

SHRI N. BALAGANGA: Mr. Chairman, Sir, there is unfavourable procurement policy leading to unprofitable procurement of foodgrains. In the past, private agencies such as National Bulk Handling Corporation and National Collateral Management Services procured for the FCI, thereby saving, at least, 10 to 15 per cent.

MR. CHAIRMAN: Questions Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Transparency in Allocation of Coal Mines

†*347. SHRI NARESH AGRAWAL: Will the Minister of COAL be pleased to state:

(a) the details of the coal mines allocation policy of previous and present Governments;

(b) whether it is a fact that the Comptroller and Auditor General (CAG), in its report submitted to Government, has reported a scam of approximately two lakh crore of rupees due to the existing coal allocation policy; and

(c) if so, the action being taken thereon and the steps being taken by Government for bringing transparency in allocation of coal mines in the future?

THE MINISTER OF COAL (SHRI SHRIPRAKASH JAISWAL): (a) Under the Coal Mines (Nationalisation) Act, 1973, coal mining was mostly reserved for the public sector. By an amendment to the Act in 1976, two exceptions to the policy were introduced viz., (i) captive mining by private companies engaged in production of iron and steel, and (ii) sub-lease for coal mining to private parties in isolated small pockets not amenable to economic development and not requiring rail transport. Therefore, private companies are eligible for captive mining for specified approved end uses.

The Coal Mines (Nationalisation) Act, 1973 was amended from time to time and after the amendment in 1993, mining for captive consumption was permitted for generation of power, washing of coal obtained from a mine and other end uses to be notified by Government from time to time, in addition to the existing provision for captive coal mining for production of iron and steel. Under the powers conferred on the Central Government by Section 3(3)(a) (iii) (4) of the Act, another Gazette Notification was issued on 15.03.1996 to allow captive mining of coal for production of cement. Production of syn-gas obtained through coal gasification (underground and surface) and coal liquefaction was notified as an end use for coal mining on 12.07.2007. Thus as per the provision of Section 3(3)(a) (iii) of the Coal Mines (Nationalisation) Act, 1973, a company engaged in production of iron and steel,

†Original notice of the question was received in Hindi.

generation of power, production of cement, and Production of syn-gas obtained through coal gasification (underground and surface) and coal liquefaction, can do coal mining in India for captive consumption only.

With a view to bringing in transparency, the Mines and Minerals (Development and Regulation) Amendment Act, 2010 regarding Introduction of competitive bidding system for allocation of coal blocks for captive use, has been passed by the both Houses of Parliament and the assent of the Hon'ble President of India has been obtained on 8th September, 2010, which was passed by the Parliament in the last Session and it has been notified in Gazette of India (Extraordinary) on 9th September, 2010. The Amendment Act seeks to provide for grant of reconnaissance permit, prospecting licence or mining lease in respect of an area containing coal and lignite through auction by competitive bidding, on such terms and conditions as may be prescribed. This, would however, not be applicable in the following cases:-

- where such area is considered for allocation to a Government company or corporation for mining or such other specified end use;
- where such area is considered for allocation to a company or corporation that has been awarded a power project on the basis of competitive bids for tariff (including Ultra Mega Power Projects).

The Government has notified 'the Auction by Competitive Bidding of Coal Mines Rules, 2012 on 02.02.2012 in the Gazette of India.

(b) No, Sir.

(c) Does not arise in view of the answer given in part (b) of the question.

Enforcement of Section 30 of the Advocates Act

*348. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether it is a fact that Section 30 of the Advocates Act, 1961 was brought into force after 50 years of its enactment;
- (b) if so, the reasons for its non-enforcement for over five decades;
- (c) whether Government proposes to fix a time-frame for enforcement of Acts of Parliament within a reasonable limit of about six months after they have been formally enacted; and
- (d) whether any organized body like the Bar Council of India or the Law Commission, etc. ever invited Government's attention in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHUKSHEED): (a) Yes, Sir.

(b) The matter was being consulted with the Bar Council of India, State Bar Councils, various Bar Associations, Ministry of Labour, Ministry of Home Affairs,