

**COAL MINES REGULATIONS, 1926**  
**REGULATIONS FOR COAL MINES**

[7<sup>th</sup> September, 1926]

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## TEXT

### **COAL MINES REGULATIONS, 1926<sup>1</sup>** **REGULATIONS FOR COAL MINES**

[7<sup>th</sup> September, 1926]

1. (1) These regulations may be called the Coal Mines Regulations, 1926.  
(2) They shall apply only in respect of coal mines.
2. In these regulations, unless there is anything repugnant in the subject or context:-
  - (a) "the Act," means the Mines Act, 1923;
  - (b) "approved safety lamp," "approved flame safety lamp" and "approved electric torch" means, respectively, a safety lamp, a flame safety lamp or an electric torch manufactured by such firm and of such type as the Chief Inspector may from time to time specify by notification in the Gazette of Pakistan, and includes any other safety lamp or electric torch approved by the Chief Inspector by an order in writing<sup>2</sup>;
  - (c) "the District Magistrate," in relation to any mine, means the district magistrate of the district in which the mine is situated;

Provided that in the case of a mine which is situated partly in one district and partly in another, the District Magistrate for the purposes of these regulations shall be the District Magistrate authorized in this behalf by the appropriate Government;

- (d) "Form" means a form as set out in schedule 1;
- (e) "permitted explosive" means an explosive permitted by the Chief Inspector under such definition and subject to such conditions as he may from time to time lay down by notification in the official Gazette;
- (f) "ventilating district" means such part of a mine as has an Independent intake airway commencing from a main intake airway, and an independent return airway terminating at a main return airway.

#### **CHAPTER I** **RETURNS, NOTICES AND RECORDS**

3. (1) On or before the tenth day of every month, the owner, agent or manager of every mine shall send to the Chief Inspector a correct return in form 1 of all raisings and dispatches during the preceding calendar month.

(2) On or before the twenty-first day of January in each year the owner, agent or manager of every mine shall forward to the District Magistrate and to the Chief Inspector annual returns in respect of the preceding year in Form II, III, IV, V, VII and VIII.

(3) If any mine is abandoned or the working of any mine has been discontinued over a period exceeding three months or if a change occurs in the ownership of any mine, the returns required by Sub-Regulations (2) shall be submitted within one month from the date of abandonment or change of ownership or within four months from the date of discontinuance.

Provided that the Chief Inspector may by order in writing extend the period for the submission of such returns upto any date not later than the twenty-first day of January in the year following that to which they relate:

Provided further that nothing in this sub-regulation shall be deemed to authorize the submission of any return later than the twenty-first day of January in the year following that to which it relates.

(4) On or before the first day of March in each year the owner, agent or manager of every mine shall forward to the Chief Inspector in duplicate a return in Form II-A, duly filled in. The figures given in the return shall relate to that day on which the number of persons attending work was highest during such week in February of that year as is selected in advance by the Chief Inspector.

<sup>3</sup>4. The notice required by section 14 of the Act shall be furnished in duplicate, and shall specify the name and situation of the mine, the names and addresses of the owner and the

<sup>1</sup> These Rules were published under Government of India, Department of Labour, Noti. No. M-1055(1), dated the 7<sup>th</sup> September, 1926.

<sup>2</sup> Electric head lamp type 14303 and 14202 with specifications indicated declared to be flame proof. Noti. No. CIM-2482 and CIM-2486 dt; 16<sup>th</sup> April, 1979, Pb. Gaz. Pt. III, 7<sup>th</sup> Nov; 1979, p. 1649.

<sup>3</sup> In application to Punjab, for the original regulation 4 the following shall be subs. Vide Noti. No. Dev-II/10-4/98, dt; Jan 11, 1999:

manager, and, in the case of a new mine. The date on which it was opened. The District Magistrate shall on receipt of the notice forward one copy thereof to the Chief Inspector.

**5.** when a mine or seam has been abandoned, or the working thereof has been discontinued over a period exceeding two months, the owner of the mine shall, within one month after the abandonment or within seven days after the expiry of the said period, as the case may be, send to the Chief Inspector notice in writing specifying the name and situation of the mine, the name and address of the owner, and the date and cause of the abandonment of discontinuance.

**6.** <sup>4</sup>[When a mine or seam is reopened after abandonment or discontinuance, the owner, agent or manager shall, before re-opening send to the District Magistrate and the Chief Inspector, a notice in writing specifying the name and situation of the mine, the names and addresses of the owner and the manager, and the date of re-opening].

**7.** When a change occurs in the name of or in the ownership of, a mine, notice in writing of the change and of the date thereof shall be sent by the owner, agent or manager to the Chief Inspector within one month from the date of the change.

**8.** When any new appointment is made of an agent or manager of a mine or any change of address of any agent or manager occurs, notice of appointment or change and of the date thereof shall be sent by the owner, agent or manager to the Chief Inspector within one month from the date of the appointment or change.

**9.** When the ownership of a mine is transferred, the previous owner or his agent or manager shall make over to the new owner all plans, books and other records required to be kept under the Act, and all correspondence relevant to the working of the mine with the Department of Mines and other Government departments.

**10.** If the owner, agent or manager of any mine intends to conduct or extend any mining operations under his control at or to any point within fifty yards<sup>5</sup> of any railway subject to the provisions of the Railway Act, 1890, or of any public work in respect of which this regulation is applicable by reason of any general or special order of the appropriate Government under clause (u) of Section 29 of the Act, the shall not less than sixty days before commencing such operations, give notice of his intention to the Chief Inspector and also in the case of a railway to the Railway Administration concerned or, in the case of any such public work as aforesaid, to such authority as the appropriate Government may by general or special order direct.

**10-A.** If in any mine it is intended to conduct or extend the extraction or reduction of pillars at or to any point within fifty yards of any railway subject to the provisions of the Railway Act, 1890, the owner, agent or manager of the mine shall, not less than sixty days before commencing such operations, give notice of such intention to the Chief Inspector and also<sup>6</sup> to the Railway Administration concerned.

**11.** If the operations in respect of which notice is given under regulation 10 or 10-A are not commenced within twelve months from the expiry of the period of sixty days therein referred to, the notice shall be held to have lapsed and the provisions of that regulation shall apply as if no such notice had been given.

**12.** The notice to be given under regulation 10 or 10-A shall specify the position of the workings of the mine in relation to the railway or public work in question, the manner in which it is proposed to carry out the intended new operations and the limits to which it is proposed to carry the said operations, and shall include a plan showing the existing and the intended mining operations in so far as they affect the railway or public work in question.

**13.** When an accident occurs in or about a mine causing loss of life or serious bodily injury or when an accidental explosion, ignition, outbreak of fire or smoke or other indication of outbreak of fire or an influx of noxious gases or irruption of water occurs in or about a mine, the owner, agent or manager of the mine shall forthwith inform the Inspector by telephone or telegraph and shall also, within twenty four hours of any such occurrence of such accident explosion, ignition, outbreak of fire, sent notice thereof in Form IX to the Inspector, to the Chief Inspector and to the District Magistrate or to the Sub-Divisional Magistrate.

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The notice required by section 14 of the Act shall be furnished to Chief Inspector of Mines, Inspector of Mines and District Magistrate specifying the name and situation of the mine, the name and address of the owner and the manager, and in the case of a new mine, the date on which it was opened.

<sup>4</sup> Subs. for the original Regulation vide Noti. No. L. R. 7 (8) 48, 18<sup>th</sup> April, 1953, Gaz. of Pak. Pt. I, 1953, p. 100.

<sup>5</sup> In application to Punjab, under Reg. 10, for the words "fifty yards" the word "one hundred meter" shall be substituted Vide Noti. No. Dev-II/10-4/98, dt; Jan 11, 1999.

<sup>6</sup> In application to Punjab, under Reg. 10-A, after the word "Chief Inspector" the word "and also" the word ", Inspector" shall be inserted, *ibid*.

14. If death results from an injury already reported as serious under Regulation 13, the owner, agent or manager of the mine shall within twenty four hours of his receiving information of the death, send notice thereof to the Inspector, to the Chief Inspector or to the District Magistrate or to the Sub-Divisional Magistrate].

## CHAPTER II PLANS

15. (1) All plans prepared in accordance with the provisions of Chapter shall-

- (a) bear the name of the mine and of the owner;
- (b) show the scale together with the magnetic meridian and the date of the letter;
- (c) be properly inked on durable paper, or on tracing cloth; and
- <sup>7</sup>(d) be on scale as under:

- (1) 1 : 1000 ..... for underground working plan.
- (2) 1 : 1000 ..... for mine surface plan.
- (3) 1 : 1000 ..... for ventilation plans.
- (4) 1 : 1000 ..... for quarries working.
- (5) 1 : 1500 ..... for general surface plans of entire leased area.

Provided that where plans have been prepared on any other scale before the passing of these regulations, the Chief Inspector may on application by the owner, agent or manager permit such plans to be maintained on that scale.

(2) The owner, agent or manger of every mine shall keep a plan of the workings of the mine. The position of the workings at the time of the last survey shall be shown by a dotted line drawn through the ends of the workings, such dotted line shall be marked with the date of the last survey. The plan shall also show all shaft and incline openings, all goaves, the boundaries of the underground leasehold, where possible, and all important features within the boundaries, such as railways, roads, rivers, streams, tanks, buildings, and reservoirs which overlie any part of the workings or any point within 600 feet of any part of the workings measured on the horizontal plane; also the general direction and rate of dip of the strata, the depth of every shaft, a section of the seam being worked and the position of all faults and dykes with the amount and direction of their throw. There shall be separate plan of the workings of each seam, and of each separate section of each seam.

(3) The owner, agent or manger of every mine shall also keep a separate tracing of a surface plan showing all surface features referred to in sub-regulation (2), and in addition all buildings and erections on the surface and within the boundaries which overlie the workings of the mine or any point within 600 feet of the workings measured on the horizontal plan.

- (3-A) (i) The owner, agent or manager of every mine shall also keep a separate plan showing the system of ventilation in the mine, and, in particular the general direction of the air-currents, the points where the quantity of air is measured and the principal devices for the regulation and distribution of the air. So far as practicable the intake airways shall be coloured blue and the return airways red.
- (ii) The positions of any underground ambulance stations and telephones shall be indicated on the plan.
- (iii) The code of signs set out in Schedule II shall be utilized in plans made under this sub-regulation.

(4) The plans required by this regulation shall be kept in the office at the mine. They shall be accurate and shall be maintained upto date within six months; provided that where any mine or seam is abandoned or the working thereof has been discontinued the plan shall, before such abandonment or immediately after such discontinuance, be brought upto date to the time of abandonment or discontinuance, as the case may be, unless such abandonment or

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<sup>7</sup> Substituted vide Noti. No. Lab-VI-7-13/78, dated 29.10.1979, Pb. Gaz. Pt.I, June 24, 1981. p. 483.

discontinuance has been caused by circumstances beyond the control of the owner, agent or manager, in which case the fact that the plan is not upto date shall be recorded on it.

(5) Nothing in this regulation shall be deemed to apply to any mine in which the workings do not extent under the super adjacent ground, or any mine in which excavation is being made for prospecting purposes only:

Provided that the Chief Inspector may direct that the regulation shall apply to any such mine to such extent as he may think fit.

**16.** The owner, agent or manger of every mine shall at any time on the request of the Chief Inspector or of any inspector produce to him at the office at the mine such plans and sections, and also on the like request, mark on such plans and sections the then state of the mine; and the Chief Inspector or Inspector shall be entitled to examine the plans and the sections and for the official purposes to make or have a copy made of any part thereof respectively.

**17.** Where any mine or seam is abandoned, or the working thereof has been discontinued over a period exceeding one year, the person who was the owner of the mine at the time of the abandonment or discontinuance shall, within three months after the abandonment or within fifteen months after the discontinuance of working, as the case may be, send to the Chief Inspector accurate plans and sections of the workings of the mine or seam up to the time of the abandonment or discontinuance, showing the pillars of coal remaining unworked and all other features required in compliance with these regulations. Or a true and accurate copy of the same:

Provided that if a change of ownership occurs after the abandonment or discontinuance and before the expiry of the three months or the fifteen months aforesaid, as the case may be, such plans and sections shall be sent forthwith.

**18.** After the expiry of <sup>8</sup>[six months] from the date of abandonment or discontinuance of working in any mine or seam or, where the consent of the owner of the mine for the time being has been obtained, prior to the expiry of the said period, the Chief Inspector may, on such conditions as he thinks fit to impose, permit any person having an interest in the said mine or seam to inspect the plan or section of such mine or seam sent to him in accordance with the provision of regulation 17; may further, on such conditions as he thinks fit to impose, supply to any such person copies of the like plan or section.

**19.** The appropriate Government may direct that after such date and in such areas as he may appoint in this behalf the plans required to be kept under regulation 15 or to be sent under regulation 17 shall be prepared by or under the supervision of a surveyor who has been granted a surveyor's certificate under these regulations.

### **CHAPTER III MINES OFFICIALS**

**20.** For the purposes of this chapter every system of underground workings interconnected in such a manner that communication is practicable from any one part of the system to any other part by means of underground channels shall be deemed to constitute one mine. If access from one system of underground workings to another such system is not so practicable each such system shall be deemed to constitute a separate mine.

**21.** A duly qualified manager may be permitted by order in writing of the Chief Inspector to manage more than one mine, if the Chief Inspector is of opinion that the mines supervised by him are sufficiently near to one another to permit of effective supervisions being exercised, and that an adequate subordinate supervising staff is maintained at each mine. The Chief Inspector may at any time, by order in writing revoke any such permission <sup>9</sup>[for reasons to be recorded and communicated to the owner, agent or manager of mines] and such order shall be final.

**22.** Save as provided by regulation 21 no person shall act as manager of more than one mine.

**22-A.** No person shall be employed in a mine as manager unless he is paid by and is directly answerable to the owner of the mine.

<sup>10</sup>**[22-B.** The owner or agent of a mine shall not take any part in the technical management of the mine unless he holds qualifications equivalent to or higher than those of the manager prescribed in regulation 23.]

**23.** Save as hereinafter provided in Regulation 24-

<sup>8</sup> Subs. Vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>9</sup> Inserted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>10</sup> Added vide Noti. No. L.R. 7(8) /48, dated 13.04.1953, Gaz. of Pak. Pt. I, 1953, P. 100.



- (a) no person shall act as manager of a mine, the average monthly output of which exceeds 2,500 tons, unless he holds a **first or class manager's certificate** granted under these regulations.
- (b) no person shall act as manager of a mine, the average monthly output of which exceeds 600 tons, unless he holds first or second class manager's certificate granted under these regulations:
- (c) no person shall act as manager of a mine, the average monthly output of which does not exceed 600 tons, unless he holds a first or second class manager's certificate or a manager's permit granted under these regulations;

Provided that: (a) the Chief Inspector may, by order in writing, direct that in the case of any such mine as is referred to in clause (b) the manager thereof shall be holder of a first class manager's certificate granted under these regulations, and that in the case of any such mine as is referred to in clause (c) the manager thereof shall be the holder of a first or second class manager's certificate granted under the regulations.

Provided further that an appeal from any order passed by the Chief Inspector under the foregoing proviso shall lie to the Mining Board constituted under section 10 of the Act or, if no Mining Board has been so constituted for the part of the Provinces and the Capital of the Federation in which the mine or part of the mine is situated, to the appropriate Government and the order of the Mining Board or of the appropriate Government thereon shall be final.

**24.** (1) The Chief Inspector may, by order in writing, authorize any person, whom he may consider competent, to act as manager of any mine or mines for a specified period, notwithstanding that such person does not possess the qualifications prescribed in that behalf by regulation 23 <sup>11</sup>[on the condition that such mine will be inspected at least once a month by a First Class Manager and report of such inspections is recorded and made available to Inspector or Chief Inspector on demand] and may by a like order revoke any such authority at any time and such order shall be final.

(2) In every mine personal supervision shall be exercised by the manager.

(3) Where by reason of absence or for any other reason the manager is unable to exercise personal supervision the owner, agent or manager shall authorize in writing a person whom he considers competent to act as manager of the mine:

Provided that:-

- (a) such person holds a manager's certificate or a sirdar's certificate;
- (b) no such authorization shall have effect for a period in excess of one month except with the previous consent of the Chief Inspector nor without the like consent shall a second authorization be made to take effect upon the expiry of the first:
- (c) the owner; agent or manager, as the case may be, shall send to the Chief Inspector with the least possible delay, a written notice intimating that such an authorization has been made, and stating the reason for authorizations and qualifications and experience of the person authorized and the dates of the commencement and ending of the authorization; and
- (d) the Chief Inspector may by order in writing revoke any authority so granted and such order shall be final.

**24-A.** The manager of every mine shall ensure that a sufficient supply or proper materials and appliances for the purpose of carrying out the provisions of the Act and of the regulations, rules, and by-law made thereunder and ensuring the safety of the mine and the persons employed therein, is always provided at the mine, and, if he be not owner or agent of the mine, he shall report in writing to the owner or agent of the mine, when anything is required for, the aforesaid purposes that is not within the scope of his authority to order.

(2) A copy of every report made under sub-regulation (1) shall be kept in the office at the mine.

**25.** (1) the manager of every mine shall <sup>12</sup>[authorize] in writing such number of competent persons as will be sufficient to secure a thorough supervision of all the operations in the mine and the enforcement of the requirements of the Act and of the regulations, rules and bye-laws made

<sup>11</sup> Inserted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>12</sup> Subs. Vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

thereunder. He shall assign to every such person his particular duties, shall on his appointment, make over to him a copy of the regulations, rules and bye-laws which affect him and shall take all possible steps to ensure that every such person understands, carries out and enforces the provisions therein contained. No person shall be <sup>13</sup>[authorized] under this regulation unless he is paid by the owner of the mine and is directly answerable to the owner or the manager of the mine.

(2) Copies of all appointments made under sub-regulation (1) and all authorizations made under these regulations shall be entered in a bound paged book kept in the office at the mine.

(3) Every manager shall on appointment satisfy himself that all persons already appointed under sub-regulation (1) or authorized under these regulations to discharge any functions are competent to perform the duties assigned to them.

**26.** Every person employed underground in a mine as an official sub-ordinate to the manager and superior to the underground sirdar's shall hold <sup>14</sup>[diploma of associate engineer in mining technology or] manager's certificate or sirdar's certificate granted under these regulations.

**27.** With effect from such date and in such areas as the appropriate Government may notify in the Official Gazette no person shall be employed as a surveyor in a mine unless he holds a surveyor's certificate granted under these regulations.

**28.** No person shall be employed as a winding engine man unless he has attained the age of 21 years; and the manager or some competent person appointed by the manager for the purpose shall, before appointing any such person, satisfy himself that such person is competent to perform the duties assigned to him.

#### **CHAPTER IV CERTIFICATE OF COMPETENCY, PERMITS AND AUTHORIZATIONS**

**29.** (1) There shall be constituted a Board of Examiners for the purposes of these regulations, which shall consist of the Chief Inspector, who shall be the Chairman of the Board, and of three Members possessing Technical qualifications fitting them to serve on the Board, who shall be appointed by the appropriate Government for a term of three years:

Provided that on the expiry of any term for which he has been appointed, any Member shall be eligible for re-appointment.

(2) A Member of the Board of Examiners (other than the Chairman) shall receive such remuneration as the appropriate Government may fix.

**30.** (1) Certificates under these regulations shall be granted by the Board of Examiners, and all decisions of the Board regarding the grant of such certificates shall be final.

(2) Certificates granted by the Board shall be valid throughout the Provinces and the Capital of the Federation and shall be of the following kinds:-

- (a) first and second class certificates of competency to manage a mine (in these regulations referred to as managers' certificates);
- (b) certificates of competency to survey the working of a mine (in these regulations referred to as surveyor's certificate);
- (c) certificates of competency to make the inspection hereinafter required by regulation 70 (in these regulations referred to as sirdar's certificates);
- (d) certificates of competency to fire shots in a mine (in these regulations referred to as shot-firers' certificates).

**31.** (1) Certificates shall be granted to candidates after such examination and in such form as the Board of Examiners may prescribe.

(2) The examinations shall be held at such times and at such centres as may be fixed by the Board, and shall be conducted by local examiners who shall be appointed by the Board.

(3) The local examiners so appointed shall be subject to the orders of the Board in respect of all matters relative to the conduct of the examinations, and shall receive such remuneration as the Board, with the sanction of the appropriate Government, may fix.

(4) The Board may make rules as to the conduct of the examinations; and shall, so far as may be practicable, provided that the standard of Knowledge requisite for the grant of certificates

<sup>13</sup> Subs. Vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>14</sup> Subs. Vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

of any particular class shall be uniform throughout the provinces and the Capital of the Federation.

(5) Every rule made by the Board under this regulation shall be published in the Gazette of Pakistan and no such rule shall have effect until six months from the date on which it was first so published.

**32.** Full information regarding the date and place of each examination for managers' and surveyors' certificates shall be published under the orders of the Board of Examiners in such publications and at such intervals as the Board may direct, during a period of not less than three months prior to the date fixed by the Board for receiving applications.

**33.** No person shall be admitted as a candidate at any examinations for a manager's certificate unless he has gained a First Aid Certificate of the St. John Ambulance Association or other Society or Body Approved by the appropriate Government.

Provided that if any candidate satisfies the Board of Examiner that he has not had sufficient opportunity to obtained a certificate, the Board may be admitted him to the examination on such conditions, if any, as it thinks fit to impose.

**34.** No. person shall be admitted as a candidate at any examination for a first class manager's Certificate unless he has attained the age of 23 years, and has satisfied the Board of Examiners that he has had practical experience in a coal mine for a period of not less than five years;

Provided that this period shall be reduced to three years in the case of a candidate who has received a diploma or certificate in scientific and mining training after a course of study of at least two years at an educational institution approved in this behalf by the appropriate Government, or who has taken a degree in scientific and mining subjects at a University approved in this behalf by the appropriate Government.

**35.** No person shall be admitted as candidate at any examination for a second class manager's certificate unless he has attained the age of 21 years, and has satisfied the Board of Examiners that he has had practical experience in a coal mine for a period of not less than three years;

Provided that this period shall be reduced to two years in the case of a candidate who has received a diploma or certificate in scientific and mining training after a course of study of at least two years at an educational institution approved in this behalf by the appropriate Government or who has taken a degree in scientific and mining subjects at a University approved in this behalf by the appropriate Government.

**36.** The period of practical experience in a coal mine prescribed in regulation 34 and 35 may, subject to such conditions as the Board of Examiners thinks fit, be reduced at the discretion of the Board in the case of a candidate part of whose experience has been obtained in mines other than coal mines.

**37.** The nature of practical experience required of a candidate under regulation 34 and 35 shall be experience gained in one or other of the following capacities in coal mine, namely:-

- (a) as an underground workman having direct practical experience in the work of getting coal, and of stone work, timbering and repairing;
- (b) as a sirdar, deputy, overman, foreman, assistant or undermanager or other underground official;
- (c) as <sup>15</sup>[Inspector of mines or any equivalent position] mining apprentice, mine surveyor or colliery engineer, whose practical experience has included-
  - (1) actual practical work (other than the work of mine surveying or colliery engineering) of not less than two years in the case of candidates for first class certificate, and of not less than one year in the case of candidates for second class certificates, in any part of the underground workings of a coal mine, or
  - (2) direct supervision of such work during a like period.

**38.** No person shall be admitted as a candidate at any examination for a surveyor's certificate unless he has attained the age of 21 years and has satisfied the Board of Examiners that he has had two years practical experience of surveying, of which at least six months shall have been practical experience of surveying the underground workings of a mine.

<sup>15</sup> Inserted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

*Explanation:* -- For the purposes of this regulation approved attendance at classes in theoretical and practical surveying at a technical institution approved in this behalf by the Board of Examiners shall be considered to be practical experience of surveying other than practical experience of surveying the underground workings of a mine.

**39.** No person shall be admitted as a candidate at any examination for a sirdar's certificate unless he has attained the age of 21 years and has satisfied the Board of Examiners that he has practical experience in a coal mine for a period of not less than three years.

Provided that this period shall be reduced to one year in the case of a candidate who has received 3 diploma or certificate in scientific and mining training after a course of study of at least two years at an educational institution approved in this behalf by the appropriate Government, or who has taken a degree in scientific and mining subjects at a University approved in this behalf by the appropriate Government.

<sup>16</sup>[Provided further that the period of experience shall be reduced to two years in case of candidate who has qualified matriculate examination from any board of secondary education.]

**39-A.** No person shall be admitted as a candidate at any examination for f short-firer's certificate unless he has attained the age of 21 years and has satisfied the Board of Examiners that he has had two years' practical experience of underground work in a coal mine of which at least six months shall have been practical experience in connection with short-firing.

**40.** Examinations for sirdar's certificate shall be conducted orally in English or in the vernacular language of the district in which the examination is held and shall be designed to test the candidate's knowledge of the following subjects, namely:

- (a) timbering,
- (b) methods of examination of the roof and sides of working places and traveling roads,
- (c) short-firing as detailed in clause (a) of regulation 40-A,
- (d) mine gases and ventilation,
- (e) the provision of the regulations, rules and bye-laws under the Act relating to the safety of persons employed in mines.
- (f) in the case of candidates for the endorsement referred to in the proviso to sub-regulation (1) of regulation 71, the methods of testing for and detecting the presence of inflammable gas.

<sup>17</sup>[(g) Strata control in open pit mining.]

**40-A.** Examinations for short-firers' certificates shall be conducted orally in English or in the vernacular language of the district in which the examination is held and shall be designed to test the candidates knowledge of the following subjects, namely:-

- (a) the charging and firing of shorts of gunpowder and high explosives;
- (b) the provisions of the regulations, rules and bye-laws under the Act relating to the handling and use of explosives; and
- (c) the examination of a working place after shot-firing

**41.** Applications for admission to an examination for first and second class managers' or surveyors' certificates shall be made to the Chief Inspector not less than one month prior to the date fixed for the examination. Every such application shall be submitted on a form which shall be supplied free of charge by the Chief Inspector on application made in this behalf.

**42.** <sup>18</sup>[(1) Applications for admission to an examination shall be chargeable with fees which shall be paid in the manner prescribed in regulation 153 according to the following scale, namely:-

- (a) in the case of an examination for a first class manager's certificate ..... Rs. 40
- (b) In the case of an examination for a second class manager's certificate Rs. 25
- (c) In the case of an examination for a surveyor's certificate ..... Rs. 25

<sup>16</sup> Added vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>17</sup> Inserted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>18</sup> Subs. for original sub-regulation (1) and (2) vide Noti. No. L. R. 7(8)48, 13<sup>th</sup> April, 1953 Gaz. of Pak. Pt. I, 1953, p.100.

- |     |   |        |
|-----|---|--------|
| (d) | In the case of an examination for a sirdar's certificate .....      | Rs. 10 |
| (e) | In the case of an examination for a short-firer's certificate ..... | Rs. 2  |

(2) The amount of any fee referred to in sub-regulation (1) less than following amounts shall be returnable to the person by whom it has been paid if the application of such person for admission to the examination rejected:-

- (a) One rupee in the case of the fee paid for admission to an examination for a shot-firer's certificate.
- (b) two rupees in the case of the fee paid for admission to an examination for Sirdar's Certificate.
- (c) Ten rupees in any other case.]

(3) The Chief Inspector may permit the refund.

- (a) of the amount of any fee paid under sub-regulation (1) where the candidate has died before the examination or where the fee has been erroneously paid, and
- (b) of any amount paid in excess of that specified in sub-regulation. (1).

<sup>19</sup>[43. (1) (a) The Board of Examiners may grant to any person holding a manager's certificate, a surveyor's certificate or a certificate equivalent to a sirdar's certificate, granted under any Act for the regulation of mines for the time being in any other country, a certificate of a similar class under these regulations, and may grant to any person holding a certificate of proficiency in mining and Surveying, a manager's or surveyor's certificate:-

Provided that in each of the aforesaid cases, the person satisfies the Board of Examiners with documentary evidences that he:

- i. possesses the requisite knowledge and experience;
- ii. has undergone for a period of not less than six months a course of practical training in the manner prescribed by the Chief Inspector in any mine in Pakistan
- iii. has also passed, in case of an applicant for a manager's certificate, such examination in mining legislation and mine management as the Board may prescribe;
- iv. Produces and certificate of good character from his previous employer and also from the agent or the manager of the Pakistan mine at which he took his practical training as prescribed by the Chief Inspector for the purpose,

(b) If a person intends to apply for a certificate referred to in sub-regulation (a) he shall before commencement of his practical training in Pakistan, submit an application in the form set out in Schedule III to these Regulations to the Chief Inspector, who may before according approval, impose such conditions as he may consider necessary.

(2) The following fees shall be chargeable in respect of application for certificates to be issued under this regulation:-

- |     |   |        |
|-----|---|--------|
| (a) | in the case of manager's and surveyor's certificate ..... | Rs. 10 |
| (b) | in the case of a sirdar's certificate .....               | Rs. 5  |

The fees shall be paid in the manner prescribed in regulation 153.

**44.** If any person proved to the satisfaction of the Board of Examiners that he has without any fault on his part lost or been deprived of a certificate granted to him under these regulations, the Board may, upon such terms and conditions as it thinks fit, cause a copy of the certificate to be delivered to him. The word "Duplicate" shall be stamped across every such copy, and the following fees shall be payable in the manner prescribed in regulation 153:-

- |     |  |        |
|-----|--|--------|
| (a) | in the case of a manager's or surveyor's certificate ..... | Rs. 4  |
| (b) | in the case of a sirdar's certificate .....                | Rs. 2  |
| (c) | in the case of a short-firer's certificate .....           | Rs. 1] |

<sup>19</sup> Regulation 43 and 44 subs for original vide Noti. No. L. R. 7(8)48, 13<sup>th</sup> April, 1953 Gaz. of Pak. Pt. I, 1953, p.100.

**45.** The Chief Inspector shall issue to every person to whom the Board of Examiners grants a sirdar's certificate or shot-firer's certificate of metal check marked with the registered number of the certificate.

**46.** (1) The person to whom such metal check is issued shall, so long as the corresponding certificate remains in force, retain such check in his immediate possession, and shall not transfer it or dispose of it in any way. In the event of the corresponding certificate being cancelled, the check shall be returned to the Chief Inspector.

(2) No person employed in a mine other than the holder of the corresponding certificate for the time being in force shall be in possession of a metal check issued under regulation 45.

(3) If any person proves to the satisfaction of the Chief Inspector that he has without any fault on his part lost or been deprived of the metal check issued to him under regulation 45, the Chief Inspector may, upon such terms and conditions as he may determine, cause a second metal check bearing the registered number of his certificate to be delivered to him. The letter "D" shall be stamped on the reverse of every such check and a fee of twenty four paise shall be payable in advance to the Chief Inspector in respect thereof.

**47.** The holder of a sirdar's certificate or shot-firer's certificate shall deliver such certificate to the owner, agent or manager of any mine in which he is for the time being employed" and such owner, agent or manager shall in exchange for the certificate deliver a receipt for the same to the holder, and shall retain the certificate so long as the holder thereof is employed in such mine, and shall return it to the holder on his ceasing to be so employed.

**48.** Where it appears to the appropriate Government that any person holding a manager's certificate or a surveyors certificate has been guilty of misconduct or in competency in the discharge of his duties or has been convicted of any offence made punishable by the Act with fine which may extend to Rs. 500 or more, or with imprisonment, the appropriate Government may cause an inquiry into the conduct of such person to be made; and with respect such enquiry the following provisions shall have effect, namely:-

(a) The inquiry shall be public, and shall be held at such place as the appropriate Government may appoint, and by such person or number of persons as it may direct (hereinafter in this regulation referred to as the Court), either alone or with the assistance of any assessor or assessors appointed by the appropriate Government such assessors shall be practical mining engineers or persons with a knowledge of the practical working of mines. The functions of the assessors shall be purely advisory and they shall not be regarded as members of the Court.

(b) The appropriate Government shall before the commencement of the inquiry, furnish the person whose conduct is under inquiry with a statement of the case on which the inquiry is instituted.

(c) The appropriate Government may appoint any person to undertake the management of the case.

(d) The person whose conduct is under inquiry may attend the inquiry, and may either conduct his case personally or be represented by any other person approved by the Court.

(e) If a majority of the persons constituting the Court think fit, the persons whose conduct is under inquiry may be required to deliver up his certificate at any time before or during the inquiry, and such person shall be bound to comply with such requisition, unless he shows sufficient cause to the contrary.

(f) The Court shall, on the conclusion of the inquiry of the inquiry, sent to the appropriate Government a report containing a full statement of the case together with its opinion thereon and such account of or extracts from the evidence as it may think fit, and if it considers that the certificate in question should be cancelled or suspended it shall add a recommendation of that effect. In the event of disagreement between the members composing any Court the dissentient or dissentients from the opinion of the majority may forward a separate report to the appropriate Government with a statement of their recommendations.

(g) After considering the report or reports and the recommendations (if any) submitted under clause (f) the appropriate Government may cancel or suspend the certificate, and, if it does so, the fact of such cancellation or suspension shall, if the

certificate is produced be endorsed upon it and, if it is not produced or at any time a duplicate has been granted under regulation 44, be notified in the official Gazette.

**49.** If, in the opinion of an Inspector, a person to whom a sirdar's certificate or shot-firer's certificate has been granted is guilty of misconduct or in competence in the discharge of his duties, the Inspector may suspend the certificate. Every such suspension shall be reported forthwith to the Board of Examiners and the Board shall thereupon, after such inquiry as it thinks fit either remove or extend the suspension or cancel the certificate, and the decision of the Board shall be final.

**50.** (1) A permit (in these regulations referred to as a manager's permit) may be granted by the Chief Inspector at his discretion to any person authorizing such person to act as the manager of any specified mine the average monthly output of which does not exceed 600 tons.

(2) All such permits shall be signed by the Chief Inspector and shall be valid for such period not exceeding one year as he may specify therein.

<sup>20</sup>[(3) A fee of ten rupees shall be paid by the owner or agent of the mine in the manner prescribed in regulation 153 in respect of an application for the grant of manager's permit.]

(4) The Chief Inspector may at any time renew any manager's permit for a further period not exceeding one year, notwithstanding that such permit has already been so renewed. No fee shall be chargeable in respect of any such renewal.

(5) A manager's permit may be cancelled at any time by the Chief Inspector by order in writing without assigning any reason for such cancellation and such order shall be final.

(6) Notwithstanding anything hereinbefore contained no manager's permit shall be granted or renewed to any person who is not the holder of a sirdar's certificate.

**51.** A register showing the names and addresses of all holders of certificates or permits granted under these regulation and all cancellations of such certificates or permits shall be maintained in the office of the Chief Inspector.

**52.** Any certificate, permit or authorization specified in the first column of the table below which has been issued under the Mines Act, 1923 or under any rule made thereunder and is valid at commencement of these regulations shall for the purposes of the Act and these regulations be deemed respectively to be equivalent of the certificate, permit or authorization specified in the corresponding entry in the second column of the table and to have been issued under these regulations.

Manager's certificate of competency, First Class .....	}	Manager's Certificate, First Class
Manager's Service Certificate of competency, First Class		
Manager's certificate of competency, Second Class .....	}	Manager's certificate, Second class
Manager's service certificate of competency, Second class		
Sirdar's certificate of competency .....		Sirdar's certificate.
Permit to manage a mine .....		Manager's permit.
Authorisation to act as manager of a mine .....		Authorisation to act as Manager of a mine

## CHAPTER V SHAFTS AND OUTLETS

**53.** (1) No person shall be employed, or be permitted to enter or remain for purposes of employment, in any mine unless the mine is provided with at least two shafts or outlets--

(a) with which every seam for the time being at work has a communication so as to afford separate means of ingress and egress to the persons employed in the seam; and

(b) which are under the sole control of the manager of the mine.

<sup>21</sup>[(2)-A. Proper arrangements shall be made for persons to descend to and ascend from the mine at each of shafts, outlets, or steep traveling roads. If the slope of a coal seam varies

<sup>20</sup> Subs. for original sub-regulation (3) vide Noti. No. L. R. 7(8)48, 13<sup>th</sup> April, 1953 Gaz. of Pak. Pt. I, 1953, p.100.

<sup>21</sup> Sub-regulation 2-A to K subs for original sub-regulation (2) vide Noti. No. LR-7(8)48, 13<sup>th</sup> April, 1953, Gaz of Pak Pt I, 1953, p 100.

from 1 vertical to 4 horizontal, to one vertical to one horizontal, reasonably level steps shall be provided in all the dip traveling roads leading to each outlet. Such steps shall comply with the following requirements:

- (a) Its breadth shall not be less than two feet.
- (b) The vertical height of every step shall not exceed 8 inches and dimensions of every step measured horizontally from the edge to the back shall not be less than eight inches.
- (c) All steps shall be kept clean and good repair.
- (d) A rigid hand-bar shall be fixed in a position where it can be easily reached by all persons traveling on the steps to provide them with a strong holdfast.

B. Where the slope of a seam is more than one vertical to one horizontal, the traveling roads shall be provided with ladders and platforms as means of descending to, and ascending from the mine. The platforms shall be fixed at intervals not exceeding 40 feet, ladders shall be placed so as to cover the openings in the platforms. Provided that in cases where timber and supplies are handled, a portion of this opening may be to one side of the ladder and in the opposite corner of the platform. Except in respect of the lowest 30 feet of a traveling road, the ladders shall be fixed at an inclination of not less than one foot horizontal for every ten feet vertical, provided that where exceptional circumstances require they may with the consent of an inspector be fixed at a steeper inclination. If apparatus is necessary it shall be kept on the works belonging to the mine and shall be constantly available for use.

C. All platforms shall be securely fenced.

D. All ladders and platforms shall be securely fastened to the sides of timbering of the shafts.

E. All ladders shall project at least three feet above every platform and shaft and incline tops, or strong holdfast shall be provided at these places in convenient positions.

F. A ladder way which is a compartment of a shaft used about for other purposes shall be closed off from compartment to such extent as will prevent injury to workmen passing up and down the ladder way.

G. Every ladderway opening in any traveling road or places where men are stationed or pass shall be provided with door or with a substantial fence.

H. Not more than one person shall carry or be permitted to carry any drill tool or any loose material or a ladderway in a vertical or steeply inclined shaft leading to an outlet except in so far as may be necessary in executing repairs.

I. all ladders and platforms shall be made of best material and kept in good condition. The breaking load of the ladders and platforms shall at no time be less than three times their working load.

J. All ladders and platforms used by work-persons in a mine shall be examined not more than two hours before the commencement of work in a shift by a competent person appointed by the manager in writing for this purpose. The results of every such inspection shall be recorded in a book kept at the mine for this purpose. The report shall be made and signed by the person who made the inspection and shall state the date and time of the inspection and date and time when the report was written.

K. whenever the circumstances at any mine or part of a mine are such as to render the provision of this regulation not reasonably applicable to such mine or part of such mine the Chief Inspector may, at his discretion grant exemption from the provision under such conditions as he may think fit.]

(3) Such shafts or outlets shall be not less than 45 feet distant from one another at any point, and each shall be connected with the other by means of a communication not less than 4 feet height and 4 feet wide.

(4) Whenever communication between the two outlets which are required to be maintained under sub-regulation (1) has been blocked, or fenced off under regulation 140 (1), only such persons as are necessary to clear the obstruction, or to repair the dangerous part of the communication or to make a new second outlet, shall be employed in the mine until such time as communication has been re-established or a new second outlet has been provided.



(5) The foregoing provisions of this regulation with respect to shafts and outlets shall not apply--

- i) while a shaft is being sunk or an outlet is being made.
- ii) to any working for the purpose of making communication between two or more shafts or outlets.
- iii) to any working for the sole purpose of searching for or proving minerals.

so long as not more than 40 persons are employed underground at any one time in the whole of the different seams in connection with a single shaft or outlet:

Provided that nothing in this sub-regulation shall be deemed to authorize the driving of ordinary galleries for development before a second outlet has been made in accordance with the said provisions.

(6) The Chief Inspector may exempt from the operation of this regulation subject to such conditions as he may impose, any mine in the case of which special difficulties exist which in his opinion make compliance with the provisions of this regulation not reasonably practicable.

(7) So much of this regulation as requires two shafts or outlets to be separated by a distance of not less than 45 feet shall not apply to any shafts the sinking of which was commenced before the 10th day of March, 1904.

**54.** Where the natural strata are not safe, every working or pumping shafts and every shaft in course of being sunk, shall be securely cased, lined or otherwise made secure.

**55.** Every part of a mine shall, where practicable, be provided with at least two ways affording means of egress to the surface.

**56.** Where it is necessary for persons to pass from one side of a winding shaft to other, proper provision shall be made enabling them to do so without crossing the shaft.

**57.** A competent person or persons, of not less than 21 years of age, appointed by the manager for the purpose shall, once at least in every week, examine the state of the shaft by which persons ascend or descend, and shall without delay write or cause to be written a full and accurate report of the result of such examination. Every such report shall be recorded in a paged book to be kept at the mine for the purpose, and shall be signed and dated by the person who made the examination.

## **CHAPTER VI RAISING AND LOWERING PERSONS OR MATERIALS**

**58.** At every shaft or incline where persons or materials are lowered or raised by means of machinery the following provisions shall have effect, namely:-

- (a) A single linked chain shall not be used for lowering or raising persons, except for the short coupling chain attached to a cage, skip, bucket, or tub.
- (b) Where the apparatus ordinarily used for raising and lowering persons to or from the surface is worked by mechanical power, it shall, if the shaft is vertical and exceeds 150 feet in depth provided with a detaching hook.. The space between the detaching hook and the detaching plate when the cage is at normal position at the top of the shaft shall not be less than 6 feet where a geared winding engine is used, and not less than 12 feet where a direct acting engine is used.
- (c) There shall be attached to every machine worked by mechanical power, and used for raising and lowering persons, one or more brakes, or sufficient power by themselves to hold the cage, skip, bucket or tub, when loaded, at any point in the shaft, and a proper indicator (in addition to any mark on the rope) showing to the person who works the machine the position of the cage, skip, bucket or tub in the shaft, and if the drum is not on the crack-shaft, there shall be an adequate break on the drum shaft:

Provided that in the case of a shaft not exceeding 100 feet in depth so much of this clause as required and indicator shall not apply.

- (d) Every apparatus on or in which persons ride in a working shaft shall be provided with a sufficient overhead, except--
  - (i) in a shaft not exceeding 150 feet in depth where buckets or other appliances are used for winding, or

- (ii) in a shaft in course of sinking, or
  - (iii) Where persons are employed at work in a shaft.
- (e) Every working shaft used for the purpose of drawing mineral or for lowering or raising persons shall, if exceeding 150 feet in depth, be provided with proper means of communicating distinct and definite signals from the bottom of the shaft, and from every entrance for the time being in use between the surface and the bottom of the shaft and to every entrance for the time being in use between the surface and the bottom of the shaft. There shall also be proper means of transmitting distinct and definite signals from the top of every winding shaft to the winding engine. All signals shall be transmitted by mechanical or electrical means.
- (f) (i) The first three or principal signals shall be--
- One rap ..... RAISE when engine at rest.
  - One rap ..... STOP when engine in motion.
  - Two raps ..... LOWER.
  - Three raps ..... MEN ready to ascend or descend.
  - Three raps ..... IN REPLY. Men may enter the cage or other conveyance.
- (ii) Any other signals shall be in addition to, and shall not interfere with, the foregoing.
- (iii) A printed copy of the code of shaft signals shall be posted at the shaft top, and at every inset, and also at the winding engine.
- (iv) No person other than the banks man or on setter shall give any signal unless he is an official of the mine or is authorized in writing by the manager to give signals.
- (g) Every working shaft (except a shaft in course of sinking) used for lowering or raising persons shall, if it exceeds 150 feet in depth, be provided with guides.
- (h) At the bottom of every working shaft in which a cage is used, protective roofing shall be provided sufficient to prevent danger from anything falling in the shaft.
- (i) Adequate stationary lights shall be provided and used during working hours-
- (1) at all places where persons have to work underground in the immediate vicinity of shafts, and
  - (2) after dark at the tops of all working shafts and at all winding engines used for raising and lowering persons and in particular at all such engines, where electric lighting is used, an additional light having no connection with the electric supply shall be kept burning at night.
- (j) There shall be on the drum of every machine used for lowering or raising persons such flanges, horns or other appliances as may be sufficient to prevent the rope from slipping. The rope shall be securely fastened round an arm of the shaft of the drum, and there shall be at least two turns of the rope on the drum, when the cage, skip, bucket or tub is at the bottom of the shaft. After any stoppage of winding for more than two hours, the cage, skip, bucket or tub shall, before any person is allowed to ride therein be run a complete trip up and down the working portion of the shaft at least once, to ensure that everything is in good working order.
- (k) Every cage shall be provided with catches, or some other suitable contrivance to prevent tubs from falling out, and shall, if used for lowering or raising persons, be covered in completely at the top and closed in at the two sides in a manner sufficient to prevent persons or things from projecting beyond the sides and shall be provided with suitable gates or other rigid fences and with a rigid hand bar fixed in a position where it can be easily reached by all persons in the cage.
- (l) A competent person or persons, of not less than 21 years of age, appointed by the manager of the purpose shall, once at least in every 24 hours, examine the state of the external parts of the machinery and of the head-gear, ropes, chains, cages, guides and conductors in the shafts and other similar appliances of the mine which are in actual use both underground and above ground, and shall without delay write or cause to be written a full and accurate report of the result of such examination.

Every such report shall be recorded in a paged book to be kept at the mine for this purpose, and shall be signed and dated by the person who made the examination.

**59.** No person shall get on or off a cage, skip, tub or bucket used for lowering or raising persons after the same has been set in motion, or leave it until it has reached the appointed stopping place; nor shall any person ride on the top or edge of any cage, skip, tub or bucket except when engaged upon special work in the shaft.

**60.** No person, when ascending or descending a shaft, shall take with him any tools or other bulky materials, save when engaged in repairing the shaft or when otherwise specially authorized by the manager:

Provided that, in the case of toots only, the manager may, by general order permit the same to be carried.

**61.** No person shall ride in a shaft on, or against, a loaded cage, skip, tub or bucket.

**62.** Every person, when at or about the top or the bottom of a shaft, shall obey the orders and directions of the shaft attendants on duty at the time.

**63.** Not more than such number of persons as may be authorized by the managers shall be allowed to ride in the same cage, tub, skip or bucket at one time and a notice specifying the authorized number shall be posted at the top of every shaft and at every inset in a shaft.

**64.** No person under 18 years of age and no woman shall descend or ascend a shaft in a cage, tub, skip or bucket unless accompanied by at least one person over 18 years of age.

**65.** When the winding apparatus is not provided with some automatic contrivance to prevent over winding, a point shall be fixed and marked on the indicator in such a way as to show when the cage or other conveyance is within a distance of twice the circumference of the drum from the completion of the wind; and when such cage or conveyance has reached such distance it shall not, if either it or the descending cage contains persons, be raised for the remaining distance at a speed exceeding three miles per hour.

**66.** (1) All cage chains in general use shall be annealed, all detaching hooks shall be cleaned and re-fitted, and all winding ropes shall be re-capped, once at least in every six months, or, if necessary, at shorter intervals.

(2) The date of each such operation shall be recorded in a book kept at the mine for the purpose.

## **CHAPTER VII ROADS AND WORKING PLACES**

**67.** The roofs and sides of all working places and traveling roads, including airways and traveling roads to second outlets, shall be made and kept secure.

**68.** (1) In any mine or part of a mine where the roof is of such a nature as to require artificial support, an Inspector, after consultation with the manager, may require such support to be systematic, and may give notice to that effect of the manager, who shall, by notices posted in conspicuous places at the mine, specify the manner in which supports are to be set and advanced and the maximum intervals-

- (a) between each row of props,
- (b) between adjacent props in the same row,
- (c) between the front row of props and the face, and
- (d) between chocks or cogs.

(2) The Manager and his sub-ordinate staff shall be responsible for securing effective compliance with the terms of the notices and no such mine shall be worked in contravention of these terms.

**69.** (1) In open workings the overburden and all loose ground and material shall be removed sufficiently far from the edge, or otherwise made secure, in such a manner as to prevent danger to persons employed in the mine.

(2) The sides of open working shall be sloped, stepped or secured, in such a manner as to prevent danger from falls of material.

(3) When an open working is worked in steps, the steps shall be of sufficient breadth in comparison with their height to secure safety.

**69-A.** Every footpath along which loads are carried in open workings by human agency shall comply with the following requirements-

- (a) its breadth shall not be less than three feet;
- (b) its slope shall be greater than 1 vertical to 2 horizontal;
- (c) at every place where its slope exceeds 1 vertical to 4 horizontal reasonably level steps shall be provided such that the vertical height of every step does not exceed seven inches and the dimension of every step measured horizontal from the edge to the back is not less than fourteen inches.

*Explanation.-* Gang-planks used for loading wagons shall not be deemed to be part of a footpath for the purposes of this regulation; provided that every gang-plank shall be so inclined and constructed as to give a secure foothold.

**69-B.** Where any person is employed in carrying loads, the weight of the loads and the height and distance to which they have to be carried shall not be such as to involve risk of injury to the health of such person. If any dispute arises as to whether risk of injury to health is involved the decision of the Chief Inspector shall be final.

**70.** (1) For the purposes of inspection before the commencement of a period of work constituting a shift at a mine, one or more stations shall be fixed by the manager at the entrance to the mine or to different parts of the mine, as they may require, and no workman shall pass beyond any such station until the part of the mine beyond that station has been examined and reported to be safe in the manner hereinafter provided.

(2) A competent person or persons, having the prescribed qualifications and appointed by the manager, shall within such time, not exceeding two hours before the commencement of work in a shift, as may be fixed by the laws of the mine inspect every part of the mine situated beyond the station or each of the stations fixed by the manager, in which work-persons are to work or pass during the shift, and all working places in which work is temporarily stopped and the edges of all goaves within and ventilating district in which persons have to work, and shall ascertain the condition thereof so far as the presence of gas, ventilation, roof and sides and general safety are concerned. The result of every such inspection shall be recorded in a book kept at the mine for the purpose.

(3) A like inspection shall be made at least twice in the course of each shift, and at least once in every five hours during which the shift continues, of all parts of the mine which are situated beyond the station or each of the stations aforesaid and in which work-persons have to work or which they have to traverse during that shift, but it shall not be necessary to record the result of such inspections in a book unless the last inspection in a shift is the inspection required to be made under sub-regulation (2).

(4) The inspection shall be made with an approved locked flame safety lamp and no additional light shall be used other than an approved electric torch or lamp:

Provided that in the case of a mine in which inflammable gas has never been found and is unlikely to be found, the inspection, except in the region of an underground fire or of any stoppings made to control a fire, may be made with any electric torch or lamp if it is used in conjunction with an open light or an approved locked flame safety lamp.

(4A) In any inspection in the region of an underground fire, or of any stoppings made to control a fire, a cage containing small birds or other means of detecting carbon monoxide gas approved by the Chief Inspector shall be carried.

(5) Every report referred to in sub-regulation (2) shall be made by the person inspecting, either when underground or immediately on his return to the surface, and shall be a full and accurate report of the inspection specifying whether or not, and where, if anywhere, noxious or inflammable gas was found and whether or not any and, if any, what defects in roof or sides and other sources of danger were observed. The report shall be signed by the person who made the inspection and shall state the date and time of the inspection and the date and time when the report was written.

(6) The report of a mine or mines assigned to a competent person under this regulation shall not be of such a size, nor shall any duties which may be assigned to him other than his duties under this regulation be such, as to be likely to prevent him from carrying out such last-mentioned duties in a through manner. If any question arises whether the part of a mine or mines assigned to him are too great, the decision of the Chief Inspector shall be final.

(7) A competent person or persons appointed by the manager shall inspect all airways and travelling roads leading to second outlets at least once a fortnight, and shall record the result of his inspection in a book kept at a mine for the purpose.

**70-A** (1) The first inspection of a mine or part of a mine which is re-opened after a discontinuance of mining for a period exceeding seven days and of any part of a mine after being dewatered, shall be made by a person possessing the qualifications prescribed in sub-regulation (1) of regulation 71 with an approved electrical torch or lamp.

(2) No additional light shall be used in any inspection other than an approved electric torch or lamp.

(3) The result of every such inspection shall be reported by the person making it in the manner required by sub-regulation (5) of regulation 70 and shall be recorded in the book maintained in accordance with sub-regulation (5) of regulation 70.

**70-B.** (1) In any mine in which inflammable gas has been found during the previous twelve months, all unused workings in which inflammable gas may accumulate and which are not permanently sealed off, shall, at least once in every week be inspected for the presence of inflammable gas, by the competent person appointed under regulation 70.

(2) The inspection shall be made with an approved locked flame safety, and no additional light shall be used, other than an approved electric torch or lamp.

(3) The result of every such inspection shall be reported by the person making it in the manner required by sub-regulation (5) of regulation 70 and shall be recorded in the book maintained in accordance with sub-regulation (2) of that regulation.

(4) Nothing in this regulation shall be constructed to affect the provisions of regulation 70.

**70-C.** At every sealed-off fire area in any mine and at every goaf or area of old workings isolated by stoppings in any mine in which safety lamps are required to be used in compliance with regulation 123, arrangements shall be made to ascertain from time to time atmospheric conditions behind the stopping:

Provided that this regulation shall not apply-

- (a) to an area in a mine which is isolated by stoppings capable of resisting the force of an explosion, or
- (b) to any mine or part of a mine where in the opinion of the Chief Inspector special difficulties exist which make compliance with the provisions of this regulation not reasonably practicable.

**71.** (1) No person shall, save as hereinafter provided, be appointed to make any inspection required by regulation 70 unless he-

- (i) has within the preceding five years obtained a certificate from an authority and in a form to be prescribed by the Board of Examiners constituted under these regulations to the effect that his powers of eye sight and hearing are such as to enable him to make the inspection efficiently, and
- (ii) holds a manager's or a sirdar's certificate or a manager's permit or is for the time being authorized under sub-regulation (1) or regulation 24 to act as manager of the mine in which the inspection is to be made:

Provided that the holder of a sirdar's certificate shall not be appointed to make any such inspection in a mine in which safety lamps are used or in which inflammable gas is likely to occur, unless his certificate bears an endorsement to the effect that he is competent to test for and detect the presence of inflammable.

(2) A fee of one rupee payable in the manner prescribed in regulation 153 shall be chargeable from every person whose eye-sight and hearing are examined for the purpose of enabling the grant to him a certificate of adequate eye-sight and hearing referred to in clause (i) of sub-regulation (1), unless examination is made in the course of an examination held under regulation 40.

(3) Where an emergency exists, the manager of a mine may appoint to make the inspection required by regulation 70 any person who, in his opinion, is competent to make such inspection, notwithstanding the fact that such person does not possess the qualifications prescribed in sub-regulation (1):

Provided that such appointment shall not extend over a period exceeding one month:

Provided further that every such appointment and the reasons therefore shall forthwith be reported to the Chief Inspector. The Chief Inspector may cancel any appointment so made, and such cancellation shall be final.

**72.** (1) if at any time it is found by the person for the time being in charge of a mine or any part thereof that, by reason of any cause whatever, the mine or part is dangerous, every workman shall be withdrawn from the mine or part, and a competent person appointed by the manager for the purpose shall inspect the mine or part.

(2) The person so appointed shall make a full and accurate report of the condition of the mine or part and no workman shall, except in so far as is necessary for enquiring into the cause of the danger or for the removal thereof or for exploration be re-admitted into the mine or part, until the mine or part is reported by the person so appointed not to be dangerous.

(3) Every report made under sub-regulation (2) shall be recorded without delay in a paged book, which shall be kept at the mine for the purpose, and shall be dated and signed by the person who made the inspection:

Provided that--

- (i) where the danger arises from the presence of inflammable or noxious gas, the provisions of regulation 72-A shall be followed;
- (ii) where the appearance in any part of a mine of smoke or other sign indicates that a fire has or may have broken out, the provisions of regulation 87-F shall be followed.

**72-A.** (1) When inflammable gas or any noxious gas is detected in any working place or any part of mine, all persons shall be withdrawn from the place or part, and the place or part shall be immediately fenced off so as to prevent persons inadvertently entering the same. The official in charge of the district in which the gas has been detected shall take steps, without delay, to remove the gas by improving the ventilation and shall also send a report of the occurrence to the manager.

(2) During the removal of such gas no naked light shall be used in the ventilating district in which the gas is detected and all persons except those necessary for such removal, shall be withdrawn from the return side of the ventilating district unless the quantity of gas, is, in the opinion of the manager or other responsible official in charge of the mine in the manager absence, so small that such withdrawal of persons is unnecessary.

(3) No workman shall be re-admitted into the place or part referred to in sub-regulation (1) until a competent person appointed by the manager for the purpose has inspected the place or part and has reported that the place or part is free from gas. Every such report shall be in writing and shall be dated and signed by the person who made the report.

(4) The inspection required by sub-regulation (3) shall be made with an approved locked flame safety lamp and, in the case of noxious gas, also with an cage containing small birds or other means of detecting carbon monoxide gas approved by the Chief Inspector.

(5) Particulars of every occurrence referred to in sub-regulation (1) and every report submitted under sub-regulation (3) shall be recorded in a paged book, which shall be kept at the mine for the purpose, and it shall be stated in the book where and when the gas was found and when it was removed.

**72-B.** (1) No coal shall be extracted from any spot which lies vertically below--

- (a) any part of the bed of any river, tank or reservoir, or
- (b) any spot lying within a horizontal distance of 50 feet from either bank of a river or the boundary of a tank or reservoir, except with the written permission of Chief Inspector and subject to such conditions as he may specify.

(2) For the purposes of this regulation, where sand or alluvium are lying in the course of a river or in a tank or reservoir the bed of the river, tank or reservoir at that point shall be deemed to coincide with the surface of the hard strata underlying such sand or alluvium.

**73.** Where any part of a mine is so situated that there is any danger of irruption of surface water into the mine adequate protection against such an irruption shall be provided and maintained.

**74.** Where any working has approached within 100 feet of any place containing or likely to contain an accumulation of water or other liquid matter, or within 100 feet of disused working (not being workings which have been examined and found to be free from accumulation of water or other liquid matter) the working shall not exceed eight feet in width or height, and there shall be maintained at least one bore-hole near the centre of the working face, and sufficient flank bore-holes on each side, and where necessary, bore-holes above and below the working at intervals of not more than 15 feet. All such bore-hole shall be constantly maintained at sufficient distance in advance of the working and such distance shall in no case be less than 10 feet.

**75.** Where work is being done in any seam or part of a seam below another seam or part of a seam which contains or may contain an accumulation of water or where work is being done in an upper seam or part of an upper seam which is at a lower level than any part of a lower seam which contains or may contain an accumulation of water, adequate precautions shall be taken against such an irruption of water into the seam where work is being done as would be likely to endanger the lives of the workmen in the mine.

**75-A.** When the owner, agent or manager of a mine intends or proposes by introducing water from the surface, or from any other part of the mine or from an adjacent mine, to flood any part of the working of his mine he shall give in writing not less than seven days notice of his intention to commence such operations to the Chief Inspector and to the management of all adjacent mines and such other mines as might be affected by such flooding:

Provided that the Chief Inspector may by order in writing--

- (a) permit such operations to be commenced on any day prior to the expiry of seven days from the receipt of notice; or
- (b) require that such operations shall not be commenced until after the expiry of such time, not exceeding twenty days, from the receipt of notice as he may specify in this behalf.

**75-B.** If the operations in respect of which notice is given under regulation 75-A are not commenced within sixty days from the expiry of the period of notice of seven days therein referred to, the notice shall be deemed to have lapsed and the provisions of that regulation shall apply as if no such notice had been given.

**76.** (1) No working shall be made within a distance of <sup>22</sup>[50 meters] of the boundary of any mine property, in the case of a disputed boundary, within a distance of <sup>23</sup>[50 meters] of the boundary claimed by the owner of an adjacent mine until such time as a binding agreement has been reached as to the correct boundary or the question has been finally determined by a court of law.

(2) Notwithstanding anything contained in sub-regulation (1) the Chief Inspector may, by order in writing, permit the working of any mine or part of a mine to extend to within any shorter distance than <sup>24</sup>[50 meters] of the boundary of the mine, or may require that the working of any mine or part of a mine shall not extend further than any specified distance, not exceeding <sup>25</sup>[100 meters], of such boundary.

(3) The owner of any mine affected or likely to be affected by an order passed by the Chief Inspector under sub-regulation (2) may prefer an appeal to the Mining Board constituted under section 10 of the Act, or, if no Mining Board has been so constituted for the part of the Provinces and the Capital of the Federation in which the mine or part of a mine is situated to the appropriate Government, and the order of the Mining Board or of the appropriate Government thereon shall be final.

(4) Where the workings of two adjacent mines or of any one of the two adjacent mines have approached to within a distance of <sup>26</sup>[100 meters] of the respective boundary or boundaries of each mine property, or, in the case of a disputed boundary, within a distance of <sup>27</sup>[100 meters] of the boundary claimed by the owner of the adjacent mine, the owners of the two mines shall make a joint survey of the workings on either side of the common barrier and a copy of the plan showing the workings up to a date within six months shall be kept in the office at each of the mines.

<sup>22</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

<sup>23</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

<sup>24</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

<sup>25</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

<sup>26</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

<sup>27</sup> Substituted vide Noti. No. DEV-II/10-4/98, dated 11<sup>th</sup> Jan, 1999.

77. (1) The dimensions of pillars and galleries and the shape of pillars formed in any seam shall be such as to ensure stability during the formation of pillars, during the extraction of pillars, and during the period between such formation and extraction.

(2) Save with the previous permission in writing of an Inspector, no gallery in a seam shall exceed 19 feet in a height or 16 feet in width.

(3) Where the "pillar and stall" system of working is adopted the pillars formed in any seam shall normally be rectangular in shape.

(4) The distance between the centres of any two adjacent pillars left in a seam shall not be less than that specified in the appended table as corresponding to the depth of the seam from the surface and the average width of the galleries in the workings in question.

Depth of seam from surface	Where the average width of the galleries does not exceed 10 feet, the distance between centres of adjacent pillars shall not be less than --- feet.	Where the average width of the galleries does not exceed 12 feet, the distance between centres of adjacent pillars shall not be less than --- feet.	Where the average width of the galleries does not exceed 14 feet, the distance between centres of adjacent pillars shall not be less than --- feet.	Where the average width of the galleries does not exceed 16 feet, the distance between centres of adjacent pillars shall not be less than --- feet.
Not exceeding 200 feet	40	50	60	65
Exceeding 200, but not exceeding 300 feet.	45	55	65	70
Exceeding 300, but not exceeding 500 feet.	55	65	75	85
Exceeding 500, but not exceeding 800 feet.	75	85	100	115
Exceeding 800 feet.	95	115	130	150

Provided that the Chief Inspector may, in the case of any particular seam or mine, by order in writing and subject to such conditions as he may special vary the distance specified in the said table.

(5) Nothing in sub-regulations (2), (3) and (4) shall apply to workings in a mine made before the coming into force of this regulation. In such workings the following provisions shall apply, except in depillaring operations:-

- (a) if the distance between the centres of adjacent pillars are smaller than those specified in the table appended to sub-regulation (4), the pillars not be further reduced;
- (b) if the distances between the centres Of adjacent pillars are not smaller than those specified in the table appended to sub-regulation (4), the pillars shall not be so reduced as to render those distances smaller than--
  - (i) the distances so specified, or
  - (ii) any distance required in this behalf by the Chief Inspector.
- (c) if the height or width of a gallery exceeds the figure specified in sub-regulation (2) of the dimensions of the gallery shall not be further increased without the permission in writing of an Inspector; and
- (d) if the height or width of a gallery is less than the figure specified in sub-regulation (2) it may be increased only to the extent so specified or to such extent as may be permitted by an Inspector in writing.



(6) In the case of all workings, where in the opinion of an Inspector the dimensions of pillars or galleries are such as to render it likely that crushing of pillars or the premature collapse of any part of the workings will occur either before or during the extraction of pillars, he may, by order in writing, require such modification of these dimensions in respect of any future working as he shall specify.

**78.** (1) The extraction of pillars shall be conducted in such a way as to prevent as far as possible the extension of collapse or subsidence of the goaf over pillars which have not been extracted. Adequate timbers or other supports shall be used where necessary.

(2) Save as provided by sub-regulation (3), no pillars shall be reduced or split in such a manner as to reduce the dimensions of the resultant pillars below those required by regulation 77 or by any order passed thereunder, nor shall any gallery be so heightened as to exceed the height required by or under that regulation.

(3) During the systematic extraction of pillars no "splitting" or reduction of pillars or the heightening of galleries shall be effected for a greater distance than the length of two pillars ahead of the pillar that is being extracted or from the point at which pillar extraction is about to begin.

(4) An Inspector may by order in writing relax the provisions of sub-regulations (2) and (3) in respect of any specified workings to such extent and on such conditions as he may specify in the order.

**78-A.** Nothing in regulation 77 or regulation 78 shall prevent the driving of any gallery through any pillar or the enlargement of any gallery beyond the limit prescribed by or under these regulations when in the opinion of the manager such work is necessary for haulage, ventilation, drainage or any other purpose necessary for the proper working of the mine, if a week's previous notice of the intention to undertake such work has been sent to the Inspector <sup>28</sup>[and Chief Inspector].

**78-B.** Whenever "crush" of pillars or any symptoms of impending collapse other than that ordinarily caused by pillar extraction is detected the owner, agent or manager of the mine shall inform the <sup>29</sup>[Inspector and] Chief Inspector forthwith.

**79.** Where the method of extraction is to remove all the coal, or as much of the coal as is practicable and allow the roof to fall in operations shall be conducted in such a way as to leave as small an area of uncollapsed roof and, where practicable, means shall be taken to bring down the roof at regular intervals.

**80.** (1) In any mine in which two or more seams or sections of a seam are close to each other, the pillars in the one seam or section, shall, where the strata are not highly inclined, be as far as practicable, vertically above or below the pillars in the other seam or section.

(2) No work in a higher seam or section shall be done over an area in a lower seam or section which may collapse unexpectedly.

(3) No seam shall be worked in more than one section without the permission in writing of the Chief Inspector and under such conditions for ensuring the stability and safety of the workings as he may specify.

(4) Every application for permission under sub-regulation (3) shall be accompanied by a plan showing the proposed layout of the working, the thickness of the seam, the depth of the seam from the surface, the rate and direction of dip, the dimensions of pillars and galleries in each section and the thickness of the parting between the sections.

(5) Where a seam in a mine is worked in two or more sections every such section shall be deemed to form a separate seam and the parting left between any two such sections or between the workings made in any two seams in a mine which are close to each other, shall not be less than 10 feet in thickness:

Provided that an Inspector may by order in writing--

- (a) permit a smaller thickness of parting, if he is of opinion that the stability of the workings will not be affected thereby, or
- (b) require a greater thickness of parting if he is of opinion that such greater thickness is necessary for the safety of the workings.

<sup>28</sup> Added vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>29</sup> Inserted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

**80-A.** If in any mine it appears to an Inspector authorized in this behalf in writing by the Chief Inspector that the provisions of regulation 77, regulation 78 or regulation 80 or of any order issued under any of those regulations have not been complied with, he may give notice in writing to the owner, agent or manager of the mine requiring him to take such protective measures within such reasonable time, as he may specify in the notice; and in case of non-compliance, the Inspector may, by order in writing addressed to the person to whom the notice was given, prohibit the extraction of coal in the part or parts of the mine in which protective measures are required to be taken until the requirements specified in the notice are complied with to his satisfaction.

- 81.** (1) Proper provision shall be made in every mine to prevent-
- (a) an out break of fire in the mine or the spread of fire to the mine from any mine adjacent to it,
  - (b) inundation by water from a neighbouring mine, and
  - (c) the pre mature collapse of workings,

and adequate steps shall be taken to isolate, control or remedy, as the case may require, any such outbreak, inundation, or collapse which may occur.

(2) Where, in the opinion of an Inspector, the provision made or steps taken for the purposes specified in sub-regulation (1) are inadequate, he may require such additional provision or steps as he shall specify to be made or taken.

**82.** (1) An appeal against any order passed by an Inspector under any of the following regulations, namely, regulations 68, 77, 78, 80, 80-A and 81, may be preferred to the Chief Inspector and the order of the Chief Inspector thereon shall, save as otherwise provided in sub-regulation (2), be final.

(2) An appeal against any order passed by the Chief Inspector—

- (a) under sub-regulation (4) and (5) of regulation 77 or sub-regulation (3) of regulation 80; or
- (b) on appeal under sub-regulation (1) of the regulation against any order of an Inspector passed under regulations 77, 78, 80 and 80-A,

may be preferred to the appropriate Government, which shall refer the same to a Committee constituted in the manner laid down in sub-section (1) and (2) of section 11 of the Act.

(3) The procedure laid down in sub-sections (3), (4) and (5) of section 11 of the Act shall apply to a reference made to a Committee under sub-regulation (2).

(4) Every order against which an appeal is preferred under sub-regulation (2) shall be complied with pending the receipt at the time of the decision of the Committee:

Provided that the Committee may, on the application of the appellant suspend the operation of the order appealed against pending the disposal of the appeal.

**83.** Every person shall examine his own working place before commencing work, and also at intervals during the shift. If any dangerous condition is observed by him he shall either remedy it or immediately leave the place and report the fact to an official of the mine, who shall deal with the matter without delay.

**84.** (1) No person shall work in any place in which he has not been ordered to work either by an official of the mine or by a person authorized in this behalf by an official of the mine.

(2) No person shall cut coal from any pillar, roof or floor unless specially so authorized by the manager, or other person qualified under the provisions of regulation 71 to make an inspection required by regulation 70.

**85.** After an explosion of fire-damp or coal dust in a mine only such persons as are authorized by the manager or an official appointed by the manager for the purpose or, in the absence of the manager or such official, by the principal official of the mine present at the surface, shall be allowed to enter the mine.

**86.** Where rescue or recovery work is being undertaken in a mine or part of a mine likely to contain an irrespirable atmosphere, no party of less than three shall be allowed to enter.

**CHAPTER VII-A**  
**SPECIAL PRECAUTIONS AGAINST SPONTANEOUS COMBUSTION**  
**AND UNDERGROUND FIRES**

**87.** In any mine in which an underground fire exists, whether such fire has been sealed off by means of stopping of non-inflammable material or not in which an explosion of fire damp or coal dust is likely to occur there shall be kept at the mine constantly available for use two or more small birds or other means approved by Chief Inspector of detecting of carbon monoxide gas and two or more approved locked flame safety lamps for the purpose of testing for inflammable and other gases:

Provided that the Chief Inspector or an Inspector may require compliance with this regulation in the case of any other mines if he thinks that circumstances of the mine or such as to require it.

**87-A.** (1) all surface structures and supports within a horizontal distance of 25 feet from the perimeter of shafts and the covering of all shafts sealed off or covered for ventilation purposes, and all fan drafts, fan casings and parts of fans within such drifts or casing, shall be of non-inflammable material:

Provided that this sub regulation shall not apply to--

- (a) structures and supports and the covering of shafts, if they are so protected by non-inflammable material as to eliminate the risk of fire;
- (b) the small lid or covering of a shaft covering operated by rope cappel; and
- (c) temporary structure, supports and coverings at the top of shafts which are in the course of being sunk:

Provided further that until 30th April 1940 this sub-regulation shall not apply to wooden headgears which were in use on the date on which the sub-regulation came into force.

(2) All air-crossings in main intake or main return airways and all ventilation or separation doors in any fan house or fan drift and in the vicinity of shaft bottoms or air-crossings in main intake or main return airways shall be constructed of non-inflammable material and shall be designed, as far as practicable, to prevent leakage.

(3) No timber or other inflammable material shall be used in the construction of or in connection with any underground engine-house or electrical sub-station, switch house or motor room.

**87-B.** No oil grease, canvas or other highly inflammable material shall be stored underground in any mine except in fire-proof receptacle or chamber.

**87-C.** (1) Adequate means of extinguishing fire shall be provided at any part of mine where timber, grease or other inflammable material is stored and at all insets where timber is used for the construction of the staging and at every pithead, pit-bottom, engine room and electrical apparatus room.

(2) In every mine in which there are water mains or other pipes containing water under pressure, an adequate number of taps shall be provided on such main or pipes. Hose pipes not less than 200 feet in length with the necessary fittings shall be kept readily available in the mine and the distance between two adjacent taps shall not exceed the length of the hose pipe.

(3) In mines or parts of mines where in the opinion of the Chief Inspector arrangements for extinguishing a fire cannot reasonably be provided under sub-regulation (2), one or more of the following means shall be adopted--

- (a) portable fire extinguishers shall be provided and kept readily available and in good condition at suitable places underground; or
- (b) portable water tanks fitted with hand pressure pumps and an adequate length of hose piping shall be provided; or
- (c) adequate supplies of sand or incombustible dust shall be kept available at suitable places underground.

(4) A competent person appointed in writing by manager for the purpose shall examine each portable fire extinguishers provided under sub-regulation (3) at intervals not exceeding three months, and the result of each such examination shall be recorded in a book kept at the mine for the purpose.

(5) Water shall not be used for putting out electrical or oil fires.

**87-D.** (1) No person shall light a fire or deposit ashes or heated material in any local quarry, or on any exposed outcrop of coal, or on any ground damaged by the extraction of coal in which open fissures or cavities exist.

(2) No person shall light a fire or permit a fire to be lighted in any underground part of a mine:

Provided that nothing in this sub-regulation shall apply to the use in a mine to which regulation 123 does not apply, of blow lamps or electric repairing apparatus is permitted by special written order granted by the manager of the mine. The order shall specify the person who shall be in charge of the blow lamp or apparatus and shall require such person to bring it back to the surface when no longer required.

(3) No person shall light a fire or permit a fire to be lighted within a distance of 40 feet from the perimeter of any shaft except in accordance with a written order granted by the manager of the mine and only for a special purpose specified in such order:

Provided that this sub-regulation shall not apply to boilers other than vertical boilers.

(4) All such orders shall be recorded in a paged book kept in the office of the mine.

(5) No person shall ignite a 'feeder' or an accumulation of

**87-E.** No excavation shall be done in any part of a seam lying under any part of another seam which is on fire or is believed to be on fire or which is connected by a goaf or by broken strata to any fire except by a method which will maintain the strata between the seam in situ and intact.

**87-F.** (1) On the appearance in any part of a mine of smoke or other sign indicating that a fire has or may have broken out all workmen other than those whose presence in the mine is deemed necessary for dealing with the emergency shall be immediately withdrawn from the mine. No workmen other than men required for dealing with or damming off the fire, shall be re-admitted until either the fire has been extinguished or the part in which it exists has been effectively dammed off and an examination has been made by the manager and the competent person appointed under regulation 72 and the mine has been reported to be safe. Every such report shall be recorded without delay in a paged book, which shall be kept at the mine for the purpose and shall be dated and signed by the manager and competent person who made the inspection:

Provided that, in mechanically ventilated mine in which the use of safety lamps is not required other than for inspection purposes, this regulation shall apply only to the ventilating district or districts, that may be affected.

(2) The examination required by sub-regulation (1) shall be made within an approved locked flame safety lamp and a cage containing small birds or other means of detecting carbon monoxide gas approved by the Chief Inspector. No additional light shall be used other than approved electric torch or lamp.

**87-G.** (1) Approved locked safety lamps or electric torches shall be exclusively used in the work dealing with or damming off an underground fire:

Provided that where in the opinion of the manager, it is necessary to take immediate steps to deal with an outbreak of fire, the provisions of this sub-regulation shall be deemed to have been complied with if, the workman engaged in dealing with the fire are provided with approved safety lamps or electric torches as quickly as is reasonably practicable.

(2) During the work of dealing with or damming off an underground fire a cage or cages containing small birds or other means of detecting carbon monoxide gas approved by the Chief Inspector shall be kept at all places in which persons may be in danger from noxious gases.

**87-H.** Approved locked safety lamps or electric torches shall be exclusively used in any ventilating district of a mine in which there is an underground fire whether such fire is sealed off by stoppings or not:

Provided that the Chief Inspector may in the case of any mine, grant exemption from this regulation under such conditions as he may impose, if, in his opinion, the use of approved safety lamps or electric torches in such mine is not necessary.

**87-I.** (1) In any ventilating district of a mine which is not naturally wet throughout and--

(i) in which there is underground fire, whether sealed off or not; or

(ii) in which the extraction of pillars is in hand or is about to commence;

the following precautions with respect to danger from dry coal dust shall be taken:-

- (a) All haulage and tramming roads shall be systematically kept clear of accumulations of dry coal dust.
- (b) All such roads shall be systematically treated with water or incombustible dust in such a manner as to prevent an explosion from being initiated or propagated by coal dust. If incombustible dust is used for the purpose, it shall be of a kind which is not likely to be injurious to the health of workmen.

<sup>30</sup>[(2) The precaution laid down in sub-regulation (1) shall also be observed at all places within 400 feet of an area-

- (i) which has been or is being sealed off on account of fire; or
- (ii) in which coal is extracted or loaded from working faces.]

(3) The Chief inspector may, by order in writing, grant, subject to such conditions as he may impose, exemption from the provisions of sub-regulation (1) or sub-regulation (2) to any mine or part of a mine on the ground that, on account of the special character of the mine or part, the observance of the precautions laid down therein is not necessary.

**87-J.** In any working mine in which a fire is known or is believed to exist--

- (a) adequate precautions shall be taken to prevent the passage of air from the mine through any goaf or through broken strata connected with the fire; and
- (b) no work, other than work required by clause (a) of this regulation, shall be done in any part of the mine which is not effectively sealed off from any such goaf or broken strata.

### CHAPTER VIII HAULAGE

**88.** (1) Every haulage road on which the haulage is worked by gravity or mechanical power shall be provided with sufficient manholes for refuge, which shall in no case be placed at intervals more than 60 feet and which shall not be less than 5 feet in height, 3 feet in width, and 4 feet in depth. Where the inclination is more than 1 in 6 the manholes shall be at intervals of not more than thirty feet:

Provided that in any case in which an inspector considers that there are difficulties which make the provision of a manhole at the above specified intervals or of the above specified dimension not reasonably practicable, he may by order in writing, specify a greater interval or reduced dimensions.

(2) Every manhole shall be kept clean and whitewashed both inside and for a distance of not less than one foot around the aperture and the entrance of such manhole shall be kept unobstructed.

**89.** Every haulage road exceeding 100 feet in length on which the haulage is worked by gravity or mechanical power, shall be provided with proper means of communicating distinct and definite signals from all regular stopping places to the place or places at which the persons who control the haulage machinery are stationed:

Provided that the Chief Inspector may, at his discretion and by order in writing, require that there shall be means of communicating signals in the reverse direction also.

The first four or principals signals shall be--

Three raps	.....	.....	.....	START when at rest
One rap	.....	.....	.....	STOP when in motion
Two raps	.....	.....	.....	{
Four raps	.....	.....	.....	{

Any other signals shall be in addition to and shall not interfere with the foregoing:

<sup>30</sup> Subs for original sub-regulation (2) vide Noti. No. L.R. 7(8)48, 13<sup>th</sup> April, 1953, Gaz of Pak Pt I, 1953, p 100.

Provided that the Chief Inspector by order in writing may, at his discretion permit the use of a different code of haulage signals.

**90.** A printed copy of the code of haulage signals shall be kept posted at the brakewheel or haulage engine, and at both ends of the haulage road and at every signalling station.

**91.** The signal handle or attachment at every stopping place on any haulage or self-acting incline shall be placed in such a position as will enable the persons operating the signals to be safe in the case of a runaway tub or tubs on the incline.

**92.** At the top of every incline on which the haulage, not being endless chain haulage, is worked by mechanical power or gravity there shall be stop-blocks or other similar contrivances to prevent tubs from running away. Additional stop-blocks or runaway switches, or some other appliance for arresting the descent of tubs in the event of a run-way, shall be fixed below the first stop-blocks at a greater distance than the length of a train of tubs. There shall also be provided and attached behind the ascending tub or tubs a back-stay, drag or other suitable contrivance for preventing the tub or tubs from running back.

**93.** Where a main haulage road extends to a distance of more than 3,000 feet from the shaft or the entrance to the mine, efficient means of telephonic communication shall be provided and maintained between a suitable station near the end of every such haulage road, the pit-bottom and the surface, or between a suitable station where the end of every main haulage road and the entrance to the mine:

Provided that the Chief Inspector may by order in writing require the provision of means of telephonic communication where in any mine main haulage extends to a distance of less than 3,000 feet from the shaft or the entrance of the mine, where travelling is unduly arduous:

Provided further that the Chief Inspector may by order in writing permit the use of other suitable means of communication in cases in which the conditions in the mine are not suitable for telephones.

**94.** Where haulage is effected by means of an endless rope or chain, automatic catches shall be fixed at such points on the haulage road as may be necessary to prevent tubs from running away.

**95.** (1) No person shall permit a tub or tubs to run uncontrolled except with the consent of the manager:

Provided that the Chief Inspector may, by order in writing prohibit the uncontrolled movement of tubs at any place where, in his opinion, there would be danger of injury to persons.

(2) No person shall ride on any tub, truck or wagon, either underground or above ground except with the written permission of manager.

**96.** Where the Chief Inspector so requires, travelling roads, separate from the haulage roads, shall be provided to and from the working places.

**96-A.** In every underground part of mine-

(1) main haulage and travelling roads shall, as far as practicable, be kept free from accumulations of fine coal dust;

(2) all coal tubs shall be so constructed and maintained as to prevent as far as practicable, coal dust escaping through their sides, ends or floors.

## **CHAPTER IX EXPLOSIVES**

**97.** No owner, agent or manager shall store, or knowingly allow any other person to store, within the premises of the mine any explosives otherwise than in accordance with provisions of rules made under the Explosives Act, 1884.

**98.** No explosive shall be stored in the workings of mine or taken into or kept in dwelling house.

**99.** No explosive shall be used in a mine except that provided by the manager.

**100.** The manager shall appoint in writing a competent person or persons to be in charge of every magazine for the storage of explosives, and no person shall be in charge of a magazine without such written authority.

**101.** Explosives shall be issued only to competent persons appointed in writing by the manager, and no unauthorised person shall have explosives in his possession.

**101-A.** No liquid oxygen explosive shall be used in any underground part of a mine.

**102.** No gunpowder or any other kind of explosive, except fuses and detonators, shall be issued for use in blasting operations in a mine or used in a mine except in the form of cartridges.

**103.** Explosives unused and left over at the end of a shift shall be returned to the magazine immediately after the end of the shift. Such returned explosives shall be re-issued before fresh stock is used.

**104.** The person in charge of a magazine shall keep a correct record of the quantity of gunpowder and of the numbers of cartridges or other kinds of explosives and of detonators issued from the magazine to each authorized person, and similar record of explosives, returned to the magazine.

**105.** The preparation of cartridges from loose gunpowder, the drying of gunpowder, and the reconstruction of damp cartridges shall be carried out only by a competent person or persons appointed in writing by the manager for the purpose, and only in accordance with the conditions laid down in rules made under the Explosives Act, 1884, and in a place approved by the licensing authority.

**106.** No explosive shall be taken into a mine except in *securely locked* cases canisters, containing not more than <sup>31</sup>[fifty pounds] each, and no person shall have in use or keep for use, at one time in any one place, more than one such case or canister. The place, in the mine at which any such case or canister is in use, or is kept for use, shall, unless solid ground directly intervenes, not be less than 30 feet from a place at which any other such case or canister is in use or kept for use:

Provided that the Chief Inspector may, in special cases by order in writing, permit, subject to such limitations as he may prescribe, the use at one time in one place of more than one such case or canister.

**107.** The amount of every charge of explosive shall not be disproportionate to the work to be done. The charge shall be placed in a properly drilled and placed shot hole and shall have sufficient stemming. A sufficient supply of suitable non-inflammable stemming material shall be provided at places convenient to the shot-fires.

**108.** (1) No shot shall be stemmed or fired except by or under the personal supervision of a competent person appointed by the manager by order in writing to be a shot-firer.

(2) In any mine in which more than <sup>32</sup>[20 persons] are employed underground at any one time, no person shall be so appointed or shall perform the duties of shot-firer who is responsible for making inspection under sub-regulation (2) of regulation 70.

(3) With effect from the 1<sup>st</sup> day of April, 1940, no person shall be appointed as a shot-firer under sub-regulation (1) unless he holds either a shot-firer's certificate or a sirdar's certificate or a manager's certificate granted under these regulations.

**109.** Every shot-firer shall before a shot is fired by him or under his supervision see that all persons in the vicinity have taken proper shelter at a safe distance; he shall also take suitable steps to prevent any person approaching the shot and shall himself take proper shelter.

**110.** When two working places have approached to within 10 feet of one another, no blasting shall be done in any one of such workings unless the workmen have been withdrawn from the other working, and the same has been fenced.

*Explanation.--* For the purposes of this regulation, any place to which workmen have lawful access shall be deemed to be a working place.

**111.** In the process of charging or stemming for blasting, no person shall use or have in his possession any iron or steel pricker, acrapper, tamping rod or stemmer and only suitable non-inflammable substance shall be used for tamping or stemming.

**112.** (1) When a hole has been charged, the explosive shall not be unrammed <sup>33</sup>[except in a manner and by a machine approved by Chief Inspector].

(2) No hole shall be bored at a distance of less than 12 inches from any hole where a charge has misfired nor shall a second charge be placed in any such bole.

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<sup>31</sup> Substituted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>32</sup> Substituted vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

<sup>33</sup> Added vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

**113.** Detonators shall be kept in a securely locked box separate from any other explosive and no detonator shall be inserted into the priming cartridge until immediately before it is to be used:

Provided that in the case of a wet working, priming cartridge may be prepared at the nearest convenient dry place adjacent to the working.

**114.** No explosive shall be forcibly pressed into a hole of insufficient size.

**115.** (1) In any place in a mine in which the use of a locked safety lamp is for the time being required by or in pursuance of these regulations--

- (a) no shot shall be stemmed or fired by any person who does not hold a sirdar's certificate endorsed for gas testing;
- (b) no shot shall be fired until the shot-firer has examined both the place where the shot is to be fired and all accessible places within a radius of 60 feet for the presence of inflammable gas and has found such places free from gas;
- (c) no shot of a Permitted Explosive shall be fired except by means of a shot-firing apparatus of a type approved by the Chief Inspector and subject to such conditions as he may time to time lay down by notification in the Official Gazette:

Provided that the Chief Inspector may, in special cases, by order in writing, permit, subject to such conditions as he may specify, the use of any other shot-firing apparatus.

(2) (i) Every approved shot-firing apparatus in use in a mine shall, once at least in every three months, be cleaned and thoroughly overhauled by a competent person appointed in writing by the manager.

(ii) No person shall use or allow to be used any approved apparatus which has become unsafe or defective.

(3) No shot shall be fired at any place underground in a mine unless the place itself and all accessible places within a distance of 60 feet--

- (a) are naturally wet, or
- (b) have been drenched with water to such extent that there will be no danger of dry coal-dust being raised into the air by the shot, or
- (c) have been thoroughly treated with incombustible dust.

**116.** No explosive other than a Permitted Explosive shall be used--

- (a) in any mine in which inflammable gas has within the previous twelve months been reported to be present or in which safety lamps are required, by or in pursuance of these regulations, to be used for any purpose other than inspections; and
- (b) in any other mine in any main haulage road or main intake or main return airway or any place immediately contiguous to such road, intake, airway or place, unless such road, intake, airway or place is naturally wet throughout.

Provided that in the case of any mine or any part of a mine an exemption may be given by the Chief Inspector, subject to such conditions as he may impose, on the ground that on account of the special character of the mine, the prohibition of the use of explosives other than Permitted Explosives is not necessary.

**116-A.** In any mine in which the use of Permitted Explosives is required by these regulations or by any bye-law or order made under the Act:--

- (a) where more shots than one are charged for firing, the shots shall be fired simultaneously;
- (b) the aggregate charge in any number of shots fired simultaneously in coal shall not exceed the permissible maximum charge laid down by the Chief Inspector for the kind of Permitted Explosive used:
- (c) no shot shall be fired in coal in any gallery unless--
  - (1) the coal has been undercut, overcut or sidecut: and
  - (2) the length of the shot hole is at least six inches less than the length of the cut.

**116-B.** In any underground part of a mine two or more shots shall not be charged or fired in the same place simultaneously, if the explosive used is not a Permitted Explosive:



Provided that this regulation shall not apply to—

- (a) working places in which the roof, floor and sides within a radius of 100 feet of the place where shots are to be fired are naturally wet; or
- (b) a cross-measure drift in stone if such drift does not contain dry coal-dust or
- (c) shafts which are in the process of being sunk through or across the strata.

**116-C.** Where shots are fired electrically, the shot-firer shall—

- (i). for the purpose of firing, use a cable which is not less than 60 feet in length:
- (ii) before coupling the cable to the firing apparatus couple up the cable himself to the fuse or detonator wires;
- (iii) take care to prevent the cable coming into contact with any power lighting cable; and
- (iv) himself couple the cable to the firing apparatus, and before doing so, see that all persons in vicinity have taken proper shelter at a safe distance.

**117.** After a shot has been fired the shot-firer appointed under regulation 108 or other competent person appointed in writing by the manager of the mine shall, before any other person enters the place make a careful examination and with his assistants make the place safe. No other person shall enter the place until the examination has been made and the place has been declared to be safe in all respects.

**118.** When a shot has been misfired, the entrance to the firing place shall be fenced, and no person shall go beyond the fence until the expiration of one hour from the time of misfiring; but when an electrical apparatus has been used for firing this interval may be reduced to such time, not being less than ten minutes after the cable has been disconnected from the firing battery, as the manager of the mine may in each case direct.

**119.** When a shot has misfired, the official or other competent person in charge of the explosive at the time of the misfire shall report the failure to the manager or under-manager, who shall record the fact in a book to be kept for purpose; and such official or other competent person shall give information of the failure to such person as may relieve or take over charge from him.

**120.** When a misfired charge of explosive has been blasted out, a careful search for cartridges and detonators, if any shall be made amongst the debris, and if not located underground, the tubs into which the debris loaded shall be marked and a further search made on the surface.

## **CHAPTER X VENTILATION AND LIGHTING**

**121.** (1) An adequate amount of ventilation shall be constantly produced in every mine to clear away smoke and to dilute and render harmless inflammable and noxious gases to such an extent that the working places of the shafts, levels and workings of mine, and the travelling roads to and from these working places, shall be in a safe state for persons working or passing therein.

<sup>34</sup>[The word adequate defines the levels of various gases in mine air as under:

- (i) Oxygen not less than 19%,
- (ii) Carbon monoxide not more than 0.01%,
- (iii) Hydrogen sulfide not more than 0.002%,
- (iv) Nitrous fumes not more than 0.0005%,
- (v) Sulfur dioxide not more than 0.0005%,
- (vi) Fire damp not more than 1%,
- (vii) Nitrogen not more than 80%,
- (viii) Carbon dioxide not more than 0.5%.]

(2) Where the Chief Inspector is of the opinion that it is necessary for the adequate ventilation of mine or for the prevention of danger from inflammable or noxious gases, he may require that mechanical ventilator shall be installed.

**121-A.** (1) The Chief Inspector may require the manager of any mine in which, or in any part of which, a mechanical ventilator is in use, to submit within one month Standing Orders specifying

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<sup>34</sup> Added vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

the action that shall be taken with respect to the withdrawal of workmen from such mine or parts of such mine in the event of a stoppage of the mechanical ventilator.

(2) The Chief Inspector may approve of such Standing Orders either in the form submitted to him or with such additions or alterations as he may think fit and shall give notice in writing to the manager that the Standing Orders in the form approved by him shall be enforced at the mine.

(3) On receipt of the notice from the Chief Inspector, the manager shall post the Standing Orders in conspicuous places at the mine both above and below ground and shall be responsible for securing effective compliance with them.

**122.** (1) in every mine in which inflammable gas has been found within the previous twelve months or where workings have been walled off on account of fire the quantity of air shall at least once in every months be measured-

- (i) in the main intake airways of every seam as near as practicable to the downcast shafts;
- (ii) in every splits, as near as practicable to the point at which the split commences; and
- (iii) in each ventilating district, as near as practicable to a point where the air is subdivided at the end of a main split or where it enters the first working place.

(2) The measurements referred to in sub-regulation (1) shall be entered in a book kept at the mine for the purpose.

**123.** (1) No artificial light other approved locked safety lamp shall be allowed or used--

- (a) in any seam in a mine in which an explosion or ignition of inflammable gas has occurred during the previous twelve months:

Provided that the Chief Inspector may, subject to such conditions as he may impose, exempt any mine from the operation of this clause on the ground that on account of the special character of the mine the use of safety lamps is not necessary;

- (b) in any place in a mine in which there is or likely to be any such quantity of inflammable gas as to render the use of naked lights dangerous:
- (c) in any working near a place in which there is likely to be an accumulation of inflammable gas; or
- (d) in any ventilating district of a mine in which inflammable gas has been found during the previous twelve months.
- (e) in any mine or part of a mine in which coal dust in the mine air is of such a character as to ignite or explode in the presence of naked light.

(2) If any difference of opinion arises between an Inspector and a manager on the question whether the conditions specified in [clause (b), (c) and (e)] of sub-regulation (1) exist in any mine, the question shall be referred to the Chief Inspector whose decision thereon shall be final.

(3) in the case of any mine to which clause (d) of sub-regulation (1) applies the Chief inspector may, if safety lamps are not immediately available, grant a temporary exemption from the operation of that clause, subject to such conditions as he may specify, until such time as safety lamps can be obtained.

(4) In any mine or part of a mine in which safety lamps have been in use in compliance with the provisions of sub-regulation (1), no artificial light other than an approved locked safety lamp shall subsequently be allowed or used except with the written consent of the Chief Inspector.

*Explanation.--* Where the ventilation in a mine is not mechanically controlled, the ventilating district shall be deemed to include the whole mine. Where the ventilation is part only of a mine is not mechanically controlled, the whole of the part in which ventilation is not mechanically controlled shall be deemed to be a single ventilating district.

**124.** Notwithstanding anything contained in regulation 123, fixed electric lights from power mains may be used in any part of mine which is not within 600 feet of any working face, provided such installation complies with the rules made under the Electricity Act, 1910, relating to the use of electric energy in parts of mines in which inflammable gas is likely to occur in quantity sufficient to be indicative of danger.

**125.** In any mine in which inflammable gas has been found during the previous twelve months, no advance gallery shall be driven more than ten feet ahead of the widened gallery and in every

such gallery the ventilating current shall be conducted as near to the working face as its practicable.

**126.** All safety lamps in ordinary use shall be numbered, and such record shall be kept of the persons to whom the lamps are issued that the user of any particular lamp can any time be identified from the record.

**127.** In every mine or part of a mine in which the use of safety lamps is for the time being required by or in pursuance of these regulations, the following provisions, shall have effect, namely -

- (a) A competent person shall be appointed in writing by the manager to clean, trim, examine and lock securely all such lamps before they are taken into the working for use, and such lamps shall not be issued for use until they have been so examined and found to be in safe working order and securely locked.
- (b) A competent person appointed in writing by the manager for the purpose shall examine every safety lamp at the surface immediately before it is taken underground for use and shall assure himself as far as practicable from external observation that each lamp is in safe working order and securely locked. The person so appointed shall not be the banksman except in a mine where the number of persons employed underground is not more than fifty at any one time.
- (c) No safety lamp shall be unlocked except at the appointed lamp station.
- (d) A competent person appointed in writing by the manager for the purpose shall examine every safety lamp on its being returned, after use underground. If on such examination any lamp is found to be damaged or misused in a book to be kept at the mine for the purpose. Every new entry in the book shall be shown to the manager without delay.
- (e) The manager or a competent official appointed in writing by the manager for the purpose, other than the persons referred to in clause (a) and (b) of his regulation, shall examine thoroughly all safety lamps in use at a mine at least once in every week, and shall record the result of his examination in a book kept at the mine for the purpose. If any lamp is found to be defective, it shall not be reissued for use until the defect has been remedied.
- (f) No person unless he has been authorized in writing by the manager either for the purpose of examining or relighting safety lamps, shall have in his possession any contrivance for opening the lock of a safety lamp.
- (g) No person shall have in his possession any unlocked safety lamp or naked light, and if it appears to any person that any safety lamp in his possession is defective or insecure he shall at once carefully extinguish the flame and report the fact to the sirdar, overman or manager.
- (h) No glass of an approved flame safety lamp shall be replaced except by a flame lamp glass manufactured by such firm and of such type and satisfying such conditions as the Chief Inspector may from time to time specify by notification in the official Gazette.
- (i) No bulb of an approved electric safety lamp shall be replaced except by an electric lamp bulb manufactured by such firm and of such type and satisfying such conditions as the Chief Inspector may from time to time specify by notification in the official Gazette.

*Explanation.--* For the purposes of this regulation the term "Manager" includes an under manager and any person for the time being carrying on the duties of the manager.

**128.** Where the use of safety lamps is for the time being required by or in pursuance of these regulations, one or more lamp stations for lighting or relighting the lamps shall be fixed by the manager at the entrance to the mine or part of the mine, as the case may require. No such lamp station shall be in a return airway. Every such lamp station shall be in charge of a person authorized in writing by the manager.

**129.** No person other than a person authorized by the manager to examine and lock safety lamps, shall either himself take or give out for use any safety lamp.

**130.** No person shall willfully damage, or improperly use or by improper means extinguish, any safety lamp, and no one except a person duly authorized by the manager in that behalf shall unlock or open or attempt to unlock or open any safety lamp.

**131.** Any person discovering the presence of inflammable gas in the working place shall immediately withdraw therefrom and inform the sirdar, overman or manager.

**132.** In any underground part of a mine where adequate stationary lights are not in use, every person shall carry a light.

**133.** No person shall leave a light in any underground part of a mine unless and until he has placed it in charge of some person remaining therein.

**134.** Every person after passing through a door or brattice cloth shall at once close it.

**135.** (1) in every mine or part of a mine in which the use of safety lamp is for the time being required by or in pursuance of these regulations no person shall have in his possession any match, smoking apparatus or any apparatus of any kind for striking a light except such apparatus for the purpose of shot-firing or relighting lamps as the Chief Inspector may by general or special order in writing authorize in this behalf.

(2) A competent person appointed in writing by the manager for the purpose shall search all persons employed below ground immediately before they enter such mine or part of a mine for the purpose of ascertaining whether they have in their possession any article of the nature described in sub-regulation (1).

(3) The person conducting the search shall-

- (a) search or turn out all pockets;
- (b) pass his hand over all clothing; and
- (c) examine any article in the possession of the person searched.

(4) If the person conducting the search suspects that the person searched is concealing any article of the nature described in sub-regulation (1) he shall detain him and as soon as possible refer the matter to the manager or other official authorized by the manager for the purpose who shall not allow such person to enter the mine until he is satisfied that the person has no such article in his possession.

**136.** After such date as the Chief Inspector may fix for any mine in view of the special circumstances thereof, there shall, in every mine in which a mechanical contrivance for ventilation is used, be provided and maintained in a condition to be put into immediate operation, adequate means for reversing the air current.

<sup>35</sup>**[136-A.** (i) There shall be constant check for the measurement of noise produced by any kind of machine or equipment used in or around mines.

(ii) As far as possible the noise level throughout the working shift at all work places shall not be allowed to exceed 90 dBA.

(iii) Where the noise level is increased more than 90 dBA during the working hours, every person working near the vicinity will be provided personal ear protective devices.]

## **CHAPTER XI FENCINGS AND GATES**

**137.** (1) Every entrance to a mine from the surface and the top all entrances between the top and the bottom, including the sump (if any), of every working, Ventilation or pumping shaft, and the top of every open excavation shall be kept properly fenced:

Provided that any fence may be temporarily removed for the purpose of repairs or other operations, if proper precautions are used.

(2) Shafts and quarries temporarily or permanently out of use and any place in or about an excavation which is dangerous shall be kept properly fenced.

**138.** (1) Every entrance to a mine from the surface, by which the mine can be entered on foot, if it is regularly used as a travelling or haulage road, shall be provided with a gate, which shall be kept closed and locked when there are no persons underground in the mine and shall be so constructed as to prevent effectually, when closed, the entrance into the mine.

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<sup>35</sup> Added vide Noti. No. DEV-II/10-4/98, dt; Jan 11, 1999.

(2) Every entrance to a mine from the surface, by which the mine can be entered on foot, if it is not regularly used as a travelling or haulage road, shall be permanently closed or kept properly fenced, across the whole width of the entrance.

(3) Gates and fences at entrances to mines shall be so constructed as not to prevent egress in case of emergency.

**139.** Every entrance to any place in a mine which is not in actual use or course of working or extension, shall be kept properly fenced across the whole width of the entrance, and every such fence shall be so constructed as effectually to prevent persons from entering such place inadvertently.

**140.** (1) Where any place in a mine is found to be dangerous, all approaches to the place shall be kept securely fenced so that it cannot be entered inadvertently.

(2) Where it is necessary to prevent danger to the public, every tank or reservoir shall be securely fenced.

**141.** Every fly-wheel and all exposed and dangerous parts of the machinery of whatever kind used in or about a mine shall be kept securely fenced, guarded or cased in such a manner as may be necessary to prevent accident.

## **CHAPTER XII MISCELLANEOUS**

**142.** If any person is in charge of any machinery, apparatus or appliances used in or about a mine, observes any defect or dangerous flaw therein he shall immediately report the fact to the manager, under-manager or engine-wright, or other responsible official.

**143.** Every person shall strictly comply with all lawful orders issued by the manager or such other official as may be empowered by the manager to issue the same.

**144.** No person who has been appointed by the manager in writing for a specific duty shall depute another person to do his work without the sanction of the official to whom he is subordinate, and no such person shall absent himself without having previously obtained permission from such official for the term of his absence or without having been relieved by another person appointed as aforesaid.

**145.** No person who has been appointed in writing by the manager for a specific duty shall sleep whilst on duty.

**146.** No person shall negligently or wilfully do any thing likely to endanger life or limb in the mine, or negligently or wilfully omit to do any thing necessary for the safety of the mine or the persons employed therein.

**147.** No person shall damage, destroy or improperly interfere with any thing provided for or used in the working of the mine.

**148.** No person shall remove or pass through any fence, or recover or pass any danger-signal, unless specially so authorized by the manager or an officer empowered by the manager in that behalf.

**149.** A competent person or persons appointed by the manager for the purpose shall keep a correct record of the number of persons going underground daily and returning from underground daily and, if required by the manager every person shall immediately before going underground and after returning from underground record his presence in accordance with any system approved for the mine by the Chief Inspector or an Inspector:

Provided that this regulation shall not apply in the case of any person appointed to carry out duties of superintendence, management or control.

**150.** When wagons are about to be moved, persons likely to be endangered shall be warned by the persons in charge of the work.

**151.** The movement of railway wagons by gravity or manual power shall only be carried on under the direct supervision of a responsible male person who shall either himself control the brake or depute a competent person to do so. Where more wagons than one are being moved at the same time wagon shall be coupled together. Persons employed in moving wagons shall do so only by pushing from behind the last wagon.

**152.** If any person required by these regulations or by any rule or bye-law to make any report is unable to write, he shall be present when his report is written for him, and shall have it read over

to him, and shall attach his thumb mark to it. The person writing the report shall also sign his name at the end together with a statement that it has been read over to the person for whom it was written.

**153.** The fees payable under regulations 42 (1), 43 (2), 44 and 71 (2) shall be paid directly into the Treasury or a branch of the [State Bank of Pakistan], and the receipt of the Treasury or Bank shall be sent to the Chief Inspector along with application to which the fee relates. An application unaccompanied by such receipt shall be rejected. The fee payable under regulation 50 (3) shall be paid direct into the Treasury or a branch of the State Bank of Pakistan, But such payment need not be made until the application to which the fee relates has been accepted.

**SCHEDULE I**

**FORM I**

**[See Regulation 3(1)]**

*Monthly return of coal raising and coal despatches*

*For the month .....19...*

1. Name of mine.
2. Name of owner.
3. Postal address of owner.
4. Raising of coal of all kinds (including colliery consumption and coal used for coke making).  
Tons.
5. Despatch of coal. Tons.
6. Signature of owner, agent or manager.

Date.....

**FORM II**

**[See Regulation 3(2)]**

*Annual return for the year ending on the 31<sup>st</sup> December, \_\_\_\_\_*

1. Name of mine.
2. Postal address of mine.
3. Date of opening.
4. Date of closing (if closed).
5. Situation of mine { District  
Province
6. Name of owner. { Postal address of owner.
7. Name of Managing Agents (if any) { Postal address of Managing Agents (if any)
8. Name of Agent (if any), as defined in Section 3 (a) of the Mines Act, 1923. { Postal address of Agent.
9. Name of Manager. { Postal address of Manager.
10. Means by which the coal is raised from the mine, i.e., hand labour mechanical or electrical power.

**FORM II-A**  
**[See Regulation 3(4)]**

*Week selected by the Chief Inspector – February..... to .....*

*Date to which this return relates -- February .....*

**Part – I**

*Total number of persons attending work on the day shown above.*

<u>Classification</u>	<u>No. of persons</u>
<b>A.</b> – Underground (i.e., Places lying beneath the superjacent ground). I. Males.	
<b>B.</b> – Open working [i.e., in workings of the mine (including quarries) which are not situated beneath the superjacent ground] I. Males. II. Females.	
<b>C.</b> – Surface (i.e., not in the working of the mine, including all subordinate officials and persons employed on sidings, loading wharves, private railways and surface trameways and also in carting). I. Males. II. Females.	

**Part – II**

*Total number of persons who ordinarily work in the minebut were prevented by sickness or other cause from attending work on the day shown above.*

<u>Classification</u>	<u>No. of persons</u>
<b>A.</b> – Underground (i.e., Places lying beneath the superjacent ground). I. Males.	
<b>B.</b> – Open working [i.e., in workings of the mine (including quarries) which are not situated beneath the superjacent ground] I. Males. II. Females.	
<b>C.</b> – Surface (i.e., not in the working of the mine, including all subordinate officials and persons employed on sidings, loading wharves, private railways and surface trameways and also in carting). I. Males. II. Females.	

I certify that total number of persons attending work was not higher on any other day of the week selected by the Chief Inspector.

*Dated the.....*

.....  
*Owner, Agent or Manager,*

*Note.*—Where males are employed in both underground and open workings, the figure relating to them should included under Section A.

Name of mine.

Name of owner.

Postal address of owner.

Signature of owner, agent or manager.



Date.....

**FORM III**  
[See Regulation 3(2)]

*Persons employed during the year ending on 31<sup>st</sup> December \_\_\_\_\_, and wages paid for work done in December, \_\_\_\_\_.*

Classification	Aggregate number of daily attendance of persons permanently and temporarily employed	Number of days worked during the year	Daily average number of persons employed as calculated by dividing the aggregate number of attendances by the number of days worked during the year	Average hours worked per week during the year	Aggregate number of daily attendance in December	Total amount paid in wages for work done in December	Average daily earnings in December as calculated by dividing the amount in column 7 by the number of attendances in column 6.
1	2	3	4	5	6	7	8
<p><b>A.</b> Underground (i.e. in places lying beneath the superjacent ground):</p> <p><b>I. Males</b></p> <p>Overmen and or / Sirdars</p> <p>Coal Cutter</p> <p>Loaders</p> <p>Skilled labour not included above.</p> <p>Unskilled labour not included above.</p>							
		Total (Males)					

<p><b>B.</b> Open workings (i.e. in working of the mine (including quarries) which are not situated beneath the superjacent ground.</p> <p><b>I. Males.</b></p> <p>Foreman and / mates</p> <p>Miners</p> <p>Skilled labour not included above</p> <p>Unskilled labour not included above.</p>							
		Total (Males)					
<p><b>II Females</b></p> <p><b>C.</b> Surface (i.e. not in the working of the mine, including all subordinate officials and persons employed on sidings, loading wharves, private railways, and surface tramways and also carting).</p> <p><b>I. Males.</b></p> <p>Clerical and supervising staff (excluding the superior supervising staff).</p> <p>Skilled labour.</p> <p>Unskilled labour.</p>							
		Total (Males)					
<b>II Females</b>							

Note: (1)Where males are employed in both underground and open workings, the figure relating to them should be included under Section A.

Note: (2)When workmen are paid through contractors, the sums entered in column 7 should be the sums paid by the contractors to the workmen, so far as these can be ascertained.

**FORM IV**  
**[See Regulation 3(2)]**  
**Accidents prosecution**

Number of separate accidents* reported during the year			No. of persons		Number of prosecutions initiated by the management with sections and rules under which the prosecutions were instituted	Number of persons convicted with the sections and rules under which the convictions were obtained.
Fatal	Serious	Total	Killed	Seriously injured.		
1	2	3	4	5	6	7

\* Accidents, which were reported as serious accidents but resulted fatally, should be entered as fatal accidents.

**FORM V**  
**[See Regulation 3(2)]**  
**Epidemic Diseases**

Name of Disease**	Date of appearance	Date of disappearance	Number of cases	Number of deaths
Cholera Plague Small-pox Influenza				

\*\* Figures for any other specified disease which has been epidemic at the mine should be entered in this form.







**FORM VIII**  
**[See Regulation 3(2)]**  
**Output for the year ending on 31<sup>st</sup> December, \_\_\_\_\_**

	Opening stocks on 1 <sup>st</sup> January, ____	Raising (including colliery consumption and coal used for coke making)	Total value of raising ('Value' means and should be calculated upon actual or estimated selling price into wagons at the mine.)	Total of column 2 and 3	Despatches	Colliery consumption (exclusive of coal used for coke making)	Coal delivered for coking on colliery	Closing stocks on 31 <sup>st</sup> December, ____	Total of column 6, 7, 8 and 9
1	2	3	4	5	6	7	8	9	10
Coal, including rubble, slack and dust.	Tons.	Tons.	Rs.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.

**COAL DESPATCHED TO COKE FACTORIES ... .. TONS**

Note:- The total in column 5 must be the same as the total in column 10. The figures should be in tons and rupees, omitting cwts, and annas.

	Opening Stock	Coke made	Total of columns 1 and 2	Coke despatched	Colliery consumption	Closing Stock	Total of columns 5 and 6	Total value of coke ("Value" means and should be calculated upon actual or estimated selling price into wagons at the mine)
	1	2	3	4	5	6	7	8
Coke (hard) ... Coke (soft) ...	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Rs.

Note:- The total in column 3 must be the same as the total in column 7. The figures should be in tons and rupees, omitting cwts, and annas.

Date of Signature.

(If the form is signed by Managing Agent the words "for owner" should be added.)

*Signature of Owner, Agent or Manager,*



**FORM IX**  
[See Regulation 13]  
**Notice of occurrence**

Form:-- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To  
**THE CHIEF INSPECTOR OF MINES,** \_\_\_\_\_  
District  
(through the ----- Magistrate of .....)  
Sub Divisional

Dated..... 19

Sir,

I have the honour to furnish the following particulars of an occurrence of a fatal accident

\_\_\_\_\_ a serious accident

\_\_\_\_\_ an accidental adds explosion or ignition

\_\_\_\_\_ an outbreak of fire \_\_\_\_\_ at the ..... Mine

\_\_\_\_\_ smoke or other indications of outbreak of fire

\_\_\_\_\_ an influx of noxious gases

\_\_\_\_\_ an irruption of water

1. \_\_\_\_\_ Situation of the mine. (Village, Stations, District, Province)

2. \_\_\_\_\_ Name and postal address of owner.

3. \_\_\_\_\_ Particulars of person killed and injured, if any

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4.	Date and hour of the occurrence.	<b>Name</b>	<b>Sex</b>	<b>Killed or Injured</b>	<b>Age</b>	<b>Occupation</b>
5.	Place of occurrence.					
6.	Cause and description.					
7.	Classification of accident*					
8.	Nature of injury, if any, and, fatal, cause of death.					

I have the honour to be,  
Sir,  
Your most obedient servant,  
*Owner,*  
*Agent,*  
*Manager,*

**\* Under one or other of the following heads, namely.**

(1) Explosions and ignitions of fire add dams, (2) Explosions of coal-dust, (3) falls of roof; (4) falls of sides; (5) in shafts (overwindings); (6) in shafts (ropes and chains breakage); (7) in shafts (while ascending or descending by machinery); (8) in shafts (falling down in shaft); (9) in shaft (things falling down in shaft); (10) in shafts (miscellaneous); (11) suffocation by gases; (12) by explosives; (13) irruptions of water; (14) haulage; (15) by underground machinery; (16) sundries underground; (17) by surface machinery; (18) boilers or pipes bursting; (19) on surface railways or tramways belonging to the mine; (20) by electricity and (21) miscellaneous on surface.

**SCHEDULE II**  
[See Regulation 15 (3A)]  
*Code of Signs*

BRICKS, STONE OR CONCRETE VENTILATIONSTOPPINGS	...							
FIRES DAMS OR SEALS	...	...	...	...	...	...	...	...
WATER DAM	...	...	...	...	...	...	...	...
DOORS	...	...	...	...	...	...	...	...
REGULATROS	...	...	...	...	...	...	...	...
AIR CROSSING	...	...	...	...	...	...	...	...
TELEPHONES	...	...	...	...	...	...	...	...
UNDERGROUND AMBULANCE STATION IN RED	...	...	...					
DIRECTION OF AIR CURRENT	...	...	...	...	...	...	...	...

<sup>36</sup>[**SCHEDULE III**]  
[See Regulation 43 (1) (b)]  
*Form of application for registration*

1. Name, nationality and address of the applicant.
2. Age.
3. Full details of qualifications and previous mining experience.
4. Name of the mine or mines in the Pakistan Dominion in which the training is desired.
5. The capacity or capacities in which it is proposed to obtain the training.
6. Whether the owner, agent or manager of the mine has agreed to the training.
7. Date on which it is proposed to commence training.
8. Any other relevant information which the applicant may like to mention.

Signature of Applicant

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<sup>36</sup> Sch. III added vide Noti. No. I.L.R. 7(8)/48, 13<sup>th</sup> Apr; 1953. Gaz. Of Pak. Pt-I, 1953, p. 100.