



सत्यमेव जयते



आज़ादी का
अमृत महोत्सव

भारत सरकार
Government of India
श्रम एवं रोजगार मंत्रालय
Ministry of Labour & Employment
खान सुरक्षा महानिदेशालय
Directorate General of Mines Safety



No. DGMS/Circular(Tech)/02

Dhanbad, Dated 29th April, 2022

To

**The Owners, Agents and Managers
of all Coal and Metalliferous Mines**

Sub: Recommendations of the Rajmahal Court of Inquiry constituted to inquire into the causes and circumstances leading to the accident at Rajmahal Opencast Mine of M/s Eastern Coalfields Limited on 29.12.2016: Reg.

The court of Inquiry was constituted under the Section 24 of the Mines Act, 1952, to inquire into the causes and circumstances attending to the accident that occurred at Rajmahal Opencast Mine of M/s Eastern Coalfields Limited on 29.12.2016, due to the failure of batter resulting into instant sliding of dump, about 600m X 100m in size and 4.31 lakh cu.m. in volume (as per HPC Report), burying 23 workers employed thereat.

The court of Inquiry made the following recommendations to avoid similar accidents in future:

(i) Preparation and approval of the Project Report: While preparing a Project Report of a large opencast mine, planners should clearly specify in detail all operations like manner of extraction, place of dumping, layout of dump, layout of roadways for transportations etc, required to be carried out in the mine. The estimated cost of the project should also include funds for safety and acquisition of land. The project should be approved with the condition that operations in the mine is commenced only after complete acquisition of land required for operations. The report should be considered for approval after its vetting by Internal Safety Organisation.

(ii) Planning & Execution: There should be a clear segregation of authorities involved in planning and those responsible for execution of the Plan. It is recommended that a Planning and Monitoring Committee may be set up comprising all relevant stake holders who would be responsible for preparation and execution of the Project Report after taking into consideration all parameters including safety parameters involved in operation of a mine. This Committee may

also be entrusted with the responsibility of regular monitoring of the project at its execution stage to ensure that there are no deviations from the original approved Plan. This is necessary as an executive, generally concerned with production, is likely to take decisions deviating from the approved Plan in order to achieve production targets. Such decisions may prove costly in terms of safety parameters of the mine. If any deviation is required due to changed circumstances, it should be done in consultation and approval of this Planning and Monitoring Committee.

(iii) Status of the Manager: As per requirements of Section 17 of the Mines Act, 1952, a Manager is responsible for the overall management, control, supervision and direction of the mine. However, in practice, it is seen that the Manager is a very junior officer and therefore has virtually very little control over the management of the mine. Most of the operational decisions are taken at higher levels with very little input from the Manager. This creates lot of confusion and is against the spirit of Section 17 of the Mines Act, 1952. Hence, it is recommended that a sufficiently senior officer is appointed as Manager of the mine to fulfill the statutory requirements of the Act.

(iv) Role of the Contractor: Full and exclusive responsibility for safety in the mine should rest with the Manager and mine officials under him as required by the Mines Act, 1952 and the Rules and Regulations made thereunder. Role of a Contractor should be limited only to carrying out certain operations in the mine under total control and direction of the Manager.

(v) External Safety Audit: In addition to Internal Safety Audit, a mine should also be audited by an external agency to detect any unsafe condition/practice prevalent in the mine.

(vi) Monitoring of slope stability in opencast mines: Strata monitoring including dump monitoring for deeper opencast mines and dumps of more than 60m height should be made mandatory to provide real time information about the loads and strains on benches and dumps.

(vii) Digital Occupational Safety and Health (OSH) Observatory: There have been many disasters due to opencast bench and dump failures in coal mines in India in recent past. In most of the cases the causes of failures were one and the same, i.e. none adherence to the bench parameters and presence of geological disturbances including hydrological effects.

It is recommended that a Digital OSH Observatory should be set up at national level where in digital records of all the accidents, disasters, health issues, status of mines and their risk levels in digital forms is maintained for reference and is in public domain.

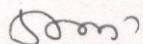
(viii) Mine Digitalization and Emergency Action Plan: After any mine disaster, it is generally difficult to locate the entrapped miners leading to delay in rescue and recovery operations. In order to avoid such a situation and to ensure emergent rescue operations of affected persons, a provision under the Coal Mines Regulations, 2017 has already been made as given below: Regulation 37 (5)(c) "The Owner shall ensure that a system is established so that the names of all persons who are employed belowground can be accurately known at any time,



as well as their probable location". It is recommended that the above mentioned provision 37 (5) (c) of the Coal Mines Regulations, 2017 be amended so that it is applicable to opencast mines also.

(ix) Delegation of financial powers to the 'Nominated Owner: As per Section 18 (1) of the Mines Act, 1952, the 'Owner' and 'Agent' of every mine are responsible for making financial and other provisions and for taking such steps as may be necessary for compliance with the provisions of the Act and the regulations, rules, byelaws and orders made thereunder. The company, under Section 76 of the Act, nominates one of its Directors to assume the responsibility of the 'Owner' of the mine for the purposes of the Act. Therefore, it is recommended that such 'Nominated Owner' be delegated full financial powers for matters related to safety so that he is able to fulfill his obligations required by the Act.

You are, therefore requested to take suitable steps to implement the above mentioned recommendations of the Rajmahal court of inquiry in the mines under your control.



25.04.2022

(Prabhat Kumar)

Chief Inspector of Mines.