

The Mines Act, 1952

This act aims to regulate the working conditions of workers, ensure adequate safety measures, and promote the health and wellbeing of mine workers.

2. Let's take a look at some important definitions outlined within this Act:

- **“Adult”** means a person who has completed their eighteenth year of age.
- A person working or employed in a mine is considered to be **‘below ground’** if he is working or employed in a shaft that has been or is in the process of being sunk, or in any excavation that extends below the superjacent ground. Conversely, he is deemed **‘above ground’** if he is working in an open-cast mine or in any other manner that is not specified as below ground.

16. Notice of Mining Operations. The mines' Owner, Agent, or Manager are required to give notice to the Chief Inspector, the Controller of the Indian Bureau of Mines, and the District Magistrate one month before starting mining operations in the mine.

17. Managers. Every mine must have a sole manager with specified qualifications. The owner or agent of the mine must appoint a qualified person as manager; however, the owner or agent can also appoint themselves as manager if they meet the qualifications.

18. Duties and responsibilities of owners, agents and managers. The owner and agent of every mine are responsible for ensuring compliance with regulations, rules, by-laws, and orders, including making financial arrangements and taking necessary steps.

The owner and agent of the mine, along with any person appointed by them (excluding the manager), are solely responsible for certain matters and ensuring compliance, including:

- Providing suitable childcare rooms for female employees with children under the age of six, meeting specific standards and supervision requirements.
- Maintaining bathing facilities with shower baths and locker rooms for both men and women, as well as establishing separate facilities or rooms for men and women.
- Establishing a canteen for employees when the number of employees is 250 or more.

The employer is responsible for taking care certain health and safety measure of their employees, including:

19. Drinking Water. Water facilities providing ample, cool, and clean drinking water must be maintained. They should be clearly labeled with ‘DRINKING WATER’ in bold letters in a language understood by the majority of the employees. Furthermore, these water points must be situated at least 6 meters away from any washing area, urinals, or toilets.

For employees working underground, written permission from the chief inspector is required to maintain alternative arrangements for water supply.

20. Conservancy. Each mine must have enough separate and conveniently located latrines and urinals for both males and females. These facilities must be well-lit, ventilated, and consistently kept clean and sanitary.

21. Medical appliances. In every mine, there must be an adequate number of first-aid boxes or cupboards provided and maintained. These must be easily accessible at all times and managed by a trained individual responsible for administering first-aid treatment. This individual must be available throughout the working hours.

Every mine must maintain easily accessible arrangements for conveying injured or sick workers to hospitals or dispensaries. Additionally, a first-aid room must be provided and maintained, equipped with necessary supplies, and overseen by medical and nursing staff when the number of employees exceeds 150.

22. Powers of Inspectors when causes of danger not expressly provided against exist or when employment of persons is dangerous. If the Chief Inspector or an Inspector finds any part of a mine or any practice within it unsafe or defective, posing a risk to human life or safety, they can take appropriate action and issue an order to cease mining operations in the affected areas.

If the employment of persons in the mines is prohibited by the Chief Inspector or an Inspector due to order, the owner, agent, or manager is responsible for paying full wages to the affected persons. Otherwise, the owner, agent, or manager may offer the affected person alternative employment at the same wage rate.

23. Notice to be given of accidents. If an accident occurs in a mine causing loss of life or serious injury, explosions, fires, sudden water or liquid influx, toxic gas leaks, lift machinery failures, cage over winding, or structural collapses, including any premature collapse of any

part of the working or any other types of accidents. The mine owner, agent, or manager must report the accident to the authority through a notice within 24 hours and simultaneously display a copy of the notice on a designated notice board.

After the accident happens, the manager, owner, or agent must record it in a register and give a copy of the entries to the chief inspector quarterly.

25. Notice of certain diseases. If any person employed in the mines is affected by a disease listed by the central government in the official gazette, the mine owner, manager, or agent is required to notify the same to the chief inspector.

28. Weekly Day of Rest. No person is allowed to work in a mine for more than six days in any one week.

29. Compensatory days of rest. If workers are not given their weekly day of rest for any reason, the mining authorities must compensate by providing them with a compensatory day of rest within the same month or within the following two months.

30 Hours of Work above ground. The working hours of employees employed above the ground in mines must not exceed 48 hours per week and 9 hours per day. Any increase in the maximum hours of work per day requires approval from the chief inspector.

31. Hours of Work below Ground. The working hours of employees employed below the ground in mines must not exceed 48 hours per week and 8 hours per day, and work must be carried out through a system of shifts. Any increase in the maximum hours of work per day requires approval from the chief inspector. Managers must ensure that only employees scheduled for their working hours are present below the ground.

33. Extra wages for overtime. If a person works in a mine above ground for more than nine hours in a day, below ground for more than eight hours in a day, or works for more than forty-eight hours in any week, whether above or below ground, He is entitled to wages at twice their ordinary rate for overtime work. The overtime period is calculated either daily or weekly, whichever benefits the worker more. The register for the purpose of keeping records of workers' overtime must be maintained by the manager.

35. Limitation of daily hours of work including overtime work. No person employed in a mine is required or allowed to work more than ten hours in any day, including overtime.

36. Notices regarding hours of work. Manager must display a notice outside the mine office indicating the start and end times of work at the mine. If the mine operates using a system of relays, the notice must also specify the start and end times for each relay. All workers need to work as per the schedule posted in the notice and are not allowed to work in any manner other than what is outlined in the notice.

To modify the start or end times of work in the mine, including any relay, rest intervals, or schedules for workers above ground, a revised notice must be displayed at the mine office and sent to the Chief Inspector at least seven days before the change takes effect.

40. Employment of persons below eighteen years of age. No person below the age of eighteen can work in mines. However, apprentices and other trainees who have reached the age of sixteen can work under supervision with approval from the Chief Inspector or an Inspector.

46. Employment of Women. Women cannot work below the ground in a mine, regardless of other laws. However, they can work above ground between 6 A.M. and 7 P.M. The working hours for women must be designed to ensure that those working above ground have at least an eleven-hour interval between shifts.

52. Annual leave with wages. If a worker is employed in a mine for a calendar years' service, he is entitled to leave with wages in the following year. In case a worker works below the ground, he must be paid one day of leave for every fifteen days of work; otherwise, they will receive one day of leave for every twenty days of work.

The definition of calendar years' service varies for different types of work. A calendar years' service is considered complete for below-ground workers if they attend the mine at least one hundred and ninety times in a year. For other workers, a calendar years' service is considered complete if they attend at least two hundred and forty times in a year.

53. Wages during leave period. For the leave allowed to a person employed in a mine, he must be paid at a rate equal to the daily average of his total full-time earnings for the days on which he was employed during the month immediately preceding his leave, excluding overtime pay and bonuses but including dearness allowance and any cash compensation, including that received through the provision of food grains and other items entitled to him.

71. Owner, etc. to report to Chief Inspector in certain cases. If the owner, agent, or manager of a mine has taken proceedings against any worker for an offense, they must promptly inform the Chief Inspector about the outcome within twenty-one days of the judgment or court order.

48. Registers of persons employed. The manager must maintain the register and records of all workers. Additionally, separate registers for different types of work must be maintained by the manager: one for below ground and another for above ground in open cast workings.