

GOVERNMENT OF INDIA
MINISTRY OF MINES
RAJYA SABHA
QUESTION NO 26.07.2010
ANSWERED ON
AMENDMENT IN MMDR ACT .

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SHRI RAMDAS AGARWAL

Will the Minister of RURAL DEVELOPMENT INFORMATION AND BROADCASTING MINES be pleased to state :-

(a) whether it is a fact that power of allocating lease to mines lies with the Central Government but it has no power to take stern action against illegal mining business going on unchecked in many States;

(b) if so, whether Central Government has now decided to amend the Mines and Minerals (Development and Regulation) (MMDR) Act, in consultation with the Ministry of Law and Justice so as to take the power of closing of illegal mines in its hands instead of allowing States to show their liberal attitude towards illegal mine owners; and;

(c) by when Government proposes to bring forward above mentioned amending Bill before Parliament?

ANSWER

THE MINISTER OF MINES AND MINISTER OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI B. K. HANDIQUE)

(a): State Governments are the owners of minerals and they grant mineral concessions including mining leases. Only in case of minerals listed in the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957, the prior approval of Central Government is necessary before grant of mineral concessions. In terms of provisions of Mines and Minerals (Development and Regulation) Act, 1957, the State Governments have been given powers to take action against illegal mining. However, in view of recent increase in the instances of illegal mining, being reported in the media, the Central Government has requested State Governments to prepare Action Plans to monitor and curb illegal mining which includes the use of Satellite imagery and other intelligence inputs. So far, 10 States Government of Andhra Pradesh, Gujarat, Jharkhand, Karnataka, Maharashtra, Orissa, Rajasthan, Tamilnadu, Uttar Pradesh and Uttarakhand have prepared Action Plan in terms of advice of Central Government. Further, there is a Central Empowered -cum-Coordination Committee which has been meeting six monthly to discuss various issues relating to the mining sector including illegal mining and measures to prevent, detect and control it. The Ministry of Mines has been issuing various guidelines and suggestions on the issue and monitors progress through the Central Committee. As per information received, 10 State Governments of Andhra Pradesh, Chhattisgarh, Gujarat, Goa, Haryana, Karnataka, Maharashtra, Orissa, Rajasthan and West Bengal have set up Coordination-cum-Empowered Committee. Other States have been requested to ensure setting up of similar Committees at the earliest. A draft Model State Mineral Policy has also been circulated to all the State Governments. Indian Bureau of Mines has constituted Special Task Force Teams which conducted inspections in 106 mines in endemic areas in 5 States of Karnataka, Andhra Pradesh, Orissa, Jharkhand and Gujarat between 7.12.2009 to 17.12.2009 and suspended operations in 60 mines. Out of the 60 suspended mines, 58 applied for revocation of suspension orders and 2 mines (one each in Orissa and Andhra Pradesh) have been recommended for termination. Out of 28 mines issued violation notices, 4 mines have been suspended, 10 mines have reported compliance. The Special Task Force conducted second round of inspections from 17.4.2010 to 27.4.2010 in Karnataka. It inspected 67 mines and found serious violations in 18 mines, which were suspended. Similarly, less serious violations were found in 16 mines, which have been issued violation notices for compliance.

(b) and (c): In order to ensure Direct role of Central Government in curbing illegal mining, where the State Governments have failed, a draft Mines and Minerals (Development and Regulation) Act, has been suitably prepared. The draft Act is presently referred to a Group of Ministers.