

**GOVERNMENT OF INDIA  
MINES  
LOK SABHA**

UNSTARRED QUESTION NO:4829  
ANSWERED ON:04.05.2012  
CHILDREN IN MINES  
Aaron Rashid Shri J.M.

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

- (a) whether there are loopholes in the laws, policy and implementation related to mining in general and private and small scale mining in particular that employ children therein;
- (b) if so, whether the Government proposes to fix pre-conditions before grant of mining leases in the interest of children of mine workers; and
- (c) if so, the details thereof?

**Answer**

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

(a) to (c): Mining leases are granted by State Government. The Central Government has prescribed a Model Lease agreement as part of the Mineral Concession Rules, 1960, framed under the Mines and Minerals (Development and Regulation) Act, 1957. Part VII of the Model Agreement deals with covenants of the Lessee/ Lessees and clause 11 B reads as follows:

"the lessee shall comply with provisions of the Mines Act, 1952 and the rules made there under".

The Mines Act, 1952 provides in Rule 40 that no person below the age of 18 years shall be employed in mine, except as apprentice who are below 16 years of age. Further Rule 58 of the said Act provides for Central Government to frame rules for maximum facilities for children of mine workers. Government have in exercise of powers under Section 58 (d) and (w) of Mines Act, 1952, framed the Mines Creche Rules, 1966 which regulate the conditions for children of mine workers, and all mining leases are subject to these Rules.