for the  
 us? Have you sent  
 copies of the I.C. meeting  
 in the last? Thanks for  
 giving me the T.U.R.,  
 do you please send me  
 later?  
 with greetings  
 Your friend  
 Kalyan Ray

EXPRESS EXPRESS DELIVERY

पोस्ट कार्ड  
 POST CARD  
 केवल पता  
 ADDRESS ONLY  
 ECONOMIC DELIVERY

5 IN 1947

Com. K. G. Srivastava  
 All India Trade Union Congress  
 4 ASHOK ROAD  
 NEW DELHI

15 APR 1947  
 NEW DELHI

पोस्ट कार्ड  
 POST CARD  
 केवल पता  
 ADDRESS ONLY  
 ECONOMIC DELIVERY

5 IN 1947

Com. K. G. Srivastava  
 Secretary  
 All India Trade Union  
 Congress  
 4 Ashok Road  
 New Delhi - 1

3-4-61

A.I.T.U.C.  
Received 33/15-4-61  
Replied .....

Dear Com. K.C.

Ref your letter dt. ...  
I could not contact any ...  
rather difficult to say anything. Hope if you  
feel I have no objection to Smt. Saljanamma.  
She may be nominated.  
I will be reaching Delhi a few  
days earlier than the meeting.

Smt. Saljanamma  
Kalyan  
15/4/61

30th March, 1961  
Calcutta

A.I.T.U.C.  
Received 602/31-3/61  
Replied to your letter.

Dear Com. ...

My plaster has been taken off & now  
moving about a bit. Things seem to be shaping alright.  
But the situation in the Raniganghali is moving towards  
an alarming direction. Some workmen who were  
taken back at Madhav Saljan have been again  
dismissed. The East Vincha management has  
set up an INTHE union & comrades are heavily  
expectant to search for money for cases &  
their family. The future seems to be somewhat  
ominous. Could you like another assurance of  
some help which Com. Dange gave at  
Coimbatore could materialise?

Are you publishing the AITUC Resolution  
on coal in the TURT. I don't have any copy.

Some one month ago I wrote to you  
about the grinding wheels. I had  
written to you in Hindi address of  
24000 tons to 8000 tons. Please  
contact of grinding they have  
cut in production in Hindi is 4% and in  
preference in Hindi and their  
heavy cut in production of N.C.D.C. and a  
to learn + Hindi minister was regard to the  
Party Congress. I sent you a telegram & also  
discussions here. Immediately when I was leaving for  
We are so excited very busy with the  
Dear Com. K.C.

A.I.T.U.C.  
Received 846/15-4-61  
Replied .....

270

Dear Com.

270

161 Raniganghali  
Saljanamma  
6-3-61

Received the note of K.C.  
Please send me list of jobbing  
also you can very well supervise  
The situation of Raniganghali in the near  
will be going to Raniganghali in the near  
future. I am sure for Kalka again  
Please send me the job address  
only.  
Re: the visit of Com.  
Nihal Rao. —  
He has to visit  
Raniganghali and  
Gharan Balesi iron mines.  
He starts from Delhi  
in 25th March and at 10 AM  
I will meet him at  
Raniganghali where from we start  
for Raniganghali & Kalka.  
Please write me the date of leaving  
the date of leaving

With greetings  
 Cordially yours  
 Chinmay Mukherjee  
 15.6.61

पोस्ट कार्ड



Com. K. G. Srivastava

All India Trade Union Congress  
 4, Ashoke Road  
 NEW DELHI

P.S. During my stay at Delhi I want to discuss with the Engineering Federation Councils and the different grades etc. Since we have started a new Union Engineering Union in our District.

Chinmay Mukherjee

633 New-Delhi  
 4 Ashoke Road  
 All India Trade Union Congress  
 Secretary  
 Com. K. G. Srivastava



EXPRESS - DELIVERY

Handwritten notes on the right side of the envelope, including 'All India Trade Union Congress' and other illegible text.

New-Delhi

4 Ashoke Road

All India Trade Union Congress

Com. K. G. Srivastava



केवल पता  
 ADDRESS ONLY

पोस्ट कार्ड  
 POST CARD

Handwritten notes on the back of the envelope, including 'I have also written to...' and 'Chinmay Mukherjee'.

problem of coal & grindal and make this unit a self sufficient one. In this same resolution it was decided that the Govt. should purchase for the supply for to each the quantity of heavy shampo in mica which has caused thousands of workers unemployed purchase the mixed mica stock.

The meeting was addressed by Sardar Mahendranath Poshani, Shivakumar Roy, J.N. Jodan & Chakrasen Mishra + others.

Yours,  
 Chakrasen

पोस्ट कार्ड  
 POST CARD

केवल पता  
 ADDRESS ONLY



All India Trade Union Congress

4, Ashoke Road

New-Delhi





A. I. T. U. C.  
 I.R. No. 2034 Date... 28. 6. 61 ...  
 File No. .... Replied on.....



पोस्ट कार्ड  
 POST CARD  
 जवाबी  
 REPLY  
 केवल पता  
 ADDRESS ONLY



Com. M. Atchuthan,  
 -----  
 All India Trade Union  
 Congress,  
 -----  
 4 Ashok Road,  
 -----  
 New Delhi 1

New-Delhi  
 -----  
 4, Ashok Road  
 -----  
 All India Trade Union  
 Congress



पोस्ट कार्ड  
 POST CARD

for sending minimum wages  
 Rules and I will refer you  
 All this. Hence I want materials  
 will return it if you like  
 to know minimum wages  
 Rules (in Act) of all the States  
 and of other countries  
 say Britain, U.S.A, France  
 + other socialist countries.  
 Will you please help me  
 in this matter.  
 Requesting an early  
 reply.  
 Yours  
 Chatterman

A. I. T. U. C. Jindih  
 I.R. N. 1945 Lab. 14.6.61... 12.6.61  
 File No..... Referred on.....

Dear Com. K. G.

I learnt from Bihar Govt. that the central Rules for wages for weekly day of rest has been suitably amended. Will you please send me a copy of it at an early date along with the whole central Rules (Minimum wages Rules). I have written to the Jain Book Agency but they may delay it. Govt. of Bihar is going to set-up a Committee

15/June/1961

Asansol,  
25th June, 1961.

Dear Com. Atchuthan,

your letter dt. June 23 re: CLC meeting on 6th July at Calcutta. As I have got a Tribunal case at Calcutta on the 7th, I will be able to attend that meeting of CLC. However, are we entitled to T.A? Please ask Sadhan re: Tribunal cases. with greetings,

Yours fraternally  
*Kalyan Roy*  
 (Kalyan Roy)

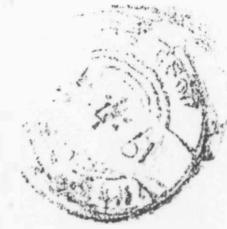
Com. M. Atchuthan,  
AITUC.

Received... **C-3** 666/5-4-61  
Replied.....



270

No. 388



**INDIAN POSTS AND TELEGRAPHS DEPARTMENT**

Received here at \_\_\_\_\_ H. \_\_\_\_\_ M.

0 IB 2 GIRIDIH 4 AITUCONG NEWDELHI.

.... NCCG PRODUCTION CUT BY FORTY PERCENT IN GIRIDIH GENERAL PRODUCTION  
CUT BY THIRTY PERCENT HEAVY RETENCHMENT GOING EFFECTED REQUEST IMMEDIATE  
INTENVENTION ...

CHATURANAN MISHRA GENERAL SECY COAL WORKERS UNION....

*Handwritten signature and initials*

COOPD AT 2.20 HRS

This form accompany any enquiry respecting this telegram.

I. A. P. Delhi 1961—9000 Books.

C-3



F.No-142  
No.

A. I. T. U. C.  
Received 1305/11-5-61  
Replied

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

679



Received here at 10/6 A/H. \_\_\_\_\_ M.

CA-TP  
10/6

X KL IA 15, DHANBAD B. STE 69 GENERAL SECRETARY IALL INDIA

TRADE UNION CONGRESS CARE SHRI SA DARGE M P 4 IASHOKA ROAD

NEW DELHY =

GOVERNMENT APPOINTED TRIPARTITE CENTRAL COMMITTEE FOR RUNNING MIKERS

HOSTELS (I.) FIRST MEETING AT DHANBAD ON 19TH MAY AT 1500 HRS (.)

KINDLY NOMINATE ONE MEMBER OF YOUR ASSOCIATION TO REPRESENT IN THE

COMMITTEE AND DIRECT HIM TO ATTEND THE MEETING WHICH IS MOST URGENT (.)

= WELFARE =

must accompany any enquiry respecting this telegram.

I. A. P. Delhi 1960-9000 Books.

*11/3  
T. S. S. -  
10/6  
11/6*

*I  
File  
11/6*

*II  
Ask him  
Ch... or Kalyan  
11/6  
8/12*

15 FEB 1961

C.3



2970

No.

270

3033



INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Received here at \_\_\_\_\_ H. \_\_\_\_\_ M.

O NF 25 GIRIDIH IIX

AITUCONG NEW DELHI

... VILOATION SECTION 22 OF THE MINES ACT MNES INSPECTOR JOKTIABAD AND  
KOLAMARAN PS GIRIDIH ~~W~~ WITHOUT NOTICE STOP WITH DEEPPIT AND JUBLEEPIT ALREADY  
CLOSED NO GOAL STOCK FOR POWERHOUSE AND COKE PLANT DUE SUDDEN CLOSER MORE THAN  
5000 WORKERS GOING UNEMPLOYED STOP MINING ADVISOR BURROLOUGH CERTIFIED JOKTIABAD  
BEST ROOF IN INDIA STOP KOLIMARAN ORDERED CLOSED WITHOUT INSPECTION STOP STATE  
COLLIERIES FULFILLING PLANT TARGETS FOUL PLAY SUSPECTED STOP REQUEST IMMEDIATE  
INTERVENTION..... GHATURANAN MISHRA

COPD AT 20.25HR  
MS

This form must accompany any enquiry respecting this telegram.

I. A. P. Delhi 1960—9000 Books.

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C.)

Regd. No. 3449

G. T. ROAD, ASANSOL.

General Secretary : Sri B. N. Tewary.

Ref No..... CMS/Gen/ 826/60,

Dated 26th. December., 60.

To,  
The Secretary,  
All India Trade Union Congress.  
New Delhi.

Subject:- Inhuman assault on Sri B.N.Tewary, our  
General Secretary by the management of Real  
Jambad Colliery and increasing offensives on  
workers & their Trade Union Rights.

Dear sir,

On various occasions we have informed your offices and offices of other authorities concerned how Employers in differa collieries of this Raniganj Coal Belts attacks workers and their Trade Union Rights. It is worth recall at this stage that our previous informations lodged were very important as well as very clear to show that the Employers have got no regard for workers Trade Union rights and other allied rights. And so we have demanded that necessary measures be taken against them without any delay to stop such attacks which are in violation of our very Constitution of the country. But it is very painful to say that as no such measures have been taken situation has been taking a turn to worse day by day.

Recently i.e. on the 21st. December, 60 Sri B.N.Tewary, the General Secretary of Union ~~XXXXXX~~ was beaten by the gangsters in an inhuman way at Real Jambad Colliery under direct guidance of the Manager and Agent of the colliery. Sri Tewary and this office had been getting informations from the workers daily since the 16th. instant that they tried to report for their duties at the colliery but management through their gangsters did not let them go to the colliery and thus prevented them from resuming duties. He, therefore contacted Conciliation Officer (Central), Raniganj on 17th. December '60 and apprised him of this matter & the situation at the colliery. But the situation did not improve and so on the 21st. he himself along with workers went to the colliery so that workers may be allowed to resume and if necessary in case of refusal by the management on this day also like before, required persuasions be made to the management. But to our ~~xxxx~~ astonishment Sri Tewary was badly assaulted in presence of officers not less than manager and Agent.

Prior to this incident workers of this colliery were badly beaten, their properties taken away and quarters destroyed by gangsters on the 16th. & 17th. instant in presence of police.

Contd.....

*Ans for  
more details  
names (places)  
things. It report  
made to the local police.  
his was much.*

*along with*

The above incidents of assaults, preventing workers from resumption of duty and ~~taking~~ inhuman assault on General Secretary while attempting to ~~set~~ the thing right in respect of duty and other things have been a matter of grave concern to coalminers of this Belt as well as working population of this Industrial Zone of Asansol. It is to be noted that Leaders of United Iron & Steel Workers Union, Burnpur-Kulti, Sen-Raleigh Employees Union and so many other Unions' representatives organisations Regional Trade Union Congress met the Sub-Divisional Officer, Asansol in a deputation, the undersigned and expressed their indignation and surprised over such attacks and prevention. They impressed upon him that it was duty of local Administrative officers to be vigilant on these matters specially at such stage when ~~the~~ Employees' attacks are on increase and Trade Union Rights are made a prey to these attacks.

In view of above I request you to make ~~the~~ IMMEDIATE arrangements to punish the men responsible for these nefarious acts of gangsterism and see that workers are allowed to resume their respective work without any further delay.

An immediate reply will be appreciated.

Thanking you in anticipation.

Yours faithfully,

*Sunil*

*26/12*

( Sunil Sen.)  
Organising Secretary.

*Returned to me 125 D  
no 3/2*



dec. 10, 1960

by the united states and appealed for help to the women of those countries which are fighting for their independence and item.

120852 -- approval for moscow meeting statement in major chinese cities

peking, december eighth (hsinhua) -- full endorsement of the statement of the moscow meeting of representatives of communist and workers parties continues to be voiced by people throughout china.

in the industrial city of shenyang in northeast china the worker-engineer wang feng-en of the shenyang transformers plant said that the statement expressed the common, heartfelt aspirations of all people and pointed to the goal of the people's struggle in the advance towards victory. "no force can obstruct our progress in the unity of the international proletariat with the people all over the world and our progress along the correct path of struggle", he added.

yang yu-huan, a production team leader of the peiling people's commune in shenyang, said that the tremendous changes in world situation and international communist movement in the past three years were most inspiring and proved the correctness of chairman mao's saying that the enemy was decaying day by day.

"the statement is a banner of unity," said hsia chi-fa, vice chairman of the shenyang trade union council. he added that the unity of the socialist camp was built on the basis of marxist-leninist principles. all the imperialist attempts to sabotage this solid unity were in vain.

Leading members of local branches of the democratic parties

and non-party democrats expressed confidence that a new upsurge was coming in the national liberation movement throughout the world. the statement was a directive of action for progressive mankind and all peace-loving people. it not only greatly inspired the people of the socialist camp, but also endowed all oppressed people with the strength to carry forward the struggle.

in wuhan in central china, the labour hero li feng-en in a forum quoted the remark in the statement that no force on earth could shake the unity and friendship of the people of all the countries of the socialist camp and the unity and friendship of the people of china and the soviet union. he said that the workers in his plant had pledged themselves to increase production to strengthen socialist construction and the socialist camp.

in canton in the south, at a discussion of outstanding workers of various industries this afternoon, wu ling-chien, a paper mill worker, said the statement demonstrated the increased solidarity among the international working class. "we warmly respond to the calls made in the statement and pledge to intensify our struggle against imperialism in order to crush the imperialists' schemes of war," he said.

a worker of the kwangtung tractor plant said the statement would inspire still greater confidence in the people of asia, africa, and latin america to go forward to victory in their national democratic revolutionary struggles.

the chairman of the kwangtung trade union council said that the success of the representative conference of communist and workers parties marked a great victory for the international proletariat and the people throughout the world. the closest unity of the socialist camp was the guarantee for defeating the

270

Camp: AITUC NAGAR,  
COIMBATORE,  
January 2, 1961

General Secretary,  
Colliery Mazdoor Sabha,  
G.T.Road,  
ASANSOL, W. Bengal

Dear Comrade,

Your letter of December 26.

We had already sent you from  
Delhi the gist of the discussions  
we had with the Union Labour Minister.  
You must have received them by now.

With greetings,

Yours fraternally,

*vm*

(K.G. Sriwastava)  
Secretary

No.8/6/60/MIII  
Government of India  
Ministry of Labour & Employment

From

.....  
Shri C. N. Subramanian,  
Section Officer

To

All State Governments (except the State of Jammu & Kash

Dated New Delhi, the 13/1/61

Subject:- Amendments to the Mines Creche Rules 1959. 6 JAN 1961

Sir,

I am directed to forward herewith a copy of notification No.8(6)/60-MIII dated the 7th January 1961, making certain amendments to the Mines Creche Rules 1959, for information.

Yours faithfully,

d.a.refd.  
N.Ram/12/1

( C. N. Subramanian )  
Section Officer

Copy with a copy of notification forwarded to:-

d.a.refd.

( C. N. Subramanian )  
Section Officer

20. General Secretary, All India Trade Union Congress, 4, Ashok  
Road, New Delhi.

21 JAN 1961

EXPRESS DELIVERY

**COLLIERY MAZDUR SABHA**

(INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C.)

REGD. No. 3449

G. T. Road, Asansol.

GENERAL SECRETARY ; SRI B. N. TEWARI.

Ref No.....

Dated January 19. 1961.  
Morning.

Dear Comrade Shrivastawa,

Received your telegram just now. The telegram is about ~~sending~~ nominating and sending representative for Tripartite meeting for Reorganisation of Gorakhpur Labour Organisation. But Com. Roy is sick and to be admitted very shortly in a hospital of Calcutta, so I am talking other friends of Federation at Dhanbad so that someone may be nominated and will let you know later on.

With Greetings.

Yours comradely

*B. N. Tewari 19/1/61*  
B. N. Tewari.

Good  
Adminis  
file

EXPRESS-DELIVERY.

**COLLIERY MAZDUR SABHA**

( INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C. )

REGD. No. 3449

G. T. Road, Asansol.

GENERAL SECRETARY ; SRI B. N. TEWARI.

Ref No. CMS/GEN/18 /61.

270

Dated January 20, 1961.

Dear Comrade Shrivastawa,

Further to this office letter dated, the 19th January '61 I have to say that I am just returning from Dhanbad where I showed your telegram on Tripartite Meeting on the Gorakhpur Labour Organisation to Coms. Prashanta and Lalit but they told, "none from there could go". About here, I am not in a position to go nor any other comrade due to situations prevail in this Belt which you must have heard from Com. Kalyan Roy at the Session.

In view of the above I think that you can attend the meeting as we know that you know the subject. A lot of informations etc have been sent to you while forwarding several letters about activities of C.R.C. workers and Administration. Com. Bithalrao also may be called to see the matter.

We all agreed that it is necessary to attend this meeting because we are very much concerned with this problem and so we thought that you should attend this meeting.

Necessary papers my office has got on this subjected (issued by Govt and others) ~~xxx~~ also are sent to you for your help.

Hope you will do needful and inform.

Yours comradely

*B. N. Tewari*  
B. N. Tewari. 29/1/61

Report. mmp  
can also  
ms  
2/1/61

30 JAN 1961

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C.)

Regd. No. 3449

G. T. ROAD, ASANSOL.

General Secretary : Sri B. N. Tewary.

Ref No. GMS/MS/21. /61.

Dated...January...27., 1961.

Comrade K. G. Shrivastava,  
Secretary,  
All India Trade Union Congress,  
4, Ashoka Road,  
New Delhi.

Subj: Situation at Modern Satgram Colliery.

Dear Comrade,

As you know after intervention of the Union Labour Minister, Management of the colliery had allowed some workers in work and it was agreed that case of rest whom they could not or did not take would be taken up with Shri Joshi, R.L.C (C), Dhanbad. Accordingly, conciliation proceeding in disputes referred to, Shri Joshi has begun and due persuasions are made. But another question has arisen, what will be done about cases of those workers who were allowed to resume their duty after the said intervention and have been dismissed from their service after their chargesheets and enquiry and other procedures into the same. It may be noted that just after resumption of their duty they were chargesheeted and have again become unemployed.

Shri Joshi, when approached by me to handle the cases of the dismissal told that it would require instruction from Delhi as it goes beyond my jurisdiction. By this he wants to say that he has been asked to look into the cases of those only who were not allied. Number of such men is increasing because almost all who were allied had been chargesheeted and some of them have been dismissed and others are on the way. It will be very difficult if we have to take up these cases with the local Conciliation Officer about whom we think that he will spoil our whole attempts. Apart from other factors Shri Joshi has been given all detailed facts as well as background of cases and these cases of dismissals are mostly to the same nature. Number of such dismissals is.

So I request you to please talk to Shri Mehta or any other official of the Ministry so that these cases also may be handled by Shri Joshi.

Management is recruiting new hands in place of these dismissed workers. Temporary men are dismissed and new men are recruited in their places. We have protested to Shri Joshi against this but he says that Management will take new men for production. It has been very recently seen that 5 or 6 old workers of ours also have been issued re-appointment letters but it is far below the just requirements.

Please Turn Over....

Situation specifically with regard to Law and Order is quite normal; work in all wings continuing and production goes up. Contents of your letter to the Joint Secretary, E&I Division a copy of which has been received by my office yesterday are as the situation prevails here.

Further, I like to refer to your telegram sent to Com. Kalyan Roy for nomination etc of a representative to the Tripartite Conference on Gorakhpur Labour Re-Organisation matters on the 24th inst. I had replied the telegram by a letter sent by Express Delivery Post and therein told that none from here and Dhanbad was in a position to go. I had further written to send some papers etc on the subject but due to Postal Holidays it could not be sent.

Please let me know whether any one from AITUC had attended this conference and what has come out of it.

Awaiting an early reply.

Yours Comradely

*B. N. Tewary*  
B. N. Tewary, 1/1/61  
General Secretary.



28. The General Secretary, The All India Trade Union Congress,  
4, Ashok Road, New Delhi.

No.Fac.535(9)/60.  
Government of India  
Ministry of Labour & Employment  
---

From

Shri P.D. Gaiha,  
Under Secretary to the Govt. of India.

To

All State Governments and the Centrally  
Administered Areas.

Dated New Delhi, the 25 JAN 1961

Subject:-Amendment of Rules 6 and 22 of the Payment of Wages  
(Mines) Rules, 1956.  
---

Sir,

I am directed to forward a copy of this Ministry's  
notification of even number dated the 13th January 1961, on the  
above subject, with the request that your comments, if any, may  
please be forwarded to this Ministry by the due date.

Yours faithfully,

*J. S. Jaiswal*  
for Under Secretary.

Copy with a copy of the enclosure  
forwarded to:

'D.A.Refd.to'  
j.s.19/1/61.

*J. S. Jaiswal*  
for Under Secretary.

To

The Chief Mining Engineer (G & O),  
N.C.D.C. Ltd.,  
Ranchi.

Ref. No. G.O. 13/61.....

Dated, 25/1/61.....

Dear Sir,

Sub.:- Case of Coal drillers of Serampur.

Refer our minutes of discussion held in the presence of Sri Joshi R.L.C. (1) & D.G.M. and it was decided that before 10th of Oct., 1960 the meeting will be arranged and the case finalised. When this question was raised in the Parliament the telegram on behalf of N.C.D.C. explained that the case is going to be decided with the union representative very soon but strangely not only the case has not been decided as yet but as a vindictive measure these Coal drillers who are time-rated have been made piece-rated and as a protest of which they have refused to draw the wages so billed for the last three weeks. I don't know under whose authority this has been done and hence request you to settle this issue at an early date.

Yours faithfully,

Chaturanan Hishra  
General Secretary, 25/1  
Coal Workers Union,  
Giridih.

- Copy to:-
1. Asstt. Supdt. of Collieries, Giridih,
  2. Dy. General Manager, N.C.D.C., Ltd., Ranchi,
  3. Shri A.M. Joshi, Regional Labour Commissioner,  
(1), Dhanbad.
  4. Sri Inderjeet Gupta M.P., A.I.T.U.C., New Delhi,
  5. Secy. to the Govt. of India, ~~Ministry~~ Ministry  
of Labour & Employment, New Delhi.

270

To

The Joint Secretary to the Govt., of India,  
Ministry of Labour & Employment,  
(Evaluation and Implementation Division),  
New Delhi.

Ref. No. *G.12/1/66...*

Dated.....*25.1.1961*.....1961.

Dear Sir,

As per your letter No.F&I-12(340)/59 dated 1st July, 1960 the verification for the purpose of recognition of the Coal Workers Union was carried on in Kurhurbaree and Serampore Colliery and on the basis of that in the last week of Dec., 1960 I alongwith Mr.T.B. Vithal Rao, M.P. wanted to see Sri Nigam of your Ministry who informed us on phone that the verification report from the Regional Labour Commissioner has reached his office but certain clarifications are awaited which are likely to reach within two or three days and after that only any discussion will be fruitful.

We don't know what's the verification result of the last time and suddenly fresh verification is ordered without advancing any reason and hence we apprehend that it is just to show us in minority that this tactics is adopted time and again.

I therefore request you to let me know the exact position and first of all the result of the last verification *and in the meantime*  
*includ the new verification*

Yours faithfully,

*Chaturaman Doshi*  
General Secretary, *24/1/61*  
Coal Workers Union, Giridih.

Copy to:-

- (1) A.I.T.U.C., New Delhi, for taking up the matter with the Ministry.
- (2) C.O. Dhanbad.

To

270

The Conciliation Officer (C),  
Dhanbad.

Ref. No. G.12/2/61.....

Dated.....25.1.1961.....

Dear Sir,

Enclosed herewith **is** the copy of the letter addressed to the Joint Secretary to the Govt. of India, Ministry of Labour & Employment, Evaluation and Implementation Division and with a copy to the Secretary, A.I.T.U.C. and unless the matter is clarified we are not going to submit the papers as required by you vide your letter No. D-41(3)61..... dated 11.1.61.. but for Jaraugāih Colliery all papers will be supplied as asked for as no verification for that colliery for recognition purposes was carried on last time but last time you cancelled your programme without informing us and hence if you cancel your programme any more please inform our Branch there i.e. Secretary, Coal Workers Union, No.4 area BERMO. P.O.

Yours faithfully,

*Chaturmanu Mishra*  
General Secretary, 24/1  
Coal Workers Union, Giridih.

Copy to:-

1. A.I.T.U.C., New Delhi.
2. Joint Secretary to the Govt. of India (E&I),  
Ministry of Labour & Employment, New Delhi

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C.)

REGD. No. 3449

G. T. Road, Asansol.

GENERAL SECRETARY : SRI B. N. TEWARI.

Ref No. CMS/Gen/...827/60.

Dated December 26, 1960.

To  
✓ The Secretary,  
All India Trade Union Congress.  
New Delhi.

Dear Comrade,

It appeared in the Swadhinata, our Daily paper of Calcutta a day before yesterday that Shri G. L. Nanda had discussed the situation of Raniganj Coal Belt with Coms. Dange, Gupta and Shrivastava but nothing particular was known from the column of the paper.

Will you please let this office know details about the same with your suggestions if any for us at the earliest.

With greetings.

Comradely yours

*B. N. Tewari*  
B. N. Tewari,  
Gen. Secy.

28. The General Secretary, The All India Trade Union Congress,  
4, Ashok Road, New Delhi.

(270)  
No. Fac. 535(6)/60  
GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

Shri P. D. Gaiha,  
Under Secretary to the Govt. of India.

To

All State Governments and the Centrally  
Administered Areas.

Dated New Delhi, the 10. JAN 1961

Subject:- Amendment of Rules 17(2) and 22 of the Payment  
of Wages (Mines) Rules, 1956.

.....

Sir,

I am directed to enclose a copy of this Ministry's  
notification of even number dated the 21st December 1960, on the  
above subject for your information.

Yours faithfully,

*L. Man* P.T.O.

for Under Secretary.

Copy with enclosure also for information to:-

"d.a.refd  
SSB/

*Lewan*  
for Under Secretary.

The Organising Secretary,  
Colliery Mazdoor Sabha,  
G.T. Road,  
Azansol  
West Bengal,

270

Dear Comrade;

With reference to your  
letter No - CMS/Gen/826/60 dated  
December ~~20~~ 26, 1960 regarding the  
inhuman assault on Com. B.N.  
Tiwary by the management of  
Real Jambad Colliery on  
December 21 we are enclosing  
our representation to the ESI  
machinery.

However, we would like  
to hear from you details  
regarding the incidents on December  
16 and 17 when the colliery workers  
were badly beaten. If you can  
supply us details regarding  
names of persons who were beaten  
along with the nature of  
atrocities committed against



~~them~~ ~~workers~~, it would help  
us in pursuing the matter  
still further.

Secondly, have you  
reported this matter to the local  
police? If so - what is the outcome?  
Please send us details about  
it also.

With greetings

Yours Jr.

End:

(K.S.S.)  
slay

The Jt. Secretary,  
~~Min~~ Govt. of India,  
Ministry of Labour & Employment,  
Evaluation & Implementation Division,  
New Delhi.

Sub: Physical assault on the  
General Secretary of Colliery  
Mazdur Sabha <sup>at Jabalpur</sup> by the agents  
of the management of Reel  
Jabalpur Colliery.

Dear Sir,

The scant regard the colliery  
managements are showing towards  
the Code of Discipline is increasingly  
being observed by our affiliates  
~~recently~~ working among the coal mine  
workers. The assault on our T.V.  
actionaries have been a regular  
affair in the area, thus making  
<sup>normal</sup> Trade Union functioning practically  
impossible. ~~I~~ <sup>we</sup> are just  
giving a <sup>recent</sup> glaring example for your  
consideration with the hope that  
necessary action would be taken to  
put an end to such things <sup>at least</sup> in  
future.

Colliery Mardoor Union, Asansol was receiving information from the workers since December 16 last year that they tried to report for their duties at the Real Jambad Colliery but the management through agents prevented them from resuming duties. On December 16 and 17 workers of this Colliery were badly beaten, their properties taken away and quarters destroyed.

Shri B.N. Tiwary General Secretary of Colliery Mardoor Sabha, Asansol contacted Conciliation Office (Central), Raniganj on December 17 and apprised him of the situation in Colliery. As nothing could be done till December 21 Shri Tiwary went to the Colliery along with the aggrieved workers to persuade the management. To our surprise Shri Tiwary was badly assaulted in presence of the Manager and Agent of the Colliery.

We would request you to enquire into this incident and as it involves violation of

T.V. Right of workers and breach  
of Code of Discipline which gives  
~~a~~ laid down certain principles  
~~for~~ <sup>of</sup> union-management relations.

Thanking you,

Yours faithfully,

(K. C. Srivastava)  
Secretary

हिन्दुस्तान खान मजदूर फेडरेशन  
 Indian Mine Workers Federation  
 DHANBAD (Phone 2855)

Ref. No. *A. I. T. U. C.*  
 Received... *19.2.61*  
 Replied... *4.3.61*

Dated the 28th Feb, 61.

Com. K.G. Srivastava,

270

Dear Comrade,

Your letter dated 21.2.61.

We ca-n get back the telephone if you send us Rs. 300/-. But now we will have to wait, because this will be a completely new connection, and we will be kept in the waiting list.

Personally I think that we will need assistance for a year to clear the monthly bill, though others do not agree with me. They say that once we get back the phone we will keep it, and I differ with this. I am letting you/all these because ~~xxxx~~ I do not like to be looked down upon by your headquarter people, please weigh all this before taking a decesion. *So no fault of mine.*

know/

Yours fraternally,

P. N. S. Gupta

*Rs. 300/- sent to  
 the responsible person  
 for the telephone bill.*

*Rs. 300/- sent by M.O. on 16.3.61.*

MICP.

March 14, 1961

Dear Com.Kalyan Roy,

We had nominated Prof.Subramanyam as our representative on the Central Advisory Council on Scientific Education. We intimated this fact to him at his Madras address but this letter was returned to us undelivered. If you know the exact whereabouts of Professor, please let us know immediately, giving us his correct address.

2. The 8th Session of the Industrial Committee on Coal Mines will meet in New Delhi on 25th and 26th April, 1961. A copy of the memorandum on "Miners' Housing and Provision for payment of House Rent" is enclosed.

With greetings,

Yours fraternally,

  
(M. Atchuthan)

Encl:

Com.Kalyan Roy,  
47 European Assylum,  
CALCUTTA

117/28.2.61  
Rephed

No.3(15)/60-NII  
Government of India  
Ministry of Labour & Employment  
\*\*\*\*

270

From

Shri R. Mahadevan,  
Section Officer.

To

The General Secretary,  
All India Trade Union Congress,  
4, Ashok Road, New Delhi.

Dated New Delhi, the

27-2-61

Subject:- Reconstitution of the Coal Mines Labour  
Welfare Fund Advisory Committee.

\*\*\*\*

Sir,

I am directed to forward a copy of Notification  
No.386 of the Government of India, in the Ministry of  
Labour & Employment, dated the 9th February 1961 regarding  
reconstitution of the Coal Mines Labour Welfare Fund  
Advisory Committee.

Yours faithfully,

*R Mahadevan*

( R. Mahadevan )  
Section Officer.

"D.A. Refd.to"

270

PRESS INFORMATION BUREAU  
GOVERNMENT OF INDIA  
\*\*\*\*\*

"12.6"

HOLIDAY HOME FOR COLLIERY WORKERS  
IN MADHYA PRADESH

New Delhi, Phalgun 6, 1882.  
February 25, 1961.

A holiday home for colliery workers in Madhya Pradesh is to be opened at Panchmahli by the Coal Mines Labour Welfare Fund Organization.

The holiday home will provide facilities for rest and recreation to about 360 workers in a year.

The Coal Mines Labour Welfare Fund Organisation is already running a holiday home at Rajgir for the benefit of workers in the Bihar and West Bengal coalfields.

SKD/Rao.  
PRM

750/25.2.61/10.45hrs./716/1.

48/11  
5329

20  
31  
30  
29  
110

43817  
Bhat - JNTUC  
Range up for kg.



A. I. T. U. C.  
85/27.2.61  
Replied.....

270

No.21/7/60-MI(11)  
Government of India  
Ministry of Labour and Employment

From

Shri A.P. Veera Raghavan,  
Under Secretary to the Government of India.

To

✓  
The General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road,  
NEW DELHI.

1961  
25 FEB 1961

Dated New Delhi, the 24th February 1961.

Subject: Report of the Committee on Safety Education  
and Propaganda in Mines set up in pursuance  
of a recommendation of the Safety Conference.

Dear Sir,

I am directed to invite a reference to this  
Ministry's letter No.F.21/7/60-MI(1) dated the 15th  
November 1960 forwarding the report of the Committee on  
Safety Education and Propaganda in Mines. The Government  
of India are considering the question of setting up a National  
Mine Safety Council as suggested by the Committee. It is  
requested that the name and address of a representative of  
your Association who may be nominated to the Council may  
kindly be furnished to this Ministry before the 21st March  
1961 at the latest.

*to Mr. Raghavan  
from Ministry of Labour  
WV  
4/3/61*

Yours faithfully,

*A.P. Veera Raghavan*  
(A.P. Veera Raghavan)  
Under Secretary.

February 22, 1961.

Com. Shafique Khan,  
Secretary,  
Coal Workers Union,  
Bermo,  
Hazaribagh.

Dear Comrade,

Your letter dated February 13, 1961.

Please send us a copy of the letter  
No.2/54/59-LRII dated January 13, 1961,  
immediately.

With Greetings,

Yours fraternally,

*WFO*

(K.G.SRIWASTAVA)  
SECRETARY.

20 FEB 1961

Beramo

13.2.61

Dear Comrade,

Sending you the copies of two letters  
sent to labour department officials. ~~you~~  
you will find from the letters how the labour  
Ministry is and its official are behaving  
with us and how partiality and discriminatory  
attitude is adopted against us.

I hope, you will look into the matter  
and do the needful.

With greetings,

Yours faithfully  
Shafiqul Islam  
Secretary, Coal Workers  
Union, Beramo

To,  
Com. Sriparastava  
Secy, A.S.T.U.C.,  
4, Ashok Road  
New Delhi

Can we mobilise them?

M/MS

21 FEB 1961

No.5(5)60-MIII  
Government of India  
Ministry of Labour and Employment  
.....

18.2.61

From

Shri C.N. Subramanian,  
Section Officer

270

To

All State Governments except the  
State of Jammu and Kashmir.

New Delhi, dated the 17/2/61

Subject:- Amendments to the Mines Rules, 1955.  
.....

Sir,

I am directed to forward herewith a copy of Notification  
No.5(5)60-MIII dated the 29th December 1960 making certain amend-  
ments to the Mines Rule, 1955, for information. The Notification  
was published in the Gazette of India Part II Section 3 sub-  
section (1) dated the 7th January, 1961 as G.S.R.31.

Yours faithfully,

*C.N. Subramanian*  
(C.N. Subramanian)  
Section Officer.

Copy with a copy of the Notification forwarded to:- (As per list  
attached).

*C.N. Subramanian*  
(C.N. Subramanian)

*Ynd 1/20  
2/2/61*

COAL WORKERS' UNION, REGD. 16  
H.O. Giridih. Dist. Hazaribagh (Bihar).

Ref.No. QWB/B/7/3, dated the 25th January, 1961.  
27th

From:-

The General Secretary,  
Coal Workers' Union, Giridih.

To

The Secretary to the Govt. of India  
Ministry of Labour & Employment, New Delhi.

Sub:- Industrial Dispute in National Coal  
Development Corporation (P) Ltd. over  
the dismissal/suspension of 15 workmen-  
-case of shri Pardeshi Teli & 10 others.  
-----

Dear Sir,

Please refer Labour Ministry's letter No.  
2/54/59-LR II dated the 13th January, 1961.

In this connection, we are sorry to note  
that the Labour Ministry did the same thing for which it is  
generally accused i.e. blind acceptance of the views of public  
sector employers.

In this case the N.C.D.C. management has  
grossly violated the Standing Orders and natural justice in  
the ~~xxxx~~ sense that (a) it suspended the workmen without any  
chargesheet (b) it kept them suspended for more than 30 days  
without pay in violation of para 26 of the ~~xxx~~ Standing Orders  
(c) it recently dismissed them vide letter No. 29121/33 dated  
the 28th December, 1960 of the Asstt. Supdt. of collieries,  
Bokaro without any departmental enquiry whatsoever.

This was the fit case for reference to an  
Industrial Tribunal or Labour Court for adjudication as per  
Model Principles for the reference of a dispute to adjudication  
adopted by the 17th Session of the Indian Labour Conference.

Hence, I again request you to look into the  
matter afresh and decide the matter without prejudice.

Thanking you in anticipation of an early  
reply.

Yours faithfully,

*Shafiqur Rahman*  
for General Secretary,  
Coal Workers' Union.

Copy to:-

✓ Secretary,  
All India Trade Union Congress  
4, Ashok Road, New Delhi.

For information and necessary action.

Office of the Coal Workers' Union, Regd. No.16  
No. 4 Area, P.O.Bermo. Dist. Hazaribagh.

Ref.No. CWB/J/6/48, dated the 1st February, 1961.

To

The Chief Labour Commissioner (C),  
Govt. of India  
New Delhi.

Dear Sir,

Sub:-Verification of unions operating in  
Jarangdih Colliery (N.C.D.C.) for the  
purpose of recognition under the  
Code of discipline.

We produced all the records of our union pertai-  
ning to Jarangdih Colliery required by the Conciliation Officer  
(C)Verification, Dhanbad on 29th January, 1961 at 9 A.M. at  
Kathara Rest House as per letter No. D-4/1(3)/60 dated 11.1.61.  
and telegram of 27.1.61 of the conciliation officer (C)verifi-  
cation, Dhanbad.

But, I am sorry to inform you that the behaviour  
of the Conciliation Officer Shri R.B. Majumdar with our repre-  
sentative was bad and too harsh.

Besides that, he excluded 325 members of our union  
who have paid (Rs. 3/- each) for the whole year i.e. upto April,  
1961 before July, 1960 which in our opinion has been done *deliberately*  
~~purposefully~~ to reduce our membership in that colliery.

The Conciliation Officer had asked us to show our  
membership as on 1.1.61 and we did it accordingly. On 1.1.61,  
777 workers & employees of the colliery enrolled themselves as  
the members of our union i.e. Coal Workers' Union, but the  
Conciliation Officer declined to recognise them. This is highly  
objectionable.

Lastly, I have to inform you that the Conciliation  
Officer instead of writing the names of our members himself  
for physical verification forced our representative Shri  
Shankarlal Sinha to prepare a list for him. Uptill now it was  
the general practice in all the verifications that verification  
officers were used to write the names themselves.

The acts of the Conciliation Officer (C) verification,  
Dhanbad have created doubts in our minds about his neutrality.

Hence, I request you to look into the matter and  
clarify the points raised in above paragraphs.

Thanking you.

Yours faithfully,

*Shafique Khan*  
Secretary,  
Coal Workers' Union, Bermo.

Copy to:-

1. The Joint Secretary to the Govt. of India  
E & I Division  
Ministry of Labour & Employment, New Delhi.
- ✓ 2. The Secretary,  
A.I.T.U.C.  
4 Ashok Road, New Delhi.

270

February 22, 1961

Dear Com Chaturanan Misra,

Your letter of February 17.

We shall try to find out the position about recognition from the Labour Ministry but it is better that you wait for sometime.

Your letter has been shown to Com. Vittal Rao and I have discussed with him.

We shall try to take up the matter of NCDC in the M.P.'s Consultative Committee of Ministry of Steel, Mines & Fuel.

With Greetings,

Yours fraternally,

*UMD*

(K.G.SRIWASTAVA)  
Secretary.

Com. Chaturanan Misra,  
Coal Workers Union,  
Giridih,  
Bihar.

Dear Comrade

(170)

Dated  
6.2.61

I am quite well here hope  
you are also same with your health.

I am writing this letter only to remember  
you regarding help of my brother as  
we have discussed at Coimbatore.  
It will be better if he will get  
in this month.

Kindly you will also drop a  
letter to me when you will send  
him, the address of my brother  
you had written at Coimbatore.  
Again I write you in this letter.

Address - Darab Bharati  
Village - Panapur  
Post - Warwara  
Dist - Muzaffarpur.  
Behar.

I think you will understand,  
and you will realize the trouble  
of a whole timer. Rest is  
O.K.

Sent M.O. your sincerely  
on 12/2/61. Bharati  
letter written to  
Bharati on 10.2.61.  
From —

M. N. Bharati  
Secretary  
Coal workers union  
Bhirkunda  
Dist - Hazaribagh.  
Behar



270

February 21, 1961.

Com. Prasanta Burman,  
Indian Mine Workers Federation,  
Near Mac & Co.,  
Main Road,  
Dhanbad.

Dear Comrade,

Your letter December 7.

It is regretted that due to certain difficulties it could not be replied earlier.

Please let us know immediately as to whether you can get back the telephone on payment of Rs.300/-. On hearing from you necessary steps will be taken.

With Greetings,

Yours Fraternaly,

10/10

(K.G. SRIWASTAVA)  
SECRETARY.

'1 2 DEC 1960

DHANBAD  
~~Bhanbad~~  
the 7th December, 60

Dear Comrade Srivastav,

Since my return here on 6th morning I have gone through the correspondence with Lalit on telephone matters, and have consultations with my colleagues.

We will require a little less than Rs. 300/- for the restoration of the phone, and we can get it immediately by paying that much amount. If you can send us the amount, the phone will be taken immediately. Then we will require an assistance for six months or a year at the most, of Rs. 25/- per month for the payment of the current bills. Within this time we expect to organise our finance on a stable basis.

I do not think that IMWF can do anything in this matter at least in the foreseeable time. Whatever will be done will be done <sup>up</sup> our own strength.

We are going to take <sup>up</sup> the enquiry business in the abolition of contract system in ~~kokax~~ coalmines, seriously, and everything will be done to smash the employers case.

I am now keeping quiet well.

Comradely yours,

Prsanta Banerjee

300/-

February 4, 1961

Dear Comrade Tewari,

Your letters.

I had a talk with the Labour Ministry officials.

Your letters in future about these cases should be more concrete as when we discuss those with the Labour Ministry officials, they cross-examine us in respect of details and if we are not able to reply to them, we loose.

I am told Shri Joshi has been on leave and is likely to rejoin only on Monday the 6th February. When did you meet last ?

Further I am told that you did not have complete and detailed information about the cases referred to by you and asked for 10-12 days time to give details. If this be the case, you cannot blame the Regional Labour Commissioner for delay.

How many are such workmen who have been taken back, then charge-sheeted and dismissed ? What are the charges ?

Are these in connection with the alleged offence committed after being taken on jobs or for offences prior to being taken on jobs ? If these are for the old offences, after being taken on jobs, what is the nature of such charges ?

From the replies to all these it can be made out or refuted that really the cases pertain to the particular dispute referred to Mr. Joshi.

However the Labour Ministry agrees to examine these cases if they are in connection with the same old disputes or new ones.

I have also suggested to them that let us not go by technicalities alone. However Technical requirements have to be fulfilled.

You can suggest to Mr. Joshi to contact Dr. Nigam or Mr. Mehta on phone if he has got any doubt. They talk on phone very often and the Ministry has up to date information.

With greetings,

Yours fraternally,

*K.G.*  
(K.G. Sriwastava)  
SECRETARY.

P.S. How is Kalyan now ?

*me*

ED 1 FEB 1961

# The Singareni Collieries Workers' Union

REGD. NO. 7

(AFFILIATED TO A. I. T. U. C.)

Branches :

YELLANDU  
BELLAMPALLI

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

Ref. No. \_\_\_\_\_

270

Date ~~7th~~ February,  
1961.

Editor,  
Trade Union Record.

Dear Sir,,

I am glad to enclose herewith  
copy of the agreement arrived at  
between the management of The Singa-  
reni Collieries Co., Ltd., and The  
Singareni Collieries Workers' Union.  
This is for your information please.

Yours faithfully,

M. Kumari

GENERAL SECRETARY.

rs.

270

February 16, 1961.

The Organising Secretary,  
Colliery Mazdoor Sabha,  
G.T. ROAD, Asansol,  
West Bengal.

Dear Comrade,

With reference to your letter No.CMS/  
Gen/826/60 dated December 26, 1960, regarding  
the inhuman ~~insult~~ assault on Com. B.N. Tiwary  
by the management of Real Jambad Colliery on  
December 21, We are enclosing our representa-  
tion to the E.&.I machinery.

However, we would like to hear from you  
details regarding the incidents on December 16  
and 17 when the Colliery workers were badly  
beaten. If you can supply us details regarding  
names of persons who were beaten along with the  
nature of atrocities committed against them,  
it would help us in persuing the matter still  
further.

Secondly, have you reported this matter  
to the local police? If so what is the outcome ?  
Please send us details about it also.

With greetings,

Yours fraternally,

Encl:

*ums*  
(K.G. Sriwastava)  
Secretary.

270

February 21, 1961.

Com. Chaturanand,

Immediately Com. Jaganath Sarkar showed me the telegram I rang up the Secretary, Ministry of Mines & Fuel. They had no information but they promised to ring up Ranchi. In the meantime, I was expecting a detailed letter from you. I postponed meeting the Secretary. Now since your letter states that the mines have been opened, please let me know what further could be done.

Whether the workers have been paid 'lay off' allowance or the full wages ?

Regarding the Parliamentary delegation I have no knowledge. Today the Minister, Sri Swaran Singh made a long statement. It is a very serious one. He has suggested switching over to Furnace oil in order to meet the short supply of Coal. This I have opposed as foreign exchange is involved.

Yours fraternally,

*M.S.*

(K.G.SRIWASTAVA)  
SECRETARY.

*Dr. (D.S.V.)*

Com. Chaturanand Misra,  
Coal Workers Union,  
Giridih,  
(Bihar).

20 FEB 1961

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A.I.T.U.C.)

Regd. No. 3449

G. T. ROAD, ASANSOL.

General Secretary : Sri B. N. Tewary.

Ref No. CMS/MS/43/61.

270

February 15, 1961.  
Dated.....

Dear Comrade Shriwastava,  
Secretary,  
All India Trade Union Congress,  
New Delhi.

Please refer to your letter dated 4th February '61 sent to this office. You in this letter write to make the letters more concrete and give more details but it was not considered so at that time ~~xxxxxxx~~ However, it is noted and your difficulties in dealing the matter with Ministry is realised.

It is true that we could not give detailed informations etc to Shri Joshi and the main cause for the same is that we are facing worst crisis these days and it has been practically impossible to co-ordinate field work and Office work. You must have heard it at Coimbtore ~~and~~ but situation has not improved rather worsened. ~~Management~~ Employers have started "Crush CMS" Campaign, Police zulum continues and INTUC and other Unions are trying their best to wipe us out of field. Worst discriminatory measures by the employers and disruptive acts of the said unions have to be faced. However, we have supplied the required details and conciliation proceedings have begun. It will not be out of place to mention that Managements also have taken time to submit the required informations.

Thank you for your persuasion to the Ministry for those cases ~~being~~ about which I had requested you in my letter. Shri Joshi has agreed and those cases also have been taken up.

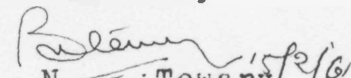
We are desirous to know the outcome of the Tripartite meeting over Gorakhpur Re-Organisation .... so please let us know the same at the earliest possible and thus enable us to be benefitted.

Further development ~~is~~ regarding Modern Satgram colliery Conciliation will be sent to you.

With Greetings.

Com. Kalyan's operation was ~~xxxxxx~~ successful and is getting better but is still in hospital.

Yours comradely

B.   
N. Tewary

724  
omms  
nagers

11 FEB 1961

No.4/36/60-LRII  
Government of India  
Ministry of Labour & Employment

270

Dated New Delhi, the 07 FEB 1961

From

Shri A.L. Handa,  
Under Secretary to the Government of India.

To

The Secretary,  
Joint Working Committee,  
6, Netaji Subhas Road,  
Calcutta.

Subject:- Supply of uniforms to Colliery Workers.

Sir,

I am directed to invite a reference to the decision taken at the Seventh Session of the Industrial Committee on Coal Mining held on 28.4.60 that the Joint Purchase Committee to be constituted on the recommendation of the Miners' Boot Committee should also ensure the quality of cloth required for the supply of uniforms given under the Coal Award.

2. As the supply of uniforms to the miners is also obligatory under the Coal Award, I am to request that the quality of cloth to be used for the shirts and shorts to be supplied to the miners, may also be considered by the Joint Purchase Advisory Committee which has already been constituted to approve samples etc. of footwears to be supplied to miners.

Yours faithfully,

*A.L. Handa*

(A.L. Handa)  
Under Secretary.

Recd 9/7/61  
2 Com Rao

no  
14/6/61

Sent  
to  
20/2

Copy to:-

1. Chief Inspector of Mines, Dhanbad, with reference to his letter No.9797-G, dated 2.4.60.
2. The Chief Labour Commissioner (Central), New Delhi.
3. The Regional Labour Commissioner (Central), Dhanbad.
4. The Secretary, Indian Mining Association, Royal Exchange, Calcutta.
5. The Secretary, Indian Mining Federation, 135 Canning Street, Calcutta.
6. Indian Colliery Owners Association, P.B.No. 70, Dhanbad.
7. Madhya Pradesh and Vidarbha Mining Association, Post Box No.3, Nagpur.

P.T.O.



8. The General Secretary, Indian National Trade Union Congress, 17, Janpath, New Delhi.
9. The General Secretary, All India Trade Union Congress, 4, Ashok Road, New Delhi.
10. The General Secretary, Hind Mazdoor Sabha, Nagina Das Chamber, (2nd Floor), 167, Feroz Road, Bombay-1.
11. The General Secretary, United Trade Union Congress, 249, Bowbazar Street, Calcutta-12.
12. The Secretary, Indian National Mine-workers' Federation, 9, Elgin Road, Calcutta-20.
13. The Secretary, Indian Mine Workers' Federation, near Mack & Co. Dhanbad.
14. Department of Mines & Fuel, New Delhi.
15. Deputy General Manager, National Coal Development Corporation, Darbhanga House, Ranchi.
16. E & I Division.
17. L.C. Section.

*Krishna*  
(N. Krishnamachari)  
Section Officer.

270

February 7, 1961.

The Secretary,  
Indian Mine Workers Federation,  
Near Mac & Company,  
Main Road,  
Dhanbad.

The Secretary,  
Utkal Provincial Trade Union Congress,  
Bengalisahi,  
Cuttack.1.

Dear friend,

Enclosed please find a copy of the judgement dated November 21, 1960 of the Supreme Court in the writ petition No.87 of 1959 of M/s. Hingir Rampur Coal Co. Ltd., in regard to the Orissa Mining Areas Development Fund Act, 1952.

In accordance with this judgement the State Government may now be in a position to undertake legislation and to raise funds for establishing fresh Mines Boards of Health or similar bodies in mining areas.

You are, therefore, requested to take note of this judgement and move in the matter.

With Greetings,

Yours fraternally,

  
(K.G.SRIWASTAVA)  
SECRETARY.

No. 172/SM/60  
February 1, 1961.

Shri A.P. Veera Raghavan,  
Under Secretary to the  
Government of India,  
Ministry of Labour & Employment,  
New Delhi.

Dear Sir,

Please refer to the judgement appended  
to your letter No. MII/1(18)/60 dated  
December 28, 1960.

Will you please be kind enough to  
send two more extra copies of the  
judgement and oblige ?

Yours faithfully,

*Umo*  
*Feb 1.*  
(K.G.Sriwastava),  
Secretary.

8. The General Secretary,  
All-India Trade Union Congress,  
4, Ashoka Road, New Delhi.

Immediate

No. MII-1(18)/60.  
Government of India  
Ministry of Labour & Employment.

From

Shri A.P. Veera Raghavan,  
Under Secretary to the Govt. of India.

To

Dated New Delhi, the


Subject:-Health and Welfare in mining areas.

Sir,

I am directed to refer to this Ministry's letter of even number dated the 7th September, 1960 and to forward herewith a copy of the judgement dated the 21st November 1960 of the Supreme Court in the writ petition No.87 of 1959 of M/S Hingir Rampur Coal Co. Ltd., in regard to the Orissa Mining Areas Development Fund Act, 1952. In view of this judgment the State Governments may now be in a position to undertake legislation and to raise funds for establishing fresh mines boards of health or similar bodies in mining areas and a scheme of the type circulated with this Ministry's letter No.M-II-1(13)/59 dated the 7th September 1960 may not be necessary. This may kindly be examined and taken into account while your comments on

the latter scheme are sent to the Government of India.

Yours faithfully,

  
(A. P. Veera Raghavan)  
Under Secretary.

Copy with a copy of enclosure forwarded for similar action to:-

1. Chief Inspector of Mines, Dhanbad.
2. Ministry of Finance (Deptt. of E.A.).
3. Ministry of Finance (E.B.R. ).
4. Finance Branch.

  
for Under Secretary.

Two spare copies.

'D.A.Refd.to'  
J.S.24/12/60.

270  
हिन्दुस्तान खान मजदूर फेडरेशन  
Indian Mine Workers Federation  
DHANBAD ( Phone 2855 )

Ref. No. ....

A. I. T. U. C.
Received 470/12.1.MAR 1961
Replied.....

Dated The 17th March, 1961

To  
Shri Teja Singh Shani,  
Deputy Secretary to the Government of India,  
Ministry of Labour & Employment.  
NEDELHI.

Subject: Re-constitution/of the Joint Purchase Advisory  
Committee.

Sir,

In response to your letter No.4/25/61-LRII dated  
15.3.61 on the above matter I am nominating Sri Sunil Sen  
to act as the representative of our organisation in the  
Miner's Boot Committee. His postal address is given in the  
below.

Yours faithfully

Pwzanta Barmar  
Secretary. 17/3

Sri Sunil Sen,  
c/o Colliery Majdoor Sabha,  
Prabhat Hotel, G.T. Road,  
PO. Asansol  
Dt. Burdwan, (W.Bengal)

Copy to Sri Bag Singh, Commissioner for C.M.W.O

✓ " T.B.Vittal Rao, President, I.M.W.F

A.I.T.U.C.  
Received 537/24-3-61  
Revised.....

Immediate

No.21/4/61-MI.  
Government of India  
Ministry of Labour & Employment

From

Shri C.R. Nair,  
Section Officer.

To

The General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road, New Delhi.

MAR 1961

Dated New Delhi, the

Subject:- Report of the Committee on Safety Education and  
Propaganda in Mines set up in pursuance of a  
recommendation of the Safety Conference.

Dear Sir,

I am directed to invite a reference to this  
Ministry's letter No.21/7/60-MI(11) dated the 26th February,  
1961 and to request that the name and address of a  
representative of your Association who may be nominated  
to the proposed National Mine Safety Council may kindly  
be furnished to this Ministry immediately.

Yours faithfully,

*C.R. Nair*

(C.R. Nair)  
Section Officer.

Here we have  
17 MF. ? what is  
the digital that was  
4/4.

Com. TRK suggests  
P. Satyanarayana from Singareni  
K. Roy agrees  
nominated  
April 17

No.4/25/61-IRII  
Government of India  
Ministry of Labour & Employment

Dated New Delhi, the 14th March, 1961.

From

Shri Teja Singh Sahni,  
Deputy Secretary to the Government of India.

To

Shri T.B. Vittal Rao, M.P.,  
No. 3, Windsor Place,  
New Delhi.

Subject:- Re-constitution of Joint Purchase Advisory Committee.

Sir,

I am directed to say that though the Industrial Committee on Coal Mining at its meeting held in April, 1960 decided that a Central Purchase Committee should be constituted for laying down the general procedure and directions and make arrangements to ensure that footwear of the requisite quality and of reasonable price as recommended by the Miners' Boots Committee should be supplied to the workers in the coal mines, the Government of India regret to notice that much progress has not been made in the matter of implementing this decision. So in order to discuss this question, a meeting of some of the members of the Joint Purchase Advisory Committee was arranged to be held at Dhanbad on the 25th February, 1961. But unfortunately the representatives of the Indian Mining Association did not attend it. The representatives of the National Coal Development Corporation, Indian Colliery Owners Association, Indian National Mine Workers' Federation and the Colliery Mazdoor Congress, however, attended it. The consensus of opinion at the said meeting was that the Joint Purchase Advisory Committee should be re-constituted under the Chairmanship of the Coal Mine Welfare Commissioner. The representatives of the workers who attended the meeting had also complained that proper procedure was not followed in constituting the Joint Purchase Committee as recommended by the Miners' Boots Committee.

2. The Government of India after careful consideration have, therefore, decided to re-constitute the Joint Purchase Advisory Committee, whose functions shall be as recommended by the 7th Session of the Industrial Committee on coal mining (vide extracts enclosed). The composition of the re-constituted Committee shall be as follows:-

Chairman: Shri K. Bag Singh. Coal Mines Welfare  
Commissioner, Dhanbad.

Members:

1. Indian Mining Association. Shri R.H. Wright C/O M/s Andrew Yule & Co.,  
Clive Row, Calcutta-1.
2. Indian Mining Federation. Shri S.B. Goenka M/S East Jamuria Coal  
Co. Ltd., 135, Canning  
Street, Calcutta.

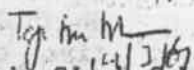
P.T.O.



- 2-
3. Indian Colliery Owners Association. Shri N.M. Chauhan M/S Central Kujana Colliery, P.O. Jharia, Dist. Dhanbad.
  4. Madhya Pradesh and Vidharba Mining Association. Shri W.E. Alphonso M/S Shaw Wallace & Co. Ltd., Calcutta.
  5. National Coal Development Corporation. Shri K. Mitra. National Coal Development Corporation, No. 9 Amir Ali Avenue, Park Circus, Calcutta.
  6. Indian National Mine Workers' Federation (INTUG) Shri B.P. Sinha Indian National Mine Workers' Federation, Dhanbad.
  7. Colliery Mazdoor Congress (H.M.S.) Shri S.K. Rudra. Colliery Mazdoor Congress, Bengal Hotel, P.O. Asansol.
  8. Indian Mine Workers' Federation (AITUG) One representative to be nominated by the Federation.
  9. Shri Ranjit Singh. Regional Labour Commissioner (Central), Dhanbad (Bihar).

3. Since the Government of India are anxious that there should be no further delay in the matter of supply of footwear to the miners, the Coal Mines Welfare Commissioner is being requested separately to convene the first meeting of the re-constituted Committee by the 20th March, 1961.

Yours faithfully,

  
 (Toja Singh Sahni)  
 Deputy Secretary.

270

March 15, 1961

Dear Com. Prasanta,

To day we have sent you a wire which reads as under:

Nominate one representative on miners  
boot committee meeting Dhanbad March 20  
stop advise us name telegraphically

Vittalrao

Enclosed please find the letter from the  
Ministry, the original whereof has been sent  
to you by the Ministry direct.

With greetings,

Yours fraternally,

T.B.V.

(T.B.Vittal Rao)  
for GENERAL SECRETARY

27

23/3/61

EXPRESS

COLLIERY MAZDOOR SABHA

G T ROAD

ASANSOL

IMMEDIATELY SEND COPY EAST NIMCHA ~~XXXXXXXXXX~~

MURDER CASE JUDGEMENT

AITUCONG

Dear Com. K.G.

502/23-3-61

A few days back I wrote to you that I would meet Com. Kishor Rao at Bhopal on the 25th March 61.

But unfortunately I had to cancel going to Bhopal. Moreover, I have to move about in the Vidhya region because of the abnormal situation obtaining here. As you know this has affected the refusal area.

So till 30th April I shall not be away and I shall reach Bhopal on 3rd April. I shall stay there for a month. I have received a letter from Shri K.B. Singh

President B.C.A. that he is going to Bombay A.C. Head Office to dispose of the cases of certain union activists.

Com. Tiwari is at Roza. So because of this I will

20-2-22/500

Ad. no. 1098

not be able to receive Com. Vittal Rao  
either at Bhopal or at Jabalpur.  
Com. Vittal Rao's visit will

do immense good to Korba. So  
if you excuse me the (goes) straight  
to Korba. The route is as follows :-

from Delhi to Nagpur - by G.T.  
from Nag by Expresso (Hmrak) -  
Champa (at about 5 am) from  
Champa at 9 am to Korba at 3.30 am

to so. This is the only available  
train for him. off lookalikes take can  
drop him at Silli Rajhara, after  
which he may proceed to Korba.

If this tour is conducted please  
furnish information to Com.

Prakash Ray, Rajnandgaon  
P.S. Tiwari, Korba.

If the tour is called off, please  
send information for that too to these places.

Com. believe me, I am very sorry for this <sup>of 15 min</sup> eleven minute <sup>disturbance</sup> disturbance of the programme. I would <sup>have</sup> myself had learnt a good deal, but all the things are not in our hands. So please excuse me.

When I went last to the meeting of the Safety Education & Propaganda, I was not given the T.A. Later on I prepared the <sup>matter</sup> and T.A. Bill for 176.76 rs was prepared. The same was approved by the Chief Inspector of Mines, Shambad. He sent <sup>memo for</sup> an ~~order~~ order for payment at Shambad Treasury of the Contd. Bill No 108 <sup>dated</sup> dated 17-10-60 to the A.G. Bihar, P.O. Huios Ranchi, on 24-10-60. This memo 31971G was communicated to me on 24th October.

But as yet I have got no payment. Please help me by writing



March 23, 1961

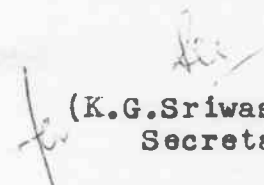
Dear Com. Thakur,

I am in receipt of your letter dated March 21.

It is regretted that due to some unforeseen difficulties, Com. Vithal Rao won't be able to go to Korba as scheduled but he has asked ~~me~~ me enquire from you as to whether a date sometime in the 3rd week of April would suit you. If so, please let us know your confirmation and the period for which you want Com. Rao to stay there.

With greetings,

Yours fraternally,

  
(K.G. Sriwastava)  
Secretary



Received 560/28-38  
Marked.....

270

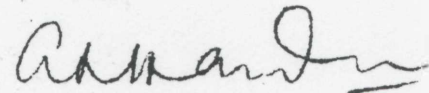
No.4/8/59-LRII  
Government of India  
Ministry of Labour & Employment

Dated New Delhi, the

27 MAR 1951

Amendment No.1 to the Model Standing Orders  
for the coal mining industry.

In the Model Standing Order No.13, for the sentence  
"The quality and pattern of footwear shall be determined in  
consultation with the Chief Inspector of Mines," read "The  
quality and pattern of footwear shall be the same as recommended  
by the Miners' Boots Committee".



(A.L. Handa)  
Under Secretary.

Copy forwarded to:-

1. The Deputy Chairman,  
Indian Mining Association,  
Royal Exchange,  
Calcutta.
2. The Secretary,  
Indian Mining Federation,  
135, Canning Street,  
Calcutta.
3. The Deputy Secretary,  
Indian Colliery Owners' Association,  
I.C.O. Association Road,  
P.O. Dhanbad.
4. The Secretary,  
Madhya Pradesh Mining Association,  
Parasia (Chindwara District).
5. The Managing Director,  
National Coal Development Corporation Ltd.,  
Ranchi.
6. General Secretary,  
Indian National Trade Union Congress,  
17, Janpath, New Delhi.
7. General Secretary,  
Hind Mazdoor Sabha,  
Servants of India Society's Home,  
Sardar Patel Road,  
Bombay-4.
8. General Secretary,  
All-India Trade Union Congress,  
4, Ashok Road,  
New Delhi.
9. General Secretary,  
United Trade Union Congress,  
249, Bow Bazar Street (1st Floor),  
Calcutta-12.

10. General Secretary,  
Indian National Mineworkers Federation,  
9, Elgin Road,  
Calcutta-20.
11. General Secretary,  
Indian Mine Workers' Federation,  
Near Mack & Co.,  
Dhanbad.
12. Ministry of Steel, Mines & Fuel, New Delhi.
13. Chief Labour Commissioner (Central), New Delhi.
14. All Regional Labour Commissioners (Central).
15. LR-I, LR-IV, E&I, LC, W.B., PHI, LWI-I, LWI-II,  
M-I, M-II, M-III, Fac., PF-I and PF-II Sections.

प्रिय कामरेड्स,

"डॉंगे साहब को नमस्ते"

अंतिम परजय के बाद

आपको मैं यह बताना चाहता हूँ कि एक इन  
 कारों पर भी स्वामाल की कीजिए। मेरे पिताजी  
 डि. डि. स्वामी मन्त्र के 20 वर्ष पहले से  
 काफी मेहनत और कोशिश के बाद इन्हें  
 देशी कोलफील्ड ऐरिया में M. S. T. V. C. की  
 बुनियाद दी और मजदूरों के सब को ऊंचा  
 उठाया। किन्तु आज तो बहुत ही सख्त  
 विमारी से आस्पताल में पड़े बसा रहे हैं।  
 उन्होने आपने सारी परिवार को त्याग कर  
 M. S. T. V. C. के लिए जान तक न्योछावर किया।  
 जेल जाये। गोष्ठी से जल्द ही रिहापर दिया  
 ये सब केवल M. S. T. V. C. के लिए ही।  
 पर अभी M. S. T. V. C. उनके लिए कुछ नहीं  
 कर रही है। अभी पहले Hemiplegia हुआ  
 उसके डाक्टरों का कहना है कि Brain tumour  
 का है होना शुरू हुआ है। पर अभी operation  
 करना बहुत जरूरी है। हम दो ही गाई है बहुत  
 कम कमाते है पर पूरी तरह आपने पिताजी  
 अच्छा जाने की कोशिश में हैं।  
 लेकिन ज्यादा सन्धे की और अच्छे इलाज  
 की बहुत सख्त जरूरत है। ऐसा नहीं हो  
 पा रहा है। इसके और यह भी बता देना  
 चाहता हूँ की Bililai में Russian  
 Hospital है वहाँ इसकी इलाज बहुत अच्छी तरह  
 की जाती है। इस लिए मैं आप से यह  
 शीख मांग रहा हूँ कि वहाँ के M. S. T. V. C. के  
 मि. मैन्वरों से सन्धेय करे और कि जोड़ी  
 सा पैसे का जरूर मदद करने की कोशिश करें।

माँर माप से अनिमत वार यह भी जीवन  
 मांगना है कि Bihari के Russian hospital  
 में गती करते की जल्द से जल्द शिकायत  
 करें। मेरे पिताजी के जहरवाद  
 सरकार माँर - पतुरानन मिश्रा, विहार के सगी  
 शापिपी से मापको प्राप्त हो सकता है।  
 मैंने सुना है कि माप Vijaya Vada Conference  
 में जाने वाले हैं। कृपकर जाने से पहले ही  
 शकी रणपाल करें।  
 इस पत्र के जवाब के बाद  
 दूसरा पत्र लिखूंगा।

मापका प्रिय पुत्र

(Son of - D. D. Swamy. डि. चन्द्रगुप्ता)

Manager, office Jarangdih Colliery  
 P. O. Jarangdih Colliery  
 Dist. Hazari nagh.

(Bihar)

See you later to  
 Con: Chattran Mishra  
 or Shakti or Bharti.  
 to report. There is no  
 Russian Hospital at Bhuber  
 when we can not contact to  
 Bhuber.

1/10  
 4/4

कोल वर्कर्स ए.ए.ए.ए.  
रजिस्ट्रेशन नं. ४६  
से बोधिस-गिरिदिह, (झारखण्ड)

270

A.I.C.  
Received 720/8-4-61  
Replied.....

To  
The Conciliation Officer (C) Verification,  
Dhanbad.

Ref. no. 812/4/61.....

Dated, the 5.4.1961.

Sub.: - Verification of membership of unions  
operating in Kurhurbaree, Serampore &  
Jarandih.

Dear Sir,

Refer your letter no. D-4/1(3-)/60 dated nit and in  
reply to this I am herewith enclosing you the copy of the letter  
no..... dated..... addressed to the Chief  
Labour Commissioner and till this is finalised we don't agree  
for any fresh verification and in any case if there is to be  
fresh verification it must be for the whole of N.C.D.C. in  
Bihar, where we are functioning and hence request you to postpone  
your visit for the time being.

Yours faithfully,

*Alijan mich*  
General Secretary,  
Coal Workers Union,  
Giridih.

*Handwritten notes:*  
10/7/61  
10/7/61  
10/7/61

Copy to:- 1). C.L.C., New Delhi.  
2). A.I.T.U.C., New Delhi.

April 5, 1961

Dear Com.Kalyan Roy,

Thank you for your letter of 30th March.  
Glad to know that you are better now.

Com.Dange has gone to Vijayawada from  
Bombay where he was for the last one week.  
We could write to you something definite  
on the question you raised only on his return  
by the third week of this month.

Prof.Subramanyam has been traced.  
His present address is:

Prof.K.V.Subrahmanyam,  
14 Sriramnagar South,  
Madras 18

With greetings,

Yours fraternally,

WM

(K.G.Sriwastava)

April 8, 1961

General Secretary,  
Indian Mine Workers' Federation

Dear Comrade,

As per the Report of the Committee on Safety Education and Propaganda in Mines, the Government of India is setting up a National Mine Safety Council.

The AITUC has been asked to nominate one representative on the Safety Council.

Please let us have your suggestions in this respect.

Com.Vittal Rao, President, IMWF, is of the opinion that Com.P.Satyanarayana, Vice President, Singareni Collieries Workers' Union may be nominated.

Since the nomination has to be made immediately, please let us have your views without delay.

With greetings,

Yours fraternally,

*mp*  
*Apr 8*  
(K.G.Sriwastava)  
Secretary

270

A. I. T. U. C.  
Received... 782/12-4-61  
Replied.....

No. 1/39/58-MI  
Government of India  
Ministry of Labour & Employment

From

Shri C.R.Nair,  
Section Officer.

To

All State Governments.

Dated New Delhi, the 10/4/61

Subject:- Metalliferous Mines Regulations, 1961.

Sir,

I am directed to forward a copy of this Ministry's Notification No.GSR 337 dated the 11th March 1961, in which the Metalliferous Mines Regulations have been published. These Regulations supersede the Indian Metalliferous Mines Regulations, 1926 and the Mysore Gold Mines Regulations, 1953 and have come into force with effect from the 11th March 1961.

Yours faithfully,

C.R.Nair  
(C.R.Nair)  
Section Officer.

d.a.refd.  
m.s.5/4

*A. Ramesh Kumar  
1st 7/4/61  
M.L.A.*

10. The General Secretary, All Indian Trade Union Congress, 4, Ashok Road, New Delhi.



Copy with a copy of enclosure forwarded to:

- (1) as per list attached,
- (2) Copy with 75 spare copies forwarded to the Chief Inspector of Mines, Dhanbad.

*C.R.Nair*  
(C.R.Nair)  
Section Officer

A.I.T.C.  
Received.. 818/14-4-61

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A.I.T.U.C.)

Regd. No. 3449

G. T. ROAD, ASANSOL.

General Secretary : Sri B. N. Tewary.

Ref No.....

Dated... 13th April 1961.

Dear Com. Shrivastee,

Received Rs 100.00 only sent by you. I  
came to Calcutta for to file application etc for Passport. The  
form has been filled up but as learnt from the Passport authority  
a Guarantor is needed as I have purchased the Stamped  
Paper of Rs 15.00 which I am enclosing herewith for you to file  
up the same. Please send it to me soon at Asansol address.

With Greetings

Cordially yours.

B.N. Tewary

14 APRIL 1961

270  
ORDINARY

KALYANROY  
COLLIERY MAZDOOR SABHA  
G T ROAD ASANSOL

ITS FUNNY YOU SENT ONLY FINDING OF SESSIONS COURT EAST NIMCHA  
CASE ALTHOUGH WE ASKED FOR JUDGEMENT STOP SEND JUDGEMENT  
IMMEDIATELY FOR TUR

ATTUNCONG

270

April 14, 1961

Dear Comrade Tewary,

Your letter of April 13, along with the Guarantee Form.

Most of the MPs are now out of Delhi and there is none whom we could approach for signing your guarantee form.

We are therefore sending it back. Please get it signed by any body who is in Calcutta. In case any MP is not available, get it signed by a person who has got Bank balance of about Rs. 10,000. A certificate of his asset will be sufficient.

With greetings,

Yours fraternally,

*mm*  
*14 Apr*  
(K.G. Sriwastava)  
Secretary

No.270/A/61  
April 17, 1961

Shri A.P.Veera Raghavan,  
Under Secretary to the Government of India,  
Ministry of Labour & Employment,  
New Delhi.

Sub: Report of the Committee on Safety Education  
and Propaganda in Mines set up in pursuance  
of a recommendation of the Safety Conference.

Dear Sir,

Thank you for your letter No.21/7/60-MI(11) dated  
24th/25th February 1961 on the above subject.

The AITUC would like to propose that Shri P.Satyanarayana,  
Vice President, Singareni Collieries Workers Union (AITUC)  
may be nominated on the National Mine Safety Council,  
to be set up by Government.

The address of Shri Satyanarayana is given below:

Shri P. Satyanarayana,  
Vice President,  
Singareni Collieries Workers Union,  
P.O. KOTHACUDEM, Andhra Pradesh.

Yours faithfully,

*mrs*  
*Mr 77*  
(K.G.Sriwastava)  
Secretary

GOVERNMENT OF INDIA  
 MINISTRY OF LABOUR & EMPLOYMENT  
 COAL MINES LABOUR WELFARE ORGANISATION

A. I. T. U. C.  
 Received 921/1946  
 Replied.....

No. P-11(2)/53.

270

Jagjivan Nagar, P.O.  
 The April, 1961.

To The General Secretary, All India  
 Trade Union Congress,  
 c/o Shri S-A. Dange, M.P.,  
 4, Asoka Road, New Delhi.

Subject: Supply of protective footwear to colliery workers.

Sir,

Pursuant on the decision taken at the meeting of the reconstituted Joint Purchase Advisory Committee held on 27-3-61 the quotation of Ruby Industries, Kanpur has been accepted for supply of boots/shoes for use of colliery workers at the following rates:-

Description	Rate per pair P.O.D. Kanpur delivery.	Rate per pair Ex-colliery delivery.
Protective Boots composite construction.	Rs. 19/75 np.	Rs. 22/25 np.
-do- welted construction.	Rs. 18/75 np.	Rs. 21/25 np.
Protective Shoes composite construction.	Rs. 12/-	Rs. 20/25 np.
-do- welted construction.	Rs. 17/-	Rs. 19/25 np.

The above prices will also apply to Boots/shoes with Rubber Soles and Heels. It is essential that the boots/shoes be made available to the workers at the earliest. You are, therefore, requested to obtain from your member workers the following information.

1. The number of pairs of boots/shoes required.
2. The type of boots/shoes, i.e., composite, welted, leather or rubber sole.
3. The sizes of each type boots/shoes required.

Only rubber sole and heel boots/shoes will be used in gassy mines.

As it is desired to commence supply of boots/shoes to coal miners by the 1st of May, 1961, immediate action to obtain the requisite statistics for the current year from your member workers and to submit the same to the undersigned may kindly be taken.

Instructions as to the manner of indenting for footwear and other relevant information will follow.

Yours faithfully,

*[Signature]*

Coal Mines Welfare Commissioner.

Shri J to Com  
 Kalyan Pr. Wante  
 19 Apr.

A.I.T.U.C.  
Received... 942/20:4:61  
Dated...

270

Ledo, April 17th, 1961. A public meeting under the auspices of Assam Coal Mine Workers Union/Ledo was held on 14.4.61 at Baragelai.

Com Aslam Khan, ~~xxx~~ Vice President of the Union presided the meeting, among those who addressed the meeting were Comrade Barin Chowdhury, President of the Union and General Secretary of the State Committee of A.I.T.U.C and Com. K.N. Pradhan, Vice President of the Union.

The meeting notes with concern the unrest prevailing among the workers of the Colliery for the methods adopted by the management to retrench permanent workers and replace them with temporary worker (Casual labour) to deprive <sup>them</sup> of the advantages of various labour laws, increase of work-loads, violation of mine acts forcing workers to work in the Colliery where air do not pass, several repressive measures against the workers launched by the Management, unnecessary delay in settling the cases of 87 retrenched worker andx reinstate them.

Com. Barin Chowdhury expressed concern on the continued neglect shown by the Government Labour Department in dealing with the long outstanding problems facing by the workers including the retrenched workers. He appealed the workers to unite and strengthen the Union to enable them to defend their causes and develop their living standard.

ASSAM COLLIERY MAZDOOR UNION  
Head Office—LEDO (P. O.) Assam.

To,  
The Editor,

The Assam Tribune.  
Gauhati.

for favour of publication in his esteemed paper free of cost.

*K. N. Pradhan*  
(K. N. Pradhan)  
Vice-President  
17/4/61

GOVERNMENT OF INDIA.  
MINISTRY OF LABOUR & EMPLOYMENT  
OFFICE OF THE CONCILIATION OFFICER (CENTRAL)  
HAZARIBAGH.

No.10(1)/59

Hazaribagh, the 20th April, 1961  
30th Chaitra, 1882.

To

The General Secretary,  
Coal Workers' Union,  
P.O. Giridih.

Sub:- Interpretation of Section 25c of the I.D.Act, 1947.  
.....

Dear Sir,

In continuation this office acknowledgement of even number dated 22.2.1961 of your letter No.G 16/3/61 dated 18.2.61 on the above subject it is stated that a workman retrenched before he can have compensation under clause (b) of Section 25F of the Industrial Disputes Act, 1947 has to show that he has been in continuous service for not less than one year under an employer. For this purpose what is "continuous service" has been defined in Section 2(eee). Secondly, after it is shown that he has been in continuous service as defined in Section 2(eee) two conditions must be satisfied before he can have compensation-(1) that he must have put in 12 calendar months' service with the employer; and (ii) that during this period he must have actually worked for not less than 240 days. Unless he satisfied both these conditions, he cannot claim to have put in one year of "continuous service" for the purpose of Section 25B. The period of not less than 240 days would include days mentioned in clauses (a) to (c) of the explanation to Section 25B. Section 2(eee) would apply for the purpose of showing that he has been in "continuous service" for not less than one year under an employer and not for any other purpose. Section 25B construes the words "every completed year of service" in clause (b) of Section 25F in an artificial sense.

2. If a workman satisfies the two conditions mentioned above, his eligibility to retrenchment compensation will not be affected by his failure to satisfy these conditions in any subsequent year. As an illustration, suppose a workman has 17 years' service at his credit at the time of his retrenchment but his service is not continuous during the 5th, 9th, and 15th year within the meaning of Section 2(eee) read with Section 25 B, still he would be eligible to receive compensation for the remaining 14 years of service.

3. The clarification given above in respect of retrenchment would apply equally to the claim for payment of lay-off compensation under Section 25C of the Industrial Disputes Act, 1947.

Yours faithfully,

Sd-

(R.P.Bartaria)

Conciliation Officer (Central),  
Hazaribagh.

Copy forwarded for information to the Dy.General Manger N.C.D.C. Ltd., Darbhanga House, Ranchi, with reference to his letter No.DGM-P/73/Lay-off/Comp/61 dated 20th March, 1961.



To

270

A.I.T.U.C.  
Received... 1091/28-4-61  
Replied.....

The Secretary,  
The I.L. and L.A.A.,  
H-61, Govind Mansion,  
Cannaught Circus,  
New-Delhi-1.

Dear friend,

Sub:- Interpretation of Sec.25c of the  
I.D. Act 1947.

We shall be highly obliged if your Association sends us any authoritative interpretation of Sec.25c of the I.D. Act. The point of dispute is that in our opinion as per sec.25c read with sec.25B the attendance of 240 days is required only to prove one year of continuous service i.e. it is applicable only for those workman in whose case there is doubt that he has not completed one year of continuous service. As an illustration if there is a workman of three years service and has put up 240 days attendance in first year of service but in the subsequent years of service he is not able to put up 240 days attendance he is entitled for lay-off compensation as provided in sec.25c of the I.D. Act, if laid off in the third year of his service. Please mark the clause "who has completed not less than one year of continuous service" in sec.25c of the I.D. Act.

On the other hand in the opinion of the Management and also of the conciliation officer to be entitled for lay-off compensation one must have an attendance of 240 days every year. The copies of their opinion are enclosed herewith.

Requesting an early reply.

Yours faithfully,

*Chaitram Singh*  
26/4  
General Secretary,  
Coal Workers' Union.

To  
A.I.T.U.C for proper legal advice

*26/4*

270

April 25, 1961

Com. Benarashi Tiwary,  
General Secretary,  
Colliery Mazdoor Sabha,  
G.T.Road, ASANSOL.

Dear Com. Tiwary,

Please immediately send the certified copy of the Judge's Jury Briefing or summing up or where the Court commented on the police action and the second corpse in East Nimcha Case.

Com. Dange wants it.

As soon as we get the copy, the cost will be sent.

Please treat this as most urgent.

Yours fraternally,

*K.G.*  
(K.G. Sriwastava)  
Secretary

To

270  
AITUC  
1090/28-4-61  
The Secretary to the Govt. of India,  
Ministry of Labour & Employment,  
New Delhi.

Ref no. CMPF loan / 4 / 61.....

Date 26/4.....1961.

Sub.:- Advance of loan to the Coal Mines workers  
from the C.M.P.F.

Dear Sir,

Refer your letter no.5(190)61-PF.1 dated 19th April 1961 from the under secretary Sri P.D. Caiha to us and I am to submit that it is all known that at present there is no provision in the Coal Mines Provident Fund Scheme to advance loan to the members and that is why we have requested you to make provision for that. In this connection according to our information more than 2500 workers of different mines have also individually written to the Labour Minister, Hon' able Sri Gulzarilal Nanda to have provision in the C.M.P.F. Scheme for advancing loans to its members as it is in other provident schemes such as State Railway Provident Fund.

This provision if arranged will immeensely help the coal miners to be freed from the clutches of moneylenders who ordinarily charge 300% interest.

It is, therefore, requested to make provision in the C.M.P.F. scheme for advance of loans to its members special on occasions of illness, marriage ceremony etc.

Requesting an early reply.

Yours faithfully,

*Chairman AITUC*  
General Secretary, 26/4  
Coal Workers' Union,  
Giridih.

Copy to AITUC for representation to the Labour Minister. ✓

270  
A.I.T.U.C  
1284/11-5-61

FOR PUBLICATION.

MAY DAY OBSERVED IN KENDUA (JHARIA).  
-----

Under the joint auspices of the Bihar Koyla Mazdoor Sabha and other Trade Unions affiliated with the All India Trade Union Congress, and the Kendua Branch of the Communist Party, May day was observed with great enthusiasm on 1st May, 1961. About 3,000 workers coming from adjoining collieries and Loyabad Coke Plant, colliery and workshop assembled at the Kendua Bazar in the mass meeting. Com. Lalit Burman presided over the meeting.

Coms. Anant Sharma, Prasanta Burman and Purnendu Mazumdar, leader of the Iron ore mines workers of Gua & Monoharpur addressed the meeting. The speakers dwelt on the significance of the May Day as the day of the unit, fraternity and solidarity of the international working class, the problems facing the people, and particularly the working of India and the tasks of the workers as the vanguard of the struggle for World Peace, democracy and national reconstruction.

The meeting expressed solidarity with the national liberation struggles of the peoples of Asia and Africa from colonial domination. The meeting greeting the heroic people of the Congo and Cuba in their struggles against the imperialist machinations, and congratulated the Cuban people in their victory against the U.S. invasion.

The meeting denounced the Govt.'s policy towards the working class and the masses at large whereby the rich are becoming richer and the poor the poorer with the scourge of unemployment, low wages, starvation condition prevailing in the country despite the developments in the Plan periods. The meeting criticized the Govt.'s policy in the matter of distribution of land to the peasants, for an all round development of the national economy.

The meeting criticised the Govt.'s policy of discrimination in Trade Unions and suppression of the Trade Union right and civil liberties by various methods at Central and State levels. The meeting urged upon the workers to be vigilant and continue determined struggle to safeguard and expand the Trade Union and democratic rights.

The meeting ended at about 9 P.M. amidst slogans.

.....

To

The Editor,  
Trade Union Record, New Delhi

Lalit Burman

In Favour of Publication:

270

A. I. T. U. C.  
Received... 14.8.4/94-561  
Replied.....

COLLIERY MAZDUR SABHA  
G. T. ROAD  
ASANSOL

DT: 22nd May, 1961.

The extended committee meeting of the Colliery Mazdur Sabha at the Chapai Khas colliery on the 21st May was attacked by a gang of 50 persons led by the local leaders of the Hind Mazdur Sabha and Gorokhpuri labour organisation officers.

Shri Mathrua Singh and Shri Uma Singh were seriously injured by spears and were removed to the Asansol Hospital by the police. Among others injured were: Kameswar Gope, Triloki Sriwastava, Treasurer of the Colliery Mazdur Sabha, Ram bilash Goasi, Sasthi Muchi, Habu Muchi, Kotha muchi.

When the meeting was coming to an end, at about 11-45 a.m., and Com. Triloki Sriwastava was speaking, the attackers led by Harabans Pathak, secretary of the local H.M.S. unit, D.N.Singh, Gorokhpuri commander surrounded the place from three sides and mercilessly belaboured the members.

Shri Kalyan Roy, Secretary, Indian Mine Workers' Federation & Shri Benarasi Tewary, General Secretary, Colliery Mazdur Sabha were present in the meeting.

When the members took shelter in an adjacent quarter, they were subjected to continuous brick-battling which continued for over 15 minutes. However, as the news spread and workers were seen coming to the place, the attackers fled.

The top officials of the company who were all present in the colliery did not inform the police nor arranged even for first-aid for the injured persons inspite of repeated requests of the workers. The injured persons lay bleeding in their quarters from 11-45 a. m. to 2-30 P.M. till the arrival of the police, who were contacted by the union officials.

The police arrested one person and other attackers, named by the injured persons, were found to have left the colliery.

The whole attack has been planned with the help of the management which is trying to crush the Sabha. The Sabha has demanded that all workers should be recruited through the Employment Exchange & cases of local villagers in search of jobs should be favourably considered. This has further enraged the C.R.O. commander and some officials who are taking bribes for giving jobs.

The whole situation of the colliery is tense.

*B. N. Tewary*  
B. N. Tewary, 22/5/61  
General Secretary  
Colliery Mazdur Sabha.

Colliery Mazdur Sabha  
G.T.Road  
Asansol

A. I. T. U. C.
Received.. 1436/2058
Replied.....

Dt: 17th May, 1961.

270  
East Nimke judgement

Dear Com. Sadhan,

Charges to the Jury has been sent to the AITUC office. Along with it, a note, covering the important aspects of the whole case which clearly show how this accusation was false and how the management falsely implicated the workers and how the whole case was framed. From my notes, you will see how the main point: the point of new miners and their proceeding to work, was fully blasted and any body who will read it will be left with one conclusion that the management brought pucca goondas.

Please carefully go through my note and the whole briefing. Then ~~in~~ on the basis of my note and some additions you think necessary, submit immediately a memorandum to Shri Sahaney. This is essential for sending the case of dismissed workers for adjudication.

Com. Dange was asking for it at Calcutta when I met him. Please in consultation with K.G., decide whether you will send it as it is to him or along with it make some small gist as I have prepared. Otherwise, the old man may be in difficulty. However, before you do that, see that fellow Sahaney and also show him the paragraphs I mentioned in my note.

Anxious to hear from you,

yours  
Kalyan Roy

*Kalyan Roy*

Encl - 1

*file*

THE EAST NIMCHA COLLIERY MURDER CASE

1. The case attracted a lot of attention and all the leaders of the Colliery Mazdur Sabha were arrested, including the Organising Secretary of the Sabha. Nearly 40 workers were summarily dismissed without any enquiry.

2. The case for the prosecution is when 21 new miners appointed by the management went to work in the second shift on the 18th April, 1960, they were attacked by 25 persons, leaders of the Sabha, in between the culvert between pit no 2 and the Creche.

One Sudana, a new "miner" died in the hospital. The prosecution further stated that another dead body, said to be that of Sarju Jasowara, another new "miner" was found in a drain of JayKaynagar on the 19th morning.

3. The defence stated that it was because the management did not like the Sabha, and hated its existence and wanted to ~~break~~ break the wagon loaders, with whom the management had disputes going on, with the help of goondas; the workers and leaders of the Sabha have been falsely implicated.

4. Re: non examination of the manager of the colliery, Sri S.S.Mehta, the judge said: " Prosecution has not ~~been~~ explained why the manager has not been examined. You will consider whether Sri Mehta would not have been a material witness in unfolding the prosecution story regarding the incident in the office before the Occurrence. If you consider that he was a material witness and you find that no explanation has been given for his non-examination, you may presume that if he had ~~not~~ been examined he would not have supported the prosecution case in that respect."

5. The defence also challenged the statement that new miners were appointed on that day and stated that goondas were brought by the management. So the question of new miners was one of the most important points before the Court.

In this matter, the judge said: "You will first consider whether it has been proved that the new miners were appointed and secondly, whether the new miners were going to their work. Dabral has stated before you that the Sardar bring miners to office and the clerk records their names in Form B, that a chit is drawn up with those names and signed by the manager with direction to allow them to go down. He also stated that the Form B is a prescribed register containing the names and particulars of the employees, the dates of appointment and the nature of appointment. He also states that the employees sign or affix thumb marks on Form B and the manager signs it. If new miners were appointed, then their names were entered in Form B. This Form B has not been produced before you. B.P.Dabrol said that the police examined and verified that Form B after wards. You have it in evidence that the Daroga wanted to see this and the management could not and did not produce it before him. We see from the order-sheet of the magistrate that the S.D.O. directed production of this document before him and that it was not done. Dabral stated that the S.D.O. passed strictures on them for non-production by saying that they made over those papers to their lawyer Mohit Babu. He

(2)

thereby suggested that the papers were not with the management and hence could not be produced. You will consider whether you can accept his explanation. You will consider whether the management would have retained that lawyer in their employment if he had been so irresponsible and whether the management would not have taken steps against the lawyer for securing those documents and producing them before the Court. Dabral did not state at any time before the trial in this Court that the papers were with their lawyer. The lawyer was not examined to say that he had the papers with him. You will consider whether there was any Form B of the new miners. If you are satisfied that there was no B Form of the miners, you will consider whether any new miners were appointed. Of the 21 new miners stated to have been appointed that day, only one, Jan Mansamad, had been examined. He stated that he did not give thumb impression on any paper before any doctor. You have it from Dabral that an employee is to sign on form B. You will consider whether Jan Mansamad was really an employee if he did not sign on the paper. Dabral stated that 4 or 5 days before the occurrence they decided to take new miners. He also stated that the manager of the colliery is the appointing authority. Manager has not been examined to say that they decided to take in new miners or any miners were appointed by him or that he signed in form B. Ichapurani is the Asst. Manager. He stated that he joined the colliery on 5.4.60. He stated that he came to know for the first time at 5 P.M. on 18.4.60 that new miners were being appointed or would go down. You will consider whether you can believe that new miners were appointed. Dabral stated that he came to the colliery on 17.4.60 and that his quarters was at Sandra-Banjhora colliery in Dhantad area. You will consider whether you can believe him that the decision to appoint miners was taken 4 or 5 days ago and whether he could know about it having come to the colliery on 17.4.60 and whether the Asst. Manager would not have known about it from 4 or 5 days before the incident. Dabral is merely the Group Labour Officer. You will consider whether he will be the person who will be concerned with the increase of production of the mine. The proprietor of the colliery or the manager has not been examined to say about it. Surat stated that Jasowot Babu is the proprietor. He has not been examined. M.P. Singh or Asst. Manager has not stated that new miners were to be appointed to increase the production of the mine. Dabral stated that the union of miners, Colliery Mazdur Sabha, complained to the authorities in April 1960 that the underground workers were not getting sufficient work. You will consider whether the authorities would have decided to appoint new miners. Dabral, however, added that the said complaint of the union was enquired into and found false. You will consider whether you can believe him, for he said he did not hold the enquiry himself and was not certain as to who did it. You will take all these facts into consideration and decide for yourselves whether new miners were appointed on 18.4.60."



6. That settles the question whether at all new miners were appointed or not. The Form B was not produced. None of the so called new miners were examined excepting one Jan Mahamad who also said he did not put any thumb impression, required for Form B, which was the only proof for supporting the statement of the management.

Further, the management could not say anything regarding the complaint of the union that there was no point of recruiting fresh miners, as old miners were not getting sufficient work. There was no enquiry even to this complaint.

Thus it was clear that people who were brought on that day were neither miners nor workers. Their purpose was something else: to resort to goondalism.

7. Next point, equally vital and on whom the whole case depended is whether these people were actually going to work in the second shift, when they were attacked?

This is what the Judge said: " If you are so satisfied, you will next consider whether the new miners were going to work that day at about 5-30 P.M. You have it in evidence that a miner before he can go for his work inside the mine must equip himself with a basket, a pick axe and mine lantern. I have already placed before you the evidence that no basket or pick-axe or lantern was found lying at the scene of occurrence or in the office by the police officer after the incident. You will remember that only one person was examined among the new miners. He is Jan Mahamad. He did not state that he was carrying a basket, pick-axe or lantern. You will consider whether new miners were going to work. M.B. Nandwana is the store keeper. He said that he supplied baskets to the sardars that day and that he noted that in his register. He stated that he did not show that register to daroga and that he did not want to see it. You have it in evidence that there is a lamp room in the colliery and lanterns are taken from there. Murat stated that there was a Lamp Register and it would be seen from that register as to who was going down on a particular day. These registers are not produced. No explanation has been given as to why they were not produced. You will consider whether these persons were going towards the pit for work that day. Nandwana stated that he did not see any lantern or basket with the injured brought to office. "

Thus it was also proved that all this prosecution story that the new miners while proceeding to go underground on the second shift for work, was a concoction. They did not have none of the implements for work and registers were not produced.

8. The other interesting point which shows to what an extent the management and police can go to frame false cases against the union leaders is seen in the next point, made out by the management. The prosecution stated that the body of a person, found in the JayKaynagar drain next day was that of one Sarju Jasowara, another "miner" brought by the company.

The Judge said: "You will consider whether you can believe that Sarju Jasowara was assaulted; Sarju Jasowara dead body was not found at the scene of occurrence. Excepting Barabrich none said that any injured person was carried away by the attackers. You will remember the evidence of P.Ws that the attackers prevented Sudama Singh from being carried away from there by Rammurat and others, and that they remained standing with Sudama's dead body lying before them till police arrived and rescued that body. If you believe that evidence, you

(four)

will consider whether it was at all possible for the attackers to remove one of the injured persons from there and leave the other. Jasowara's dead body was recovered by the police on receipt of any information at 7/55 A.M. next morning from a tank. (G.D. entry Ext. 4 read and explained to the Jury) H.P.Chowdhury who recovered the dead body said that he found dead body lying in a drain, and that he found with the deadbody a torn saya, four pices of torn sari, old kantha and cement bags. He also stated that between East Nimcha colliery and JayKaynagar where he found the dead body, there are vast stretches of bare land, abandoned pits and shrubs. He also stated that the distance was about 1½ miles. You will consider whether the dead body will have been removed to such a distance when there were other convenient places to dispose it of. You will again remember that A.S.I. Mahadeb Singh arrived at the spot at 6 P.M. and rescued Sudama. You will consider whether it was possible to remove Sudama's dead body. No other witness said ~~that~~ that he saw the attackers carrying or removing any injured men. Dr. Banik who held postmortem examination on Sarju said that all the organs were decomposed. You will consider whether Sarju was injured at 5/30 P.M. on 18.4.60 and if all his organs could decomposed by the next day 3/30 P.M. Again, the evidence of Barabrich is that Sudama was struck with bhalla and tangi by Sitaram and Ramdhani. The two injuries that were found on Sarju by the doctor and a decomposed wound on the right hand palm aspect and no external injury..... You will consider whether these injuries are consistent with the evidence of Barabrich that Sarju Jaswara was struck with ballam and tangi. You will consider the evidence and decide for yourselves whether the evidence of assault on Jaswoara is believable or whether Jasowara was one of the men among the miners at the time. Dabral stated that the police rang up to enquire if the dead body found on 19.4.60 was that of a miner and that he found out referring to form B that he was their miner. Rammurat recruited Jasowara, Parash took him with him upto the scene of occurrence. Neither Parasa nor Rammurat had said that he identified the dead body as that of Jasowara, the miner recruited by Rammurat. You will consider whether there is any evidence before H.P.Choudhury by Bikuntha Singh of JayKaynagar, was the same Jasowara who was recruited by Rammurat as a miner. You will consider ~~that the miner was Jasowara~~ whether it has been proved to your satisfaction that the miner Jasowara was assaulted."

8. Re: the point of the defence that some of the arrested workers were actually working underground at the time of the occurrence, the judge said: " Accused Ramprosad, Muso, Kesim Mia, Lachmi Show, Santu Rabidas, Gajadhar, Ramkhelwan, Pairoo, Rameswar Pashman and Liakat Mia said that they were actually in work underground at the time of the alleged occurrence. Accused Karamat Ali stated that he was an outsider having a tailoring shop in the colliery area, that he was called to office and asked to depose falsely and was arrested when he refused. Accused Ramgolam stated that he was falsely implicated as he was repeatedly asked to disassociate from the union and did not oblige.....You will consider their statements along with the other evidence in the case. G.S.Patel, underground in charge, had stated before you that Muso Pashman, Pairoo Bhuya, Ramprosad Ahir, Rameswar Pashman were inside the pit no 3 and they entered the pit at 4 P.M..... Daroga stated that he examined the attendance register of 18-4-60 for all the three shifts but did not seize that or produce that before you. Dabral stated that the second shift was from 4 P.M. to 12 in the night. You will consider whether it was likely to send new miners at 5/30 P.M. for work in the pit no 2 and whether or not it appears probable to you that those of the accused who were underground miners were inside the pit at the time of the occurrence."

G. before you that Sarju Jaswara, see  
 evidence before

(five)

Thus it is seen: 1. the story of sending new miners at 5-30 P.M. when the shift starts at 4 P.M. is false & 2. some of the arrested persons were actually underground working.

9. Re: the allegation of the accused union leaders that the whole thing was a plot and a result of their union activities, a strong support came from the evidence & this is how the judge summed up: " The accused persons suggested through their lawyer to the witnesses that the management being dissatisfied with the surface wagon loaders and being dissatisfied with the activities of the colliery Mazdur Sabha of which the accused persons are followers or supporters, brought goondas from outside to teach them a lesson-and that in so doing they got themselves injured and falsely implicated them as responsible for the injuries otherwise caused. Dabral admitted that a letter signed by Sunil Sen alleging goonda activities by the management with outsider goondas was received by him. The letter is dated 18-4-60. You will consider whether the accused persons planned to assault the new miners and sent that letter in advance accusing the management. There is no evidence in this case that the management informed any of the accused persons that they had taken decision to appoint new miners from 18-4-60 and to put them on work from shift no 2 of that day. You will consider whether it was possible for the accused persons to know that the new miners would get themselves prepared for attacking them beforehand. You will here consider that of the 21 miners stated appointed none but Jan Mahammad was examined and Jan Mahammad again said that he did not put his thumb mark on the register as was necessary in cases of new appointment. Dabral stated that 7 miners were sent in charge of Jaineswar, an old Sardar and 14 miners were sent in charge of Hd. Sardar Parash Singh the brother of Murat. Prosecution evidence is that Jaineswar and his men were scared away by throwing brick bats. None of them were assaulted but none of them had been examined to say that they were going to the mine that day by the second shift at 5/20 P.M. "

10. It was stated by the prosecution that a mob prevented the removal of an injured person and the police warned them with muskets and then they dispersed. But as the judge pointed out: "But he did not say that he arrested or tried to arrest any of those men who threatened him or said that they would not allow removal of the dead body. Dabral stated that a section 144 Cr. P.C. order was in force in the area upto 16th. You will consider whether this police officer, if he saw such assembly and their conduct was as he said, whether he would not have arrested them then. S.C.Das C.C. Raniganj who reached the spot at 7/35 Hours said that he did not take steps throughout that night for arresting the men though he got the complaint with the accused persons' named at 7/35 hours. You will consider whether this inaction on the part of the police officer is due to the fact that the trouble was made by the management and not by the labourers."

For favour of Publication

A. I. T. U. C.
Received. 1387/17-5-61
Replied.....

MAY DAY AT KOTHAGUDIUM COLLIERIES.

May Day 1961 was celebrated at Kothagudium Collieries quite fittingly. In every Department of the Collieries the workers formed preparatory committees and arrangements were made through these committees. The Union gave call in the 1st week of April itself to observe 'May Day' on a grand scale and advanced few important slogans regarding the burning problems of the workers.

The slogans given are:-

1. Appoint Wage Board for Coal miners.
2. Payment of Conveyance allowance for the miners who work in far off mines.
3. Implement Arbitrator's Award immediately.
4. Amend the Gratuity Rules.
5. Increase the rate of Provident Fund contribution.

These slogans were published in the fortnightly (Telugu) published by the Union three weeks advance. The workers decorated their Departments with big banners having the slogans on the banners. Thus the issues on which the winners should stage struggles in the coming period were focussed.

The speakers in the function mainly dealt with the above slogans. The great achievement of Major Gagarin, citizen of socialist country and the success of Dr. Castro over the armed intervention by America were greatly praised in the speeches. At each department in 'May Day' function ended with tea parties amongst the workers.

INTUC followers co-operated in the 'May Day' celebrations in all the departments except in one ie., Mines Engineering department. There a few followers of INTUC belonging to a splin-ter group in INTUC requested the management to allow them for duty since they do not want to observe 'May Day' and also stated that they did not belong to S.C. Workers' Union.

The management refused to accede to their demand and the department were kept closed declaring holiday. Ofcourse none cared these few fellows, every one being busy with their preparations for celebrating 'May Day'. Public meeting fixed on the day could not be held due to heavy rains. The 'May Day' has moved the workers on the demands facing them and we find a sort of movement amongst the workers to lodge struggles on the demands.

AT GODVARI MINES (RAMAGUNDAM)

Godvari Mines is a new unit of the Singareni Collieries Company, near Bellampalli. There also 'May Day' was celebrated on a grand scale though for the first time. Friends of Abid Ali tried to see that the day is not observed but they failed in their efforts and the Redflag was hoisted just in front of the Colliery Office. Even the surrounding villagers came and participated in the function.

T.U.N.

*Batzmercy*

THE SINGARENI COLLIERIES WORKERS UNION,  
H.O. KOTHAGUDUM

210  
May 23, 1961


Messrs. Ruby Industries,  
Post Box 360,  
KANPUR.

Dear Sirs,

Thank you for your letter No. RI/F-Mines/  
1025 dated 19th May 1961. The address of the  
Indian Mine Workers' Federation is given below:

General Secretary,  
Indian Mine Workers' Federation,  
Near Mack & Co.,  
DHANBAD, Bihar

Yours faithfully,

  
(K.G. Sriwastava)  
Secretary

# Ruby Industries

(ARMY & POLICE BOOT FACTORY)  
GOVT. & MILITARY CONTRACTORS

Gram : "CUSTODY" Kanpur  
Phone : 2 2 0 7 6

POST BOX 360  
NAWAB-UDULLAH'S COMPOUND  
17/89, RAMNARAIN BAZAR,

*Ref. No. RI/F-Mines/1025*

*Kanpur 19th May 1961.*  
(India)

The General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road,  
New Delhi.

A. I. T. U. C.
Received. <i>14.5.61</i>
Replied.....

**Express Delivery.**

Dear friend,

Re:- Protective Footwear for Miners.

As we are required to make some references with Sri Kalyan Roy, General Secy. Indian Mine Workers Federation, who took a lot interest in framing up the suitable specifications for the Miners Boots/Shoes in the "Miners Boots Committee", We shall be obliged if you kindly favour us with the full address of the Indian Mine Workers Federation at your earliest convenience.

Thanking you in the meantime,

Yours truly

( )

*[Signature]*  
nik )

or,  
PRIES.

*address*  
*no*  
*ms*

77  
May 19, 1961

General Secretary,  
Indian Mine Workers Federation,  
Dhanbad.

Dear Comrade,

We had sent you a letter on February 16, forwarding copy of a letter from the Union Labour Ministry on the question of re-employment of disabled miners. We had sent you a reminder on April 8 but so far we have received no reply from you.

Will you please let us have your reply at your earliest?

With greetings,

Yours fraternally,

*MG*  
(K.G.Sriwastava)  
Secretary



12. The General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road, New Delhi.

No.M.II.1/18/60  
Government of India  
Ministry of Labour and Employment

(270)

A. I. T. U. C.
Received. 1260/9-5-61
Replied.....

From

Shri B.B. Khanna,  
Under Secretary to the Government of India

To

Dated, New Delhi, the 5/5/61

Subject:- Health and Welfare in Mining areas.

Sir,

I am directed to refer to this Ministry's letter of even number dated the 28th December, 1960, on the above subject and to request that a reply thereto may kindly be expedited.

Yours faithfully,

*B. B. Khanna*  
for Under Secretary

Copy for similar action to:-

1. Chief Inspector of Mines, Dhanbad.
2. Ministry of Finance (Deptt of E.A.)
3. Ministry of Finance (C.B.R.)
4. Finance Branch (Min. of Labour & Employment)

*K. K. Khanna*  
for Under Secretary

# COLLIERY MAZDUR SABHA

(INDIAN MINE WORKERS' FEDERATION & A. I. T. U. C.)

Regd. No. 3449

G. T. ROAD, ASANSOL.

A. I. T. U. C.	
Received	1242/8-5-61
Replied	.....

General Secretary : Sri B. N. Tewary.

Ref No CMS/Gen/137 /61.

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Dated 5th May 1961.

East Nimcha

Dear Comrade Shriwastava,

Please refer to your letter dated, 25th April '61 addressed to me and asking me to send the certified copy of the Judge's Jury briefing or summing up regarding East Nimcha colliery case. Just after receiving the same I contacted our Legal Adviser and asked him to proceed with the matter but it was found that Management also had applied and the paper was sent to the Copying section of the Court. The delay in sending the same is due to some procedural matters *also*.

Application for urgent delivery has been made and I will be able to send it shortly.

It is for your information.

Comradely yours

*B. N. Tewary*  
B. N. Tewary 5/5/61  
General Secretary.

Mo. A.Ps/Lm/b9(mP)/61

Addl. Private Secretary to the  
MINISTER FOR  
LABOUR AND EMPLOYMENT



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New Delhi, the May 4, 1961 xxx.

Shri Mohammad Elias, M.P.,  
4, Ashoka Road,  
NEW DELHI.

A. I. T. U. C.  
Received..... 7-5-61  
Replied.....

Dear Sir,

I am desired to acknowledge  
the receipt of your letter dated  
May 3, 1961, to Shri G.L. Nanda,  
Union Minister of Labour & Employment  
and Planning.

Yours faithfully,

(J.C. Saxena)

file  
270

May 11, 1961.

Dear Com. Prasant,

I will be reaching Dhanbad on the evening of 18th instant by Gomoh Express to attend the meeting of Central Committee on Workers' hostel. I hope to meet you and Com. Lalit.

With Greetings,

Yours fraternally,

T. B. V.

(T. B. VITTAL RAO).

Com. Prasant Burman,  
Secretary,  
Indian Mine Workers Federation,  
Near Mac & Co.,  
Dhanbad,  
(Bihar).

May 11, 1961.

Dear Com. Chaturnanand,

I have your post card of 5th May, 1961. I met the Secretary, Sri P.M. Menon. The position of the cases ~~hav~~ are the same in April, 1961; except that of improvers seem to have been settled. I have informed the Secretary that the Union cannot be advised any more to refrain from restoring to direct action.

2. The payment of arrears to Mrs. Charles has been referred to the Ministry of Finance. Though this was referred to them as long ago as April, 1961 by the Ministry of Steel, Mines and Fuel, no reply is forthcoming.

3. Regarding the cases of superannuation - This might be referred to adjudication in case the NCDC authorities do not agree to the suggestion of the Ministry to ~~relax~~ some rules.

4. May I request you to write a little more elaborately on the cases sent to AITUC for representation. This will enable us to persue the cases. The items in your subsequent note are not in the same serial order as in the representation submitted to the Government by the AITUC in December, 1961. I do not know if you have a copy of the same. However, I will ~~be able to~~ discuss with you on the 19th or 20th May at Dhanbad.

With Greetings,

Yours fraternally,

T.B.U.

(T.B. VITTALRAO).

Com. Chaturananand Misra,  
General Secretary,  
Coal Mine Workers Union,  
Hazari-bagh,  
(Bihar).

270 Working of Nede

Giridih.  
The 6th May, '61.

To

The General Secretary,  
A.I.T.U.C.,  
NEW DELHI.

A.I.T.U.C.  
Received 1269/10561  
Repl: .....

Dear Comrade,

I have already informed you telegraphically how the N.C.D.C., has decided to reduce its output by 25 to 30%. In Bokaro Colliery in the March the output was 143000 tons but now they will produce only 90000 tons of coal. In Giridih Group of Collieries the output in the March was 54000 tons but now they have reduced it to 32000 tons only. The first victim of this drive at Giridih is the newly opened quarry miners who had given a good production in the last quarter of last year. Nearly one and half thousand of workers are now retrenched. On the 9th of April the N.C.D.C., wanted to celebrate the opening of the Deep Pit and the Union gave a call for boycott - the leaflet issued is enclosed herewith but subsequently the N.C.D.C. gave written assurance that no staff or labour will be retrenched and thereupon the Union joined the celebration. But strangely enough now they say that what they meant by "Labour & Staff" is the only permanent workers.

not received

Giridih is already a losing concern and if the output is anymore either pegged or restricted there will be further loss and the ~~tax~~ inevitable result will be closure and in view of this what is need is to raise the production further. There is huge quantity of Gr. III Coal in Giridih for which enough wagons are not supplied but if soft coke is prepared out of it the wagons are supplied in preference and even the price paid for soft coke (Gr.III) is higher. Hence, if large scale Colliery is done it will employ larger number of workmen.

Lastly, there is a plan to open a lowtarments Carbon by-product plant of coal in Behar and if it is opened at Giridih it will consume some 45000 tons of coal monthly and that will solve the problem of Giridih Collieries.

As regards the present retrenchment of more than 1500 workers if the quarry work is continued there will be no problem of unemployment. Since last war the Giridih Collieries have started these quarries Jatkuti, Khandiha and others more than 4 times. ~~and~~ One officer agrees to open it and another closes it and then a huge sum is spent for nothing. This shows how they plan the whole thing.

Enclosed herewith is the mass petition of the retrenched workers of Bhadua quarry. *It was selected "B" coal. There were some 300 workers and all stand retired.*

Request you to represent to the Govt. and let me know the result.

Yours sincerely,  
Chaturanan Mishra  
(Chaturanan Mishra) 6/5  
General Secretary,  
Coal Workers Union,  
Giridih.

Contact with T.B.V. before signing.  
11/5

Copy to:- State Committee of the A.I.T.U.C., Patna.

Discuss with Mr. C. Mishra. T.B.V. 11/5/61

MAY DAY

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A. I. T. U. C. Received 1362/16-5-61

May day 1961 was celebrated at the... The significance of the May Day was that till 30th of April the management... May 1st as a public holiday. It was only after the... secretary on 29th evening from Bangalore... holiday the workers were called in on the... The union also instructed the management... message were given to the superintendent... and arrived only on 30th morning of April... for non declaration of the May Day holiday... one element... the celebration of May Day and granting holiday for the... day of GANDHI'S death no such leave is granted and on the May Day they had tried to... create some troubles amongst the workers and to jeopardise the celebration... attempts were not in vain, the local police had made elaborate arrangements to meet any situation and also the workers were extraordinary alert. The May Day began with the... Phery and flag hoisting at two spots, one at the colony and the other at the union office. In the evening sweets were distributed to the children and a mass rally was held. In the mass rally the declaration of W P T U and that of the A I T U C were explained, the... discussed and the workers took pledge for the defence of the trade union rights and for the democratic rights of the working class in general. The meeting also passed several resolutions unanimously. They are:-

1. Asking the Americans to keep off from Cuba, Laos and Congo. The workers took pledge and expressed their full support for their struggle for freedom.
2. Supporting the just cause of the Tamil speaking peoples of Ceylon. This meeting while condemning the regressive attitude of the Government of Ceylon, requested the government of India to intervene immediately and also for immediate resumption of normal life of the Tamil speaking population.
3. Condemning the unjustified and unwarranted transfer of the local sub-inspector who in the period of few months of his office, distinguished his office of authority and rectified several unlawful activities and brought several culprits into book proved almost all cases and caused arrest in conviction, these elements were playing havoc in the hands of certain vested interests. As a matter of fact during his office, he had noted most suggestively and it learned that the S.I. were at the sight of collecting some gold... who were all along working under the shadow of certain officials of the company. This transfer being most unjustified... requests the Chief Minister... and the other authorities to see that the transfer order is immediately kept in abeyance until further enquiry.

FOR TUR

A. I. T. U. C.  
Received... 1388/17-5-61

Tandur Collieries,  
May 13, 1961,

*honour*  
Paying its humble *homage* to the two distinguished and illustrious sons of India, the Singareni Collieries named its two new mines as ('Rabindra Khani' and 'Motilal Khani' in the Ramakrishnapur area of the North Godavary Coal-fields.

Major N.K.Guruswamy, IAS., Managing Director, Singareni Collieries turned the first sod of the two mines to mark the inauguration of work of the new mines on May 10, 1961, in the presence of a large gathering of officers, staff and peasants from surrounding villages. Shri S.K.Nargundkar, General Manager, S.C.Co., Ltd., presided over the function.

The Ramakrishnapur area is situated at a distance of 17 miles to the South East of Belampalli railway station. There are 4 workable seams of good quality coal in this area. The thickness of seams varying from 5½ feet to 14 feet. Working at a rate of 5 lac tons a year from all the 4 seams, the mines would last for about 40 years. The life of the mines is likely to be increased if coal is proved at depths. The prospecting work done in the area so far has proved 30 million tons of coal. When the prospecting is complete in the area, it is hoped that atleast 100 million tons of coal would be available.

A modern township with all amenities for workers like recreation clubs schools, welfare centres and hospitals will come up, as the mines are developed.

Extending a hearty welcome to guests, Shri P.S.Temurnikar, Mandamarri Division, said that new areas are being propected and new mines are opened to enable the Singareni Collieries fulfil their tremendous 3rd plan targets.

Speaking on the occasion Shri Nargundakrs said that the face of Tandur Collieries had completely changed during the past 10 years. He said that with the output of 10 lac tons of caol





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June 3, 1961

Com. Chaturanan Mishra,  
Coal Workers' Union,  
Giridih.

Dear Comrade,

Your postcard from Ranchi dated 19th May. We could not reply earlier because Com. Dange was away.

We have remitted today to Com. Doraiswamy a sum of Rs. 150/- and we hope this would be of some assistance to him. We wish him speedy recovery.

Please let us know the state of his health at the moment.

With greetings,

Yours fraternally,

*Kh.*

(K.G. Srivastava)  
Secretary

Copy to: 1) Com. Doraiswamy

2) Com. Jagannath Sarkar, Patna

P.S. Com. Vittal Rao met Shri Teja Singh Sahni of the Labour Ministry on 1st June. He was informed that Mrs Charles' case has been settled. (Please let us know if the amount has been paid). Re. Superannuation, the Labour Ministry is understood to have recommended adjudication and the matter is before the Steel Ministry.

पूज्य कॉमरेड डॉ. (210)

नमस्ते।

A. I. T. U. C.  
I. R. No..... Date.....  
File No.....

बरौनी  
१४ जून '६९

मैं आपको यह पत्र एक खास उद्देश्य से लिख रहा हूँ। इस पत्र के द्वारा मैं एक विचार प्रकट कर रहा हूँ। विचार व्यक्तिगत है। और इस विचार को आप तक पहुँचाकर आपकी प्रतिक्रिया जानना चाहता हूँ। जैसा आप सोचें वैसा पत्र द्वारा सूचित करें। अगर यह विचार पार्टी के अन्दर जाने के काबिल हो तो वैसा भी खबर मुझे करें।

मेरा विचार है कि कम्युनिष्ट पार्टी चुनाव लड़ना छोड़ दे। भारत गाँवों का देश है। यहाँ की जनता भी लिखी-पढ़ी पूरी रूपेण नहीं है। लेकिन मतदान के द्वारा ही सरकार बनती है। वर्तमान राष्ट्रीय सरकार जनसाधारण की ग्राम जरूरतों की पूर्ति में करीब-करीब असफल ही रही है। कम्युनिष्ट पार्टी अभी ऐसी हालत में नहीं आयी है कि वह सरकार बना सके। विधान सभा या लोक सभा में भी पार्टी के मेम्बरों की संख्या नगण्य ही कही जायगी। जैसा कम्युनिष्ट पार्टी चाहती है वैसा कार्य भी सरकार के द्वारा नहीं हो पाता है। भवन के अन्दर लाख तर्क पेश करें; लेकिन काम होता है वैसा ही जैसी कांग्रेस पार्टी की इच्छा। पार्टी के अच्छे-अच्छे नेता साधारणतः देहात के लोगों से दूर चले जाते हैं। लोगों के बीच संगठन करने वालों की कमी रह जाती है। संगठन का सबसे अच्छा तरीका है कि जनता के बीच रह कर उसके दुःख-दर्द को समझना और उस दुःख-दर्द को दूर करने की कोशिश करना। अभी साधारण जनता तबाह है। आप साधारण जनता के लिये पार्लियामेण्ट में जो कुछ बोलते हैं, उसपर पूरा अमल ही नहीं किया जाता है। मेरा विचार है कि इलेक्शन लड़ना छोड़ दिया जाय। पार्टी की बहुत सारी ताकत इलेक्शन में ही खर्च हो जाती है जबकि गरीब जनता को उससे कुछ फायदा नहीं होता है। दूसरे बेहतर रहेगा कि पार्टी सरकार बनाकर जो कार्य करना चाहती है, वह काम अभी ही शुरू कर दिया जाय। चार चीजें जिन्दगी के लिये बहुत जरूरी हैं। भोजन, बस्त्र, दवा और शिक्षा। पार्टी देहात में जाकर लोगों को अपने पक्ष में करके सहकारी खेती शुरू करे। शत प्रतिशत लोग साथ नहीं आयेंगे। लेकिन कुछ तो आदमी साथ आयेंगे। पार्टी के जितने मेम्बर हैं उनके लिये यह लाजिमी कर दिया जाय। खेतिहर मजदूर पार्टी के साथ आसानी से आ जायेंगे। व्यक्तिगत स्तर में जब वे काम करने जायेंगे तो उन्हें जो मजदूरी मिलेगी; वह संस्था की होगी। संस्था उनके खाने-पीने का प्रबन्ध करेगी। पार्टी के पढ़े-लिखे साथी संस्था के

अन्दर जो बच्चे हैं उनको मुफ्त में पढायेंगे। पार्टी में जो डाक्टर हैं  
 उनसे भी सेवा ली जाय। शादी-व्याह मुफ्त होगी। पार्टी तर जगह कर्म करेगी  
 और इससे एक गांव दूसरे गांव से पार्टी के माध्यम द्वारा बहुत निकट  
 चला आयागा। तकली, कर्घा, चर्खा से लेकर छोटे-छोटे उद्योग की  
 स्थापना की जायगी। ग्रामीणों को उसी के अन्दर रखकर काम कराना  
 और पार्टी को खुद काम करना है। सतारें वर्ग को राहत मिलेगी  
 और वह वर्ग हमारा साथ देगा। शायद इसी प्रणाली को 'कम्यून' प्रणाली  
 कहते हैं। यह सही है कि जहां पार्टी का अधिक प्रभाव है वहां  
 यह काम आसानी से होगा जहां प्रभाव कम है वहां दिक्कत होगी।  
 लेकिन दिक्कतों के पश्चात् भी सफलता अधिक मिलेगी। मैं चाहता  
 हूँ कि नई दिल्ली का लोभ त्यागा जाय। भारत के सात  
 लाख गांवों के बीच जाकर सामूहिक रूप से गरीबी से लड़ा  
 जाय। गरीब को गरीबी से उठाया जाय। भारत का वस्सी प्रतिष्ठत  
 परिवार से रह है। पार्टी से मैं अनुरोध करता हूँ कि शैने वाले  
 के नजदीक आओ। और त्याग की जरूरत है। जनता कलाकार,  
 वैज्ञानिक, डाक्टर, इंजीनीयर, नेता यानी सब कुछ पैदा करती है।  
 अगर पार्टी त्याग और हिमन्धारी का परिचय दे तो सब कुछ  
 मिलेगा। संक्षेप में यह कि मैं पार्टी से अनुरोध करता हूँ कि  
 वह ग्रामीण सरकार बनाने की कोशिश करे। रचनात्मक कार्य  
 करने से देश का और पब्लिक का फायदा होगा। दिल्ली की  
 सरकार सात लाख गांवों की सरकार के निकट खुद आत्म  
 समर्पण कर देगी। व उसको आत्म समर्पण करना होगा।  
 इस काम को व्यवहारिक रूप में पार्टी वहां शुरू करे  
 जहां अभी अधिक प्रभाव है। आप तो शुरू खुद इसने बारे  
 में अधिक जानते हैं। मेरा जो यह विचार है इससे पार्टी  
 को फायदा होगा या बुद्धिमान, कार्य व्यवहारिक है या अव्यवहारिक  
 दार्शनिक जो कुछ आप समझें व पत्र द्वारा सूचित करें।

पत्र भेजने का पता -  
 राम लखन सिंह 'दीप्ती'  
 ग्राम/पत्रावधि - बरौनी डेवदी  
 जिला - मुंगेर (बिहार)

आपका शक साथी -  
 राम लखन सिंह

I. N. T. U. C.

# INDIAN NATIONAL TRADE UNION CONGRESS CENTRAL OFFICE

17, JANPATH  
NEW DELHI-1

REF. No. DN/1/61-62 IV/1016

The General Secretary,  
Mica Mazdoor Congress,  
P.O. Girdih,  
Dist. Hazaribagh.

*WU*  
*270*

2-3 JUN 1961

Dear Friend,

### AFFILIATION FEE & SPECIAL LEVY 1961-62

Our current financial year has commenced from 1st of April, 1961. We have calculated the affiliation fee payable by your union @ 10 nP. on the membership as per our record as on 31st March 1961. The details of the dues are given below with the request that the same may kindly be remitted at an early date :

	Rs.	nP.
1. Affiliation fee for the year 1961-62 @ 10 nP. per member on.....620.....membership (Subject to a minimum of Rs. 15/-)	62	- 00
2. Special Levy :		
i) Rs. 10/- for membership upto 1000.,	10	- 00
ii) Rs. 25/- for membership from 1,000 to 10,000.,		
iii) Rs. 50/- from 10,000 to 50,000 membership., and		
iv) Rs. 100/- for membership over 50,000.		
3. Arrears as on 31st March, 1961.	187	- 64
<b>Total :</b>	<b>259</b>	<b>- 64</b>

Amount in words Rs...Two hundred fifty nine and sixty four nP...Only.

may kindly be noted that the affiliation fee has been calculated on the membership available with us, as on 31st March, 1961. In case there is any change in the membership it should be intimated to the Central Office duly supported by a copy of the Annual Return submitted to the Registrar of Trade Unions. Please note that no change in membership will be acceptable after 31st August, 1961 and the membership available with us on that date will be taken as final for the next Annual Session.

Thanking you in anticipation of an early payment.

Yours fraternally,

*S. R. Vasavada*  
General Secretary

- NB :
1. Please do not forget to quote the Affiliation Number of your union while remitting the amount of affiliation fee.
  2. Payment may be made preferably by Demand draft or Cheque in the name of 'Indian National Trade Union Congress, New Delhi.' Payees Account.

*Dear Comrade,*  
*This union is non-existent (not affiliated) to INTUC. Similarly there is another mica union affiliated to INTUC - see in list. Also cancelled. Please challenge these a non-existent union (not affiliated to INTUC) but formally INTUC is existant. yours, Chakravarti*

Communication Address: -

Course I Trainees.

M.T.S. Bhurkunda.

P.O. - Bhurkunda.

Hazaribagh (Bihar)

A. I. T. U. C.

I.R.N. 2435 at 24 JUL 1961.

File No. ....

To

The Director of Training,  
National Coal Development Corporation Ltd.,  
Darbhanga House, Ranchi.

Sir,

We the Course I Trainees of Mining Training Schools <sup>Jarangdih,</sup>  
<sup>Giridih, Talchar, Bhurkunda, Kurasia</sup> beg to state that we want a discussion with you  
regarding our poor wages and dark future.

Now-a-days the price of every thing is very high, that is in ascending order. So it is not possible for we people to maintain our family with either Rs. 85/-... monthly of category VI or Rs. 92/- SDN-P. monthly of category VII. Sir, a peon of your office receives a pay of Rs. ~~100/-~~ 80/- monthly but we the poor "Matriculates - trade certificate holders, and M.T.S. trained people" will receive a daily wage of Rs. 1-37/- per day, is it judgement? You have fixed the pay scale of all the Courses except the Course I. Why this unnecessary discrimination towards other Courses? Are we so negligible? Due to our poor wages the trainees of other Courses, Staff and the workers and officers of "field" hate us violently. They told us that "you are the Litterate Coolies of N.C.D.C. Even in the School we do not get the facilities - which the trainees of other courses enjoyed.

All these negligency, hate, discrimination is due to our poor daily wages.

We challenge that we are more efficient than your so-called Supervisory Personnel of Course II - so far as practical work is concerned. But yet we get a scale which is about 1/4th of the pay scale of Course II. Even the "General Mazdoor" of the Collieries earn wages more than us. Is it not a tragedy? Is it not a satire?

We therefore demand: --

- (i) Abolition of category.
- (ii) Appointment as "Junior Technician" in the scale of Rs. 150 - 10 - 250/- <sup>or</sup>  
Directly appointment as Mechanic/Electrician Grade II.
- (iii) A future prospect up-to Foreman.

With a view of our academical and technical qualifications and experience - we think that our demands are quite reasonable.

Regarding our issue we want a peaceful negotiation with you. Waiting for a reply within a reasonable period, positively.

Thanking you,

Yours faithfully,

M. T. S. Jarangdih, Giridih, Talchar, Bhurkunda,

21 JUL 1961 Kurasia

Sd/Course I Trainees.

Copy forwarded to the Managing Director, National Coal Development Corporation Ltd., for information & necessary action.

Copy forwarded to ~~the~~ S. N. Dange M.P. Lok Sabha New Delhi - 1. for information & necessary action.

A. I. T. U. C.  
No. 2091 Date 1.2.61  
पत्र संख्या 31/L.T.K.P./1/61  
सेवा में

रजिस्टर्ड नं० १६  
रेड ऑफिस-गिरिडीह, (इजाराभाग)

मुख्य मंत्री  
बिहार सरकार पटना ।

दिनांक गिरिडीह २७-६-१९६१ ई० ।

विषय : गिरिडीह में लो टेम्परेचर कार्बन प्लांट कोल खोलने के लिये प्रतिनिधित्व।  
महाशय

जैसा कि आपको मालूम होगा तृतीय योजना में बिहार राज्य में केन्द्रीय सहायता से एक लो टेम्परेचर कार्बन प्लांट जो तृतीय श्रेणी के कोयले से बनेगा खुलने की योजना है । इस कारखाने में प्रतिदिन छह हजार टन कोयला से कोक बनेगा ।

यों तो यह कारखाना कहीं भी खुलने से खुशी की बात होगी लेकिन गिरिडीह की विशेष हालत के कारण हम लोगों की अपील है कि श्रम इस गिरिडीह में ही खोला जाय । गिरिडीह कोलियरी का अच्छे ग्रेड का कोयला समाप्त प्राय है लेकिन तीसरे ग्रेड का कोयला का स्टॉक पर्याप्त है । गिरिडीह का कोक प्लांट अति उम्र हो चुका है । अगर यह लो टेम्परेचर कारखाना यहीं खुले तो कोलियरी की उम्र बढ़ जायगी । लगभग दस हजार मजदूर जो बेघरवार होने वाले हैं फिर वैसे ही रह जायेंगे । यहां अनुभव प्राप्त कोक प्लांट के मजदूर मिलेंगे जिनके मकान पानी बिजली आदि की व्यवस्था में आपको विशेष खर्च नहीं लगेगा क्योंकि ये सरकारी कोलियरी में वैसे ही हुये हैं । सरकार द्वारा चलनेवाली यह कोलियरी जो तीसरे ग्रेड की खूपत के अभाव में प्रतिवर्ष लाखों के घाटे चल रहा है पूरा उत्पादन कर मुनाफे में चलने लगेगा ।

अवरख व्यवसायी की मंडी के चलते जिस तरह बेकारी फैल गयी है उसमें कोलियरी बंद होने से जो यदि तीसरे दर्जे का कोयला खपत का इन्तजाम नहीं हुआ तो अनिवार्य है और भी स्थिति खराब हो जायगी और ससा हुआ गिरिडीह शहर जो कोसल और अवरख पर ही निर्भर है उजड़ जायेगा ।

ऐसी स्थिति में लो टेम्परेचर कार्बन प्लांट कोल गिरिडीह में खोलकर एक तो आप गिरिडीह कोलियरी का घाटा रोकते हैं दूसरा दस हजार कोयला मजदूरों को उजड़ने से बचाते हैं तीसरा गिरिडीह शहर को उजड़ने से बचाते हैं चौथा खुद आपके प्लांट के लिये अनुभवी कारीगर आसानी से मिल जाते हैं पाचवां आपको खुद अपने कारखाने के लिये मजदूरों के रहने के मकान आदि का खर्च लगभग बच जाता है ।

इसके अलावे इस काम में नेशनल कोल डेमलफैन्ट तथा उसका । गिरिडीह वनियाडीह ।  
वर्कशप और बिचली घर बडा ही सहायक सिद्ध होगा ।

मुझे यह लम्बा खत आपको इसलिये लिखना पड रहा है कि हमारे पास  
ऐसी खबरें आ रही हैं कि नेशनल कोल डेमलफैन्ट कारपोरेशन की सिफारिश के  
बावजूद आपके उद्योग विभाग पर प्राइवेट खान मालिक "अनुचित तरीकों"  
से भी प्रभाव डालकर क रिया क्षेत्र यानी कोलियरी क्षेत्र में ही यह प्लान्ट खुलवना  
चाहते हैं और उद्योग विभाग के कुछ मुख्य अफसरान जैसी कि खबर है उनके प्रभाव  
में आ भी गये हैं । जो भी हो यह तो आपके लिये विचारणीय है ।

आपसे यह भी अनुरोध है कि हमारी यूनियन की और से एक प्रतिनिधि  
मंडल इस सम्बन्ध में आपसे वातालाप करना चाहता है और आप सुविधानुसार  
इसके लिये समय निर्धारित करें ।

आफका विश्वाभाजन

प्रधान मंत्री

भारत प्रधान मंत्री

कोल वर्क्स यूनियन, गिरिडीह ।

प्रतिनिधि माननीय प्रधान मंत्री श्री जवाहरलाल नेहरू, भारत सरकार,  
नयी दिल्ली, माननीय योजना मंत्री श्री गुलजारी ला नन्दा, अखिल भारतीय  
ट्रेड यूनियन कांग्रेस नयी दिल्ली, बिहार कमेटी अखिल भारतीय ट्रेड यूनियन  
कांग्रेस, पटना को सूचनार्थ प्रेषित ।



270

June 28, 1961

Com. Chaturanan Mishra,  
Coal Workers Union,  
Giridih, Bihar

Dear Comrade,

We enclose copy of a letter received from the Union Labour Ministry in connection with definition of 'industry' and 'local area' in respect of mining, for purposes of criteria for recognition of TUs.

Please send us your comments on the same by return of post.

With greetings,

Yours fraternally,

*me*  
(K.G. Sriwastava)  
Secretary

Encl:

Copy of letter No.5(38)/61-E&I dated the 13th June, 1961 from the Joint Secretary to the Govt. of India, Evaluation & Implementation Division, Ministry of Labour & Employment, New Delhi addressed to All Employers' and Workers' Central Organisations and the Deputy General Manager, The National Coal Development Corpn., Darbhanga House, Ranchi (Bihar).

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Sub:- Definition of the terms 'Industry' and 'Local area' for the purposes of clause 3 of the 'Criteria for Recognition of Unions' under the Code.

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As you are aware, the Indian Labour Conference decided at its 17th Session held in July, 1959 that the words 'industry' and 'local area' occurring in clause 3 of the 'Criteria for Recognition of Unions' should be defined by the Government concerned. It also recommended that the provisions contained in the Industrial (Development & Regulation) Act and other enactments might be examined for the purpose and the matter placed before the Standing Labour Committee.

2. While the views of the State Governments etc. on the subject will be placed before the Indian Labour Conference at its next session, a case has arisen where a workers' union has claimed recognition as 'representative union' for coal industry under clause 3 of the 'Criteria for Recognition of Unions'.

3. As coal fields generally lie in a contiguous belt in a State, it is proposed to declare each State as one 'local area' for the purpose of recognition of a 'representative union' in the coal industry. Before, however, the claim of the union in this regard is concerned, I am to request you kindly to let us know if you have any comments on the proposed definition of the 'local area'.

4. We shall be thankful to have your comments by the 30th June, 1961 at latest.

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June 28, 1961

Dear Com.Kalyan Roy,

Your postcard of 25th inst.

Since this is a meeting called by Government, we think that as in other cases, you are entitled to get T.A. For this purpose, we are sending the nomination, giving your Asansol address.

The meeting will now be held in the Committee Room of Bengal Chamber of Commerce & Industry, Royal Exchange, 6 Netaji Subash Road, Calcutta at 11.30 A.M., on the 18th July. There has been a further postponement. Please confirm that 18th July is suitable to you. If not, please suggest whom else we should nominate for attending the meeting.

With greetings,

Yours fraternally,

*Vhs.*

(K.G.Sriwastava)

June 15, 1961

Dear Com.Kalyan Roy,

The new CLC, Mr O.Venkatachalam, has called a meeting of representatives of employers and workers at 11.30 A.M. on 26th June, 1961, in the office of the Regional Labour Commissioner, Calcutta, to discuss the question regarding provision of alternative jobs and financial assistance to superannuated workmen. This meeting is being called as per the decision of the 8th Session of the Industrial Committee on Coal Mining, which was that the "CLC would look into the question of re-employment of workmen superannuated in coal mines under Regulation 28 of the Coal Mines Regulations '57 in suitable alternative jobs and the provision of appropriate financial assistance to such workmen."

Hope you would be attending this meeting.

Please confirm.

With greetings,

Yours fraternally,

(M.Atchuthan)

270

June 23, 1961

Dear Com.Kalyan Roy,

Information has been received today that the meeting proposed for 26th at Calcutta to discuss re-employment and financial assistance for superannuated coalmine workers has been postponed to Sixth July.

We have not heard from you in reply to our letter of 15th inst., in connection with this meeting. Please confirm that you would be attending the meeting.

With greetings,

Yours fraternally,

(M.Atchuthan)

Com.Kalyan Roy,  
Asansol/Calcutta

No.270/61  
June 19, 1961

Dear Com. Chaturanan,

Your letter dated June 12, addressed to Com. K.G.Sriwastava. Com. K.G. is not in Delhi at present. He is likely to return on 21st or 22nd.

We are sending herewith a copy of the Minimum Wages (Central) Rules, 1950, as amended upto 1959. The latest amendment which you have referred to is being sent in typed form since no printed copy is available. Hope this will help.

This rule was substituted by Notification No. GSR. 918, dated 29th July, 1960, published in the Gazette of India, Part II, Sec.3(1), dated 6th August 1960. You may write to Manager of Publications, Government of India, Delhi.6 (Civil Lines) for the same, if you desire to have a copy of the gazette.

We have also received today, your express delivery postcard to K.G. We shall let you know the position after he returns.

With greetings,

Yours fraternally,



(Sadhan Mukherjee)

Encl: 2

270

BY REGD. POST                      June 19, 1961

General Secretary,  
Indian Mine Workers' Federation,  
Dhanbad.

Dear Comrade,

We enclose Statement showing proposals for amendment of the Coal Mines Provident Fund & Bonus Schemes Act, 1948, circulated by the Government of India, for eliciting opinion.

We would like to have your comments, so as to reach us not later than 10th July 1961.

With greetings,

Yours fraternally,

for Secretary

Encl:

Com. Vittal Rao

No.270/61

Com. Chaturanand Misra,  
Coal Workers Union,  
Giridih,  
Dt. Hazaribagh, Bihar.

Dear Comrade,

Thank you for your letter dated May 31,  
addressed to Com. E.G.Sriwastava.

Regarding your query about Bonus, following  
is the official text:

" Counting leave period as days of attendance  
for earning bonus:-

It was agreed that the period of leave to  
be counted as attendance for the purpose of bonus  
would be 21 days in a year, or where earned leave  
was accumulated, the actual number of days of  
earned leave availed of (including accumulations)  
plus 5 days."

We are sorry, we do not have any spare copy  
of the official text. Re-employment question is  
still under consideration. Views have been sought.

Other points of your letter(s) are being  
attended to.

With greetings,

Yours fraternally,

  
for SECRETARY.



A. I. T. U. C.  
Received... 1758/9.6.61  
Replied.....

कोल वर्कर्स यूनियन  
रजिस्ट्रेशन नं० १६  
हेड ऑफिस-गिरिदिह, (इजारीबाग) Date 31-5-61  
Giridih,

Dear Comrade K.G.,

I learn from INTUC papers that in the last Industrial Committee (coal) meeting a decision was taken to reckon the recently increased leave days with pay as attendance for the purpose of x attendances required under the Bonus scheme. Request you to send me a copy of the same at an earliest possible date.

<sup>decided</sup>  
It was, perhaps in the ~~six~~ Industrial Committee meeting ~~decided~~ that management will try to re-employ the injured persons who have drawn their compensation. Please also send a copy of the same.

Yours,  
Chaturman

Copy to Com. Kalyan to send the papers referred in this letter.

STATEMENT SHOWING PROPOSALS FOR AMENDMENT OF THE  
COAL MINES PROVIDENT FUND & BONUS SCHEMES ACT, 1948.

S.No	Section of the Act.	Existing provision	Proposed amendments	Reasons for proposed amendments.
(1)	(2)	(3)	(4)	(5)
1	2(b)	<p>"Coal Mine" means any excavation where any operation for the purpose of obtaining coal has or is being carried on, and includes all works, machinery, tramways and sidings, whether above or below ground, in or adjacent to or belonging to a coal mine:</p> <p>Provided that it shall not include any part of the coal mine on which a manufacturing process is being carried on unless such process is a process for coke-making or the dressing of minerals.</p>	<p>The existing clause along with the proviso thereto shall be substituted and shall be deemed always to have been substituted, namely:-</p> <p>"(b) 'coal mine' means any excavation where any operation for the purpose of searching for or obtaining coal including lignite has been or is being carried on, and includes -</p> <ol style="list-style-type: none"> <li>i) all borings and bore holes;</li> <li>ii) all shafts, in or adjacent to and belonging to a coal mine, whether in the course of being sunk or not;</li> <li>iii) all levels, and inclined planes in the course of being driven;</li> <li>iv) all open cast workings which mean a quarry, that is to say, an excavation where any operation for the purpose of searching for or obtaining coal including lignite has been or is being carried on not being a shaft or an excavation which</li> </ol>	<p>The existing definition of the term "coal mine" in Section 2(b) of the Coal Mines Provident Fund and Bonus Schemes Act, 1948, is based on the definition of the term "mine" in Section 3(f) of the Indian Mines Act, 1923. The Indian Mines Act, 1923, was repealed by the Mines Act, 1952. The Mines Act, 1952, was amended by the Mines (Amendment) Act, 1959. The definition of term "mine" in the Mines (Amendment) Act, 1959 has been made very comprehensive. It is now proposed to revise the definition of the term "coal mine" to make it more comprehensive. Accordingly, clauses (i) to (vii), (ix) and (x) of the proposed Section 2(b) are based on the definition of the term "mine" in the Mines (Amendment) Act, 1959, with suitable changes, where necessary.</p> <p>The Coal Mines Provident Fund and Bonus Schemes Act, 1948, originally applied to "employees in coal mine", as distinct from those employed in connection with coal mine. By an amendment passed in 1950, namely, the Coal Mines Provident Fund and Bonus Schemes (Amendment) Act, 1950, the Act was applied to all "employees in or in connection with coal mine who get their wages directly or indirectly from the employer", under sub-section (d) of Section 2 of the Act. In this way the scope of the Act was enlarged for the purpose of bringing</p>

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which extends below superjacent ground;

- v) all conveyors or aerial rope ways provided for the bringing into or removal from a coal mine or coal including lignite or other articles or for the removal of refuse therefrom;
- vi) all adits, levels, planes, machinery, works, railways, tramways and sidings, in or adjacent to and belonging to a coal mine;
- vii) all workshops situated within the precincts of a coal mine and under the same management and used solely for purposes connected with that coal mine or a number of coal mines under the same management;
- viii) all offices used solely for purposes connected with a coal mine or a number of coal mines under the same management;
- ix) all power stations for supplying electricity solely for the purpose of working the coal mine or a number of coal mines under the same management;
- x) any premises for the time being used for depositing refuse from a coal mine, or in which any operation in connection with such refuse is being carried on, being premises exclusively occupied by the employer of the coal mine;

within its purview employees working in colliery offices and ancillary undertakings like coke ovens, workshops, hospitals, etc. It is proposed to include such undertakings etc., in the definition of 'coal mines' also

It is also proposed to make it clear that the word "coal" includes lignite, as lignite is a sort of brown coal and a lignite mine at Palana in Rajasthan is already covered under the Rajasthan Coal Mines Provident Fund Scheme, 1958.

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xi) any organisation ancillary to a coal mine including coke ovens or plants, hospitals, canteens and other units as may be specified by the Central Government by notification in the official gazette as coal mine for the purpose of the principal Act;

Provided that such organisations as are already implementing the Schemes framed under the **principal Act**, shall be deemed to be coal mines for the purpose of the principal Act and/or the Schemes framed thereunder from the dates of their implementing the said Schemes or from the dates from which they are called upon to implement the said Schemes, if earlier;

Provided further that in case of any dispute as to whether a particular organisation is or is not a coal mine for the purpose of this Act, the decision of the Central Government shall be final."

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2 2(d) "employee" means any person who is employed in any kind of work, manual or otherwise, in or in connection with a coal mine and who gets his wages directly or indirectly from the employer;

*connection*

The existing clause shall be substituted by the following clause:-

'employee' means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of a coal mine and who gets his wages directly or indirectly from the employer, and includes any person employed by or through a contractor ~~in or in connection~~ with the work of the coal mine.

Provided that any mali, sweeper, teacher, domestic servant, apprentice, or trainee who receives wages, stipends or any remuneration or allowance from the employer shall also be deemed to be an employee for the purpose of any Coal Mines Provident Fund Scheme framed under the principal Act.

It is proposed to revise the definition of 'employee' on the lines of definition of this term in the Employees' Provident Funds Act, 1952, to make it quite clear that the term 'employee' includes employees employed by or through contractors in a coal mine.

Further it is proposed to extend the benefit of Provident Fund to certain categories of workers, such as, malis, sweepers, teachers and domestic servants, who receive any wages from the employers. In accordance with the recommendations of the sixth Session of the Industrial Committee on Coal Mining these workers are at present receiving the benefit of Provident Fund on consent basis. It is now further proposed to regularise this by making specific provision for this purpose. It is also proposed to bring apprentices or trainees who receive any wages or stipend within the purview of the Act as apprentices or trainees in certain coal mines are already receiving the benefit of Provident Fund. They are treated as 'employees' under the Industrial Disputes Act and Mines Act. All the employees in the above-mentioned categories are not eligible for membership of the Provident Fund as they are not entitled to bonus under the Coal Mines Bonus Scheme, but they are getting the benefit with the employers agreement. The Coal Mines Provident Fund Scheme is now being delinked from the Coal Mines Bonus Scheme and a separate attendance qualification is to be

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(1) (2) (3) (4) (5)

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prescribed to become eligible for membership of the Provident Fund. In order to bring all these employees within the purview of this Act, it is proposed to add a proviso to this clause.

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(1)	(2)	(3)	(4)	(5)
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3 2(e) "employer" means the owner of a coal mine as defined in clause (g) of Section 3 of the Indian Mines Act, 1923 (IV of 1923);

The existing clause (e) shall be substituted and shall be deemed always to have been substituted namely:-

"(e) 'employer' when used in relation to a coal mine, means any person who is the immediate proprietor or lessee or occupier of the coal mine or of any part thereof and in the case of a coal mine the business whereof is being carried on by a liquidator or a receiver, such liquidator or receiver and in the case of a coal mine owned by a company, the business whereof is being carried on by a managing agent, such managing agent; but does not include a person who merely receives a royalty, rent or fine from the coal mine, or is merely proprietor of the coal mine, subject to any lease, grant or license for the working thereof; or is merely the owner of the soil and not interested in the minerals of the coal mine but any contractor for the working of a coal mine or any

The present definition of 'employer' is based on clause (g) of Section 2 of the Indian Mines Act, 1923. The Indian Mines Act 1923 was repealed by the Mines Act, 1952. The Mines Act, 1952 was amended by the Mines (Amendment) Act, 1959. It is proposed to define 'employer' on the lines of the definition of 'owner' contained in the Mines Act, 1952 as amended by the Mines (Amendment) Act, 1959.

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part thereof shall be subject to this Act in like manner as if he were an employer, but not so as to exempt the employer from any liability;

Provided that 'managing agent' shall have the meaning assigned to it in the Companies Act, 1956".



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(1)	(2)	(3)	(4)	(5)
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4 3(3) (No provision exists at present)

"(3) Where under the provision of any Scheme framed under Section 3 any Board of Trustees is constituted for administering the Fund, such Board of Trustees shall be a body corporate under the name specified in the Scheme having perpetual succession and a common seal and shall by the said name sue and be sued."

Item 4 of the First Schedule of the Act and para. 3 of the Coal Mines Provident Fund Scheme framed thereunder provide for the constitution of a Board of Trustees. It is proposed to insert in the Act a provision to the effect that the Board of Trustees shall be a Body Corporate having perpetual succession and a common seal and shall by the said name sue and be sued, on the lines of a similar provision in Section 6(3) of the Employees' Provident Funds Act, 1952.

(1)	(2)	(3)	(4)	(5)
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5 Sec.3-a (No provision exists at present).

To incorporate a new provision, namely:-

"3-A Special provisions relating to existing Provident Funds.

1) Where in accordance with any provision of a Scheme framed under Section 3 any employee who is a subscriber to any Provident Fund recognised under the Indian Income Tax Act, 1922 (11 of 1922) or to which the Provident Funds Act, 1925 (XIX of 1925) applies, elects to join the Fund, the authority administering such Provident Funds shall transfer to the Fund within two months from being asked to do so by the Coal Mines Provident Fund Commissioner, appointed under the provisions of the Schemes framed under Section 3, the accumulations standing to the credit of such employee in that Provident Fund, notwithstanding anything to the contrary contained in any law for the time being in force or in any deed or other instrument establishing that Provident Fund but subject to the provisions, if any, contained in

Under Section 15(2) of the Employees' Provident Funds Act, 1952 accumulations standing to the credit of the employees in other Funds in industries covered under the Act have to be transferred to Employees' Provident Fund on their becoming members of Employees' Provident Fund. There is no such provision in the Coal Mines Provident Fund and Bonus Schemes Act, 1948. Although para. 26 of the Coal Mines Provident Fund Scheme, 1948 gives option to employees to continue to subscribe to any Provident Fund to which they may be subscribing before becoming members of the Coal Mines Provident Fund, or to elect to join the Coal Mines Provident Fund, there is difficulty in transferring their accumulations from other Funds to the Coal Mines Provident Fund in the absence of any specific provision in the Act. It is, therefore, proposed to make provision for this purpose on the lines of similar provision under Section 15(2) of the Employees' Provident Funds Act, 1952.

It is also proposed to have a new provision under which transfer of accumulations from Provident Funds of other industries to the Coal Mines

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in the said Scheme, and such transferred accumulations shall, thereafter, form part of the Fund for all purposes.

2) In the event of a person who is a subscriber in an establishment other than a coal mine to the Employees' Provident Fund established under the Employees' Provident Funds Act, 1952 or a Provident Fund of an establishment exempted under Section 17 of the Employees' Provident Funds Act, 1952, or a Provident Fund recognised under the Indian Income Tax Act, 1922, or a Provident Fund to which the Provident Fund Act 1925 applies, becoming a member of the Fund subsequently his past accumulations in such other Provident Funds may be transferred to the Fund.

3) In the event of a member of the Fund leaving service in a coal mine and joining any other industry not covered by any Scheme framed under Section 3 and contributing to a Provident Fund recognised under the Employees' Provident Funds Act, 1952 or the Indian Income Tax Act, 1922 (XI of 1922) or to any other Provident

Provident Fund in the case of persons who change over from other industries to coal mining may be permitted.

Further it is also proposed to make provision for transfer of accumulations in the Coal Mines Provident Fund to other Provident Funds.

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(1) (2) (3) (4) (5)

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Funds Act, 1925 (XIX of 1925)  
applies, the accumulations  
standing to the credit of such  
member in the Fund may be  
transferred to that Provident  
Fund."

(1) (2) (3)

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6 Section 9. Penalty:-

(1) Any Scheme framed under this Act may provide that any person who contravenes any of the provisions thereof shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) No court shall take cognisance of any offence punishable under any such Scheme except on a report in writing of the facts constituting such offence made by an Inspector with the previous sanction of such authority as may be specified in this behalf by the Central Government.

This Section is to be substituted by the following:-

Section 9 Penalty.

(1) Any Scheme framed under this Act may provide that any person who contravenes for the first time any of the provisions thereof shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) Any Scheme framed under this Act may provide that any person who contravenes any of the provisions thereof within a period of two years from the date of the immediately preceding conviction, if any, shall be punishable with imprisonment for a term which may extend to twelve months or with fine which may extend to two thousand rupees or with both.

It is proposed that any person who contravenes any of the provisions of the Act, within a period of two years from the date of previous conviction, shall be liable for enhanced penalty on the lines of similar provision for enhanced penalty for subsequent conviction under the Factories Act, 1948, and Plantation Labour Act, 1951. This is necessary, as experience has shown that legal proceedings have to be initiated against some employers after short intervals. It is also necessary that penalty for subsequent conviction should be a deterrent one. Clause (2) of proposed new Section 9 provides for this.

Sometime cases for contravention of provisions of the Coal Mines Provident Fund Scheme are tried by Magistrates having second class powers. Section 80 of the Mines Act, 1952, provides for trial of cases under that Act by 1st Class Magistrates, etc. It is proposed to make a similar provision in clause (3) of the proposed Section 9.

It is further proposed to add a proviso to avoid controversy about the jurisdiction of a court

(1) (2) (3)

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(3) No court shall take cognizance of any offence punishable under any such Scheme except on a report in writing of the facts constituting such offence made by an Inspector with the previous sanction of such authority as may be specified in this behalf by the Central Government and no court inferior to that of a Presidency Magistrate or Magistrate of the First Class shall try any offence under this act.

Provided that where a coal mine and its office or any other part of the coal mine are situated in two different districts or States, the competent court having jurisdiction over the coal mine proper shall try any offence alleged to have been committed by the employer of the coal mine notwithstanding the location of the office or any other part of the coal mine or office."

offices, offences or any part of a coal mine are situated in two or more different districts under jurisdiction of different courts. This difficulty has been felt in some of the cases.

(1)	(2)	(3)	(4)	(5)
7	Section 10(2)(a)	Require an employer to furnish such information as he may consider necessary for the purposes of any Scheme framed under this Act.	<p>This sub-section is to be substituted by the following namely:-</p> <p>"(a) require an employer or an ex-employer of a coal mine to produce in his office or any other convenient place specified by him, such account books, registers and other documents relating to the employment of persons in the coal mine and to furnish such information as he may consider necessary for the purposes of any Scheme framed under this Act."</p> <p>After sub-section (2), the following sub-section shall be inserted, namely:-</p> <p>"(2A) Every person required to produce any document or furnish any information under clauses (a) and (b) of sub-section 2, shall be deemed to be legally bound to do so within the meaning of section 175 of the Indian Penal Code."</p>	<p>It is proposed to amend clause (a) to empower the Inspectors to demand production of records in their offices from the owners of closed collieries and also from ex-owners of collieries which changed hands. This provision is necessary because experience has shown that closed collieries and ex-owners of collieries do not maintain any office where the Inspectors can see necessary records.</p> <p>Further it may be pointed out that in April 1952, the Coal Mines Provident Fund and Bonus Schemes were amended for making the colliery owners responsible for the production of records before Inspecting staff. These amendments were carried out on the authority of residuary powers conferred under item 14 of the First Schedule and item 7 of the Second Schedule to the Act. It is now proposed to amend the Act also.</p>

(1)	(2)	(3)	(4)	(5)
8	Section 10-A	<u>Mode of recovery of money due from an employer.</u>  Any amount due from an employer in respect of any contribution or bonus under any Scheme framed under this Act may be recovered by the Central Government in the same manner as an arrear of land revenue.	To substitute Section 10-A by the following namely:-  "Any amount due from any person in respect of any contribution, administrative charge, damages or bonus under the principal Act or any Scheme framed thereunder may be recovered by the Central Government in the same manner as an arrear of land revenue."	The present Section 10-A of the Act provides for recovery of any amount from employer in respect of any contribution or bonus under any Scheme framed under this Act as an arrear of land revenue. It is proposed to modify the Section.



(1)	(2)	(3)	(4)	(5)
9 Sec.10-B	(No provision exists at present).	To incorporate a new provision, which shall be deemed to have been always incorporated namely:-	<u>"10-B-Determination of employer in certain cases.</u>	Under the existing provisions of the Act, a Director of a Limited Company or a partner of a firm etc. cannot be prosecuted as the employer of a coal mine. This lacuna has been causing difficulty in realisation of the dues of the Fund. It is proposed to make a provision on the lines of Section 76 of the Mines (Amendment) Act, 1959.
			Where the employer of a coal mine is a firm or other association of individuals, all or, any of the partners or members thereof or where the employer of a coal mine is a company, all or any of the directors thereof or where the employer of a coal mine is Government or any local authority, all or any of the officers or persons authorised by such Government or local authority, as the case may be, to manage the affairs of the coal mine shall, notwithstanding anything to the contrary contained in any law or contract for the time being in force, be deemed to be employer and may be prosecuted and punished under this Act for any offence for which the employer is punishable.	

(1)	(2)	(3)	(4)	(5)
10	Sec. 10-C	(No provision exists at present).	To incorporate a new provision, which shall be deemed to have been always incorporated, namely:-  <u>"10-C Delegation of powers.</u>  The Central Government may direct that any power or authority or jurisdiction exercisable by it under the principal Act or any Scheme framed thereunder shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction be exercisable by the Board of Trustees constituted under the provisions of any Scheme framed under Section 3 of the Coal Mines Provident Fund Commissioner, appointed under the provisions of the Scheme framed under Section 3 or any other officer administer- -ing the Coal Mines Bonus Schemes framed under Section 5."	Under Section 10A of the Act any amount due from an employer under the provisions of the Scheme framed there- under may be recovered by the Central Government in the same manner as an arrear of land revenue. In actual practice, certificate cases under the Coal Mines Provident Fund are filed by the Coal Mines Provident Fund Commissioner. It is, therefore, proposed to add a new provision to the Act to this effect. There is already a provision for necessary delegation in Section 19 of the Employees' Provident Funds Act, 1952.

(1)	(2)	(3)	(4)	(5)
11	<u>First Schedule of the Act.</u> Entry 3-A	(No provision exists at present).	To incorporate a new provision, namely:- "3-A. Levy of damages at a rate not exceeding 25% per annum from the employer or any other authority required to transfer past Provident Fund accumulations under sub-section (1) of Section 3A on any arrears due from him in respect of any contribution, charges and other dues payable to the Fund under any provision of the Act or Schemes framed under Sections 3 and 5 thereof".	A provision for this exists in Section 14-B of the Employees' Provident Funds Act, 1952. It is proposed to make a provision for this in the First Schedule to the Coal Mines Provident and Bonus Schemes Act, 1948 also.

(1)	(2)	(3)	(4)	(5)
12	<u>First Schedule</u> <u>of the Act.</u>  Entry 13-A	(No provision exists at present).	"13-A - The manner in which accumulations in any existing Provident Fund shall be transferred to the Fund under Section 3-A and the mode of valuation of any assets which may be transferred by the employers or the authorities administering such Provident Funds in this behalf.	In view of proposed new Section 3-A it is necessary to make this provision in the First Schedule.

(1)	(2)	(3)	(4)	(5)
13	Second Schedule of the Act.	(No provision exists at present).	"5-A. Recovery of damages at a rate not exceeding 25% per annum from the employer who makes default in the payment of any bonus to his employees on the due date."	This is to enable levy of damages for belated payment of bonus to employees and is necessary for reasons similar to those mentioned against serial No. 11.

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June 8, 1961

To  
(1) Com.Kalyan Roy, Calcutta  
(2) Com.Vittal Rao, Secunderabad

Dear Comrades,

We send herewith copy of an  
ILO Report of the meeting of Experts  
on Major Mine Disasters.

Please study it and send us  
your comments.

With greetings,

Yours fraternally,

*K.G.*  
(K.G.Srivastava)  
Secretary

Encl: 1

TABLE I (a): Coke:

Grade of coal	Price per ton of	Price per tonne of
	2240 pounds	1,000 kilograms
	Rs. nP.	Rs. nP.
Soft Coke—not exceeding 45 per cent ash content.	29·33	28·87
Hard Coke—[Large Rubble or Smithy over 1/2" (over 12·7 millimetres)]		
A. From bye-product ovens.		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent.	Not exceeding 41·02	Not exceeding 40·37
(ii) If the ash content does not exceed 24 per cent.	Not exceeding 47·02	Not exceeding 46·28
B. From Bee-hive and Country Ovens:—		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent.	Not exceeding 39·27	Not exceeding 38·65
(ii) If the ash content does not exceed 24 per cent.	Not exceeding 45·27	Not exceeding 44·55
Coke Breeze under 1/2" (under 12·7 millimetres).	Not exceeding 7·84	Not exceeding 7·72

NOTE 1: The prices of hard coke and coke breeze given under Table I(c) are the maximum prices at which coke of the grades and sizes specified under that Table may be sold by cokeries.

NOTE 2: The prices given under Tables I(a), I(b), I(c), I(d) and I(e) are for delivery free on rail at or at the loading point nearest to the colliery, or free on tramway or road vehicle at the colliery.

TABLE II. Collieries situated within the States of Madhya Pradesh, Orissa, Maharashtra and Gujarat.

Grade of coal	Price per ton of 2240 pounds.		Price per tonne of 1,000 kilograms.	
	Run-of-mine, Dust coal and Slack coal.	Steam coal, Rubble and Smithy nuts.	Run-of-mine, Dust coal and Slack coal.	Steam coal, Rubble and Smithy nuts.
	Rs. nP.	Rs. nP.	Rs. nP.	Rs. nP.
Selected Grade	23·28	24·28	23·91	23·90
Grade I.	22·53	23·53	22·17	23·16
Grade II.	21·78	22·78	21·44	22·4
Grade III.	21·18	22·18	20·85	21·83

NOTE 1: For the purposes of the above Table, the grade of any coal shall be determined follows:—

If the ash and moisture content thereof:—

- (i) does not exceed 19% Selected Grade
- (ii) exceeds 19% but does not exceed 24% Grade I
- (iii) exceeds 24% but does not exceed 28% Grade II
- (iv) exceeds 28% but does not exceed 35% Grade III

All analysis of high moisture coals will be carried out on—72 mesh samples after equilibrating under the conditions given below for 48 hours:—

Atmospheric temperature	40°C + 2°C
Relative humidity.	60% + 2%

Mineral, having ash and moisture content in excess of 35% shall not be vendible as coal.

TABLE III.—Collieries situated within the State of Assam.

Name of colliery	Type of coal or coke.	Price per ton of	Price per tonne of
		2240 pounds.	1,000 kilograms.
		Rs. nP.	Rs. nP.
Margherita collieries of the Assam Railways and Trading Company.	Run-of-mine	28·81	28·35
	Dust coal	28·81	28·35
	Hand picked coal	35·31	34·75
	Hard coke	85·32	83·97
Nazira Coal Company Limited, Borgan.	Run-of-mine	26·19	25·78
Dilli Colliery of Dilli Colliery Company.	Run-of-mine	26·19	25·78
Jeypore Colliery	Run-of-mine	26·19	25·78
Koilajan Colliery.	Run-of-mine	26·46	26·04

NOTE 1: The prices given under Table III are for delivery free on rail at the colliery in the case of the Margherita collieries of the Assam Railways and Trading Company Limited and for delivery free on road vehicle at the colliery in the case of the other collieries.

NOTE 2: In the case of sales on f.o.r. basis by the Nazira Coal Company Limited and the Dilli Jeypore, and Koilajan collieries mentioned in Table III above, the f.o.r. prices shall be determined by adding to the prices mentioned against each in Table III above, the following amounts, namely:—

Nazira Coal Company Limited, Borgan.	A sum of Rs. 5/- per ton of 2240 pounds (Rs. 4·92 per tonne of 1,000 kilograms).
Dilli Colliery of Dilli Colliery Company and Jeypore Colliery.	A sum calculated at the rate of 50 nP. per ton of 2240 pounds for each mile (31 nP. per tonne of 1000 kilograms per kilometre) of the distance between the pit-head and the rail head.
Koilajan colliery.	A sum calculated at the rate of 75 nP. per ton of 2240 pounds for each mile (46 nP. per tonne of 1000 kilograms per kilometre) of the distance between the pit head and the rail head.

TABLE IV—Collieries situated within the territories formerly known as Khasi States in the State of Assam

1) Lvsngkyrdom mine, Laitryngew mine, Thangjinath mine and the Cherapunji colliery of Cherra Chattack Ropeway Company.

Type of coal	Price per ton of	Price per tonne
	2240 pounds	of 1,000 kilograms
	Rs. nP.	Rs. nP.
Lump coal	18·00	17·72
Run-of-mine coal	12·75	12·55
Coke	33·75	33·22

(2) Any other colliery

Type of coal	Price per ton of	Price per tonne
	2240 pounds	of 1000 kilograms
	Rs. nP.	Rs. nP.
Lump coal	18·00	17·72
Run-of-mine coal	12·75	12·55
Coke	33·75	33·22

NOTE: The prices given under Table IV are ex-pit head.

TABLE V.—Collieries situated within the State of Andhra Pradesh.

(1) Singareni Group of Collieries (except Yellendu).

Type of coal	Price per tons of 2240 pounds	Price per tonne 1000 grams
Round coal	Rs. nP. 28.25	Rs. nP. <sup>a</sup> 27.80
Separator Nut coal 1"–2" (25.4 millimetres—50.8 millimetres)	28.25	27.80
Nut coal 1"–1" (12.7 millimetres—25.4 millimetres)	26.75	26.33
Run-of-mine coal	27.75	27.31
No. 2 coal	27.25	26.82
Slack coal 0"–1" (0 millimetre—12.7 millimetres) and 0"–1" (0 millimetre—25.4 millimetres)	25.25	24.85

(2) Yellendu colliery

Type of coal	Price per ton of 2240 pounds	Price per tonne of 1,000 kilo- grams
	Rs. nP.	Rs. nP.
Round coal	27.25	26.28
Separator Nut coal	27.25	26.82
Nut coal 1"–1" (12.7 millimetres—25.4 millimetres)	25.75	25.34
Run-of-mine coal	26.75	26.33
No. 2 coal	26.25	25.84
Rough Slack 0"–2" (0 millimetre—50.8 millimetres)	26.25	25.84
Slack coal 0"–1" (0 millimetre—12.7 millimetres) and 0"–1" (0 millimetre—25.4 millimetres)	24.25	23.87

NOTE: The prices given under Table V are for delivery free on rail at or at the loading point nearest to the colliery or free on tramway or road vehicle at the colliery.

TABLE VI.—Cokeries situated within the States of Madhya Pradesh and Orissa.

Grade of Coke	Price per ton of 2240 pounds	Price per tonne of 1,000 kilo- grams
	Rs. nP.	Rs. nP.
<b>A. MADHYA PRADESH</b>		
Hard Coke from bye-product ovens [Large Rubble or Smithy over 1" (over 12.7 millimetres)]		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent	Not exceeding 57.58	Not exceeding 56.67
(ii) If the ash content does not exceed 24 per cent	Not exceeding 63.58	Not exceeding 62.58
Coke Breeze under 1" (under 12.7 millimetres)	10.60	10.43
<b>B. ORISSA</b>		
Hard Coke from bye-product ovens [Large Rubble or Smithy over 1" (over 12.7 millimetres)]		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent	Not exceeding 52.77	Not exceeding 51.94
(ii) If the ash content does not exceed 24 per cent	Not exceeding 58.77	Not exceeding 57.84
Coke Breeze under 1" (under 12.7 millimetres)	9.80	9.65

NOTE 1.—The prices given under Table VI are the maximum prices at which coke of the grades and sizes specified under that Table may be sold by cokeries.

NOTE 2.—The prices given under Table VI above are for delivery free on rail at or at the loading point nearest to the cokery, or free on tramway or road vehicle at the cokery.

All analysis of high moisture coals will be carried out on—72 mesh samples after equilibrating under the conditions given below for 48 hours:—

Atmospheric temperature. . . . . 40°C+2°C

Relative humidity. . . . . 60%+2%

Coal from any other seams.

If the ash content thereof:—

- |   |                  |
|---|------------------|
| (i) does not exceed 15 per cent.                            | Selected Grade A |
| (ii) exceeds 15 per cent, but does not exceed 17 per cent.  | Selected Grade B |
| (iii) exceeds 17 per cent, but does not exceed 20 per cent. | Grade I.         |
| (iv) exceeds 20 per cent, but does not exceed 24 per cent.  | Grade II.        |
| (v) exceeds 24 per cent, but does not exceed 28 per cent.   | Grade IIIA.      |
| (vi) exceeds 28 per cent, but does not exceed 35 per cent.  | Grade IIIB.      |

Mineral having an ash content in excess of 35 per cent. shall not be vendible as coal.

NOTE 2.—The expression 'Coking Coal' means all coal which is classified as such by the Coal Board constituted under the Coal Mines (Conservation and Safety) Act, 1952, (12 of 1952) and includes all coal of the Selected Grade A, Selected Grade B, Grade I and Grade II qualities from collieries or seam or seams of a colliery classified by the said Board as collieries or seams producing coking coal.

NOTE 3.—The price at which all coal produced in the Bagrakote, East Bagrakote, Lethi Valley and Fagu collieries may be sold shall be Rs. 30.34 per ton of 2,240 lbs. (Rs. 29.84 per tonne of 1,000 kg). This price shall be f.o.r. Bagrakote in the case of the Bagrakote and East Bagrakote collieries, f.o.r. Oodlabari and Dandim, North East Frontier Railway in the case of the Lethi Valley colliery and f.o.r. Oodlabari, North East Frontier Railway in the case of the Fagu colliery.

NOTE 4.—The prices given under Table I (b) are the maximum prices at which coal of the grades specified under that Table may be sold by collieries.

NOTE 5.—In addition to the price given under "Table I(c): Coking Coal", colliery owners may be paid the further amount specified below:—

In the case of Selected Grade A—

- |  |  |
|--|--|
| (i) If the ash content is less than 14 per cent                                | a sum of Re. 1/- per ton of 2240 pounds (Rs. 0.98 per tonne of 1,000 kilograms) over the price of Selected Grade A.  |
| (ii) If the ash content is 14 per cent or more but is less than 14.5 per cent. | a sum of Re. 0.50 per ton of 2240 pounds (Rs. 0.49 per tonne of 1,000 kilograms) over the price of Selected Grade A. |

In the case of Selected Grade B—

- |  |  |
|--|--|
| If the ash content exceeds 15 per cent but is less than 16 per cent. | a sum of Re. 0.50 per ton of 2240 pounds (Rs. 0.49 per tonne of 1,000 kilograms) over the price of Selected Grade B. |
|--|--|

In the case of Grade I—

- |  |  |
|--|--|
| If the ash content exceeds 17 per cent but is less than 18 per cent. | a sum of Re. 0.50 per ton of 2240 pounds (Rs. 0.49 per tonne of 1,000 kilograms) over the price of Selected Grade I. |
|--|--|



TABLE I(b).—Non-coking coal of Grade IIIA and Grade IIIB

Grade of coal	Price per ton of 2240 pounds		Price per tonne of 1,000 kilograms	
	Run-of-mine, Dust coal and Slack coal	Steam Coal, Rubble and Smithy nuts	Run-of-mine, Dust coal and Slack coal	Steam Coal, Rubble and Smithy nuts
	Rs. nP.	Rs. nP.	Rs. nP.	Rs. nP.
Grade IIIA	Not exceeding 17.68	Not exceeding 18.68	Not exceeding 17.40	Not exceeding 18.38
Grade IIIB	Not exceeding 16.49	Not exceeding 17.49	Not exceeding 16.23	Not exceeding 17.21

TABLE I(c).—Coking coal.

Grade of coal	Price per ton of 2240 pounds		Price per tonne of 1,000 kilograms	
	Run-of-mine, Dust coal and Slack coal	Steam coal, Rubble and Smithy nuts	Run-of-mine, Dust coal and Slack coal	Steam coal, Rubble and Smithy nuts
	Rs. nP.	Rs. nP.	Rs. nP.	Rs. nP.
Selected Grade A	21.99	23.05	21.64	22.69
Selected Grade B	20.99	22.05	20.66	21.70
Grade I	20.12	21.18	19.80	20.85
Grade II	18.99	20.05	18.69	19.73

TABLE I(d).—Washed coking coal.

Washed coking coal (i.e. coal other than middlings) from the Lodna coal washery of Messrs. Lodna Colliery Co. (1920) Ltd., conforming to Selected Grade A'	Price per ton of 2240 pounds	Price per tonne of 1,000 kilograms
	Rs. nP.	Rs. nP.
	26.06	25.65

NOTE I.—For the purposes of the above Tables, the grade of any coal shall be determined as follows:—

Coal from Seams of the Raniganj Series.

If the ash and moisture content thereof:

- (i) does not exceed 17.5 per cent. Selected Grade A  
 (ii) exceeds 17.5 per cent, but does not exceed 19 per cent. Selected Grade B  
 (iii) exceeds 19 per cent, but does not exceed 24 per cent. Grade I  
 (iv) exceeds 24 per cent, but does not exceed 28 per cent. Grade II

Explanation.—(1) The prices given in the above Tables from I to IV.

- (a) are exclusive of Stowing Excise Duty, Rescue Station Excise Duty, Soft Coke Cess Excise duty, Labour Welfare Cess Excise Duty, any tax leviable under the Sales tax law of any State or under the Central Sales Tax Act, 1956 (74 of 1956) and any other additional Excise Duty, Cess or impost which the Central Government may hereafter declare to be payable by consumers of coal, but inclusive of all other cesses or imposts;
- (b) are exclusive of *del credere* agents' margin permissible under clause 6 of the Colliery Control Order, 1945;
- (c) do not apply to retail sales of less than one ton of 2240 pounds, or less than 1 tonne of 1000 kilograms as the case may be, on any one day for delivery by road; and
- (d) do not apply to overloaded weigh-bridge coal or coke;
- (ii) When delivery is free on rail, the weight charged for shall be the weight ascertained at a railway weigh-bridge and when delivery is free on tramway or road vehicle the weight shall be ascertained in such manner as may be prescribed by the Coal Controller; and
- (iii) the expressions 'tonne', 'millimetre' and 'kilometre' shall have the meanings respectively assigned to them in notification No. S.O. 290 dated the 30th January, 1959 as subsequently amended by notification No. S.O. 1035 dated the 20th April, 1959, of the Government of India in the Ministry of Commerce and Industry.

[No. C5-12(16)/61-I.]

S.O. 1295.—In pursuance of clause 4 of the Colliery Control Order, 1945, as continued in force by section 16 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) No. S.O. 2113 dated the 24th August, 1960, the Central Government hereby fixes the following prices at which coal or coke overloaded at any weigh-bridge may be sold by colliery owners, namely:—

Description	Price per ton of 2240 pounds.	Price per tonne of 1,000 kilograms.
	Rs. nP.	Rs. nP.
1.(a) All overloaded weigh-bridge coal or coke disposed of at any railway weigh-bridge in West Bengal and Bihar other than at the Mahuda weigh-bridge.	17-43	17-15
(b) All overloaded weigh-bridge coal or coke disposed of at the Mahuda weigh-bridge.	15-43	15-19
(c) Overloaded coal or coke of Bagrakote and East Bagrakote collieries in Darjeeling in West Bengal.	29-76	29-29
2. All overloaded weigh-bridge coal or coke disposed of at any railway weigh-bridge in the States of Madhya Pradesh, Orissa, Maharashtra and Gujerat.	20-62	20-29
3. All over-loaded weigh-bridge coal or coke disposed of at any railway weigh-bridge in Assam.	25-62	25-22
4. All overloaded weigh-bridge coal or coke disposed of at any railway weigh-bridge in the State of Andhra Pradesh.	25-64	25-28

TABLE I (a): Coke:

Grade of coal	Price per ton of 2240 pounds	Price per tonne of 1,000 kilograms
Soft Coke—not exceeding 45 per cent ash content.	Rs. nP. 29.33	Rs. nP. 28.87
Hard Coke—[Large Rubble or Smithy over 1/2" (over 12.7 millimetres)]		
A. From bye-product ovens.		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent.	Not exceeding 41.02	Not exceeding 40.37
(ii) If the ash content does not exceed 24 per cent.	Not exceeding 47.02	Not exceeding 46.28
B. From Bee-hive and Country Ovens:—		
(i) If the ash content exceeds 24 per cent but does not exceed 30 per cent.	Not exceeding 39.27	Not exceeding 38.65
(ii) If the ash content does not exceed 24 per cent.	Not exceeding 45.27	Not exceeding 44.55
Coke Breeze under 1/2" (under 12.7 millimetres).	Not exceeding 7.84	Not exceeding 7.72

NOTE 1: The prices of hard coke and coke breeze given under Table I (a) are the maximum prices at which coke of the grades and sizes specified under that Table may be sold by cokeries.

NOTE 2: The prices given under Tables I (a), I (b), I (c), I (d) and I (e) are for delivery free on rail at or at the loading point nearest to the colliery, or free on tramway or road vehicle at the colliery.

TABLE II. Collieries situated within the States of Madhya Pradesh, Orissa, Maharashtra and Gujarat.

Grade of coal.	Price per ton of 2240 pounds.		Price per tonne of 1,000 kilograms.	
	Run-of-mine, Dust coal and Slack coal.	Steam coal, Rubble and Smithy nuts.	Run-of-mine, Dust coal and Slack coal.	Steam coal, Rubble and Smithy nuts.
Selected Grade	Rs. nP. 23.28	Rs. nP. 24.28	Rs. nP. 22.91	Rs. nP. 23.90
Grade I.	22.53	23.53	22.17	23.16
Grade II.	21.78	22.78	21.44	22.44
Grade III.	21.18	22.18	20.85	21.83

NOTE 1: For the purposes of the above Table, the grade of any coal shall be determined as follows:—

If the ash and moisture content thereof:—

- |   |                |
|---|----------------|
| (i) does not exceed 19%                   | Selected Grade |
| (ii) exceeds 19% but does not exceed 24%  | Grade I        |
| (iii) exceeds 24% but does not exceed 28% | Grade II       |
| (iv) exceeds 28% but does not exceed 35%  | Grade III      |

All analysis of high moisture coals will be carried out on—72 mesh samples after equilibrating under the conditions given below for 48 hours:—

Atmospheric temperature	40°C + 2°C
Relative humidity.	60% + 2%

Mineral having ash and moisture content in excess of 35% shall not be vendible as coal.

NOTE 2: The prices given under Table II above are for delivery free on rail at or at the loading point nearest to the colliery, or free on tramway or road vehicle at the colliery.

TABLE III.—Collieries situated within the State of Assam.

Name of colliery	Type of coal or coke.	Price per ton of 2240 pounds.	Price per tonne of 1,000 kilograms
		Rs. nP.	Rs. nP.
Margherita collieries of the Assam Railways and Trading Company.	Run-of-mine	28.81	28.31
	Dust coal	28.81	28.31
	Hand picked coal	35.31	34.71
	Hard coke	85.32	83.91
Nazira Coal Company Limited, Borgan.	Run-of-mine	26.19	25.71
Dilli Colliery of Dilli Colliery Company.	Run-of-mine	26.19	25.71
Jeypore Colliery	Run-of-mine	26.19	25.71
Koilajan Colliery.	Run-of-mine	26.46	26.01

NOTE 1: The prices given under Table III are for delivery free on rail at the colliery in the case of the Margherita collieries of the Assam Railways and Trading Company Limited and for delivery free on road vehicle at the colliery in the case of the other collieries.

NOTE 2: In the case of sales on f.o.r. basis by the Nazira Coal Company Limited and the Jeypore, and Koilajan collieries mentioned in Table III above, the f.o.r. prices to be determined by adding to the prices mentioned against each in Table III the following amounts, namely:—

Nazira Coal Company Limited, Borgan. A sum of Rs. 5/- per ton of 2240 pounds (Rs. 4.92 tonne of 1,000 kilograms).

Dilli Colliery of Dilli Colliery Company and Jeypore Colliery. A sum calculated at the rate of 50 nP. per ton of 2240 pounds for each mile (31 nP. per tonne of 1,000 kilograms per kilometre) of the distance between pit-head and the rail head.

Koilajan colliery. A sum calculated at the rate of 75 nP. per ton of 2240 pounds for each mile (46 nP. per tonne of 1,000 kilograms per kilometre) of the distance between pit head and the rail head.

TABLE IV.—Collieries situated within the territories formerly known as Khasi States in the State of Assam

1) Lvnqkyrdom mine, Laitryngew mine, Thangjinhath mine and the Chersapunji colliery of Chhattack Ropeway Company.

Type of coal	Price per ton of 2240 pounds	Price per tonne of 1,000 kilograms
	Rs. nP.	Rs. nP.
Lump coal	18.06	17.72
Run-of-mine coal	12.75	12.55
Coke	33.75	33.22

(2) Any other colliery

Type of coal	Price per ton of 2240 pounds	Price per tonne of 1,000 kilograms
	Rs. nP.	Rs. nP.
Lump coal	18.06	17.72
Run-of-mine coal	12.75	12.55
Coke	33.75	33.22

NOTE:—The prices given under Table IV are ex-pit head.

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- ✓ 1) Shri B.N. Bhattacharyya
- 2) - Shyamraj Singh
- 3) ✓ - Suraj Bali
- 4) - Motilal & Mangali

आप लोगों को सूचित किया जाता है कि श्री  
 पन-पम वद्ये रिया कम्पनी के काम से बाहर गए थे-  
 अब तक वापस आ जाने की उम्मीद थी- परन्तु काम  
 की शर्तों में होने से अपना किसी दूसरे कारण वर  
 वापस कालरी नहीं आ सके-

इसलिए आप लोगों को इन्डुवरी उनके वापसी  
 तक के लिए रजिस्ट्रार की जली है- श्री वद्ये रिया  
 जी के वापसी पर दूसरी तारीख इन्डुवरी की  
 निश्चित की जाकर आप लोगों को सूचना दी  
 जावेगी- ता 90-6-68.

R. Singh

Manager,  
S. C. Rungta Colliery



To,  
The Agent,  
Daria Colliery,  
D.P.S.

file 270

Ref:- Your letter No 240 of dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as an applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 23rd June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction, you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

C.C. to,  
The Collector Shandol.  
R.L.C. Jabalpur.  
C.M.E. Parasia.  
Central Office L.T.U.C. New Delhi.  
L.T.U.C.

Handwritten initials and number: H.M. 960

936

To,  
The Agent,

Marie Shikari,

A. I. T. U. C. 1961  
I.R. No. 229 Date.....  
File No.....Reg. No.....

Ref:- Your letter No 240 of dated 8th July 1961.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction, you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

Subrati  
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C.C. to  
The Collector Shandol.  
R.D.C. Jabalpur.  
C.M.E. Parasia.  
Central Office A.I.T.U.C. New Delhi.  
A.I.T.U.C.



To,  
The Agent,  
Public Colony,

Ref:- Your letter No 240 of dated 8th July 1931.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

*Jheraj*

C. C. to  
The Collector Shahdol.  
H. L. C. Jabalpur.  
C. M. B. Parasia. P.  
Central Office  
H. L. T. U. C. New Delhi.  
H. P. T. U. C.

125

To,  
The Agent,  
Warid Agency,  
Lucknow.

Ref:- Your letter No 240 of dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. It has been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

Kandhai

459

C.C. to,  
The Collector Shahdol.  
P.O. Jabalpur.  
C.M.S. Parasia.  
Central Office I.T.O.C. New Delhi.  
I.T.O.C.

To,  
The Agent,  
United Colliery,

Ref:- Your letter No 240 of dated 20th July 1933.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 20th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 20th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

C.C. to,  
The Collector Shahdol.  
R.L.C. Jabalpur.  
C.M.B. Parasia.  
Central Office A.I.T.U.C. New Delhi.  
A.I.T.U.C.

Mohar Singh  
49





To,  
The Agent,  
Muzaria Colliery,

Ref:- Your letter No 240 of dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as an applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

C.C. to,  
The Collector Shahdol.  
R.L.C. Jabalpur.  
C.M.E. Parasia.  
Central Office R.L.C. New Delhi.  
R.L.C.



Tahlov  
158

To,  
The Agent,  
Central Jailery,

Ref:- Your letter No 240 of dated 8th July 1951.

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your directions you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Sincerely yours

Ram Sahai  
137

C.C. to,  
The Collector Shahdol.  
H.L.C. Jabalpur.  
C.M.E. Parasia.  
Central Office H.L.T.U.C. New Delhi.  
H.L.T.U.C.



To,  
The Agent,  
Umaria Colliery,  
Umadia, M.P.

Ref:- Your letter No 240 of dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

Fulia  
268

C.C. to  
The Collector Shahdol.  
R.M.C. Jabalpur.  
C.M.E. Parasia, M.P.  
Central Office A. I. T. U. C. New Delhi.  
M.P. T. U. C.

To,  
The Agent,  
Umari Colliery,  
Umari, M.P.

Ref:- Your letter No 240 of dated 8th July 1931.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 23rd June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

C.C. to  
The Collector Shahdol.  
M.L.C. Jabalpur.  
C.M.E. Parasia, M.P.  
Central Office A. I. T. U. C. New Delhi.  
A.P.T.U.C.

A. T. I. - 7  
Bharosha  
362

To,  
The Agent,  
Umari Colliery,

Ref:- Your letter No 240 of dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as the applicant did not like to have any relation with the company as it would not be possible for the Applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 28th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

S.C. to,  
The Collector Shabdol.  
R.A.C. Jabalpur.  
C.M.S. Parasia. I.P.  
Central Office A.P.T.U.C. New Delhi.  
A.P.T.U.C.

Moore  
- 861.

To,  
The Agent,  
Umari Colliery,

U.M.C.L.P.

Ref:- Your letter No 240 or dated 8th July 1951.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as an applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 or dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 24th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

G.C. to  
The Collector Shahdol.  
R.A.C. Jabalpur.  
C.M.S. Parasia.M.P.  
Central Office L.T.U.C. New Delhi.  
L.P.T.U.C.

Ramsai  
69

To,  
The Agent,

Unaria Colliery,

Unaria, A.P.

Ref:- Your letter No 240 of dated 8th July 1961.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as an applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 8th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 23rd June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Yours faithfully yours

C.C. to  
The Collector Shabdol.  
D.D.C. Jabalpur.  
D.D.C. Parasia, A.P.  
Central Office A. I. T. U. C. New Delhi.  
D. P. U. C.



K. T. 1 - 9  
K. T. 1 - 9  
K. T. 1 - 9  
65

To,  
The Agent,  
Umari Colliery,  
Umari, M.P.

Ref:- Your letter No 240 of dated 2th July 1961.

Sir,

With reference to your above letter, I have to make the following statement for your immediate attention,

1. That I have been alleged to have never demanded lump-sum gratuity at the time of the Pension Committee's meeting held in your office which is a wrong statement of yours.

In the aforesaid meeting, it was very boldly and frankly requested to grant me full and final settlement as an applicant did not like to have any relation with the company as it would not be possible for the applicant to run to the office.

2. That in your letter No 240 of dated 2th July, you had expressed a different view which is a contradictory one to your own letter No 240 of dated 23th June in which you had asked me to submit a fresh application for full and final dues.

3. That on submitting a fresh application per your direction you have now adopted another view which shows that you are now escaping yourself.

Please note that I have given you many letters in which the whole position has been explained to you. You are also aware that the days are hard enough and if the case is not decided within the reasonable time, I might starve.

Under the circumstances you are requested to grant me my dues at your earliest.

Faithfully yours

C.C. to,  
The Collector Shahdol,  
M.L.C. Jabalpur,  
C.M.E. Parasia, M.P.,  
Central Office A.I.T.U.C. New Delhi,  
A.P.T.U.C.



L.T. 1-11  
C. S. G. W. N.  
1/379



NATIONAL MINERAL DEVELOPMENT CORPORATION LIMITED.  
1/6-B. PUSA ROAD,  
NEW DELHI.

No.1(9)Sectt/61

Dated: 20th July, 1961.

Shri S.A. Dange,  
4, Asoka Road,  
New Delhi.

270

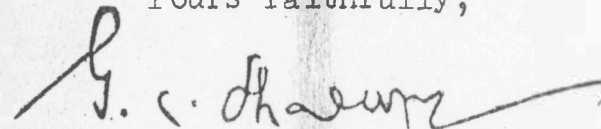
Subject:- Second Annual Report(1959-60) -  
submission of.

\*\*\*\*\*

Sir,

I have great pleasure in enclosing.....  
copy.....of the Second Annual Report (1959-60) of  
this Corporation for favour of your information.

Yours faithfully,



Secretary.

Encl: As above.

\*gupta\*

# The Singareni Collieries Workers' Union

REGD. NO. 7

AFFILIATED TO A. I. T. U. C.

BRANCHES :  
YELLANDU  
BELLAMPALLI

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

L. No. ....

Date 15-7-1961

## PAY STRIKE AND DEMONSTRATIONS IN SINGARENI COAL FIELDS.

*Responding to*

Following the call given by the Singareni Collieries Workers' Union, Kothagudium, Andhra Pradesh, 1000 workers in Rudrampur division and 3,000 workers in Kothagudium division marched to the Offices of the Agent and General Manager on 27th and 28th June 1961 respectively. Union leaders lead the processions and submitted the memorandums to the Company Officials. The Memorandum contains the following demands.

1. Arbitrator's Award should be implemented right from 1st June 1960 in Singareni Coal Fields.
2. Conveyance allowance be paid to workers whose houses are far away from the working places.
3. Seniority and efficiency should be the basis while promoting monthly staff to higher posts.
4. The grades of underground monthly staff be revised since there was no revision for the past five years.

The above four demands cover all most all the employees in the industry. As the management refused to agree to these demands and since the conciliation discussions also failed to ~~solve~~ solve these problems, the union decided to protest to the management by way of conducting pay strike and processions. The workers responded well to the call of the Union and 90% of the workers participated in the pay strike on 30th June, 1st, 2nd and 4th of July 1961.

One notable feature in the demonstration is that ~~the~~ the monthly paid staff both underground and surface, who <sup>e</sup> ~~either~~ <sup>e</sup> to used to vacillate, now got united and participated in the pay strike and their participation made a very good impre-

Unity efforts - the working committee decided that Com. Satyanarayana, Vice President of the Union should discuss with the General Secretary of the I.N.T.U.C Union to seek their co-operation in this struggle. Com. Satyanarayana contacted the INTUC General Secretary; but the INTUC leader did not agree to co-operate. Yet, our workers approached the followers of INTUC and persuaded them to participate. They agreed and did participate.

In some departments, INTUC leaders volunteered first to take the payments and insisted that their followers also should receive the payment on the day of pay strike. But their followers refused to follow their leader on this issue and remained with their co-workers. In some sections a negligible number have taken payments. The result is that the attitude of INTUC leaders placed their cadre in a critical position as all the demands were applicable to them as well and they appreciated our decision.

One splinter group of INTUC claiming a separate Union, but considered by one and all, as the union sponsored by the management, came out with a leaflet advising the workers to keep away from the proposed pay strike and processions. None cared their advisers and the Union has sufficiently exposed that group. The INTUC leadership has got itself exposed even in the eyes of their own cadre.

After these protest actions, the Arbitrator's Award was declared to be implemented and steps are now being taken to implement the same. The other three demands are yet to be solved.

---\*\*---

*H. O. Kothagudi*

VICE PRESIDENT

THE SINGARENI COLLIERIES WORKING UNION  
H.O. KOTHAGUDI

(FOR FAVOUR OF PUBLICATION)

A. I. T. U. C. I.R. No. 2575 Date: 1. AUG. 1961... File No..... Replied on.....
---

Kothagudium Collieries,  
Dated: 17th July 1961.

The meeting of the Working Committee of the Singareni Collieries Workers' Union met here on the evening of 15th, July 1961 in the Union Office. Sri T.B.Vittal Rao, M.P., presided over the meeting. The following resolutions were passed.

RESOLUTION - 1:-

"The Singareni Collieries Workers' Union Working Committee expresses its grief over the death of 108 miners who lost their lives in a mine disaster in Gistrova, a coal mine in Czechoslovakia. This meeting expresses its sympathies with the families of the deceased miners"

RESOLUTION - 2 :-

"The Working Committee is much agitated over the situation created by the floods in various parts of the country and expresses its sympathy with the flood victims.

As a token of its sympathy with the flood victims this Committee resolves to send Rs.125/- to the Prime Minister's Relief Fund.

Also, the Committee resolves to appeal to the colliery workers to contribute their mite to the Prime Minister's Relief Fund"

---\*---

*M. Komariah.*  
General Secretary

Phone: 2923.

31 JUL 1961

STATE COUNCIL

COMMUNIST PARTY OF INDIA

LANGOLI.

PATNA - 4.

July 27, 1961.

Com. S.A. Dange,  
General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road,  
New Delhi.

Dear Comrade,

Your attention must have been drawn to press reports (particularly in the Calcutta "statesman") regarding serious situation in the coalfields as a result of transport bottleneck. But seems to us that we have not been paying sufficient attention to this problem. I shall briefly set out the points for your consideration.

1. The NCDC was lagging behind its 2nd Plan target. But in the last quarter of the 2nd Plan i.e. January-March 1961 the NCDC made a desperate drive for raising coal output, and succeeded in not only fulfilling the 2nd Plan target but actually exceeding it.

2. But immediately after this it was ~~confronted~~ faced with a serious shortage of transport. Coal raised could not be transported by the railways. So huge stocks piled up at pit heads - both in NCDC mines and private collieries. ~~Some~~ coal stacks if they are higher than 7 feet, catch fire of ~~its~~ own, in many colliery coal dumps there were outbreak of fires during the last 3 months. You must have seen the reports of this in the press.

3. But what is more serious, the NCDC, in view of the danger of fires and the failure of the Railways to move the coal, took the decision to reduce their output of coal by 50% !!! Already all NCDC mines have seriously cut down their coal output. About 2000 miners (in place) have been retrenched in Giridih and 1500 in Bhurkunda. I have not received report from other collieries. But similar trend is all over. In any case, reduction of output has led to drastic fall in the earnings of the piece-raters who constitute the majority of coal workers. For instance, in Bermo colliery average ~~has~~ monthly earning of a coal worker has been reduced to Rs. 40/- to Rs. 50/- per month in the place of Rs. 80/- per month. A similar situation of retrenchment and under employment obtains in the private sector too. Though I have no report about the extent of this.

4. What is a matter of grave concern is that if the transport bottleneck is not solved, not only 3rd plan coal target can't be fulfilled, but all coal consuming industries will be faced with a crisis - thereby endangering the entire 3rd Plan.

5. NCDC officials are carrying on a big quarrel with the railways but nothing seems to come out of this.

6. Unless the issue is taken up...

A. I. T. U. C.

I. R. No. 2161 Date - 5 JUL 1961

Gindih

File No..... Replied on.....

3rd July 1961

Dear Comrade K. G.

210

urgent

Defer your letter dt. 28, 1961 and but the enclosure was not there. I have already replied to Com. Kalyan on this subject. In relation to coal "Gindih" means washery, workshop, Power House, Sand blowing, <sup>wagon</sup> loading, road repairing, Housing, Coking, coke-plants, overheads, & other types of work <sup>run</sup> employed by the Colliery for carrying on the work of the Colliery.

action

Local area means one unit of colliery consisting of several mines under one management under one name such as Kachharhore, Serampore, Samids Bokaro, Kargali, Jarangdi, Swang etc.

I am enclosing herewith the copy of the letter to Railway-minister, defence-minister, Managing Director, N.C.D.C. HD. & as heavy rebranching is going to be there resulting into closure of the Gindih request you represent to the authorities concerned personally. If you suggest I may come <sup>in urgent</sup> ~~here~~ suddenly my gastric trouble has developed and I propose to go <sup>on</sup> leave at least for 10 days which I don't know if I will be allowed. Please inform what is the result of my representation.

over

Chairman

कोल शर्करी एजिन्स  
रजिस्ट्रं नं० १६  
देह ऑफिस-गिरिडीह, (हजारीबाग)

Hon'ble Sri V.K. Krishna Menon,  
Hon'ble Defence Minister,  
Govt. of India, NEW DELHI.

Ref. No. 31/10/61

Dated 3/11/61 1961.

Subj:- Request for placing defence order for Coke Coal to Giridih Collieries as a special case.

Dear Sir,

So much has been said in the Parliament about the loss of the Giridih Collieries that you must be aware of this. The net loss is of 25 to 50 lakhs of rupees every year and it is only last year that it was going to be brought to economic level and the output was raised <sup>to</sup> 54000 tons per month. Now the wagon crisis has come and it cannot be solved immediately and so the N.C.D.C. has reduced the output of this colliery to some 30000 tons <sup>per month</sup> from April onwards and the result is that the loss per ton has abnormally increased to ₹.10/- per ton. If this is allowed to be continued this colliery is bound to be closed down resulting into unemployment of 13000 workers and a loss of crores of invested capital in this colliery.

Your ministry can save us from this tragedy if you in preference to Market Collieries agree to place orders for coke coal for defence purposes from Giridih Collieries. I am told that as Market Collieries pay middle man's commission upto five rupees per ton which Public Sector (N.C.D.C.) can't do it is difficult to obtain orders even from your ministry and I am not in a position to tell you how far it is true but as you are upholder of state sector and the State Sector of Giridih Collieries (N.C.D.C.) is facing a serious crisis resulting into heavy loss leading to its closure I want your personal attention to be paid to this question. It is a question of transport of only 20000 tons of coke and I am sure if proper attention is given and as the defence get priority in allotment of wagon this problem will be solved.

Requesting an early reply.

Yours faithfully,  
*Chakrasen Mishra*  
General Secretary,  
Coal Workers Union,  
Giridih.

317

Copy to A.I.T.U.C. for  
representation to the defence  
minister

कोल वर्कर्स यूनियन

रजिस्टर्ड नं. १६

इंड्र प्रोविन्स-गिरिडीह, (इजारीबादा)

The Hon'ble Sri Jagjiwan Ram,  
Ministry for Railways,  
Govt. of India, New-Delhi.

Ref. No. 31/11/61.....

Dated... 3/7... 1961.

Dear Sir,

Sub:- Request for consideration of a special case of Giridih  
Collieries.

So much has been debated in the Parliament about the loss of Giridih Collieries that you cannot be unaware of this. The loss was of some 50 lakh of rupees per year and it was only last year that it was heavily reduced but suddenly the question of wagon crisis has come up and since April 1961 the N.C.D.C. has reduced the monthly output of 54000 tons coal including Gr.III B to 30000 tons per month <sup>at Giridih</sup> and the result is that during May there was a loss of Rs.10/- per ton and during June, 1961 something like Rs.16/- per ton. 20000 Coal Cutters have already been retrenched and 3500 are on the list to be re-trenched very soon. Giridih Collieries are exhausting their higher quality coal and so we have to depend more and more on the III B coal of which there is enough deposit but the problem is that of wagon.

As a special case of Giridih (not of whole N.C.D.C.) which can't run without your preferential treatment, I request you to arrange for a transport of some 30000 to 40000 tons of III B coal. This will bring this colliery to economic level and have the whole nation a net loss of 50 lakhs of rupees every year. It is Govt. of India paying this heavy loss every year.

If it is not done the Giridih Collieries are bound to be closed down resulting into starvation of 12000 families and deserting of Giridih town which is mainly dependent on Collieries. It is not a big things for you to arrange this much of transport as a special case and hence in the interest of the whole nation and particularly to save a net loss of 50 lakhs of rupees every year to the Govt. I appeal to you arrange this as a special problem of a State sector Colliery and now as it ~~is~~ is beyond the power of any Govt. Officer and it can be done only on Minister's level.

Yours faithfully,  
Chaturaman Mishra  
General Secretary, 3/7  
Coal Workers Union,  
Giridih.

Copy to:- Com. S.A. Dange, M.P. to intervene into the matter to save Giridih to be closed down.



# The Singareni Collieries Workers' Union

REGD. NO. 7  
(AFFILIATED TO A. I. T. U. C.)

Branches :  
YELLANDU  
BELLAMPALLI

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

Ref. No. ....

Date ~~15th July 1961~~

270

A. I. T. U. C.

I. R. No. 2349 Date 11.8.1961

File No. .... Replied on. ....

The Editor,  
Trade Union Record  
New Delhi

Dear Comrade,

Here with I enclose a note on  
the protest actions conducted by our  
Union during last week of June and  
1st week of July 1961. This is for  
your information.

Yours faithfully,

*P. Satyanarayana*  
(P. SATYANARAYANA)  
VICE-PRESIDENT.

No.270/SM/61  
July 24,1961

My dear Chaturanan,

In one of your letters you mentioned that you have not received the copy of the amendment of Minimum Wages Rules which we sent to you.

Enclosed please find another copy of the same.

With greetings,

Yours fraternally,



(Sadhan Mukherjee)

Encl:1

# The Singareni Collieries Workers' Union

REGD. NO. 7

AFFILIATED TO A. I. T. U. C.

BRANCHES :  
Y E L L A N D U  
B E L L A M P A L L I  
L. No. ....

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

Date 15-7-1961

## PAY STRIKE AND DEMONSTRATIONS IN SINGARENI COAL FIELDS.

*Responding to*  
Following the call given by the Singareni Collieries Workers' Union, Kothagudium, Andhra Pradesh, 1000 workers in Rudrampur division and 3,000 workers in Kothagudium division marched to the Offices of the Agent and General Manager on 27th and 28th June 1961 respectively. Union leaders lead the processions and submitted the memorandums to the Company Officials. The Memorandum contains the following demands.

1. Arbitrator's Award should be implemented right from 1st June 1960 in Singareni Coal Fields.
2. Conveyance allowance be paid to workers whose houses are far away from the working places.
3. Seniority and efficiency should be the basis while promoting monthly staff to higher posts.
4. The grades of underground monthly staff be revised since there was no revision for the past five years.

The above four demands cover all most all the employees in the industry. As the management refused to agree to these demands and since the conciliation discussions also failed to ~~xxxx~~ solve these problems, the union decided to protest to the management by way of conducting pay strike and processions. The workers responded well to the call of the Union and 90% of the workers participated in the pay strike on 30th June, 1st, 2nd and 4th of July 1961.

One notable feature in the demonstration is that ~~the~~ the monthly paid staff both underground and surface, who hitherto used to vacillate, now got united and participated in the pay strike and their participation made a very good impression on the rest of the workers. The response from the monthly staff was more than over expectation and the management was surprised to see such a development.

contd. page-2.

Unity efforts - the working committee decided that Com. Satyanarayana, Vice President of the Union should discuss with the General Secretary of the I.N.T.U.C Union to seek their co-operation in this struggle. Com. Satyanarayana contacted the INTUC General Secretary; but the INTUC leader did not agree to co-operate. Yet, our workers approached the followers of INTUC and persuaded them to participate. They agreed and did participate.

In some departments, INTUC leaders volunteered first to take the payments and insisted that their followers also should receive the payment on the day of pay strike. But their followers refused to follow their leader on this issue and remained with their co-workers. In some sections a negligible number have taken payments. The result is that the attitude of INTUC leaders placed their cadre in a critical position as all the demands were applicable to them as well and they appreciated our decision.

One splinter group of INTUC claiming a separate Union but considered by one and all, as the union sponsored by the management, came out with a leaflet advising the workers to keep away from the proposed pay strike and processions. None cared their advisers and the Union has sufficiently exposed that group. The INTUC leadership has got itself exposed even in the eyes of their own cadre.

After these protest actions, the Arbitrator's Award was declared to be implemented and steps are now being taken to implement the same. The other three demands are yet to be solved.

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ಪ್ರ. ಸತ್ಯನಾರಾಯಣ

VICE PRESIDENT

THE SINGARENI COLLIERIES WORKERS UNION,  
H.O. KOTHAGUDIUM.

# The Singareni Collieries Workers' Union

REGD. NO. 7  
(AFFILIATED TO A. I. T. U. C.)

Branches:  
YELLANDU  
BELLAMPALLI

Ref. No. ....

A. I. T. U. C.		KOTHAGUDIUM COLLIERIES P. O.
I. R. No. 2369		ANDHRA PRADESH
Date: 18 JUL 1961	File No. ....	Rep. com. ....
Date: 18th July 1961		

210  
Com. S. A. Dange,  
General Secretary,  
All India Trade Union Congress,  
New Delhi.

Dear Comrade,

Here with I enclose a note on  
the protest actions conducted by our  
Union during last week of June and  
1st week of July 1961. This is for  
your information.

Yours faithfully,

అంజ. సత్యనారాయణ  
(P. SATYANARAYANA)  
VICE-PRESIDENT.

Surge. fal  
No. 2/20

---

VR.

# The Singareni Collieries Workers' Union

REGD. NO. 7  
( AFFILIATED TO A. I. T. U. C. )

Branches :  
YELLANDU  
BELLAMPALLI

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

Ref. No. ....

A. I. T. U. C.  
I. R. No. 2369 Date 18 8 JUL 1961 Date 15th July 1961  
File No. .... Replied on .....

The General Secretary,  
All India Trade Union Congress,  
NEW DELHI.

Dear Comrade,

Here with I enclose a note on  
the protest actions conducted by our  
Union during last week of June and  
1st week of July 1961. This is for  
your information.

Yours faithfully,

*P. Satyanarayana*  
(P. SATYANARAYANA)  
VICE- PRESIDENT.

---\*---

VR.

P/17/SPL/61.

270

20th July 1961.

The Chief Inspector of Mines,  
Ministry of Labour & Employment,  
Government of India,  
Camp: Kothagudium.

A. I. T. U. C.  
I. R. No. 2699 Date 28 JUL 1961  
File No. .... Replied on .....

Dear Sir,

We submit the following for your consideration and favourable decision:-

Yours faithfully,

*T. B. Vittal Rao*  
(T. B. VITTAL RAO).  
P R E S I D E N T.

OVERMEN'S EXAMINATION:

THE SINGARENI COLLIERIES WORKERS UNION,  
H.O. KOTHAGUDIUM.

There are at these collieries nearly 60 candidates who are willing to sit for Overmen's examination provided it is held in Kelugu. The examination of overmen's certificate of competency should be held at Kothagudium. Now the candidates have to go over to Dhanbad to sit for the examination. In addition to the incurring an expenditure of about Rs.200/- per candidate. There is no proper accommodation available there. Due to lack of accommodation the candidates undergo considerable inconvenience; This affects not only their preparation but also their enthusiasm while answering the question papers.

2. EX-GRADERS TO BE GIVEN PREFERENCE IN RECRUITING WORKERS FRESH.

One of the recommendations of the Conference on Safety in mines was that only those who have had initial training should be sent underground. This recommendation has not yet been implemented. While urging that the scheme for recruitment, should be finalised quickly, we suggest that those who worked in the mines and removed for over-staying leave granted should be given preference while recruiting new workers in

any mine under the same management. We are suggesting this course because these workers will be more safety conscious than the raw recruits. We are specially bringing this to your notice as the management is deliberately discriminating against the members of our Union whenever recruitment takes place at the mines in Namagundam and Bellampalli. Among these ex-workers can be found who have worked in safety jobs like timbering etc.

3. DISABLED WORKERS.

These workers who have been disabled due to accidents in the mines should be given light jobs on the surface. The cases of the disabled workers for rehabilitation has been repeatedly represented to the management here. Sympathetic consideration is shown for a case here and there. What we urge upon is that the responsibility for the rehabilitating of these disabled workers should be on the management.

4. EXTENSION OF TIME LIMIT FOR OVERTMEN'S SERVICE CERTIFICATE EXAMINATION:

The new Coal Mines Regulations were promulgated on 22nd October 1957. The under-lookers were to have passed the overmen's service certificate examination within two years of the promulgation of the new Regulations. This was not brought to the notice of concerned employees, with the result many of them have not appeared and passed the examination. The management also failed to give proper publicity to these Regulations. Therefore, the Union requests that these under-lookers should be given atleast three chances within next two years to appear and pass.



It was decided at a meeting of the Industrial Committee on Coal Mines that a smaller type of these baths should be constructed at the residential colonies. Therefore, the Union requests that the Rules should be amended accordingly.

6. DUTIES OF DEPUTIES:

The deputies in these mines are assigned jobs which are not enumerated in the Regulations. Therefore, they cannot devote undivided attention to the safety measures. The deputies should be entrusted only with the work connected with safety. Otherwise the accidents which can be avoided will take place.

7. SUPPLY OF HURRICANE LANTERN:

Inferior quality hurricane lanterns are being supplied at Inclins Nos. 10 and 11 and Godavari Khani. The lamps do not give enough light and the bulbs also break frequently. Proper type of hurricane lanterns should be supplied and workers should not be charged for breakage of the bulbs.

8. RESCUE STATION:

Rescue station at these collieries should be established without any further delay. The construction of the building to house the station should be undertaken immediately. Regional Rescue station station Committee should be constituted at these mines.

A. I. T. U. C.

I. R. No. .... Date: 3 AUG. 1961

File No. .... Replied on. ....

Indian Mines' Workers' Federation.

URGENT

270

Camp: COLLIERY MAZDUR SAHA  
G. T. ROAD  
ASANSOL

DT: 1st August, 1961.

Dear Respected Nandaji,

The shocking incidents at the Khas Kajora colliery has once again exposed the role of Shri Ranjit Singh, Regional Labour Commissioner (Central) Dhanbad. In the past also we have pointed out to his pro-employer and anti-AITUC attitude and activities which led to so much unrest in the Raniganj belt.

We are firmly convinced that so long he will remain the R.L.C., the industrial relations in this belt will remain disturbed. Instead of bringing the parties together, he actually helps the unscrupulous employers to flout laws and resort to unfair labour methods.

Shri Singh came to the Khas Kajora colliery on the 26th and remained in the company office. He actually instigated the police to arrest more South Indian workers, which is now a matter of enquiry by the senior police officials. He refused to meet any of the workers' representatives. While he was returning back, I personally tried to stop his car in order to tell the horrible condition of South Indian workers, he saw me and then drove his car in full speed.

Next day, he again came to the colliery and confabulated with the management and then went to the adjacent colliery, P.D.Kajora colliery, where there is a strong AITUC led union, whose claim for recognition is at present pending with the Implementation Division. There he enquired about our whereabouts and expressed surprise that there is an AITUC union there. We were not there and some of the local union leaders talked to him. The impression they gathered was that the R.L.C. did not like to see an AITUC union.

It is a common knowledge that the R.L.C. has advised both the colliery managements to form and support unions of one Jagdish Pandey, who runs a black-leg organisation under the name "Colliery Mazdur Congress" unaffiliated to any central trade union organisation. And according to the advise of the R.L.C., both the managements are reported to have invited Shri Pandey to form union.

We have also complained to the local police authorities about the behaviour and activities of the R.L.C. Dhanbad, and we most respectfully appeal to you to institute a full enquiry into his activities and remove him from his present position. He himself is most flagrantly violating the Codes and shaking the faith of miners of this belt on the Industrial Relations Machinery.

with kind regards,

Shri G.L.Nanda,  
Union Minister of Labour &  
Employment,  
New Delhi.

Yours sincerely  
*Kalyan Roy*  
(Kalyan Roy)  
General Secretary

Copy to: Secretary  
All India Trade Union Congress,  
New Delhi.

270

August 7, 1961

Dear Comrade,

Your postcard of 5th August. As you would have seen from the circular issued by us, the General Council meeting has been postponed by a few days. The Council would now meet in Delhi on August 31 and continue on September 1 & 2. We hope you would be reaching Delhi latest by 31st August morning. With greetings,

Yours fraternally,

<sup>KS.</sup>  
(K.G. Srivastava)  
Secretary

# TAMILNAD TRADE UNION CONGRESS

(TAMILNAD COMMITTEE OF A.I.T.U.C.)

6/157, BROADWAY,  
MADRAS-1.

8th August 1961.

Ref:

*Comm. File 270*

*270*

A. I. T. U. C.
I. R. No. 2786. Part 1 AU 1961
File No. .... Registered on .....

Dear Com. Kalyon Roy,

Your letter of the 2nd August to hand and noted the atrocious situation prevailing in the Khaskajora colliery in West Bengal. Of course this is an issue on which the entire working class must raise their voice of protest and express solidarity.

But the issue at hand as posed by you as South Indian workers and that too Tamilians is a ticklish issue which must be dealt with very carefully in Tamilnad where the undesirable North-South and Tamil- and non-Tamil controversy exist. Anyway, it has to be tackled and agitated on trade-union level and purely as trade union issue only for which I want some more details from you with regard to police atrocity to the Tamilian workers families, the Regional Labour Commissioner's discriminatory and pro-employer attitude towards these workers, your State Govt.'s attitude.

Please furnish me with concrete instances where the Tamilian women were insulted and humiliated by police and the employer and also the real cause for the atrocity. On receipt of these details from you, I will issue press statements etc., move the Madras Govt., and the Central Minister etc. Please reply urgently.

Yours fraternally,

*K.M. Sundaram*  
(K.M. SUNDARAM)  
SECRETARY.

To Com.K.Roy, Dhanbad. ✓

Copy to the AITUC? Delhi.

Registered No. 337

# Rungta Colliery Mazdoor Sabha

( Affiliated to A I T U C )  
BURHAR ( M. P. )

Ref. RC MS/3

Date 9/8/1964

• Accumulation of water in Rungta Colliery.

A. I. T. U. C. No. 100
I. R. No. 19. Date 1.8.64
File No. .... Replied on .....

59 AUG 1964

To  
The Chief Inspector of mines  
Dhambad.

270

Dear Sir,

We beg to inform your office that for the last 3 weeks there is heavy accumulation of water in the S.C. Rungta colliery Burhar dist Shahdol.

That there is 3 to 4 feet and some where even to 7 ft. water in the working place. the condition of the mine is very dangerous and unsafe to the lives of the workmen. There are only two steam pumps working which are totally insufficient to out throw the water. Due to this flood of water the raising of the coal has gone badly down and the work man are put suffer their earnings. The water tank in the goaf area is leaking very badly and there is every chance of immediate causing major accident.

Under the circumstances above it is requested that immediate action be taken. It would be much of your kindness if it is arranged to inspect the matter at the spot.

With thanks .  
Yours Faithfully.

*Dinendra Tripathi*  
(Dinendra Tripathi)

Gen. Secy.  
Rungta Colliery Mazdoor Sabha.

Copies to-

- ✓ (1) A.I.T.U.C. OFFICE NEW DELHI.
- (2) m.p.t.u.c. office Indore.
- (3) Dist. Mag. Shahdol-
- (4) Regional inspt. of mines Parasia & (7) Ministry of Lab. Nre Delhi
- (5) R.L.C. Jabalpur.
- C.L.C. New Delhi

270

PRESS INFORMATION BUREAU  
GOVERNMENT OF INDIA

"12.6"

COAL INDUSTRY IN INDIA  
OFFICIAL STATISTICS FOR APRIL 1961

New Delhi, Sravana 10, 1883  
August 1, 1961

The number of collieries reported to be working during April 1961 was 857, with an average daily employment of 394,995 workers, according to the Chief Inspector of Mines of the Union Ministry of Labour & Employment. The corresponding figures for the previous month were 856 and 403,044 respectively.

Output of coal per man-shift was estimated at 1.22 metric tons for miners and loaders, 0.64 metric tons for all workers belowground and in open-cast workings and 0.46 metric tons for persons employed including aboveground workers, as compared with 1.41, 0.75 and 0.53 respectively for March, 1961.

The percentage of absenteeism was of the order of 14.72 as against 13.87 in the preceding month. The over-all cash earnings of the workers per week for the whole of Indian Union were Rs.23.44, the figures for Jharia and Raniganj fields being Rs.23.63 and Rs.23.00 respectively.

UCT/Gandhi

PRM:

350/1.8.61/1215hrs/6/1

Colliery Mazdur Sabha  
G.T.Road  
Asansol

*Express Delivery*

(270)

GMS/Gen/286

61
A. I. T. U. C.
I. R. No. 285 Pat. Wg
File No. .... Replied on .....

dt: the 29th August, '61.

Dear Com. Sriwastava,

I have just returned from Calcutta after attending the bi-partrite meeting on the 25th August. I thought of telling you personally in the General Council meeting but Com. Tewary is not here. His wife is very sick and he has left for home. So I am unable to attend the council meeting. However, I met Com. Renu at Calcutta and told her about the Modern Satgram.

Secondly, about the 25th meeting, I have sent a note to Com. Dange. Hope you will go through it. Will you please make a short news about it for the T.U.Record. I am also enclosing a news item on this for T.U.R.

The Industrial Relations machinery has done nothing about the dismissed Khas Kajora Tamil workers. No body even came to meet them. Neither the R.L.C. or the C.O. or the L.I. Com. Elias did not even contact us. If you can send Parvati or Rao, then they will see the situation. I personally met Ranjit Singh, R.L.C; and requested him to do something. But you know he is behind the whole show. He has remained absolutely silent.

Any other news? How is Com. Dange? Unless you help, the local machinery will not do anything.

with greetings,

Yours fraternally

*Kalyan Roy*  
(Kalyan Roy)

Com. K. G. Sriwastava,  
A.I.T.U.C.  
New Delhi.



ms: one

A. I. T. U. C.  
I. R. No. 220 Date 2.1. AUG 1961  
File No. .... Replied on. ....

270

Kothagudium Collieries,  
Dated 17th August '61.

T.B.Vittal Rao, M.P., President of Singareni Collieries Workers' Union, Kothagudium Collieries, ~~Ch. S. S.~~ issued the following statement:

The Management of Singareni Collieries ~~Company~~ introduced the Gratuity Scheme in 1959. A sum of Rs. 16 lakhs have been provided in the balance sheets for the last two years. But actual amount disbursed by way of Gratuity during the same period ~~does~~ <sup>did</sup> not work out to more than Rs. 2 lakhs. While announcing the introduction of this scheme, the Management arbitrarily fixed retirement age at 60 for all workers. Under these rules several workers were retired compulsorily. The retired workers were paid on an average Rs. 300 ~~each~~ and some workers ~~have been~~ <sup>were</sup> deprived <sup>of it altogether</sup> on some frivolous grounds.

~~The~~ The Union has been agitating for a long time for the revision of these rules but without ~~any~~ <sup>any results</sup>. Even minor modifications recommended by the management several months ago have not been discussed by the Board of Directors. ~~The official dominated Board is riding rough shod and is acting against the interests of the workers.~~ This policy of the Management and the Board needs drastic revision if the targets set for the Third Five Year Plan have to be achieved. If the management and the Board think of achieving targets without creating sufficient enthusiasm among the workers they are bound to fail. This failure will result in loss of production and this cannot be tolerated when the whole country is faced with shortage of coal. Therefore, I appeal to the workers to act unitedly to defeat this policy of the Management and the Board.

Sd/- T.B.Vittal Rao, M.P.



11-8-61

270

ORDINARY

ELIAS MEMBER PARLIAMENT  
19 ANDUL SECOND BYE LANE  
BOTANIC GARDEN HOWRAH

PROCEED ASANSOL IMMEDIATELY

AITUCONG

10. The General Secretary,  
All India Trade Union Congress,  
4, Ashoka Road, New Delhi.

270

IMMEDIATE

No. 1/21/61/MI  
Government of India  
Ministry of Labour & Employment

A. I. T. U. ( )  
I.R. No. 3223 DE from 19/9 ...  
File No. .... Replied on ...  
Shri A. F. Veera Raghavan,  
Under Secretary to the Government of India

To  
All State Governments.

Dated New Delhi, the 14.9.61

Subject:- Amendment to the Coal Mines Regulations, 1957 -  
copy forwarded.

Sir,

I am directed to forward herewith a copy of this Ministry's  
Notification No. GSR 1014 dated the 5th August, 1961, in which  
the amendment of the Coal Mines Regulations, 1957 have been  
published.

Yours faithfully,

*B. N. T...*  
for Under Secretary

Copy with a copy of enclosure forwarded to:-

1. As per list attached.
2. Copy with 25 spare copies forwarded to the Chief Inspector  
of Mines, Dhanbad.

*B. N. T...*  
for Under Secretary

d.a.refd.  
N. Ram

*File*

270

A. J. T. U. C.  
I.R. No. 2194 Date 18/8/61  
File No. .... Replied on .....

To  
The Honourable Union Minister for Labour,  
Central Government,  
New Delhi.

Respected Sir,

We, the Coal mines T.B. patients of Ramkrishna Mission Sanatorium, Ranchi, Bihar beg to approach your honour's kindness with the following for favour of kind perusal and sympathetic consideration:-

That we are poor T.B. patients of different Coal Mines of India undergoing our treatment in this Sanatorium by virtue of a fund allocated at the disposal of the Coal Commissioner, Coal Mines Labour Welfare Organisation, Jagjiwannagar, Dhanbad which is really highly creditable.

anisation

That it is at the same time to our great grief and disappointment that the treatment so meted out to us has been conditioned to a time limit which is nine months in general cases and eleven months in cases requiring operation.

That it is universably known that T.B. disease is not such as can be guaranteed to bring any patient to cure in a contemplated time as its virulent symptoms some times are indicated at the eleventh hour of the discharge ~~at~~ time of the patient when the operation becomes the ultimate remedy. From this view point the time limit is totally meaningless and unjustified.

That a good many patients of the coal mines have been discharged from the Sanatorium on ground of limitation of time and they had to go unrecovered awaiting their miserable luck and their life is, in fact, always at stake.

That a few cases amongst our brother patients have been announced for operation but due to lapse of the specified time they are likely to be victimised by the orders of discharge and operation cannot be undertaken.

It can thus be well imagined, how miserable plight of the T.B. patients is whose full recovery is not ensured by the generous fund of the Commissioner aforesaid.

Under the above circumstances it is most humbly prayed that your honour would be graciously pleased to consider our pathetic plight and make an early arrangement for taking the treatment till the full recovery of the disease with no limitation of time.

Thanking you, Sir, in anticipation.  
Yours faithfully,

Dated Ranchi, the  
31<sup>st</sup> August 1961.

*sd/*  
T.B. Patients,  
Coal Mines, R.K. Ward,  
Ramkrishna Mission T.B. Sanatorium  
Ranchi, Bihar. m

Ranchi, the 31<sup>st</sup> Aug. 1961,

Copy forwarded to the Secretary, All India Labour Federation, New Delhi for favour of kind information and necessary action.  
*(Chhotu Bani)*  
T.B. patient  
Coal Mines R.K.W.  
R.K. Mission T.B. Sanatorium  
(P.T.O.)



शिवदुसाध

श्री ८ वन राम



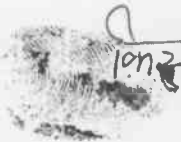
L.T. 19  
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Wahito

कानिकमडिया

Joseph



L.T. 19  
Sabjan Sah



श्री २१ बाउरी

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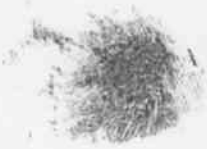
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सुरवदेव कुमी



L.T. 9 Mohalin Hai



L.T. 19 Bena Sai



L.T. 19 Surju Nari

# COAL WORKERS UNION

Reg. No. 16

Head Office Giridi

AFF.-A, I.T. U. C.

P.O. Bhurkunda (Dist Hazaribagh)

Ref- 3/574(1)61

Date 14.9.61

A. I. T. U. C.	
I. R. No. 3213	Date 21/9
The Chief Medical Officer	
Ranchi	
Durbhanga house.	
File No. ....	Replied on .....

Sr,

I beg to inform you that the medical officer (S.R. Star) of Bhurkunda Colliery is giving trouble to the labourers as I am giving in below.

1. powder milk is given to the indoor patient.
2. Doctor's behaviour is not good with labourers. He always rebuke them.
3. After 10 o'clock the patients are not allowed to go to the doctor.
4. The old chits are not signed by the doctor. Compounder signs and gives the medicine.
5. The labourers are ordered to purchase the medicine from the market. And there is no arrangement to give them the price of the medicine.
6. The labourers are not getting the certificate except Monday or Saturday.
7. The indoor patients are not given fruits and good fooding.
8. The sick reports are not sent to the Hospital from.

P. T.O.

MOINU BERTROW 1803

9. The medical officer takes Rs 5/- from those persons who are sent for medicals from the administration and for eye sight also.
10. The injured patient is not taken <sup>action</sup> <sup>room</sup> in the hospital.

In this connection I beg to say kindly take necessary action against the medical officer of Bhurkunda colony.

Yours faithfully,  
Mahendur Nath Bhasati  
General Secretary  
Bhurkunda

Copy to:

1. Dy. S. O. C. Bhurkunda
2. C. M. E. (K) Ranchi
3. D. G. M. (K) Ranchi
4. Chief Labour Commissioner Delhi
5. A. J. T. U. C. Delhi
6. Medical officer Bhurkunda

# COAL WORKERS UNION

Reg. No. 16  
Head Office Giridi  
AFF.-A.I.T. U. C.  
P.O. Bhurkunda (Dist Hazaribagh)

A. I. T. U. C.
R. No. 3235 Date 19/9
File No. .... Replied on .....

1592(1)61

To,

270

Date 9-9-61 19

The Chief Labour Commissioner

Sir,

Delhi

I beg to inform you that the management of Bhurkunda colliery has stopped the siren from one month. The labourers are in great trouble for the same. If any body comes late the management at once issue a charge sheet against him. Some times the labourers have to live in mine 12 hours. The labourers are being dissatisfied due to this dissatisfaction if any kind of occurrence will be, the union will not be responsible for this.

I, therefore, request you to kindly take necessary action against the management of Bhurkunda colliery.

Yours faithfully,

Hemant Bhatnagar

Asst. Secretary

Copy to -  
C.M.E. (K) Ranchi  
Regional Labour Commissioner  
(C) Dhanbad  
S.O.C.  
Manager I II, A  
Chief Mining Inspector Dhanbad  
A-I.T.U.C. Delhi





1 - एलएलए

2 - Masoodin

3 - Anandh Singh

4 - Ram Singh

5 - ~~महादेव सिंह~~

6 - ~~महादेव सिंह~~

7 -  मजीद मीर

8 - Mahesh Gupta

9 -  श्री मी

10 - ~~महादेव सिंह~~

11 - ~~महादेव सिंह~~

12 - ~~महादेव सिंह~~

13 - ~~महादेव सिंह~~

14 - ~~महादेव सिंह~~

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20 - ~~महादेव सिंह~~

21 - ~~महादेव सिंह~~

22 - ~~महादेव सिंह~~

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25 - ~~महादेव सिंह~~

M. Komarajah, the General Secretary, Singareni  
Collieries Workers' Union has issued the following state-  
ment to the press.

A. I. T. U. C.  
I.R. No. 3122 Date 6 SEP 1961  
File No. ....

270 M. Komarajah  
(M. Komarajah)  
GENERAL SECRETARY.

DAY LIGHT DACCITY AT MANDAMARRI.

BRUTAL ATTACK ON SRI J. KUMARASWAMY: BRANCH SECRETARY:  
S.C. WORKERS' UNION: BELLAMPALLI BY THE ROWDIES OF SRI  
NAGIAHA REDDI: THE I.N.T.U.C UNION.

On 29th August 1961, Our Branch Secretary, Sri J.  
Kumaraswamy was enrolling Union Membership at Mandamarri  
in Kalyan Khani Mines. At about 10 A.M., 30 to 40 persons  
set up by Sri Nagiah Reddi of the INTUC Union led by  
Dalreddi attacked our workers engaged in enrolling  
membership all of a sudden. Then the workers of Kalyan  
Khani saved our workers and drove away the goondas stating  
that they won't pay to Sri Nagiah Reddi and they would pay  
to Sri Kumaraswamy only. Then the goondas left the place  
and went away.

The collection were over at about 11.30 and our  
Branch Secretary Sri J. Kumaraswamy and others were check-  
ing up the morning collection and they were getting  
ready to take their lunch.

During this time, Nagiah Reddy came with a lorry  
load goondas armed with lathis, iron bars etc., arrived  
at Kalyan Khani Mines (Singareni group near Bellampalli)  
at about 1.00 P.M., on Tuesday the 29th August 1961 in  
broad day light and went to the temporary Office premises  
of the Singareni Collieries Workers' Union surrounded  
the hut suddenly and forced their entry inside and

4 : 2 : -

inflicted grievous injuries to the Union Secretary, Sri J. Kumaraswamy with iron bars and decamped with a cash looty of Rs. 300/- and wrist watch etc., he was wearing. The goondas entered the surrounding huts also and molested women flock and went away to Bellampalli in the same lorry in which they came, before the Police arrived on the scene. Sri Kumaraswamy is stated to be in serious condition at Hyderabad and a few others who happened to be with him in the office when it was raided managed to escape with minor injuries.

It is stated that the amount was collected Sri J. Kumaraswamy earlier on that day for Union membership from bonus payments of the Coal Miners of Kalyan Khani and the decoits were set up by bogus INTUC leader Sri Nagaiah Reddi who led them for committing the crime. It also appears that Nagaiah Reddi managed to get the iron bars from the Singareni Collieries company Stores at Bellampalli with the connivance of some store employees and officials from where the lorry was loaded with such arms and men. The Police are investigating.

The Management of the Singareni Collieries Company Limited had recently recognized the Nagaiah Reddi Union (INTUC) and ever since Mr. Reddy is threatening to all the other Trade Unions stating that he would smash them and murder the leaders.

The above incident is preplanned and the Government kept quiet deliberately. I do not know that how the Singareni Collieries Company had supplied with the crow bars, /etc to Sri Nagaiah Reddi from their Stores.

(iron bars

- : 3 : -

I demand the Government to act impartially and take serious action against the culprits and also request the workers to unite and condemn the roudy actions of the INTUC leader Sri Nagalah Reddi demanding the Government to take immediate action and safe guard the Trade Union rights.

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# SINGHBHUM MINES MAZDOOR UNION

REGD. NO. 958

(AFFILIATED TO THE ALL INDIA TRADE UNION CONGRESS)

President : Dr. U. Misra

Gl. Secretary : Muneshwar Prasad

Ref. No. SMMU/Misc./31/61

P. O. Barajamda

Singhbhum Dist. (Bihar)

I. R. N. 3478

Date

Date the 15th Sept., 61.

File No. ....

Registered

To

The Chief Inspector Of Mines,  
Govt. of India,  
Dhanbad.

Subject:- CONTRAVENTION OF THE MINES RULES 1955 BY M/S D.K.BAI, MINE  
OWNER C/O M/S D.K.PANDEYA, BARAJAMDA IN RESPECT OF CREACHE.

Dear Sir,

We wish to draw your kind attention towards the above fact with the following notes:-

That there is no Creache at the Iron ore Mines of the above Owner, even their Huttings while the above are running since more than Ten years.

Many attention were drawn before the Labour Dept. in this concern, but yet no action has taken to it. And as a result of it the workers are being deprived to provide their children with this essential facilities.

It is also refer that thus dely of the Labour Dept. allow the Mine Owner to do their own will.

We would, however, therefore request you kindly to deal with by making an enquiry in to this matter at your earliest.

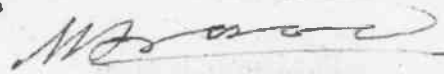
Thanking you.

Yours faithfully

(M. Prasad.)

General Secretary.

C.C. The Mines Manager, M/s D.K.Bai, Mine Owner, Barajamda. and to the Secretary, A.I.T.U.C., New Dehli with a request him to ~~and~~ take necessary action against this.

  
GENERAL SECRETARY

# SINGHBHUM MINES MAZDOOR UNION

REGD. NO. 958

(AFFILIATED TO THE ALL INDIA TRADE UNION CONGRESS)

President : Dr. U. Misra

Gl. Secretary : Muneshwar Prasad

Ref. No. SMBU/Misc./32/61

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A. I. T. U. C.

I. R. No. 2197 Date: 19/6/61

File No. .... Replied on: .....

P. O. Barajamda  
Singhbhum Dist. (Bihar)

Date the 15th Sept., 61.

To  
The Regional Provident Funds Commissioner, Bihar,  
Jamal Road,  
P A T N A

Sub:- Annual account and receipt of P.F. deducted by M/s D.K.Bai,  
Mine Owner, C/o M/s D.K.Pandeya, Bara jamda, Singhbhum.

Dear Sir,

*kind*

It is to draw your attention towards the above facts, that the workers of the above ~~stated~~ stated firm, were intitled to membership of the E.P.F. Scheme, and their PF contributions are being deducted from their wages since three years.

We have to inform you that the annual account and receipt of the Fund in their case has not yet been received from you by them.

You are therefore requested to please let us know the present position in the above case at your earliest and oblige us.

Yours faithfully

( M. Prasad )  
General Secretary

Copy forwarded to the

Central Provedent Fund Commissioner, New Dehli.  
and to the Secretary, A.I.T.U.C. New Dehli for information and necessary action.

  
GENERAL SECRETARY

# The Singareni Collieries Workers' Union

REGD NO. 7

AFFILIATED TO A. I. T. U. C.

BRANCHES :  
YELLANDU  
BELLAMPALLI

L. No. Gs/Gen/ /61.

KOTHAGUDIUM COLLIERIES P. O.  
ANDHRA PRADESH

Date 11th August '61.

The General Secretary,  
All India Trade Union Congress,  
No. 4 Ashok Road, New Delhi.

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A. I. T. U. No. 2788 Date 11 AUG 1961

Dear Sir,

Herewith is enclosed a resolution passed in the Working Committee Meeting on 10th August 1961 under the Presidentship of Sri P. Satyanarayana, Vice President of the Union.

This is for your information.

Yours faithfully,

*M. Komuriah*  
GENERAL SECRETARY.

R E S O L U T I O N.

The Working Committee discussed the urgent problems facing the clerical staff, which are as follows:-

1. PAYMENT FOR PAID FESTIVAL HOLIDAYS:

The Management and the Union have entered into an agreement on 11th November 1960 before the Conciliation Officer (C), Secunderabad where by the Management agreed to pay for the paid festival holidays with in two months from the date of the agreement. But the same was not implemented. Even the recent promise made to the Union representatives on 24th July 1961 that the payments would be made with in a week time was not kept up to even after 18 days. This is a clear violation of the agreement and promises.

2. SU DAYS AND HOLIDAYS:

Payments for work done by the staff on Sundays and other holidays were not made and the paysheets which were long ago prepared were withheld without making payment. The allowances which were being paid to pit clerical staff are now stopped for no reason.

3. Over-time paysheets also were prepared but payment is not made.

4. Second grade sanctioned to manway clerks is yet to be implemented at Belampalli one year after its implementation at Kothagudium.

5. Posts created and sanction accorded two to three years ago in various sections of Head Office are not yet filled up.



THE SINGARENI COLLIERIES WORKERS UNION,  
H.O. KOTHAGUDIUM.

- : 2 : -

The Working Committee having discussed the seriousness of the situation and the resulting discontentment among the monthly paid staff on account of the indifferent attitude of the management with regards to the above subjects, strongly feel that there is deliberate delay in implementing the agreement and promises. The Committee notes with grave concern the failure of the Management in honouring their own commitments and resents the delaying tactics being adopted by the management.

The Committee after careful and prolonged discussions resolved to serve 14 days notice on the management. If the management do not settle above issues and make payments within the stipulated period the Committee decides to take direct action which it deems fit for which the entire responsibility rests with the management."

*M. Komariah*  
(M. KOMARIAH)  
GENERAL SECRETARY.

THE SINGARENI COLLIERIES WORKERS UNION,  
H.O. KOTHAGUDIUM.

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