

GOVERNMENT OF INDIA
MINISTRY OF MINES
RAJYA SABHA
UNSTARRED QUESTION NO. 2342
ANSWERED ON 16.12.2024

**COMPLIANCE WITH MINING REGULATIONS AND FINAL MINING CLOSURE
PLANS**

2342 SHRI SUBHASISH KHUNTIA:

Will the Minister of MINES be pleased to state:

- (a) whether mining operators across the country, including in Odisha, are adhering to the prescribed rules and regulations related to mining operations;
- (b) if so, the details of the monitoring mechanisms in place to ensure compliance with environmental and safety standards, particularly in the preparation and implementation of final mining closure plans; and
- (c) the steps being taken to address any non-compliance or violations by mining operators, and whether any penalties or corrective actions are being enforced?

ANSWER

THE MINISTER OF COAL AND MINES
(SHRI G. KISHAN REDDY)

(a): The mining operators across the country, including in Odisha, are required to adhere to the prescribed rules and regulations related to mining operations. As per existing law, before execution of the mining lease, it is mandatory for the prospective lessees to obtain the requisite statutory clearances from various Ministries/Departments of the Central Government and respective State Governments. The lease holders are required to ensure compliance of the terms and conditions of the clearances and approvals accorded by the respective authorities, failing which necessary action is taken by the concerned authorities under the respective Acts and applicable rules/guidelines.

(b) & (c): As part of grant of Environmental Clearance, the prospective lessees carry out Environment Impact Assessment (EIA) and submit the Environment Management Plan (EMP) based on scientific study by taking into consideration of likely the impact of project activity on the baseline environment. The mining lease holders are also required to implement the environmental mitigation measures as approved during grant of Environmental Clearance.

The labour and safety standards in mines is regulated through The Mines Act, 1952 which is administered by the Ministry of Labour and Employment. The said Act contains provisions for appointment, functions and powers of mine inspectors, health and safety in mines, hours and

limitation of employment, leave with wages etc. The Mines Rules, 1955 which have been framed under the said Act provide rules for medical examination of persons employed or to be employed in mines, workmen's inspector and safety committee, health and sanitation, first-aid and medical appliances, welfare amenities etc.

Further, under Mineral Conservation and Development Rules (MCDR), 2017, every lease holder is required to prepare a Progressive Mine Closure Plan (PMCP) and Final Mine Closure Plan (FMCP). The lease holders are mandated to submit a yearly report informing about the extent of protective and rehabilitative works carried out as per the mine closure plan. If the Reclamation and Rehabilitation (R&R) measures as envisaged in PMCP or FMCP are not implemented, then the financial assurance given by the lease holder is forfeited by the State Government.

In addition, the Ministry of Mines has implemented Sustainable Mining Practices by making provisions under Chapter-V of Mineral Conservation and Development Rules (MCDR), 2017. Provisions have been incorporated in the rules for precaution against air pollution, prevention of discharge of toxic liquid, precaution against noise, control of surface subsidence etc.

Rule 35 of MCDR, 2017 provides for star rating of the mining leases based on the sustainable mining practices adopted by the miners. As per Rule 35(4) of MCDR, 2017 every holder of a mining lease is mandated to achieve at least three-star rating within a period of four years from the date of commencement of mining operations and thereafter maintain the same on year-on-year basis.

As far as the violations of the provisions of MCDR, 2017 are concerned, the penalties or corrective actions are enforced by the Indian Bureau of Mines for ensuring rectification of the same. Since March 2020, an amount of Rs. 34.3 Crores has been forfeited as bank guarantee due to non-compliance of mine closure plans.
