

**GOVERNMENT OF INDIA
MINES
LOK SABHA**

UNSTARRED QUESTION NO:1403
ANSWERED ON:13.12.2013
EXPIRY RENEWAL OF MINING LEASES
Bhagat Shri Sudarshan

Will the Minister of MINES be pleased to state:

- (a) whether the Government has taken note that large scale mining of minerals is being carried out for years without renewal of mining lease / licence in the country, particularly in Jharkhand;
- (b) if so, the details thereof indicating the number of private and public sector companies found engaged in mining despite expiry of their mining lease/licence, State /UT – wise including Jharkhand;
- (c) the action taken by the Government against such companies; and
- (d) the mechanism put in place to check such practice?

Answer

THE MINISTER OF MINES (SHRI DINSHA PATEL)

(a) to (d): As per Sections 5 and 10 of the Mines and Minerals (Development and Regulation) (MMDR) Act 1957, the State Governments are empowered to grant mineral concessions i.e. reconnaissance permit, prospecting licence or mining lease. Similarly as per Section 8 of the MMDR Act, 1957 and Rule 24A of Mineral Concession Rules (MCR), 1960 the State Governments are empowered to grant renewals for a mining lease except for those minerals listed in Part A and Part B of the First Schedule to the MMDR Act 1957, in which case prior approval of the Central Government is required.

Further, as per Rule 24A (6) of MCR, 1960 if an application for renewal of a mining lease is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended by a further period till the State Government passes order thereon. Details of mining leases which are under the deemed extension provision are maintained by the State Governments and are not maintained centrally.

For operating during the period of deemed extension, the lessee needs to have Environment Clearance under the Environment Protection Act 1986 and Forest Clearance under the Forest Conservation Act 1980 and other Statutory clearances under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 etc. Failure to operate without the necessary statutory clearances will attract the penal provisions under the respective statutes.