

ACT No. XXXI OF 1925.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 23rd
September, 1925.)

An Act to provide for the grading of coal and for the grant of certificates for coal intended for export.

WHEREAS it is expedient to provide for the grading of coal and for the grant of certificates for coal intended for export; It is hereby enacted as follows:—

1. (1) This Act may be called the Coal Grading Board Act, short title and extent.
1925.

(2) It extends to the whole of British India.

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

- (a) "Board" means the Coal Grading Board constituted under section 3;
- (b) "export" means the shipment of coal as cargo from a port in British India;
- (c) "graded colliery" means a colliery the grade of all or any of the seams or of a part of any seam of which has been determined under the provisions of section 4 and is entered in the grade list maintained in accordance with the provisions of section 5;
- (d) "prescribed" means prescribed by rules made under this Act; and
- (e) "secretary" means the secretary of the Board appointed under sub-section (4) of section 3.

3. (1) As soon as may be after the commencement of this Act, the Governor General in Council shall cause to be constituted a Board consisting of the following members, Constitution of Coal Grading Board.
namely:—

- (a) the Chief Mining Engineer to the Railway Board; and
- (b) four persons nominated respectively by the Indian Mining Association, the Indian Mining Federation, the Bengal Chamber of Commerce and the Bengal National Chamber of Commerce:

Provided

Price 1 anna or 1½ d.]

Provided that, if within the period prescribed in this behalf any such body fails to make any nomination which it is entitled to make under this sub-section, the Governor General in Council may himself appoint a member or members, as the case may be, to fill the vacancy or vacancies.

(2) The Board so constituted shall be a body corporate by the name of the Coal Grading Board, having perpetual succession and a common seal with power to acquire and hold property, both moveable and immoveable, and to contract and shall by the said name sue and be sued.

(3) The Chief Mining Engineer to the Railway Board shall be *ex-officio* President of the Board.

(4) The secretary of the Board shall be a person, not being a member of the Board, appointed by the Board.

Power to grade
collieries, to
revise grading
and to grant
certificates.

4. (1) On the application of any colliery and on payment of the prescribed fee, the Board shall, in such manner as may be prescribed, determine the grade of coal of all or any of the seams or of a part of a seam of such colliery, and shall by notice in writing inform the colliery of the grade so determined.

(2) The colliery may, within thirty days from the receipt of the said notice, lodge with the Board an objection to the order passed under sub-section (1) determining the grade of any coal, and the Board shall, on payment of the prescribed fee and after further inspection and analysis, decide such objection; the decision of the Board shall be final and shall not be questioned in any Court.

(3) Where the grade of any coal has been determined under the provisions of this section, the Board shall, on the request of the colliery, furnish a certificate in the prescribed form, specifying the grade of such coal.

Maintenance
and publication
of grade list.

5. (1) The Board shall maintain a grade list, in such form and containing such particulars as may be prescribed, of coal the grade of which has been determined in accordance with the provisions of section 4, but shall not enter in such list any coal in respect of which the colliery has, after the determination or decision of the Board under sub-section (1) or sub-section (2) of section 4, given notice in writing that such coal should not be entered in the grade list.

(2) The grade list shall be published in such manner as may be prescribed.

6. (1) On