BY E-MAIL/FAX/SPEED POST

File No. 7/9/2014-M.IV
Government of India
Ministry of Mines

New Delhi, the 6th May, 2014

Subject: Quarterly meeting of the Coordination-cum-Empowered Committee (CEC) on Mineral Development and Regulation, to be held under the chairmanship of Secretary (Mines) on 15th May, 2014 at 2.30 PM in Aluminium Room, First Floor, ‘D’ Wing, Shastri Bhawan, New Delhi.

The undersigned is directed to say that next quarterly meeting of the Coordination-cum-Empowered Committee (CEC) on Mineral Development and Regulation, is scheduled to be held on 15th May, 2014 at 2.30 PM in Aluminium Room, First Floor, ‘D’ Wing, Shastri Bhawan, New Delhi under the chairmanship of Secretary (Mines) and to send herewith the agenda notes for the above-mentioned meeting.

2. Kindly confirm nomination of a senior level officer for the meeting.

Sd/
(Adhir Kumar Mallik)
Under Secretary to the Government of India
Telefax: 23384743

1. Secretary, Ministry of Environment and Forests, Paryavaran Bhavan, New Delhi.
2. Director General, Department of Forests, Paryavaran Bhavan, New Delhi.
3. Secretary, Ministry of Home Affairs (IS), North Block, New Delhi.
4. Secretary, Ministry of Steel, Udyog Bhavan, New Delhi.
5. Director General, Civil Aviation, Aurobindo Marg, Opposite Safdarjung Airport, New Delhi.
6. Chairman, Railway Board, New Delhi.
7. Secretary, Ministry of Shipping, New Delhi.
8. Secretary, Department of Revenue, New Delhi.
9. Secretary, Department of Fertilizers, New Delhi.
10. Secretary, Department of Atomic Energy, Mumbai
12. Director General, Geological Survey of India, Kolkata.
13. Secretary, In charge of Mining and Geology in the State of:

i) Andhra Pradesh
ii) Chhattisgarh
iii) Goa
iv) Gujarat
v) Jharkhand
vi) Karnataka
vii) Madhya Pradesh
viii) Maharashtra
ix) Orissa
x) Rajasthan
xi) Tamil Nadu

With the request to make it convenient to attend the meeting.

Copy to:

1. PS to Hon’ble MOM for Mines
2. PPS to Secretary (Mines)
3. PPS to AS(Mines)
4. PS to JS (AK)
5. PS to JS (NK)
6. PS to EA
7. NIC

(Adhir Kumar Mallik)
Under Secretary to the Government of India
Telefax: 23384743
AGENDA
CEC 15th May, 2014
Ministry of Mines, Government of India

Agenda for the Coordination-cum-Empowered Committee on Mineral Development and Regulation, to be held on 15th May, 2014 in Shastri Bhavan, New Delhi

1 Presentation by States on innovative practices

States to give a brief presentation (of about 10 minutes) on the following issues:

(i) Innovative and best practices being followed in management and regulation of the mining sector like Gujarat: N-Code System, Odisha: Integrated Mines and Minerals Management System (i3MS), Rajasthan: Constitution of a special task force in every district, etc;

(ii) Steps taken for prevention of illegal mining such as salient features of Rules made under section 23C of the MMDR Act 1957, constitution and action taken by task forces.

(iii) Training requirement of the State DMGs – Customized courses can be conducted for the officers of State DMGs by GSI & IBM.

2 Action taken by State Governments to curb illegal mining

2.1 Review of functioning of Task Forces

Major mineral producing States were asked to constitute Task Forces at State level and at District level for monitoring and checking mining matters including illegal mining. 22 State Governments have constituted Task Forces, including all the major mineral producing States.

A review of the functioning of the Task Force is required to ascertain:

(i) whether meetings of the Task Forces are being held regularly;

(ii) last date of meeting of the State level Task Force and District Level Task Force;

(iii) whether proceedings of these meetings are being recorded; and

(iv) what action has been taken as the outcome of the task force meetings.

2.2 Preparation of Manual of Standard Operating Procedures (SOPs)

A group of officers from the States could be set up in order to prepare a manual of SOPs for curbing illegal mining. This could build on the experience and initiatives of the States. The following could be considered for membership of this Committee:

(i) Director, DMG, Gujarat
(ii) Director, DMG, Andhra Pradesh
(iii) Director, DMG, Karnataka
(iv) Director, DMG, Rajasthan
(v) Shri R. K. Sinha, COM, IBM
(vi) any other officer who is interested

2.3 Discrepancies in reporting on illegal mining

There is a vast discrepancy in numbers of illegal mining cases reported - FIRs lodged, Court Cases filed etc reported by the State governments was flagged in the last meeting of CEC. In an internal meeting of the Ministry held on 21.4.2014, IBM informed that there are a lot of discrepancies and mismatch regarding the number of FIRs, court cases filed and vehicles seized in the quarterly returns on illegal mining as received from the concerned State
governments. IBM was asked to study and analyze the illegal mining returns of the States and find out the approach/modalities adopted by the state governments in imposing fines, filing of FIRs, launching court cases etc. IBM will give a presentation on the progress made on the study and analysis in this regard, highlighting the areas of concern and help in better understanding of the nature of these discrepancies.

2.4 Status of setting-up of ‘Special Anti-Extortion and Anti-Money Laundering Cell’ to prevent the nexus between illegal mining / forest contractors and extremists


State Governments were requested in the last CEC meeting to furnish information on setting up of Cells and submit a report to IBM; and IBM was required to coordinate collection and furnishing of information to the Ministry.

State Governments, especially facing naxalite problems, to give present status of progress made in this regard.

3 E Auction Methodology for Sale of Minerals

3.1 One of the recommendations of the Justice M B Shah Commission of Inquiry was to adopt e-auction for sale of iron ore. The Ministry of Mines in its Action Taken Report submitted to the Parliament stated that recommendation of the Commission for e-auction of iron and manganese ores will be examined in consultation with State Governments and concerned Central Ministries. All State Governments and concerned Central Ministries/Departments have been asked to give their comments/views on the issue of implementation of the recommendation of the COI for adopting e-auction vide letter dated 5th May, 2014.

3.2 The issue needs to be deliberated to arrive at the methodology to be adopted along with time-lines for its implementation.

4 Sustainable Development Framework (SDF)

A report on SDF for the mining sector has been finalized by the Ministry of Mines on 30.11.2011. A committee constituted by IBM is finalizing the SDF templates for implementation of SDF. Pilot roll out of SDF is being undertaken during 2014-15 as given below:

(i) Public sector - Malanjkhand Copper Project of M/S Hindustan Copper Limited, Baihar Tehsil, Balaghat District, Madhya Pradesh; and
(ii) Private sector - Noamundi iron ore mines (working ML area) and Ankua Iron Ore Project as Prospecting of M/s Tata Steel limited in West Sighbhum district, Jharkhand State.

Based on the outcome of the pilot, SDF to be implemented by all State Governments.

5 UNFC Guidelines for exploration

India is currently following the 1997 guidelines of UNFC for reporting mineral resources and reserves in the country. United Nationis Economic Commission has now come out with UNFC 2009.

IBM to give a presentation on the issues related to suitability and adaptability of UNFC 2009 classification in India and the roadmap for transition from UNFC 1997 to UNFC 2009.

6 Consequences of National Green Tribunal (NGT) judgment dated 28th November 2013 on State Environment Impact Assessment Authority

6.1 In the previous CEC meeting, the problems being faced by small miners especially for minor minerals due to large number of proposals being examined by the SEIAA was raised by the State Governments. NGT had dismissed the Madhya Pradesh Government’s plea to treat its District level environmental committees as competent authority for grant of environment clearances (ECs) in respect of minor minerals.

6.2 As decided in the meeting, MoEF was requested vide letters dated 12.3.2014 and 04.4.2014 to consider and explore the possibility of having SEIAA at the district and zonal level to mitigate the problem of pendency and inordinate delay in clearing application for ECs. All State Governments and UTs were also requested vide letter dated 12.3.2014 to send their considered views on whether to file an appeal against the NGT judgment dated 28th November 2013.

6.3 MoEF has also been requested vide letter dated 30.4.2014 to: (i) constitute adequate numbers of authorities, as provided for u/s 3 of the EP Act, for granting environmental clearances (ECs) through a simple, transparent, streamlined and time-bound process; and (ii) consider delegation of powers to State Governments u/s 23 of the EP Act for granting ECs. Response of MoEF is still awaited.

6.4 MoEF is requested to provide its comments in the matter at the earliest. Further, response has been received only from Government of Madhya Pradesh wherein the State Government has informed that it is taking necessary action to file an appeal in the Hon’ble Supreme Court against the order dated 28.11.2013 of the NGT. All other State Governments and UTs are requested to provide their comments in this regard.
7 Timely decisions in accordance with the MMDR Act and the MCR, and submission of quarterly reports

7.1 Rule 63A and 24A of the Mineral Concession Rules lay down time schedules for (a) disposal of concession applications: and (b) grant of renewals respectively. For various reasons, applications remain pending and in case of renewals, operate under deemed extensions. These circumstances at times lead to incidence of illegal mining. In view of this, the Ministry has, vide letter No. 7/111/2009-M.IV dated 15.12.2009, prescribed quarterly reports to be submitted by the State Governments on (i) disposal of applications for mineral concessions (ii) lease/license execution status and (iii) status of renewal of concessions. However, it is seen that some of the States have still been unable to send quarterly reports to the Ministry in time. The status of receipt of quarterly reports as on 05.05.2014 and State-wise pendency of mineral concession applications, license/lease execution cases and renewal applications, as per the State Governments’ quarterly reports, is at Annexure-I

It is seen from the reports received from the State Governments that there is huge pendency of mineral concession and renewal applications. As per these reports, a total of 63,395 applications (643 RP applications, 19,891 PL applications and 42,861 ML applications) are pending with the State Governments. Besides, a total of 265 lease/license execution cases and 2,515 renewal applications are pending with the State Governments. It is also noticed that the pace of disposal of cases has been extremely slow and the pendency is quite high in almost all the mineral-rich States.

7.2 A State-wise review of the position regarding pendency would be undertaken in the meeting.

8 Any other item with the permission of the Chair.
ANNEX-I

Statement showing pendency of mineral concession applications, lease/ license execution cases and renewal applications with the State Governments as per quarterly reports received from them.

(Position as on 05.05.2014)

<table>
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<th>S. No.</th>
<th>Name of the State</th>
<th>Quarterly Report received up to</th>
<th>No. of pending applications</th>
<th>No. of pending lease/license execution cases</th>
<th>No. of pending renewal applications</th>
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<tr>
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<td>Goa</td>
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