

Development of minerals

†116. DR. KIRODI LAL MEENA: Will the Minister of MINES be pleased to state:

(a) the role of Central Government in development of minerals in the country, especially, in leasing of mines/granting approval of mineral concessions to State Governments;

(b) whether Indian Bureau of Mines acts as a regulator in the matters of conservation and development of mines under the Mines and Minerals (Development and Regulation) Act;

(c) if so, the details thereof;

(d) whether the current system helps to put a check on illegal mining in the country; and

(e) if not, whether Government plans to make any change in the existing legal framework of mining?

THE MINISTER OF MINES (SHRI PRALHAD JOSHI): (a) The Mines and Minerals (Development and Regulation) (MMDR) Act, 1957 is the Central Act which governs the development and regulation of mines and minerals in terms of the powers vested in the Central Government as per Entry 54 of the Seventh Schedule of the Constitution. The provisions of the MMDR Act, 1957 extend to the whole of India.

The role of the Central Government is to formulate broad guidelines through policies and enacting regulatory framework for grant of mineral concessions by the State Governments and development of mineral deposits in the country. Accordingly, the Central Government has notified the MMDR Act, 1957 which has been amended from time to time. The last amendment was on 10.01.2020. The following set of Rules have been framed under the MMDR Act for the purpose of development and regulation of mineral deposits viz.

(i) The Mineral (Auction) Rules 2015.

(ii) The Mines and Minerals (Contribution to District Mineral Foundation) Rules 2015.

†Original notice of the question was received in Hindi.

- (iii) National Mineral Exploration Trust Rules, 2015.
- (iv) The Minerals (Evidence of Mineral Content) Rules, 2015.
- (v) The Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015.
- (vi) The Minerals (Mining by Government Company) Rules, 2015.
- (vii) The Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016.
- (viii) The Minerals Transfer of Mining Leases (Granted otherwise than through Auction for Captive Purpose) Rules, 2016.
- (ix) Atomic Mineral Concession Rules, 2016.
- (x) Mineral Conservation and Development Rules, 2017.

The Central Government has framed Mineral Conservation and Development Rules, (MCDR) 2017 under section 18 of MMDR Act, 1957 for the purpose of Conservation and Development of minerals. In exercise of the powers conferred under section 13 of the MMDR Act, 1957, the Central Government has enacted Mineral (Auction; Rules, 2015. As per these rules, all mineral concessions of major minerals has to be granted by the respective State Governments only through e-auctions, which will bring greater transparency and remove discretion in allocation of mineral resources.

(b) and (c) Indian Bureau of Mines acts as a regulator in the Matters of conservation and development of mines under the Mines and Minerals (Development and Regulation) Act and Rules made thereunder. The charter of functions in respect of Indian Bureau of Mines includes:

- (i) Collect, collate, and organise into a database, all information on exploration, prospecting, mines and minerals in the country in the shape of a National Mineral Information Repository and take steps to publish and disseminate the same;
- (ii) Function as the National Technical Regulator in respect of the mining sector, and lay down regulations, procedures and systems to guide the State Governments (first tier of regulation);

- (iii) Build up capacity in the system, both for regulatory as well as the developmental work, at the central level as well as at the level of the States;
- (iv) Establish institutional mechanisms of coordination between the Centre, the States, mineral industry, research and academic institutions, and all stake holders, so as to proactively develop solutions to the demands and problems faced by the industry;
- (v) Promote research on all aspects of practical relevance to the industry and to act as a bridge between research institutions on the one hand and user industry on the other;
- (vi) Provide technical consultancy services;
- (vii) Participate in international collaborative projects in the area of regulation and development of the mineral sector;
- (viii) Advise Government on all matters relating to the mineral industry; and
- (ix) Undertake any such other activity as has become necessary in the light of developments in the field of geology, mining, mineral beneficiation and the environment.

(d) and (e) As per section 23C of the MMDR Act, 1957, State Governments have full powers to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith. To strengthen the States in curbing the illegal Mining, the Central Government, inter-alia, has taken the following measures:

- (i) The MMDR Act, 1957 was amended with effect from 12.01.2015, under which the penalty and punishment provisions for illegal mining was made very stringent. Illegal mining has been made punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area.
- (ii) Provisions have been made for setting up of Special Courts for the purpose of providing speedy trial of offences relating to illegal mining.

- (iii) The Rule 45 of Mineral Conservation and Development Rules has been amended so that the mining companies provide periodic reports on the production, trade and utilization of minerals to the State Government and IBM on daily / monthly /yearly basis for a proper end-to-end accounting of minerals diminishing the scope for illegal mining, royalty evasion, etc.
- (iv) The Ministry of Mines, through IBM has developed the Mining Surveillance System (MSS), to use space technology for facilitating State Governments in curbing illegal mining activities in the country. MSS is a satellite-based monitoring system which aims to establish a regime of responsive mineral administration, through public participation, by facilitating State Governments in curbing instances of illegal mining.

Carrying forward of unspent budget

117. SHRI SYED NASIR HUSSAIN: Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether it is a fact that the minority organisations are not getting Central aid in time;
- (b) if so, the details regarding allocation and disbursement of funds since 2014, head-wise and State-wise;
- (c) the reasons for carrying forward of the funds from last consecutive budgets; and
- (d) the reasons for lowering the budget for minorities during the last five years?

THE MINISTER OF MINORITY AFFAIRS (SHRI MUKHTAR ABBAS NAQVI):

- (a) and (b) The Ministry of Minority Affairs does not provide any financial assistance/grants directly to minority organizations. However, for educational empowerment, statutory/associated organizations namely Maulana Azad Education Foundation (MAEF) and National Minorities Development Finance Corporation (NMDFC), are given funds/grants based on their requirements as per the laid down norms for such releases and availability of budget. The details of funds released from the budget allocation of the Ministry, to these organisations since 2014-15 are as under:-