

ACT NO. XI OF 1936.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
26th April, 1936.)

An Act further to amend the Indian Mines Act, 1923, for certain purposes.

IV of 1923.

WHEREAS it is expedient further to amend the Indian Mines Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Mines (Amendment) Act, 1936. Short title and commencement.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint in this behalf.

IV of 1923.

2. (1) In section 19 of the Indian Mines Act, 1923 (hereinafter referred to as the said Act), after sub-section (1) the following sub-section shall be deemed to be inserted, namely:— Amendment of section 19, Act IV of 1923.

“(1A) Without prejudice to the generality of the provisions contained in sub-section (1), the Chief Inspector or the Inspector may, in any area to which the Governor General in Council may by notification in the Gazette of India declare that this sub-section applies, by order in writing addressed to the owner, agent or manager of a mine,—

(a) prohibit the extraction or reduction of pillars in any part of the mine if, in his opinion, such operation is likely to cause the crushing of pillars or the premature collapse of any part of the workings or otherwise endanger the mine, or if, in his opinion, adequate provision

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provision against the outbreak of fire has not been made by providing for the sealing off and isolation of the part of the mine in which such operation is contemplated and for restricting the area that might be affected by a fire ; or

- (b) limit to such dimensions as he considers reasonable the galleries that may be driven in the mine ;

and the provisions of sub-sections (3), (4), (5) and (6) shall apply to an order made under this sub-section as they apply to an order made under sub-section (2).”

(2) This section shall have effect for two years only from the commencement of this Act.

Amendment of section 29, Act IV of 1923.

3. In section 29 of the said Act,—

- (a) in clause (m), after the words “ providing for ” the words “ and regulating ” shall be inserted ; and

- (b) for clause (p) the following clause shall be substituted, namely :—

“(p) for providing against explosions or ignitions or irruptions of or accumulations of water in mines and against danger arising therefrom, and for prohibiting, restricting or regulating the extraction of minerals in circumstances likely to result in or to aggravate irruptions of water or ignitions in mines ;”.

Amendment of section 30, Act IV of 1923.

4. In clause (c) of section 30 of the said Act, the words “ the formation and training of rescue brigades ” shall be omitted.

Insertion of new section 30A in Act IV of 1923.

5. After section 30 of the said Act the following section shall be inserted, namely :—

Power of the Governor General in Council to regulate rescue stations to be established.

“ 30A. The Governor General in Council may, by notification in the Gazette of India, make regulations under this section—

- (a) requiring groups of specified mines to establish central rescue stations,

(b) prescribing

- (b) prescribing the position, equipment, control, maintenance and functions of such rescue stations,
- (c) providing for the allocation of the cost of the maintenance and upkeep thereof among mines served by such stations, and for the recovery from owners or agents of mines of sums payable on account of such cost, and
- (d) providing for the formation, training and duties of rescue brigades."

6. After section 31 of the said Act the following section shall be inserted, namely :—

Insertion of new section 31A in Act IV of 1923.

" 31A. Notwithstanding anything contained in sub-sections (1), (2) and (3) of section 31, regulations under clause (i) and clauses (k) to (s) inclusive of section 29 may be made without previous publication and without previous reference to Mining Boards, if the Governor General in Council is satisfied that for the prevention of apprehended danger or the speedy remedy of conditions likely to cause danger it is necessary in making such regulations to dispense with the delay that would result from such publication and reference :

Power to make regulations without previous publication.

Provided that any regulations so made shall not remain in force for more than two years from the making thereof."