

**LOK SABHA**

**THE MINES (AMENDMENT) BILL, 1972**

**(Report of the Joint Committee)**

**Presented on the 30th August, 1973**



**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 1973 / Bhadra, 1895 Saka*

*Price - Rs. 2.00*

LOK SABHA SECRETARIAT

CORRIGENDA

To

The Report of the Joint Committee on the  
Mines (Amendment) Bill, 1972.

Page (vii), line 15, for "Sub-clasue" read "Sub-clause".

Page 5, line 32, before "Central" insert "The".

Page 6, line 1, for "he" read "the".

Page 9, line 46, add marginal heading "Amendment of  
Section 23".

Page 12, (i) line 37 for "clase" read "clause".

(ii) line 39, for "Commitees" read "Committees".

Page 24, line 3 from bottom, after "Joint".  
insert "Secretary".

Page 40, (i) delete line 15.

(ii) after line 25, add "18.05 to 18.30 hours".

Page 47, for lines 3-5, read

1. Shri V.S. Yajnik
2. Shri P.M. Joshi
3. Shri J.L. Bhatia".

Page 71 -

(i) line 17 from bottom, for "satutory"  
read "statutory".

(ii) line 12 from bottom, for "re-assembled",  
read "re-assembled".

Page 76, line 10 from bottom, for "Twenty-fourth"  
read "Twenty-third".

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**JOINT COMMITTEE ON THE MINES (AMENDMENT) BILL, 1972**  
**COMPOSITION OF THE COMMITTEE**

Shri Anant Prasad Sharma—*Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Dinen Bhattacharya
5. Shri Khemchandbhai Chavda
6. Shri M. C. Daga
7. Shri Anadi Charan Das
8. Shri K. G. Deshmukh
9. Shri C. D. Gautam
10. Shri Bhogendra Jha
- \*11. Shri Purushottam Kakodkar
12. Shrimati Sheila Kaul
13. Shri Surendra Mohanty
14. Shri Boksi Nayak
15. Shri Paripoornanand Painuli
16. Shri Damodar Pandey
17. Shri Prabhudas Patel
18. Shri R. Balakrishna Pillai
19. Shri Ramji Ram
20. Ch. Ram Prakash
21. Shri Bhola Raut
22. Shri P. Antony Reddi
23. Ch. Sadhu Ram
24. Shri R. N. Sharma
25. Shri T. Sohan Lal
26. Sardar Swaran Singh Sokhi
27. Shri R. P. Ulaganambi
28. Shri T. V. Chandrashekharappa Veerabasappa
- †29. Shri G. Venkatswamy
30. Shri G. P. Yadav.

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† Appointed w. e. f. 4-73 vice Shri Balgovind Verma resigned.  
† Appointed w. e. f. 8-3-73 vice Shri R. K. Khaikar resigned.

(iv)

*Rajya Sabha*

31. Shri Kalyan Roy
32. Shri M. K. Mohta
33. Shri Monoranjan Roy
34. Shri Virendra Kumar Sakhalecha
35. Shri B. K. Mahanti
36. Shri Sita Ram Singh
37. Shri Showaless K. Shilla
38. Shri Vinaykumar Ramlal Parashar
39. Shri Mahendra Bahadur Singh
40. Shri Kali Mukherjee
41. Shri Jagan Nath Bhardwaj
42. Shri Qasim Ali Abid
43. Shri Himmat Sinh
44. Shri Dwijendralal Sen Gupta
45. Shri Inder Singh

LEGISLATIVE COUNSEL .

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVE OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri N. P. Dube—*Additional Secretary.*
3. Shri D. S. Nim—*Joint Secretary.*
4. Shri H. B. Ghose—*Director General of Mines Safety.*
5. Shri V. K. Chanana—*Deputy Secretary.*
6. Shri P. R. Nayar—*Under Secretary.*

SECRETARIAT

- Shri P. K. Patnaik—*Joint Secretary.*  
Shri H. G. Paranjpe—*Deputy Secretary.*
-

## REPORT OF THE JOINT COMMITTEE

1. The Chairman of the Joint Committee, to which the Bill\* further to amend the Mines Act, 1952 was referred, having been authorised to submit the Report on their behalf, present their Report with the Bill, as amended by the Committee, annexed thereto.

2. The Bill was introduced in Lok Sabha on the 22nd May, 1972. The motion for reference of the Bill to a Joint Committee of the Houses was moved in the Lok Sabha by Shri R. K. Khadilkar, the then Minister of Labour, Employment and Rehabilitation on the 25th May, 1972 and was adopted (Appendix I).

3. Rajya Sabha concurred in the said motion on the 30th May, 1972 (Appendix II).

4. The message from Rajya Sabha was read out in Lok Sabha on the 1st June, 1972.

5. The Committee held 26 sittings in all.

6. The first sitting of the Committee was held on the 3rd June, 1972 to draw up their programme of work. The Committee decided that workers' organisations, managers' associations and individuals interested in the subject matter of the Bill and desirous of submitting memoranda thereon for consideration of the Committee might do so by the 30th June, 1972. The Chairman was authorised to decide, after examining the memoranda received from various associations, organisations, etc. as to which of them might be called upon to give oral evidence before the Committee.

At this sitting, the Committee also decided to undertake on-the-spot study visits to some of the mining areas in the country in order to acquaint the members of the Committee with the working conditions in different types of mines and also to hold their sittings in some of the State Capitals to hear oral evidence of the representatives of various associations, organisations, etc. of the area concerned.

7. 71 memoranda on the Bill were received by the Committee from various organisations, associations, etc. (*vide* list at Appendix III).

8. The Committee undertook on-the-spot study visits to various mines viz. Bhurkunda Coal Mines, Kedla Jharkand Coal Mines, Hazaribagh and Mines Rescue Station, Dhanbad in July, 1972 Singareni Coal Mines, Hyderabad, magnesite mines and Kolar Goldfields in Mysore, Iron Ore Mines, Goa and Manganese Mines, Nagpur during October/November, 1972; Neyveli Lignite Mines in January, 1973; Mica Mines, Jaipur in January, 1973 and Limestone Mines and Stone Quarries, Jammu & Kashmir in June, 1973.

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\*Published in the Gazette of India, Extraordinary, Part II, Section 2, dated the 22nd May, 1972.

9. The Committee heard oral evidence given by the representatives of various associations, organisations, etc. (*vide* list at Appendix IV).

10. At their sitting held on the 20th July, 1973 the Committee decided that (i) the evidence given before them might be laid on the Tables of both the Houses, and (ii) two copies each of the memoranda received by the Committee from various associations, organisations, etc. might be placed in the Parliament Library after the Report of the Committee was presented, for reference by the Members of Parliament.

11. The Report of the Committee was to be presented to the House by the 4th August, 1972. The Committee were granted extension of time six times. The first extension was granted on the 3rd August, 1972 upto the 22nd December, 1972; second on the 19th December, 1972 upto the 9th March, 1973; third on the 26th February, 1973 upto the 4th May, 1973; fourth on the 3rd April, 1973 upto the 30th July, 1973; fifth on the 27th July, 1973 upto the 18th August, 1973 and sixth on the 16th August, 1973 upto the last day of the Eighth Session of the Fifth Lok Sabha.

12. The Committee considered the Bill clause-by-clause at their sittings held on the 2nd, 3rd, 4th, 19th and 20th July, 1973.

13. The Committee considered and adopted the Report on the 27th August, 1973.

14. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraphs.

15. *Clause 2* [renumbered as clause 3].—The Committee have made amendments to the definitions of certain terms as explained below:—

(i) *Sub-clause (ii)* [renumbered as Sub-clause (iv)].—(a) Sometimes persons are appointed by the owner or agent and they might not necessarily be working with the knowledge of the manager and such persons could not be treated as persons employed in the mine on the ground that they were neither appointed by the Manager nor working with his knowledge. The Committee feel that this will cause hardship to all such persons in-as-much as they will be deprived of all the benefits under the Act for no fault on their part.

In order to avoid hardships being caused to such persons concerned, the opening part of the proposed clause (h) of this sub-clause has been amended.

(b) The persons employed on the work of gathering sand and transport thereof to the mine should also be treated at par with those employed in any mining operation so that they are not deprived of the benefits under the Act, Part (i) of the proposed clause (h) has been amended accordingly.

(c) A person, who is employed in the construction of buildings, roads wells and other works directly connected with any existing or future mining operations, should also be considered as a person employed in the mine. Part (ii) of the proposed clause (h) has, therefore, been substituted accordingly.

(d) A person, who is employed in the operations of loading for despatch of minerals even outside the premises of the mine, should also be deemed to be a person employed in the mine. Part (iv) of the proposed clause (h) has been amended accordingly.

(e) In certain areas, the office of the mine which expression is defined in clause (k) of sub-section (1) of section 2 of the Act, is also located outside the premises of the mine and in such cases, according to the proposed provisions, the persons employed therein would be deprived of the benefits accruing under the Act, Part (v) of the proposed clause (h) has been suitably amended.

(f) The watch and ward personnel employed in the residential areas within the premises of the mine might also be treated as persons employed in the mine. Part (vi) of the proposed clause (h) has, therefore, been amended accordingly:

(g) All persons employed in any other sphere which is ancillary to the mining operations should also be treated as persons employed in the mine for the purposes of the Act, Part (vii) of the proposed clause (h) has been amended accordingly.

(ii) *Sub-clause (iii)* [renumbered as Sub-clause (v)].—The proposed definition of "mine" does not cover mines that are working without a mining lease granted under the Mines and Minerals (Regulation and Development) Act, 1957 or the prospecting licence under the Oil-fields (Regulation and Development) Act, 1948 or under any lease or licence. Such mines would, therefore, not be covered under the Mines Act and their owners would not be obliged to take suitable measures for safety, health and welfare of workers. The Committee feel that such mines should also be brought within the ambit of the Act. Definition of the term "mine" in the proposed clause (j) has, therefore, been amended to cover even those mines.

(iii) *Sub-clause (iv)* [renumbered as Sub-clause (vii)].—The Committee feel that an "injury" which involves enforced absence of the injured person from work even for a period of less than twenty days should also be treated as "reportable injury". The definition of the term "reportable injury" has, therefore, been amended accordingly.

(iv) *Sub-clause (v)* [renumbered as Sub-clause (iii)].—The Committee are of the view that the definition of the term "serious bodily injury" should *inter alia* include:—

- (a) permanent loss of the use of any part or section of the body;
- (b) permanent physical incapacity;
- (c) fracture of one or more joints or bone or bones of any phalanges of hand or foot; and
- (d) loss of or injury to any other part of the body.

The definition has been amended accordingly.

Other changes made in this clause are of a verbal nature.

16. *Clause 3* [renumbered as clause 4].—In the course of evidence before the Committee, all small quarry owners and owners of opencast mines had represented to the Committee that the application of section 3 of the Mines Act, 1952 had created working difficulties and suggested that there should be a separate set of regulations for the opencast mines and quarries. The Committee note that the Export Committee appointed to investigate this matter had *inter alia* recommended that



there should be a separate set of regulations for the opencast mines and quarries. The Committee also note that the consensus at the Third Conference on Safety in Mines held at Calcutta on the 14th and 15th July, 1973 was that the Report of the Expert Committee and the recommendations made therein were not acceptable but that consideration could, however, be given to have a separate set of regulations for all opencast mines, irrespective of their size or the mineral mined. The Committee recommend that Government should frame a separate set of regulations for the opencast mines and quarries.

17. *Clause 5* [renumbered as clause 7].—(i) The Committee feel that three days' time limit for giving notice to the manager of the mine before undertaking safety and occupational health survey in a mine is too long a period and feel that forty-eight hours' notice in this behalf should be reasonable.

Sub-section (1) of the proposed new section 9A has been amended accordingly.

(ii) The Committee also feel that the time spent on the medical examination and journey to and from the mine to the place of medical examination by any person employed in the mine, who is chosen for examination in the safety and occupational health survey, should be counted towards his working time and the overtime, if any, should be paid to him at double the ordinary rate of wages.

Sub-section (3) of the proposed new section 9A has been amended accordingly.

(iii) The Committee also feel that any person, who is selected for medical examination under occupational health survey, is found medically unfit for his particular duty, he should be given medical treatment at the cost of management with full pay and, in case he is declared unfit for his present job, should be provided with suitable alternative job.

A new sub-section (4) achieving these objectives has, therefore, been added to the proposed new section 9A.

18. *Clause 6* [renumbered as clause 8].—The Committee are of the view that disclosure of any information, acquired by the Chief Inspector or an Inspector or any one assisting him during the course of inspection of any mine, to the recognised trade unions and the registered trade unions, on request, should *inter alia* also be exempted from the operation of sub-section (1) of section 10 of the Act.

Part (b) of this clause has been suitably amended.

19. *Clause 7* [renumbered as clause 9].—Sub-clause (1).

(i) The Committee are of the opinion that since there are different types of mines operating in the country, it would not be possible for a single Mining Board to function efficiently for the whole country particularly when there are at present line Mining Boards constituted for different States or groups of States. The Committee, therefore, feel that there should at least be two Mining Boards— one for coal mining industry and the other for non-coal mining industry. Proposed Section 12 has been amended accordingly.

24. *Clause 16* [renumbered as clause 17].—The Committee feel that a place of accident causing loss of life or serious bodily injury even to a single person should not be disturbed before the arrival, or without the consent of, the Chief Inspector or an Inspector. The Committee also feel that it should be made incumbent upon the Chief Inspector or the Inspector to inspect the place of accident within seventy-two hours after the receipt of the notice and in case the said officer fails to inspect the place of accident within this period, the work might be allowed to be resumed at the place of accident.

Proposed new section 23A has been amended accordingly.

25. *Clause 17* [renumbered as clause 18].—(i) The Committee are of the view that while fixing the ordinary rate of wages of a worker who is employed in a mine on piece-rate basis and who has not worked in the preceding week on the same and identical job the average rate of wages (a) for the days he has worked, or (b) for the previous week whichever is higher, might be taken into account.

Proviso to proposed sub-section (2) of section 33 has been amended accordingly.

(ii) The Committee are also of the view that the compensation accruing through the free issue of edible oils should be included in the ordinary rate of wages of the persons employed in the mine.

Proposed sub-section (3) of section 33 has been amended accordingly.

26. *Clause 20* [renumbered as clause 21].—The Committee recommend that annual leave with wages in respect of a person employed in mine who has completed a calendar year's service therein, might be calculated as under:—

(a) in the case of a person employed below ground, at the rate of one day for every twelve days of work performed by him; and

(b) in any other case, at the rate of one day for every sixteen days of work performed by him.

Sub-section (1) of section 52 of the Act has been amended accordingly.

27. *Clause 22* [renumbered as clause 23].—(i) Clause (c) of section 58 of the Mines Act, 1952 provides that the Central Government may, by notification in the Official Gazette, make rules *inter alia* for providing for the appointment of court of inquiry under section 24 and for the recovery of the expenses of such courts from the manager, owner or agent of the mine concerned. Sub-rule (2) of rule 22 of the Mines Rules, 1955 which has been framed under section 58(c) of the Mines Act, 1952 provides that the amount of expenses on the court of inquiry, as directed by the court of inquiry, may on application by the Chief Inspector or an Inspector to a Magistrate having jurisdiction at the place where the mine is situated or where such owner is for the time being resident, be recovered by attachment and sale of any movable property within the limits of the Magistrate's jurisdiction belonging to such owner. As movable properties in the mines would not be easily available for attachment and in the case of some mines, they may not be sufficient to realize

24. *Clause 16* [renumbered as clause 17].—The Committee feel that a place of accident causing loss of life or serious bodily injury even to a single person should not be disturbed before the arrival, or without the consent of, the Chief Inspector or an Inspector. The Committee also feel that it should be made incumbent upon the Chief Inspector or the Inspector to inspect the place of accident within seventy-two hours after the receipt of the notice and in case the said officer fails to inspect the place of accident within this period, the work might be allowed to be resumed at the place of accident.

Proposed new section 23A has been amended accordingly.

25. *Clause 17* [renumbered as clause 18].—(i) The Committee are of the view that while fixing the ordinary rate of wages of a worker who is employed in a mine on piece-rate basis and who has not worked in the preceding week on the same and identical job the average rate of wages (a) for the days he has worked, or (b) for the previous week whichever is higher, might be taken into account.

Proviso to proposed sub-section (2) of section 33 has been amended accordingly.

(ii) The Committee are also of the view that the compensation accruing through the free issue of edible oils should be included in the ordinary rate of wages of the persons employed in the mine.

Proposed sub-section (3) of section 33 has been amended accordingly.

26. *Clause 20* [renumbered as clause 21].—The Committee recommend that annual leave with wages in respect of a person employed in mine who has completed a calendar year's service therein, might be calculated as under:—

- (a) in the case of a person employed below ground, at the rate of one day for every twelve days of work performed by him; and
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Sub-section (1) of section 52 of the Act has been amended accordingly.

27. *Clause 22* [renumbered as clause 23].—(i) Clause (c) of section 58 of the Mines Act, 1952 provides that the Central Government may, by notification in the Official Gazette, make rules *inter alia* for providing for the appointment of court of inquiry under section 24 and for the recovery of the expenses of such courts from the manager, owner or agent of the mine concerned. Sub-rule (2) of rule 22 of the Mines Rules, 1955 which has been framed under section 58(c) of the Mines Act, 1952 provides that the amount of expenses on the court of inquiry, as directed by the court of inquiry, may on application by the Chief Inspector or an Inspector to a Magistrate having jurisdiction at the place where the mine is situated or where such owner is for the time being resident, be recovered by attachment and sale of any movable property within the limits of the Magistrate's jurisdiction belonging to such owner. As movable properties in the mines would not be easily available for attachment and in the case of some mines, they may not be sufficient to realize

the expenses ordered by the court, the Committee feel that a substantive provision should be made to provide that the amount directed to be recovered, may, on application by the Chief Inspector or an Inspector to the concerned authority, be recovered from the owner as arrears of land revenue.

(ii) The Committee also feel that the Central Government should be empowered to make rules regarding the facilities which the workers' representative has to be given so as to enable him to carry on an inspection of mine on behalf of the workers.

In order to achieve the above objectives, the clause has been amended accordingly.

28. *Clause 27* [renumbered as clause 28].—(i) In order to represent the interests of all sections in the Rescue Committee adequately, the Committee feel that the strength of the proposed Rescue Committee might be increased. It might consist of not less than ten and more than eighteen members.

Sub-section (4) of the proposed new section 62A has, therefore, been amended accordingly.

(ii) The Committee were informed that mines other than coal mines were also having underground operations and the risk involved in such mines was not less than that of coal mines. The Mines Rescue Station should, therefore, cater to the needs of all mines. The levy for this purpose may be imposed on mines other than coal. The Committee, therefore, feel that the Government might examine the feasibility of amending this clause of the Bill so as to cover all the mines under its operation.

29. *Clauses 28 and 29* [renumbered as clause 29 and 30].—The Committee feel that it would not be desirable to give discretionary powers to the courts for awarding minimum punishment and the punishment for the contravention of the orders issued under section 22A of the Act should be deterrent.

Part (b) of clauses 28 and 29 have been suitably amended.

30. *Clause 34* [renumbered as clause 35].—The Committee feel that the words "Unless otherwise prescribed" are not necessary in the proposed new section 85C of the Act.

These words have accordingly been omitted.

31. *Clause 1 and Enacting Formula*.—The amendments made are of a formal nature.

32. The Committee note that in the Directorate of Mines Safety, there were now no posts of "Chief Inspector of Mines" or "Inspector of Mines", referred to in the Act and also in the Bill. Some of the terms, such as, British Calendar, annas, etc. are also not in vogue. The Committee feel that the designations of such officers and also of other officers, and the terms which were not in use might be changed both in the Act as well as in the Bill wherever necessary.

Necessary changes in this regard have, therefore, been made wherever necessary.

(xii)

33. The Joint Committee recommend that the Bill, as amended, be passed.

ANANT PRASAD SHARMA,

*Chairman.*

NEW DELHI;

August 30, 1973.

Bhadra 8, 1895 (Saka).

## MINUTES OF DISSENT

### I

माईस कमेटी को 27 अगस्त, 1973 को ड्राफ्ट रिपोर्ट पर विचार करने हेतु एक बैठक हुई है। पूर्व में क्लोज बाई क्लोज कंसीडरेशन के समय दो महत्वपूर्ण मुद्दों पर हमारा मत स्वीकार नहीं किया गया। अतः मैं अपनी विमत टिप्पणी रिपोर्ट के साथ संलग्न करना चाहता हूँ।

(1) क्लोज (9) में जो दो माइनिंग बोर्ड्स बनाने का प्रावधान किया गया उस सम्बन्ध में हमारा यह मत है कि पूर्व में इस तरह के 9 बोर्ड्स थे। उनके साथ कम से कम तीन बोर्ड्स होना चाहिए तथा बोर्ड्स किस आधार पर बनेंगे इसका कोई सिद्धान्त भी निर्धारित किया जाना चाहिए। कोयले के खनन में यदि एक लाख से अधिक मजदूर काम करते हैं तो उनका अलग बोर्ड होना चाहिए उसी प्रकार अन्य महत्वपूर्ण खनिजों के लिए जिनके खनन में 50,000 या लाख से अधिक मजदूर काम करते हैं उनके लिए अलग बोर्ड होना चाहिए। बिना सिद्धान्त के निर्धारित किये केवल यह प्रावधान करना कि एक कोयले के सम्बन्ध में बोर्ड होगा एवं दूसरा कोयले के अतिरिक्त समस्त खनिजों के लिए बोर्ड होगा। यह कोई तर्क संगत आधार नहीं है।

दूसरा महत्वपूर्ण प्रश्न बोर्ड में या सम्बन्धित कमेटी [क्लोज 10 (धारा 13) आदि] में मजदूरों के प्रतिनिधि किस आधार पर नियुक्त किये जावें। रेकगनाईज्ड यूनियन के प्रतिनिधि प्राथमिक निर्धारित करे उसके बजाए मजदूरों को गुप्त मतदान से अपने प्रतिनिधि निर्धारित करने की प्रणाली नियुक्त किया जाना प्रजातांत्रिक एवं उचित तरीका होगा ताकि मजदूरों का सही प्रतिनिधित्व हो सके।

मई विल्ली;

वीरेन्द्र कुमार सखलेचा

27 अगस्त, 1973

[English translation of I]

The Joint Committee on Mines (Amendment) Bill held its sitting on the 27th August, 1973 to consider the draft report. At the time of clause-by-clause consideration of the Bill, my views on two important points were not accepted. Hence I want that my minute of dissent should be appended to the Report:—

(1) Provisions were made in clause (9) for setting up two Mining Boards. But I think that there were 9 such Boards previously. There should be provision for 3 additional Boards and guide-lines for setting up the Boards should be laid down. In the case of a coal Mine where more than one lakh workers are employed, a separate Board should be set up. Similarly there should be a provision for separate Board in respect of other important minerals also where more than 50,000 or one lakh workers are engaged in mining. Provision for a Board in respect of coal mines and another for the remaining minerals other than coal, without laying down definite guide-lines, does not provide a rational basis.

(2) Other important point is; what will be the basis for nominating the representatives of workers on a Board or on a Committee related thereto [clause 10 (section 13), etc.]. It will be more democratic and just to lay down a system of electing representatives by secret ballot by the workers rather than by the Govt. to nominate the representatives of recognised Unions. It will provide fair representation to the workers.

NEW DELHI;  
The 27th August, 1973.

VIRENDRA KUMAR SAKHALECHA

## II

The Mines Act is being amended nearly after 20 years. In between seven big disasters in the following collieries have taken place leading to the death of nearly 1,500 workers in Coal Mines alone:—

- Newton Chickli Colliery (Madhya Pradesh).
- Amlabad Colliery (Bihar).
- Burradhemo Colliery (West Bengal).
- Chinakuri Colliery (West Bengal).
- Dhori Colliery (Bihar).
- Central Bhowra Colliery (Bihar).
- Jitpur Colliery.

The Courts of Enquiry, appointed to enquire into the accidents at these collieries, made numerous recommendations regarding improvement of safety and other matters for workers and people working underground. Similarly in between Amlabad Coal Mines and Jitpur Colliery disasters, there have been three safety conferences. The first and second safety conference also made numerous recommendations to strengthen the safety measures. An I.L.O. team consisting of mining experts visited this country and made valuable suggestions. But the Government has neither made any serious attempt to implement these recommendations nor incorporate them in the present Mines (Amendment) Bill. Result is many of the problems which affect the Miners continue to remain as they were and would seriously jeopardize safety in the Mines.

2. It is also unfortunate that no provision has been made to set up rescue stations as recommended by the I.L.O. team. The number of rescue stations which are existing today is absolutely inadequate.

3. I am totally against any nomination of workers' representatives to two Mining Boards,—coal and non-coal by the Government. The representatives of the workers must be elected by the workers themselves as is done throughout the world. Nomination by the Government of persons who would be representing workers would seriously jeopardize safety and would lead to bitterness.

4. *Amendment of Section 13.*—Similarly I am opposed to any nomination by the Central Government in consultation with any recognised trade unions of two persons to represent the interests of the persons employed in the Mines. Here also the workers who work underground must have the right to choose who will represent them. And the election should be made by secret ballot. Any imposition of persons by the Government would endanger safety and stand in the way of close collaboration between workers and management.

5. Safety Committee of the Mines should be elected by secret ballot of the workers. At present wherever Safety Committee exists, they consist of nominated people who do not represent the workers at all. If one sincerely wishes the close co-operation of the workers for safety and for prevention of accidents, the workers must have the right to choose who will be their nominees and not the Government.

KALYAN ROY

## III

The Mines Act passed in 1952 which was sought to be amended after 20 years was of course a welfare measure. But the report which was adopted did not touch many of the important aspects. So far the safety measures in the mines were concerned, the amendment bill was not a comprehensive enactment for which there was great urge and expectation by the people specially the miners.

The report does not mention any effective preventive measures to check the increasing number of accidents. Of course certain provisions have been made to deal with the situation after an accident takes place in and around the mines—minor and fatal.

Dealing with the amendment proposed by the Joint Committee we may mention that we strongly oppose the provision regarding the constitution of Mining Boards in which the workers' representatives will be in minority. The provision for nomination of six persons employed in mines by the Central Government in consultation with the organisations of persons employed in mines as may be recognised by the Central Government, *ipso-facto* deprive the workers to have their own representative in the Board. We thus propose that this particular provision regarding the constitution of the Mining Board should be so amended that the workers representation may not be in minority and the representative of the workers may be elected by secret ballot.

Regarding the constitution of Rescue Station Committee no representation has been given to the workers. When the coal mines have been taken over by the Government and there is talk of workers' participation in the management, it is deplorable that the amending bill does not provide any representation of the workers in the Rescue Station Committee. We propose that the section dealing with the constitution of Rescue Station Committee must also provide for the inclusion of workers representative to be elected by secret ballot in the Rescue Station Committee.

While amending Section 72C special provision for contravention of law with dangerous results have been so worded that the provisions of imprisonment have been made a discretion of the trying Magistrate. We propose that like the provision provided in Section 72E of the principal Act the amendment in Section 72C in principal Act (Clause 30 in the amending bill) should also provide for the punishment of imprisonment and fine (and not imprisonment or fine).

In conclusion we may add that the Joint Committee which was constituted about a year back could not bring out a report containing the amendments of the Mines Act of 1952 which could remove the longstanding shortcomings and lacunae.

However, we still expect that the Government will even now remove the shortcomings and make the enactment a perfect one.

NEW DELHI;  
August 29, 1973.

DINEN BHATTACHARYA  
MONORANJAN ROY



THE MINES (AMENDMENT) BILL, 1972

(AS REPORTED BY THE JOINT COMMITTEE)

(Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions.)

A

BILL

further to amend the Mines Act, 1952.

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Mines (Amendment) Act, 1973.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

35 of 1952.

10 2. In the Mines Act, 1952 (hereinafter referred to as the principal Act), for the words "Chief Inspector of Mines", "Chief Inspector", "Inspectors of Mines", "Inspectors", "Inspector" and "an Inspector", wherever they occur, the words "Director-General of Mines Safety", "Director-General", "Deputy Directors of Mines Safety", "Deputy Directors", "Deputy Director" and "a Deputy Director" shall respectively be substituted.

Change of designation of Chief Inspector of Mines and Inspector of Mines.

Amend-  
ment of  
section 2.

3. In section 2 of the principal Act, in sub-section (1),—

(i) for clause (c), the following clause shall be substituted, namely:—

'(c) "agent" when used in relation to a mine, means any individual, whether appointed as such or not, who, acting or pur- 5  
porting to act on behalf of the owner, takes part in the manage-  
ment, control, supervision and direction of the mine or of any  
part thereof;';

(ii) clause (d) shall be omitted;

(iii) after clause (f), the following clauses shall be inserted, 10  
namely:—

'(ff) "Deputy Director" means a Deputy Director of Mines Safety appointed under this Act, and includes a district magis-  
trate when exercising any power or performing any duty of a  
Deputy Director which he is empowered by this Act to exercise 15  
or perform;

(fff) "Director-General" means the Director-General of  
Mines Safety appointed under this Act;';

(iv) for clause (h), the following clause shall be substituted,  
namely:— 20

'(h) a person is said to be "employed" in a mine who works  
under appointment by or with the knowledge of the owner,  
agent or manager, whether for wages or not—

(i) in any mining operation (including the concomitant  
operations of handling and transport of minerals up to the 25  
point of despatch and of gathering sand and transport  
thereof to the mine);

(ii) in operations or services relating to the develop-  
ment of the mine including construction of plant, buildings,  
roads, wells and other works therein directly connected 30  
with any existing or future mining operations;

(iii) in operating, servicing, maintaining or repairing  
any part of any machinery used in or about the mine;

(iv) in operations of loading for despatch of minerals  
\* \* \* ; 35

(v) in the office of the mine located in or about the  
mine;

(vi) in any welfare, health, sanitary or conservancy  
services required to be provided under this Act or for watch  
and ward within the premises of the mine \* \* \* ; or 40

(vii) in any other sphere whatsoever which is prepara-  
tory or incidental or ancillary to, or connected with, mining  
operations;';

(v) clause (i) shall be omitted;

(vi) for clause (j), the following clause shall be substituted, namely:—

5 '(j) "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on whether under a mining lease including an exploring or a prospecting licence granted under the Oilfields (Regulation and Development) Act, 1948, or under a prospecting licence or a mining lease granted under the Mines and Minerals (Regulation and Development) Act, 1957, or under 10 any other lease or licence or permission granted under any other enactment or agreement, permit or order or otherwise and includes—

15 (i) all borings, bore holes, oilwells and accessory crude conditioning plants, including the pipelines and pumping stations provided for conveying mineral oil from the oilfields up to the point where it enters the refinery or other processing plant;

(ii) all shafts, in or adjacent to and belonging to a mine, whether in the course of being sunk or not;

20 (iii) all levels and inclined planes in the course of being driven in or about the mine;

(iv) all open cast workings in or about the mine;

25 (v) all conveyors or aerial ropeways provided for the bringing into or removal from a mine of minerals 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 mine;

30 (vii) all protective works being carried out in or about the mine;

(viii) all stores and workshops situated within the precincts of a mine and under the same management and used primarily for the purposes connected with that mine or a number of mines under the same management;

35 (ix) all power stations, transformer sub-stations, convertor stations, rectifier stations and accumulator storage stations for supplying electricity solely or mainly for the purpose of working the mine or a number of mines under the same management;

40 (x) any premises for the time being used for depositing refuse from a mine or sand or other material for use in the mine or in which any operation in connection with such refuse, sand or other material is being carried on, being premises exclusively occupied by the owner of the mine;

45 (xi) unless exempted by the Central Government by notification in the Official Gazette, any premises or part thereof, in or adjacent to and belonging to a mine, on which any process ancillary to the getting, dressing or preparation for sale of minerals or of coke is being carried on;'

(vii) clause (jjj) shall be omitted;

(viii) after clause (p), the following clause shall be inserted,  
namely:—

‘(pp) “reportable injury” means any injury other than a serious bodily injury which involves or in all probability will involve, the enforced absence of the injured person from work  
\* \* \*’;

(ix) for clause (q), the following clause shall be substituted,  
namely:—

‘(q) “serious bodily injury” means any injury which involves, or in all probability will involve, the permanent loss of the use of any part or section of a body, or the permanent loss of or injury to the sight or hearing or any permanent physical incapacity or the fracture of any bone or one or more joints or bone or bones of any phalanges of hand or foot, and includes loss of or injury to any other part of the body;’

Amend-  
ment of  
section 3.

4. In section 3 of the principal Act, in sub-section (1), in clause (b),—

(a) after the words “building stone,” the word “slate”, shall be inserted;

(b) after the words “fullers earth”, the words “, marl, chalk” shall be inserted.

Substitu-  
tion of  
new head-  
ing for  
heading  
to Chapter  
II.

5. In Chapter II of the principal Act, for the heading “Inspectors and Certifying Surgeons”, the heading “Inspecting Staff and Certifying Surgeons” shall be substituted.

Amend-  
ment of  
section 8.

6. In section 8 of the principal Act,—

(a) after the words “levelling or measuring any mine”, the words “or any output therefrom” shall be inserted;

(b) after the words “the mine or any part thereof”, the words “or any output therefrom” shall be inserted.

Insertion  
of new  
section 9A.  
Power to  
undertake  
safety  
and  
occupational  
health  
survey.

7. After section 9 of the principal Act, the following section shall be inserted, namely:—

“9A. (1) The Director-General or a Deputy Director or other officer authorised by him in writing in this behalf may, at any time during the normal working hours of a mine or at any time by day or night as may be necessary, undertake safety and occupational health survey in a mine after giving not less than forty-eight hours’ notice in writing to the manager of the mine; and the owner, agent or manager of the mine shall afford all necessary facilities (including facilities for the examination and testing of plant and machinery, for the collection of samples and other data pertaining to the survey and for the transport and examination of any person employed in the mine chosen for the survey) to such Director-General, Deputy Director or other officer.

(2) Every person employed in a mine who is chosen for examination in any safety and occupational health survey under sub-section (1) shall present himself for such medical examination and at

such place as may be necessary and shall furnish all information regarding his work and health in connection with the said survey.

5 (3) The time spent on transport and such medical examination by any person employed in a mine who is chosen for examination in the safety and occupational health survey, shall be counted towards his working time; so, however, that any overtime shall be paid at twice the ordinary rate of wages.

10 (4) (a) Every person who as a result of the medical examination under sub-section (2) is declared medically unfit to discharge his duty in a mine, shall be entitled to medical treatment and full wages during the period of such treatment, and the owner, agent and manager shall be liable for payment of expenses incurred by such person for medical treatment and his full wages for the aforesaid period.

15 (b) If after the medical treatment the person referred to in clause (a) is declared medically unfit to discharge the duty in a mine which he was discharging immediately before undergoing the medical treatment, the owner, agent and manager shall provide such person with suitable alternative job in the mine".

20 8. In section 10 of the principal Act.—

(a) in sub-section (1), after the word "inspection", the words "or survey" and after the word and figure "section 8", the words, figure and letter "or section 9A" shall be inserted;

25 (b) in sub-section (2), for clause (e), the following clauses shall be substituted, namely:—

"(e) the Controller, Indian Bureau of Mines;

(f) any registered or recognised trade union;

(g) such other officer, authority or organisation as may be specified in this behalf by the Central Government."

30 9. (1) For section 12 of the principal Act, the following sections shall be substituted, namely:—

'12. (1) Central Government shall, with effect from such date as that Government may by notification in the Official Gazette specify in this behalf, constitute for the purposes of this Act—

(a) a Mining Board for all coal mines; and

(b) a Mining Board for all mines other than coal mines.

*Explanation.*— In this section, "coal mine" has the meaning assigned to it in clause (b) of section 2 of the Coal Mines (Taking Over of Management) Act, 1973.

40 (2) Every Mining Board constituted under sub-section (1) shall consist of—

(a) a technical person in the service of the Government, not being the Director-General or a Deputy Director appointed by the Central Government, to act as Chairman;

Amendment of section 10.

Substitution of new sections for section 12 and saving. Constitution of Mining Boards.

(b) the Director-General or a Deputy Director appointed by the Central Government;

(c) a person, not being the Director-General or a Deputy Director, appointed by the Central Government;

(d) four persons representing Governments of such States as the Central Government may specify in this behalf, from time to time, appointed by the Central Government; 5

(e) four persons representing owners of mines nominated by the Central Government, in consultation with the owners of mines, or in consultation with such organisations of owners of mines as may be recognised by the Central Government for the purpose; 10

(f) six persons representing persons employed in mines nominated by the Central Government in consultation with such organisations of persons employed in mines as may be recognised by the Central Government for the purpose; and 15

(g) two persons to represent the interests of technical persons employed in the mines nominated by the Central Government in consultation with such organisation of technical persons employed in the mines as may be recognised by the Central Government for the purpose. 20

12A. No act or proceeding of a Mining Board shall be invalid by reason only of the existence of any vacancy among its members or any defect in the constitution thereof.

Vacancies, etc. not to invalidate date acts and proceedings of a Mining Board.

(2) (a) As from the date of constitution of a Mining Board under section 12 of the principal Act as amended by this Act (hereafter in this sub-section referred to as the Board)— 25

(i) any Mining Board constituted under section 12 of the principal Act and functioning as such on the aforesaid date shall stand dissolved; 30

(ii) the Chairman and members of any such Mining Board, who on the aforesaid date are members of that Mining Board, shall cease to hold office as such;

(iii) all proceedings pending on the aforesaid date in any Mining Board shall stand transferred to— 35

(A) where such proceedings relate to any coal mine, to the Board constituted under clause (a) of sub-section (1) of section 12 of the principal Act as amended by this Act,

(B) where the proceedings relate to mines other than coal mines, to the Board constituted under clause (b) of sub-section (1) of the said section 12, 40

and shall be disposed of by the Board concerned as if such proceedings had been pending before it.

(b) Anything done or any action taken before the aforesaid date by any Mining Board shall, so far as it is not inconsistent with any of the provisions of the principal Act as amended by this Act, be as valid and effectual as if it had been done or taken by the Board concerned.

5 10. In section 13 of the principal Act,—

Amend-  
ment of  
section 13.

(a) in sub-section (1), for clause (c), the following clause shall be substituted, namely:—

10 “(c) two persons to represent the interests of the persons employed in the mine \* \* \* nominated by the Central Government in consultation with recognised trade unions of the persons employed in that mine:

15 Provided that where no such recognised trade union exists, the nomination shall be made in consultation with such other organisations of persons employed in mines as the Central Government may deem fit.”;

(b) sub-section (3) shall be omitted.

\* \* \* \* \*

11. In section 16 of the principal Act, in sub-section (1), for the word “Director”, the word “Controller” shall be substituted.

Amend-  
ment of  
section 16.

20 12. For sections 17 and 18 of the principal Act, the following sections shall be substituted, namely:—

Substi-  
tution  
of new  
sections  
for  
sections 17  
and 18.

25 “17. (1) Save as may be otherwise prescribed, every mine shall be under a sole manager who shall have the prescribed qualifications and the owner or agent of every mine shall appoint a person having such qualifications to be the manager:

Manage-  
ment.

30 Provided that the owner or agent may appoint himself as manager if he possesses the prescribed qualifications.

(2) Subject to any instructions given to him by or on behalf of the owner or agent of the mine, the manager shall be responsible for the overall management, control, supervision and direction of the mine.

35 (3) Save as otherwise provided in sub-section (4), no owner or agent or any one on his behalf shall give to the manager any instructions which affect the fulfilment of the statutory responsibilities of the manager imposed by or under this Act, or which affect the safety of persons employed in the mine, unless the owner or agent or other person giving such instructions is qualified to be the manager of that mine, and all such instructions when given by such owner or agent or that other person shall be confirmed in writing forthwith.

40 (4) Except in case of an emergency, the owner or agent of a mine or anyone on his behalf shall not give, otherwise than through the manager, any instructions which affect the fulfilment of his responsibilities imposed by or under this Act, to a person employed in a mine, who is responsible to the manager.

Duties  
and  
responsi-  
bilities of  
owners,  
agents  
and  
managers.

18. (1) The owner and agent of every mine shall be responsible for making financial and other provisions and for taking such other steps as may be necessary for the appointment of adequate staff and also for equipping and providing it with men and material in such a manner that all operations carried on therein are conducted in accordance with the provisions of this Act and of the regulations, rules and bye-laws and of any orders made thereunder. 5

(2) The responsibility in respect of matters provided for in the rules made under clauses (d), (e) and (p) of section 58 shall be exclusively carried out by the owner and agent of the mine and by such person (other than the manager) whom the owner or agent may appoint for securing compliance with the aforesaid provisions of this Act. 10

(3) If the carrying out of any instructions given under sub-section (3), or given otherwise than through the manager under sub-section (4) of section 17, entails or results in the contravention of the provisions of this Act or of the regulations, rules or bye-laws or of any orders made thereunder, every person giving such instructions shall also be liable for the contravention of the provisions concerned. 15

(4) Subject to the provisions of sub-sections (1), (2) and (3), the owner, agent and manager of every mine shall each be responsible to see that all operations carried on in connection with the mine are conducted in accordance with the provisions of this Act and of the regulations, rules and bye-laws and of any orders made thereunder. 20 25

(5) In the event of any contravention by any person whatsoever of any of the provisions referred to in sub-section (3) except those which specifically require any person to do an act or thing or prohibit any person from doing an act or thing, besides the person who contravenes, each of the following persons shall also be deemed to be guilty of such contravention unless he proves that he had used due diligence to secure compliance with the said provisions and had taken reasonable means to prevent such contravention:— 30

- (i) the official or officials appointed to perform duties of supervision in respect of the provisions contravened; 35
- (ii) the manager of the mine;
- (iii) the owner and agent of the mine; and
- (iv) the person appointed, if any, to carry out the responsibility under sub-section (2):

Provided that any of the persons aforesaid may not be proceeded against if it appears, on inquiry and investigation, that he is not *prima facie* liable. 40

(6) It shall not be a defence in any proceedings brought against the owner or agent of a mine under this section that the manager and other officials have been appointed in accordance with the provisions of this Act or that a person to carry out the responsibility under sub-section (2) has been appointed." 45

Amend-  
ment of  
section 19.

13. In section 19 of the principal Act, in sub-section (2), for the words "twenty feet", the words "six metres" shall be substituted.



14. In section 22 of the principal Act,—

(a) in sub-section (3), for the words “until the danger is removed”, the words “until he is satisfied that the danger is removed” shall be substituted;

5 (b) in sub-section (5), after the word, brackets and figure “sub-section (4)”, the words, figures and letter “or under section 22A” shall be inserted;

(c) in sub-section (6),—

10 (i) after the word, brackets and figure “sub-section (4)”, the words, figures and letter “or under section 22A” shall be inserted;

(ii) for the words “which shall refer”, the words “which shall, ordinarily within a period of two months from the date of receipt of the objection, refer” shall be substituted;

15 (d) in sub-section (7),—

(i) after the word, brackets and figure “sub-section (4)”, the words, figures and letter “or under section 22A” shall be inserted;

(ii) in the proviso, for the word “requisition”, the word “notice” shall be substituted.

20 15. After section 22 of the principal Act, the following section shall be inserted, namely:—

“22A. (1) Where in respect of any matter relating to safety for which express provision is made by or under this Act, the owner, agent or manager of a mine fails to comply with any such provision, the Director-General may give notice in writing requiring the same to be complied with within such time as he may specify in the notice or within such extended period of time as he may, from time to time, specify thereafter and where the owner, agent or manager fails to comply with such notice, the Director-General may, without prejudice to any other action that may be taken against the owner, agent or manager of the mine under this Act, by order in writing, prohibit the employment in or about the mine or any part thereof of any person whose employment is not, in his opinion, reasonably necessary for securing compliance with the terms of the notice.

35 (2) Every person whose employment is prohibited under sub-section (1), shall be entitled to payment of full wages for the period for which he would have been, but for the prohibition, in employment, and the owner, agent or manager shall be liable for payment of such full wages of that person.”

40 16. In section 23 of the principal Act,—

(a) in sub-section (1), in clause (a), for the words “serious bodily injury”, the words “reportable injury or serious bodily injury” shall be substituted;

45 (b) in sub-section (3), for the words “forty-eight hours”, the words “twenty-four hours” shall be substituted.

Amend-  
ment of  
section 22.

Insertion  
of new  
section  
22A.

Powers of  
Director-  
General  
in cases  
where  
the pro-  
visions  
of the  
Act are  
not  
complied  
with.

Insertion  
of new  
section  
23A.

17. After section 23 of the principal Act, the following section shall be inserted, namely:—

Place  
of  
accident  
not to  
be dis-  
turbed.

"23A. (1) Whenever there occurs in or about a mine an accident causing loss of life or serious bodily injury to any person, the place of accident shall not be disturbed or altered before the arrival or without the consent of the Director-General or the Deputy Director to whom notice of the accident is required to be given under sub-section (1) of section 23, unless such disturbance or alteration is necessary to prevent any further accident, to remove bodies of the deceased, or to rescue any person from danger, or unless discontinuance of work at the place of accident would seriously impede the working of the mine. 5 10

(2) Without prejudice to the provisions of sub-section (2) of section 23, it shall be the duty of the Director-General or the said Deputy Director to inspect the place of accident within seventy-two hours after the receipt of the notice referred to in sub-section (1). 15

(3) Where the Director-General or the said Deputy Director fails to inspect the place of accident within seventy-two hours of the time of the accident, work may be resumed at the place of the accident." 20

Amend-  
ment of  
section  
33.

18. In section 33 of the principal Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:—

(2) Where any person employed in a mine is paid on piece-rate basis, the time-rate shall be taken as equivalent to the daily average of his full-time earnings for the days on which he actually worked during the week immediately preceding the week in which overtime work has been done, exclusive of any overtime, and such time-rate shall be deemed to be the ordinary rate of wages of such person: 25

Provided that if such person has not worked in the preceding week on the same or identical job, the time-rate shall be based on the average for the days he has worked in the same week excluding the overtime or on the daily average of his earnings in any preceding week, whichever is higher. 30

(3) For the purposes of this section and section 9A, "ordinary rate of wages" means the basic wages plus any dearness allowance and underground allowance and compensation in cash including such compensation, if any, accruing through the free issue of foodgrains and edible oils as persons employed in a mine may, for the time being be entitled to, but does not include a bonus (other than a bonus given as an incentive for production) or any compensation accruing through the provision of amenities such as free housing, free supply of coal, medical and educational facilities, sickness allowance, supply of kerosene oil, \* \* \* baskets, tools and uniforms. 35 40

19. In section 38 of the principal Act, in sub-section (1), after the words and figures, "subject to the provisions of section 22", the words, figures and letter "or section 22A" shall be inserted.

Amendment of section 38.

20. In section 49 of the principal Act, for the proviso, the following proviso shall be substituted, namely:—

Amendment of section 49.

"Provided that if such award, agreement or contract of service provides for a longer annual leave with wages than that provided for in this Chapter, the quantum of leave, which such person shall be entitled to, shall be in accordance with such award, agreement or contract of service, but in matters not provided for in such award, agreement or contract of service, or in matters which are provided for less favourably therein, the provisions of sections 50 to 56 (both inclusive), so far as may be, shall apply."

21. In section 52 of the principal Act,—

Amendment of section 52.

(a) in sub-section (1),—

(i) in clause (a), for the words "sixteen days", the words "twelve days" shall be substituted;

(ii) in clause (b), for the words "twenty days", the words "sixteen days" shall be substituted;

(b) after sub-section (9) and before the *Explanation*, the following sub-section shall be inserted, namely:—

"(10) Where a person employed in a mine is, during the course of a calendar year, discharged or dismissed from service or quits his employment or is superannuated or dies while in service, he or his heirs or his nominee, as the case may be, shall be entitled to wages in lieu of leave calculated at the rate specified in sub-section (1), if—

(a) in the case of a person employed below ground in a mine, he has put in attendance for not less than one-half of the total number of days from the date of his employment to the date of his discharge or dismissal or quitting of employment or superannuation or death;

(b) in any other case, he has put in attendance for not less than two-thirds of the total number of days from the date of his employment to the date of his discharge or dismissal or quitting of employment or superannuation or death;

and payment of such wages shall be made by the owner, agent or manager of the mine at the rate specified in section 53, where the person is discharged or dismissed from service or quits employment or is superannuated, before the expiry of the second working day after such discharge, dismissal or quitting of employment or superannuation, as the case may be, and where the person employed dies while in service, within a period of two months of his death."

(c) in the *Explanation*, for the words, brackets and figures "sub-sections (1) and (3)", the words, brackets and figures "sub-sections (1), (3) and (10)" shall be substituted.

Amend-  
ment of  
section  
57.

22. In section 57 of the principal Act,—

(a) in clause (q), for the words “for providing for the safety of persons present on haulage roads”, the words “for regulating the use of machinery in mines, for providing for the safety of persons employed on or near such machinery and on haulage roads” shall be substituted; 5

(b) in clause (u), for the words “for prescribing the plans, and sections and field notes connected therewith, to be kept by owners, agents and managers of mines”, the words “for requiring owners, agents and managers of mines to have fixed boundaries for the mines, for prescribing the plans, and sections and field notes connected therewith, to be kept by them” shall be substituted; 10

(c) in clause (v), the words “for the purpose of dealing effectively with the situation” shall be inserted at the end;

(d) in clause (x), for the words “fifty yards”, the words “forty-five metres” shall be substituted. 15

Amend-  
ment of  
section 58.

23. In section 58 of the principal Act,—

(a) for clause (a), the following clause shall be substituted, namely:—

“(a) for prescribing the term of office and other conditions of service of, and the manner of filling vacancies among, the members of a Mining Board, and for regulating the procedure to be followed by a Mining Board for transacting its business;” 20

(b) in clause (c), after the words “connected with the inquiry”, the words “in the same manner as an arrear of land revenue” shall be inserted; 25

(c) after clause (c), the following clause shall be inserted, namely:—

“(cc) for providing for inspection of mines to be carried out on behalf of the persons employed therein by a technical expert (not less than an overman in status), the facilities therefor, the frequency at which and the manner in which such inspections are to be carried out and the manner in which reports of such inspections are to be made;” 30

(d) clauses (r), (s), (t) and (u) shall be omitted; 35

(e) for clause (v), the following clause shall be substituted, namely:—

“(v) for providing for the constitution of safety committees for groups of specified mines or for all mines in a specified area for promoting safety and for laying down the composition, manner of formation and functions of such safety committees; and” 40

Amend-  
ment of  
section 59.

24. In section 59 of the principal Act,—

(a) in sub-section (1), for the words and figures “sections 57 and 58”, the words, figures and letter “sections 57, 58 and 62G” shall be substituted; 45

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

5 (4) No regulation or rule shall be made unless the draft thereof has been referred to the Mining Board concerned and unless that Mining Board has had a reasonable opportunity of reporting as to the expediency of making the same and as to the suitability of its provisions.

*Explanation.*—In this section and in sections 60 61 and 81, the expression “the Mining Board concerned” means—

10 (a) in relation to coal mines, the Mining Board constituted under clause (a) of sub-section (1) of section 12; and

(b) in relation to all mines other than coal mines, the Mining Board constituted under clause (b) of sub-section (1) of the said section;.

15 (c) sub-section (7) shall be omitted.

25. After section 59 of the principal Act, the following section shall be inserted, namely;—

Insertion of new section 59A.

20 59A. Every regulation made under section 57 and every rule made under section 58 or under section 62G shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or rule or both Houses agree that the regulation or rule should not be made, the regulation or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation or rule, as the case may be.”

Laying of regulations and rules Parliament.

30 26. In section 60 of the principal Act,—

Amendment of section 60.

(a) for the words “Mining Boards”, the words “the Mining Board concerned” shall be substituted;

35 (b) in the proviso, after the words “so made”, the words “shall be sent to the Mining Board concerned for information and” shall be inserted.

27. In section 61 of the principal Act,—

Amendment of section 61.

40 (a) in sub-section (1), for the words “for the control and guidance of the persons acting in the management of, or employed in, the mine”, the words “governing the use of any particular machinery or the adoption of a particular method of working in the mine” shall be substituted;

45 (b) in sub-section (3), for the words “Mining Board or, where there is no Mining Board, to such officer or authority as the Central Government may, by general or special order, appoint in this behalf”, the words “Mining Board concerned” shall be substituted;

(c) in sub-section (4), in clause (a), for the words: "Mining Board or such officer or authority as aforesaid", the words "Mining Board concerned" shall be substituted.

Insertion  
of new  
Chapter  
VIII A.

28. After section 62 of the principal Act, the following Chapter and sections shall be inserted, namely:—

5

## "CHAPTER VIII A

### Coal Mines Rescue Stations Committee

Constitu-  
tion of  
Coal  
Mines  
Rescue  
Stations  
Commit-  
tee.

62A. (1) The Central Government shall, with effect from such date as that Government may, by notification in the Official Gazette, specify in this behalf, constitute a committee to be known as the Central Coal Mines Rescue Stations Committee (hereafter in this Chapter referred to as the Rescue Committee). 10

(2) The Rescue Committee shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and 15 dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The head office of the Rescue Committee shall be at Dhanbad or at such other place as the Central Government may, by notification in the Official Gazette, specify. 20

(4) The Rescue Committee shall consist of not less than ten, and not more than eighteen, members appointed by the Central Govern- ment. 25

(5) The Central Government shall nominate one of the members of the Rescue Committee to be its Chairman. 25

(6) The term of office and other conditions of service of, and the manner of filling vacancies among, the members of the Rescue Committee shall be such as may be prescribed.

(7) The Rescue Committee may appoint sub-committees or agencies at other places. 30

Manage-  
ment.

62B. The general management, control, supervision and direction of the rescue stations shall vest in the Rescue Committee.

Imposi-  
tion and  
collection  
of duty

62C. (1) There shall be levied and collected as a cess for ad- ministration of rescue stations, a duty of excise on all coke and coal despatched from mines for which rescue stations have been establish- 35 ed, at such rate not exceeding ten paise per tonne, as may from time to time be fixed by the Central Government by notification in the Official Gazette,

(2) The duty levied under sub-section (1) shall, subject to and in accordance with the rules made in this behalf, be collected by such 40 agencies and in such manner as may be prescribed.

62D. (1) The proceeds of the duty levied under section 62C shall first be credited to the Consolidated Fund of India and the Central Government may, after due appropriation by Parliament, by law made in this behalf, pay to the Rescue Committee in each financial year, such sums not exceeding the net proceeds of the duty after deducting the expenses of collection, as may be considered necessary, for the performance of the functions of the Rescue Committee under this Act.

Payment of-proceeds of duty to Rescue Committee.

(2) The Rescue Committee shall have its own fund and all receipts of the Rescue Committee shall be credited thereto and all payments made by the Rescue Committee shall be made therefrom.

(3) The fund of the Rescue Committee shall be applied towards meeting the expenses of the Rescue Committee and on the construction, maintenance and up-keep of the rescue stations.

62E. (1) The Rescue Committee shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance-sheet in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

Accounts and audit.

(2) The accounts of the Rescue Committee shall be audited by the Comptroller and Auditor-General of India or by any other person appointed by him in this behalf at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Rescue Committee to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Rescue Committee shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General has in connection with the audit of Government accounts, and in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Rescue Committee.

(4) The accounts of the Rescue Committee as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

62F. The Rescue Committee shall submit to the Central Government an annual report of its work and activities in such form and before such date as may be prescribed, and that Government shall cause the same to be laid before each House of Parliament.

Annual report.

62G. (1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of this Chapter.

Power to make rules.

(2) Without prejudice to the generality of the foregoing power, such rules may provide—

(i) for the custody of the fund of the Rescue Committee;

(ii) for the term of office and other conditions of service of, and the manner of filling vacancies among, the members of the Rescue Committee, and the procedure to be followed by the Rescue Committee for transacting its business;

(iii) for requiring the establishment of rescue stations for 5 groups of specified coal mines or for all coal mines in a specified area;

(iv) for regulating the powers and functions of, and the conduct of business by, authorities (other than the Rescue Committee) charged with the management of the rescue stations; 10

(v) for prescribing the equipment, control, maintenance and functions of rescue stations;

(vi) for providing for the formation, training, composition and duties of rescue brigades and corps and for the terms and conditions of service of persons trained in rescue work employed 15 in mines;

(vii) for regulating the conditions of service of its employees;

(viii) for the form and the manner in which the accounts and other relevant records of the Rescue Committee shall be maintained and the annual statement of accounts including the balance-sheet shall be prepared; 20

(ix) for the form of the annual report of the Rescue Committee and the date on or before which it shall be submitted to the Central Government. 25

62H. As from the date the Rescue Committee is established under sub-section (1) of section 62A—

(a) all properties, movable and immovable, vested in the Committee constituted under the Coal Mines Rescue Rules, 1959, shall vest in the Rescue Committee; 30

(b) all debts obligations and liabilities incurred all contracts entered into and all matters and things engaged to be done by, with, or for, the Committee constituted under the Coal Mines Rescue Rules, 1959, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for, the Rescue Committee; 35

(c) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against, the Committee constituted under the Coal Mines Rescue Rules, 1959, may be continued or instituted by, for or against, the Rescue Committee. 40

Transfer of assets and liabilities of the Committee constituted under the Coal Mines Rescue Rules, 1959.

Savings.

62I. All actions taken or things done by the Committee constituted under the Coal Mines Rescue Rules, 1959, in pursuance of the provisions of this Act or the rules made thereunder before the commencement of the Mines (Amendment) Act, 1973, shall, unless inconsistent with the provisions of this Act as amended by the Mines (Amendment) Act, 1973, be deemed to have been taken or done under this Act as amended by the Mines (Amendment) Act, 1973 and the rules made thereunder." 45



29. In section 72B of the principal Act,—

(a) after the word and figures "section 22", the words, figures and letter "or under section 22A" shall be inserted;

Amend-  
ment of  
section  
72B.

5 (b) for the words "which may extend to five thousand rupees", the words "which shall not be less than two thousand rupees but which may extend to five thousand rupees" shall be substituted;

30. In section 72C of the principal Act, in sub-section (1),—

(a) after the word and figures "section 22", the words, figures and letter "or under section 22A" shall be inserted;

Amend-  
ment of  
section  
72C.

10 (b) in clause (a) for the words "which may extend to five thousand rupees", the words "which shall not be less than three thousand rupees but which may extend to five thousand rupees" shall be substituted;

31. In section 79 of the principal Act,—

15 (a) in clause (iii), the word "or" shall be inserted at the end;

Amend-  
ment of  
section 79.

(b) after clause (iii), the following clause shall be inserted, namely:—

20 "(iv) in any case in which a Government servant is also an accused for whose prosecution previous sanction of the Central Government or of the State Government or of any other authority is necessary under any law for the time being in force, within three months of the date on which such sanction is received by the Director-General,".

25 32. In section 81 of the principal Act, for the words "a Mining Board" in both the places where they occur, the words "the Mining Board concerned" shall be substituted.

Amend-  
ment of  
section 81.

33. In section 83 of the principal Act,—

30 (a) in sub-section (1), for the words "all or any of the provisions of this Act", the words "all or any of the provisions of this Act or of the regulations, rules or bye-laws made thereunder" shall be substituted;

Amend-  
ment of  
section  
83.

(b) in sub-section (2), for the words "regulations or rules under this Act", the words "regulations, rules or bye-laws" shall be substituted.

35 34. Section 84 of the principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-sections shall be inserted namely:—

Amend-  
ment of  
section 84.

40 "(2) The Director-General may, for reasons to be recorded in writing, reverse or modify any order passed by him under this Act or under any regulation, rule or bye-law.

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

Insertion  
of new  
sections  
85B and  
85C.

**35.** After section 85A of the principal Act, the following sections shall be inserted, namely:—

Signing  
of  
returns,  
notices  
and  
corres-  
pondence.

“85B. All returns and notices required under, or correspondence made in connection with, the provisions of this Act or of any regulation, rule, bye-law or any order 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.

No fee or  
charge  
for  
facilities  
and  
conve-  
niences.

85C. \* \* \* No fee or charge shall be realised from any person employed in a mine in respect of any protective arrangements or facilities to be provided, or any equipment or appliances to be supplied under the provisions of this Act.”.

## APPENDIX I

(Vide para 2 of the Report)

*Motion in Lok Sabha for reference of the Bill to the Joint Committee*

“That the Bill further to amend the Mines Act, 1952, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

- (1) Shri Bhagirath Bhanwar
- (2) Shri Chapalendu Bhattacharyya
- (3) Shri Dinen Bhattacharya
- (4) Shri Khemchandbhai Chavda
- (5) Shri M. C. Daga
- (6) Shri Anadi Charan Das
- (7) Shri K. G. Deshmukh
- (8) Shri C. D. Gautam
- (9) Shri Bhogendra Jha
- (10) Shrimati Sheila Kaul
- (11) Shri Surendra Mohanty
- (12) Shri Boksi Nayak
- (13) Shri Paripoornanand Painuli
- (14) Shri Damodar Pandey
- (15) Shri Prabhudas Patel
- (16) Shri R. Balakrishna Pillai
- (17) Shri Ramji Ram
- (18) Ch. Ram Prakash
- (19) Shri Bholu Raut
- (20) Shri P. Antony Reddi
- (21) Ch. Sadhu Ram
- (22) Shri Anant Prasad Sharma
- (23) Shri R. N. Sharma
- (24) Shri T. Sohan Lal
- (25) Sardar Swaran Singh Sokhi
- (26) Shri R. P. Ulaganambi
- (27) Shri T. V. Chandrashekharappa Veerabasappa
- (28) Shri Balgovind Verma
- (29) Shri G. P. Yadav
- (30) Shri R. K. Khadilkar

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session.

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 Members to be appointed by Rajya Sabha to the Joint Committee."

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## APPENDIX II

(Vide para 3 of the Report)

### *Motion in Rajya Sabha*

“That this House concurs in the recommendation of Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Mines Act, 1952, viz., Mines (Amendment) Bill, 1972, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee namely:—

1. Shri Kalyan Roy
2. Shri M. K. Mohta
3. Shri Monoranjan Roy
4. Shri Virendra Kumar Sakhalecha
5. Shri B. K. Mahanti
6. Shri Sita Ram Singh
7. Shri Showaless K. Shille
8. Shri Vinaykumar Ramlal Parashar
9. Shri Mahendra Bahadur Singh
10. Shri Kali Mukherjee
11. Shri Jagan Nath Bhardvaj
12. Shri Qasim Ali Abid
13. Shri Himmat Sinh
14. Shri Dwijendralal Sen Gupta
15. Shri Inder Singh.”

### APPENDIX III

(Vide para 7 of the Report)

*List of Associations, Organisations, etc. from whom memoranda were received by the Joint Committee*

1. Bhartiya Khadan Mazdoor Sangh, Chhindwara, (Madhya Pradesh).
2. Indian National Mining Overman, Sirdars, Shotfirers Association, M. P. Zone, Parasia (Madhya Pradesh)
3. Geenka Mica Company, Giridih.
4. Indian Mining Association, Calcutta.
5. Coal Workers' Union Hazaribagh.
6. Mica Mazdoor Congress, Giridih.
7. Bharat Coking Coal Ltd., Dhanbad.
8. Indian National Mine Workers' Federation and Colliery Mazdoor Sangh, Dhanbad.
9. Association of NCDC Mining Engineers, Hazaribagh.
10. Shri K. N. Singh, Bhowra Colliery, Dhanbad.
11. Depressed Classes League, Hazaribagh.
12. Hindustan Copper Ltd., Mosaboni Mines, Singhbhum.
13. Colliery Mazdoor Congress, Asansol.
14. Bihar Coal Miners' Union, Dhanbad.
15. Eastern Zone Mining Association, Chaibasa (Singhbhum), Bihar.
16. Shri Dharamchand Jain, M. P.
17. Nagpur Stone Quarry and Crusher Owners' Association, Nagpur.
18. Goa Mines Staff Association, Khandepar, Goa.
19. Indian Medical Association, Jharia (Dhanbad).
20. All India Flooring Stone Quarry Lease Holders' Association, Hyderabad.
21. Bharatiya Mica Mazdoor Sangh, Gudur (Andhra Pradesh).
22. Vidarbha Industries Association, Nagpur.
23. Greater Bombay Quarry Owners' Association Ltd., Bombay.
24. Hutti Gold Mines Company Ltd., Raichur (Mysore).
25. Tamil Nadu & Kerala Mines Safety Association (Central), Salam.
26. National Mineral Development Corporation Ltd., Hyderabad.
27. South India Mica Mine Owners' Association, Gudur (Andhra Pradesh).
28. Poona Quarry Owners' Association, Poona.
29. Madhya Pradesh and Vidarbha Mining Association, Nagpur.
30. Goa Mineral Ore Exporters' Association and Goa Mining Association, Panjim.

31. Singareni Collieries Co. Ltd., Kothacudium (Andhra Pradesh).
32. New Chirmiri Ponri Hill Colliery, Chirmiri (Madhya Pradesh).
33. Management of Bharat Gold Mines Pvt. Ltd., Oorgaum, KGF (Mysore).
34. Labour Representatives of the various Unions of the Bharat Gold Mines Pvt. Ltd., Oorgaum, KGF. (Mysore).
35. Neyveli Lignite Corporation Ltd., Neyveli.
36. Tamil Nadu Mining Board, Madras.
37. Indian Mine Managers' Association, Chhindwara.
38. Shri S. Viswanathan, Addl. Mining Geologist, Bailadila Iron Ore Project, Bachel, Bastar.
39. National Coal Development Corporation, Ranchi.
40. Indian Mine Managers' Association, Dhanbad.
41. Indian National Mines Overman, Sirdar and Shotfirers Association, Dhanbad.
42. Indian Mining Federation, Calcutta.
43. Indian Colliery Owners' Association, Dhanbad.
44. Koyala Ispat Mazdoor Panchayat, Jharia, Dhanbad.
45. National Mine Workers Union, Goa.
46. Goa Mining Labour Welfare Union, Assonora, Goa.
47. Government of Goa, Deman and Diu.
48. Mysore Mine Workers' Union, Marikuppam KGF (Mysore).
49. Shahabad Stone Quarry Lease—Holders' Association, Hyderabad.
50. M. P. Mine Workers Union, Nagpur.
51. Tamil Nadu Gypsum Mine Owners' Association, Udmalpet.
52. Shri G. C. Shukla & others, Small Scale Mining Industry, Nagpur.
53. India Cements Ltd., Madras.
54. A. F. Limestone Mines (branch of India Cements Ltd.), Sankar Nagar, Tamil Nadu.
55. Associated Cement Cos. Ltd., Bombay.
56. Neyveli Mines United Workers Union, Neyveli.
57. Lignite Mines Labour Union, Neyveli.
58. Indian National Mine Workers Federation, Calcutta.
59. Pather Khan Mazdood Sangh, Kota.
60. A. P. Singareni Colliery Mazdoor Sangh (INTUC), Kothagudium Collieries (Andhra Pradesh).
61. Federation of Mining Associations of Rajasthan.
62. Bikaner Division Mining Association, Bikaner.
63. Rajputana Industrial and Mining Association, Bhilwara (Rajasthan).
64. Association of India Mine Surveyors, Dhanbad.
65. Centre of Indian Trade Unions, Calcutta.
66. Koyala Shramik Sangathan, Hazaribagh.
67. Engineers' Association, NCDC, Ranchi.
68. Rajputana Mine Owners & Mineral Merchants Association, Ajmer.
69. J&K Minerals Ltd., Srinagar.
70. Directorate of Geology & Mining, Srinagar.
71. Joint Committee of Workers, Kalakot Coal Mines, Jammu (J&K).

## APPENDIX IV

(Vide para 9 of the Report)

*List of representatives of various Associations, Organisations, etc. who gave evidence before the Joint Committee.*

S.No.	Name of Association/Organisation, etc.	Date on which evidence was taken
(1)	(2)	(3)
1.	Association of NCDC Mining Engineers, Hazaribagh. <i>Spokesman</i> : Shri N. Dutta, President.	20-7-1972
2.	Koyala Sharamik Sangathan, Hazaribagh. <i>Spokesmen</i> : 1. Shrimati Ramnika Gupta, General Secretary. 2. Shri R.C. Nagar, Member. 3. Shri Rangnath, Member. 4. Shri Indrasan Ojha, Member.	20-7-1972
3.	Coal Worker's Union, Hazaribagh. <i>Spokesmen</i> : 1. Shri Shafique Khan, General Secretary. 2. Shri Ramendra Kumar, Secretary.	20-7-1972
4.	National Coal Development Corporation Ltd, Ranchi. <i>Spokesmen</i> : 1. Shri C. Balram, Director (Tec.) 2. Shri K. Rai General Manager, N. C. D. C. Karanpura. 3. Shri R. G. Mahendru, General Manager (P&D) 4. Shri R. S. Murti, Add., Chief Personnel Officer.	20-7-1972
5.	Depressed Classes League, Ramgarh, Hazaribagh. <i>Spokesmen</i> : Shri Sudema Ram, President.	20-7-1972
6.	Bharat Coking Coal Ltd, Dhanbad. <i>Spokesmen</i> : 1. Shri R. N. Sharma, Mangaing, Director. 2. Shri C. S. Jha, Director (Technical) 3. Shri U. N. Jha, CME (Prod. & Hqrs.) 4. Shri S. Chattopadhyaya, Tech. Secretary.	22-7-1972
7.	Indian Mining Association, Calcutta. <i>Spokesmen</i> : 1. Dr. G. G. K. Shastri, Vice Chairman 2. Shri Chhedilal, Adviser. 3. Shri B. R. Prasad Hony. Joint Standing Coal Fields Committee 4. Shri N. N. Singh Hony. Joint Secretary. 5. Shri B. S. Rao, CME, West Bokaro Ltd.	22-7-1972



(1)	(2)	(3)
8. Indian Mine Managers' Association, Dhanbad. . . . .		22-7-1972
<i>Spokesmen:</i> 1. Shri A. V. Brahma, Chairman.		
2. Shri R. T. Deshmukh, President.		
3. Shri B. Dharam, Secretary.		
4. Shri G. S. Jootla, Council Member.		
5. Shri. S. V. Krishnamurthy, Council Member.		
6. Shri Gopal Krishan, Council Member.		
7. Shri Y.P. Mali, Council Member.		
9. Indian National Mines Overman, Sirdar and Shot-Firers Association' Dhanbad. . . . .		22-7-1972
<i>Spokesmen:</i> 1. Shri Jiban Krishna Banerjee, General Secretary		
2. Shri B. Joshi, Legal Adviser.		
3. Shri H. P. Duba, Vice-President.		
4. Shri R. B. Singh Zonal Secretary.		
5. Shri D. N. P. Singh Treasurer.		
6. Shri S. P. Shukla, Group Secretary.		
10. Indian National Mine Workers, Federatiom and Colliery Mazdoor Sangh, Dhanbad. . . . .		22-7-1972
<i>Spokesmen :</i> 1. Shri S. Dasgupta, Secretary, INMF and Joint Secretary, CMS		
2. Shri G. N. Singh Treasurer, INMF and CMS.		
3. Shri S. N. Mishra, Member Executive Committee, CMS		
11. Association]of Indian Mine Surveyors, Dhanbad . . . . .		22-7-1972
<i>Spokesman :</i> 1. Shri Asoke , Kumar Ghosh, General Secretary.		
2. Shri Himangshu Sekhar Mookherji, Member.		
12. (a) Indian Mining Federation, Calcutta.		22-7-1972
<i>Spokesmen :</i> 1. Shri P. N. Chaturvedi, Chief Personnel Officer, Chanchani and Worah (P) Ltd.		
2. Shri B.S. Gupta, Chief Agent, Jaipuria Samla Group of Collieries, Pandavswar.		
(b) Indian Colliery Owners' Association, Dhanbad.		22-7-1972
<i>Spokesman :</i> Shri Madan Lal Agarwala, President.		
13. (a) Koyala Isp.t Mazdoor Panchayat, Jharia, Dhanbad.		22-7-1972
<i>Spokesman :</i> Shri H.N. Singh, Vice-President.		
(b) Colliery Mazdoor Congress, Goraimansion, Asansol.		22-7-1972
<i>Spokesmen :</i> 1. Shri Keshav Singh, Vice-President.		
2. Shri Vinay Kumar, General Secretary.		
3. Shri Jagdish Singh, Assistant Secretary.		
(c) Bihar Coal Mirers' Union, Dhanbad.		22-7-1972
<i>Spokesmen :</i> 1. Shri Pritish Chanda, President.		
2. Shri Anil Sarkar, Secretary.		
14. All India Flooring Stone Quarry Lease Holders' Association, Hyderabad.		25-10-1972
<i>Spokesmen :</i> 1. Shri Manik Arke, Secretary.		
2. Shri M. Ramesh, Treasurer.		

(1)	(2)	(3)
15.	Bhartiya Mica Mazdoor Sangh, Gudur. <i>Spokesman</i> : Shri K. Venkatasubbaiah, General Secretary.	25-10-1972
16.	South India Mica Mine Owners' Association, Gudur. <i>Spokesman</i> : Shri K.V.S. Ram, Member.	25-10-1972
17.	Singarani Collieries Company Ltd., Kothagudium. <i>Spokesmen</i> : 1. Shri K.I. Vidyasagar, Managing Director. 2. Shri V.L. Karwande, General Manager. 3. Shri M. Vasudeva, Deputy General Manager	25-10-1972
18.	The Hutti Gold Mines Company Limited, Hutti. <i>Spokesman</i> : Shri S.C. Mahanti, Mine Manager.	28-10-1972
19.	Tamil Nadu & Kerala Mines Safety Association, (Central), Salem. <i>Spokesmen</i> : 1. Shri S.P. Roy, Vice-Chairman. 2. Shri A.R. Ganeshan, Hony. Secretary. 3. Shri R. Muthaiah, Member.	28-10-1972
20.	Shahabad Stone Quarry Lease Holders, Association, Bangalore <i>Spokesmen</i> : 1. Shri S.N. Parikh, Vice-Chairman. 2. Shri Manik Arke, Secretary. 3. Shri M. Ramesh, Treasurer.	28-10-1
21.	Tamilnadu Gypsum Mine Owners' Association, Udumalpet. <i>Spokesmen</i> : 1. Shri V. Raman, President. 2. Shri R. Sankaranarayanan, Joint Secretary. 2. Shri T.S. Srinathan, Secretary. 4. Shri C. Kasi Vishwanathan, Treasurer.	28-10-1972
22. (I)	Bharat Gold Mines Private Limited, Oorgaum, Mysore. <i>Spokesmen</i> : 1. Prof. K.V. Subbramanyam, Chairman and Managing Director. 2. Shri S. Nagaraja Rao, Manager, Nundydroog Mine, BMPL.	28-10-1972
	(II) Mysore Mines Workers' Union, Marikuppam. <i>Spokesmen</i> : 1. Shri K. Kanan, Vice-President. 2. Shri B.M. Kuttappa, Vice-President. 3. Shri T. Subramari, Secretary. 4. Shri S. Savaridoss, Secretary, K.G.F. Hospital Workers Union.	28-10-1972
23.	Shri P.S. Narayana—Consulting Mining Engineer and Geologist, Mines House, Bangalore-3.	28-10-1972
24.	Goa Mineral Ore Exporters' Association, Panjim and Goa Mining Association, Panaji (Goa). <i>Spokesmen</i> : 1. Shri S.S. Kantak, Director and Technical Manager, Sociedade de Fomento Industrial Pvt. Ltd. 2. Shri H.C. Gupta, Mining Engineer, Sesa Goa Pvt. Ltd. 3. Shri D.V. Rao, Mining Engineer, V.M. Salgaocar & Brother Pvt. Ltd. 4. Shri A.V. Salgaocar, Personnel Officer, Sesa Goa Pvt. Ltd. 5. Shri Ramesh Desai, Labour Advisor.	31-10-1972
25.	Goa Mines Staff Association, Khandepar, Usgaon, Goa. <i>Spokesmen</i> : 1. Shri M.V.S. Khandeparkar, Secretary. 2. Shri R.B.S. Kakodkar, Member. 3. Shri L.D. Samant, Member. 4. Shri Uday Katt, Member.	31-10-1972
26.	Goa Mining Welfare Union, Assonora. <i>Spokesmen</i> : 1. Shri George Vaz, General Secretary. 2. Shri Melicio Fernandes. 3. Shri Divalar Kakodkar.	31-10-1972

(1)	(2)	(3)
27.	National Mine Workers Union, Goa. <i>Spokesmen</i> : 1. Shri Vasudev Arjun Gavas, General Secretary. 2. Shri Dionisio Fernandiz, Secretary.	31-10-1972
28.	Madhya Pradesh and Vidarbha Mining Association (Coal Committee), Nagpur. <i>Spokesmen</i> : 1. Shri Asa Singh, Chairman. 2. Shri Brij Bhushan, C.M.E. 3. Shri M.K. Jha, C.M.E. 4. Shri R.D. Biswas, C.M.E. 5. Shri Dudley, Secretary. 6. Shri Chaudhury, Chairman/M.D., MOIL.	2-11-1972
29.	Nagpur Stone Quarry & Crusher Owners' Association, Nagpur. <i>Spokesmen</i> : 1. Shri B.T. Pardhy, Chairman. 2. Shri H.H. Shah, Hony. Secretary. 3. Colonel H.S. Kochar (Retd.), Member. 4. Shri R.C. Thakkar, Member.	2-11-1972
30.	Bhartiya Koayala Khadan Mazdoor Sangh, Chandametta, (Chhindwara). <i>Spokesmen</i> : 1. Shri S.B. Singh Parmar, Secretary. 2. Shri S.S. Shakrawar, Legal Adviser and Member Executive.	2-11-1972
31.	Vidarbha Industries Association, Nagpur. <i>Spokesmen</i> : 1. Shri V.S. Yajnik. 2. Shri P.M. Joshi. 3. Shri J.L. Bhatia.	2-11-1972
32.	Indian National Mining Overmen, Sirdars, Shotfirers Association, Chhindwara. <i>Spokesmen</i> : 1. Shri S.P. Tiwari, Vice-President. 2. Shri Beeru Singh, Joint Secretary. 3. Shri Abdul Wahid, Cashier.	2-11-1972
33.	Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Nagpur. <i>Spokesmen</i> : 1. Shri G.M. Khode, President. 2. Shri S.W. Dhabe, President. 3. Shri Hira Lal Singh, Vice-President. 4. Shri S.D. Raut, General Secretary. 5. Shri S.K. Moulik, Secretary. 6. Shri Mahadeorao Titre, General Secretary.	2-11-1972
34.	New Chirimiri Ponri Hill Colliery, Chirimiri. } <i>Spokesmen</i> : Shri G. Srinivasan, Technical Consultant.	2-11-1972
35.	Mine Workers Union, Chhindwara. <i>Spokesmen</i> : Shri R.K. Haldulker, President.	2-11-1972
36.	Small Scale Mining Industry, Nagpur. <i>Spokesmen</i> : 1. Shri G.C. Shukla. 2. Shri Bhim Sen Bisen. 3. Shri G.D. Gupta.	2-11-1972

(1)	(2)	(3)
37. Greater Bombay Quarry Owners' Association Ltd.,	Bombay.	3-11-1972
<i>Spokesmen :</i> 1. Shri Devkaran N. Tanna, President. 2. Shri Chunilal Gulati, Joint Secretary 3. Shri Damjinanji Vedant, Joint Honorary Secretary 4. Shri K.C. Ram Nath, Office Secretary 5. Shri M.S. Sawhney, Member. 6. Shri S. D. Veera. 7. Shri N.D. Tanna.		
38. Poona Quarry Owners Association, Poona.		4-11-1972
<i>Spokesmen :</i> 1. Shri S.T. Nanda, President. 2. Shri R.T. Shinde, Vice-President. 3. Shri B.Y. Ogale, Manager, Dhanowin Mine. 4. Shri S.D. Chowgule, Chairman, Mazdoor Cooperative Society. 5. Shri K.C. Dhotre, Director.		
39. Neyvelli Lignite Corporation Ltd., Neyvelli .		10-1-1972
<i>Spokesmen :</i> 1. Shri N. Neelakantan, Superintendent (Mines). 2. Shri P.V. Kalyanaraman, Senior Personnel Officer.		
40. India Cement Ltd., Madras.		10-1-1973
<i>Spokesmen :</i> 1. Shri A. Srinivasan, Personnel Officer. 2. Shri V.S. Krishnan, Superintending Geologist and Mining Engineer. 3. Shri R. Krishnamurthy, Mines Manager.		
41. Associated Cement Companies Ltd., M. Karve Road, Bombay.		10-1-1973
<i>Spokesmen :</i> 1. Shri J.P. Munsiff, General Manager (Operations). 2. Shri M. M. Prabhu, Head of the Mining Department (Operation Division).		
42. Lignite Mines Labour Union, Neyvelli.		10-1-1973
<i>Spokesmen :</i> Shri K. Thiruvengadam, Secretary.		
43. Neyvelli Minee United Workers Union (AITUC) Church Road, Neyvelli-I.		10-1-1973
<i>Spokesmen :</i> 1. Shri K.M. Sundaram, President. 2. Shri K. Kesavan, Secretary.		
44. (a) Federation of Mining Association of Rajasthan, Jaipur.		1-2-1973
<i>Spokesmen :</i> 1. Shri J.R. Teneja, Vice-President. 2. Shri R.S. Mathur, Hony. General Secretary.		
(b) Udaipur Mine Owners Association, Udaipur.		
<i>Spokesmen :</i> Shri J.R. Teneja, Hony. Secretary.		
45. Bikaner Division Association, Bikaner.		1-2-1973
<i>Spokesmen :</i> 1. Shri Gulab Chand Kochar, President. 2. Shri Amar Nath Chandna, Hony. General Secretary.		
46. Rajputana Mines Owners & Mineral Merchants Association, Ajmer.		1-2-1973
<i>Spokesmen :</i> 1. Shri E.C. Framji, Member. 2. Shri K.C. Mehashwari, Member. 3. Shri Motichand Golecha, Member.		

1	2	3
47. R.K. Bakliwal, Mining Consultant, Daribapan, Jaipur.		1-2-1973
48. Centre of Indian Trade Unions, Calcutta.		5-2-1973
<i>Spokesmen :</i> 1. Shri P. Ramamurti, General Secretary, CITU. 2. Shri Robin Chatterjee, General Secretary, Colliery Mazdoor Sabha of India. 3. Shri Kumar Singh, General Secretary, East Sitalpur Colliery Branch of Colliery Mazdoor Sabha of India, Raniganj. 4. Shri G.P. Goswami, Secretary, J.K. Nagar Colliery Branch of Colliery Mazdoor Sabha of India, Raniganj.		
49. Indian National Mineworkers' Federation. Calcutta.		5-2-1973
<i>Spokesmen :</i> Shri Kanti Mehta, General Secretary. (i) Shri H.B. Ghose—Director General of Mines Safety, Dhanbad. (ii) Shri M. Datta—Director of Mines Safety (H.A.), Dhanbad.		6-2-1973
51. J & K Minerals Ltd., J. & K. Government Undertaking, Srinagar.		28-6-1973
<i>Spokesmen</i> 1. Dr. T.G.K. Charlu, Managing Director. 2. Shri L.N. Misra, Chief Mining Engineer. 3. Shri K.C. Dass Puri, Deputy Chief Mining Engineer.		
52. Directorate of Geology & Mining, Government of J & K, Srinagar.		28-6-1973
<i>Spokesmen:</i> 1. Shri S.C. Chakravarty, Director. 2. Shri S.M. Hassan, Joint Director. 3. Shri N.U. Vohra, Mining Engineer. 4. Shri M.L. Warrihoo, Mining Engineer. 5. Shri H.R. Raina, Mineral Officer.		
53. Joint Committee of Workers, Kalakot Coal Mines, Kalakot (Jammu).		28-6-1973
<i>Spokesmen :</i> 1. Shri K.R. Khajuria, General Secretary of Workers Association. 2. Shri O.P. Khaiuria, Branch Secretary. 3. Shri G.M. Butt, President, All Mines Association. 4. Shri A.S. Chauhan, President, Minerals and Industrial Workers Association.		

## APPENDIX V

*Minutes of the Sittings of the Joint Committee on the Mines  
(Amendment) Bill, 1972.*

### I

#### First Sitting

The Committee sat on Saturday, the 3rd June, 1972 from 09.00 to 11.00  
hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

##### *Lok Sabha*

2. Shri Chapalendu Bhattacharyya
3. Shri Dinen Bhattacharya
4. Shri Khemchandbhai Chavda
5. Shri M. C. Daga
6. Shri C. D. Gautam
7. Shrimati Sheela Kaul
8. Shri Surendra Mohanty
9. Shri Paripoornanand Painuli
10. Shri Prabhudas Patel
11. Shri Ramji Ram
12. Shri Bhola Raut
13. Ch. Sadhu Ram
14. Shri R. N. Sharma
15. Shri T. Sohan Lal
16. Sardar Swaran Singh Sokhi
17. Shri Balgovind Verma
18. Shri G. P. Yadav
19. Shri R. K. Khadilkar

##### *Rajya Sabha*

20. Shri Monoranjan Roy
21. Shri Virendra Kumar Sakhalecha
22. Shri Sita Ram Singh
23. Shri Showaless K. Shilla
24. Shri Mahendra Bahadur Singh
25. Shri Kali Mukherjee
26. Shri Himmat Sinh
27. Shri Dwijendralal Sen Gupta

## LEGISLATIVE COUNSEL

Shri P. L. Gupta—*Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri D. S. Nim, *Joint Secretary.*
2. Shri B. N. Chakravorti, *Deputy Secretary.*
3. Shri Mahesh Chandra, *O.S.D. (Legal).*
4. Shri B. K. Saksena, *Under Secretary.*

## SECRETARIAT

Shri P. K. Patnaik—*Joint Secretary.*  
Shri H. G. Paranjpe—*Deputy Secretary.*

2. At the outset, the Chairman welcomed the members of the Committee and referred to the proposals contained in the Bill.

3. The Committee, after some discussion, decided that—

- (i) Written memoranda on the provisions of the Bill might be invited from various interests, such as the employers' organisations, workers' organisations, Managers' Associations and individuals interested in the matter so as to reach the Lok Sabha Secretariat by the 30th June, 1972.
- (ii) A Press Communique to this effect might be issued.
- (iii) On-the-spot study visits of the Committee to some of the mines might be undertaken in order to acquaint the members with the problem.

To start with, visits to Singareni Coal Mines in Andhra Pradesh and Kolar Gold Fields in Mysore might be arranged in July, 1972.

- (iv) Oral evidence of the representatives of some of the organisations, etc. who give their memoranda, as to be settled by the Chairman, might be taken.
- (v) After visits to Singareni Coal Mines and Kolar Gold Fields, meetings of the Committee might be held at Bangalore for 3 days. On the first day, there may be general discussion on the provisions of the Bill and on the subsequent two days, oral evidence of the representatives of some of the organisations, etc. of that area may be taken. Further programme might be chalked out there.

4. The Committee desired the Ministry of Labour and Rehabilitation (Department of Labour & Employment) to furnish the following material to the Lok Sabha Secretariat for circulation to the Members of the Committee:—

- (i) Relevant background material relating to the Bill.
- (ii) Important judgments of High Courts and the Supreme Court relating to the matters contained in the Bill.

- (iii) Findings of the Court of Inquiry in the case of accidents in mines and action taken thereon by the Government.
  - (iv) Decisions of the Industrial Committee on Coal Mining.
  - (v) Annual Reports of the Mining Boards and the Committees.
  - (vi) Rules, Regulations and Bye-laws made under the Mines Act, 1952.
  - (vii) Statement containing gists of the memoranda on the Bill (to be received by the Committee) together with the comments of the Ministry thereon.
5. The Committee then adjourned .

## II

### Second Sitting

The Committee sat on Thursday, the 20th July, 1972 from 15.00 to 18.20 hours in Bhurkunda, N.C.D.C. Guest House, Bhurkunda, District Hazaribagh.

#### PRESENT

Shri R. N. Sharma—(*In the Chair*)

#### MEMBERS

#### *Lok Sabha*

- 2. Shri Bhagirath Bhanwar
- 3. Shri Chapalendu Bhattacharyya
- 4. Shri Khemchandbhai Chavda
- 5. Shri M. C. Daga
- 6. Shri Anadi Charan Das
- 7. Shri C. D. Gautam
- 8. Shrimati Sheila Kaul
- 9. Shri Paripoornanand Painuli
- 10. Shri Damodar Pandey
- 11. Shri Prabhudas Patel
- 12. Shri Ramji Ram
- 13. Ch. Ram Prakash
- 14. Shri Bhola Raut
- 15. Shri P. Antony Reddi
- 16. Ch. Sadhu Ram
- 17. Shri T. Sohan Lal
- 18. Sardar Swaran Singh Sokhi

#### *Rajya Sabha*

- 19. Shri Kalyan Roy
- 20. Shri Virendra Kumar Sakhalecha
- 21. Shri Sita Ram Singh
- 22. Shri Showaless K. Shilla
- 23. Shri Dwijendralal Sen Gupta



## SECRETARIAT

Shri K. S. Bhalla—*Under Secretary*

2. In the absence of Chairman, Shri R. N. Sharma was elected to act as the Chairman for the sitting under Rule 258(3) of the Rules of Procedure & Conduct of Business in the Lok Sabha.

3. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:

I. Association of NCDC Mining Engineers, Hazaribagh

*Spokesman:*

Shri N. Dutta, President

(15.15 to 16.25 hours)

II. Koyala Shramik Sangthan, Hazaribagh

*Spokesmen:*

1. Smt. Ramnika Gupta, General Secretary

2. Shri R. C. Nagar, Member

3. Shri Rangnath, Member

4. Shri Indrasan Ojha, Member

(16.30 to 17.05 hours)

III. Coal Workers' Union, Hazaribagh

*Spokesmen:*

1. Shri Shafique Khan, General Secretary

2. Shri Ramendra Kumar, Secretary

(17.10 to 17.20 hours)

IV. National Coal Development Corporation Ltd., Ranchi

*Spokesmen:*

1. Shri C. Balram, Director (Tech.)

2. Shri K. Rai, General Manager, NCDC, Karanpura

3. Shri R. G. Mahendru, General Manager (P & D)

4. Shri R. S. Murti, Addl. Chief Personnel Officer.

(17.25 to 18.00 hours)

V. Depressed Classes League, Ramgarh, Hazaribagh

*Spokesman:*

Shri Sudama Ram, President

(18.05 to 18.15 hours)

4. A verbatim record of evidence was kept.

5. The Committee then adjourned.

## III

## Third Sitting

The Committee sat on Saturday, the 22nd July, 1972 from 09.00 to 13.05 hours and again from 14.30 to 18.40 hours in the Chasnalla Guest House, Dhanbad.

## PRESENT

Shri R. N. Sharma—(*In the Chair*)

## MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri M. C. Daga
5. Shri C. D. Gautam
6. Shrimati Sheila Kaul
7. Shri Paripoornanand Painuli
8. Shri Damodar Pandey
9. Shri Prabhudas Patel
10. Shri Ramji Ram
11. Ch. Ram Prakash
12. Shri Bhola Raut
13. Shri P. Antony Reddi
14. Ch. Sadhu Ram
15. Shri T. Sohan Lal
16. Sardar Swaran Singh Sokhi.

*Rajya Sabha*

17. Shri Kalyan Roy
18. Shri B. K. Mahanti
19. Shri Sita Ram Singh
20. Shri Showaless K. Shilla
21. Shri Jagan Nath Bhardwaj
22. Shri Dwijendralal Sen Gupta

## SECRETARIAT

Shri K. S. Bhalla—*Under Secretary*.

2. In the absence of Chairman, Shri R. N. Sharma was elected to act as the Chairman for the sitting under Rule 258(3) of the Rules of Procedure & Conduct of Business in the Lok Sabha.

3. At the outset the acting Chairman and Members referred to the appalling working conditions in the Kedla-Jharkand complex of mines which they had visited on the 21st July, 1972. After a brief discussion, the Committee decided as follows:

- (i) The impressions of and suggestions made by members regarding the conditions in the mines may, with the permission of the Speaker, be conveyed to the State Government.

- (ii) Representatives of the Bihar Government concerned with the Kedla-Jharkand complex of mines may be invited to appear before the Committee to give evidence with the approval of the Speaker, as required under Direction 60.
- (iii) The Director-General of Mines Safety of the Government of India may be summoned to appear before the Committee to tender evidence on all aspects of the Bill; and before appearing before the Committee to give evidence, he should furnish a note outlining the implementation of the safety measures in the mines as laid down in the existing law.

4. Before the Committee proceeded to hear the evidence of the representatives of the following Associations, etc., the Chairman drew their attention to Direction 58 of the Directions by the Speaker:

1. Bharat Coking Coal Ltd., Dhanbad

*Spokesmen:*

1. Shri R. N. Sharma, Managing Director
2. Shri C. S. Jha, Director (Tech.)
3. Shri U. N. Jha, C.M.E. (Prod. & Hqrs.)
4. Shri S. Chattopadhyaya, Tech. Secretary

[10.25 to 11.40 hours]

2. Indian Mining Association, Calcutta

*Spokesmen:*

1. Dr. G. G. K. Shastri, Vice-Chairman
2. Shri Chhedi Lal, Adviser
3. Shri B. R. Prasad, Hony. Jt. Secretary, Standing Coal-fields Committee
4. Shri N. N. Singh, Hony. Jt. Secretary, Standing Coal-fields Committee
5. Shri B. S. Rao, CME, West Bokaro Ltd.

[11.45 to 12.30 hours]

3. Indian Mine Managers' Association, Dhanbad

*Spokesmen:*

1. Shri A. V. Brahma, Chairman
2. Shri R. T. Deshmukh, President
3. Shri B. Dharam, Secretary
4. Shri G. S. Jootla, Council Member
5. Shri S. V. Krishnamurthy, Council Member
6. Shri Gopal Krishan, Council Member
7. Shri Y. P. Mali, Council Member

[12.30 to 13.05 hours]

4. The Committee then adjourned for lunch.

5. The Committee reassembled after lunch at 14.30 hours and resumed hearing of the evidence of the representatives of the following associations etc.:—

6. Indian National Mines Overman, Sirdar and Shot-firers Association, Dhanbad.

*Spokesmen:*

1. Shri Jiban Krishna Banerjee, General Secretary.
2. Shri B. Joshi, Legal Adviser.
3. Shri H. P. Duba, Vice-President.
4. Shri R. B. Singh, Zonal Secretary.
5. Shri D. N. R. Singh, Treasurer.
6. Shri S. P. Shukla, Group Secretary.

[14.30 to 15.15 hours]

7. Indian National Mine Workers' Federation and Colliery Mazdoor Sangh, Dhanbad.

*Spokesmen:*

1. Shri S. Dasgupta, Secretary, INMF and Joint Secretary, CMS.
2. Shri G. N. Singh, Treasurer, INMF and CMS.
3. Shri S. N. Mishra, Member Executive Committee, CMS.

[15.20 to 15.55 hours]

8. Association of Indian Mines Surveyore; Dhanbad.

*Spokesmen:*

1. Shri Asoke Kumar Ghosh, General Secretary.
2. Shri Himangshu Sekhar Mookherji, Member.

[16.00 to 16.10 hours]

9. (a) Indian Mining Federation, Calcutta.

*Spokesmen:*

1. Shri P. N. Chaturvedi, Chief Personnel Officer, Chanchani and Worah (P) Ltd.
2. Shri B. S. Gupta, Chief Agent, Jaipuria Samla Group of Collieries, Pandaveswar.

(b) Indian Colliery Owners' Association, Dhanbad

*Spokesmen:*

Shri Madan Lal Agarwala, President.

[16.10 to 17.00 hours]

10. (a) Koyala Ispat Mazdoor Panchayat, Jharia, Dhanbad.

*Spokesmen:*

Shri H. N. Singh, Vice-President.

(b) Colliery Mazdoor Congress, Goraimansion, Asansol

*Spokesman:*

1. Shri Keshav Singh, Vice-President.
2. Shri Vinay Kumar, General Secretary.
3. Shri Jagdish Singh, Assistant Secretary.

(c) Bihar Coal Miners' Union, Dhanbad

*Spokesman:*

1. Shri Pritish Chanda, President.
2. Shri Anil Sarkar, Secretary.

[17.05 to 18.30 hours]

11. A verbatim record of evidence was kept.
12. The Committee then adjourned.

#### IV

#### Fourth Sitting

The Committee sat on Tuesday, the 1st August, 1972 from 15.00 to 16.00 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman.*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Dinen Bhattacharya
5. Shri Khemchandbhai Chavda
6. Shri M. C. Daga
7. Shri Anadi Charan Das
8. Shri K. G. Deshmukh
9. Shri C. D. Gautam
10. Shrimati Sheila Kaul
11. Shri Baksi Nayak
12. Shri Paripoornanand Painuli
13. Shri Ramji Ram
14. Shri Bhola Raut
15. Shri P. Antony Reddi
16. Shri R. N. Sharma
17. Shri T. Sohan Lal
18. Sardar Swaran Singh Sokhi
19. Shri R. P. Ulaganambi
20. Shri Balgovind Verma
21. Shri R. K. Khadilkar

*Rajya Sabha*

22. Shri Kalyan Roy
23. Shri Monoranjan Roy
24. Shri Virendra Kumar Sakhalecha
25. Shri Vinaykumar Ramlal Parashar
26. Shri Jagan Nath Bhardwaj
27. Shri Himmat Sinh
28. Shri Dwijendralal Sen Gupta

## LEGISLATIVE COUNSEL

Shri V. S. Bhashyam, Deputy Legislative Counsel.

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri D. S. Nim, *Joint Secretary*.
2. Shri H. B. Ghose, *Director-General of Mines Safety*.
3. Shri B. N. Chakravorti, *Deputy Secretary*.
4. Shri Mahesh Chandra, *O.S.D. (Legal)*.
5. Shri B. K. Saksena, *Under Secretary*.

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary*.

2. The Committee felt that as they had to undertake on-the-spot study visits to more mines with a view to acquaint themselves with the working conditions in different types of mines, take evidence of certain organisations who had expressed a desire to that effect and had to complete other stages of the Bill, it would not be possible for them to present their Report by the stipulated date i.e. 4th August, 1972. The Committee, therefore, decided to seek an extension of time for presentation of their Report up to the last day of the next Session.

3. The Committee authorised the Chairman and, in his absence, Shri R. N. Sharma to move necessary motion in the House to that effect on Thursday, the 3rd August, 1972.

4. The Committee then decided to undertake for about 2 weeks after Dusehra holidays on-the-spot study visits to 3 or 4 different types of mines (including Singareni coal mines and Kolar gold mines earlier decided) and also to hear oral evidence of the various organisations at the State capitals.

5. The Committee then reconsidered their earlier decisions recorded in sub-para 3(i) and (ii) of the Minutes of the third sitting held at Dhanbad on the 22nd July, 1972 and decided that no action need be taken on the said sub-paragraphs for the time being.

6. The Committee also decided to hear the oral evidence of the representatives of the Centre of Indian Trade Unions, Calcutta and such other parties as may be desirous of appearing before the Committees during the last week of the current session.

7. The Committee then adjourned.

**Fifth Sitting**

The Committee sat on Wednesday, the 25th October, 1972 from 15.00 to 18.30 hours in Committee Room, Andhra Pradesh Legislative Assembly, Hyderabad.

**PRESENT**

Shri Anant Prasad Sharma—*Chairman*

**MEMBERS***Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Dinen Bhattacharya
5. Shri M. C. Daga
6. Shri Anadi Charan Das
7. Shri K. G. Deshmukh
8. Shri C. D. Gautam
9. Shrimati Sheila Kaul
10. Shri Surendra Mohanty
11. Shri Boksi Nayak
12. Shri Paripoornanand Painuli
13. Shri Damodar Pandey
14. Shri Prabhudas Patel
15. Shri Ramji Ram
16. Ch. Ram Prakash
17. Shri Bhola Raut
18. Shri P. Antony Reddi
19. Ch. Sadhu Ram
20. Shri R. N. Sharma
21. Shri T. Sohan Lal

*Rajya Sabha*

22. Shri Virendra Kumar Sakhalecha
23. Shri B. K. Mahanti
24. Shri Sita Ram Singh
25. Shri Vinaykumar Ramlal Parashar
26. Shri Jagan Nath Bhardwaj
27. Shri Kasim Ali Abid
28. Shri Dwijendralal Sen Gupta

**REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)**

1. Shri R. Kunjithapadam—*Under Secretary*
2. Shri H. B. Ghose—*Director General of Mines Safety.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. All India Flooring Stone Quarry Lease Holders' Association, Hyderabad.

*Spokesmen:*

1. Shri Manik Arke, Secretary.
2. Shri M. Ramesh, Treasurer.

[15.00 to 16.00 hours]

II. Bhartiya Mica Mazdoor Sangh, Gudur.

*Spokesman:*

Shri K. Venkatasubbaiah—General Secretary.

[18.05 to 18.30 hours]

[16.05 to 16.30 hours]

III. South India Mica Mine Owners Association, Gudur.

*Spokesman:*

Shri K. V. S. Ram—Member.

[16.35 to 18.00 hours]

IV. Singareni Collieries Company Ltd., Kothagudium.

*Spokesmen:*

1. Shri K. I. Vidyasagar—Managing Director.
2. Shri V. L. Karwande—General Manager.
3. Shri M. Vasudevan—Deputy General Manager.

3. A verbatim record of evidence was kept.

4. The Committee then passed the following resolution:—

“The Committee place on record the warm appreciation of the valuable assistance rendered to them by the Secretary of Andhra Pradesh Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in Committee Room, Andhra Pradesh Legislative Assembly, Hyderabad.

The Committee also place on record the warm appreciation of the assistance rendered to them by the Government of Andhra Pradesh and officers and staff of the Mines Safety Department in holding the sitting of the Committee at Hyderabad and making the stay of members of the Committee comfortable”.

5. The Committee then adjourned to meet again at 10.00 hours on Saturday, the 28th October, 1972 at Bangalore.



## VI

## Sixth Sitting

The Committee sat on Saturday, the 28th October, 1972 from 10.00 to 13.40 hours in Committee Room, Vidhana Soudha, Bangalore.

## PRESENT

Shri Anant Prasad Sharma—*Chairman*

## MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Dinen Bhattacharya
4. Shri Khemchandbhai Chavda
5. Shri M. C. Daga
6. Shri Anadi Charan Das
7. Shri K. G. Deshmukh
8. Shri C. D. Gautam
9. Shri Bhogendra Jha
10. Shrimati Sheila Kaul
11. Shri Surendra Mohanty
12. Shri Boksi Nayak
13. Shri Paripoornanand Painuli
14. Shri Damodar Pandey
15. Shri Prabhudas Patel
16. Shri Ramji Ram
17. Ch. Ram Prakash
18. Shri P. Antony Reddi
19. Ch. Sadhu Ram
20. Shri R. N. Sharma
21. Shri T. Sohan Lal
22. Shri R. P. Ulaganambi
23. Shri T. V. Chandrashekarappa Veerabasappa
24. Shri G. P. Yadav

*Rajya Sabha*

25. Shri Vinendra Kumar Sakhalecha
26. Shri B. K. Mahanti
27. Shri Sita Ram Singh
28. Shri Vinaykumar Ramlal Parashar
29. Shri Jagan Nath Bhardwaj
30. Shri Kasim Ali Abid
31. Shri Dwijendralal Sen Gupta

REPRESENTATIVE OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri R. Kunjithapadam—*Under Secretary*
2. Shri S. S. Prasad—*Dy. Director General of Mines Safety*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. The Hutti Gold Mines Company Limited, Hutti.

*Spokesman:*

Shri S. C. Mahanti—Mine Manager.

(10.00 to 10.30 hours)

II. Tamil Nadu & Kerala Mines Safety Association (Central), Salem.

*Spokesmen:*

1. Shri S. P. Roy—Vice Chairman

2. Shri A. R. Ganesan—Hony. Secretary

3. Shri R. Muthaiah—Member

(10.35 to 10.55 hours)

III. Shahabad Stone Quarry Lease-Holders' Association, Bangalore.

*Spokesmen:*

1. Shri S. M. Parikh—Vice-Chairman

2. Shri Manik Arke—Secretary

3. Shri M. Ramesh—Treasurer

(11.00 to 11.20 hours)

IV. Tamilnadu Gypsum Mine Owners Association, Udumalpet.

*Spokesmen:*

1. Shri V. Raman—President.

2. Shri R. Sankaranarayanan—Joint Secretary.

3. Shri T. S. Srinathan—Secretary.

4. Shri C. Kasi Viswanathan—Treasurer.

(11.25 to 11.55 hours)

V. (1) Bharat Gold Mines Private Limited, Oorgaum, Mysore.

*Spokesmen:*

1. Prof. K. V. Subbramanyam—Chairman and Managing Director.

2. Shri S. Nagaraja Rao—Manager, Nundydroog Mine, BGMPL.

(2) Mysore Mine Workers' Union, Marikuppam.

*Spokesmen:*

1. Shri A. Kannan—Vice-President

2. Shri B. N. Kuttappa—Vice-President

3. Shri T. Subramani—Secretary

4. Shri S. Savaridoss—Secretary, KGF. Hospital Workers Union,

(12.00 to 13.05 hours)

VI. Shri P. S. Narayana—Consulting Mining Engineer and Geologist,  
Mines House, Bangalore-3.

(13.10 to 13.40 hours)

3. A verbatim record of evidence was kept.
4. The Committee then passed the following resolution:—

“The Committee place on record the warm appreciation of the valuable assistance rendered to them by the Secretary of Mysore Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in Committee Room, Vidhana Soudha, Bangalore.

The Committee also place on record the warm appreciation of the assistance rendered to them by officers and staff of the Director General of Mines Safety in holding the sitting of the Committee at Bangalore and making the stay of members of the Committee comfortable.”

5. The Committee then adjourned to meet again at 09.00 hours on Tuesday, the 31st October, 1972 at Panaji, Goa.

## VII

### Seventh Sitting

The Committee sat on Tuesday, the 31st October, 1972 from 09.00 to 12.00 hours in Assembly Chamber, Legislative Assembly, Goa, Daman and Diu, Panaji.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Khemchandbhai Chavda
4. Shri M. C. Daga
5. Shri Anadi Charan Das
6. Shri Bhogendra Jha
7. Shrimati Sheila Kaul
8. Shri Surendra Mohanty
9. Shri Boksi Nayak
10. Shri Paripoornanand Painuli
11. Shri Damodar Pandey
12. Shri Prabhudas Patel
13. Shri Ramji Ram
14. Ch. Ram Prakash
15. Shri Bhola Raut
16. Shri P. Antony Reddi
17. Ch. Sadhu Ram
18. Shri R. N. Sharma
19. Shri T. Sohan Lal
20. Shri Balgovind Verma
21. Shri G. P. Yadav

*Rajya Sabha*

22. Shri Virendra Kumar Sakhalecha
23. Shri B. K. Mahanti
24. Shri Sita Ram Singh
25. Shri Jagan Nath Bhardwaj
26. Shri Kasim Ali Abid

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri R. Kunjithapadam—*Under Secretary.*
2. Shri S. S. Prasad—*Deputy Director General of Mines Safety.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. Goa Mineral Ore Exporters' Association, Panjim and Goa Mining Association, Panaji, Goa

*Spokesmen:*

1. Shri S. S. Kantak, Director & Technical Manager, Sociedade de Fomento Industrial Pvt. Ltd.
2. Shri H. C. Gupta, Mining Engineer, Sesa Goa Pvt. Ltd.
3. Shri D. V. Rao, Mining Engineer, V. M. Salgaocar & Brother Pvt. Ltd.
4. Shri A. V. Salgaocar, Personnel Officer, Sesa Goa Pvt. Ltd.
5. Shri Ramesh Desai, Labour Advisor

(09.00 to 10.45 hours)

II. Goa Mines Staff Association, Khandepar, Usqaon, Goa

*Spokesmen:*

1. Shri M. V. S. Khandeparkar, Secretary
2. Shri R. B. S. Kakodkar, Member
3. Shri L. D. Samant, Member
4. Shri Uday Kate, Member

(10.50 to 11.05 hours)

III. Goa Mining Labour Welfare Union, Assonora

*Spokesmen:*

1. Shri George Vaz, General Secretary
2. Shri Melicio Fernandes
3. Shri Divakar Kakodkar

(11.10 to 11.30 hours)

#### IV. National Mine Workers Union, Goa

##### *Spokesmen:*

1. Shri Vasudev Arjun Gavas, General Secretary
2. Shri Dionisio Farnandiz, Secretary.

(11.30 to 12.00 hours)

3. A verbatim record of evidence was kept.
4. The Committee then passed the following resolution:—

“The Committee place on record the warm appreciation of the valuable assistance rendered to them by the Secretary of Government of Goa, Daman & Diu Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in the Assembly Chamber, Legislative Secretariat, Panaji.

The Committee also place on record the warm appreciation of the assistance rendered to them by the Government of Goa, Daman & Diu and officers and staff members of the Mines Safety Department in holding sitting of the Committee at Panaji and making the stay of the Committee comfortable.”

5. The Committee then adjourned to meet again at 10.30 hours on Thursday, the 2nd November, 1972 at Nagpur.

### VIII

#### Eighth Sitting

The Committee sat on Thursday the 2nd November, 1972 from 10.30 to 14.40 hours in Committee Room, New M.L.As. Hostel, Nagpur.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Khemchandbhai Chavda
4. Shri M. C. Daga
5. Shri Anadi Charan Das
6. Shri K. G. Deshmukh
7. Shri C. D. Gautam
8. Shri Bhogendra Jha
9. Shrimati Sheila Kaul
10. Shri Surendra Mohanty
11. Shri Boksi Nayak
12. Shri Damodar Pandey
13. Shri Prabhudas Patel
14. Shri Ramji Ram
15. Ch. Ram Prakash
16. Shri Bhola Raut
17. Shri P. Antony Reddi

18. Ch. Sadhu Ram
19. Shri R. N. Sharma
20. Shri T. Sohan Lal
21. Shri G. P. Yadav

*Rajya Sabha*

22. Shri Virendra Kumar Sakhalecha
23. Shri B. K. Mahanti
24. Shri Sita Ram Singh
25. Shri Vinaykumar Ramlal Parashar
26. Shri Jagan Nath Bhardwaj
27. Shri Kasim Ali Abid

REPRESENTATIVE OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri S. S. Prasad—*Deputy Director General of Mines Safety.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. Madhya Pradesh and Vidarbha Mining Association, (Coal Committee), Nagpur

*Spokesmen:*

1. Shri Asa Singh, Chairman
2. Shri Brij Bhushan, C.M.E.
3. Shri M. K. Jha, C.M.E.
4. Shri R. D. Biswas, C.M.E.
5. Shri Dudley, Secretary
6. Shri Chaudhury, Chairman|M.D. MOIL.

(10.30 to 11.15 hours)

II. Nagpur Stone Quarry and Crusher Owners Association, Nagpur.

*Spokesmen:*

1. Shri B. T. Pardhy, Chairman
2. Shri H. H. Shah, Hony. Secretary
3. Colonel H. S. Kochar Retd.), Member
4. Shri R. C. Thakkar, Member.

(11.20 to 11.50 hours)

III. Bhartiya Koyala Khadan Mazdoor Sangh, Chandametta, Chhindwara.

*Spokesmen:*

1. Shri S. B. Singh Parmar, Secretary
2. Shri S. S. Shakrawar—Legal Advisor and Member Executive.

(11.50 to 12.10 hours)

## IV. Vidarbha Industries Association, Nagpur

*Spokesmen:*

1. Shri S. P. Tiwari, Vice-President
2. Shri Beeru Singh, Jt. Secretary
3. Shri Abdul ahid, Cashier

(12.15 to 12.45 hours)

## V. Indian National Mining Overmen Sirdars, Shotfirers, Association, Chhindwara

*Spokesmen:*

1. Shri S. P. Tiwari, Vice-President
2. Shri Beeru Singh, Jt. Secretary
3. Shri Abdul Wahid, Cashier

(12.50 to 13.15 hours)

## VI. Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Nagpur

*Spokesmen:*

1. Shri G. M. Khode, President
2. Shri S. W. Dhabe, President
3. Shri Hira Lal Singh, Vice-President
4. Shri S. D. Raut, General Secretary
5. Shri S. K. Moulik, Secretary
6. Shri Mahadeorao Titre, General Secretary.

(13.20 to 13.40 hours)

## VII. New Chirimiri Ponri Hill Colliery, Chirimiri

*Spokesman:*

Shri G. Srinivasan—Technical Consultant.

(13.45 to 14.00 hours)

## VIII. M.P. Mine Workers Union, Chhindwara

*Spokesman:*

Shri R. K. Haldulkar—President.

(14.05 to 14.20 hours)

## IX. Small Scale Mining Industry, Nagpur

*Spokesmen:*

1. Shri G. C. Shukla
2. Shri Bhim Sen Bisen
3. Shri G. D. Gupta

(14.25 to 14.40 hours)

3. A verbatim record of evidence was kept.

4. The Committee then passed the following resolution:—

“The Committee place on record the warm appreciation of the valuable assistance rendered to them by the Secretary Maharashtra Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in the Committee Room, M.L.As. Hostel, Nagpur.

The Committee also place on record the warm appreciation of the assistance rendered to them by the Government of Maharashtra and officers and staff of the Directorate General of Mines Safety in holding sitting of the Committee at Nagpur and making the stay of the Committee comfortable.”

5. The Committee then adjourned to meet again at 15.00 hours on Friday the 3rd November, 1972 at Bombay.

## IX

### Ninth Sitting

The Committee sat on Friday, the 3rd November, 1972 from 15.00 to 16.00 hours in Committee Room, Sachivalaya, Bombay.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Khemchandbhai Chavda
4. Shri M. C. Daga
5. Shri Anadi Charan Das
6. Shri K. G. Deshmukh
7. Shri C. D. Gautam
8. Shri Bhogendra Jha
9. Shrimati Sheila Kaul
10. Shri Boksi Nayak
11. Shri Damodar Pandey
12. Shri Prabhudas Patel
13. Shri Ramji Ram
14. Ch. Ram Prakash
15. Shri Bhola Raut
16. Shri P. Antony Reddi
17. Ch. Sadhu Ram
18. Shri R. N. Sharma
19. Shri T. Sohan Lal
20. Shri G. P. Yadav



*Rajya Sabha*

21. Shri Virendra Kumar Sakhalecha
22. Shri Sita Ram Singh
23. Shri Vinaykumar Ramlal Parashar
24. Shri Jagan Nath Bhardwaj
25. Shri Kasim Ali Abid

REPRESENTATIVE OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

Shri S. S. Prasad—*Deputy Director General of Mines Safety.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the following representatives of the Greater Bombay Quarry Owners' Association Ltd. Bombay the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

1. Shri Devkaran N. Tanna, President.
2. Shri Chunilal Gulati, Jt. Hony. Secretary.
3. Shri Damjinanji Vedant, Jt. Hony. Secretary.
4. Shri K. C. Ram Nath, Office Secretary.
5. Shri M. S. Sawhney, Member.
6. Shri S. D. Veera
7. Shri N. D. Tanna

The evidence lasted till 16.00 hours.

3. A verbatim record of evidence was kept.
4. The Committee then adjourned to meet again at 10.30 hours on Saturday, the 4th November, 1972 at Bombay.

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**X**

**Tenth Sitting**

The Committee sat on Friday the 4th November, 1972 from 10.30 to 11.45 hours in Committee Room, Sachivalaya, Bombay.

PRESENT

Shri Anant Prasad Sharma—*Chairman*

MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Khemchandbhai Chavda
5. Shri Anadi Charan Das
6. Shri K. G. Deshmukh
7. Shri C. D. Gautam

8. Shri Bhogendra Jha
9. Shrimati Sheila Kaul
10. Shri Surendra Mohanty
11. Shri Boksi Nayak
12. Shri Damodar Pandey
13. Shri Prabhudas Patel
14. Shri R. Balakrishna Pillai
15. Shri Ramji Ram
16. Ch. Ram Prakash
17. Shri Bhola Raut
18. Shri P. Antony Reddi
19. Ch. Sadhu Ram
20. Shri R. N. Sharma
21. Shri T. Sohan Lal
22. Sardar Swaran Singh Sokhi
23. Shri G. P. Yadav

*Rajya Sabha*

24. Shri B. K. Mahanti
25. Shri Sita Ram Singh
26. Shri Vinaykumar Ramlal Parashar
27. Shri Jagan Nath Bhardwaj
28. Shri Kasim Ali Abid

REPRESENTATIVE OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

Shri S. S. Prasad—*Deputy Director General of Mines Safety.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the following representatives of the Poona Quarry Owners Association Poona, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

1. Shri S. T. Nanda, President
2. Shri R. T. Shinde, Vice-President
3. Shri B. Y. Ogale, Manager, Dhanowin Mine
4. Shri S. D. Chowgule, Chairman, Mazdoor Co-op. Society
5. Shri K. C. Dhotre, Director.

The evidence lasted till 11.30 hours.

3. A verbatim record of evidence was kept.

4. The Committee decided to undertake further on-the-spot study visits to some selected mines located in the States of Assam, Rajasthan, Orissa, Madras and Kerala during the next inter-session period and also hear the oral evidence of the representatives of some of the local associations|organisations etc., at the respective State capitals.

5. The Committee also decided to hold their next sitting on Thursday, the 16th November, 1972 at 15.00 hours at New Delhi to consider their future programme of work.

6. The Committee then passed the following resolution:—

“The Committee place on record the warm appreciation of the valuable assistance rendered to them by the Secretary, Maharashtra Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sittings of the Committee in the Committee Room, Sachivalaya, Bombay.

The Committee also place on record the warm appreciation of the assistance rendered to them by the Government of Maharashtra and officers and staff members of the Directorate General of Mines Safety in holding sittings of the Committee at Bombay and making the stay of the Committee comfortable.”

7. The Committee then adjourned.

## XI

### Eleventh Sitting

The Committee sat on Thursday, the 16th November, 1972 from 15.00 to 16.00 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Dinen Bhattacharya
3. Shri Khemchandbhai Chavda
4. Shri Bhogendra Jha
5. Shri Surendra Mohanty
6. Shri Paripooranand Painuli
7. Shri Damodar Pandey
8. Shri Prabhudas Patel
9. Ch. Ram Prakash
10. Shri Bhola Raut
11. Shri P. Antony Reddi
12. Ch. Sadhu Ram
13. Shri R. N. Sharma
14. Shri T. Sohan Lal
15. Shri Balgovind Verma
16. Shri R. K. Khadilkar

#### *Rajya Sabha*

17. Shri Kalyan Roy
18. Shri Sita Ram Singh
19. Shri Vinaykumar Ramlal Parashar

20. Shri Kali Mukherjee
21. Shri Kasim Ali Abid
22. Shri Himmat Sinh
23. Shri Dwijendralal Sen Gupta

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O.S.D. (Legal).*
4. Shri H. B. Ghose—*Director General of Mines Safety.*
5. Shri V. K. Chanana—*Deputy Secretary.*
6. Shri R. Kunjithapadam—*Under Secretary.*

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel Ministry of Law and Justice.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel, Ministry of Law and Justice.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. The Committee reconsidered their earlier decision to take further on-the-spot study visits to various mines and decided to visit some selected mines in the States of Madras, Rajasthan and Assam only and also to hear oral evidence of the local associations, organisations, etc., in the State capitals of the respective States for about 10—12 days during January 1973. The Committee authorised the Chairman to finalise their tour programme in this behalf.

3. The Committee felt that since they had to undertake further on-the-spot study visits to some more mines with a view to acquaint themselves with the working conditions in different types of mines, take evidence of some local organisations who might express a desire to that effect and had to complete other stages of the Bill, it would not be possible for them to present their Report by the stipulated date i.e. 22nd December, 1972. The Committee, therefore, decided to seek an extension of time for presentation of their Report upto the 9th March, 1973.

4. The Committee authorised the Chairman and, in his absence, Shri R. N. Sharma to move necessary motion in the House.

5. The Committee then decided to hear the oral evidence of the following associations after their proposed study tour was over:

- (i) Centre of Indian Trade Unions, Calcutta.
- (ii) Indian National Mine Workers' Federation, Calcutta; and
- (iii) Director General of Mines Safety, Dhanbad.

6. The Committee also decided to take up clause-by-clause consideration of the Bill from Monday, the 5th February, 1973 onwards.

7. The Committee then adjourned.

## XII

## Twelfth Sitting

The Committee sat on Wednesday, the 10th January, 1973 from 10.00 to 13.00 hours in Committee Room, Tamil Nadu Legislature Secretariat, Madras.

## PRESENT

Shri Anant Prasad Sharma—*Chairman*

## MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Khemchandbhai Chavda
5. Shri M. C. Daga
6. Shri Anadi Charan Das
7. Shri C. D. Gautam
8. Shri Bhogendra Jha
9. Shri Paripoornanand Painuli
10. Shri Damodar Pandey
11. Shri Prabhudas Patel
12. Shri R. Balakrishna Pillai
13. Shri Ramji Ram
14. Ch. Ram Prakash
15. Shri Bhola Raut
16. Shri P. Antony Reddi
17. Ch. Sadhu Ram
18. Shri R. N. Sharma
19. Shri T. Sohan Lal
20. Sardar Swaran Singh Sokhi
21. Shri T. V. Chandrashekharappa Veerabasappa
22. Shri R. P. Ulaganambi

*Rajya Sabha*

23. Shri Monoranjan Roy
24. Shri Sita Ram Singh
25. Shri Vinaykumar Ramlal Parashar
26. Shri Jagan Nath Bhardwaj

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri R. Kunjithapadam—*Under Secretary.*
2. Shri H. B. Ghose—*Director General of Mines Safety.*
3. Shri M. Subramanyam—*Director of Mines Safety. Southern Zone, Mysore.*
4. Shri M. Datta—*Director of Mines Safety (H.Q.), Dhanbad.*

## SECRETARIAT

Shri J. R. Kapur—*Under Secretary*.

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. Neyvelli Lignite Corporation Ltd., Neyvelli

*Spokesmen:*

1. Shri N. Neelakantan—Superintendent (Mines).
2. Shri P. V. Kalyanaraman—Senior Personnel Officer.

(10.00 to 11.00 hours)

II. India Cements Ltd., Madras.

*Spokesmen:*

1. Shri A. Srinivasan—Personnel Officer.
2. Shri V. S. Krishnan—Superintending Geologist and Mining Engineer.
3. Shri R. Krishnamurthy—Mines Manager.

(11.05 to 11.30 hours)

III. Associated Cement Co.s. Ltd., M. Karve Road, Bombay-20.

*Spokesmen:*

1. Shri J. P. Munsiff—General Manager (Operations)
2. Shri M. M. Prabhu—Head of the Mining Department (Operation Division).

(11.35 to 12.00 hours)

IV. Lignite Mines Labour Union, Neyvelli

*Spokesmen:*

Shri K. Thiruvengadam—Secretary.

(12.05 to 12.30 hours)

V. Neyveli Mines United Workers Union (AITUC) Church Road, Neyvelli-1.

*Spokesmen:*

1. Shri K. M. Sundaram—President.
2. Shri K. Kesavan—Secretary.

(12.35 to 13.00 hours)

3. A verbatim record of evidence was kept.

4. The Committee then passed the following resolution:—

“The Committee place on record their warm appreciation of the valuable assistance rendered to them by the Secretary, Tamil Nadu Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in Committee Room, Tamil Nadu Legislature Secretariat, Madras.

The Committee also place on record their warm appreciation of the assistance rendered to them by the Government of Tamil Nadu and officers and staff of the Directorate General of Mines Safety in holding the sitting of the Committee at Madras and making the stay of members of the Committee comfortable."

5. The Committee then adjourned.

### XIII

#### Thirteenth Sitting

The Committee sat on Thursday, the 1st February, 1973 from 09.30 to 12.30 hours in Committee Room, Rajasthan Vidhan Sabha, Bhawan, Jaipur.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Khemchandbhai Chavda
5. Shri Anadi Charan Das
6. Shri K. G. Deshmukh
7. Shri C. D. Gautam
8. Shri Bhogendra Jha
9. Shri Boksi Nayak
10. Shri Prabhudas Patel
11. Shri Ramji Ram
12. Ch. Ram Prakash
13. Ch. Sadhu Ram
14. Shri T. Sohan Lal
15. Sardar Swaran Singh Sokhi
16. Shri T. V. Chandrashekharappa Veerabasappa
17. Shri G. P. Yadav.

#### *Rajya Sabha*

18. Shri Monoranjan Roy
19. Shri B. K. Mahanti
20. Shri Sita Ram Singh
21. Shri Vinaykumar Ramlal Parashar
22. Shri Jagan Nath Bhardwaj
23. Shri Himmat Sinh

#### REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION (DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri R. Kunjithapadam—*Under Secretary.*
2. Shri H. M. Ghosh—*Director General of Mines Safety.*
3. Shri M. Datta—*Director of Mines Safety (H.Q.), Dhanbad.*
4. Shri A. N. Sinha—*Joint Director of Mines Safety.*
5. Shri S. K. Mukherjee—*Deputy Director of Mines Safety.*

## SECRETARIAT

Shri J. R. Kapur—*Under Secretary.*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. (a) Federation of Mining Associations of Rajasthan, Jaipur.

*Spokesmen:*

1. Shri J. R. Taneja, Vice-President.
2. Shri A. S. Mathur, Hony. General Secretary.

(b) Udaipur Mine Owners Association, Udaipur.

*Spokesmen:*

Shri J. R. Taneja, Hony. Secretary.

(09.30 to 11.00 hours)

II. Bikaner Division Mining Association, Bikaner

*Spokesmen:*

1. Shri Gulab Chand Kochar, President.
2. Shri Amar Nath Chandna, Hony. General Secretary.

(11.05 to 11.30 hours)

III. Rajputana Mineowners & Mineral Merchants Association, Ajmer.

*Spokesmen:*

1. Shri E. C. Framji, Member.
2. Shri K. G. Maheshwari, Member.
3. Shri Motichand Golecha, Member.

(11.35 to 12.10 hours)

IV. Shri R. K. Bakliwal, Mining Consultant, 712, Daribapan, Jaipur.

(12.15 to 12.35 hours)

3. A verbatim record of evidence was kept.

4. The Committee then passed the following resolution:—

“The Committee place on record their warm appreciation of the valuable assistance rendered to them by the Secretary, Rajasthan Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in Committee Room, Legislative Assembly building, Jaipur.

The Committee also place on record their warm appreciation of the assistance rendered to them by the Government of Rajasthan and officers and staff of the Directorate General of Mines Safety in holding the sitting of the Committee at Jaipur and making the stay of members of the Committee comfortable.”

5. The Committee then adjourned.



## Fourteenth Sitting

The Committee sat on Monday, the 5th February, 1973 from 15.00 to 17.45 hours.

## PRESENT

Shri Anant Prasad Sharma—*Chairman*

## MEMBERS

*Lok Sabha*

2. Shri Chapalendu Bhattacharyya
3. Shri Dinen Bhattacharya
4. Shri Khemchandbhai Chavda
5. Shri M. C. Daga
6. Shri Anadi Charan Das
7. Shri C. D. Gautam
8. Shrimati Sheila Kaul
9. Shri Boksi Nayak
10. Shri Paripoornanand Painuli
11. Shri Damodar Pandey
12. Shri Ramji Ram
13. Ch. Ram Prakash
14. Shri Bhola Raut
15. Ch. Sadhu Ram
16. Shri R. N. Sharma
17. Shri T. Sohan Lal
18. Sardar Swaran Singh Sokhi
19. Shri G. P. Yadav

*Rajya Sabha*

20. Shri Monoranjan Roy
21. Shri Virendra Kumar Sakhalecha
22. Shri B. K. Mahanti
23. Shri Sita Ram Singh
24. Shri Vinaykumar Ramlal Parashar
25. Shri Kali Mukherjee
26. Shri Jagan Nath Bhardwaj
27. Shri Qasim Ali Abid
28. Shri Himmat Sinh
29. Shri Dwijendralal Sen Gupta

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri R. Kunjithapadam—*Under Secretary.*
2. Shri M. Datta—*Director of Mines Safety (H.Q.) Dhanbad.*

## LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Before the Committee proceeded to hear the evidence of the representatives of the following organisations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

1. Centre of Indian Trade Unions, Calcutta

*Spokesmen:*

1. Shri P. Ramamurti, General Secretary, CITU.
2. Shri Robin Chatterjee, General Secretary, Colliery Mazdoor Sabha of India.
3. Shri Kumar Singh, General Secretary, East Sitalpur Colliery Branch of Colliery Mazdoor Sabha of India, Raniganj.
4. Shri G. P. Goswami, Secretary, J. K. Nagar Colliery Branch of Colliery Mazdoor Sabha of India, Raniganj.

(15.00 to 16.40 hours)

- II. Indian National Mineworkers' Federation, Calcutta.

*Spokesmen:*

Shri Kanti Mehta, General Secretary.

(16.45 to 17.30 hours)

3. A verbatim record of evidence was kept.

4. The Committee decided to meet on Tuesday, the 13th February, 1973 at 15.00 hours to have a general discussion on the provisions of the Bill in the light of the evidence given before the Committee. The Committee also took note of the ministerial changes and desired that the new Minister be requested to explain to the Committee on the 13th February, 1973 Government's approach to the provisions of the Bill in the light of the recent nationalization of non-coking coal mines.

5. The Committee then adjourned to meet again on Tuesday, the 6th February, 1973 at 11.00 hours.

## XV

## Fifteenth Sitting

The Committee sat on Tuesday, the 6th February, 1973 from 11.00 to 13.10 hours.

## PRESENT

Shri Anant Prasad Sharma—*Chairman.*

## MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri Dinen Bhattacharya

5. Shri Khemchandbhai Chawda
6. Shri M. C. Daga
7. Shri Anadi Charan Das
8. Shri K. G. Deshmukh
9. Shri C. D. Gautam
10. Shri Bhogendra Jha
11. Shrimati Sheila Kaul
12. Shri Boksi Nayak
13. Shri Paripoornanand Painuli
14. Shri Damodar Pandey
15. Shri Ramji Ram
16. Ch. Ram Prakash
17. Shri Bhola Raut
18. Ch. Sadhu Ram
19. Shri T. Sohan Lal
20. Sardar Swaran Singh Sokhi
21. Shri T. V. Chandrashekharappa Veerabasappa
22. Shri G. P. Yadav

*Rajya Sabha*

23. Shri Monoranjan Roy
24. Shri B. K. Mahanti
25. Shri Sita Ram Singh
26. Shri Vinaykumar Ramlal Parashar
27. Shri Kali Mukherjee
28. Shri Jagan Nath Bhardwaj
29. Shri Qasim Ali Abid
30. Shri Himmat Sinh
31. Shri Dwijendralal Sen Gupta

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri N. P. Dube—*Additional Secretary.*
2. Shri V. K. Chanana—*Deputy Secretary.*
3. Shri R. Kunjithapadam—*Under Secretary.*

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary*

2. At the outset, the Chairman welcomed the new Minister of State (Shri K. V. Raghunatha Reddy) and the Deputy Minister (Shri G. Venkatswamy) in the Ministry of Labour and Rehabilitation.

3. Shri K. V. Raghunatha Reddy, Minister of State and Shri G. Venkatswamy, Deputy Minister in the Ministry of Labour and Rehabilitation, who are not members of the Committee, attended the sitting, with the permission of the Chairman, in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

4. Before the Committee proceeded to hear the oral evidence of the following witnesses, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

(i) Shri H. B. Ghose, Director General of Mines Safety, Dhanbad.

(ii) Shri M. Detta, Director of Mines Safety (H.Q.), Dhanbad.

The evidence lasted till 13.00 hours.

5. A verbatim record of evidence was kept.

6. The Committee then adjourned.

## XVI

### Sixteenth Sitting

The Committee sat on Tuesday, the 13th February, 1973 from 15.00 to 16.30 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*.

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhaginath Bhanwar
3. Shri Chapalendu Bhattacharyya
4. Shri M. C. Daga
5. Shri Anadi Charan Das
6. Shri K. G. Deshmukh
7. Shri C. D. Gautam
8. Shri Bhogendra Jha
9. Shrimati Sheila Kaul
10. Shri Surendra Mohanty
11. Shri Baksi Nayak
12. Shri Paripoornanand Painuli
13. Shri Damodar Pandey
14. Shri Ramji Ram
15. Ch. Ram Prakash
16. Shri Bhola Raut
17. Ch. Sadhu Ram
18. Shri R. N. Sharma
19. Shri T. Sohan Lal
20. Sardar Swaran Singh Sokhi
21. Shri G. P. Yadav.

*Rajya Sabha*

22. Shri Monoranjan Roy
23. Shri Virendra Kumar Sakhalecha
24. Shri B. R. Mahanti
25. Shri Sita Ram Singh
26. Shri Kali Mukherjee
27. Shri Jagan Nath Bhardwaj
28. Shri Qasim Ali Abid

## LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

 REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
 (DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri H. B. Ghose—*Director General of Mines Safety.*
3. Shri Mahesh Chandra—*O. S. D. (Legal).*
4. Shri M. A. M. Rao—*Deputy Secretary.*
5. Shri R. Kunjithapadam—*Under Secretary.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of State and Shri G. Venkatswamy, Deputy Minister in the Ministry of Labour and Rehabilitation, who are not members of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee held a general discussion on the provisions of the Bill in the light of the evidence given before the Committee.

4. The Committee decided to seek extension of time for presentation of their report upto Friday, the 4th May, 1973 as it was not possible for the Committee to conclude their deliberations and finalise their report by the appointed day i.e. 9th March, 1973. The Committee authorised the Chairman and, in his absence, Shri M. C. Daga, to move necessary motion to that effect in the House.

5. The Committee then adjourned.

## XVII

## Seventeenth Sitting

The Committee sat on Wednesday, the 28th March, 1973 from 10.30 to 11.00 hours.

## PRESENT

Shri Anant Prasad Sharma—*Chairman.*

## MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar

3. Shri Chapalendu Bhattacharyya
4. Shri M. C. Daga
5. Shri C. D. Gautam
6. Shri Boksi Nayak
7. Shri Paripoornanand Painuli
8. Shri Damodar Pandey
9. Shri Bhola Raut
10. Ch. Sadhu Ram
11. Shri R. N. Sharma

*Rajya Sabha*

12. Shri Vinaykumar Ramlal Parashar
13. Shri Kali Mukherjee
14. Shri Jagan Nath Bhardwaj
15. Shri Qasim Ali Abid
16. Shri Dwijendralal Sen Gupta

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O. S. D. (Legal).*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri R. Kunjithapadam—*Under Secretary.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee were informed that in view of the nationalisation of non-coking coal mines, Government would require time upto the first week of April, 1973 to give their fresh proposals on the Bill for consideration of the Joint Committee. The Committee felt that it would not be possible for them to conclude their deliberations and finalise their report by the appointed day i.e. 4th May, 1973. The Committee, therefore, decided to seek another extension of time for presentation of their Report upto the 1st day of second week of Monsoon Session. The Committee authorised the Chairman and, in his absence, Shri M. C. Daga to move necessary motion to that effect in the House.

4. The Committee decided that members desirous of giving notices of amendments on the Bill may do so by Monday, the 23rd April, 1973 after the proposals from the Government were circulated to them.

5. The Committee further decided to hold their next sitting on Wednesday, the 9th May, 1973 at 10.00 hours to finalise their future programme of work.

6. The Committee then adjourned.

### XVIII

#### Eighteenth Sitting

The Committee sat on Wednesday, the 9th May, 1973 from 10.15 to 11.00 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

##### *Lok Sabha*

2. Shri M. C. Daga
3. Shri Anadi Charan Das
4. Shri C. D. Gautam
5. Shri Bhogendra Jha
6. Shri Purushottam Kakodkar
7. Shrimati Sheila Kaul
8. Shri Paripoornanand Painuli
9. Shri Damodar Pandey
10. Shri R. Balakrishna Pillai
11. Ch. Ram Prakash
12. Shri Bhola Raut
13. Shri P. Antony Reddi
14. Shri R. N. Sharma
15. Sardar Swaran Singh Sokhi
16. Shri G. V. Venkataswamy
17. Shri G. P. Yadav

##### *Rajya Sabha*

18. Shri Kalyan Roy
19. Shri Monoranjan Roy
20. Shri Virendra Kumar Sakhalecha
21. Shri Sita Ram Singh
22. Shri Vinaykumar Ramlal Parashar
23. Shri Kali Mukherjee
24. Shri Jagan Nath Bhardwaj
25. Shri Qasim Ali Abid
26. Shri Dwijendralal Sen Gupta

#### LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O.S.D. (Legal).*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri S. S. Prasad—*Deputy Director General of Mines Safety.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rules 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. After some discussion, the Committee decided to undertake on-the-spot study visit to some mining areas in the State of Jammu and Kashmir on the 25th and 26th June, 1973 and also to have informal discussion with the representatives of some of the local associations/organisations.

4. The Committee also decided to take up clause-by-clause consideration of the Bill at New Delhi on Friday, the 29th June at 15.00 hours and at 10.00 hours on Saturday, the 30th June and also on Monday, the 2nd July, 1973 if necessary.

5. The Committee further decided that notices of Government amendments on the Bill, if any, might be sent to the Lok Sabha Secretariat by Friday, the 8th June, 1973 and that members might give notices of amendments, if any, by Friday the 15th June, 1973.

6. The Committee then adjourned.

**XIX**

**Ninetcenth Sitting**

The Committee sat on Thursday, the 28th June, 1973 from 09.00 to 11.30 hours in Committee Room, J & K Legislative Assembly, Srinagar.

PRESENT

Shri Anant Prasad Sharma—*Chairman*

MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Khemchandbhai Chavda
4. Shri M. C. Daga
5. Shri Anandi Charan Das
6. Shri K. G. Deshmukh
7. Shri Bhogendra Jha
8. Shri Purushottam Kakodkar
9. Shrimati Sheila Kaul
10. Shri Baksi Nayak



11. Shri Paripoornanand Painuli
12. Shri Damodar Pandey
13. Shri Prabhudas Patel
14. Shri Ramji Ram
15. Ch. Ram Prakash
16. Shri Bhola Raut
17. Shri T. Sohan Lal
18. Shri G. P. Yadav
19. Sardar Swaran Singh Sokhi

*Rajya Sabha*

20. Shri Kalyan Roy
21. Shri Monoranjan Roy
22. Shri Virendra Kumar Sakhalecha
23. Shri Sita Ram Singh
24. Shri Jagan Nath Bhardwaj
25. Shri Qasim Ali Abid
26. Shri Dwijendralal Sen Gupta
27. Shri Vinaykumar Ramlal Parashar

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri S. S. Prasad—*Deputy Director General of Mines Safety.*
2. Shri P. R. Nayar—*Under Secretary.*

SECRETARIAT

Shri K. K. Saxena—*Under Secretary.*

2. At the outset, the Chairman informed the Committee about the sudden demise of Shri S. Mohan Kumaramangalam, Minister of Steel and Mines, Shri K. Baladhandayutham, M.P. and Smt. Debaki Gopidass, ex-M.P. on the 31st May, 1973. The Committee, thereafter passed the following condolence resolution:—

“The Committee place on record their profound sense of sorrow over the sudden demise on the 31st May, 1973 of their most esteemed colleagues, Shri S. Mohan Kumaramangalam, Minister of Steel and Mines, Shri K. Baladhandayutham, M.P. and Smt. Debaki Gopidass, ex-M.P. and send their heartfelt condolences to members of the bereaved families.”

The members stood in silence for a short while.

3. Before the Committee proceeded to hear the evidence of the representatives of the following Departments/Associations, the Chairman drew their attention to Direction 58 of the Directions by the Speaker:—

I. J & K Minerals Ltd., J & K Government Undertaking, Srinagar.

*Spokesman:*

1. Dr. T.G.K. Charlu, Managing Director.
2. Shri L. N. Misra, Chief Mining Engineer.
3. Shri K. C. Dass Puri, Deputy Chief Mining Engineer.

(09.00 to 10.15 hours)

II. Directorate of Geology & Mining, Government of J & K, Srinagar.  
Srinagar.

*Spokesman:*

1. Shri S. C. Chakravarty, Director, Geology & Mining, Govt. of J & K.
2. Shri S. M. Hassan, Joint Director, Geology & Mining, Govt. of J & K.
3. Shri N. U. Vohra, Mining Engineer.
4. Shri M. L. Warrihoo, Mining Engineer.
5. Shri H. R. Raine, Mineral Officer.

(10.15 to 11.00 hours)

III. Joint Committee of Workers, Kalakot Coal Mines, Kalakot (Jammu.)

*Spokesmen:—*

1. Shri K. R. Khajuria, General Secretary of Workers Association.
2. Shri O. P. Khajuria, Branch Secretary.
3. Shri G. M. Butt, President, All Mines Association.
4. Shri A. S. Chauhan, President, Minerals & Industrial Workers Association.

(11.00 to 11.25 hours)

4. A verbatim record of evidence was kept.

5. The Committee then placed on record their warm appreciation of the valuable assistance rendered to them by the Secretary, J & K Legislative Assembly and officers and members of the staff of the Assembly Secretariat in holding the sitting of the Committee in the Legislative Assembly Building, Srinagar.

The Committee also placed on record their warm appreciation of the assistance rendered to them by the Government of J & K and officers and staff of the Directorate General of Mines safety in holding the sitting of the Committee at Srinagar and making the stay of members of the Committee comfortable.

6. The Committee then adjourned.

**XX**

**Twentieth Sitting**

The Committee sat on Monday, the 2nd July, 1973 from 15.30 to 17.45 hours.

**PRESENT**

Shri Anant Prasad Sharma—*Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Dinen Bhattacharya
4. Shri Purushottam Kakodkar

5. Shrimati Sheila Kaul
6. Shri Paripoornanand Painuli
7. Shri Damodar Pandey
8. Ch. Ram Prakash
9. Shri Bholu Raut
10. Shri R. N. Sharma
11. Shri T. Sohan Lal
12. Shri G. Venkatswamy
13. Shri G. P. Yadav
14. Sardar Swaran Singh Sokhi

*Rajya Sabha*

15. Shri Kalyan Roy
16. Shri Monoranjan Roy
17. Shri Virendra Kumar Sakhalecha
18. Shri Sita Ram Singh
19. Shri Vinaykumar Ramlal Parashar
20. Shri Kali Mukherjee
21. Shri Jagan Nath Bhardwaj
22. Shri Qasim Ali Abid
23. Shri Dwijendralal Sen Gupta
24. Shri Inder Singh

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O.S.D. (Legal).*
4. Shri H. B. Ghose—*Director General of Mines Safety.*
5. Shri V. K. Chanana—*Deputy Secretary.*
6. Shri H. S. Ahuja—*Director of Mines Safety.*
7. Shri P. R. Nayar, *Under Secretary.*
8. Shri D. V. S. Narain Rao—*Senior Law Officer.*

SECRETARIAT

- Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee took up clause-by-clause consideration of the Bill.

4. Clause 2. The following amendments were accepted:—

(i) Page 2, line 8,

omit "from the mine"

(ii) Page 2, line 17,

omit "when carried out within the premises of the mine"

The discussion on this clause was not concluded.

5. The Committee then adjourned to meet again at 10.00 hours on Tuesday the 3rd July, 1973.

## XXI

### Twenty-first Sitting

The Committee sat on Tuesday, the 3rd July, 1973 from 10.00 to 13.00 hours and again from 15.30 to 18.00 hours.

### PRESENT

Shri Anant Prasad Sharma—*Chairman*

### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Dinen Bhattacharya
4. Shri M. C. Daga
5. Shri C. D. Gautam
6. Shri Bhogendra Jha
7. Shri Purushottam Kakodkat
8. Shrimati Sheila Kaul
9. Shri Koksi Nayak
10. Shri Paripoornanand Painuli
11. Shri Damodar Pandey
12. Shri Ramji Ram
13. Ch. Ram Prakash
14. Shri Bhola Raut
15. Shri R. N. Sharma
16. Shri T. Sohan Lal
17. Sardar Swaran Singh Sokhi
18. Shri G. Venkataswamy
19. Shri G. P. Yadav

#### *Rajya Sabha*

20. Shri Kalyan Roy
21. Shri Monoranjan Roy
22. Shri Sita Ram Singh
23. Shri Kali Mukherjee
24. Shri Jagan Nath Bhardwaj
25. Shri Qasim Ali Abid

## LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O.S.D. (Legal).*
4. Shri H. B. Ghose—*Director General of Mines Safety.*
5. Shri V. K. Chanana—*Deputy Secretary.*
6. Shri M. A. M. Rao—*Deputy Secretary.*
7. Shri P. R. Nayar—*Under Secretary.*
8. Shri H. S. Ahuja—*Director of Mines Safety.*
9. Shri D. V. S. Narain Rao—*Senior Law Officer.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee resumed clause-by-clause consideration of the Bill.

4. *Clause 2 (continued):* I. The following further amendments were accepted:—

(i) Page 2, line 4,

for "manager",

substitute "owner, agent or manager"

(ii) Page 2, line 8, for "from the mine"

substitute "and of gathering sand and transport thereof to the mine"

(iii) Page 2, for lines 9 to 13 substitute

"(ii) in operations or services relating to the development of the mine including construction of plant, buildings, roads, wells and other works therein directly connected with any existing or future mining operations;"

(iv) Page 2, lines 18 and 19,

omit "located within the premises of the mine."

II. The following amendments were accepted subject to drafting changes where necessary:—

(i) Page 2, lines 22-23,

omit "excluding residential area"

- (ii) Page 2, line 25,  
after "incidental"  
insert "ancilliary"
- (iii) Page 2, line 30,  
after "carried on"  
insert "whether"
- (iv) Page 2, line 36,  
after "permit or order"  
insert "or otherwise"
- (v) Page 3, lines 29-30,  
omit "for a period exceeding twenty days"
- (vi) Page 3, line 36,  
after "any bone"  
insert "or parmanent physical incapacity"
- (vii) Page 3, line 35,  
for "any limb"  
substitute "any part or section of the body"
- (viii) Page 3, lines 36-38,  
for "but does not include the fracture of not more than one joint  
or bone of any phalanges of hand or foot"  
substitute "or the fracture of one or more joints or bone or bones  
of any phalanges of hand or foot"
- (ix) Page 3, lines 36-38,  
omit "but does not include the fracture of not more than one  
joint or bone of any phalanges of hand or foot"
- (x) Page 3, line 38,  
add at the end "or loss of or injury to any other part of the  
body."

The Committee, however, desired that the definition of the term 'office of the mine' given in clause (k) of sub-section (1) of section (2) of the Patent Act may be suitably amended so as to include also an office of manager, owner or agent located within the mining areas.

The clause, as amended, was adopted.

5. *Clause 3.*—Consideration of this clause was held over.

6. *Clause 4.*—This clause was adopted without any amendment.

7. *Clause 5.*—The following amendments were accepted subject to drafting changes if necessary:—

- (i) Page 4, line 7,  
for "three days" substitute "48 hours"
- (ii) Page 4, line 19,  
after "spent" insert "on transport and examination"

(iii) Page 4, line 22,  
after "at" insert "double"

(iv) Page 4, line 22,  
for "ordinary" substitute "overtime"

Further consideration of the clause was held over.

8. *Clause 6.*—The following amendment was accepted:—

Page 4, after line 31, add

"(g) the recognised trade unions ;

(h) a registered trade union on request."

The clause, as amended was adopted.

9. *Clauses 7 and 8.*—Consideration of these clauses was held over.

10. *Clauses 9 to 11.*—These clauses were adopted without any amendment.

11. *Clause 12.*—The following amendments were accepted subject to drafting changes:—

(i) Page 6, for lines 25 to 31, substitute—

"(3) Save as otherwise provided in sub-section (4), no owner or agent or any one on his behalf shall give to the manager any instructions which affect the fulfilment of the statutory responsibilities of the manager imposed by or under this Act, or which affect the safety of persons employed in the mine, unless the owner or agent or other person giving such instructions is qualified to be the manager of that mine, and all such instructions when given by such owner or agent or that person shall be confirmed in writing forthwith."

(ii) Page 6, lines 34 to 35,

for "instructions affecting the fulfilment of his statutory duties" substitute "any instructions which affect the fulfilment of his responsibilities imposed by or under this Act,"

The clause, as amended, was adopted.

12. *Clause 13.*—This clause was adopted without any amendment.

13. The Committee rose at 13.00 hours and re-assembled at 15.30 hours.

14. *Clause 14.*—Consideration of this clause was held over.

15. *Clause 15.*—The following amendment was accepted:—

Page 8, line 29,

for "seventy two hours"

substitute "twenty-four hours"

The clause, as amended, was adopted.

16. *Clause 16.*—Consideration of this clause was held over.

17. *Clause 17.*—The following amendments were accepted:—

(i) Page 9, line 13, after "done"

add "or that of the previous week whichever is higher"

- (ii) Page 9, line 17,  
after "food grains"  
insert "and edible oils"

The clause, as amended, was adopted.

18. *Clauses 18 and 19.*—These clauses were adopted without any amendment.

19. *Clause 20.*—Consideration of this clause was held over.

20. *Clause 21.* This clause was adopted without any amendment.

21. *Clause 22.* The following amendments were accepted:—

- (i) Page 10, after line 41, insert

'(aa) in clause (c), after the words "connected with the inquiry", the words "in the same manner as an arrear of land revenue" shall be inserted;'

- (ii) Page 10, for lines 44 to 49, substitute

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

The clause, as amended, was adopted.

22. *Clauses 23 to 26.*—These clauses were adopted without any amendment.

23. *Clause 27.*—The following amendments were accepted:—

- (i) Page 12, line 25,

for "five"

substitute "ten"

- (ii) Page 12, line 26

for "fifteen"

substitute "eighteen"

The clause, as amended, was adopted.

24. *Clause 28.*—The following amendment was accepted subject to drafting changes:

Page 15, lines 13-14,

omit "unless there are special and adequate reasons to the contrary and are so recorded in writing by the Court".

The clause, as amended, was adopted.

25. The Committee then adjourned to meet again on Wednesday, the 4th July, 1973 at 10.00 hours.



**XXII**

**Twenty-second Sitting**

The Committee sat on Wednesday, the 4th July, 1973 from 10.00 to 12.30 hours.

**PRESENT**

Shri Anant Prasad Sharma—*Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri M. C. Daga
4. Shri Anadi Charan Das
5. Shri K. G. Deshmukh
6. Shri C. D. Gautam
7. Shri Purushottam Kakodkar
8. Shrimati Sheila Kaul
9. Shri Boksi Nayak
10. Shri Damodar Pandey
11. Shri Ramji Ram
12. Ch. Ram Prakash
13. Shri Bhola Raut
14. Shri P. Antony Reddi
15. Shri R. N. Sharma
16. Shri T. Sohan Lal
17. Sardar Swaran Singh Sokhi
18. Shri G. Venkataswamy
19. Shri G. P. Yadav

*Rajya Sabha*

20. Shri Kalyan Roy
21. Shri Monoranjan Roy
22. Shri Sita Ram Singh
23. Shri Kali Mukherjee
24. Shri Jagan Nath Bhardwaj
25. Shri Qasim Ali Abid
26. Shri Dwijendralal Sen Gupta

## LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri Mahesh Chandra—*O. S. D. (Legal).*
4. Shri H. B. Ghosh—*Director General of Mines Safety.*
5. Shri V. K. Chanana—*Deputy Secretary.*
6. Shri M.A.M. Rao—*Deputy Secretary.*
7. Shri P. R. Nayar—*Under Secretary.*
8. Shri H. S. Ahuja—*Director of Mines Safety.*
9. Shri D. V. S. Narain Rao—*Senior Law Officer.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

The Committee resumed further clause-by-clause consideration of the Bill.

4. *Clause 2.* The Committee reopened consideration of this clause. The Committee decided that instead of amending the definition of "office of the mine" in Section 2(k) of the Act, the position may be clarified in proposed new clause (h) (v) in clause 2 of the Bill by substituting the words "located within the premises of the mine" by the words "in or about the mine".

5. *Clause 16.* (*Vide* paragraph 16 of the minutes dated the 3rd July, 1973)—The following amendments were accepted:—

Page 8,

- (i) line 32, for "23A", substitute "23A (1)";
- (ii) line 33, for "three or more persons" substitute "any person";

(iii) line 35, for "or an Inspector", *substitute*

"or the Inspector to whom notice of the accident is required to be given under sub-section (1) of section 23"

(iv) for lines 40 to 42, *substitute*

"(2) Without prejudice to the provisions of sub-section (2) of section 23, it shall be the duty of the Chief Inspector or the said Inspector to inspect the place of accident within seventy-two hours after the receipt of the notice referred to in sub-section (1).

(3) Where the Chief Inspector or the said Inspector fails to inspect the place of accident within seventy-two hours of the time of the accident, work may be resumed at the place of the accident".

The clause, as amended, was adopted.

6. *Clause 20*—(Vide paragraph 19 of the minutes dated the 3rd July 1973)—The following amendment was accepted:

Page 9, line 38,

*re-letter* sub-clause '(a)' as sub-clause '(aa)' and before sub-clause (aa) as so re-lettered,

*insert*—

(a) in sub-section (1),

(i) in clause (a), for the words 'sixteen days', the words "twelve days" shall be substituted;

(ii) in clause (b), for the words 'twenty days', the words "sixteen days" shall be substituted;.

The clause, as amended, was adopted.

*Clause 28*—(Vide paragraph 24 of the minutes dated the 3rd July, 1973)—Consideration of this clause was re-opened and the following amendment was accepted:—

Page 15,

for lines 12 to 15, *substitute*—

'(b) for the words "which may extend to five thousand rupees", the words "which shall not be less than two thousand rupees but which may extend to five thousand rupees" shall be substituted;

The clause, as further amended, was adopted.

8. *Clause 29*.—The following amendments were accepted subject to the drafting changes:—

(i) Page 15, lines 20-21,

omit "unless there are special and adequate reasons to the contrary and are so recorded in writing by the Court"

(ii) Page 15, line 23,

for "one thousand rupees"

*substitute* "three thousand rupees"

The clause, as amended, was adopted.

9. *Clauses 30 to 33.*—These clauses were adopted without any amendment.

10. *Clause 34.*—The following amendment was accepted:—  
Page 16, line 19,

*Omit "unless otherwise prescribed"*

The clause, as amended, was adopted.

11. *Clause 5.*—[*Vide* paragraph 5 of the minutes dated the 3rd July, 1973]—The following further amendment was accepted subject to drafting changes:—

Page 4, after line 22, add—

"(4) Any person who is selected for medical examination under occupational health survey under sub-section (2) if found medically unfit for his particular duty, he shall go under treatment at the cost of management, with full pay and then shall be provided with suitable alternative job if declared unfit for the present job."

The clause, as amended, was adopted.

12. *Clause 14.*—[*Vide* paragraph 14 of the minutes dated the 3rd July, 1973]—The following amendment was accepted subject to the drafting changes:—

Page 8, line 23,

after "no ice."

add "And in all such cases, the workers rendered idle be paid full wages till resumption of their duties."

The clause, as amended, was adopted.

13. The Committee then decided to meet again on Thursday, the 19th July, 1973 at 15.30 hours and, if necessary, also on Friday, the 20th July, 1973 at 10.00 hours to take up further clause-by-clause consideration of the Bill.

14. The Committee then adjourned.

### XXIII

#### Twenty-fourth Sitting

The Committee sat on Thursday, the 19th July, 1973 from 15.30 to 17.30 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman.*

#### MEMBERS

*Lok Sabha*

2. Shri Dinen Bhattacharya
3. Shri Khemchandbhai Chavda
4. Shri M. C. Daga

5. Shri K. G. Deshmukh
6. Shri C. D. Gautam
7. Shrimati Sheila Kaul
8. Shri Boksi Nayak
9. Shri Paripoornanand Painuli
10. Shri Damodar Pandey
11. Shri Ramji Ram
12. Ch. Ram Prakash
13. Shri Bhola Raut
14. Shri R. N. Sharma
15. Shri T. Sohan Lal
16. Sardar Swaran Singh Sokhi
17. Shri G. Venkatswamy
18. Shri G. P. Yadav

*Rajya Sabha*

19. Shri Kalyan Roy
20. Shri Virendra Kumar Sakhalecha
21. Shri B. K. Mahanti
22. Shri Sita Ram Singh
23. Shri Vinaykuamr Ramlal Parashar
24. Shri Jagan Nath Bhardwaj

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri H. B. Ghose—*Director General of Mines Safety.*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri Mahesh Chandra—*O.S.D. (Legal).*
6. Shri P. R. Nayar—*Under Secretary.*
7. Shri H. S. Ahuja—*Director of Mines Safety.*

2. The Committee took up further clause-by-clause consideration of the Bill.

3. *Clause 3.*—This clause was adopted without any amendment.

The Committee, however, from the experience of their visit to Quarries and Opencast Mines as also on the basis of evidence given before them, felt that since the conditions of working in the opencast mines and quarries differ widely from those in the underground mines it was desirable to have a separate set of Regulations for the former. The Committee noted that the Expert Committee which was appointed to investigate

this matter had also *inter alia* recommended the need for a separate set of Regulations for opencast mines and quarries. The Committee also noted that the Third Conference on Safety and Mines held at Calcutta on the 14th and 15th July, 1973 had also expressed the view that consideration could be given to have a separate set of Regulations for all opencast mines irrespective of their size or the mineral mined. The Committee, therefore, decided to recommend to Government to frame a separate set of Regulations for the opencast mines and quarries early.

4. *Clause 7.—I.* The Committee decided that there should be two Boards—one for coal mining industry and the other for non-coal mining industry. The Committee authorised the Legislative Counsel to recast the clause suitably.

II. The following amendment was accepted:—

Page 5, lines 7-8,

for “in consultation with such organisations of owners of mines”.

substitute “in consultation with the owners of mines, or in consultation with such organisations of owners of mines.”

Further consideration of the clause was held over.

5. The Committee were then informed that there were now no posts of “Chief Inspector of Mines” or “Inspector of Mines”, referred to in the Act and also in the Bill, in the Directorate of Mines Safety. Some of the terms, such as, British calendar, annas were also not in vogue. The Committee felt that the designations of such officers and also of other officers, the terms which were not in use might be changed both in the Act as well as in the Bill wherever necessary. The Committee authorised the Legislative Counsel to carry out necessary changes in this regard.

6. The Committee then decided to meet at 16.00 hours instead of 10.00 hours on Friday, the 20th July, 1973.

7. The Committee then adjourned.

## XXIV

### Twenty-fourth Sitting

The Committee sat on Friday, the 20th July, 1973 from 16.00 to 17.30 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*.

#### MEMBERS

*Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Dinen Bhattacharya
4. Shri M. C. Daga
5. Shri C. D. Gautam

6. Shri Boksi Nayak
7. Shri Paripoornanand Painuli
8. Shri Damodar Pandey
9. Shri Prabhudas Patel
10. Ch. Ram Prakash
11. Shri R. N. Sharma
12. Sardar Swaran Singh Sokhi

*Rajya Sabha*

13. Shri Kalyan Roy
14. Shri Virendra Kumar Sakhalecha
15. Shri Sita Ram Singh
16. Shri Vinaykumar Ramlal Parashar
17. Shri Kali Mukherjee
18. Shri Jagan Nath Bhardwaj
19. Shri Himmat Sinh

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta.—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam.—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri H. B. Ghose—*Director General of Mines Safety.*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri Mahesh Chandra—*O. S. D. (Legal).*
6. Shri H. S. Ahuja—*Director of Mines Safety.*
7. Shri P. R. Nayar—*Under Secretary.*

/ SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee resumed further clause-by-clause consideration of the Bill.

4. *Clause 7 [continued]*: The following further amendments were accepted subject to drafting changes:—

- (i) Page 5, line 10,  
for "four"  
substitute "six"

(ii) Page 5, line 14,  
for "managers of"  
substitute "organisation of technical persons employed in the"

(iii) Page 5, line 16,  
for "manage of"  
substitute "technical persons employed in the"

The clause, as amended, was adopted.

5. *Clause 8.*—(Vide paragraph 9 of the minutes dated the 9th July, 1973). The Committee decided that so far as the representation of persons employed in the mines on the Committee referred to in Section 13 of the principal Act is concerned, it should be done through two persons to represent the interests of the persons employed in the mine, nominated by the Central Government in consultation with the recognised trade unions and in case there is no such recognised trade union, the Central Government may consult such employees as the Government may deem fit. The Committee authorised the Legislative Counsel to amend the clause accordingly.

The clause was adopted subject to above observation.

6. *Clause 27.*—The Committee reopened consideration of this clause. The Committee felt that mines other than coal were also having underground operations and the risk involved in such mines was not less than that of coal mines. The Mines Rescue Stations should, therefore, cater to the needs of all mines. As a consequence, the levy may also be imposed on mines other than coal. The Committee, therefore, desired that Government might consider the feasibility of amending the clause so as to cover all the mines under its operation and also to impose levy on mines other than coal.

7. *Clause 1.*—The following amendment was accepted:—

Page 1, line 3,  
for "1972"  
substitute "1973"

The clause, as amended, was adopted.

8. *Enacting Formula.*—The following amendment was accepted:—

Page 1, line 1,  
for "Twenty-third"  
substitute "Twenty-fourth"

The Enacting Formula, as amended, was adopted.

9. *Long Title.*—The Long Title was adopted without any amendment.

10. The Committee felt that as they had still to consider the Bill, as amended, and their draft Report, it would not be possible for them to present their report by the stipulated date i.e. the 30th July, 1973. The Committee, therefore, decided to seek a further extension of time for presentation of their Report upto the 18th August, 1973.

11. The Committee authorised the Chairman and, in his absence, Shri R. N. Sharma to move the necessary motion in this behalf in the House on Friday, the 27th July, 1973.

12. The Committee authorised the Legislative Counsel to correct patent errors and to carry out amendments of consequential nature in the Bill, if any.



13. The Committee decided that—

- (i) Evidence given before the Committee be laid on the Tables of both Houses; and
- (ii) two copies of the memoranda received by the Committee from various Associations, Organisations, etc. be placed in the Parliament Library, after the Report had been presented.

14. The Committee also considered the request of Shri S. C. Chakravarty, Director, Directorate of Geology and Mining, Government of J&K who had appeared before the Committee for oral evidence at the sitting held at Srinagar on the 28th June, 1973, to treat his evidence as confidential. The Committee acceded to his request and decided that his evidence might not be printed and also not laid on the Tables of the two Houses. Two copies of his evidence might be kept in the Parliament Library for reference by the Members of Parliament only.

15. The Chairman then drew the attention of the Members of Committee to the provisions of Direction 87 of the Directions by the Speaker relating to Minutes of Dissent.

16. The Committee decided to meet on Tuesday, the 7th August, 1973 at 09.30 hours for consideration and adoption of their draft Report.

17. The Committee then adjourned.

## XXV

### Twenty-fifth Sitting

The Committee sat on Friday, the 10th August, 1973, from 15.00 hours to 16.00 hours.

#### PRESENT

Shri Anant Prasad Sharma—*Chairman*

#### MEMBERS

#### *Lok Sabha*

2. Shri Bhagirath Bhanwar
3. Shri Khemchandbhai Chavda
4. Shri K. G. Deshmukh
5. Shri C. D. Gautam
6. Shri Purushottam Kakodkar
7. Shri Prabhudas Patel
8. Shri Bhola Raut
9. Shri R. N. Sharma
10. Shri T. Sohan Lal
11. Sardar Swaran Singh Sokhi

#### *Rajya Sabha*

12. Shri Kalyan Roy
13. Shri Monoranjan Roy
14. Shri Vinaykumar Ramlal Parashar
15. Shri Jagan Nath Bhardwaj

## LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri H. B. Ghose—*Director General of Mines Safety.*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri Mahesh Chandra—*O.S.D. (Legal).*
6. Shri H. S. Ahuja—*Director of Mines Safety.*
7. Shri P. R. Nayar—*Under Secretary.*

## SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. After some discussion, the Committee decided to postpone consideration of the Bill, as amended, and their draft Report to a future date as the Government wanted some more time for consideration of the Report.

4. The Committee, in view of the foregoing, felt that as they had still to consider the Bill, as amended, and their draft Report it would not be possible for them to present their Report by the stipulated date i.e. 18th August, 1973. The Committee, therefore, decided to seek further extension of time upto the last day of the current session.

5. The Committee authorised the Chairman and, in his absence, Shri R. N. Sharma to move necessary motion in this behalf in the House.

6. The Committee then decided to meet on Monday, the 27th August, 1973 at 16.00 hours for consideration and adoption of the Bill, as amended and their draft Report.

7. The Committee then adjourned.

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 XXVI

## Twenty-sixth Sitting

The Committee sat on Monday, the 27th August, 1973 from 16.00 to 17.00 hours.

## PRESENT

Shri Anant Prasad Sharma—*Chairman*

## MEMBERS

Lok Sabha

2. Shri Chapalendu Bhattacharyya
3. Shri Dinen Bhattacharya
4. Shri Khemchandbhai Chavda

5. Shri C. D. Gautam
6. Shri Purushottam Kakodkar
7. Shri Surendra Mohanty
8. Shri Boksi Nayak
9. Shri Paripoornanand Painuli
10. Shri Damodar Pandey.
11. Shri Ramji Ram
12. Shri Bhola Raut
13. Ch. Sadhu Ram
14. Shri R. N. Sharma

*Rajya Sabha*

15. Shri Kalyan Roy
16. Shri Monoranjan Roy
17. Shri Virendra Kumar Sakhalecha
18. Shri Jagan Nath Bhardwaj
19. Shri Qasim Ali Abid
20. Shri Dwijendralal Sen Gupta

LEGISLATIVE COUNSEL

1. Shri P. L. Gupta—*Additional Legislative Counsel.*
2. Shri V. S. Bhashyam—*Deputy Legislative Counsel.*

REPRESENTATIVES OF THE MINISTRY OF LABOUR AND REHABILITATION  
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

1. Shri P. M. Nayak—*Secretary.*
2. Shri D. S. Nim—*Joint Secretary.*
3. Shri H. B. Ghose—*Director General of Mines Safety.*
4. Shri V. K. Chanana—*Deputy Secretary.*
5. Shri P. R. Nayar—*Under Secretary.*

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. Shri K. V. Raghunatha Reddy, Minister of Labour and Rehabilitation, who is not a member of the Committee, attended the sitting with the permission of the Chairman in terms of proviso to Rule 299 of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee considered and adopted the Bill, as amended.

4. The Committee then considered and adopted the draft Report subject to the following modification:—

for paragraph 16 of the draft Report,  
substitute

"16. Clause 3 [renumbered as clause 4].—

In the course of evidence before the Committee, all small quarry owners and owners of opencast mines had represented to the Committee that the application of section 3 of the Mines Act, 1952 had created working difficulties and suggested that

there should be a separate set of regulations for the opencast mines and quarries. The Committee note that the Expert Committee appointed to investigate this matter had *inter alia* recommended that there should be a separate set of regulations for the opencast mines and quarries. The Committee also note that the consensus at the Third Conference on Safety in Mines held at Calcutta on the 14th and 15th July, 1973 was that the Report of the Expert Committee and the recommendations made therein were not acceptable but that consideration could, however, be given to have a separate set of regulations for all opencast mines, irrespective of their size or the mineral mined. The Committee recommend that Government should frame a separate set of regulations for the opencast mines and quarries."

5. The Chairman announced that the Minutes of Dissent, if any, might be sent to Lok Sabha Secretariat so as to reach them by Wednesday, the 29th August, 1973.

6. The Committee authorised the Chairman and, in his absence, Shri R. N. Sharma to present the Report and to lay the evidence on the Table of the House on Thursday, the 30th August, 1973.

7. The Committee also authorised Shri J. N. Bhardwaj and, in his absence, Shri D. L. Sen Gupta to lay the Report and evidence on the Table of Rajya Sabha on Thursday, the 30th August, 1973.

8. The Committee placed on record their appreciation for the assistance rendered by the Minister and the Deputy Minister of Labour and Rehabilitation during the course of their deliberations.

9. The Committee also placed on record their appreciation for the co-operation and assistance rendered by the Legislative Counsel, Officers of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) and the Officers and staff of the Lok Sabha Secretariat.

10. The Committee also placed on record their thanks to the Chairman for ably conducting the proceedings of the Committee and guiding their deliberations at various stages of the Bill.

11. The Minister of Labour and Rehabilitation (Shri K. V. Raghunatha Reddy) also placed on record his thanks to the Members of the Committee for the co-operation extended and valuable suggestions offered by them. He also placed on record his appreciation for the assistance rendered by the Legislative Counsel, Officers of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) and officers and staff of the Lok Sabha Secretariat.

12. The Committee then adjourned.

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