

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 715
ANSWERED ON 04.02.2026

MINING ACTIVITIES IN SIXTH SCHEDULE AREAS

715. SHRI GAURAV GOGOI:

Will the Minister of MINES be pleased to state:

- (a) whether the Government is aware of recent judicial observations concerning the large-scale allotment of land for mining purposes in Sixth Schedule areas including in Dima Hasao district of Assam, if so, the details thereof;
- (b) whether the Government has examined the compliance of such allotments with the applicable provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and rules governing land use in autonomous districts and if so, the details thereof;
- (c) the details of safeguards mandated by the Government to ensure that mining leases in Sixth Schedule areas protect the rights and interests of tribal communities and the local environment; and
- (d) whether the Government proposes to review existing guidelines or issue revised directions to ensure that land allocations for mining in such areas are aligned with public interest and constitutional protections and if so, the details thereof?

ANSWER

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

(a): Hon'ble Supreme Court in its judgement dated 03.07.2019 in Civil Appeal No.10720 of 2018 titled as "State of Meghalaya Vs. All Dimasa Students Union, Dima-Hasao District Committee & Ors" has *inter-alia* held that according to the land tenure system as applicable in the Hills Districts of the State of Meghalaya, most of the lands are either privately or community owned in which the State does not claim any right. The private owners of the land as well as community owners have both the surface right as well as sub-soil rights.

(b) to (d): State Governments grant mineral concessions in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) and the Rules framed thereunder. The MMDR Act and the Rules framed thereunder specify the procedure for both the cases i.e. where minerals vest in the State Governments and where minerals vest in a person other than the Government.

Further, before grant of mineral concessions (including in Sixth Schedule Areas) it is mandatory to obtain the requisite statutory clearances from various departments of the Central Government and respective State Governments, including Environmental Clearance and Forest Clearance.

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 likely impact of project activity on the baseline environment. The mining lease holders implement the environmental mitigation measures as approved during grant of Environmental Clearance. The above provisions ensure that land allocations for mining in such areas are aligned with public interest and constitutional protections.
