



सत्यमेव जयते  
भारत सरकार

Government of India

श्रम एवं रोजगार मंत्रालय

Ministry of Labour & Employment

खान सुरक्षा महानिदेशालय

Directorate General of Mines Safety



No. DGMS/Exam/Legis./2019/ 03

Dhanbad, dated- 15 /07/2019

To,

The Owners, Agents and Managers of all Coal Mines.

**Subject: - Bye-laws for suspension or cancellation of statutory certificate granted under the CMR, 2017 - Reg.**

Sir,

In pursuance of sub-Regulation (2) of Regulation 24 of the Coal Mines Regulations, 2017, the Bye-laws for procedure to hold an enquiry to determine whether or not the holder of a Manager's Certificate, Surveyor's Certificate, Overman's Certificate, Sirdar's Certificate, Engine Driver's Certificate or Gas Testing Certificate is incompetent or is guilty of negligence or misconduct in the performance of his duties under the Act or under these regulations and such a person (hereinafter referred to as the delinquent) is fit to continue to hold such certificate have been specified vide Government notification no. G.S.R. 315(E), dated 12<sup>th</sup> April, 2019, published in the Gazette of India, Extraordinary, Part II – Section 3 – sub-section (i), dated 22<sup>nd</sup> April, 2019, are as follows;

1.0 The Board may, on the report of the Regional Inspector under Regulation 24 (1), authorise an Inspector, not below the rank of the Inspector whose report formed the basis of the said opinion.

2.0 The Board shall, before the enquiry, furnish to the delinquent a statement of the case on which the enquiry is instituted.

3.0 During such enquiry, the Inspector authorised to conduct the enquiry shall be provided with all relevant documents and he shall record:

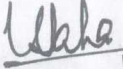
- (i) the evidence of any witness that formed the basis of the said opinion;
- (ii) any evidence that the delinquent may like to give;
- (iii) the evidence of any witness that the delinquent may like to produce;
- (iv) the evidence of Manager of the mine; and
- (v) any other evidence that may be considered necessary or relevant by the Inspector conducting the enquiry.

4.0 Unless the delinquent fails to be present in spite of sufficient notice, the evidence aforesaid shall recorded in the presence of the delinquent and he / she shall be given a reasonable

opportunity to cross-examine the witness (other than those produced by him / her). The Inspector conducting the enquiry, also may cross-examine the delinquent and the witnesses.

You are therefore, requested to give wide publicity in the field, including through VTC's/GVTC's, regarding above mentioned Bye-laws.

Yours faithfully

  
(Utpal Saha) 10/7/2019  
Director General of Mines Safety.