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THE MINES ACT, 1952

INTRODUCTION

An act is the law relating to the regulation of welfare of labour health and safety purpose in mines.

- ◉ The act is administered by the Ministry of labour and employment. The Mines Act 1952 contains provisions for measures relating to health, safety and welfare of workers in the coal, metalliferous and oil mines.
- ◉ The act prescribes the duties of the owner to manage mines and mining operation and the health and safety in mines. It also prescribes the number of working hours in mines the minimum wage rates, and other related matters.
- ◉ Through the DGMS (Directorate General of Mines Safety). DGMS is the Indian Government regulatory agency for safety in mines and oil- fields.

SECTION 1 – PRELIMINARY

- ⦿ This act may be called the Mines Act, 1952.
- ⦿ It extent to the whole India.
- ⦿ It shall come into force on such date or dates as the central government may, by notification in the official gazette, appoint and different dates may be appointed for different provisions of this act and for different states but not later than 31st Dec., 1953.

SECTION 2 – DEFINITIONS

- ⊙ **Agent** - Means every person acting or purporting to act on behalf of the owner, in the management, control, direction or supervision of the mine.
- ⊙ **Committee**- Means a committee constituted under section 12.
- ⊙ **Mine** - Means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes.
 - ⊙ All borings, bore holes, oil wells.
 - ⊙ All shafts.
 - ⊙ All opencast workings, Underground working.

SECTION 2 – DEFINITIONS

- ⦿ **Minerals-** Means all substance which can be obtained from the earth.
- ⦿ **Owner** – When used in relation to a mine, means any person who is the immediate proprietor or lessee or occupier of the mine of any part there of and in the case of a Mine the business where of is being carried on by a liquidator or receiver, such liquidator or receiver.

But doesnot include a person who merely receives a royalty, rent or fine from the mine, or is merely the proprietor of the mine, subject to any lease, grant or licence for the working thereof or is merely the owner of the soil and not interested in the minerals of the mine, but (any contractor or sub lease) for the working of a mine or any part there of shall be subject tothis act in like manner as if he were an owner , but not so as to exempt the owner from any liability

SECTION 2 – DEFINITIONS

- ⊙ **Qualified Medical Practitioner-** Means a medical practitioner who possesses any recognized medical qualification as defined in clause (h) of section 2 of the Indian Medical Council Act, 1956 (102 of 1956) and who is enrolled on a State Medical Registrar as defined in clause (k) of that section.
- ⊙ **Serious bodily injury-** Means any injury which involves; or in probability will involve the permanent loss of any part or section of a body or any permanent physical incapacity.

SECTION 3- ACT NOT TO APPLY IN CERTAIN CASES-

- ⊙ Act not to apply in certain cases. Like Section 7,8,9,45 and 46 are not to apply Any mine in which excavation is being made for prospecting purpose only, not for obtaining minerals for use or sale.