

CONSOLIDATED MINES RULES, 1952

[27th September, 1952]

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TEXT

CONSOLIDATED MINES RULES, 1952¹

[27th September, 1952]

[Rules framed in exercise of the powers conferred by Section 30 of the Mines Act 1923, after previous publication as required by Sub-Section 31(1) of the said Act].

1. (a) These rules may be called the Consolidated Mines Rules, 1952.
- (b) They shall apply to all the Mines in all provinces and the Capital of the Federation.
2. In these rules, unless there is anything repugnant in the subject or context:-
 - (a) "Act" means the Mines Act, 1923 (IV of 1923);
 - (b) "Section" means a Section of the Act;
 - (c) "Chief Inspector or Inspector of Mines" means Chief Inspector of Mines or Inspector of Mines appointed under the Act; and
 - (d) "Form" means a form appended to these rules.

CHAPTER I SANITARY AND HEALTH PROVISIONS

3. At every mine, a sufficient supply of wholesome and cool drinking water shall be provided and maintained on the surface for all work-person at suitable points close to the place where they are employed and reside within the mine premises and if the Chief Inspector so directs in the case of any mine or class of the mines, also below ground at points reasonably accessible to the persons employed. All such points shall not be situated within twenty five feet of any washing place, urinal or latrine. Drinking water shall in all cases be supplied to employees free of cost and shall be periodically examined by qualified medical practitioner who shall certify in writing that it is wholesome or not.

4. At every mine arrangements shall be made for keeping all the underground working places and travelling roads clean from excreta.

²5. (1) At every mine latrine and urinal accommodation shall be provided on the surface and also, if the Chief Inspector so directs, in the underground workings of the mine for all persons at suitable points close to the places where they are employed and reside within the mine premises and the scale of accommodation shall be, in the case of:-

(a) Latrine, four seats for the first fifty persons and two seats for every additional fifty persons or less working at the mine or residing within its premises: and

(b) Urinal, half the number of seats provided for the latrine;

Provided that the Chief Inspector may reduce the number of urinal seats by such number as the latrine seats are increased.

(2) Every latrine and urinal on the surface shall be of water flushing type and in case the public sewage system is not available for disposal, suitable and adequate soak pits shall be constructed.]

6. Every latrine erected on the surface for the use of the work-persons of a mine shall be so partitioned off as to secure privacy and if a latrine is intended for the use of the other sex, the approaches shall be separate.

7. All latrines in or about a mine shall be kept in a sanitary condition

CHAPTER II

8. It shall be the duty of the owner, agent and manager of a mine to see that adequate arrangements are made for the training of men in ambulance work.

9. In every mine, one or more of the persons employed according to the subjoined scale shall be trained in ambulance work to the standard of St. John's First Aid Certificate:

Where the number of persons during any period of 24 hours does not exceed 50, not less than one person, exceeds 50 but does not exceed 100, not less than 2 persons; exceeds 100 but

¹ Pub. Under noti. No. LR-7 (18)48 of 27.09.252, Gaz. of Pak. Pt. I, 3 Oct 1952, p. 175.

² Rule 5 subs. for the original rule by Noti. S.R.O. 1054 (I) 74 of 5 Aug 1974; Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

does not exceed 150, not less than 3; persons exceeds 150 but does not exceed 200, not less than 4 persons; exceed 200, one person for every completed fifty persons or less employed.

10. In or at every mine ³[* * * *] there shall be provided and kept in good condition and ready for immediate use at a convenient place on the surface and also, if the Chief Inspector by order in writing directs in the case of mines, underground:-

(a) a suitable constructed stretcher or stretchers ⁴[with blankets and hot water bottles]; and

⁵(b) a box or boxes containing sufficient supply of suitable splints and triangular bandages, sterilized wound and burn dressings, sterilized cotton wool, adhesive plaster, roller bandages two per cent alcoholic solution of tincture iodine, a bottle of meat or coffee extract or other stimulant with a drinking vessel, a bottle of eye drops, a tourniquet, scissors, safety pins and other materials, medicines or appliances which the Chief Inspector may deem necessary for the treatment of injuries of diseases and may require the provision of the same by a written order.

⁶**10-A.** (1) At every mine in respect of which Section 18-A of the Act applies, there shall be provided first-aid room at a convenient place on the surface having a floor space of not less than 100 square feet with adequate arrangements for lighting and ventilation.

(2) The first-aid room shall be exclusively used for the first-aid purposes and marked "FIRST AID" on the door.

(3) The first-aid room shall be placed under the charge in person or persons who are qualified medical practitioners or compounder dressers and are always readily available during the working hours.

(4) In addition to the equipment and appliances specified in rule 10, the first-aid room shall also be provided with:-

(a) a table, with a cup board, of convenient height and size whereon the stretcher could be placed;

(b) a bench or four chairs and one screen;

(c) a glazed sink with running hot and cold water;

(d) soap, towels and a nail brush;

(e) a pair of artery forceps;

(f) one eyebath;

(g) two clinical thermometers;

(h) two hypodermic syringes (5 cc) with suitable needles;

(i) one sterilizer bowl with arrangements for boiling water;

(j) one stethoscope;

(k) an adequate supply of anti-tetanus serum and morphine ampuls; and

(l) means of conveyance, always readily available, for the speedy and safe removal of serious cases of accidents or sickness to hospitals:

Provided that, where the owner of a mine has provided a hospital which in the opinion of the Chief Inspector, conforms to the provisions of this rule, he may exempt that mine from providing the first aid room referred to in this rule

10-B. At every mine where persons work above ground there shall be constructed, close to the places where they are employed, shelter rooms for rest during intervals, which shall conform to the following standard:-

(i) they shall be constructed of brick and mortar, having a floor space not less than six square feet for each person to be accommodated.

³ Certain words omitted, by Noti. S.R.O. 1054 (I) 74 of 5 Aug 1974; Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

⁴ Words added, *ibid.*

⁵ Cl. (b) subs. for the original clause, by Noti. S.R.O. 1054 (I) 74 of 5 Aug 1974; Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

⁶ Rules 10-A to 10-I inserted, *ibid.*

- (ii) the flooring shall be of cement or stone and the ceiling shall not be less than ten feet high from the floor and shall not be of corrugated sheets or other metal unless covered by a heat resisting material;
- (iii) they shall be adequately lighted and properly ventilated and shall be maintained in a clean and sanitary condition;
- (iv) they shall be furnished with adequate number of chairs and tables; and
- (v) they shall be provided with adequate supply of cool and wholesome drinking water during the working hours of the mine.

CHAPTER II-A CANTEENS

10-C. (1) The owner of every mine wherein more than one hundred persons are ordinarily employed shall provide for the use of such persons a canteen at his mine according to the standards prescribed in this chapter by the 31st December, 1974:

Provided that:-

- (a) the Federal Government may, for sufficient reasons by an order in writing, extend, from time to time, the said date in respect of any specified mine;
- (b) the Federal Government may, for any mine or class of mines, direct that this sub-rule shall not apply, or shall apply subject to any conditions that may be specified in writing by the Chief Inspector, where it can be shown that suitable alternative arrangements for the supply of food to the workers are available; and
- (c) the Federal Government may, for any mine or class of mines, vary the standards prescribed for the canteens in this chapter.

(2) The owner, agent or manager of the mine shall submit for the approval the Chief Inspector plans and a site plan, in duplicate, of the building to be constructed or adopted for use as a canteen.

(3) The canteen building shall be situated at a distance of not less than fifty feet from any latrine, urinal, boiler house, coal stacks, ash dumps and any other source of dust, smoke or obnoxious fumes;

Provided that the Chief Inspector may, in respect of any mine, vary the provisions of this sub-rule to such extent as may be necessary in the circumstances:

Provided further that in the case of permanent canteen buildings where flush system is available the provision of keeping the canteen buildings at a distance of fifty feet from any latrine or urinal shall not apply.

(4) The canteen building shall be constructed in accordance with the plans approved by the Chief Inspector and shall contain at least a dining hall, kitchen, store-room and pantry, and separate washing places for:-

- (i) male workers;
- (ii) female workers; and
- (iii) utensils.

(5) The minimum height of the canteen building shall not be less than twelve feet from floor level to the lowest part of the roof and all the walls and roofs shall be of suitable heat-resisting materials and shall be water proof.

(6) The floor and inside walls up to the height of four feet from the floor shall be made of smooth and impervious materials; the remaining portion of the inside walls shall be made smooth by cement plaster or in such other manner as may be approved by the Chief Inspector.

(7) The doors and windows shall be of fly-proof construction and shall allow adequate ventilation.

(8) The canteen shall be sufficiently lighted at all times when any person has access to it.

(9) In every canteen,--

- (i) all inside walls of room and all ceilings, passages, and staircases shall be lime-washed or colour-washed at least once every three years:

Provided that the inside walls of the kitchen shall be lime-washed once in every four months or once a year where natural gas is used as fuel for cooking.

- (ii) all wood-work shall be varnished or painted once every three years; and
- (iii) all internal structural iron or steel work shall be varnished or painted once in three years.

(10) Records of dates on which lime-washing, colour-washing, varnishing or painting is carried out under sub-rule (9) shall be maintained in a register kept at the canteen for the purpose.

(11) The precincts of the canteen shall be kept in a clean and sanitary condition and waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause nuisance, and suitable arrangement shall be made for the collection and disposal of garbage.

(12) Effective and suitable provision shall be made in every part of the canteen for securing and maintaining adequate ventilation by circulation of fresh air.

10-D. (1) The dining hall shall have the capacity to accommodate at a time at least thirty percent of the workers working at that time.

(2) The floor area of the dining hall, excluding the area occupied by the service-counter and any furniture except the tables and chairs, shall not be less than ten square feet per worker to be accommodated as prescribed in sub-rule (1):

Provided that where, in the case of a canteen already in existence, it is impracticable, owing to lack of space, to provide ten square feet of floor area for each worker, such reduced floor area per worker shall be provided as may be approved in writing by the Chief Inspector.

(3) A portion of dining hall and service-counter shall be partitioned off and reserved for women workers in proportion to their number. Washing place for women shall be screened to secure privacy.

(4) The dining hall shall be furnished with adequate number of tables with impervious tops and chairs or benches for the use of workers to be accommodated as prescribed in sub-rule (1).

Provided that where the Chief Inspector is satisfied that satisfactory alternative arrangements have been made, he may exempt any particular mine or class of mines from the provisions of this sub-rule.

(5) A sufficient supply of soap and clean towels shall be provided at the washing places in the canteen for the use of workers

10-E. (1) There shall be provided and maintained sufficient utensils, crockery, furniture and any other equipment necessary for the efficient running of the canteen. An adequate supply of cool and wholesome drinking water for the workers using the canteen and suitable clean clothes for the employees serving in the canteen shall also be provided and maintained.

(2) The furniture, utensils and other equipment shall be kept hygienic. A service-counter, if provided shall have a top of smooth and impervious material suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

(3) Adequate steps shall be taken at every place in the canteen to prevent contamination of food, utensils, cutlery and other equipment.

(4) The expenditure of starting a canteen and the extension thereof, including provision for equipment, furniture and utensils, shall be borne by the owner of the mine.

(5) The owner, agent or manager of the mine shall appoint supervisory and other staff sufficient for the proper working of the canteen, and expenses in this behalf shall be borne by the owner of the mine.

10-F. (1) The manager of the mine shall appoint a Canteen Managing Committee which shall be consulted from time to time, but not less than once a month, as to--

- (a) the quality and quantity of food to be served in the canteen;
- (b) the arrangement of the menus;
- (c) the time of meals in the canteen; and
- (d) any other matter concerning the management and working of the canteen.

(2) The Canteen Managing Committee shall consist of an equal number of persons nominated by the manager and by the collective bargaining agent of the mine as determined under the provisions of the Industrial Relation Ordinance, 1969, (XXIII of 1969), or elected by the workers, if there is no such collective bargaining agent. The number of workers nominated or elected shall be in the proportion of one for every one hundred workers employed in the mine, provided that in no case shall there be more than five or less than two workers on the Committee.

(3) The manager of the mine shall appoint a person, from among the persons nominated by him, the Chairman of the Canteen Managing Committee who, shall preside at its meetings. The proceedings of the meetings shall be recorded in a minute book and signed by the Chairman.

(4) The manager of the mine shall determine and supervise the procedure for elections to the Canteen managing Committee when held under sub-rule (2). Should there be any dispute in regard to the election of workers representatives, the manager shall refer the matter to the Chief Inspector, whose decision in the matter shall be final.

(5) The Canteen Managing Committee, notwithstanding any by-elections shall be reconstituted every two years, the previous Committee holding office till such time as the new Committee takes over the charge.

10-G. (1) Food, drinks and other items served in the canteen shall be sold on non-profit basis and the prices charged shall be subject to the approval of the Canteen managing Committee. In the event of the Committee not approving the price list or where the Committee is equally divided on the issue, the price list shall be sent for approval to the Chief Inspector whose decision in the matter shall be final.

(2) The charges of the food-stuff, beverages and any other item served in the canteen shall be conspicuously displayed in the canteen in Urdu and in the vernacular of the majority of the workers.

10-H. (1) All books of accounts, registers and any document used in connection with the running of the canteen shall be produced, on demand, to an Inspector.

(2) The accounts pertaining to the canteen shall be audited, once every twelve months, by registered accountants and auditors. The balance sheet prepared by the said auditors shall be submitted to the Canteen Managing Committee not later than two months after the closing of the audited accounts.

10-I. In cases of mines belonging to the same business group or amalgamation, where centralized cooking in an approved canteen is arranged, the provisions of the rules in this Chapter may be relaxed by the Chief Inspector subject to such conditions as he may deem fit. Adequate arrangements to the satisfaction of the Chief Inspector shall, however, be made in such cases for the conveyance and proper distribution of food to the workers concerned as if a separate canteen had actually been provided at each mine covered by this relaxation.]

CHAPTER III REGISTRATION OF WORK-PEOPLE

11. The register of all persons employed in the mine shall be maintained as required by Sub-Section (1) of Section 28 of the Act, in the form shown in Schedule 'A'. The registers shall be kept at the office of the mine and entries in respect of persons employed in the mine shall be revised once in every month.

12. The register required by Sub-Section (4) of Section 28 of the Act shall be maintained in the form shown in Schedule B and all entries therein shall be made at the entrance or entrances to the mine and at the time when the person against whose name the entries are made entered or left the mine. The register shall be kept at the entrance of the mine.

13. Before any person who has not completed his seventeenth year is employed ⁷[in any mine] the manager shall arrange to have him examined by a qualified medical practitioner, and if after examination the medical practitioner is of opinion that such person is fit for employment ¹[in any mine] he shall grant him a certificate in the form in Schedule C.

⁸[Provided that such person shall not be permitted to work in a mine, or in any part of thereof either below ground or above ground between the hours 06:00 p.m. and 06:00 a.m.;

⁷ Subs. for "underground", by Noti. S.R.O. 1054 (I)/74 of 5 Aug. 1974, Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

⁸ Added vide Min. of Lab. Noti. No. LR 7 (26)/52, 8 May 1953, Gaz. of Pak. Pt. I, 16 May 1953, p. 125.

Provided further that the restrictions contained in the preceding provision shall not apply to any such person who is employed as an apprentice or for the purpose of receiving vocational training, if:-

- (1) he is declared in writing medically fit by a qualified medical practitioner to work between the hours of 06:00 p.m. and 06:00 a.m. and the declaration is maintained in the office of the mine;
- (2) he is employed between the hours of 06:00 p.m. and 06:00 a.m. under the personal supervision of a person of more than 18 years of age;
- ⁹[(2-a) he is granted a rest period of at least thirteen consecutive hours between two working periods;]
- (3) the galleries in which he is employed are not less than five and a half feet high and have a gradient of not more than one vertical and two horizontal.]

14. Every certificate granted by a medical practitioner shall be prepared by filling up the foil and counterfoil both which shall be impressed the left thumb mark of the person in whose name the certificate is granted.

15. The qualified medical practitioner shall, when satisfied as to the correctness of the entries made therein, sign the foil and initial the counterfoil, and shall deliver the foil to the manager for safe custody.

16. No certificate granted under rule 13 shall be valid for a period exceeding twelve months. Every person in respect of whom certificate of fitness has been issued shall be re-examined within twelve months of the last previous examination unless in the meantime he has completed his seventeenth year and the qualified medical practitioner making such re-examination may renew the certificate for a further period not exceeding twelve months or may suspend or revoke the said certificate.

17. A qualified medical practitioner who refuses to grant a certificate referred to in Rule 13 or suspends or revokes an existing certificate under Rule 16 shall state the reasons for refusing to grant a certificate or for suspending or revoking the certificate as the case may be. If the manager of the Mine disagrees with the opinion of such medical practitioner, he may refer the case to the Chief Inspector or Inspector. The Chief inspector or the Inspector shall refer the case for decision to a second qualified medical practitioner and such decision shall be final.

18. Every person who has been certified as fit for employment under ground shall before he is so employed be provided by the Manager with a metal token. Such token shall be stamped with the letter 'P' and numbered. The number shall be the same as that of certificate of fitness.

19. A record of every token so issued and the person to whom it was issued shall be maintained in the office of the Mine.

20. The notice required under Section 23-B(1) of the Act shall be in the form shown in Schedule D and shall be posted in Urdu and local vernacular.

21. For the purpose of Section 23-B(1) read with Section 23-B(3) of the Act, all work persons employed below ground shall be reckoned from the mine such persons leave the surface of the Mine to the time at which they finally return thereto at the end of employment.

22. The following persons shall be deemed to be persons holding responsible positions of a managerial or technical character or employed in health and welfare services or employed in any confidential capacity within the meaning of Section 24 of the Act, namely:--

- (a) Assistant managers, under-managers, overman, or any person holding the position under the manager equivalent to that of Assistant manager, Under-Manager, Under-Manager or overman;
- (b) Mechanical engineers, engine-wrights, electricians, electrical engineers, drillers-in-charge;
- (c) Surveyors, inspectors of works or overseers;
- (d) Clerks, accountants, time keepers, administrative officers and superintendents; and
- (e) Doctors, Dispensers, Health officers, Welfare officers and Labour inspectors.

⁹ Clause (2-a) added vide Noti. S.R.O. 1054 (I)/74 of 5 Aug. 1974, Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

¹⁰[**22-A.** The following processes shall be deemed to be processes which are required by their nature to be carried on continuously within the meaning of Sub-Section (3) of Section 25 of the Act, namely:--

- (a) mechanical ventilation of mines;
- (b) pumping of water from mines;
- (c) generation of electricity, steam or compressed air for use in mines; and
- (d) any other process that may be notified by the Federal Government in the official Gazette];

¹¹[**23.** The register of overtime referred to in Sub-Section (3) of Section 25-A of the Act shall be maintained in the form shown in Schedule F.

23-A. At every mine a register of annual leave with wages in the form shown in Schedule G and a register of casual leave, sick leave and festival holidays in the form shown in Schedule H shall be maintained.

23-B. (1) The owner or agent of a mine shall provide to the Manager of the mine, appointed under Section 15 of the Act, adequate security of service and administrative and financial powers for enabling him to efficiently discharge his duties in accordance with the provisions of the Act.

(2) The owner or agent of a mine shall, in the case of a manager already appointed under Section 15 of the Act by the 31st July, 1974, or in the case of a new appointment of a manager, within seven days of such appointment, send to the Chief Inspector the term and conditions of his appointment and the details of administrative and financial powers delegated to him.

(3) The owner or agent of a mine before he discharges or dismisses a manager, who has rendered service of one year at his mine, shall, before doing so, consult the Chief Inspector.]

CHAPTER IV SAFETY OF SURFACE

24. If the owner, agent or manager of a mine intends to commence or extend any mining operation under his control at or to any point within 50 yards of any ground on which are situated public roads, buildings, structures, works or rivers not belonging to the owner, or in respect of which the Central Government has not issued any general or special order under clause (u) of Section 29 of the Act, he shall not less than 60 days before commencing to carry out his intention, give notice in writing to the Chief Inspector.

25. If the operations in respect of which notice is given under rule 24 are not commenced within 12 months from expiry of the period of 60 days therein referred to, the notice shall be held to have expired and the provisions of that rule shall apply as if no such notice has been given.

26. The notice to be given under rule 24 shall specify the position of the workings of the mine in relation to the public roads, structures, works or rivers, manner in which it is proposed to carry out the intended new operations, the limits to which it is proposed to carry the said operations, and whether the operations are actually in progress, and shall include a plan showing the existing and intending operations in so far as they affect the public roads, buildings, structures, works or rivers in question.

27. Mine working beneath land within 50 feet of a public road, building, structure, works or river shall be made only in accordance with restrictions laid down by the Chief Inspector of mines, and when a mine owner wishes to extract pillars under such land he shall not commence such operations until a diversion of roads, or rivers has been made, and buildings structure or works are removed or other precautionary measures taken to the satisfaction of the Chief Inspector.

“Explanation:--The expression “public road” where it occurs in rules 24, 26 and 27 means road maintained for the use of the public by Government or any local authority and river means a regular water course.”

28. Any dangerous place in or about an excavation or which has subsided or likely to subside shall be kept securely fenced on the surface. Should any doubt arise as to whether a place is dangerous or not, the opinion of an Inspector or of the District magistrate shall be conclusive on the point.

29. When any excavation, which has been formed as the result of any mining operation or any subsidence of the ground extends within fifty feet of a public road or dwelling house, and persons

¹⁰ Rule 22-A added by Noti. S.R.O. 1054 (I)/74 of 5 Aug. 1974, Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

¹¹ Rules 23, 23-A, 23-B subs. for the original rules 23, ibid.

are likely to be endangered thereby, substantial fencing shall be erected and maintained around the excavation or the subsidence.

30. When there is possibility of stability of occupied building on the surface of a mine within the boundaries of the mineral lease-hold being affected by extraction, reduction of underground pillars, or deterioration of under ground working, notice in writing shall be sent to the Chief Inspector by the owner, agent or manager of the mine not less than one month before the commencement of the operations or soon after deterioration of under ground workings is detected. The notice shall be accompanied by a plan showing the position of buildings in relation to the underground works. Before such operations of extraction and reduction are commenced or when deterioration of underground workings is detected the owner, agent or manager shall withdraw the person occupying the buildings and keep the area, likely to be affected securely fenced.

CHAPTER V ABANDONMENT OF MINES

31. In the case of any mine which is abandoned or the workings of which are discontinued, the owner, or manager of the mine shall be bound before the mine is finally abandoned or immediately after the working thereof has been discontinued, to cause the top or entrance of every shaft into the mine to be fenced by a structure of a permanent character sufficient to prevent persons inadvertently falling into or entering the shaft or openings.

32. Where the workings of any mine or part of a mine which are underground, on which is situated property vested in the Government of Pakistan or any local authority or any railway Company as defined in the railway Act 1890, or buildings, structures or works, not belonging to the owner, are discontinued or abandoned, intimation in writing shall be sent by the owner to the Chief Inspector not less than 30 days before the date of such discontinuance or abandonment.

33. When a notice of discontinuance of abandonment in conformity with rule 32 has been received, the Chief inspector may order an inspection of such working to be made as soon as possible to ascertain what protection is necessary in order to prevent injury to any property vested in the Government of Pakistan, or any local authority or Railway or building structure, works not belonging to the owner.

34. The Chief Inspector may, after the inspection required by rule 33, call upon the owner or agent of the mine to construct in the mine or on the surface of the mine such protective works as he may consider necessary and within such time as he may consider adequate for the purpose.

Provided that if the owner objects to the orders of the Chief Inspector in this respect he may within 20 days after the receipt of the notice containing the order appeal to the ¹²[provincial Government] stating in his appeal the grounds on which he objects to the orders of the Chief Inspector. The decision of the ¹³[Provincial Government] shall be final.

CHAPTER VI INQUIRY IN THE CASE OF ACCIDENTS

35. A court of inquiry appointed under Section 21 of the Act shall in the case of a person whose death may have been caused by an accident in a mine with respect to which an inquiry is being held permit any of the following persons to attend and examine any witness, either in person or by his counsel, solicitor, pleader or agent, subject to the power of the court to disallow any question which, in its opinion, is not relevant or proper:-

- (a) a relative of the deceased person,
- (b) the owner, agent or manager of a mine in which accident occurred, and
- (c) a person appointed by an order in writing in that behalf by--
 - (i) a majority of the workmen employed at that said mine,
 - (ii) an association of the workmen to which the deceased belonged at the time of his death,
 - (iii) an association of the employers of which the owner of the said mine is member, or
 - (iv) an association to which any official or a workman employed in the said mine belongs.

CHAPTER VII

¹² Subs. for "Central Government" by P. O. 1 of 1964.

¹³ Subs. for "Central Government" by P. O. 1 of 1964.

MISCELLANEOUS

36. If a court of inquiry appointed under Section 21 of the Act finds that the accident was due to any carelessness or negligence on the part of the management, the court may order the owner, agent or manager of the mine to pay all or any part of the expenses of the inquiry, and the amount so directed to be paid may, on the application of the Chief Inspector or an Inspector to a magistrate having jurisdiction at the place where the mine is situated, or where such owner, agent or manager is for the time being resident, be recovered by the distress and sale of any movable property within the limit of Magistrate's jurisdiction belonging to such owner, agent or manager.

37. Sufficient materials and appliances shall be kept in stock for the proper carrying out of all necessary operations in manner consonant with the provisions of the Act, regulations, rules and bye-laws.

38. No person shall, without the consent of the manager, take or consume any intoxicating drink or drug while at work in or about a mine and no person shall enter or may be in or about a mine in a state of intoxication.

39. The prescribed abstracts of the Mines, Act, 1923 (IV of 1923) regulations, rules and bye-laws applicable to the mine shall be posted up at or near every mine in Urdu or local vernacular.

40. All plans and books which are required to be kept under the Act, regulations, rules and bye-laws made there under shall be kept at an office or other building as near as conveniently may be to, and used in connection with the working of the mine, and shall be produced on the Chief Inspector or an Inspector or any person authorized in that behalf by the appropriate Government.

¹⁴[**40-A.** If the Chief Inspector is of the opinion that muster roll or register regularly maintained for a mine gives, in respect of any or all of the workers in such mine, the particulars required to be maintained in a register under these rules, he may, by order in writing, direct that such muster roll or register shall, to the corresponding extent, be maintained in place of and be treated as the register required under these rules.]

¹⁵[**41.** The originals, or true copies, of all reports made or the registers maintained in conformity with the Act or with the regulations, rules or bye-laws made there under shall be maintained at the mine for a period of five years after the date of such report or the date of last entry in such register.]

42. No person shall down, injure or deface any abstract of the Act or any copy of the regulations, rules or bye-laws made there under which is posted up at any mine or any notice posted up in pursuance of the regulation of the mine.

¹⁴ Rule 40-A added by Noti. S.R.O. 1054 (I)/74 of 5 Aug. 1974, Gaz. of Pak. Pt. II, 5 Aug 1974, p. 1506.

¹⁵ Rule 41 subs. for the original rule, *ibid.*

SCHEDULE C

[See Rule 13]

Form of certificate for employment underground in a mine

<p><i>Counters foil of certificate of</i></p> <p>1. Serial No.</p> <p>2. Date</p> <p>3. Name</p> <p style="padding-left: 40px;">Father's name</p> <p>4. Caste or Religion</p> <p>5. Residence</p> <p>6. Age certified</p> <p>7. Distinctive marksLeft thumb impression</p> <p style="padding-left: 40px;">Qualified medical practitioner renewed till</p> <p>Left thumb impression dated</p>	<p align="center"><i>Certificate of Fitness</i></p> <p>Serial No.....</p> <p>Date</p> <p>This certificate unless renewed shall not be valid after.....</p> <p>I hereby certify that I have personally (examined name) son of caste residing at who is desirous of being employed in and that his age as nearly as can be ascertained from my examination is years and that he is fit for employment underground in a mine as an adult. His descriptive marks are</p> <p>.....</p>
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Signature of qualified medical practitioner

Signature of qualified medical practitioner

SCHEDULE D

[See Rule 20]

NOTICE OF COMMENCEMENT AND END OF WORK

Name of Mine.

Name of owner of a Mine.

It is hereby notified that persons employed in this mine shall begin and end their period of work between the hours set out below:-

Kind of work	1 st relay				2 nd relay				3 rd relay			
	Period of work		Rest interval		Period of work		Rest interval		Period of work		Rest interval	
	Begins	Ends	Begins	Ends	Begins	Ends	Begins	Ends	Begins	Ends	Begins	Ends
	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.	A.M.
	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.

Note.--

The words and letters not wanted should be secured out
In the case of underground workers the entry in the rest interval column will be nil.

SCHEDULE H

[See Rule 23-A]

Register of Casual Leave, Sick Leave and Festival Holidays for the year.....

Name of employee

Father's Name

Serial number of employee in Schedule A.....

Casual Leave									Sick Leave			
Applied		Granted	*Daily Average Wages	Wages paid		Refused			Applied		Granted	
From	To	From		Date	Amount	From	To	Reason	From	To	From	To

Festival Holidays										
*Daily Average Wages	Wages paid		Refused			Allowed		*Daily Average Wages	Wages paid	
	Date	Amount	From	To	Reason	From	To		Date	Amount

* Daily average of the wages for the days the employee actually worked during the three months proceeding the date of commencement of leave or the date of festival holidays.