

**GOVERNMENT OF INDIA  
MINES  
LOK SABHA**

UNSTARRED QUESTION NO:2044

ANSWERED ON:02.12.2011

MINES AND MINERALS DEVELOPMENT AND REGULATION BILL .

Sivasami Shri C.;Sugumar Shri K.

**Will the Minister of MINES be pleased to state:**

- (a) whether the Government proposes to bring forward Mines and Minerals (Development and Regulation) Bill;
- (b) if so, whether the draft of proposed Bill has since been finalised;
- (c) if so, the details and salient features thereof;
- (d) if not, the progress made in this regard alongwith its present status;
- (e) the time by which the proposed bill is likely to be introduced; and
- (f) the benefits likely to be accrued to the mining sector therefrom?

**Answer**

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR MINES (SHRI DINSHA PATEL)

(a) to (c): The Government has approved the draft Mines and Minerals (Development and Regulation) Bill, 2011 for introduction in the Parliament. The draft Bill, inter alia, provides for:-

- # a simple and transparent mechanism for grant of mining lease or prospecting licence through competitive bidding in areas of known mineralization, and on the basis of first-in-time in areas where mineralization is not known;
- # it enables the mining holders to adopt the advanced and sophisticated technologies for exploration of deep-seated and concealed mineral deposits, especially of metals in short supply through a new mineral concession;
- # it enables the Central Government to promote scientific mineral development, through Mining Plans and Mine Closure Plans enforced by a central technical agency namely the Indian Bureau of Mines, as well as the Regulatory Authorities and Tribunals;
- # it empowers the State Governments to cancel the existing concessions or debar a person from obtaining concession in future for preventing the illegal and irregular mining;
- # it empowers the Central Government and State Governments to levy and collect cess;
- # establishment of the Mineral Funds at National and State level for funding the activities pertaining to capacity building of regulatory bodies like Indian Bureau of Mines and for research and development issues in the mining areas;
- # it provides for reservation of an area for the purpose of conservation of minerals;
- # it enables the co-operatives for obtaining mineral concessions on small deposits in order to encourage tribals and small miners to enter into mining activities;
- # it empowers the Central Government to institutionalize a statutory mechanism for ensuring sustainable mining with adequate concerns for environment and socio-economic issues in the mining areas, through a National Sustainable Development Framework;
- # it provides for establishment of the National Mining Regulatory Authority which consists of a Chairperson and not more than nine members to advise the Government on rates of royalty, dead rent, benefit sharing with District Mineral Foundation, quality standards, and also conduct investigation and launch prosecution in cases of large scale illegal mining;
- # it provides for establishment of the State Mining Regulatory Authority consisting of such persons as may be prescribed by the State Government to exercise the powers and functions in respect of minor minerals;
- # it provides for establishment of the National Mining Tribunal and State Mining Tribunal to exercise jurisdiction, powers and authority conferred on it under the proposed legislation;
- # it empowers the State Governments to constitute Special Courts for the purpose of providing speedy trial of the offences relating to illegal mining;
- # it provides for stringent punishments for contravention of certain provisions of the proposed legislation; and
- # to repeal the Mines and Minerals (Development and Regulation) Act, 1957.

(d): Does not arise in view of (a) to (c) above.

(e) and (f): The draft Bill is proposed to be introduced in the Winter Session of Parliament at the earliest. The draft Bill would enable developing the country's mining sector to its full potential so as to put the nation's mineral resources to the best use for national economic growth, and ensure raw materials security in the long term national interest.