

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

**LOK SABHA**  
**UNSTARRED QUESTION No. 6470**  
**TO BE ANSWERED ON 06.04.2018**

**Safety Zone around Mining Lease**

6470. SHRIMATI RITA TARAI:

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) The details of the area on either side of the public road, natural stream, highways, agricultural land located within Mining Lease (ML) to be taken into account for calculation of Safety Zone;
- (b) if so, whether necessary guidelines have been issued in this regard;
- (c) if so, the details thereof, if not, the reason therefore;
- (d) Whether if two adjacent mining leases are owned by the same lessee can be treated as cluster and 7.5 meter along the inner boundary of the cluster shall be considered for calculation of safety zone area excluding the forest area of 7.5 meter strip on either side of the common boundary of ML owned by the same lessee, if so, the details thereof, and
- (e) Whether the government has issued circular/guidelines regarding calculation of safety zone area excluding the forest area of 7.5 meter strip on either side of the common boundary of the ML owned by the same lessee and if so, the details thereof?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**(DR. MAHESH SHARMA)**

**(a) to (c):** As per the information provided by the Indian Bureau of Mines, Ministry of Mines, the Mineral Concession Rule 2016, inter-alia, lays down the details of safety zone which is placed at Annexure-I.

**(d) and (e):** The Ministry of Environment, Forest and Climate Change, vide letter dated 2<sup>nd</sup> February 2018, has clarified that the width of 10m and 50m strip on either side of public road and natural stream respectively located inside the mining lease shall be protected but will not be considered as a part of safety zone. Safety zone will be redrawn taking the cluster of all the mining leases together if all the leases are carried by the same user agency.

Further, the Indian Bureau of Mines, Ministry of Mines, has also informed that the Metalliferous Mines Regulation (MMR) 1961, inter-alia, lays down various provisions which is provided at Annexure II.

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## **Annexure-I**

### **Provided below are the provisions envisaged in Rule 12(d) & (e) of the Mineral Concession Rule 2016:-**

12 (1)(d): Every lessee shall not carry on or allow to be carried on, any mining operations at any point within a distance of fifty meters from any railway line, except under and in accordance with the previous written permission of the railway administration concerned or under or beneath any ropeway or ropeway trestle or station, except under and in accordance with the written permission of the authority owning the ropeway or from any reservoir, canal or other public works, or buildings, except under and in accordance with the previous written permission of any officer authorised by the State Government in this behalf. The said distance of fifty meters shall be measured in the case of railway, reservoir or canal, horizontally from the outer toe of the bank or the outer edge of the cutting, as the case may be, and in case of a building, horizontally from the plinth thereof;

12(1)(e): The lessee shall not, in the case of village roads (including any track shown in the revenue record as village road), allow any working to be carried on within a distance of ten meters of the outer edge of the cutting except with the previous permission of the Deputy Commissioner or Collector or any other officer duly authorised by the State Government in this behalf and otherwise than in accordance with such directions, restrictions and additions, either general or special, which may be attached to such permission.

## **Annexure-II**

### **Provided below are the provisions envisaged in Rule 111 of Metalliferous Mines Regulation 1961:-**

Rule 111: Working near mine boundaries – 2[(1)The owner, agent or manager of every mine shall fixed boundaries of the mine. Notwithstanding anything contained in sub-regulation (2), the shall not be changed except with the permission of the Chief Inspector in writing and subject to such conditions as he may specify therein].

3[(2)] No working shall be made within a distance of 7.5 metres of the boundary of any mine and, in case of a disputed boundary, no working shall be made within a distance of 7.5 metres of the boundary claimed by the owner of an adjacent mine until such time as a binding agreement has been reached as to the correct boundary or the question has been finally determined by a court of law:

1[Provided further that, where the workings of any 2 [mine], for any reason, are extended or get extended within any shorter distance than what is laid down herein above, the Chief Inspector may, by an order in writing, require the owner to construct such protective works within such time as he may specify in the order].

3[(3)] Notwithstanding anything contained in sub-regulation (1), the Chief Inspector may, by an order in writing and subject to such conditions as he may specify therein, permit the workings of any mine or part thereof to extend within any shorter distance than 7.5 metres aforesaid, or may require that the said working shall not extend further than a specified distance, not exceeding 60 metres, of such boundary.

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