

टिप्पण: धातुमय खान विनियम, 1961 भारत के राजपत्र भाग II, खंड 3, उप खंड (i) अधिसूचना संख्याक सा.का.नि. 3371(अ) तारीख 18 अक्टूबर, 1960 द्वारा प्रकाशित किया गया था।

NOTIFICATION

New Delhi, the 15th December, 2020

G.S.R. 765(E).—Whereas in exercise of the powers conferred by section 57 of the Mines Act, 1952 (35 of 1952) and on the recommendations of the Committee constituted under section 12 of the said Act, the Central Government made the Metalliferous Mines Regulations, 1961 after following the due process envisaged for previous publication of the said rules under sub-section (1) of section 59 of the said Act;

And whereas, as per regulation 14 of the said regulations, the examination for the Manager's and Surveyor's certificates shall conducted with prior notification of the date of examination of not less than 60 days from the date fixed by the Board of Mining Examinations for receiving applications and the closing date for receipt of applications shall not be less than 60 days prior to the date fixed for the examination,

And whereas, the last such examination for Manager's certificate of competency was conducted in the year 2016 and due to changes in the regulations and its subsequent notification in the relevant bye-laws for examination, which were notified in the year 2018, the computer based examination was not conducted for the later years,

And whereas, there is shortage of persons holding the certificate of competency and in the absence of competent persons maintaining safety in the mine may be a problem;

And whereas, in order to conduct the aforesaid examination as immediately as possible, as a one-time measure, it is required to reduce the period prescribed for receiving the applications and conduct of examination from 60 days to 30 days;

And whereas, as per section 59 of the said Act the power to make regulations under section 57 are subject to the condition of previous publication and no regulation shall be made unless the draft thereof has been referred to the Committee constituted under sub-section (1) of section 12 of the said Act;

And whereas, section 60 of the said Act empowers the Central Government to make regulations without previous publication, if the Central Government is satisfied that for the prevention of apprehended danger or the speedy remedy of conditions likely to cause danger it may dispense with the delay that would result from such publication and reference; and hence, it has been decided to dispense with the requirement of previous publication and reference to the committee referred to under section 59 of the said Act;

Now therefore, in exercise of the powers conferred by section 57 of the Mines Act, 1952 the Central Government hereby makes the following regulations further to amend the Metalliferous Mines Regulations, 1961, namely:

1. Short title and commencement.— (1). These regulations may be called the Metalliferous Mines (Amendment) Regulations, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette and shall cease to operate on the 30th day of June, 2021, except as respects things done or omitted to be done before such cessation.

2. In the Metalliferous Mines Regulations, 1961, for regulation 14, the following regulation shall be substituted, namely:

“14. Submission of application.- (1) Application for an examination conducted by the Board shall be made on a form specified for the purpose.

(2) Notice regarding the date and place of the examination for the Manager's Certificate and Surveyor's Certificate shall be published under the order of the Board in such periodicals as the Board may direct, not less than 60 days prior to the date fixed by the Board for receiving applications. The closing date for receipt of applications shall not be less than 60 days prior to the date fixed for the examination:

Provided that, if examination is conducted by computer based test mode, notice regarding the date and place of the examination shall be published under the order of the Board in such periodicals or by any other means as the

Board may direct, not less than 30 days prior to the date fixed by the Board for receiving the applications. The closing date for receipt of applications shall not be less than 30 days prior to the date fixed for the examination”.

[F. No. S-66012/01/2020-ISH-II]

KALPANA RAJSINGHOT, Jt. Secy.

Note: The Metalliferous Mines Regulations, 1961 were published in the Gazette of India, Part II, Section 3, Sub-section (i), *vide* notification number G.S.R. 337, dated 18th October, 1960.