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GOVERNMENT OF MIZORAM

PART I

Appointments, Postings, Transfers, Powers Leave and Personal Notices and Orders.

NOTIFICATION

NO DLA/VC-GEN. 7/74/Pt the 27th. December '74. In exercise of the powers conferred by Sub-Rule 7 of Rule 4 of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953, as adapted, and Rule 3 (2) of the Mizoram (Election to Village Councils) Rules, 1974, the Lt. Governor (Administrator) of Mizoram is pleased to declare the following Villages as Village Council Constituencies the number of seats for each Constituency in Aizawl and Lunglei Districts to form a Village Council show as shown in Annexure 'A'.

Khuanga,
Director and Deputy Secretary to the
Government of Mizoram,
Local Administration Department.

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected members.	No. of no- minated member.	Total No. of V/C members entitled.
1	2	3	4	5	6
1.	Tlangnuam	164	3	2	5
2.	Kulikawn/Thakthing	385	5	2	7
3.	Mission veng	370	5	2	7
4.	Maubawk/Bungkawn/ Khatla	593	6	3	9
5.	Venghlui	180	3	2	5
6.	Republic	334	5	2	7
7.	Bethlehem	350	5	2	7
8.	Tuikual	280	4	2	6
9.	Dawrpui	284	4	2	6
10.	Sarawn/Chhinga Veng	326	5	2	7
11.	Electric veng	420	6	2	8
12.	Zarkawt/Chandmar	534	6	3	9
13.	Vengthar	312	5	2	7
14.	Vaivakawa	415	6	2	8
15.	Ramhlun	385	5	2	7
16.	Lungleng	130	3	2	5
17.	Maubuang	83	3	1	4
18.	Thiak	68	3	1	4
19.	Sumsuih	135	3	2	5
20.	Chamring	25	3	1	4
21.	Hmuifang	23	3	1	4
22.	Samlukhai	135	3	2	5
23.	Sialsuk	270	4	2	6

ANNEXURE "A"

Census No.	Name of Village/ Constituency.	No. of Houses	No. of seats to be elected members	No. of no- minated member	Total no. of mem- bers
1	2	3	4	5	6
24.	Hliman 'S'	140	3	2	5
25.	Melthum	129	3	2	5
26.	Khawchhete	81	3	1	4
27.	Hualogohmun	40	3	1	4
28.	Thingdawl (S)	70	3	1	4
29.	Kelsih	85	3	1	4
30.	Tachhip	95	3	1	4
31.	Musilungba	126	3	2	5
32.	Soteek	165	3	2	5
33.	Phudui	117	3	2	5
34.	Bikkawthit	545	6	3	9
35.	Phainam	26	3	1	4
36.	Vairengte	640	7	3	10
37.	Lunglai	415	6	2	8
38.	Thingdawl	459	6	2	8
39.	Kawnpui	805	7	3	10
40.	Sihphir	480	6	2	8
41.	Durtlang	470	6	2	8
42.	Kolasib	1319	7	3	10
43.	Chalhang 'S'	558	6	3	9
44.	Durlawn	508	6	3	9
45.	Katu	260	4	2	6
46.	N. Hliman	215	4	2	6

ANNEXURE "A"

Constitu- ent No.	Name of Village/ Constituency	No. of Houses	No. seat by elector member	No. of in- digenous members	Total No. of Mem- bers
1	2	3	4	5	6
47	Zohram	401	6	2	8
48	Vervek	288	4	2	6
49	Bukpui	205	4	2	6
50	Saipum	103	3	2	5
51	Khawruhliaw	379	5	2	7
52	Kepran	337	5	2	7
53	Suangpuihaw	271	4	2	6
54	Vanbawng	250	4	2	6
55	Khawliaw	253	4	2	6
56	Phualbung	206	4	2	6
57	Saitual	505	6	3	9
58	Kawkuh	422	6	2	8
59	Kuallung	358	5	2	7
60	N.E. Baalpon	309	5	2	7
61	Phullea	316	5	2	7
62	Mimbung	168	3	2	5
63	Klawdungser	219	4	2	6
64	Kawliem	119	3	2	5
65	Hnahlin	413	6	2	8
66	Ngopa	292	4	2	6
67	Aiduzawl	125	3	2	5
68	Champai	720	7	3	10
69	Zote	435	6	2	8

ANNEXURE "A"

Consty No.	Name of Village/ Constituency.	No of Houses	No. of seat to be elected members.	No. of no- minated member.	Total No. of V/C members entitled.
1	2	3	4	5	6
24.	Hlimen 'S'	140	3	2	5
25.	Meltbum	129	3	2	5
26.	Khawchbete	81	3	1	4
27.	Hualngobmun	40	3	1	4
28.	Thingdawl mel 8	70	3	1	4
29.	Kelsih	85	3	1	4
30.	Tachhip	95	3	1	4
31.	Muallungthu	126	3	2	5
32.	Sateek	165	3	2	5
33.	Phulpui	117	3	2	5
34.	Bilkhawthir	545	6	3	9
35.	Pbainuam	26	3	1	4
36.	Vairengte	640	7	3	10
37.	Lungdai	415	6	2	8
38.	Thingdawl	459	6	2	8
39.	Kawnpui	805	7	3	10
40.	Sihphir	480	6	2	8
41.	Durtlang	470	6	2	8
42.	Kolasib	1319	7	3	10
43.	Chaltlang 'S'	558	6	3	9
44.	Darlawn	508	6	3	9
45.	Ratu	260	4	2	6
46.	N. Hlimen	215	4	2	6

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member	No. of no- nominated members.	Total No. of V/C members entitled.
1	2	3	4	5	6
47.	Zohmun	401	6	2	8
48.	Vervek	288	4	2	6
49.	Bukpui	205	4	2	6
50.	Saipum	103	3	2	5
51.	Khawrublian	379	5	2	7
52.	Kepran	337	5	2	7
53.	Suangpuilawa	271	4	2	6
54.	Vambawng	250	4	2	6
55.	Khawlian	253	4	2	6
56.	Phuaibuang	206	4	2	6
57.	Saitual	505	6	3	9
58.	Kawikulh	422	6	2	8
59.	Ruallung	358	5	2	7
60.	N.E. Bualpui	309	5	2	7
61.	Phullen	316	5	2	7
62.	Mimbung	168	3	2	5
63.	Khawdungsei	219	4	2	6
64.	Kawlbem	119	3	2	5
65.	Hnahlan	413	6	2	8
66.	Ngopa	292	4	2	6
67.	Aiduzawl	125	3	2	5
68.	Champhai	720	7	3	10
69.	Zote	435	6	2	8

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member.	No. of no- minated members.	Total No. of V/C members entitled.
1	2	3	4	5	6
70.	Ruantlang	552	6	3	9
71.	Bungzung	477	6	2	8
72.	Vanzau	289	4	2	6
73.	Khawzawl	700	7	3	6
74.	Chawngtlai	316	5	2	7
75.	Neihdawn	65	3	1	4
76.	Khawhai	581	6	3	9
77.	Lungpho	276	4	2	6
78.	Sialhawk	322	5	2	7
79.	Biate	333	5	2	7
80.	Chalrang	154	3	2	5
81.	Zemabawk	425	6	2	8
82.	Thingsulthlah	887	7	3	10
83.	Tlungvel	518	6	3	9
84.	Baktawng	504	6	3	9
85.	Chhingchhip	602	7	3	10
86.	Lungdar (E)	105	6	3	9
87.	N. Vanlaiphai	449	6	2	8
88.	Khawlailung	456	6	2	8
89.	Khawbung	495	6	2	8
90.	Farkawn	538	7	3	10
91.	Vaphai	238	4	2	6

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member	No. of no- nominated members	Total No of V.P. members entitled.
1	2	3	4	5	6
92.	Thenzawl	616	7	3	10
93.	Serehhip	837	7	3	10
94.	Chhiahtlang	631	7	3	10
95.	Bungtlang	549	6	3	9
96.	Khawrihmita	104	3	2	5
97.	Lungdar 'W'	65	3	1	4
98.	Kangtman	150	3	2	5
99.	W. Phaiderg	237	4	2	6
100.	Lallen	140	3	2	5
101.	Phuldungsei	138	3	2	5
102.	Lungdar	202	4	2	6
103.	Marpara	570	6	3	9
104.	Rciek	253	4	2	6
105.	Ailawng	63	3	1	4
106.	S. Sabual	65	3	1	4
107.	Rawnichhip	202	4	2	6
108.	Sairang	514	6	3	9
109.	Lengpoi	259	4	2	6
110.	Hmunpui	125	3	2	5
111.	Hortoki	284	4	2	6
112.	Bairabi	379	5	2	7
113.	Luangmual	179	3	2	5
114.	Sakawrtuichhun	76	3	1	4

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member.	No. of no- minated members	Total No. of V/C members entitled.
1	2	3	4	5	6
115.	Tanhril	117	3	2	5
116.	Mamit	705	7	3	10
117.	Kawrthah	354	5	2	7
118.	Lokichera	254	4	2	6
119.	Rengdil	290	4	2	6
120.	Kawrtethawveng	517	6	3	9
121.	Kanhmun	114	3	2	5
122.	Borai	175	3	2	5
123.	Zamuang	386	5	2	7
124.	Tuipuibari I	300	4	2	6
125.	Tuipuibari II	348	5	2	7
126.	Lushaichera	85	3	1	4
127.	Arm Police veng	215	4	2	6
128.	Bazar veng	280	4	2	6
129.	Bawng veng	120	3	2	5
130.	Buarpui	341	5	2	7
131.	Bunghmun	268	4	2	6
132.	Chandmari veng	410	6	2	8
133.	Cherhlu	265	4	2	6
134.	Chawilung	30	3	1	4
135.	Chhipphir	225	4	2	6

ANNEXURE "A"

Consty No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member.	No. of no- minated members	Total No. of V/C members entitled.
1	2	3	4	5	6
136.	Darngawn 'S'	32	3	2	5
137.	Demagiri	365	5	2	7
138.	Diblibagh	134	3	2	5
139.	Hauruang	25	4	2	6
140.	Hnaithial	873	7	3	10
141.	Haulawng	274	4	2	6
142.	Kawnpui 'W'	249	4	2	6
143.	Khojoisuri	126	3	2	5
144.	Venglai	101	3	2	5
145.	Lunglawn	414	6	2	8
146.	Lungsen	601	7	3	10
147.	Mualthuam	314	5	2	7
148.	Nunsuri	245	4	2	6
149.	Pangzawl	1102	7	3	10
150.	Puankhai	215	4	2	6
151.	Rahsi veng	175	3	2	5
152.	S. Vanlaiphai	465	6	2	8
153.	Thingsai	350	5	2	7
154.	Tawipui	432	6	2	8
155.	Thingfal	268	4	2	6

ANNEXURE "A"

Consty. No	Name of Village/ Constituency.	No of Houses	No. of seat to be elected member.	No. of no- minated members.	Total No. of V/C members entitled.
1	2	3	4	5	6
156.	Theiriat	224	4	2	6
157.	Tuichawng	183	3	2	5
158.	Tiperaghat	114	3	2	5
159.	Zotlang	367	5	2	7
160.	Zohnuai	68	3	1	4
161.	Zobawk	523	6	3	9
162.	Chawngte	493	6	2	8
163.	Pukpui	82	3	1	4

THE CONSTITUTION (THIRTY-FOURTH AMENDMENT) ACT, 1974.

An
Act

further to amend the Constitution of India BE it enacted by Parliament in the Twenty-fifth year of the Republic of India as follows:—

1. This Act may be called the Constitution (Thirty-fourth Amendment) Act, 1974.

Short
title.

2. In the Ninth Schedule to the Constitution, after entry 66 and before the Explanation, the following entries shall be inserted namely:—

Amendment
of
Ninth
Schedule

"67. The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Andhra Pradesh Act 1 of 1973).

68. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1972 (Bihar Act 1 of 1973).

69. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1973 (Bihar Act IX of 1973).

70. The Bihar Land Reforms (Amendment) Act, 1972 (Bihar Act V of 1972).

71. The Gujarat Agricultural Lands Ceiling (Amendment) Act, 1972 (Gujarat Act 2 of 1974).

72. The Haryana Ceiling on Land Holdings Act, 1972 (Haryana Act 26 of 1972).

73. The Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Himachal Pradesh Act 19 of 1973).

74. The Kerala Land Reforms (Amendment) Act, 1972 (Kerala Act 17 of 1972).

75. The Madhya Pradesh Ceiling on Agricultural Holdings (Amendment) Act, 1972 (Madhya Pradesh Act 12 of 1974).

76. The Madhya Pradesh Ceiling on Agricultural Holdings (Second Amendment) Act, 1972 (Madhya Pradesh Act 13 of 1974).

77. The Mysore Land Reforms (Amendment) Act, 1973 (Karnataka Act 1 of 1974).

78. The Punjab Land Reforms Act, 1972 (Punjab Act 10 of 1973).

79. The Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 (Rajasthan Act II of 1973).

80. The Gadalar Jammao Estates (Abolition and Conversion into Ryotwari) Act, 1969 (Tamil Nadu Act 24 of 1969).

81. The West Bengal Land Reforms (Amendment) Act, 1972 (West Bengal Act XII of 1972).

82. The West Bengal Estates Acquisition (Amendment) Act, 1964 (West Bengal Act XXII of 1964).

83. The West Bengal Estates Acquisition (Second Amendment) Act, 1973 (West Bengal Act XXXIII of 1973).

84. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1972 (Gujarat Act 5 of 1973).

85. The Orissa Land Reforms (Amendment) Act, 1974 (Orissa Act 9 of 1974).

86. The Tripura Land Revenue and Land Reforms (Second Amendment) Act, 1974 (Tripura Act 7 of 1974).

THE COAL MINES (CONSERVATION AND DEVELOPMENT) ACT, 1974.

An
Act

to provide for the conservation of coal and mines and for matters connected therewith or incidental there to.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

Short title,
extent and
commencement.

1. (1) This Act may be called the Coal Mines (Conservation and Development) Act, 1974.
(2) It extends to the whole of India.
(3) It shall come into force on such day as the Central Government may, by notification, appoint in this behalf.

Declaration
as to expedi-
ency of control
by Central
Government.

2. It is hereby declared that it is expedient in the public interest that the Central Government should take under its control the regulation and development of coal mines to the extent herein-after provided.

Definitions

3. In this Act, unless the context otherwise requires:—
 - (a) "Appointed day" means the day on which this Act comes into force.
 - (b) "blending" means the process of intimately mixing different varieties of coal so as to provide a mixture which on carbonisation results in coke.
 - (c) "coal" includes coke in all its forms but does not include lignite.
 - (d) "Chief Inspector" and "Inspector" mean the persons respectively appointed as the Chief Inspector of Mines and Inspector of Mines under the Mines Act, 1952, and the provisions of that Act shall apply to the Chief Inspector and to all Inspectors while exercising their powers under this Act or the rules made thereunder.

- 2 of 1934.
- 9 of 1890.
- 35 of 1952
- (e) "notification" means a notification published in the Official Gazette;
 - (f) "prescribed" means prescribed by rules made under this Act;
 - (g) "scheduled bank" means a bank for the time being included in the second schedule to the Reserve Bank of India Act, 1934;
 - (h) "railway" shall have the meaning assigned to it in the Indian Railway Act, 1890;
 - (i) "safety in coal mines" includes the safety of any railway situated
 - (j) "stowing" means the operation of stowing, with sand or any other material, or with both, spaces left underground in a coal mine by the extraction of coal;
 - (k) "washing" means such process or combination of processes as may be approved in this behalf by the Central Government by which the whole or any part of the shale and mineral matter found in the coal is removed therefrom;
 - (l) "agent," "mine" "and" "owner" have the meanings respectively assigned to them in the Mines Act, 1952.

CHAPTER II

PROVISIONS RELATING TO CONSERVATION OF COAL AND DEVELOPMENT OF COAL MINES.

- Power of Central Government in respect of conservation of coal and development of coal mines.
4. (1) The Central Government may, for the purpose of conservation of coal and for the development of coal mines, exercise such powers and take, or cause to be taken, such measures as it may deem necessary or proper or as may be described.
- (2) Without prejudice to the generality of the foregoing power, the Central Government may, by order in writing addressed to the owner, agent or manager of a coal mine, require him to take such measures as it may think necessary for the

purpose of conservation of coal or for development of coal mines, including :--

- (a) in any coal mine, stowing for safety or
- (b) the prevention of any factor which may adversely affect the conservation of coal or development of coal mine or
- (c) washing of coal with a view to beneficiating and reducing the ash contents of coal.

Duty of owner to take steps for the conservation and development of coal mine.

5. (1) The owner of a coal mine shall take, in relation to each coal mine owned by him, such steps as may be necessary to ensure the conservation of coal and development of the coal mine.

(2) Without prejudice to the generality of the provisions of sub-section (1), the owner of a coal mine shall-

- (a) execute such stowing and other materials as may be necessary to be taken in furtherance of the objects of this Act in so far as such objects relate to the conservation of coal or development of the coal mine or the utilisation of coal obtained from the coal mine;
- (b) acquire such stowing and other materials as may be necessary for ensuring the conservation of coal, and safety in, the coal mine;
- (c) undertake research in relation to conservation of coal, development of coal mines and utilisation of coal;
- (d) plan and undertake development of the coal mines in a scientific manner;
- (e) undertake such other activity, as the Central Government may, for the furtherance of the objects of this Act, direct.

Imposition of excise duties.

6. (1) With effect from the appointed day, there shall be levied and collected on all coal raised and ched, and on all coke manufactured and despatched, from the collieries in India, such duty of excise, not exceeding rupees ten per tonne, as may be fixed from time to time by the Central Government by notification.

duty may be levied on different grades or description of coal or coke.

Provided that the Central Government may, by general or special order, exempt any special grade or grades or description of coal or coke from the levy of such duty of excise.

(2) For the purposes of sub-section (1), coal shall be graded by the Central Government in accordance with such specifications as may be laid down by that Government from time to time.

(3) All notifications issued under this section shall be laid, as soon as may be, before

Imposition of
customs duty.

7. During the period in which any duty of excise is being levied under section 6, the Central Government may, by notification, impose on all coal (including soft and hard coke), imported or brought into India from any place outside India, a duty of customs (which shall be in addition to any duty of customs for the time being leviable under any other law), at the rates equivalent to the rates of duty of excise levied under section 6.

Collection of
excise duties.

8. The duty of excise levied under section 6 shall be collected by such agencies and in such manner as may be prescribed.

Utilisation of
proceeds of duties
levied and collec-
ted under sections
6 & 7.

9. In each financial year, a sum not exceeding the net proceeds (determined in such manner as may be prescribed) of the duties of excise and customs levied and collected under sections 6 and 7, respectively, during the preceding financial year or years shall be disbursed by the Central Government in accordance with such procedure as may be prescribed, to the owners, agents or managers of coal mines or to any other person for one or more of the following purposes, namely:—

(a) conservation of coal and development of coal mines.

(b) grant of stowing materials and other assistance for stowing operations;

- (c) execution of stowing and other operation for the safety in coal mines or conservation of coal;
- (d) prosecution of research work connected with conservation and utilisation of coal; and
- (e) any other purpose connected with the conservation of coal or development of coal mines, or transportation, distribution or utilisation of coal;

Provided that the Central Government may disburse to the owners, agents or managers of coal mines or to any other person, a sum not exceeding the duties of excise collected under section 8 of the Coal Mines (Conservation, Safety and Development Act, 1952, and remaining undischarged before the commencement of this Act, for all or any of the purposes specified in this section.

12 of 1952.

Duty owner to open coal mine Conservation and Development Account.

10. (1) The owner of every coal mine, to whom any money is disbursed under section 9, shall open separate account in a scheduled bank, to be known as the "Coal Mine Conservation and Development Account" and shall credit to the said Account all sums so disbursed to him:

Provided that where it is necessary so to do in relation to the different groups of coal mines owned by an owner, separate accounts may be opened in relation to each such groups of coal mines.

- (2) The money standing to the credit of the Coal Mine Conservation and Development Account and accretion thereto shall be applied by the owner of the coal mine to:
- (a) the furtherance of the objects of this Act;
 - (b) the acquisition of stowing or other materials needed for stowing operations;
 - (c) the furtherance of the objects of this Act;
 - (d) the prosecution of research work connected with the conservation, development and utilisation of coal and safety in coal mines;
 - (e) the planning and development of coal mines in a scientific manner; and

(f) any other expenditure which the Central Government may direct to be defrayed out of the money standing to the credit of the Account.

(3) The Account, referred to in sub-section (1), shall be kept in such manner and in such form as may be prescribed, and every such account shall be audited by the same person by whom the accounts of the owner of the coal mine are audited.

11. (1) The Chief Inspector or any Inspector may make such examination and inquiries as he thinks fit in order to ascertain whether the provisions of this Act or of any rules and orders made thereunder are being complied with. Power of Inspectors.

(2) The Chief Inspector or any Inspector may, with such assistance, if any, as he thinks fit, enter, inspect and examine at any time by day or night any coal mine in order to ensure that stowing or any other operation has been, or is being, done effectively.

Provided that the power conferred by this sub-section shall not be exercised in such a manner as unreasonably to impede or obstruct the working of the mine.

(3) Without prejudice to the provisions of the Mines Act, 1952, the Chief Inspector or any Inspector may, by order in writing, addressed to the owner, agent or manager of a coal mine, require him to take such protective measures, including stowing, in the mine as the Chief Inspector or the Inspector may think necessary, if in the opinion of the Chief Inspector or Inspector :—

(a) the extraction or reduction of pillars in any part of the coal mine is likely to cause the crushing of pillars or the premature collapse of any part of the workings or otherwise endanger human life or the coal mine or a railway, or

(b) adequate provision against the outbreak of fire or flooding has not been made by providing for the sealing off and isolation of any part of the coal mine or for restricting the area that might be affected by fire or flooding, as the case may be.

(4) The powers conferred on the Inspector under sub-sections (1), (2) and (3) may also be exercised by such officer of the Central Government as the Government may, by notification, specify in this behalf.

CHAPTER III.

DISSOLUTION OF THE COAL BOARD AND TRANSFER OF EMPLOYEES THEREOF.

12 of 1952.

12. (1) On the appointed day, the Coal Board, established under section 4 of the Coal Mines (Conservation, Safety and Development) Act, 1952, shall stand dissolved.

Disso-
lution
of the
Coal
Board.

(2) On the dissolution of the Coal Board, -

(a) all rights and privileges of the Coal Board rights and privileges, respectively, of the Central Government;

(b) the Central Government shall be deemed to be the lessee of all properties held by the Coal Board immediately before the appointed day, under any lease and that Government shall hold the lease under the same terms and conditions under which the lease was held by the Coal Board;

(c) all other properties, movable and immovable, including cash balances, reserve funds, investments and moneys lying to the credit of the Coal Mines safety and Conservation Fund and the Coal Development Fund, and all other rights and interests in, or arising out of, such properties as were, immediately before the appointed day, in the ownership, possession, power or control of the Coal Board and all books of accounts, registers records and all other documents of whatever nature relating there to, shall vest in the Central Government;

(d) all borrowings, liabilities and obligations of the Coal Board, of whatever kind and subsisting immediately before the appointed day, shall be deemed, on and from the appointed day, to be the borrowings, liabilities or obligations as the case may be, of the Central Government;

(e) all contracts entered into, and all matters and things engaged to be done by, with or for, the Coal Board and subsisting immediately before the appointed day, shall be deemed, on and from appointed day, to have been entered into or engaged to be done by, with or for, the Central Government.

(f) all licences and permits granted to the Coal Board and in force immediately before the appointed day shall be deemed, on and from the appointed day, to have been granted to the Central Government and shall have effect accordingly.

Power of Central Government to direct vesting of rights in a Government company.

13. Notwithstanding anything contained in section 12, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by an order in writing, that the right, title and interest of the Coal Board in relation to any property shall, instead of continuing to vest in it, vest in the Government company either on the date of publication of the direction or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the direction, and such vesting the liability or obligation, as the case may be, of the Coal Board in relation to such property shall, instead of continuing to be the liability or obligation of the Central Government, become the liability or obligation, as the case may be, of the Government company.

Continuation of suits,

14. (1) If, on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to the Coal

etc. against
the Central
Government.

Board is pending by or against such Board, the same shall not abate, be discontinued or be in any way prejudicially affected by reason of the dissolution of the Coal Board; but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government or the Government company in which the Property of the Coal Board has become vested, as the case may be.

(2) Where, before the appointed day, any cause of action for any suit or proceeding or any right to appeal arose in favour of, or against, the Coal Board, and the institution of any suit or proceeding on such cause of action or the filing of such appeal was not barred before the appointed day, such suit or proceeding may be instituted or appeal may be filed by or against the Central Government or the Government company referred to in sub-section (1), as the case may be.

15. (1) Notwithstanding anything contained in any other law for the time being in force or in any contract to the contrary, every officer or other employee of the Coal Board shall, on and from the appointed day, become an officer or other employee, as the case may be, of such Government company or organisation of the Central Government may, in writing, specify and shall hold his office or service in such Government company or organisation, as the case may be, on the same terms and conditions and with the same rights to pension gratuity and other matters as would have been admissible to him if the Coal Board had not been abolished, and shall continue to do so unless and until his employment in the Government company or organisation is terminated or until his remuneration or terms and conditions of service are duly altered by the Government company or organisation as the case may be:

Transfer
of service of
existing
employees
of Coal Board.

Provided that the tenure, remuneration and other terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage except with the previous approval of the Central Government or without such approval, except as a measure of punishment, under the rules of the Government, company or the organisation concerned.

(2) Where any officer or other employee of the Coal Board becomes, under sub-section (1), an officer or other employee of any Government company or organisation, the period of service rendered, or deemed to have been rendered, by him under the Coal Board before the appointed day shall be deemed, for the purposes of fixation of pay and other emoluments, pension and other retirement benefits, to be the period of service rendered by him under the said Government company or organisation, as case may be, as if the Government company or the organisation were in existence during the said period.

16. Notwithstanding anything contained in any other law for the time being in force, the transfer of the services of any officer or other employee from the Coal Board to any Government company or organisation shall not entitle such officer or other employee to any compensation under this Act or under any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

No compensation to be paid for the transfer of services of any officer or other employee.

CHAPTER IV.

MISCELLANEOUS.

17. No suit, prosecution or other legal proceedings shall lie against the Central Government or against the Chairman or any officer thereof or any other person in respect of

Protection of action taken in good faith.

12 of 1952

anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder, in pursuance of the Coal Mines (Conservation, safety and Development) Act, 1952 or and rule made thereunder.

18. (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

Power to
make rules.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the measures to be taken for the purpose of conservation of coal and maintenance of safety in coal mines;

(b) the measures to be taken for the development of coal mines.

(c) the manner in which, and the conditions subject to which, sums at the credit of the Coal Mines Conservation and Development Account may be applied;

(d) the form in which the Coal Mine Conservation and Development Account shall be kept;

(e) any other matter which is required to be, or may be, prescribed.

(3) Any rules made under the provisions

of this Act may provide that the contravention thereof shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two thousand rupees, or with both.

(4) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Repeal.

19. The Coal Mines (Conservation, Safety and Development) Act, 1952, is hereby repealed. 12 of 1952.