

THE MINES RULES, 1955 – A BRIEF SUMMERY

Contributed by

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Background

- ❖ The Mines Rules deal with matters related to the employment of persons, their health and the welfare amenities to be provided to them.
- ❖ The Mines Rules were amended in November-1978, and in the amended rules, a new chapter on medical examination of persons employed in Mines (Chapter IVA) was added after the Chapter IV on certifying Surgeons, providing for the initial and periodical medical examinations of all persons employed in a mine, after such date or dates as the Central Government may notify in the Official Gazette,
- ❖ The Mines (Amendment) Rules-1986, came into force with effect from 26th April-1986. The main provisions have been the constitution and functioning of the workmen's inspectors and the Pit Safety Committees and provisions of form J and K for the registers of reportable and minors accidents respectively. The quantum of disability allowance has also been fixed at 50% of the employee's monthly wages..

Court of Enquiry:

Rules 21: under section 24 of The Mines Act, 1952

Certifying Surgeons:

Power of Certifying Surgeon

A certifying Surgeon within his domain may make such inspection, examination or inquiry as he thinks fit for the purpose of the Act

Duties of Certifying Surgeon (section 43) :

The certifying surgeon shall, after giving prior notice regarding date, time and place for medical examination and upon examining the person sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the mine concerned after retaining a copy thereof.

Any other examination shall be carried out upon a request being made to him by CI.

Fresh Examination (Section 43):

Medical Examination of Person Employed or to be Employed in Mines

The rules, introduced by GSR 557 (E) dated 18th November 1978, on this account do not apply to persons who are employed purely on temporary or casual basis for continuous period not exceeding six months. The rule 29B directs the Owner, Agent or Manager of every mine to make arrangements-

(a)(i) for the **initial medical examination** of every person employed in the mine, **within a period of five years** of the date so notified and the said examination shall be so arranged over a period of five years that **one-fifth of the persons employed at the mine undergo the examination every year:**

Medical Examination of Person Employed or to be Employed in Mines

Provided that in the case of **a mine where a system of carrying out of such medical examination** (of a comparable standard as determined by the Chief Inspector) **is already in existence before the date aforesaid.**

(ii) for the initial medical examination of every person seeking employment in a mine, unless such person has already undergone within the preceding five years a medical examination under these rules while in employment at another mine; and

(b) For the periodical medical examination thereafter of every person employed in the mine at intervals of not more than five years.

Medical Examination of Person Employed or to be Employed in Mines

29C Examining Authority:

Medical officer not below the rank of an Assistant Civil Surgeon.

29D. Notice of Medical Examination :

The manager of the mine concerned shall **give at least twenty days'** prior notice in writing to the person to be examined, in **Form M**, provided that in case of the initial medical examination of a person seeking employment at a mine, the period of notice may be shorter.

A copy of every such notice issued shall be sent by the manager to the examining authority and in the case of **periodical medical examination** of a person, the copies of the **previous medical certificate** issued in **Form O**.

A person, who for any reasonable cause, fails to submit himself for a medical examination shall be given a second **notice of a minimum period of ten days** in **Form N**, by the manager and a copy of every such notice shall be sent by the manager to the examining authority.

Medical Examination of Person Employed or to be Employed in Mines

29E Failure to undergo medical examination :

In case of any dispute, the same shall be referred to the Chief Inspector for this decision within 60 days by the said person..

29F Standard and Report of Medical Examination :

The examining authority shall examine a person according to

- i) the standard laid down in Form P: Initial Medical Examination for existing employee or Periodical Medical Examination.
- ii) the standard laid down in Form PI: Initial Medical Examination for the person seeking employment.

Sending Certificate after such examination:

- i) To the candidate in the Form O
- ii) To the manager
- iii) The previous copy to manager in case periodic examination

29G Retention and transfer of medical certificates:

Medical Examination of Person Employed or to be Employed in Mines

29H Identity of Candidates:

29I Medical Examination of Women:

29J Appeal for Re-examination:

- ✓ Within 30 days of the receipt by him of copy of unfit certificate***
- ✓ Request for medical re-examination by an Appellate Medical Board***
- ✓ Manager shall arrange for medical re-examination by an Appellate Medical Board within 30 days.***
- ✓ He shall give 15 days prior notice for the same to the said person***
- ✓ If absent, Manager shall give another notice for the same***
- ✓ If absent again, he shall be discharged after 30 days of the notification.***
- ✓ Medical Re-examination Fee***

Medical Examination of Person Employed or to be Employed in Mines

29K Constitution of Appellate Medical Board :

29L Standard and report of medical re-examination by the AMB:
Will be conducted in the same manner and give medical certificate in Form S

29M Unfit persons not to be employed :

- ✓ After expiry of 30 days of first Medical Examination unless he has filed an appeal for re-examination by AMB***
- ✓ After expiry of 30 days of Medical Re-examination an Appellate Medical Board.***
- ✓ If in the opinion of the medical board, the candidate's disability is not such nature or degree to be declared unfit and may be curable within 6 month, he will be given another one opportunity to continue his present job and shall undergo for another medical examination within 60 days and be declared fit.***

WORKMEN'S INSPECTOR AND SAFETY COMMITTEE

29Q Workmen's Inspector:

For every mine wherein 500 or more persons are ordinarily employed, the owner, agent or manager shall appoint three suitably qualified employees of the mine designated as **Workmen's Inspector**.

When the number of persons employed in a mine **exceeds 1500**, the Workmen's Inspector shall be assisted by one additional Workmen's Inspector in mining discipline for every **additional 1000 persons** or part thereof.

The Workmen's Inspector should be a person possess an **Overman/Foreman certificate** and should be as technical expert to carryout inspection of the mine on behalf of the workers employed there in, on each of the mining operations, electrical installations and mechanical installations.

The W.I. should have **at least five years** of experience in mines including **at least two years in workings of the mines for which he is nominated**

WORKMEN'S INSPECTOR AND SAFETY COMMITTEE

29R Duties of Workmen's Inspector :

The duties of Workmen's Inspector shall be

- to inspect all shafts, inclines, roads, workplaces and the equipment thereat including the equipment for conveyance and transport of workers.
- in case of any urgent and immediate danger that comes to his notice, for such cases the W.I. should inform the manager and the Inspector about the same & also suggest remedial measures necessary to avoid the danger.
- He should** accompany the Inspector in the course of complete inspection of the mine.

WORKMEN'S INSPECTOR AND SAFETY COMMITTEE

29R Duties of Workmen's Inspector :

The duties of Workmen's Inspector shall be

- The Workmen's Inspector shall record a full report of the matters ascertained as a result of his inspection in a bound pages book and should duly signed by the same for the purpose in the mine in Form U.
- The owner, agent or manager of the mine have to take prompt action within a period of 15 days and put their remarks in that bound paged book stating the remedial measures taken and the date on which such action was taken

WORKMEN'S INSPECTOR AND SAFETY COMMITTEE

29T Pit Safety Committee:

For every mine wherein more than 100 persons are ordinarily employed, the owner, agent or manager shall constitute a Safety Committee for promoting Safety in the mine

29 U Composition of Safety Committee

The Safety Committee shall consist of :-

- (a) the manager who shall be the Chairman ;
- (b) five officials or competent persons of the mine nominated by the Chairman ;
- (c) five workmen nominated by the workmen of the mine in accordance with the procedure prescribed in clause (a) of sub-rule(1) of rule 29Q for nomination of Workmen's Inspector;
- (d) Workmen's Inspector where so designated; and
- (e) the Safety Officer, or where there is no Safety Officer, the senior most mine official next to the manager, who shall act as Secretary to the Committee;

WORKMEN'S INSPECTOR AND SAFETY COMMITTEE

29V Functions of Safety Committee :

The functions of the Committee are as follows:-

- (1) The safety committee must meet and hold a meeting once in every 30 days to consider the matter placed before it.
- (2) The committee should to discuss remedial measures against the unsafe conditions and practices in the mine as pointed out in the reports of Workmen's Inspector;
- (3) The committee should consider, before commencement of any new operation or commissioning of new electrical or mechanical installation or introduction of new mining technique, the proposed safety and health measures and to make appropriate recommendations;
- (4) The committee should discuss the report of inquiry into accident and should make appropriate recommendations;
- (5) The committee should formulate and implement appropriate Safety campaign based on analysis of accidents; and
- (6) to serve as a forum for communication on Safety and health matters.

HEALTH AND SANITATION PROVISIONS

Rule 30 Quantity of drinking water :

On the aspects of the health and sanitation the provisions in The Mines Rules are as outlined below-

- at least two litters for every person employed at any one time and such drinking water shall be readily available at conveniently accessible points during the whole of the working shift
- Where 100 persons or more are employed, either above ground or in opencast workings, at any one time, the drinking water to be effectively cooled by mechanical or other means available
- It should be given free of cost

Rule 33 makes a provision for **SURFACE LATRINES AND URINALS** as given below-

latrine accommodation: at least one seat for every 50 males and at least one seat for every 50 females employed at one time shall be provided at the surface in accessible place (s).

Rule 35 mentions that appropriate sign boards are to be **displayed** for the latrines for **the Males and the Females**

FIRST-AID AND MEDICAL APPLIANCES

Rule 43 First-aid Room :

At every mine employing more than 150 persons on any one day, shall be provided and maintained in a suitable First-aid room and should have adequate numbers & qualified staff and infrastructure as prescribe in the Mines Rules.

Rule 44 First aid stations

At every mine there shall be provided and maintained first-aid in the following area:

- a) At above ground:
- b) Opencast mines:
- c) Underground mines:

WELFARE AMENITIES

Rule 62 Shelter:

At every mine where more than 50 persons are ordinarily employed, there shall be provided adequate and suitable shelters at following points:

1. Loading stations
2. Opencast working
3. Workshops
4. mine entrances where 25 or more persons are ordinarily employed for taking food and rest

Rule 63 Standard of Shelters

At every mine there shall be provided and maintained first-aid in the following area:

- a) have a floor area of not less than 14 square metres;
- b) in the case of flat roof a height of not less than 2.5 metres to the lowest part of the roof, and
- c) where the roof is a sloping one, a height of not less than 1.8 metres to the lowest part of the roof and of not less than 2.5 metres to the highest part of the roof.

WELFARE AMENITIES

Rule 64 Canteen:

At every mine where in more than 250 persons are ordinarily employed, there shall be provided and maintained a canteen for the use of all persons employed in a day.

Canteen may be provided and maintained jointly with neighboring mine after taking written permission from C.I.

Every canteen should be situated not less than 15 metres from any latrine, urinal, boiler house, engine room, coal heap, ash heap or any other source of dust or smoke

WELFARE AMENITIES

Rule 72 Welfare Officer:

For every mine wherein 500 or more persons are ordinarily employed the owner, agent or manager shall appoint a suitably qualified person as Welfare Officer.

where the number of persons so employed in a mine exceeds 2500 ,such Welfare Officer shall be assisted by one suitably qualified additional Welfare Officer for every additional 2000 persons or part thereof employed.

No person shall act as a Welfare Officer of a mine unless he possesses –

(a) a university degree ;

(b) a degree or diploma in **social science, or social work or labour welfare** recognised by the Government for the purpose of this rule, and preferably **practical experience of handling labour problems in any industrial undertaking for atleast three years**; and

(c) a knowledge of local language of the district

WELFARE AMENITIES

Rule 73 Duties of Welfare Officer:

- (i) to establish contacts and hold consultations with a view maintain harmonious relations between the management and persons employed in the mine ;
- (ii) to bring to the notice of the management the grievances of employees, individual as well as collective, with a view to securing their expeditious redressal ;
- (iii) to promote relations between management and employees, which will ensure productive efficiency and to help workers to just and adapt themselves to their working environments ;
- (iv) to assist in the formation of Work and Joint Production Committees, Cooperative Societies and Safety- First and Welfare Committees and to supervise their work ;

WELFARE AMENITIES

Rule 73 Duties of Welfare Officer:

(v) to help the management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of applications for grant of leave for regulating authorised absence.

(vi) to advise on welfare provisions such as housing facilities, food-stuffs, social and recreational facilities, sanitation, individual personnel problems and education of children.

(vii) to supervise welfare activities, statutory or other wise including education and training of employees;

(viii) to suggest measures which will tend to raise standard of living of workers and in general promote their being and ;

(ix) to perform any other duty connected with the welfare of the persons employed in the mine.

THANK YOU