

GOVERNMENT OF INDIA  
MINISTRY OF COAL  
LOK SABHA  
UNSTARRED QUESTION NO.178  
TO BE ANSWERED ON 02.02.2022

**ILLEGAL COAL MINING**

**178. SHRI GAURAV GOGOI:**

Will the Minister of COAL be pleased to state:

- (a) the details of the grounds on which the North-Eastern Coalfields (NEC) mined in the Dehing Pakkai Elephant Reserve in the Digboi forest division area without applying for environmental lease and other clearances;
- (b) whether retrospective renewal of lease is not allowed as per the Mineral Concession Rules, 1960 framed under Mines and Minerals (Development and Regulation) Act, 1957;
- (c) whether the retrospective lease granted by the Government of Assam from 2003 to 2023, executed in January 2021, is therefore illegal as per the Mineral Concession Rules, 1960; and
- (d) whether the Government has data on the NEC's earnings between 2003 to 2023 and if so the details thereof ?

**ANSWER**

**MINISTER OF PARLIAMENTARY AFFAIRS, COAL AND MINES  
(SHRI PRALHAD JOSHI)**

**(a) to (c):** North Eastern Coalfields had inherited the mining leases from its predecessor Assam Railway and Trading Company Limited (AR&T) by virtue of Coal Mine (Nationalisation) Act, 1973. By virtue of Section 3 and 5 of CMN Act the leases were valid for 30 years.

The then Department of Coal under the Ministry of Coal & Mines, by way of letter dated 10/08/2004 addressed to the Chairman of Coal India Limited, intimated that “in the interest of mineral development, the Central Government have decided to consider under section 31 of the MMDR Act the request of the coal companies to authorise working of these mines for a further period of 30 years beyond the lease period considering the energy security of the country. This will be treated as if leases have been renewed by the competent authority and would be similar to that envisaged in section 5 (2) of the Coal Mines (Nationalisation) Act, 1973”, and as such, the leases of the Company became automatically validated up to 01/04/2033. Therefore, upon renewal of mining leases under Section 5 of CMN Act the mining leases of NEC remain continuously valid.

NEC applied for renewal of lease in the year 2002. Department of Mines and Mineral, Govt of Assam issued formal letter of renewal of leases vide letters vide No. PEM.69/2018/22 dated 22.07.2019, vide No. PEM.71/2018/24 dated 22.07.2019 and vide No. PEM.70/2018/28 dated 22.07.2019. The letter from Govt. of Assam further validated the authorisation granted by Central Govt. in 2004.

As per the present Rule 24C(2) Mineral Concession Rules, 1960 all such subsisting mining leases granted or vested to Govt. Companies shall be deemed to be granted for fifty years or till 31.03.2030 (whichever is later).

Further, in respect of renewal of Mining Leases, pending renewal applications made by Govt. Companies would be treated as application for extension in terms of Rule 24C(5). Extension of Mining Lease shall be granted by the State Government for a period of twenty years at a time.

Coal mining was started in Assam in Makum Coalfields by Assam Railway and Trading Company Ltd. (AR&T) in the year 1882. Saleki Proposed Reserve Forest was declared in 1976 and boundary of the Proposed Reserve Forest includes the Lease land, Grant land and Patta land of NEC inherited by virtue of Coal Mine (Nationalisation) Act, 1973. Additional Deputy Commissioner, Tinsukia District cum Forest Settlement Officer for Saleki PRF settled the issues regarding exclusion of CILs Mining Lease/Grant Areas and Surface Rights Areas from Saleki Proposed Reserve Forest. It was agreed that NEC shall have full rights to operate and carryout mining and other connected activities within their Lease Hold Areas/Grant Areas and Surface right areas.

Thereafter, Government of Assam, vide notification No. FRM.14/2021/Pt/124 dated 05.01.2022 has settled Saleki Proposed reserve Forest as Saleki reserve Forest excluding some of the Lease land, Grant land and Patta land of NEC by virtue of which existing mines of NEC have been excluded from the Saleki Reserve Forest.

**(d):** Details of NEC's earnings between 2003-04 to 2021-22 (up to September 2021) is enclosed as **Annexure**.

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**ANNEXURE****PROFIT & LOSS FROM 2003-04 TO 2021-22 OF NEC, MARGHERITA**

SL. NO.	YEAR	SALE VALUE(Rs. In lakhs)	PROFIT OR LOSS	PROFIT & LOSS (Rs. In lakhs)
1	2003-2004	12450.51	LOSS	-4359.03
2	2004-2005	9155.42	LOSS	-6881.81
3	2005-2006	23169.81	PROFIT	1155.82
4	2006-2007	24380.23	PROFIT	1789.90
5	2007-2008	24546.33	PROFIT	3913.77
6	2008-2009	28439.26	PROFIT	4010.30
7	2009-2010	40318.20	PROFIT	17633.2
8	2010-2011	41375.68	PROFIT	16175.31
9	2011-2012	41586.11	PROFIT	21207.39
10	2012-2013	35224.77	PROFIT	6573.34
11	2013-2014	31424.81	PROFIT	3297.97
12	2014-2015	38198.80	PROFIT	2917.51
13	2015-2016	16314.66	LOSS	-5971.91
14	2016-2017	30639.68	LOSS	-12356.38
15	2017-2018	36292.97	LOSS	-12106.15
16	2018-2019	31539.07	LOSS	-8433.68
17	2019-2020	23157.17	LOSS	-15470.73
18	2020-2021	3613.93	LOSS	-20947.00
19	2021-2022	0.00	LOSS	UPTO SEP'21 (-9700.89)

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