

SIXTEENTH REPORT
COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)

MINISTRY OF COAL
(Presented to Lok Sabha on 12.2.2021)



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COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar - *Chairperson*

MEMBERS

2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Shri Harish Dwivedi
5. Dr. Sukanta Majumdar
6. Shri Sanjay Sadashivrao Mandlik
7. Smt. Anupriya Patel
8. Dr. Bharati Pravin Pawar
9. Shri P. Ravindhranath
10. Shri Brijendra Singh
11. Shri Sushil Kumar Singh
12. Shri Manoj Tiwari
13. Shri Prabhubhai Nagarbhai Vasava
14. Shri Rajan Vichare
15. Vacant

SECRETARIAT

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2. Shri Raju Srivastava - Director
3. Shri G.C. Dobhal - Additional Director
4. Shri Harish Kumar Sethi - Executive Officer
5. Shri Anand Kumar Hansda - Assistant Executive Officer

SIXTEENTH REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

INTRODUCTION

1. I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Sixteenth Report (Seventeenth Lok Sabha) of the Committee to the House on the representation of Shri Dharambir Singh regarding dilapidated condition of Coal Mines in West Bengal and Jharkhand and other related issues.

2. The Committee considered and adopted the draft Sixteenth Report at their sitting held on 8 February, 2021.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions.

8 February, 2021

26 Pausa, 1942 (Saka)

REPORT

REPRESENTATION OF SHRI DHARAMBIR SINGH REGARDING DILAPIDATED CONDITION OF COAL MINES IN WEST BENGAL AND JHARKHAND AND OTHER RELATED ISSUES.

Shri Dharambir Singh had forwarded a representation dated 02.02.2020 addressed to Hon'ble Chairperson, Committee on Petitions regarding dilapidated condition of Coal Mines in West Bengal and Jharkhand and other related issues (Annexure).

2. The representationist, in his representation, *inter-alia* stated that irregularities in auctioning of Coal Mines to private companies who make cartel to grab Coal Mines, thereby causing immense loss of revenue to the Government. The private companies who have been awarded the contract of Coal Mines in West Bengal and Jharkhand have disregard to safety, health and welfare of persons employed in the mines even when the Mines Act, 1952 and related rules and regulations are in place. There is also no mechanism in place to prevent reoccurrence of accidents even when the Directorate General of Mines had issued various Circulars specifying, therein, the preventive measures to be taken for ensuring safety and providing adequate safety measures to the mine workers while working in mines. Also, there is a lack of training to the persons employed in mines. There is an increase in number of serious accidents and injuries *vis-a-vis* lethargic approach of the Authorities concerned for paying the compensation amount to deceased family and also in course of employment. There has always been a lukewarm response of the Coal India Limited and private companies to rehabilitate the affected people due to cave-in on account of unscientific mining. The representationist has, therefore, requested to look into the matter by examining the issues raised in the representation.

3. The Committee on Petitions took up the representation for examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the representation received from Shri Dharambir Singh was forwarded to the Ministry of Coal for furnishing their initial comments on the issues raised therein.

4. In response thereto, the Ministry of Coal *vide* their communications dated 9.3.2020 and 23.10.2020 had forwarded their *para-wise* comments as under :-

"(A) Irregularities in auctioning of Coal Mines causing loss of revenue:-

Hon'ble Supreme Court of India vide its order dated 24.09.2014 cancelled 204 coal mine/blocks which had been allocated to the various Government and Private Companies since 1993 under the provisions of the Coal Mines (Nationalization) Act, 1973. The Coal Mines (Special Provisions) Ordinance, 2014 was promulgated on 21.10.2014 to provide for allocation of these Coal Mines and vesting of the rights, title and interest in and over the land and mine infrastructure together with mining leases to successful Bidders and Allottees with a view to ensuring continuity in coal mining operations and production of coal. First Ordinance was replaced by the Second Ordinance on 26.12.2014. Subsequently, the Coal Mines (Special Provisions) Act, 2015 was passed by the Parliament which was notified as an Act on 30.03.2015. In order to implement provisions of the Ordinance (now substituted by Act of 2015), the Coal Mines (Special Provisions) Rules, 2014 were notified on 11.12.2014. The Coal Mines are allocated by the Ministry of Coal, Government of India and not by the Coal India Limited.

To keep the process transparent, the auction of Coal Mines are being conducted through e-auction mode on electronic platform created by the MSTC Limited (a Government of India enterprise) and no physical financial bids are accepted or considered. Prospective bidders are required to get themselves registered on the MSTC's website and make a non-refundable payment of the prescribed application fee of Rs.5 Lakh for each mine.

For the purpose of auction, end-uses of 'Iron & Steel, Cement and Captive Power' were clubbed together in a category 'Non-regulated Sector' for which forward e-auction methodology was adopted. For the 'Power' end-use, reverse bidding methodology was adopted. Under the reverse bidding methodology for Coal Mines/blocks to be auctioned for power sector under the Coal Mines (Special Provisions) Act, 2015, the Coal India Limited (CIL) notified price for each coal block prescribed as ceiling price and the bidders are mandated to quote lower than this ceiling price which would only be allowed as a pass through of fuel cost in determination of tariff by appropriate regulatory commission to ensure that the benefit of lower bid price is passed through to the consumers. In addition to this, a fixed reserve price of Rs.100/- per tonne of coal shall be payable as per actual production by the successful allottee.

Up till the year 2019, 10 Tranches of Auction of Coal Mines have been concluded and 35 Coal Mines have been successfully allocated under the Coal Mines (Special Provisions) Act, 2015. Further, out of the 35 successfully auctioned Coal Mines, 7 Coal

Mines have been terminated. Revenue generated through the Coal Mines allocated through auction route under the CMSP Act, 2015 is as under:-

Revenue generated through the Coal Mines allocated through auction route under Coal Mines (Special Provisions) Act, 2015				
Sl. No.	Name of Auctioned Mine	Name of Allottee	Revenue Generated till January 2020 (In Rs. Crore)	Revenue Generated till March 2020 (In Rs. Crore)
1	Chotia	BALCO	541.81	598.43
2	Gare Palma IV/4	Hindalco Industries Ltd.	1045.27	1056.492
3	Gare Palma IV/5	Hindalco Industries Ltd.	869.08	869.084
4	Gare Palma IV/7	Monnet Ispat & Energy Ltd.	25.33	25.33
5	Gare Palma IV/8	Ambuja Cements Ltd.	117.64	132.6
6-7	Brinda and Sasai	Usha Martin Ltd.	3.86	3.86
8	Dumri	Hindalco Industries Ltd.	6.15	6.15
9	Ganeshpur	GMR Chhattisgarh Energy Ltd.	43.89	43.89
10	Jitpur	Adani Power Ltd.	13.6	13.6
11	Kathautia	Hindalco Industries Ltd.	583.85	583.85
12	Lohari	Araanya Mines Private Ltd.	1.44	1.44
13	Meral	Trimula Industries Ltd.	2.39	2.39
14	Moitra	JSW Steel Ltd.	16.56	16.56
15	Tokisud North	ESSAR Power MP Ltd.	72.24	72.24
16	Amelia North	Jaiprakash Power Ventures Ltd.	957.37	999.166
17	Bicharpur	UltraTech Cement Ltd.	9.18	9.18
18	Mandla North	Jaiprakash Associates Limited	20.67	20.67
19	Mandla-South	Jaypee Cement Corporation Ltd.	3.22	3.22
20	Sial Ghoghri	Reliance Cement Co. Pvt. Ltd.	52.03	57.252
21	Belgaon	Sunflag Iron and Steel Co. Ltd.	194.86	205.417
22	Majra	Jaypee Cement Corporation Ltd.	2.41	2.41
23	Marki Mangli III	B.S. Ispat Ltd.	2.79	2.79
24	Marki Mangli-I	Topworth Urja and Metals Ltd.	32.24	32.243
25	Nerad Malegaon	Indrajit power Pvt. Ltd.	3.29	3.29
26	Talabira-I	GMR Chhattisgarh Energy Ltd.	51.57	51.57
27	Ardhagram	OCL Iron & steel Ltd.	61.88	61.878
28	Sarisatolli	CESC Ltd.	528.66	547.97
29	Trans Damodar	Durgapur Projects Ltd.	14.83	14.83
30	Bikram	Birla Corporation Ltd.	2.53	2.53
31	Brahampuri	Birla Corporation Ltd.	1.88	1.88
32	Jamkhani	Vedanta Ltd.	41.23	41.23
33	Jaganathpur B	Powerplus Traders Pvt. Ltd.	5.42	5.42
		Total	5329.17	5488.862

* No revenue generated from Mandakini and Utkal-C mines.

So far, there is no conclusive proof available with the Nominated Authority, Ministry of Coal indicating any collusive bidding nor is there any complaint received about the e-auction platform obstructing bidders from submission of bid. Further, so far, no procedural infirmities have been noticed in the auction process.

(B) Safety, health and welfare of persons working in mines:-

The matters relating to safety, health and welfare of persons employed in the mines are dealt with under the Mines Act, 1952, Rule and Regulations made thereunder. Directorate General of Mines Safety (DGMS) under the Ministry of Labour and Employment, Government of India administers this Act for ensuring safety in the mines in the country. The owner, agent, manager and other statutory persons appointed at the mines are required to comply with the provisions of the statute.

Chief Inspector of Mines and Inspectors of Mines make inspections and enquire whenever it is required to ascertain whether the provisions of the Mines Act 1952 and of the regulations, rules and bye-laws and of any order made thereunder are observed in the case of any mine.

In order to prevent re-occurrence of accidents in future, the Directorate General of Mines Safety issues Circular for the mining industry for preventive measures to be taken. To ensure that the mine workers are provided with adequate safety measures while working in the mines, the DGMS undertake inspections of mines and take measures vis-a-vis pointing out contraventions, withdrawal of permission, issue of improvement notices, prohibition of employment, informal stoppages and prosecution in the court of law.

(C) Mechanism to prevent accidents in the Mines:-

To prevent accidents in the mines, the following steps are also taken/being taken by the Government:-

- (a) To prevent and propagate safety awareness in mines, National Safety Awards (Mines), National Conference on Safety in Mines are organized by DGMS.
- (b) Workers participation and sensitization in matters of safety are ensured through training in safety and by initiatives like celebration of safety week and safety campaigns, etc.
- (c) Safety training programmes are organised among Managers and Supervisors for improving safety standards in mines.

- (d) Introduction of Risk Assessment Techniques and preparation of safety management plan aimed at elimination of risks and to ensure safety of workmen.
- (e) Introduction of standard operating procedures to avoid unsafe practices in mines.
- (f) Time to time, DGMS circulars are issued guidelines for safe operations in identified thrust areas.

(D) Examining the reasons for increase in fatal accidents/injuries vis-a-vis compensation paid:-

The details of fatal accidents, fatalities, serious accidents and serious injuries in last five years in the mines of subsidiary companies of the Coal India Limited, the compensation paid to the family of deceased who died in any mine accident arising out of and in course of employment and details of accidents in respect of non-CIL companies are given as under:-

Company-wise Fatal Accidents (FA) and Fatalities (FY) during 2015 – 2019]

Company	2015		2016		2017		2018		2019*	
	FA	FY	FA	FY	FA	FY	FA	FY	FA	FY
ECL	7	7	9	31	9	9	1	2	7	7
BCCL	7	7	6	6	2	2	2	2	6	6
CCL	2	2	4	4	5	6	5	8	2	2
NCL	1	1	4	4	3	3	3	3	2	2
WCL	8	8	5	5	3	3	2	5	2	2
SECL	10	10	8	9	7	9	12	15	6	7
MCL	3	3	2	2	5	5	8	8	5	8
NEC	0	0	0	0	0	0	0	0	0	0
CIL	38	38	38	61	34	37	33	43	30	34

FA - No. of Fatal Accidents, FY - No. of Fatalities

* Provisional

Company-wise Serious Accidents (SA) and Serious Injuries (SI) during 2015-19

Company	2015		2016		2017		2018		2019*	
	SA	SI	SA	SI	SA	SI	SA	SI	SA	SI
ECL	40	40	44	44	20	20	24	25	18	18
BCCL	9	9	5	5	13	13	7	7	10	12
CCL	5	5	7	8	5	5	9	16	4	4

NCL	19	20	13	13	10	10	8	8	12	12
WCL	25	27	17	17	18	18	17	17	16	17
SECL	35	36	27	29	36	36	20	21	22	23
MCL	4	4	7	7	6	6	4	4	4	4
NEC	0	0	0	0	0	0	0	0	0	0
CIL	137	141	120	123	108	108	89	98	86	90

SA - No. of serious accidents, SI - No. of Seriously injured

* Provisional

The amount of compensation paid as per provision of the Employee's Compensation Act (ECA), 1923 (Principal Act & amended up to 2017) for the last five years in the Coal India Limited are given below:-

Year	Amount of compensation (in Rupees)
2015	2,36,73,104.00
2016	4,41,37,278.00
2017	2,45,60,000.00
2018	3,04,59,977.00
2019	2,19,40,992.00

Apart from compensation paid as per provision of the ECA-1923, Ex-gratia amount of INR 5,00,000.00 is also being paid to the eligible dependent of fatally injured employee (for contractual employees; it started from 21.12.2016). The said Ex-gratia amount has been revised to INR 15,00,000.00 with effect from 14.11.2019.

The details of the number of fatal accidents, fatalities, as reported by the mine management for the last 5 years are as under:-

Company	Fatal Accident					Fatality				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
Bharat Aluminium Co. Ltd.	0	0	0	0	1	0	0	0	0	1
Gujarat Industries Power Co. Ltd.	0	0	0	1	0	0	0	0	2	0
Gujarat Mineral Dev. Corp. Ltd.	3	0	0	0	0	3	0	0	0	0
Indian Iron & Steel Co. Ltd.	0	1	0	0	1	0	1	0	0	1
Jaiprakash Associates Ltd.	0	0	0	0	0	0	0	0	0	0
M/s Electro Steel Casings Ltd.	0	0	0	0	0	0	0	0	0	0
M/S Hindalco Industries Ltd.	0	0	0	0	1	0	0	0	0	1
M/S Prism Cement Ltd.	1	0	0	0	0	1	0	0	0	0
M/S Sasan Power Ltd.	1	1	0	1	0	2	1	0	1	0
M/s Sovalpat Ltd.	1	0	0	0	0	1	0	0	0	0
M/s V.S. Lignite Power Ltd.	1	0	0	0	0	1	0	0	0	0
Neyveli Lignite Cor. Ltd.	1	2	1	1	2	1	2	1	1	2
NTPC Ltd..	0	0	1	0	0	0	0	1	0	0

Singareni Collieries Co. Ltd.	7	10	12	8	9	7	12	13	8	9
Tata Iron & Steel Co. Ltd.	0	2	0	0	1	0	2	0	0	1
V.S Lignite Power Pvt. Ltd.	0	0	1	0	0	0	0	1	0	0
Total	15	16	15	11	15	16	18	16	12	15

The details of the number of serious accidents and serious injury, as reported by the mine management for the last 5 years, are as under:-

Company	Serious Accident					Serious Injury				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
Bharat Aluminium Company Ltd.	0	0	0	0	0	0	0	0	0	0
Gujarat industries Power Co, Ltd.	0	0	0	0	0	0	0	0	0	0
Gujarat Mineral Dev. Corp. Ltd.	0	1	0	1	0	1	3	0	1	0
Indian Iron & Steel Company Ltd.	0	1	0	1	0	0	1	0	1	0
Jaiprakash Associates Ltd..	0	2	0	0	0	0	2	0	0	0
M/s. Electrosteel Casings Ltd.	0	1	0	0	0	0	1	0	0	0
M/s. Hindalco Industries Ltd.	1	0	0	0	0	1	0	0	0	0
M/s. Prism Cement Ltd.	0	0	0	0	0	1	0	0	0	0
M/s. Sasan Power Ltd.	0	0	1	0	0	1	0	1	0	0
M/s. Sovatspat Ltd.	0	0	0	0	0	0	0	0	0	0
M/s. V.S. Lignite Power Ltd.	0	0	0	0	0	0	0	0	0	0
Neyveli Lignite Corporation Ltd.	3	1	0	0	0	3	1	0	0	0
NTPC Ltd.	0	0	0	0	0	0	0	0	0	0
Singareni Collieries Company Ltd.	187	176	137	165	74	187	178	142	166	74
Tata Iron & Steel Company Ltd.	3	1	5	0	2	3	3	5	0	3
V.S Lignite Power Private Ltd.	0	0	0	0	0	0	0	0	0	0
Total	194	183	143	167	76	197	189	148	168	77

The fatal accidents and serious accidents have reducing trend in the last five years. The compensation has been promptly paid.

(E) Rehabilitation of people due to cave-in on account of unscientific mining:-

The Master Plan for dealing with fire, subsidence (cave-in-areas) and rehabilitation in the lease hold of Bharat Coking Coal Limited (BCCL) and Eastern Coalfields Limited (ECL) was approved on 12th August 2009 by the Government of India with an estimated investment of Rs.7,112.11 crore for Jharia Coalfields (JCF) and Rs.2,661.73 crore for Raniganj Coalfields (RCF). Implementation period has been delineated as 10 years for RCF and 10+2 years for JCF. Jharia Rehabilitation and Development Authority (JRDA) is the implementing agency for rehabilitation of non-BCCL people under the Master Plan whereas Asansol Durgapur Development Authority (ADDA) has been identified as implementing agency on the behalf of the Government of West Bengal for Rehabilitation of Non-ECL houses.

The present status of rehabilitation is as under:-

Jharia Master Plan (in the leasehold of BCCL):-

- (i) As per Jharia Master Plan, a total of 54159 non-BCCL families' in 595 sites are to be surveyed. JRDA has completed survey of 595 sites. As per present survey analysis in 2019, about 104946 families (LTH +NLTH) are reported as encroachers.
- (ii) Construction of 18352 houses taken up by JRDA in Belgoria Rehabilitation Township "Jharia Vihar", out of which, 6352 houses are already completed and shifted by 3114 families, till date. Balance 12000 houses are under different stages of construction at Belgoria.
- (iii) BCCL has also taken up construction of 15852 houses for shifting of BCCL families residing at the fire and subsidence affected coal bearing area. Total 7714 houses have constructed by BCCL and 4057 families have shifted, till date. Remaining 8138 houses are in different stages of construction.

Raniganj Master Plan (in the leasehold of ECL):-

- (i) There are three locations namely Jote Janki, Amritnagar and Ratibati 3, 4, & 7 pits where ECL houses came under fire affected area under Master Plan. ECL had already shifted all of its employees to existing ECL quarters at stable locations and demolished all the structures which were within the fire affected subsided zone.
- (ii) Demographic survey for non-ECL houses have already been completed. As per provisional figure of survey Report, 6101 households are legal title holders (LTH) and 22899 are non-legal title holders (NLTH).
- (iii) Land required, at present, for rehabilitation is around 115.89 Ha ,out of 72.21 Ha (27.56 Ha West Bengal Government vested land, 12.47 Ha ECL land and 32.18 Ha purchased private (BAPL) land) has been identified and rest 43.68 Ha is required for rehabilitation /resettlement of non-ECL families.
- (iv) Construction of 12976 flats has been started at four identified resettlement sites, i.e., at Bijohnagar, Daskeary, Dakshin Khanda and Namokeshia. Construction of 551 blocks (contains 8816 flats) are under in progress, out of 811 blocks (contains 12976 flats) as per DPR.

(v) Shifting of non ECL families, till date is 'Nil'. As per ADDA, proposal for possession of 160 flats (completed) has been sent to Department of Industry, Commerce & Enterprises to accord approval.

5. The Committee when asked to furnish the expanded names of the subsidiary Companies of the Coal India Limited along with the total number of mines being operated by these subsidiary Companies in the State(s) of West Bengal and Jharkhand, the Ministry of Coal, in a written reply, submitted: -

Company	Expanded Name (s)	State	No. of active coalmines
ECL	Eastern Coalfields Limited	West Bengal	65
		Jharkhand	14
BCCL	Bharat Coking Coal Limited	West Bengal	1
		Jharkhand	37
CCL	Central Coalfields Limited	Jharkhand	44
NCL	Northern Coalfields Limited	-	-
WCL	Western Coalfields Limited	-	-
SECL	South Eastern Coalfields Limited	-	-
MCL	Mahanadi Coalfields Limited	-	-
NEC	North Eastern Coalfields	-	-

6. The Committee desired to know the details of total number of Coal Mines in West Bengal and Jharkhand auctioned to Private Companies during the last five years and the total revenue generated therefrom. The Ministry of Coal, in a written reply, submitted:-

Details of Coal Mines auctioned during the last five years and total revenue generated therefrom is as under:-

(Rs. in crore)

State	2014-15		2015-16		2016-17		2017-18		2018-19		2019-20		Total	
	CMA	RG	CMA	RG	CMA	RG	CMA	RG	CMA	RG	CMA	RG	CMA	RG
Jharkhand	10	62.55	0	133.72	0	18.63	0	266.71	0	195.24	0	67.13	10	743.98
West Bengal	2	71.69	0	156.83	0	69.71	0	83.4	0	119.48	1	117.78	3	618.89
Total	12	134.24	0	290.55	0	88.34	0	350.11	0	314.72	1	184.91	13	1362.87

CMA - Coal Mines Auctioned RG - Revenue Generated

7. The Committee further desired to know the details of Coal Mines of subsidiary Companies of Coal India Limited and the Coal Mines of Private Companies being operated

in the States of West Bengal and Jharkhand. In this regard, the Ministry of Coal, in a written reply, submitted:-

Subsidiary-wise, State-wise number of active Coal Mines (producing mines) of Coal India Limited in the States of West Bengal and Jharkhand as on 01.04.19 is given below:-

Subsidiary	State	Number of active Coal Mines (producing mines) as on 01.04.19
ECL	West Bengal	65
	Jharkhand	14
BCCL	West Bengal	1
	Jharkhand	37
CCL	Jharkhand	44

8. On being enquired by the Committee about the provision prescribed in the Mines Act, 1952 and other related Rules and Regulations relating to safety, health and welfare of persons employed in the Coal Mines, the Ministry of Coal, in a written reply, submitted:-

"Following provisions relating to safety, health and welfare of persons employed in the Coal Mines are prescribed in the Mines Act, 1952 and the Mines Rules - 1955 and the Coal Mines Regulations-2017.

The Mines Act, 1952

- i. *Power of Central Government to make regulations, rules and bye-laws framed under the Mines Act- 1952.*
- ii. *Duties and responsibilities of owners, agents and managers are prescribed under section-18.*
- iii. *Provision for providing adequate drinking water, sufficient number of latrines and urinals of prescribed types separately for males and female employees, first aid box or cupboard, etc. are made. (Details are provided in the Mines Rules framed under the Mines Act-1952).*
- iv. *Power to issue notice or prohibit employment by Inspector of Mine in case impending danger do exists in any mine.*
- v. *Power of Government to appoint court of enquiry in cases of accidents.*

- vi. *Power to direct investigation of causes of diseases notified under the Act.*
- vii. *Working hours and various limitation of employment in mines along with power to exempt in certain cases are prescribed in the Mines Act-1952 (Details are provided in the Mines Rules framed under the Mines Act-1952).*
- viii. *Provisions are prescribed for fare wages and leaves in the Mines Act.*
- ix. *Provision of penalties for contravention of various safety statutes are specified under the Mines Act-1952.*

The Mines Rules – 1955

- i. *Provisions are prescribed for the initial medical examination and periodical medical examination of every person employed in the mine.*
- ii. *Provisions are prescribed for constitution of Appellate Medical Board for the purpose of medical re-examination on appeal by any employee.*
- iii. *Provision to designate at least one Workmen's Inspector each for mining, electrical and mechanical installations and operations in a Mine.*
- iv. *Constitution of Safety Committee for every mine wherein more than 100 persons are ordinarily employed.*
- v. *Appointment of Welfare Officer in every mine to advise on Mine management and maintain harmonious relationship, address grievances, welfare provisions, to constitute various committees, to supervise welfare activities, statutory or otherwise in mine and to perform any other duty connected with the welfare of the persons employed in the mine.*
- vi. *Maintenance of all reports, registers and other records in pursuance of various statutory provisions made under the regulations, rules and bye-laws.*

The Coal Mines Regulations (CMR)-2017

- i. *Board of Mining Examination for conducting various statutory examination and issuance of statutory certificates as per regulations.*
- ii. *Qualification and requisite practical experiences for appointment of mine inspectors and various other mine officials are specified in the regulation.*

- iii. Duties and responsibilities of Mine Management, Contractors, Manufacturers, Mine Officials, competent persons and workmen are prescribed.
- iv. Statutory requirements for mine Plans and Sections are prescribed.
- v. Statutory obligations for means of access and egress from the mine are prescribed.
- vi. Statutory provisions for winding installations are prescribed.
- vii. Statutory requirements for haulage system in UG mines are prescribed.
- viii. Preparation and compliance of Safety Management Plan.
- ix. Statutory requirements for manual and mechanized opencast working as well as development and depillaring operation in UG mines are prescribed in regulations.
- x. Measures to be taken for precautions against dangers from fire, dust, gas and water.
- xi. Standard of ventilation in UG mine.
- xii. General lighting arrangements.
- xiii. Provisions for safe use of explosives.
- xiv. Emergency response and evacuation plan for every mine.

Coal Mines (Special Provisions) Act, 2015 and Coal Mines Rules (Special Provisions) Rules, 2014

No such clause or section in the Coal Mines (Special Provisions) Act, 2015 and the Coal Mines Rules (Special Provisions) Rules, 2014 relating to safety, health and welfare of persons employed in the Coal Mines.

However, as per Coal Mines Development and Production Agreement signed between Nominated Authority and Successful Bidder of the Private Allottees, there is a Section (Section 11.4) regarding Health, Safety, Welfare, Social Security and Minimum Wages of employees engaged at the Coal Mines wherein it is emphasised the compliance of all Applicable Laws and Good Industry Practices, modern safety

devices and modern safety precautions by the Successful Bidder. Also Successful Bidders are advised to ensure payment of Minimum wages to the employees engaged at the Coal Mine."

9. On being further enquired by the Committee as to whether all the provisions contained under the Mines Act, 1952 and other related Rules and Regulations are being scrupulously followed by all the subsidiary companies of the Coal India Limited and the Private Companies, the Ministry of Coal, in a written reply, submitted:-

"The provisions prescribed under the Mines Act-1952, the Mines Rules-1955 and the Coal Mines Regulations-2017 and by-laws & orders framed under the Mines Act-1952 are being followed in all subsidiary companies of CIL.

The law enforcing agency/regulatory authority under the Mines Act-1952 i.e. the Directorate General of Mines Safety (DGMS) regularly inspects mines of all subsidiary companies of CIL to assess whether mines are being operated as per the provisions under the Mines Act-1952, the Mines Rules-1955 and the Coal Mines Regulations-2017 and by-laws & orders framed under the Act.

Further, Assistant Labour Commissioner (ALC), Regional Labour Commissioner and Labour Enforcement Officers (LEO) regularly inspect the mines to see the status of compliance of enforcement of various Acts and Rules & Orders made thereunder."

10. The Committee when asked about the responsibilities and power of the Directorate General of Mine Safety (DGMS) for enforcing various Rules and Regulations for ensuring the safety in mines and providing adequate safety measures, etc., to the mine workers in respect of Private Companies in the State(s) of West Bengal and Jharkhand, the Ministry of Coal, in a written reply, submitted:-

"The responsibilities and Power vested to Directorate General of Mines Safety (DGMS) are broadly as under:-

a) **Inspection of Mine:** *To carry out periodic inspection of mines to oversee compliance of safety laws. Action taken subsequent to inspections:-*

- (i) Pointing out contraventions, if any.*
- (ii) Withdrawal of permission, if deemed fit.*
- (iii) Issue of improvement notices.*
- (iv) Prohibition of employment in certain cases.*

b) **Enquiry into mine accident and dangerous occurrence:-**

- (i) Each and every accident involving fatality is enquired into by an officer or a team of officers of DGMS.
- (ii) A few accidents involving serious bodily injury and most of the important dangerous occurrences are also investigated by DGMS officers.
- (iii) Following actions are taken after an enquiry:
 - Warning to delinquent and/or suspension of statutory certificate of mine officials.
 - Suspension of Work, if required.
 - Modification in the method of working.
 - Prosecution in the court of law, if deem fit.
- c) **Grant Work Permissions, Exemptions and Relaxations** to the mine operators under various provisions of the statutes.
- d) **Conduct of Examinations and Award of Statutory Certificates of Competency.**
- e) **Issuance of Circulars:** Technical / General / Legal circulars are also issued by DGMS from time to time for improving the various aspects of coal mine safety and to absorb the technical advancements in the field of mine safety.
- f) **Approval of the certain type of equipment, machinery, tools and material used in mines.**
- g) **Organizing National Conference on Safety in Mines.**
- h) **Holding Rescue Competitions, etc., and National Safety Awards (Mines).**

N.B: All Statutes related to mine safety are equally applicable to all Coal Mines irrespective of their nature of ownership whether Government owned or Private owned mines. Directorate General of Mines Safety (DGMS) is the statutory regulator as per the Mines Act-1952 and the responsibilities. Thus, DGMS has equal the

vested power and responsibilities for enforcing various Rules and Regulations in respect of Private Coal Companies in the State(s) of West Bengal and Jharkhand."

11. On being asked to furnish the details of total number of cases of compensation dealt with along with amount of compensation paid by the subsidiary companies of CIL and/or the Private Companies during last five years, the Ministry of Coal, in a written reply, submitted:-

"Subsidiary-wise compensation paid to the dependent of the deceased mine employees as per Employees Compensation Act-1923 (Principal Act amended up to 2017):-

[in Rs. lakh]

Subsidiary Company	2015		2016		2017		2018		2019	
	No of cases	Amount	No of cases	Amount	No of cases	Amount	No of cases	Amount	No of cases	Amount
ECL	7	43.83	31	254.18	9	52.42	2	11.83	7	49.56
BCCL	7	36.10	6	32.40	2	15.43	2	10.57	6	32.04
CCL	1	7.58	4	15.23	7	39.90	8	59.79	3	19.26
NCL	1	8.15	4	31.16	3	21.51	3	15.61	2	17.26
WCL	8	49.87	5	32.60	3	18.21	5	39.27	2	11.89
SECL	10	66.19	9	53.28	9	60.34	15	109.86	6	36.90
MCL	3	20.17	2	14.30	5	37.40	8	57.67	8	56.34
Total	37	231.89	61	433.15	38	245.21	43	304.60	34	223.25

Note:

1. Accident statistics are maintained calendar-year-wise in conformity with DGMS practice.
2. Apart from the above, additional ex-gratia is provided to the dependent of deceased workers (including Contractor's worker), the amount of special ex-gratia has been revised to Rs 15 Lakhs w.e.f. 07-11-2019.

12. On being further asked to furnish the comments in the matter as to whether the term 'Lease Hold of Bharat Coking Coal Limited' refers to the Coal Mines auctioned to Private Companies, the Ministry of Coal, in a written reply, submitted:-

"As learnt from Bharat Coking Coal Limited (BCCL), the term 'Leasehold of Bharat Coking Coal Limited' does not refer to the Coal Mines auctioned to the Private Companies. Rather, it includes the leasehold area granted to the ex-colliery owners in the form of lease deed by the ex-landlords/zamindars. After nationalization of Coal Mines, BCCL inherited the same said lease."

13. On being specifically enquired by the Committee as to what are the determining factors in regard to BCCL people and Non-BCCL people and ECL houses and Non-ECL

houses for rehabilitation aspects undertaken in terms of the Master Plan, the Ministry of Coal, in a written reply, submitted:-

"The determining factors in regard to 'BCCL People and Non-BCCL People and 'ECL Houses and Non-ECL Houses' for rehabilitation aspect undertaken in terms of the approved Master Plan are as follows:-

Sl. No.	Category of People	Determining factors
1	BCCL People ECL People	Employees of BCCL Employee of ECL
2	Non-BCCL : Private Non-ECL : Private	Legal title holders having registered land in their name in the leasehold of BCCL where may or may not have the household. Legal title holders having registered land in their name in the leasehold of ECL where may or may not have the household.
3	Non-BCCL: UN authorized houses (Encroachers) and Non-ECL :UN authorised houses (Encroachers)	Illegally residing in leasehold of BCCL, no land ownership. Illegally residing in leasehold of BCCL, no land ownership

14. The Committee when asked to furnish a brief note on the Master Plan 2009 for dealing with fire, subsidence and rehabilitation in the leasehold of Bharat Coking Coal Limited and Eastern Coalfields Limited and how far this Master Plan has helped in containing the incidents of fire and subsidence in the leasehold of Bharat Coking Coal Limited and Eastern Coalfields Limited, the Ministry of Coal, in a written reply, submitted:-

"Brief note on Jharia and Raniganj Master Plan:-

Due to unscientific mining in the past, Jharia Coalfield located in the Dhanbad District of Jharkhand have been facing the problems of fire, land subsidence and rehabilitation of affected persons, History of fire in Jharia Coalfields is decades back. The first incidence of fire was reported from XIV seam of Bhowrah Colliery in year 1916. Since then a number of fires have occurred in underground workings, in opencast pits and in opencast overburden debris. In order to address the problems of fire and subsidence in Jharia coalfield, the Master Plan for dealing with fire, subsidence and rehabilitation in the lease hold of Bharat Coking Coal Limited (BCCL) and Eastern Coalfields Limited (ECL) was approved on 12th August 2009 by the Government of India with an estimated investment of Rs.7,112.11 crores for

Jharia Coalfields and Rs.2,661.73 for Raniganj Coalfields. Implementation period have been delineated as 10 years for Raniganj Coalfields and 10+2 years for Jharia Coalfields.

Major heads of expenditure towards implementation of Master Plan includes cost towards demographic survey, land acquisition cost, compensation cost for homestead land that the displaced house owner is holding, Income generation cost, land development, infrastructure and amenities cost, Diversion of rail and road for RCF as well as surveying and planning cost for diversion of rail and road etc. for JCF and cost towards dealing with fire, contingencies and supervision, etc.

A High Powered Central Committee meetings has been constituted under the Chairmanship of the Secretary (Coal) with the representatives of the State Governments of Jharkhand, West Bengal, ADDA, JRDA, CIL, CMPDIL, ECL, BCCL, Ministry of Coal to review the activities of implementation of Master Plan. Twenty one (21) HPCC meetings have been conducted, till date.

Jharia Rehabilitation and Development Authority (JRDA) is the implementing agency for rehabilitation of non-BCCL people under Master Plan whereas Asansol Durgapur Development Authority (ADDA) a State Government organization has been identified as implementing agency for Rehabilitation of Non-ECL houses.

Funding arrangement: The funding arrangement for implementation of Jharia and Raniganj Master Plan over a period of 10 years is through internal resources of the Coal India Limited and collections of Stowing Excise Duty (SED) under the CCDA Act.

For joint implementation of Jharia and Raniganj Master Plans, CIL will contribute Rs.350 crore per annum from their internal resources and the balance to be provided from the collections of SED under CCDA Act.

Objectives of Jharia and Raniganj Master Plan

- Dealing with fire;
- Rehabilitation and resettlement of BCCL and ECL employees;
- Non-BCCL and Non-ECL (Authorised/Private and Unauthorised/Encroachers) people and others living in the endangered areas; and
- Surveying and Planning for diversion of railway/major roads/utility from unstable sites.

After approval of Master Plan, out of the indicated amount of Rs.4,200 crores to be contributed by the Coal India Limited for joint implementation of JCF and RCF Master Plan, Coal India Limited have infused around Rs.1,961.14 crores till February, 2020.

Rehabilitation of BCCL houses from the endangered area is the responsibility of BCCL. BCCL has to construct 25,000 houses for BCCL families. Present projected requirement of houses for Fire/Subsidence affected employees of BCCL are about 15,852 only against the provision of 25,000 due to superannuation. Construction of 7,714 houses have been completed and 4,084 families have been shifted till February, 2020. Balance 8,138 houses are to be completed by end 2020.

As per Master Plan, total 54,159 of non-BCCL families are required to be shifted by JRDA. Construction of 18,352 houses has already been taken up by JRDA in Belgoria Rehabilitation Township "Jharia Vihar" out of which 6,352 quarters are completed and 2,152 families has been shifted. Construction of 12,000 houses are under progress.

ECL had already shifted all of its employees to existing ECL quarters at stable/safe locations and demolished all the structures which were within the danger/subsided zone. As per Master Plan total 29,000 Households are required to be rehabilitated by ADDA from unstable sites out of which LTH 6101, NLTH 22668 and Institution 222. Construction of 12,976 flats have been started at four identified resettlement sites i.e. at Bijohnagar, Daskeary and Dakshin khanda and Namokeshia. Construction of 551 blocks (contains 8,816 flats) are under progress, out of 811 blocks (contains 12,976 flats) as per DPR.

Shifting of non ECL families till date is Nil. As per ADDA, proposal for possession of 160 flats (completed) has been sent to the Department of Industry, Commerce and Enterprises to accord approval."

15. The Committee desired to know the comments of the Ministry of Coal in respect of Jharia Master Plan (In the leasehold of BCCL), Raniganj Master Plan (in the lease hold of ECL) and also in regard to physical achievements on various parameters/aspects attained, given the fact that the Master Plan was approved by the Government of India in the year 2009 with an investment of Rs.7,112.11 crore and Rs.2,661.73 crore for Jharia Coalfields (JCF) and Raniganj Coalfields (RCF), respectively, with implementation period as 10 years for RCF and 10+2 years for JCF, after a lapse of more than 10 years, the Ministry of Coal, in a written reply, submitted:-

"A) Physical achievements on various parameters/aspects of Jharia Master Plan (in the lease hold of BCCL), during implementation period of 10 years

(a) Dealing with fire in the leasehold of BCCL

Master Plan was prepared to cover 25.60 sq. km of unstable areas/subsidence and fire affected areas. Accordingly an improvised time line action plan prepared to liquidate the fires. Estimated capital required for dealing with fires under Master plan is Rs.2,311.50 Crores as per the Master Plan. Digging out fire is the ultimate and proven method all over the World to extinguish coal mine fires. During the period of nationalization in 1971-73, surface fire area was 17.32 sq km. Surface fire area extent in 1996 was 8.9 sq km (As per World Bank study). As per the NRSC study 2014, the fire area decreased to 2.18 sq. km, and increased to 3.28 sq km (NRSC study of 2018) due to opening of more UG fire areas for excavation. Fresh survey is proposed for 2020-21.

Based on fire areas survey by the NRSC, 2014 and 2018, action is being taken by the BCCL for dealing with fire as stipulated in the Approved Master Plan. The BCCL adopted a Strategic Plan in 2008 in which it was decided to liquidate the fires by digging out through excavation method. For expediting the fire dealing process, excavation methods have been implemented by deploying hired HEMM in various mines of BCCL. Rehabilitation of the encroachers and LTH are the main bottleneck for fire dealing. BCCL has already submitted a priority list for shifting of encroachers from fire areas to JRDA and having regular meeting with DC Dhanbad cum MD JRDA. Some stable sites are transforming into unstable sites.

In the survey of the NRSC 34 locations for fire has been identified for which BCCL is in process of preparing mine plan through which fire is being excavated.

(b) Rehabilitation and Resettlement by BCCL

Rehabilitation of BCCL houses from the endangered area is the responsibility of BCCL:-

BCCL has to construct 25,000 houses for BCCL families. Present projected requirement of houses for Fire / Subsidence affected employees of BCCL are about 15,852 only against the provision of 25,000 due to superannuation. Construction of 7,714 houses have been completed and 4,084 families have been shifted till February, 2020. Balance 8,138 houses are to be completed by September, 2021.

(c) Rehabilitation and Resettlement by JRDA

Jharia Rehabilitation and Development Authority (JRDA) has been identified as implementing agency for rehabilitation of Non-BCCL houses by the State Government of Jharkhand.

Master plan indicates requirement of about 2,729 acres of land for construction of 54,159 quarters for non-BCCL townships. The State Government is facing constraints to identify and acquire big chunk of land beyond coal bearing areas for setting up township with all amenities and facilities required.

JRDA, has taken ownership of 140.92 acres from DLAO, Dhanbad. Further NOC of 86.44 acres of vacant land in Bhuli township and 849.68 acres of non-coal bearing land in and around Belgoria township belonging to BCCL has been given by the Ministry of Coal to JRDA for developing new townships.

As per reassessment of non BCCL families by JRDA, total no. of families required to be shifted is 1,04,946 (72,882 encroachers and 32,064 LTH) instead of 54,159 (As per approved Master plan). Construction of 18,352 houses has already been taken up by JRDA in Belgoria Rehabilitation Township "Jharia Vihar" out of which 6,352 quarters are completed and 2,152 families have been shifted. 12,000 houses construction is under progress.

BCCL and JRDA have utilised Rs.767.28 crores and Rs.630.66 crores for rehabilitation and resettlement of BCCL and Non-BCCL families.

(d) Shifting of RSP College which is in fire affected area

BCCL agreed for handing over the present ropeway building for shifting of RSP College. As per the letter by the Ministry of Coal with reference no. 43022/11/2018-LA&IR dated 23.01.2019, Ministry of Coal and Railway have approved for shifting the proposed RSP College at Old Ropeway Office and allied premises within leasehold area of Ex. Bhulan Bararee Coal Co. of BCCL, presently under Lodna Area of BCCL, in Mouza Nunudih.

(e) Rail Diversion in JCF

As per letter by Executive Director/Civil Engineering (P) Reference No. 2008/CE-II/WP/31 dated 10.06.2017 to General Manager, East Central Railways, Hajipur, having considered the DGMS report, Board has decided to stop operation of Passenger and Goods Traffic on Dhanbad Chandrapura line with affect from 15.06.2017 as per committee report headed by DGMS. On dated 24.02.2019,

Railway has restarted operation of train on DC line. Recently, subsidence has been occurred on date 10/11 February, 2020 near Tetutia which is about 150 ft. far from DC railway line, shows the danger to the said line.

(f) Comprehensive proposal for revised Jharia Master Plan

Due to abnormal increase in non-LTH families and also non acceptance of rehabilitation package by LTH families, a comprehensive proposal for revised Master Plan, incorporating alternative rehabilitation package, time and cost over-run is under preparation. JRDA is reassessing the number of the encroachers.

B) The physical achievements on various parameters/aspects of Raniganj Master Plan, during implementation period of 10 years

a) Dealing with Fire and Subsidence by ECL:

Status Fire area	
No. of Fire sites	: 07
• As per approved Master Plan, 2009	: 7.55 Sq. Km.
• Quenched/Douzed area	: 7.55 Sq. Km.

b) Rehabilitation & Resettlement by ECL

ECL had shifted all of its employees to existing ECL quarters at stable/safe locations and demolished all the structures which were within the danger/subsided zone.

c) Rehabilitation of Non-ECL families by ADDA:

i) Demographic Survey:

- As per initial estimate of approved Master Plan 33,196 houses in 139 sites were to be shifted.
- ADDA had conducted extensive Demographic survey for Non-ECL households and it has been assessed by ADDA that around 29,000 households have to be rehabilitated from unstable sites out of which LTH 6,101, NLTH 22,668 and Institution 222. However, final figure of survey report is yet to be published by ADDA.

ii) Land:

	ADDA	ECL	Purchased	Total
1) Requirement (Ha) as per Master Plan	-	-	-	896.26
2) Requirement (Ha) assessed by ADDA on the basis of provisional figure of Demographic survey report	-	-	-	146.76
3) Acquired /Purchased /Available (Govt. vested /ECL inherited land), Ha	42.34	12.47	32.19	87.00
4) Balance requirement, Ha	-	-	-	59.76

iii) Construction of Houses/Flats:

Work have been awarded for construction of flats whose detail, i.e., site, numbers and status are given as below:-

1.	Bijoy Nagar	2,144
2.	Daskeary	3,264
3.	Namokeshia	1,904 (Construction is stop due to resistance of local people)
4.	Dakshinkhanda	5,664
Total House		12,976

Construction under consideration	11,072
Balance to be constructed (Assessed by ADDA on the basis of Demographic survey report)	17,928
Families Shifted	Nil
Likely date of completion of flats under construction	2020-21

iv) Fund provided to ADDA & Utilization:-

As per approved Master Plan indicative fund provision under rehabilitation schemes was estimated as Rs.2,610.10 crore. Till date ECL has released Rs.581.14 crore. to ADDA for implementation of activities under Master Plan. ADDA/ Housing Department has provided utilisation upto February, 2020 for Rs.368.2865 crore.

d) Diversion of Surface Infrastructures:

(i) Stabilization of Andal-Sitarampur Railway line

- Diversion was not feasible as it involves purchase of huge quantum of private land as mentioned by Eastern Railway authority in a discussion with ECL.

- IIT Kharagpur was appointed to assess stability on the identified unstable stretches (150 m. and 100 m. in length) of the rail track and to suggest protective measures necessary for permanent stabilization of existing rail track along with certification of long term stability.
- IIT Kharagpur will complete and submit final report on stability assessment work by 1st week of June, 2020.

(ii) Stabilization of NH-2 Bye Pass road

- Diversion was not feasible due to extent of U/g workings on both sides of the road as opined by DGMS.
- IIT Kharagpur was appointed to assess stability on the identified unstable stretch (300 m. in length) of the NH-2 Bye Pass road and to suggest protective measures necessary for permanent stabilization of existing NH-2 road along with certification of long term stability.
- IIT Kharagpur has completed stability assessment and submitted final report with recommendation of protective measures in connection with long term stability.
- In connection with permanent stabilisation of existing NH-2 Bye Pass road, work order was issued to IIT Kharagpur and work of stabilization will be started by 30th Mar, 2020.

(iii) Stabilization of Ratibati Colliery DB road

- Diversion was not feasible due to land constraints.
- As per resolution of 19th HPCC meeting to find out alternate ways for stabilization of the said DB road, IIT Kharagpur was appointed to assess stability on the identified unstable stretch (550 m. in length) of the Ratibati colliery DB road and to suggest protective measures necessary for permanent stabilization of existing DB road along with certification of long term stability.
- IIT Kharagpur has completed geo technical investigation and submitted final report with recommendation of protective works.

- In connection with stabilization of existing DB road, the appointment/ engagement of scientific/research institution will be done by ECL within May, 2020.

(iv) Diversion of Gourandih-Begunia colliery DB road

WB Govt. has constituted a District level purchase committee under DM, Paschim Bardhaman to expedite the purchase of 3.040 acres Raiyati land needed for the diversion work of DB road.

(v) Diversion of IOCL Pipe line

It has been informed by IOCL authority that stretch of 48 Km. of pipeline has been proposed to be shifted from coal bearing area and schedule completion of activity has been preponed from June 2022 to March 2021.

(e) Comprehensive proposal for revised Raniganj Master Plan:-

As approved Master Plan has already completed its tenure of implementation period of 10 years on 12.08.2019, so as to continue the work as specified in approved Plan, comprehensive proposal incorporating alternative rehabilitation package, time and cost over-run has been prepared as per directive of HPCC meetings. The comprehensive proposal is under preparation."

16. The Committee further desired to know as to what could be the grounds on the basis of which an inference could be drawn that the Coal Mines in West Bengal and Jharkhand are not in a dilapidated condition as alleged by the representation. The Ministry of Coal, in a written reply, submitted:-

"Coal India subsidiary companies ECL and BCCL have mines in the States of West Bengal and Jharkhand whereas subsidiary company CCL has mines in the State of Jharkhand. Both ECL and BCCL have a legacy of very old pre-nationalized mines. These mines possess a host of problems like fire, water logged galleries, geological disturbances, subsidence, old developed galleries, etc.

All the mines of ECL, BCCL and CCL are being operated complying all the statutory norms and obligations in respect to safety, conservation and environment to provide

an acceptable working environment for the employees. The major environmental laws and policies that are being adhered to are as follows:-

- i. The Environment (Protection) Act, 1986
- ii. The Water (Prevention and Control of Pollution) Act, 1974
- iii. The Air (Prevention and Control of Pollution) Act, 1981
- iv. The EIA Notification 2006
- v. The Indian Forest Act, 1927
- vi. The Forest (Conservation) Act, 1980
- vii. The Forest Rights Act, 2006
- viii. The Wildlife Protection Act, 1972
- ix. The Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016,
- x. The Bio-Medical Waste Management Rules, 2016
- xi. The Solid Waste Management Rules, 2016
- xii. The conditions of EC, CTO, CTE etc. issued by the State Pollution Control Boards (SPCBs)
- xiii. The Environmental Policy of Coal India Ltd.

Before commencement/enhancement of production from Coal Mines, the impact on environment due to coal mining project is assessed by an Environment Impact Assessment (EIA) study for each project and based on the same, Environmental Management Plans (EMP) are prepared along with the proposed pollution mitigation plan. Subsequently, Environmental clearance and Forest clearance are obtained from the regulatory authority. All the control measures as per EIA/EMP conditions stipulated in EC and FC are taken to minimise damage caused to environment due to mining.

Steps taken by the mines of above referred subsidiaries to mitigate air, water, noise pollution and land degradation are as follows:-

Air Pollution Control Measures:

- (a) Fixed type Sprinklers/Rain guns at/along/around the dust generating sources viz. Haul roads, Stock yard, Railway siding, Coal Handling Plants etc. are installed.
- (b) Mobile Water Sprinklers are deployed along haul roads & other transportation roads.

- (d) *In order to prevent dust generation during coal transportation, the roads are black-topped, coal carrying trucks are optimally loaded and covered with tarpaulin. Further, road side avenue plantation is also carried out.*
- (e) *To control fugitive dust, Mechanical Road Sweeping machine has also been introduced.*
- (f) *Ambient air quality monitoring in addition to regular monitoring, Continuous Ambient Air Quality Monitoring station has been introduced.*

Water Pollution Control Measures:

- (a) *For mine discharge, pumped out mine water is treated both in mine sump and also on surface in sedimentation pond/settling tank prior to its discharge.*
- (b) *All major OCPs have a Work Shop for the proper maintenance of the HEMMs. In Work Shop due to washing and other repairing of HEMM, oil and grease and TSS (Total Suspended Solids) are found in the effluent which are treated by Work Shop effluent treatment Plants.*
- (c) *Effluent from residential colonies is treated through conventional means as well as designated Sewage Treatment Plants (STPs) in combined townships.*
- (d) *The quality of mine water is continuously monitored, tested as per norms and treated before reuse and before discharging to local population.*

Noise Pollution Control Measures:

- a) *Attenuation measures at source, such as, proper designing and reduction in the vibration amplitude during mining activities are taken.*
- b) *Provision of ear plugs/ ear muffs for workers, are made.*
- c) *Green belts are developed in the vicinity of mines to combat high noise levels arising from mining activities.*
- d) *Ambient noise level in and around the mines is monitored every fortnight.*

Land Reclamation:

After completion of extraction of coal, land damaged due to mining is technically and biologically reclaimed.

For biological reclamation, plantation in the mining areas covering the solid waste as well as the reclaimed land is carried out through State Forest Development as per the provisions made in the approved EIA/EMP.

Land reclamation monitoring is carried out by remote sensing. Satellite monitoring of major OC mines producing more than 5 Mm³ of Coal + OB is carried out annually and for the rest of the mines, (producing less than 5 Mm³ of Coal + OB) it is carried out triennially. Coalfield wise vegetation cover mapping is also carried out triennially. Various other measures taken by the mines of above mentioned subsidiaries in compliance with the EIA notification are:-

Submission of Compliance Report: In compliance with the EC conditions six monthly compliance report including air quality monitoring reports along with project data sheets is submitted to the Ministry of Environment, Forests & Climate Change, Regional Office and State Pollution Control Board (SPCB).

Submission of Environmental Monitoring Report: Environmental monitoring reports are submitted on quarterly basis to State Pollution Control Boards against consent conditions and to the Ministry of Environment, Forests & Climate Change, Regional office in compliance to EC and Consent conditions.

Submission of Environmental Statement: Environmental statement for all working mines is submitted to the State Pollution Control Boards within the stipulated time i.e. before 30th September on yearly basis.

Compliance of Statutory Norms in respect of Safety: The Coal Mines in West Bengal and Jharkhand are very old and some of them are operational since pre-nationalization. However all the provisions of the Mines Act, 1952, Regulation, Rules and Orders made thereunder are applied to the mines under command area of ECL, BCCL and CCL and the safety is not compromised."

17. In connection with the comprehensive examination of the instant representation of Shri Dharambir Singh, the Committee on Petitions took oral evidence of the representatives of the Ministry of Coal on 28 October, 2020.

18. During the oral evidence, the representatives of the Ministry of Coal submitted before the Committee, as under:-

- (i) *The provisions relating to safety, health and welfare of persons employed in the Coal Mines have been prescribed in the Mines Act, 1952, the Mines Rules, 1955 and the Coal Mines Regulations, 2017 and these provisions along with the by-laws and orders framed under the Mines Act, 1952 are being followed in all subsidiary companies of the Coal India Limited (CIL).*
- (ii) *The Directorate General of Mines Safety (DGMS) under the Ministry of Labour and Employment is the law enforcing agency/regulatory authority under the Mines Act, 1952, which regularly inspects Coal Mines of all subsidiary companies of CIL to assess as to whether the mines are being operated as per the provisions under the relevant Act(s)/Rule(s)/Regulation(s)/By-Law(s)/Order(s), etc. Further, Assistant Labour Commissioner, Regional Labour Commissioner and Labour Enforcement Officers regularly inspect the Coal Mines to see the status in respect to the compliance of enforcement.*
- (iii) *The responsibilities and powers of DGMS are broadly as under:-*
 - a) *Inspection of mines;*
 - b) *Inquiry into mine accidents and dangerous occurrences;*
 - c) *Grant of Work Permissions, Exemptions and Relaxations to the mine operators; and*
 - d) *Conduct of Examinations and Award of Statutory Certificates of Competency.*
- (iv) *In order to address the problems of fire and subsidence in Jharia Coalfields, the Master Plan for dealing with fire, subsidence and rehabilitation in the leasehold areas of the Bharat Coking Coal Limited (BCCL) and for the Eastern Coalfields Limited (ECL) was approved on 12.8.2009 by the Government of India with an estimated investment of Rs.7,112.11 crore for Jharia Coalfields and Rs.2661.73 crore for Raniganj Coalfields. Implementation period of the Master Plan have been delineated as 10 years for Raniganj Coalfields and 10+2 years for Jharia Coalfields. The funding arrangement for implementation of Jharia and Raniganj Master Plan over a period of 10 years is through internal resources of CIL and collections of Stowing Excise Duty (SED) under the Coal Mines (Conservation and Development) Act, 1974. The Objectives of Jharia and Raniganj Master Plan are as under:-*

- (a) *Dealing with fire;*
 - (b) *Rehabilitation and resettlement of BCCL and ECL employees;*
 - (c) *Non-BCCL and Non-ECL (Authorised/ Private and Unauthorised/ Encroachers) people and others living in the endangered areas; and*
 - (d) *Surveying and planning for diversion of railway/major roads/utility from unstable sites.*
- (v) *Under the Raniganj and Jharia Master Plan, coal companies are responsible for quenching of fire and shifting of their employees and the State Governments of Jharkhand and West Bengal have been entrusted with rehabilitation of local population.*
- (vi) *As regards BCCL, 8.9 sq. km. of fire area in 1996 has been reduced to 3.28 sq. km. as per NRCS Study of 2018. Out of 34 locations identified by BCCL to dig out fire, fire has been quenched at 2 sites, work is continuing at 8 sites and tenders have been floated/planned for remaining sites. As regards ECL, all 7 fire sites covering an area of 7.55 sq. km. have already been quenched.*
- (vii) *For rehabilitation and resettlement under the said Plan, BCCL have constructed 7,714 houses wherein 4057 families have been shifted and remaining 8138 houses would be completed by August, 2021, whereas, all affected ECL employees' families have already been shifted.*
- (viii) *Extraction of coal below ground creates unstable areas, which may cause cave-in and fire problems. Such incidences beyond leased hold boundary of mines due to illegal mining come under the jurisdiction of the State Governments.*
- (ix) *Under the Raniganj and Jharia Master Plan, in the State of Jharkhand, about 1,04,964 families, including Legal Title Holders (LTH) and Non-Legal Title Holders (NLTH) have been reportedly affected and construction of 18,352 houses have been taken up by the Jharia Rehabilitation and Development Authority (JRDA), out of which 6,352 have already been completed and 3,114 families have been shifted till date. In the State of West Bengal, 6,101 LTH and 22,899 Non-LTH are to be rehabilitated. For the purpose, DPR for 12,976 flats have been prepared by the Housing Department and 8,816 are under construction.*

- (x) Ministry of Coal is helping the State Governments of Jharkhand and West Bengal to ensure faster implementation of the Raniganj and Jharia Master Plan.
- (xi) Subsequent to the cancellation of coal block allocations by the Supreme Court in the year 2014, Coal Mines are being allocated through auction or allotment as per provisions of the Coal Mines (Special Provisions) Act, 2015.
- (xii) The Government has taken several initiatives to introduce transparency in auction of coal blocks and to open up the coal sector for competition. The Ministry of Coal conducts auction of coal blocks through e-auction mode on an electronic platform created by the MSTC Limited. No physical or financial bids are being accepted or considered.
- (xiii) 10 tranches of auction of Coal Mines have concluded wherein a total of 35 Coal Mines have been allocated to Private and Government Companies through auction since 2014 and a total of 63 Coal Mines have been allocated to Government Companies through allotment, under the CMSP Act, 2015. The number of blocks for which bids have been received have been low, and therefore, the Government has now approved much more attractive bidding terms.
- (xiv) The total revenue generated through auction of 14 Coal Mines in the States of Jharkhand (10) and West Bengal (4) is Rs.1429.69 crore (excluding royalty, taxes and cess) till September, 2020.
- (xv) The Central Mine Planning and Design Institute Limited (CMPDIL), a Public Sector Undertaking of CIL, which is recognised as a technical organisation and conducts the survey and estimates coal reserves i.e., 'Geological Reserves' of a coal block, based on which it prepares a mine plan (approved by the Statutory Committee in the Ministry of Coal) in accordance to the estimated 'Peak Rated Capacity (PRC)' of the mine which is a scientific amount of coal which could be extracted from a mine in a given year. Based on the PRC and the grades of coal (up to 17 and each of different price-band), the value of a coal mine is estimated while auctioning.
- (xvi) The Coal Mines Development and Production Agreement mandates provision related to safety, health and welfare issues in respect of non-CIL allottee. There has been improvement on safety across all mines in coal sector as evident from the number of accidents/ fatalities.

(xvii) The following compensations are provided in case of mine accidents/fatalities:-

- (a) Service to next kin for the fatally injured employee;
- (b) Compensation paid as per provision of the Employees Compensation (Amendment) Act, 2017;
- (c) Ex-gratia amount of Rs.84,600 w.e.f. 1.2.2012 as per the National Coal Wage Agreement (NCWA)-IX;
- (d) Monetary benefits under the Life Cover Scheme (LCS) of Rs.1,12,800 w.e.f. 1.2.2012 as per NCWA-IX;
- (e) Lump sum payment of Rs. 15 lakhs w.e.f. 14.11.2019 (earlier Rs. 5 lakhs) in case of death; and
- (f) Lump sum payment of Rs. 15 lakhs w.e.f. 14.11.2019 (earlier Rs. 5 lakhs) in case of death which is also applicable to the contractor workers engaged in CIL Coal Mines.

19. Referring to a Press Release issued by the Ministry of Coal in the year 2015 regarding expected revenue from the auction of 29 Coal Blocks, the Committee sought justification/clarification on the said Press Release. In pursuance thereof, the Ministry of Coal, in a written reply, submitted:-

"By the Press Release of 2015, it was informed that the estimated revenue which would accrue to the coal bearing State Governments concerned from 29 auctioned Coal Mines during the life of the mine/lease period is Rs.1,93,512/- crore. The said amount was estimated based on the extractable/mineable reserves of the said 29 mines multiplied by Final Price Offer of successful bidder."

20. The Committee, thereafter, asked the Ministry of Coal to furnish a detailed note on action taken by the Directorate General of Mines Safety (DGMS) in respect of inspections made and enquiry conducted in case of accidents in Coal Mines in the States of West Bengal and Jharkhand during the last 3 years. The Ministry of Coal, in a written reply, submitted:-

"The Coal Mines located in the States of Jharkhand and West Bengal are being inspected by DGMS officials (Mining, Electrical and Mechanical sections/Cadres) of Central Zone, Dhanbad, South eastern Zone, Ranchi and Eastern Zone, Sitarampur. Action taken after inspection of Coal Mines and after enquiry conducted in the case of accidents are given (State-wise and year-wise) as below:-

Action taken by in respect of the inspections made in Coal Mines (State-wise):

Jharkhand State:

Year of Inspection	No. of Inspections	No. of VLs letters issued	No. of Notices issued under S-22A(1) of the Mines Act, 1952	No. of Notices converted into order under S-22A(2) of the Mines Act, 1952	No. of Notices Prohibitory Orders issued under S-22(3) of the Mines Act, 1952
2017	1276	1081	28	11	23
2018	1015	889	21	2	6
2019	881	1003	27	1	12

West Bengal State:

Year of Inspection	No. of Inspections	No. of VLs letters issued	No. of Notices issued under S-22A(1) of the Mines Act, 1952	No. of Notices converted into order under S-22A(2) of the Mines Act, 1952	No. of Notices Prohibitory orders issued under S-22(3) of the Mines Act, 1952
2017	746	1257	10	3	1
2018	740	1181	7	3	3
2019	589	799	12	4	2

Action taken by the DGMS in respect of enquiry conducted in case of accidents in Coal Mines (State-wise):

Jharkhand State:

Year	Name of Mine where Fatal Accident occurred	Cause of Accident	Responsibility	Action Taken
2017	Religera Colliery, M/s. Central Coalfields Limited (CCL)	While levelling coal at coal stock, an unauthorised person come abruptly to take out coal and hit by following coal leading to injury.	1. Umesh Singh, Manager 2. Ajay Kr. Gupta, Sr. OM 3. Alok Kr. Das, Dozer Operator 4. Uday Kr. Singh. Security Incharge 5. Babu Lal Saw, Pvt. Security Guarud 6. Thakur Dayal Saw, Pvt. Security Guard 7. Nand Kr. Rai, Security Hawaldar 8. Ramchandra Soni (Deceased),	1. Caution Letter issued 2. Suspension Letter issued 3. Suspension Letter issued 4. Disciplinary action taken 5. Disciplinary action taken 6. Disciplinary action taken 7. Charge-sheeted 8. No Action

			Outsider	
	Tetariakhar OCP, M/s. CCL	Run over by truck near weighbridge	1. Motilal Oraon 2. Uday Prasad	Blacklisted
	Bhurkunda 'A' Colliery, M/s. CCL	At blasting operation	1. Rewani Prasad, Sr. Security Guard 2. Vikrant Kumar, Pvt. Driver	Suspended from 6.7.2017 to 12.4.2017 Strict warning given not to repeat such act of negligence in future
	Jharkhand OCP, M/s. CCL	Due to electric shock	1. Parmeshwar Mahto, Electrician 2. Shyam Deo Ram, Sub-Ordinate Engineer 3. R S Singh, Colliery Engineer	Disciplinary action taken by the management.
	Ashoka OCP, M/s. CCL	While a contractor's supervisor was present in a crowded temporary parking yard, close to a surface miner coal face of an Opencast Coal Mine, he was knocked down by an un- identified tipper causing fatal injury to him.	1. Jitendra Kumar, Overman 2. Subojit Halder, Asst. Manager 3. Binod Kumar Deepak, Asst. Manager 4. Ashok Kumar, Asst. Manager 5. M. P. Singh, Manager	1: Suspended from 29.05.2017 to 02.06.2017. Recorded in his service book. 2 to 5: Strict warning given not to repeat such act of negligence in future.
	Sayal 'D' UG Colliery, M/s. CCL	Inrush of Water	1. Raj Kumar Burnwal, Manager 2. Chandra Bhanu Tiwari, Agent 3. Prakash Chandra, General Manager 4. Subir Chandra, Director Technical	Prosecution launched against all responsible persons.
	Parkri Barwadih Coal Mining Project, M/s. NTPC Ltd	Slipped & fell down on running feeder in CHP and taken to Sadar Hospital & declared dead.	1. Mech. Foreman 2. Plant Control Room in Charge 3. Shift Incharge 4. Assistant Manager 5. Colliery Engineer	1 to 3: Suspended without pay for one month & taken disciplinary action. 4&5: Warning given to be careful in future
	Kujama Colliery of M/s. BCCL, On 24.05.2017	Subsidence of fire area	1. Nominated Owner, 2. Agent/GM, 3. Agent, and 4. Manager	Show cause letter issued thereafter management had issued warning letters to the delinquents.
	Kuyan Colliery, M/s. BCCL, on 11.06.2017	Fall of hang wall/roof	1. Agent 2. Manager	Show cause letter issued thereafter management had taken departmental

	Phularitand Colliery of M/s. BCCL on 21.09.2017 at 15:00 Hrs.	Hit by coal tub.	1. Overman, 2. Assistant Colliery Manager, 3. Manager, and 4. Agent	action. Warning letter was issued to all with an advice to be more careful in future.
	Amalgamated Konar and Khasmahal OCP, M/s. Central Coalfields Ltd.	Crushed by moving dozer.	1. Shri Shiv Vinay Kumar, Overman; 2. Shri Ran Vijay Singh, Assistant Manager; 3. Shri Srikant Prasad, Engineer; and 4. Shri Dilip Kumar, Manager	Departmental action taken by suspension of overman for one week and issuing the warning letters to others.
	Kabribad re-organized mine, M/s. Central Coalfields Ltd.	Fall of sides.	1. Shri Gopal Singh Meena, Manager, 2. Shri Apurba Kumar Roy, Agent; and 3. Shri Ram Vinay Singh, General Manager/Agent	Prosecution lodged vide case No. GC No.17/17, dated 08.11.2017.
	Bokaro Colliery (OC), M/s. Central Coalfields Ltd.	Sliding of person in waterlogged ash pond.	1. Shri Mahendra Kumar Panjabi, Agent; and 2. Shri N K Tiwari, Staff officer(Civil)/Agent	Departmental action taken by Nominated owner by issuing warning letter.
	Kuyan Colliery of M/s. BCCL	Electricity	1. Agent 2. Colliery Engineer & 3. Electrical Supervisor.	Departmental action taken against the delinquents.
	Dhori Khas Colliery of M/s. CCL	Electricity	1. Manager, 2. Colliery Engineer & 3. Electrical Supervisor.	Prosecution launched in Tenughat Court.
2017	Chitra Colliery, M/s. ECL	Detachment of front wheel of tractor and collision with a rock	GM & Area Engineer (Civil)	Prosecutions vide case no. 13/2017 under Sub-Div Civil Court, Madhupur, Deoghar District, Jharkhand.
2017	Rajmahal OCP Colliery, M/s. ECL	Dozer toppled on the ground from 2 mts height coal heap	Dozer Operator	No Action taken as the operator lost his life in the accident
2018	Amarpali OCP, M/s. CCL.	Hitting by consumer truck	Name not known Driver of the truck (outsider)	Driver was terminated from the service by truck owner Sri Anil Kumar Singh and truck was blacklisted the truck no. JH02V6651 by management of Amrapali OCP vide letter no. PO(A)/PD/2018-19/969, dated 21.08.2018.
	Purnadih OCP, M/s. CCL.	Run over by unknown truck at night	1. S A Khan, Manager 2. D J Daniel, Asst. Manager	1&2: Strict warning letter given by Dir.(T)/(O) to be careful and not to repeat such act in future, failing which action under the company rule will be taken

			3. Sanjay Prasad, Security Incharge 4. Nemdhari Mahto, Security Incharge	against him. 3 &4: .Suspended without wages from 29.08.2018 to 30.08.2018 from management. Also caution letter issued vide this Directorate.
	Tapin North OCP, M/s. CCL.	Due to collapse of wall/side	1. Govind Bajpai , Colliery Engineer 2. Anil Kumar Singh, Manager 3. Ajay Kumar Singh, General Manager 4. A. K. Mishra, Director Technical	Prosecution launched
	Amarpali OCP, M/s. CCL.	Internal injury without bleeding of lower body by rolling of dozer	1. Kamlesh Kr Tiwai , Agent 2. Sushil Purohit, Engineer 3. Niraj Harijan , Asst. Manager 4. Sambhu Kr. Jha , Mine Manager 5. Dilip kr. Saw, Agent	1. Stoppage of 2 increments 2. Caution letter issued 3. Caution letter issued 4. Caution letter issued 5. Caution letter issued
	Amalgamated Sudamdih-Patherdih, M/s. BCCL, On 04.01.2018	Fall of pay loader operator and run over by its rear wheel.	1. Manager 2. Agent 3. General Manager	Show cause letter issued thereafter management had issued caution letter to the delinquents.
	Rajapur Colliery of M/s. BCCL, On 09.11.2018	Fall of side	1. Manager 2. Assistant Manager 3. Sirdar	Show cause letter issued thereafter Management had taken departmental action to the delinquents.
	Phularitand Colliery of M/s. BCCL, On 26.12.2018 at 19:25 PM.	Run over by dumper	1. Tipper Operator 2. Loading Supervisor, Deceased	1. Terminated from duty vide letter No. PHU/PO/MD/2019/152 dated 23.04.2019. 2. The deceased paid supreme price by losing his life.
	Dhori (Khas) Colliery (UG), M/s. Central Coalfields Ltd.	Hit by loaded coal tub.	1. Shri Raj Kishore Hembram, Overman; 2. Shri Shyam Kishore Prasad, Manager; and 3. Shri Basant Kumar Sahoo, Agent	Departmental action taken by suspension of Overman for four days, issuing warning letter to others by Nominated owner.
2019	Madadh OCP, M/s. CCLtd.	Hit by dozer	Kishun Saw, Contractor's Worker	Management has taken sufficient action.
	Mudidih Colliery, M/s. BCCL	Slipping of cable man and run over by Side Discharge Loader.	1. Shri Sita Ram Dhobi, SDL operator. 2. Shri Ajay Kumar Mahto, Mining Sirdar, 3. Shri Nishant Kumar Shrivastav, Overman, 4. Shri Sitare Ahmed, Assistant Manager	Three persons were suspended and last person was warned.
	Bhelatand Amalgamated Colliery, M/s.	Fall of roof	1. Shri Om Prakash Upadhyay-Mining Sirdar	Show cause letters were issued to all by DGMS. Three persons from first

Tata Steel Ltd.		<p>2. Shri Dharmendra Kalindi, Overman</p> <p>3. Shri Sudhanshu Shekhar, Assistant Manager</p> <p>4. Shri Niraj Kumar Shrivastava, Safety officer</p> <p>5. Shri Barun Kumar Banerjee, Manager</p>	were suspended from duty for 10 days from 11 th Nov-19 to 20 th Nov-19 by the mine management and rest two persons were given financial punishment, their Increment & Bonus of about Rs. 5 lakhs for the Financial Year 2020 has been stopped and they will not be considered for promotional opportunity for next one year.
Amalgamated Keshalpur West Mudidih Colliery M/s. BCCL	Accident due to explosive	<p>1. Shri Prasad Dev, Overman</p> <p>2. Shri Anil Kumar Paswan, Sr. Overman</p> <p>3. Shri Navin Kumar Mandal, Assistant Manager / Blasting Incharge</p>	Show cause letters were issued to all by DGMS. First two persons were suspended for 15 (fifteen) days from 30.10.2019 to 15.10.2019. And Third person was given punishment as made not admissible for promotion in the next one year and also he will not get PRP (Performance Related Pay) during the Financial Year 2019-20.
New Akash-Kinaree Colliery, M/s. BCCL	Run over by dumper	<p>1. Shri Rajesh Yadav, Driver</p> <p>2. Shri Bhupender Singh, Engineer / Field Manager (P&M)</p> <p>3. Shri Younus Ansari, Executive General Manager</p> <p>4. Shri Shashi Bhushan Prasad Singh, Sub-Ordinate Engineer</p> <p>5. Shri Satyacharan Singh, Engineer Incharge Excavation)</p>	Show cause letters were issued to all from DGMS. First two persons were suspended from duties for 10 (ten) days, third person was given financial punishment by stopping one increment for the year 2020-2021 and rest two persons were given warning letter.
Kapasara Colliery, M/s. ECL, On 23.01.2019	Fall of roof.	<p>1. Agent</p> <p>2. Manager</p> <p>3. Assistant Manager</p>	Show cause letter issued thereafter Nominated Owner had taken departmental action to the delinquents.
Bastacolla Colliery of M/s. BCCL, On 26.08.2019	Miscellaneous causes	Deceased	Deceased himself responsible for this accident. Hence no action was taken.
Noonodih Jitpur Colliery of M/s. BCCL on	Fall of side	1. Dresser,	1. Terminated from employment at Noonodih Jitpur Colliery vide letter

20.06.2019 at 05:30 Hrs.		<p>2. Mining Sirdar,</p> <p>3. Overman, and</p> <p>4. Assistant Manager</p>	<p>No. NJ/DGM/19/71 dated 22.08.2019.</p> <p>2. Suspended for three days vide ref. No. NJ/MGR/19/221 dated 09.09.2019 and salary of three days deducted.</p> <p>3. Suspended for three days vide ref. No. NJ/MGR/19/222 dated 09.09.2019 and salary of three days deducted.</p> <p>4. Memorandum of charges under Rule 27 of SAIL, CDA Rules, 1977 was taken against him vide Ref. No. ED(CD)/Kol - Misc./19-20/82 dated 06.09.2019 and accordingly he was censured for charges vide letter No. ED(CD)/OO/2019 -20/85 dated 24.09.2019.</p>
Amalgamated Block-II OCP of M/s. BCCL on 25.01.2019	Run over by Tipper.	<p>1. Agent, Block-II OCP</p> <p>2. Tipper Operator</p> <p>3. Contractor M/S SMS (JV)</p>	Prosecution initiated against all.
Rajapur Colliery, CHP, M/s. BCCL on 30.09.2019.	Fall of person.	<p>1. Manager</p> <p>2. Assistant Manager (E &M)</p> <p>3. Foreman (BNR Siding)</p>	<p>Issued caution letter with an advice to be more careful in future while discharging duty to Manager and Assistant Manager (E&M).</p> <p>Issued Charge sheet and suspended for further order to Foreman</p>
Bhagabandh Colliery (6 Pit Aralgariya Section) of M/s. BCCL on 29.10.2019.	Fall of object.	<p>1. Colliery Engineer</p> <p>2. Assistant Manager</p> <p>3. Mine Manager</p> <p>4. Area Manager (E&M)</p>	Issued warning letter with an advice to be more caution in future while discharging duty.

	M/s. ECL	on the same level		
	Khottadih Colliery	Fall of roof	Overman Acting as Sirdar (Deceased)	As the deceased Chandra Shekhar Giri has paid ultimate penalty by losing his life, therefore, no further action taken in this case.
2019	Satgram Project Colliery, M/s. ECL	Electrocution	1. Electrical Helper; 2. Electrical Supervisor	Electrical Supervisor suspended for twenty days and transferred to VTC
	Khas Kajora Colliery, M/s. ECL	Hard landing of man winding cage.	1. Winding Engine Driver, 2. Foreman(Mechanical), 3. Engineer, and 4. Area Engineer	Engineer and Area Engineer were warned by the Mine owner and all other were suspended by mine management.
	Bonjemihary OCP, M/s ECL	Overturing & toppling of LMV	1. Engineer 2. Manager of the mine.	Action initiated against Engineer & Manager of the mine.
	Ningah Colliery, M/s ECL	Snapping of Guide rope of winder	1. Foreman (Mech.), 2. Foreman-in-charge (Mech.) and, 3. Colliery Engineer.	Action taken against Foreman (Mech.), Foreman-in-charge (Mech.) and Colliery Engineer
	Parasea Colliery, M/s. ECL	Unclassified	Natural Death	N.A
	Central Kajora Colliery, M/s. ECL	Fall of person from height	Fault of Deceased	N.A.
	Kunutoria Colliery, M/s. ECL	Fall of side	1. Manager, 2. Overman, and 3. Mining Sirdar.	1. The warning letter issued by the owner of the company. 2. Management suspended from duty for 06 days. 3. Management suspended from duty for 06 days.
	Khas Kajora Colliery M/s. ECL	Fall of person from into depth	1. Colliery Engineer, 2. Assistant Engineer, 3. Foreman, and 4. Fitter.	1. Imposed penalty of "CENSURE" by the owner of the company, 2. Imposed penalty of "CENSURE" by the owner of the company 3. Management suspended from duty for 09days. 4. Management suspended from duty for 09days.
	Parasea Colliery, M/s. ECL	Other causes	Natural Death	N.A
Barjora (North) Coal M/s. ECL Mine	Non-Mining – Theft of Coal	1. Owner, 2. Agent, 3. Managers, and 4. Contractor.	Court Case No. 9473-2019	
Jhanjra Project Colliery, M/s. ECL	Fall of person	Mining Sirdar	Stoppage of one increment from wages by employer.	

West Bengal:

Year	Name of Mine where Fatal Accident occurred	Cause of Accident	Responsibility	Action Taken
2017	Bonjemehari OCP, M/s. ECL	Electrocution	No person is held responsible	
	MIC Unit of Jhanjhra Project, M/s. ECL	Coal hauler run over a continuous miner operator	Continuous miner operator	No Action taken as the operator lost his life in the accident
	Sonepur Bazari OCM, M/s. ECL	Bursting of Engine block of Excavator causing fire.	None	Recommendation letter sent to Management
	Jambad OCP, M/s. ECL	Unclassified	Natural Death	N.A
	Bejdih Colliery, M/s. ECL	Fall of roof	1. Assistant Manager, 2. Overman, and 3. Mining Sirdar	1. The warning letter issued by the owner of the company. 2. Management suspended from duty for 06 days. 3. Management suspended from duty for 06days.
	Narsamuda Colliery, M/s. ECL	Fall of person	Fault of Deceased	N.A
	Damagoria Colliery	Hit by tipper	Dumper operator	Retrenched from the service by contractor.
	Shyamsundarpur Colliery	Roof and side Fall	1. Assistant Manager, 2. Overman	A penalty of withholding of one increment for one year by employer. He was suspended from 09.11.2017 to 15.11.2017 by employer.
	Sonepur Bazari OCP, M/s. ECL	Collision of dumpers during overtaking	Dumper Operator	As the deceased Pradip Kumar Burnwal has paid ultimate penalty by losing his life, therefore, no further action is required in this case.
1. Kuardih – Tirat 09.06.2017	Drowning of persons.	1. Manager 2. Assistant Manager 3. Safety Officer 4. Overman 5. Overman 6. Overman	Prosecution launched against the delinquent persons in the Hon'ble Court of Chief Judicial Magistrate, at Asansol, District: Paschim Barddhaman, WB. Vide case No.C/56/2018 dated 18.01.2018.	
2018	Patmohna Colliery, M/s. ECL	Other causes	Natural Death	N.A.
	Parasea Colliery, M/s. ECL	Unclassified	Natural Death	N.A.(Non-Statistical)
	Parasea Colliery,	Fall of person	Natural Death	N.A.

	Khottadih Colliery, M/s. ECL	Run over by LHD	<p>1. LHD Operator</p> <p>2. Overman</p> <p>3. Senior Overman.</p>	<p>1. Suspended for a period of three days from 09.04.2019 to 11.04.19 and stoppage of one increment without cumulative effect.</p> <p>2. Suspended for a period of three days from 09.04.2019 to 11.04.19 and stoppage of one increment without cumulative effect.</p> <p>3. Suspended from his duty for a period of three days from 09.04.2019 to 11.04.19 and stoppage of one increment without cumulative effect.</p>
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OBSERVATIONS/RECOMMENDATIONS

Allocation of Coal Blocks as per provisions of the Coal Mines (Special Provisions) Act, 2015.

21. The Committee note from the submissions made by the Ministry of Coal that as on 1.4.2019, the number of active Coal Mines (producing mines) under the Coal India Limited in West Bengal is 66 [Eastern Coalfields Limited (ECL):65 and Bharat Coking Coal Limited (BCCL):1] and in Jharkhand, it is 95 [ECL:14, BCCL:37 and Central Coalfields Limited (CCL):44].
22. The Committee further note that subsequent to the cancellation of coal block allocations by the Supreme Court in the year 2014, Coal Mines are being allocated by the Ministry of Coal through auction or allotment as per provisions of the Coal Mines (Special Provisions) Act, 2015. Presently, the Ministry conducts auction of coal blocks through e-auction mode on an electronic platform created by the MSTC Limited and no physical or financial bids are being accepted or considered. The Committee also note that ten tranches of auction of Coal Mines have been concluded, wherein, a total of 35 Coal Mines have been allocated to Private and Government Companies through auction and a total of 63 Coal Mines have been allocated to Government Companies through allotment, under the CMSP Act, 2015. In this context, the Committee further note that the number of Coal Mines in West Bengal and Jharkhand auctioned as per the CMSP Act, 2015 is 4 and 10 respectively and the total revenue generated therefrom, till September, 2020, amounts to Rs. 1429.69 crore (excluding royalty, taxes and cess).
23. Notwithstanding the fact that since 2014, only 35 Coal Mines have been allocated to Private and Government Companies through auction, the Committee appreciate that the Government have introduced a new auction methodology in the form of e-auction on an electronic platform to increase transparency in bidding and

auction process in respect of Coal Mines sector and to open it up for competition. In this backdrop, the Committee appreciate that after 2014, various new initiatives have been taken by the Government to introduce the desired level of transparency in coal block allocation. The use of digital technology in this process has further added an element of lesser human intervention which is a welcome step on the part of the Ministry of Coal. The Committee, therefore, desire that the momentum in regard to e-auctioning should be invariably maintained by the Ministry of Coal and all the Public Sector Coal Companies should be further encouraged to introduce digital technology in all their commercial activities. The Public Sector Coal Companies should also furnish the details of various commercial activities in which digital technologies are now being introduced by them to encourage transparency and minimising human intervention, within three months of the presentation of this Report to the House.

Statutory provisions relating to safety, health and welfare of persons employed in the Coal Mines.

24. The Committee note that there have been various provisions relating to safety, health and welfare of persons employed in the Coal Mines as prescribed in the Mines Act, 1952, the Mines Rules, 1955 and the Coal Mines Regulations (CMR), 2017. However, there is no such clause or section in the Coal Mines (Special Provisions) Act, 2015 and the Coal Mines (Special Provisions) Rules, 2014. In this regard, the Committee also note that as per the Coal Mines Development and Production Agreement signed between the Nominated Authority and the Successful Bidder of the Private Allottees, there is a Section, viz., Section 11.4 which relates to health, safety, welfare, social security and minimum wages of employees engaged at the Coal Mines, wherein, the compliance of all applicable laws and good industry practices, modern safety devices and modern safety precautions by the Successful Bidder have been emphasised.

25. The Committee also note that the Law Enforcing Agency/Regulatory Authority under the Mines Act, 1952, i.e., the Directorate General of Mines Safety (DGMS), which comes under the Ministry of Labour and Employment, has the following responsibilities and powers:-

- a) Inspection of mine;
- b) Enquiry into mine accident and dangerous occurrence;
- c) Grant Work Permissions, Exemptions and Relaxations;
- d) Conduct of Examinations and Award of Statutory Certificates of Competency;
- e) Issuance of Circulars;
- f) Approval of certain type of equipment, machinery, tools and material used in the mines;
- g) Organizing National Conference on Safety in Mines; and
- h) Holding Rescue Competitions, etc., and National Safety Awards (Mines).

26. The Committee note that the DGMS inspects mines of all subsidiary companies of the Coal India Limited (CIL) to assess whether the mines are being operated as per the provisions contained in the Mines Act, 1952, the Mines Rules, 1955 and the Coal Mines Regulations, 2017 and by-laws and orders framed under the Act *ibid*. In this connection, the Committee further note that all statutes related to mines safety are equally applicable to all the Coal Mines in the country irrespective of their nature of ownership and the DGMS has the powers and responsibilities for enforcing various Rules and Regulations in respect of Private Coal Companies in the States of West Bengal and Jharkhand.

27. Though, the provisions and clauses relating to safety, health and welfare of persons employed in the Coal Mines have been prescribed in the Mines Act, 1952, the Mines Rules, 1955, the Coal Mines Regulations (CMR), 2017 and in the Coal Mines Development and Production Agreement signed between Nominated Authority and Successful Bidder of the Private Allottees, the Committee are not sure about the reasons for non-existence of such explicit provision, clause or section in the Coal

Mines (Special Provisions) Act, 2015 and the Coal Mines (Special Provisions) Rules, 2014. Keeping in mind the ever changing situation in a coal mine and geographical considerations thereon, the Committee could understand that any law related to the Coal Mines ought not to be rigid or fixed. Instead, these codes should be made flexible enough to take into account various variable factors and/or unforeseen circumstances without compromising the efficacy and their overall financial viability. However, in the considered opinion of the Committee, the aspects relating to safety, health and welfare of persons employed in the Coal Mines cannot be relegated to a secondary position and hence, these aspects should also be taken care of through appropriate legislative processes. The Committee, therefore, desire that a pragmatic safety management system, thereby plugging all the loopholes, should be put in place at the right earnest. The Committee, therefore, recommend that the Coal Mines (Special Provisions) Act, 2015 and Coal Mines (Special Provisions) Rules, 2014 should be amended accordingly, so as to include safety, health and welfare provisions. The Committee would like to be apprised of the necessary steps taken in this regard within three months of the presentation of this Report to the House.

28. While acknowledging the fact that all Statutes related to mines safety are equally applicable to all the Coal Mines in the country, irrespective of their nature of ownership and the DGMS has powers and responsibilities for enforcing various Rules and Regulations in respect of Private Coal Companies, the Committee would also like to impress upon the Ministry of Coal to ensure that there is no inconsistency in the application of mines safety Statutes in the case of Public Sector Undertakings *vis-a-vis* the Private Coal Companies and in case any violation is noticed at any stage of their operations, responsibility could be fixed and appropriate action, in accordance with law, initiated against the officer(s) responsible or proprietor(s) in a uniform manner.

29. The Committee are also given to understand that the Nodal Agency for ensuring mines safety is the DGMS which comes under the Ministry of Labour and Employment. However, the Coal Mines, being one of the major constituents in the Mining Sector, the Ministry of Coal should take the proactive role in ensuring proper coordination with the DGMS for Coal Mines Safety related issues in order to implement all the safety measures and achieve the intended common objectives. Though the DGMS have been entrusted with the responsibility of mines safety in various forms, viz., organising National Conference on Safety in Mines, holding Rescue Competitions, awarding National Safety Awards (Mines), etc., the Committee hope that the Ministry of Coal, in coordination with the DGMS, would take the initiative of organising Seminars, Workshops, etc., on Mines Safety, regularly at the Headquarters and Regional Offices of the subsidiaries of CIL and other Public Sector Undertakings. The Committee would like to be apprised of the necessary steps/proposed to be taken in this regard within three months of the presentation of this Report to the House.

Compensation for mine accidents

30. The Committee take note of the fact that the total number of cases of compensation being dealt with by the subsidiary companies of CIL is 213 and total amount of compensation paid to the dependent of the deceased mine employees as per the Employee Compensation Act, 1923 (Principal Act amended up to 2017) is Rs. 1,438.1 lakh between 2015-2019. In this context, the Committee are happy to note that an additional ex-gratia is provided to the dependent of deceased workers (including Contractor's worker) which has been revised to Rs. 15 lacs, w.e.f. 7.11.2019. However, the Committee thrust upon the Ministry of Coal to ensure strict compliance of all the provisions in respect of the compensation in case of mine accidents (fatalities) by the subsidiaries of CIL including other Public Sector Undertakings under the Ministry and their Joint Venture Companies or the Private Coal Companies

as per the relevant Rules/Laws/Policies/Schemes. The Committee hope that all the pending cases of compensation are being disposed of by the Coal Companies at the earliest and the compensation, in monetary terms, are also being paid to the dependents through electronic mode. The Committee would like to be apprised of the total compensation paid to the dependents during the last one year, through electronic mode, within three months of the presentation of this Report to the House.

Implementation status of Jharia and Raniganj Master Plan

31. The Committee note that due to unscientific mining in the past, Jharia Coalfield located in the Dhanbad District of Jharkhand has been facing the problems of fire, land subsidence resulting in the need for rehabilitation of affected persons. Therefore, in order to address the problems of fire and land subsidence in Jharia Coalfield, the Master Plan for dealing with fire, subsidence and rehabilitation in the leasehold of Bharat Coking Coal Limited (BCCL) and Eastern Coalfields Limited (ECL) was approved on 12 August, 2009 by the Government of India with an estimated investment of Rs. 7,112.11 crore for Jharia Coalfields (Jharkhand) and Rs. 2,661.73 crore for Raniganj Coalfields (West Bengal), for which implementation period have been delineated as 10 years for Raniganj Coalfields (RCF) and 10+2 years for Jharia Coalfields (JCF). The Committee note that the basic objectives of the Jharia and Raniganj Master Plan are as under:-

- (i) *Dealing with fire;*
- (ii) *Rehabilitation and resettlement of BCCL & ECL employees.*
- (iii) *Non BCCL & Non ECL (Authorised/Private & Unauthorised/Encroachers) people and others living in the endangered areas; and*
- (iv) *Surveying & Planning for diversion of railway/major roads/utility from unstable sites.*

32. The Committee further note that the major heads of expenditure towards implementation of the Jharia and Raniganj Master Plan include the cost towards demographic survey, land acquisition cost, compensation cost for homestead land

that the displaced house owner is holding, income generation cost, land development, infrastructure amenities cost, diversion of rail road for RCF as well as surveying and planning cost for diversion of rail and road, etc., for JCF and cost towards dealing with fire, contingencies and supervision, etc., for RCF. The Committee also note that a High Powered Central Committee (HPCC) has been constituted under the chairmanship of the Secretary (Coal) with the representatives of State Governments of Jharkhand and West Bengal, Asansol Durgapur Development Authority (ADDA), Jharia Rehabilitation and Development Authority (JRDA), Central Mine Planning & Design Institute Limited (CMPDIL), CIL, ECL, BCCL and the Ministry of Coal to review the activities of implementation of the Master Plan and so far, twenty one HPCC meetings have been conducted.

33. As regards funding arrangement for joint implementation of the Jharia and Raniganj Master Plan, the Committee take note of the fact that the CIL would contribute Rs. 350 crore per annum from their internal resources and the balance to be provided from the collections of Stowing Excise Duty (SED) under Coal Mines (Conservation and Development) Act, 1974 over a period of 10 years. The Committee also note that after approval of the JCF and RCF Master Plan, out of the indicated amount of Rs. 4,200 crore to be contributed by the CIL for its joint implementation, CIL have infused around Rs. 1,961.14 crore, till February, 2020.

34. The Committee observe that under the Jharia and Raniganj Master Plan, Coal Companies are responsible for dealing and quenching of fire and shifting of their employees and State Governments of West Bengal and Jharkhand have been entrusted with rehabilitation of local population.

35. The Committee also recognise the fact that the BCCL, during the period of nationalisation in 1971-73, surface fire area was to the extent of 17.32 sq. km which has now been reduced to 8.9 sq. km. as per a study of the World Bank. As per the

National Remote Sensing Centre (NRSC) study of 2014, the fire area decreased to 2.18 sq. km. and then increased to 3.28 sq. km. as per the NRSC study of 2018, primarily, due to opening of more underground fire areas for excavation. However, a fresh survey is proposed for 2020-21. As per the averments of the Ministry of Coal, digging out fire is the ultimate and proven method all over the World to extinguish coal mine fires. Out of 34 locations identified by the BCCL for this purpose, fire has been quenched at two sites, work is continuing at eight sites and tenders have already been floated/planned for the remaining sites, whereas, under the ECL, all seven fire sites covering an area of 7.55 sq. km. have already been quenched.

36. The Committee observe that under Jharia and Raniganj Master Plan, the coal companies, viz., the BCCL and the CCL have been entrusted with the responsibility for rehabilitation and resettlement of the BCCL/CCL people/employees from the endangered area. The BCCL have constructed 7,714 houses, wherein, 4,057 families have been shifted and remaining 8,138 houses would be completed by August, 2021, whereas, all the affected ECL employees' families have already been shifted.

37. The Committee further observe that as per the said Plan, the State Governments of West Bengal and Jharkhand have been entrusted with the responsibility for rehabilitation and resettlement of the local population who are not BCCL/CCL people/employees and mainly unauthorised encroachers. In the State of Jharkhand, about 1,04,964 families, including Legal Title Holders (LTH) and Non-Legal Title Holders (NLTH) have been reportedly affected, as per the present survey and analysis. The Jharia Rehabilitation and Development Authority (JRDA) has taken up construction of 18,352 houses, out of which 6,352 have already been completed and 3,114 families have been shifted, till date. The State Government of Jharkhand is planning to revise the compensation for accommodating the increased number of encroachers. In the State of West Bengal, 6,101 LTH and 22,899 Non-LTH have been identified for rehabilitation and resettlement. For the purpose, DPR for 12,976 flats

have been prepared by the Housing Department and 8,816 are under construction. However, 43.68 ha. land is yet to be identified and acquired by the State Government of West Bengal for the purpose.

38. The Committee note that the Coal India Limited subsidiary companies, *i.e.*, the ECL and the BCCL have Coal Mines in the States of West Bengal and Jharkhand whereas, another subsidiary company, *i.e.*, CCL has mines in the State of Jharkhand. Both the ECL and the BCCL have a legacy of very old pre-nationalised mines and possess a host of problems like fire, water logged galleries, geological disturbances, subsidence, old developed galleries, etc.

39. While appreciating the resolute efforts of the BCCL and the ECL in regard to implementing the Jharia and Raniganj Master Plan, primarily formulated to address the problems of fire, land subsidence and for the rehabilitation and resettlement of the affected persons due to Coal Mines project, the Committee trust that the Ministry of Coal would give an added impetus for ensuring a structured coordination with the State Governments of West Bengal and Jharkhand and other stakeholders in order to expedite the implementation of the Jharia and Raniganj Master Plan in a seamless manner. The Committee are however, dissatisfied to note that though the delineated time period for the implementation of the Master Plan have already been exceeded in the case of Raniganj Coalfields (RCF) which was 10 years, and in case of Jharia Coalfields (JCF) wherein it was 10+2 years, the target time limit is almost approaching, CIL have infused only an amount of Rs. 1,961.14 crore till February, 2020, which is only half of the indicated contribution of Rs. 4,200 crore for joint implementation of the Master Plan. The Committee are of the view that shortage of funds should not come in the way of implementation of such an important Plan. The Committee, therefore, recommend to the Ministry of Coal to persuade CIL to contribute the remaining amount towards the implementation of the Jharia and Raniganj Master Plan. The Committee further recommend the Ministry of Coal to

render all possible assistance to the State Governments concerned to find out implementable solutions for rehabilitation and resettlement issues in respect of the private and unauthorised persons affected due to Coal Mines project in order to ensure faster and time bound implementation of the Master Plan. The Committee would like to be apprised of the necessary steps taken/proposed to be taken in this regard within three months of the presentation of this Report to the House.

NEW DELHI;

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions.

8 February, 2021
26 Pausa, 1942 (Saka)

1. Aug 10. 5' 2013.

Annexure
10

The Chairperson, Committee on Petitions,
Parliament House,
New Delhi.

Respected Sir,

Subject: Dilapidated condition of coal mines in West Bengal and Jharkhand.

I use this opportunity to bring to your kind notice the dilapidated condition of coal mines in West Bengal and Jharkhand and the continuous disregard of various statutory rules/regulations by the Coal India Limited and other subsidiaries. In this connection, I wish to your kind notice the following aspects:-

- (a) Irregularities in auctioning of coal mines to Private Companies who make a cartel to grab coal mines, thereby, causing immense loss to the revenue of the Government. I have also gone through one of the earlier Reports of the Lok Sabha Committee on Petitions, where, a CBI inquiry was ordered to unearth the nexus between the high officials of Coal India Limited and the Private Company in giving contract for extraction of coal. Upto the year 2019, 30 coal mines have been auctioned to Private Companies. However, the revenue generation was only a meagre 4000 crore. How and what apparatus was used by the higher authorities of Coal India Limited are still not in the public domain which creates doubt about the nexus between the higher authorities of Coal India Limited and the Private Companies.
- (b) The Private Companies who have been awarded the contract of coal mines in West Bengal and Jharkhand have disregard to safety, health and welfare of persons employed in the mines even when the Mines Act, 1952 and related rules and regulations are in place. There are also no mechanism in place to prevent re occurrence of accidents even when the Directorate General of Mines had issued various Circulars specifying therein the preventive measures to be taken for ensuring safety in mines as well as ensuring that the mineworkers are provided with adequate safety measures while working in the mines. It is also important that the mines now controlled by Private Companies lack in training to the persons employed in mines as provided in the Mines Vocational Training Rules, 1966. All these aspects are required to be urgently looked into.

- (c) There is also a need to seriously examine the Private Companies/ Subsidiary Company wise details of fatal and serious accidents that took place in coal mines during the last five years. These details will show that fatal accidents, fatalities, serious accidents and serious injuries are increasing at a very faster pace. There is also a lethargic approach of the Authorities concerned regarding the amount of compensation paid to the family of deceased who died in any mine accident arising out of and in course of employment.
- (d) There is also a problem of cave-in-areas in coal mining especially in the command area of Coal India Limited. In this connection, there has always been a lukewarm response of the Coal India Limited and Management of Private Companies to rehabilitate the affected people due to cave-in on account of unscientific mining.

2. All these aspects require a detailed examination of the work pattern of Coal India Limited so that the national treasure should not go waste and could be utilized in a better way.

2 February, 2020

Thanking you,
Yours faithfully,

Dharambir Singh

Dharambir Singh
Pradhan Enclave,
Near Srilal Convent School,
Nangli Vihar,
New Delhi-110 043

**MINUTES OF THE TENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Wednesday, 28 October, 2020 from 1130 hrs. to 1300 hrs. in Committee Room C, Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Shri Hanuman Beniwal
3. Dr. Bharti Pravin Pawar
4. Shri Brijendra Singh
5. Shri Rajan Baburao Vichare

SECRETARIAT

1. Shri T. G. Chandrashekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G.C. Dobhal - Additional Director

WITNESSES

MINISTRY OF COAL

1. Shri Anil Kumar Jain - Secretary
2. Shri Vinod Kumar Tiwari - Addl. Secretary
3. Shri M. Nagaraju - Joint Secretary
4. Shri Bhabani Prasad Pati - Joint Secretary
5. Shri Prem Sagar Mishra - CMD, ECL
6. Shri P.M. Prasad - CMD, CCL
7. Shri Chanchal Goswami - Director (Tech.) P&P, BCCL
8. Shri Aftab Ahmed - Director (Mining), DGMS
(Ministry of Labour and Employment)

2. At the outset, the Hon'ble Chairperson welcomed the Members to the first sitting of the reconstituted Committee and congratulated them on their nomination to the Committee. Hon'ble

Chairperson, then welcomed and congratulated Shri Hanuman Beniwal, one of the two new Members who were nominated as a Member to the Committee on Petitions.

3. The Hon'ble Chairperson, thereafter, expressed his gratitude to the Members of the Committee for their cooperation in regard to the work done by the Committee during 2019-20.

[The representatives of the Ministry of Coal and Director (Mining), DGMS, Ministry of Labour and Employment were ushered in]

4. After welcoming the representatives of the Ministry of Coal, the Hon'ble Chairperson drew their attention to Direction 55(1) of the Directions by the Speaker, Lok Sabha regarding confidentiality of the proceedings of the Committee. The Committee heard the representatives of the Ministry of Coal on the issues/points raised by Shri Dharambir Singh in his representation regarding dilapidated condition of coal mines in West Bengal and Jharkhand and other related issues. The major issues put forth before the Committee by the witnesses, were as follows:-

- (i) The provisions relating to safety, health and welfare of persons employed in the coal mines have been prescribed in the Mines Act, 1952, the Mines Rules, 1955 and the Coal Mines Regulations, 2017 and these provisions along with the by-laws and orders framed under the Mines Act, 1952 are being followed in all subsidiary companies of Coal India Limited (CIL).
- (ii) The Directorate General of Mines Safety (DGMS) under the Ministry of Labour and Employment is the law enforcing agency/regulatory authority under the Mines Act, 1952, which regularly inspects coal mines of all subsidiary companies of CIL to assess as to whether the mines are being operated as per the provisions under the relevant Act(s)/Rule(s)/Regulation(s)/By-Law(s)/Order(s), etc. Further, Assistant Labour Commissioner, Regional Labour Commissioner and Labour Enforcement Officers regularly inspect the coal mines to see the status in respect to the compliance of enforcement.
- (iii) The responsibilities and powers of DGMS are broadly as under:-
 - a) Inspection of mines;
 - b) Inquiry into mine accidents and dangerous occurrences;
 - c) Grant of Work Permissions, Exemptions and Relaxations to the mine operators;
 - d) Conduct of Examinations and Award of Statutory Certificates of Competency.
- (iv) In order to address the problems of fire and subsidence in Jharia Coalfield, the Master Plan for dealing with fire, subsidence and rehabilitation in the lease hold areas of Bharat Coking Coal Limited (BCCL) and for Eastern Coalfields Limited

(ECL) was approved on 12.8.2009 by the Government of India with an estimated investment of Rs.7,112.11 crores for Jharia Coalfields and Rs.2661.73 for Raniganj Coalfields. Implementation period have been delineated as 10 years for Raniganj Master Plan and 10+2 years for Jharia Coalfields. The funding arrangement for implementation of Jharia and Raniganj Master Plan over a period of 10 years is through internal resources of CIL and collections of Stowing Excise Duty (SED) under the Coal Mines (Conservation and Development) Act. The Objectives of Jharia and Raniganj Master Plan are as under:-

- (a) Dealing with fire;
 - (b) Rehabilitation and resettlement of BCCL and ECL employees;
 - (c) Non-BCCL and Non-ECL (Authorised/ Private and Unauthorised/ Encroachers) people and others living in the endangered areas; and
 - (d) Surveying and planning for diversion of railway/major roads/utility from unstable sites.
- (v) Under Raniganj and Jharia Master Plan, Coal Companies are responsible for quenching of fire and shifting of their employees and State Governments of Jharkhand and West Bengal have been entrusted with rehabilitation of local population.
- (vi) As regards BCCL, 8.9 sq. kms. of fire area in 1996 has been reduced to 3.28 sq. kms. as per NRCS Study of 2018. Out of 34 locations identified by BCCL to dig out fire, fire has been quenched at 2 sites, work is continuing at 8 sites and tenders have been floated/planned for remaining sites. As regards ECL, all 7 fire sites covering an area of 7.55 sq. kms. have already been quenched.
- (vii) For rehabilitation and resettlement under the said Plan, BCCL have constructed 7,714 houses wherein 4057 families have been shifted and remaining 8138 houses would be completed by August, 2021, whereas, all affected ECL employees' families have already been shifted.
- (viii) Extraction of coal below ground creates unstable areas, which may cause cave-in and fire problems. Such incidences beyond leased hold boundary of mines due to illegal mining come under the jurisdiction of State Governments.
- (ix) Under Raniganj and Jharia Master Plan, in the State of Jharkhand, about 1,04,964 families, including Legal Title Holders (LTH) and Non-Legal Title Holders (NLTH) have been reportedly affected and construction of 18,352 houses have been taken up by Jharia Rehabilitation and Development Authority (JRDA), out of which 6,352 have already been completed and 3,114 families have been shifted till date. In the State of West Bengal, 6,101 LTH and 22,899 Non-LTH are to be rehabilitated. For the purpose, DPR for 12,976 flats have been prepared by the Housing Department and 8,816 are under construction.

- (x) Ministry of Coal is helping State Governments of Jharkhand and West Bengal to ensure faster implementation of the Raniganj and Jharia Master Plan.
- (xi) Subsequent to the cancellation of coal block allocations by the Supreme Court in the year 2014, coal mines are being allocated through auction or allotment as per provisions of the Coal Mines (Special Provisions) Act, 2015.
- (xii) The Government has taken several initiatives to introduce transparency in auction of coal blocks and to open up the coal sector for competition. The Ministry of Coal conducts auction of coal blocks through e-auction mode on an electronic platform created by the MSTC Limited. No physical or financial bids are being accepted or considered.
- (xiii) 10 tranches of auction of coal mines have concluded wherein a total of 35 coal mines have been allocated to Private and Govt. Companies through auction since 2014 and a total of 63 coal mines have been allocated to Govt. Companies through allotment, under the CMSP Act, 2015. The number of blocks for which bids have been received have been low, and therefore, the Government has now approved much more attractive bidding terms.
- (xiv) The total revenue generated through auction of 14 coal mines in the States of Jharkhand (10) and West Bengal (4) is Rs. 1429.69 crores (excluding royalty, taxes and cess) till September, 2020.
- (xv) The Central Mine Planning and Design Institute Limited (CMPDIL), a Public Sector Undertaking of CIL, which is recognised as a technical organisation and conducts the survey and estimates coal reserves, i.e., 'Geological Reserves' of a coal block, based on which it prepares a mine plan (approved by the Statutory Committee in the Ministry of Coal) in accordance to the estimated 'Peak Rated Capacity (PRC)' of the mine which is a scientific amount of coal which could be extracted from a mine in a given year. Based on the PRC and the grades of coal (up to 17 and each of different price-band), the value of a coal mine is estimated while auctioning.
- (xvi) The Coal Mines Development and Production Agreement mandates provisions related to safety, health and welfare issues in respect of non-CIL allocatees. There has been improvement on safety across all mines in coal sector as evident from the number of accidents/ fatalities.
- (xvii) The following compensations are provided in case of mine accidents/fatalities:-
- (a) Service to next kin for the fatally injured employee;
 - (b) Compensation paid as per provision of the Employees Compensation (Amendment) Act, 2017;
 - (c) *Ex-gratia* amount of Rs. 84,600 w.e.f. 1.2.2012 as per National Coal Wage Agreement (NCWA)-IX;

- (d) Monetary benefits under the Life Cover Scheme (LCS) of Rs. 1,12,800 w.e.f. 1.2.2012 as per NCWA-IX;
- (e) Lump sum payment of Rs. 15 lakhs w.e.f. 14.11.2019 (earlier Rs. 5 lakhs) in case of death; and
- (f) Lump sum payment of Rs. 15 lakhs w.e.f. 14.11.2019 (earlier Rs. 5 lakhs) in case of death which is also applicable to the contractor workers engaged in CIL coal mines.

5. After hearing the views of the representatives of the Ministry of Coal, the Committee expressed their views as under:-

- (i) Some of the written replies to the list of points furnished by the Ministry of Coal appear to be incomplete, inconsistent, ambiguous and are generally available in the public domain.
- (ii) The focal point of the instant representation of Shri Dharambir Singh is 'dilapidated condition of coal mines'. However, on the contrary, upon plain reading of the averments made by the Ministry of Coal in their written replies, it is observed that the condition of coal mines is even better than those of developed countries like USA, Russia, Australia, etc.
- (iii) The replies of the Ministry are silent about the status of implementation of provisions regarding safety, health and welfare of the persons employed in the coal mines. Further, the details regarding Competent Authority and mechanism of monitoring and ensuring compliance of the safety, health and welfare related provisions in the relevant Acts/Rules/Regulations etc., have not been provided. In case of finding irregularities or discrepancies during the inspection or otherwise, the details of follow up action being undertaken by the Authorities concerned have also not been provided.
- (iv) The details of action taken by the Authorities concerned, if anyone found responsible for mishaps in the coal mines have not been provided by the Ministry. Further, the details of compensation, be it in terms of monetary or pension/employment to the dependents of the casualties/fatalities or injured persons, have also not been provided.
- (v) The Ministry of Coal has not clarified the term 'Leasehold of Bharat Coking Coal Limited' and the coal mines areas thereunder and the status thereof pre and post nationalisation of coal mines.
- (vi) Besides existing safety measures in the coal mines, utmost precaution needs be applied with respect to occupational health, safety and welfare of the workers employed in coal mines in the prevalent Covid-19 scenario by way of providing

them with the necessary accessories and advisories to protect them from the pandemic.

- (vii) The Committee do not intend to interfere in the policy decision of the Government in auctioning of coal mines for commercial purpose, which would certainly encourage free trade and reduce dependability of coal import and would increase the revenue as well.
- (viii) The coal mines should be allocated to the end users for captive purpose and also allow them to sale coal, which is in excess to their requirement, in the open market, though on some royalty to the Government on such sales.
- (ix) A copy of the Coal Mines (Special Provisions) Act, 2015 be provided to the Committee.

6. The Committee, thereafter, directed the Ministry of Coal to furnish the appropriate replies/clarifications on all the above aspects and to the queries raised by the Committee which could not be orally responded to by the representatives of the Ministry during the oral evidence, within a period of one week.

7. In response thereto, the representatives of the Ministry of Coal assured the Committee that the relevant details in respect of the incomplete or unanswered queries would be furnished to the Committee on Petitions to their satisfaction.

[The representatives of the Ministry of Coal and Director (Mining), DGMS, Ministry of Labour and Employment, then, withdrew]

8.

9. A copy of the verbatim record of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.

*** Does not pertain to this Report.

**MINUTES OF THE FOURTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Monday, 8 February, 2021 from 1130 hrs. to 1230 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Shri Harish Dwivedi
3. Shri Brijendra Singh
4. Shri Manoj Tiwari
5. Shri Rajan Vichare

SECRETARIAT

1. Shri T. G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

3. The Committee, thereafter, took up for consideration the following Draft Reports :-

- | | | | | |
|-------|-----|-----|-----|-----|
| (i) | *** | *** | *** | *** |
| (ii) | *** | *** | *** | *** |
| (iii) | *** | *** | *** | *** |

(iv) Report on the representation of Shri Dharambir Singh regarding dilapidated condition of Coal Mines in West Bengal and Jharkhand and other related issues;

- | | | | | |
|------|-----|-----|-----|-----|
| (v) | *** | *** | *** | *** |
| (vi) | *** | *** | *** | *** |

4. After discussing the above mentioned Draft Reports in detail, the Committee adopted all the six Reports without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Reports and present the same to the House.

The Committee, then, adjourned.

*** Does not pertain to this Report.