

MINES CRECHE RULES, 1946

[23rd July, 1946]

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TEXT

MINES CRECHE RULES, 1946¹

[23rd July, 1946]

[Rules framed in exercise of the powers conferred by sub-section (bb) of Section 30 of the Mines Act, 1923 (IV of 1923)].

1. **Short title.-** These rules may be called the Mines Creche Rules, 1946.
2. **Definitions.-** In these rules, unless there is anything repugnant in the subject or context,—
 - (a) “Competent authority” means, in respect of coal mine the Coal Mines Welfare Commissioner and in respect of mines, the Chief Inspector of Mines, and includes any person authorized in writing by the said Commissioner or Inspector in this behalf.
 - (b) “Creche” means a room or rooms with ancillary accommodation reserved for the use of children, under six years of age, of women employed in a mine.
 - (c) “Medical Officer in charge” means a qualified medical practitioner employed whether on a whole time or part time basis, by the owner of a mine to perform the duties assigned to such officer by these rules.
3. **Provision of creches.-** The owner of every mine shall construct thereat a creche in accordance with plans prepared in conformity with these rules and previously approved by the competent authority.
 - (a) Such creche shall be constructed within nine months of the date of publication of these rules, provided that where land has to be acquired for the purpose, the competent authority may extend the time limit to a period not exceeding twelve months from the said date.
 - (b) If in any case the competent authority is satisfied that by reasons of shortage of building material or of a labour the owner of a mine is unable to provide within nine months a creche in accordance with the specifications in these rules, he may approve of the erection of a temporary structure to be replaced by a permanent structure within such time as he may prescribe.
 - (d) If in any case the competent authority is satisfied that no inconvenience will be caused to the employees concerned, if a single creche is provide to serve neighboring mines, he may authorize the owners of such mines to provide jointly a single creche and on such conditions as he may prescribe.
4. **Standards of creches.-** Every creche shall conform to the following standards of constructions:-
 - (i) It shall be contained in one building, built of brick and mortar, adequately lighted and properly ventilated and affording effective protection from all kinds of weather.
 - (ii) It shall be constructed on a suitable site selected by the colliery management with the previous approval of the competent authority.
 - (iii) The flooring shall be of cement or stone and the ceiling shall not be less than 12 feet high from the floor.
 - (iv) The interior walls shall be lime-washed once a year and the wood work shall be painted or varnished once every three years.
 - (v) It shall be maintained in a clean and sanitary condition to the satisfaction of the inspection staff.
 - (vi) Medicines for first aid, and a number of cradles or beds, bed-sheets, linen, bedding, feeding bottles, utensils and toys for the use of children shall be maintained for each creche, on a scale approved by the competent authority, provided that if the competent authority is satisfied that the owner of any mine is for good reasons unable to provide adequate number of articles mentioned in the rule, he may condone the deficiencies.

¹ Published under the Government of India. Department of Labour Noti. LMW, 5(7)46.dt. July, 1946 (Gazette of India. Part 1 P(138))

- (vii) The latrines shall be maintained on a scale prescribed by the competent authority and in a sanitary condition to the satisfaction of the competent staff and the closed bath room shall be equipped with either a sink or masonry tubs with an adequate quantity of water on a scale approved by the competent authority.
- (viii) A supply of drinking water shall be maintained for each creche of a scale approved by the competent authority.
- (ix) The creche shall remain open at all times, both the day and by night when women employees are working at the time and it shall be properly lighted at night.

5. Use of the creche.- The use of creche shall be restricted to children, their attendants, the supervisory staff and the mothers of the children, and no male worker shall be permitted to enter a creche.

6. Medical arrangements.- (1) A medical examination of the children attending the creche shall be made every month by a qualified medical practitioner and a record of such examination shall be maintained.

(2) At intervals prescribed by the competent authority, a medical examination of the nursing mothers attending the creche shall be made by a qualified medical practitioner, if possible a woman, and when the examination is conducted by a male doctor it shall be made in the presence of the creche nurse.

(3) The Medical Officer Incharge of the mine shall be responsible for the general supervision of the creche.

7. Provision of staff.- At every creche the owner of the mine shall appoint supervisory and inferior staff on a scale approved by the competent authority.

8. Maintenance of records.- (1) A register giving particulars of children attending a creche, including their dates of birth, shall be maintained in the form prescribed by the competent authority.

(2) A register of complaints shall be maintained for inspection by the Medical Officer in charge and by the management of the colliery.

9. Inspection of creches.- The competent authority shall be responsible for the inspection of creches at mines.