

Mineral Conservation and Development (Amendment) Rules, 2021

November 12, 2021

In news– Recently, the Ministry of Mines has notified the Mineral Conservation and Development (Amendment) Rules, 2021 to ***amend the Mineral Conservation and Development Rules [MCDR], 2017.***

The highlights of amendments–

- Rules prescribed that all plans and sections related to mine shall be prepared by combination of **Digital Global Positioning System (DGPS) or Total Station or by drone survey** in relation to certain or all leases as may be **specified by Indian Bureau of Mines (IBM).**
- New Rule inserted to **provide for submission of digital images of mining areas by lessees** and Letter of Intent holders.
- **Lessees having annual excavation plan of 1 million tonne or more or having leased area of 50 hectare or more** are required to submit drone survey images of leased area and up to 100 meters outside the lease boundary every year.
- Other lessees submit high resolution satellite images.
- Requirement of **submitting satellite images obtained from CARTOSAT-2 satellite LISS-IV sensor** on the scale of cadastral map deleted in view of the insertion of provision for submission of **high resolution Georeferenced Ortho-rectified Multispectral satellite** and use of drone survey as per Rule 34A.
- Provision of **daily return omitted to reduce**

compliance burden.

- Power of taking action against incomplete or wrong or false information in monthly or annual returns given to IBM, in addition to State Govt.
- The amendment **allowed engagement of a part-time mining engineer or a part-time geologist for category 'A' mines** having leased area below 25 hectares.
- The **diploma in mining and mine surveying granted by duly recognized institute** along with a second class certificate of competency issued by the Director General of Mines Safety **is added in qualification for full time Mining Engineer.**
- **Penalty provisions in the rules have been rationalized.** Previously, the rules provided for penalty of imprisonment upto 2 years or fine upto 5 lakh rupees or both for violation of each and every rule irrespective of the severity of the violation.
- **Amendment in the rules categorized the violations of the rules under the following major heads:**
 - Major Violations: Penalty of imprisonment, fine or both.
 - Minor Violations: Penalty reduced. Penalty of only fine for such violations prescribed.
 - **Violation of other rules has been decriminalized.** These rules did not cast any significant obligation on the concession holder or any other person. Thus, violation of 24 rules has been decriminalized.
 - **Amount of financial assurance increased to five lakh rupees for Category 'A' mines** and three lakh rupees for Category 'B' mines from existing three and two lakh rupees, respectively.

Indian Bureau of Mines (IBM)–

- It was set up on 1st March, 1948.

- The objective of the IBM is to promote systematic and scientific development and optimum utilisation of mineral resources of the country (both on-shore and off-shore).
- It is a subordinate office under the Ministry of Mines.
- It is engaged in the promotion of scientific development of mineral resources of the country, conservation of minerals, protection of the environment in mines for minerals, other than coal, petroleum and natural gas, atomic minerals and minor minerals.
- It performs regulatory functions, namely enforcement of the Mineral Conservation and Development Rules, 1988, the relevant provisions of the Mines and Minerals (Development and Regulation) Act, 1957, Mineral Concession Rules, 1960 and Environmental (Protection) Act, 1986.
- It also undertakes scientific, techno economic, research oriented studies in various aspects of mining, geological studies, ore beneficiation and environmental studies.
- It has its headquarters at Nagpur, 03 Zonal Offices at Ajmer, Bangalore and Nagpur and 12 Regional Offices.