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COMMITTEES- (FUNCTIONS&POWERS)

COMMITTEES

Committees – ‘The Ministry of Labor and Employment’, under the Government of India, constitutes a committee to handle the powers and functions with respect to the said act. The committee constitutes of a chairman and its members who look after taking the decisions regarding various functionalities to the territory this act extends and most of the time its decision is considered final and binding.

- (1) The Central Government shall, with effect from such date as that Government may, by notification in the Official Gazette, specify in this behalf, constitute for the purposes of this Act, a Committee consisting of—**
 - (a) a person in the service of the Government, not being the Chief Inspector or an Inspector, appointed by the Central Government to act as Chairman;**
 - (b) the Chief Inspector of Mines;**
 - (c) two persons to represent the interests of miners appointed by the Central Government;**
 - (d) two persons to represent the interests of owners of mines appointed by the Central Government.**
 - (e) two qualified mining engineers not directly employed in the mining industry, appointed by the Central Government:**

(Provided that one at least of the persons appointed under clause (c) shall be for representing the interests of workers in coal mines and one at least of the persons appointed under clause (d) shall be for representing the interests of owners of coal mines.)

(SECTION-12) COMMITTEES

- (2) Without prejudice to the generality of sub-section (1), the Central Government may constitute one or more Committees to deal with specific matters relating to any part of the territories to which this Act extends or to a mine or a group of mines and may appoint members thereof and the provisions of sub-section (1) (except the proviso thereto) shall apply for the constitution of any Committee under this sub-section as they apply for the constitution of a Committee under that sub-section.**
- (3) No act or proceeding of a Committee shall be invalid by reason only of the existence of any vacancy among its members or any defect in the constitution thereof.**

SECTION-(13) FUNCTIONS OF THE COMMITTEE

1. A Committee should be constituted which will look after:

- ✘ proposals, for making rules, regulations, and recommendations for the Central Government;**
- ✘ enquiring into accidents or other matters which are referred to it by the Central Government and make reports upon; and**
- ✘ hearing and deciding appeals or objections against notices or orders or the regulations, rules or bye-laws thereunder.**

2. The Chief Inspector is not supposed to take part in the proceedings of the Committee regarding any appeal or objection against an order or notice made or issued by him or act in relation to any matter pertaining to such appeal or objection as a member of the Committee

(SECTION-14) POWERS, ETC., OF THE COMMITTEES

- (1) A Committee constituted under section 12 may exercise such of the powers of an Inspector under this Act as it thinks necessary or expedient to exercise for the purposes of discharging its functions under this Act.**

- (2) A Committee is constituted should be exercise the powers of an Inspector for discharging its functions, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:-**
 - × discovery and inspection.**
 - × enforcing the attendance of any person and examining him on oath.**
 - × compelling the production of documents and**
 - × such other matters as may be prescribed.**

SECTION (15) RECOVERING OF EXPENSES

- ✘ **The Central Government can direct all the expenses of any inquiry conducted by a Committee constituted to be borne by the owner or agent of the mine concerned.**
- ✘ **The amount so directed is paid on application by the Chief Inspector or an Inspector to a magistrate having jurisdiction at the place where the mine is situated or where such owner or agent is for the time being resident. be recovered by the distress and sale of any movable property within the limits of the magistrate's jurisdiction belonging to such owner or agent:**

(Provided that the owner or his agent has not paid the amount within six weeks from the date of receiving the notice from the Central Government or the Chief Inspector of Mines.)