

Government of Himachal Pradesh  
Industries Department

No. Ind-II(F)1-1/2023

Dated: Shimla-2, the 29<sup>th</sup> February, 2024

**NOTIFICATION**

In supersession of all previous notifications issued on the subject, the Governor, Himachal Pradesh is pleased to notify Himachal Pradesh Mineral Policy, 2024 for regulation of mines and minerals in Himachal Pradesh as per enclosed **Annexure-I** with immediate effect.

By order

R.D. Nazeem  
Principal Secretary (Inds.) to the  
Government of Himachal Pradesh

Endst. No. As above Dated: Shimla-02, the 29<sup>th</sup> February, 2024

Copy for information and necessary action to: -

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. The Director of Industries, Himachal Pradesh, Shimla-1.
3. All the Deputy Commissioners in Himachal Pradesh.
4. The State Geologist/Geologist Zone-II, Geologist Zone-III & Geologist Zone-IV Himachal Pradesh, Shimla-09
5. All the General Managers, District Industries Centers, in Himachal Pradesh.
6. All the Mining Officers in Himachal Pradesh.
7. The Controller, Printing and Stationery, HP for publication in HP Rajpatra through E-Gazette (Extra-Ordinary).
8. Guard file.

(Ravi Pal Sharma)  
Deputy Secretary (Inds.) to the  
Government of Himachal Pradesh

**Annexure-I****HIMACHAL PRADESH MINERAL POLICY, 2024**

This Policy is notified in accordance with the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and powers conferred under Section 15 and Section 23-C of the Mines and Minerals (Development and Regulation) Act, 1957.

**Introduction**

Minerals are non-renewable natural resources essential for mankind and backbone of economic growth of any country. The progressive industrialization and infrastructural activities have led to increased demand resulting into large scale production of minerals. Although, mining and quarrying have been age old practices in Himachal Pradesh from Palaeolithic age as evidenced by the ancient temples and monuments and old workings for metallic minerals as reported in Chamba, Kullu and Shimla. But presently there is no prevalence of large scale mining activities in Himachal Pradesh, as it is not a mineral rich State. Almost all the existing mines are open cast and limited in aerial extent. The mining activities in Himachal Pradesh can be categorized under both large sector and small sector. The large sector comprises of major limestone projects for cement manufacturing and the small sector comprises mining of minor minerals like sand, stone, bajri, slates, shale, clay etc. which are basic building materials required to meet the infra-structural development needs of the State.

**1. Earlier Policy Guidelines**

The Government of Himachal Pradesh had earlier formulated a Mining Policy in the year 1986 which was later modified in the year 1998. Further the State Government formulated the River/Stream Bed Mining Policy Guidelines–2004. In the 2004 policy, the concept of preparation of Working-cum-Environment Management Plan was introduced for minor minerals. In addition to above, the Govt. had also notified the Policy Guidelines for Registration, Location, Installation and working of stone crusher in the State of H.P. on

11.08.2004. Thereafter, on 24.08.2013, the State notified the Himachal Pradesh Mineral Policy -2013 with an objective to ensure scientific and systematic mining and laid down the safeguards to be undertaken during mining for protection of public and private property and to regulate the mining activities in the State in a systematic and scientific manner.

## **2. Need of New Mineral policy for the State of Himachal Pradesh**

A decade has passed since the Himachal Pradesh Mineral policy-2013 was notified and during this period a number of significant changes in the mining sector have taken place which needs to be addressed. The central Government has notified National Mineral Policy-2019 with the objectives of transparency in grant of mineral concession, better regulation & enforcement, balanced social & economic growth and to encourage sustainable mining practices. Further, the Ministry of Environment, Forests and Climate Change (MoEF&CC) has issued Sustainable Sand Mining Management Guidelines-2016 & Enforcement & Monitoring Guidelines for Sand Mining-2020 which requires preparation of District Survey Report (DSR), which is an important initial step before grant of mineral concession/Letter of Intent. Further, the State of Himachal Pradesh has framed the Himachal Pradesh Minor Mineral (Concession) and Minerals, (Prevention of illegal mining, Transportation and Storage) Rules-2015 on 13.03.2015 wherein most of the provisions of earlier policy guidelines were incorporated. Thus, a need was felt to formulate a well defined futuristic Mineral Policy with an objective to develop and conserve the mineral resources of the State in consonance with the “National Mineral Policy-2019” and “Sand Mining Framework”. This policy will meet the present challenges of the State while taking into consideration its difficult terrain where mining considerations are different when compared to other States. This policy will also help the State to meet the growing demand of minerals in the context of its rapid pace of economic development. This policy has been framed with the vision to enhance the revenue collection of the State while curbing the illegal mining activities.

## **3. Existing Acts and Rules**

The following Acts and Rules are in operation to regulate mining activities in the State:-

- i) The Mines and Mineral (Development and Regulation), Act 1957.

- ii) The Mineral Concession Rules, 1960.
- iii) The Mineral Conservation and Development Rules, 2017.
- iv) The Minerals (Evidence of Mineral Contents) Rules, 2015.
- v) The Mineral (Auction) Rules, 2015.
- vi) The Mineral (Non-Exclusive Reconnaissance Permits) Rules, 2015.
- vii) The Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016.
- viii) The Mines Rules, 1952.
- ix) The Metalliferous Mines Regulation, 2019.
- x) National Mineral Exploration Trust Rules, 2015.
- xi) Sustainable Sand Mining Management Guideline-2016.
- xii) Enforcement & Monitoring Guidelines for Sand Mining-2020.
- xiii) The Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
- xiv) The Himachal Pradesh District Mineral Foundation Trust Rules, 2015.

#### **4. Mineral Resources**

Apart from the minor minerals like Sand, Stone, Bajri etc. the major minerals like Limestone, Dolomite, Gypsum, Magnesite, Barytes, Rock Salt etc. have been reported from various parts of Himachal Pradesh. However, except for limestone and Rock Salt, no other major mineral, which can be commercially exploited, has been reported in the State. Based on these limestone deposits, seven (7) mega cement units i.e. two in district Bilaspur (M/s ACC Ltd.), four in district Solan (M/s Gujarat Ambuja and M/s UltraTech Cements) and one in district Sirmour (M/s CCI Ltd.) are already in operation. In addition to above functional limestone blocks, there exists ten (10) major mineral blocks of limestone deposits. Out of the ten (10) limestone blocks, five (5) are under litigation in various courts and two (2) blocks are yet to be fully explored. So, in the present scenario, only three limestone mineral blocks i.e. Broh-Shind limestone deposit (Distt. Chamba),

Kothi-Sal-Bag limestone deposit (Distt. Shimla) & Arki limestone deposit (Distt. Solan) are available for auction.

### 5. Commercially exploitable minerals found in various districts of the state

District	Exploitable Minerals
Bilaspur	Limestone, dolomitic limestone, shale, brick earth, minor minerals like sand, stone & bajri.
Kangra	Roofing slate, brick earth, minor minerals like sand, stone & bajri.
Chamba	Limestone, roofing slate, magnesite & minor minerals like sand, stone & bajri.
Lahaul&Spiti	Antimony-ore, Gypsum & minor minerals like sand, stone & bajri.
Solan	Limestone, dolomitic limestone, shale, building stone & minor minerals like sand, stone & bajri
Una	Silica boulders & minor minerals like sand, stone & bajri
Mandi	Limestone, rock salt, & minor minerals like sand, stone & bajri
Hamirpur	Minor minerals like sand, stone & bajri
Shimla	Limestone, shale, quartzite & minor minerals like sand, stone & bajri
Sirmour	Limestone, barites, gypsum, shale, quartzite & minor minerals sand, stone & bajri
Kullu	Roofing slate, quartzite crystal, mineral water, Semi precious stones & minor minerals like sand, stone & bajri.
Kinnaur	Gypsum & minor minerals like sand, stone & bajri

Based on the major minerals available in the State, seven (7) mega cement units of four (4) Cement Companies are functional. Apart from these, five (5) mini cement plants have also been set up in the State. Further, more than hundred lime based units like poultry feed, limestone powder, calcium carbonate, hydrated lime etc. have been set up in the State. Based on the minor minerals, about four hundred eight (408) stone crusher units, about fifteen (15) stone cutting and hollow block units have been operating in the State. The mining sector is providing direct employment to more than 12,500 persons and indirect employment to more than 45,000 persons in the State.

## 6. Royalty from Minerals

The details of royalty realized in the state exchequer from 2013-14 to 2022-23 has been given below:-

Year	Major Mineral	Minor Mineral	Other Charges	Total Royalty (in Cr.)
	(i.e. Limestone, Barytes, Shale, Quartzite, Silica Sand)	(i.e. Building Stone, Sand, Stone and Bajri, Shale, Slate)	(i.e. fees, rent, penalties, compounding fee and other recoveries)	
2013-2014	66.25	33.60	11.23	111.08
2014-2015	97.40	27.83	36.29	161.52
2015-2016	93.09	32.76	29.23	155.08
2016-2017	83.85	50.69	41.68	176.22
2017-2018	352.67	51.18	37.61	441.46
2018-2019	102.87	48.41	21.93	173.21
2019-2020	108.81	49.14	36.54	194.49
2020-2021	101.26	63.92	40.69	205.87
2021-2022	116.65	60.90	22.54	200.09
2022-2023	98.25	101.00	42.00	241.25

## 7. Objectives of the New Mineral Policy-2024

- a. To explore mineral wealth of the State and to carry out its exploitation by adopting scientific and mechanical techniques with adequate safeguards to protect environment and ecology.
- b. To increase the employment opportunities in the mining sector, by granting sustainably adequate mineral concessions in the State.
- c. To take effective measures to curb illegal mining and leakages of revenue.
- d. To prepare an integrated On-line portal for regulating the mining activities in a fair transparent manner.
- e. To promote value addition through promotion of processing units and mineral based industries in the State.
- f. To simplify the procedures and rules to make regulatory environment conducive to ease of doing business.

- g. To adhere to the orders/directions issued by the Hon'ble Apex Court, Hon'ble High Court, Hon'ble National Green Tribunal and other guidelines issued by the Ministry of Environment and Forest & Climate Change (MoEF&CC) Government of India, for exploitation of minor minerals.

### **8. Mineral Exploration**

The Geological Survey of India (GSI) and Geological Wing of the State are the two main agencies which conduct survey and exploration of minerals in the State apart from other organizations like Oil and Natural Gas Commission (ONGC), Atomic Mineral Directorate (AMD) etc., which undertakes exploration for specific minerals. However, in pursuance of the Mines and Minerals (Development and Regulation) Amendment Act 2015, the National Mineral Exploration Trust (NMET) has been set up vide Gazette Notification No. G.S.R. 633 (E) dated 14.8.2015 and the National Mineral Exploration Trust Rules 2015 were also notified vide Gazette Notification No. G.S.R. 632 (E) dated 14.8.2015, with the prime objective of promoting mineral exploration in the country. The above amendment Act, 2015 prescribes payment to the NMET, a sum equivalent to 2% (Two percent) of the royalty to be paid by the lessee for the minerals listed in the Second Schedule of the Act. Mineral Exploration Corporation Limited (MECL), a PSU under the Ministry of Mines, Govt. of India has been designated as the nodal agency for carrying out exploration under NMET and a tripartite agreement among NMET, MECL and the respective State Government has been approved for implementation of the exploration projects. The trust supports regional and detailed mineral exploration in the country and also other activities as approved by the Governing Body to achieve its objectives.

The State of Himachal Pradesh has also started collecting an amount equivalent to two percent (2%) of royalty paid by holders of mining lease as per mandate of National Mineral Exploration Trust. For the utilization of the aforesaid fund, the department shall prepare proposals so that MECL could be engaged for mineral exploration in the State. Further, endeavour shall be made for prospecting of new minor mineral deposits of building stone and sand over the hill slopes to reduce the pressure on river/stream bed mining so as to protect the river eco-system. The State Geological Wing

shall prioritize the mineral exploration projects and shall finalize the annual programme to maximize the revenue to the State.

### **9. Initiatives for Systematic and Scientific Mining**

With the vision to develop mineral resources in a systematic, scientific and sustainable manner, various provisions have been made in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015. Following are the initiatives for systematic, scientific and sustainable mining as per the guidelines of Ministry of Environment, Forests & Climate Change (MoEF&CC), Government of India and “National Mineral Policy-2019” to meet out the growing demand of mineral in the State.

#### **a. Preparation of District Survey Report**

The Ministry of Environment, Forest and Climate Change (MoEF&CC) has issued Sustainable Sand Mining Management Guideline-2016 and also Enforcement & Monitoring Guidelines for Sand Mining-2020 which, inter-alia addresses the issues relating to regulation of sand mining in Country and provides detailed instructions for ensuring sustainable river sand mining. The guidelines emphasize on the preparation of District Survey Report (DSR) for each district. Usage of IT and IT enabled services for effective monitoring of the quantity of mined material and transportation is also a part of the guidelines issued by MoEF & CC, Govt. of India.

Accordingly, efforts have been made to adhere to the aforesaid guidelines for sustainable mining and prevention and mitigation of adverse impact on the environment. Further, all the potential mineral bearing sites in riverbeds have been identified and incorporated in the District Survey Reports of all the districts in the State as per the guidelines issued by the Ministry of Environment Forest and Climate Change, Govt.of India.

#### **b. Inspection of area by the Joint Inspection Committee**

After identification of the mineral bearing site, the area is inspected by the joint inspection committee headed by the concerned Sub Divisional Officer (c) along with members of other departments like Forest, Pollution Control Board, Jal Shakti Vibhag,



Public Works department, Mining as per the procedure prescribed under Rule 10 of *ibid* Rules.

**c. Concept of Mining Plan**

To ensure systematic and scientific mining activities in the sanctioned area, mining plan is mandatory for grant of mineral concessions. Mining plan is prepared by the project proponent through a registered qualified person by taking into account the environmental, geological and other technical considerations. The provisions of progressive mine closure plan, final mine closure plan, financial assurance for the satisfactory compliance of the provisions of mining plan along with possible precautions to be taken for the protection of environment and control of pollution has been made in consonance with the guidelines circulated by the Ministry of Mines and Ministry of Environment, Forests and Climate Change (MoEF & CC), Government of India for mining of minor minerals including the riverbed mining and the draft rules circulated by the Indian Bureau of Mines pertaining to Minor Minerals (Conservation and Development) Rules-2010. To ensure that the proposals made in the mining plan are effectively implemented by the lease holder, concerned District Mining Officer shall make inspections at least twice a year and report to the Geological Wing headquartered at Shimla.

**d. Appointment of technical person for implementation of Mining Plan**

For the proper implementation of the proposals made in the mining plan and to ensure scientific mining, the mineral concession holder shall employ/retain a technical person as per the classification specified under Rule 55 of *ibid* Rules.

**e. Mandatory provision for Environmental Clearance (EC)**

Extraction of minerals impacts other natural resources like land, water, air and forest. To protect the environment from degradation and further for prevention and mitigation of adverse environmental effects due to mining, Environmental Clearance (EC) has been made mandatory for obtaining mineral concession. Also, as per the notification issued by Ministry of Environment, Forests and Climate Change (MoEF&CC) dated 20.03.2020, certain activities have been exempted from the requirement of Environment Clearance

(EC). The State Government has already declared certain activities as non-mining activity and shall also identify and declare more activities which are required to be exempted in consonance with the ibid notification as non-mining activity.

**f. Safeguard for public utilities/infrastructure**

For the safeguard of the public utility projects such as roads, bridges, water supply schemes, reservoirs, railway lines and other infrastructure of public importance, provisions/norms to keep mining activity at a safe distance from such sensitive areas has been made in the minor mineral rules. Apart from the provisions made in the rules, the policy shall also ensure the following:-

- (i) to protect the river banks, no mining shall be allowed up to a distance of five (5) meters from the banks of river or up to the distance as recommended by the joint inspection committee specified in the Rule 10 of the ibid Rules whichever is higher.
- (ii) No river/stream bed mining shall be allowed within seventy-five (75) meters from the periphery of soil conservation works, nursery plantation and check dams or within the distance as recommended by the joint inspection committee, whichever is more.
- (iii) No boulder/cobbles/hand broken road ballast shall be allowed to be transported outside the state without prior permission of the Govt. so as to reduce pressure on the mineral resources of the State as well as to protect the interest of mineral based industries functioning in the State.
- (iv) Every lease holder shall supply in advance, the registration numbers of vehicles engaged in transportation of mineral from mining area to his/her industrial unit. This would ensure checking of illegal mining and transportation.
- (v) Every lessee/contractor shall ensure that his labour does not involve in fish poaching.
- (vi) No blasting shall be allowed in the river/stream beds.

- (vii) In case, any damage is caused to the village road used by the stone crusher owners for the transportation of mineral up to the main road, the stone crusher owners shall put efforts to maintain & strengthen the approach road leading towards the stone crusher from the main road up to a distance of 1000 meters & upto a distance of 100 meters from the T-junction in case of road other than village road. The crusher owner(s) shall also maintain the main road at T-junction upto a distance of 50 meters on either side.

The custodian departments shall be apprised about the safe distance as prescribed in the rules and shall be responsible to take action against the offender in case of any violation.

**g. Registration of stone crusher working on the basis of road/tunnel muck in hydel/roads and other projects**

In order to prevent the environmental degradation caused due to dumping of the waste generated during the construction of hydel projects, tunnels, roads, bridges, water supply schemes, reservoirs, railway lines and other infrastructure of public importance, the stone crushers shall be allowed to be installed on the basis of mineral/muck material generated during construction of such projects. Compliance of norms and distance parameters for the establishment of such stone crusher units shall be ensured by the concerned department before and during execution of the said project as provided in the rules. Permanent registration to run such stone crusher units shall be issued by the Geological Wing, Himachal Pradesh after obtaining certificate from the concerned department regarding compliance of all the distance norms and statutory requirements for such proposed stone crusher units. However, the permission to utilize the waste generated from the development activities shall be issued under Rule-33 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.

**h. Concept of Manufactured Sand (M-Sand) & Grit from hill slope**

Although various rivers flowing in the State of Himachal Pradesh are rich in mineral sand, but due to growing demand and replenishment rate, the sand deposits are becoming

insufficient to meet out the future demand of the market. The river systems of the State cannot be considered as the only source of sand. The conservation of water bodies is a paramount obligation of the State which is an essential resource for survival of mankind. Although, there is no alternate for water but there is an alternative for river sand in the form of Manufactured Sand (M-Sand). Manufactured Sand is produced by crushing the hard rock by using crusher, screener and by classifying methods to reduce it to the required size suitable for construction. The concept of Manufactured Sand is being adopted in other States due to scarcity of natural sand and the environmental issues related therewith. As such special emphasis shall be made in the State for hill slope mining to fulfil the future requirement of sand and grit. The stone crushers operating in the state shall also be encouraged to produce M-Sand. It shall reduce our dependence on the rivers for naturally occurring sand/grit and shall help in minimizing the problem of degradation of the river eco-system.

#### **i. Auction of Private Lands**

The cases where suitable private land is available for mining and the concerned surface right holders come forward to put their land for auction for mining purpose, the department shall conduct auction of such land for extraction of minerals with the consent of the land owners for which **80%** of the annual bid amount shall be offered to the surface right holders to encourage the private participation for development and utilization of mineral resources available in the state.

#### **j. Use of machinery for mining in riverbed**

The present growth in the construction activities will require large quantity of construction materials. Previously, use of machinery for extraction of minerals in the river/stream bed was not allowed and mining was done manually as per prescribed rules. Also, the manual labourers engaged for mining were doing selective mining from the riverbeds leaving behind uneven riverbed levels which defeated the purpose of mineral conservation and systematic mining. Due to this haphazard mining coupled with shortage of experienced labourers, neither the goal of scientific mining nor the optimum lifting of the river borne material has been achieved. Hence, in the interest of systematic, scientific and sustainable mining and to achieve the targeted production level of minerals to meet

out the growing demand of minerals, the use of machinery for excavation in the riverbeds is needed. As such, provision shall be made in the rules to allow machinery of appropriate size and capacity for use in river/stream beds for mining purposes.

**k. Depth of mining in river/stream bed**

As per existing provisions of rules, the extraction of minor mineral upto one (01) metre depth is allowed in the river/stream beds granted on mineral concession. However, in all adjoining States of Himachal Pradesh, excavation up to three (03) metres depth is allowed. The river/streams flowing in the State enter into adjoining states of Punjab, Haryana and Uttrakhand and transporting excess mineral from the riverbed of Himachal Pradesh to them causing huge loss to the State exchequer. Thus, to ensure optimum utilization of accumulated mineral resource in the river/stream beds of the State and to prevent erosion and transportation of minerals to the adjoining States, excavation depth prescribed in the rules need reappraisal in the interest of State. Thus, the relevant rules shall be amended to increase the depth of excavation up to two (02) meters in the river/stream beds granted on mineral concession.

**10. Removal of sand and gravel from the agricultural fields and grass lands:-**

The removal of over accumulated sand and gravel from the private land which become uncultivable due to river capturing, shall be allowed to the land owner for a depth of two (02) meter. This process of removal of sand and gravel from such land will help the farmers to develop their land for agrarian purpose. The permission shall be granted on the recommendations of the joint inspection committee as specified in Rule-33 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and the permission shall be issued by the competent authority as per Schedule –IV of the ibid Rules after payment of royalty and processing fees. The permission shall be issued after monsoon season subject to quantum of accumulation of sand and gravel in the agricultural fields and **grass lands**.

## **11. Dredging of riverbeds**

The unprecedented landslides, flash floods and cloud bursts in the State during the monsoon seasons lead to massive loss of life and property. Change in river courses due to cloud bursts and flash floods, a lot of material is accumulated in the riverbeds at various locations which further increase the chances of further damaging the riverbanks resulting into heavy loss to the infrastructure along the banks.

The mining wing after due approval and request from the District Disaster Management Authority/Revenue Authorities will quickly conduct the auctions of such over accumulated material after assessment by the Joint Inspection Committee constituted under Rule 10 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 to avoid any disaster like situation. This auctioned material shall be allowed to be crushed by any nearby stone crusher unit and may be treated as legal source of material. In case, there is requirement of forest clearance under Forest Conservation Act, 1980, the Forest Corporation, Himachal Pradesh shall be the Nodal Agency to obtain such clearances.

## **12. Welfare of mining affected areas**

For the socio-economic emancipation of the affected population and to ensure the appropriate relief and rehabilitation of the mining affected areas, a mechanism was required to be evolved after careful assessment of the economic, cultural, environmental and social impact of mining in such areas. For this purpose, setting up of District Mineral Foundation Trusts (DMFTs) in all districts in the country affected by mining related operations is mandated by the Central Govt. through the Mines and Minerals (Development & Regulation) Amendment Act, (MMDR) 2015 by introducing section 9B prescribing the establishment of District Mineral Foundation Trust. Accordingly, the State of Himachal Pradesh has framed the Himachal Pradesh District Mineral Foundation Trust Rules- 2016 with the objective to work for the interest and benefit of persons and areas affected by mining related operations. The devolution of mining benefits under DMFT for inclusive and equitable development of project affected persons and areas are to be guided by the provisions of the “Pradhan Mantri Khanij Kshetra Kalyan

Yojna”(“PMKKKY”). Hence, it shall be the endeavour of the State Government to monitor and review the implementation of schemes under DMFT and guidelines issued under “PMKKKY” for the benefit of areas and persons affected by mining related activities.

In addition to above, for the welfare of the local population of the affected areas, the mineral concession holder is also obligated to pay Rs. 5/- per tractor trolley and Rs. 10/- per truck on extraction and dispatch of sand, stone and bajri through the Mining Officer for the welfare of the concerned Gram Panchayat.

### **13. Charges in lieu of online services provided to the mineral concession holders**

Prior to the onset of the online services, mineral concession holders had to pay the printing charges to the department for the issuance of Transit Passes. In the year 2018, to prevent leakages of revenue and to ensure transparency, the department had launched an online system/portal for the generation of Transit Passes (W & X Forms). Apart from above, the mining lease applications are being also processed online on the department’s web portal. Therefore, the mineral concession holders shall pay Rs. 5/- per metric tone for the web services and Rs. 5/- for the promotion of electric vehicles in the State to develop the State as Green State along with an additional Milk Cess @ Rs. 2/- per metric tonne for the production of minor minerals from the mineral concession areas for the socio-economic emancipation of the State.

### **14. Processing charges**

While allowing the permission to use the minor mineral generated during construction of hydel projects, tunnels, roads, bridges, water supply schemes, reservoirs, railway lines, other infrastructure of public importance and development activities as specified in Rule-33 of ibid Rules, the department has to complete the entire process as required in the cases of grant of mineral concessions like processing of the application, joint inspection of the material etc. Hence, while allowing such permission, an additional processing charge equivalent to 75% of royalty payable on every tonne of mineral produced shall be realized from the permission holders.

### **15. Revision of parameter fixed for calculation of production of the Stone Crushers**

The royalty from the stone crusher units is being charged on the basis of actual production which is computed on the basis of consumption of electricity and other measures. A factor of seven (7) units of electricity consumption for production of one (1) metric tonne of grit/bajri is being taken into account for the calculation of royalty. This factor of seven (7) units per metric tonne was fixed way back in the year 2003-2004. With the advancement of technology and latest machinery being used in the stone crushers has resulted into higher production with less electricity/power consumption. Therefore, after careful consideration and inputs received from the field, the factor of seven (7) units is hereby revised to five (5) units of electricity for the production of one (1) metric tonne of grit/bajri for computing the production and royalty of stone crushers. Henceforth, the production and royalty of all the stone crushers in the State shall be assessed and charged at the revised units of electricity/power consumption.

#### **16. Measures to check illegal mining**

Over the years, in the State of Himachal Pradesh the infrastructural development activities such as construction of roads, buildings and other developmental projects has increased many folds which has led to higher demand of construction materials like sand, stone and bajri etc. The department has granted mineral concessions throughout the State to cater to the demand of minor minerals. A number of stone crusher units are functional based on these mineral concessions. It is also a matter of fact that the minor minerals i.e. sand, stone and bajri available in various parts of the riverbeds of the State is lying as an open wealth. The riverbeds falling in nine (9) districts of the State attract the provisions of Forest Conservation Act -1980. Thus, due to the stringent provisions of Forest Conservation Act-1980, mandatory requirement of environment clearance for the grant of mineral concession and the growing demand of mineral in the market, the mineral wealth of the State becomes susceptible to illegal mining. As such the incidents of illegal mining of minor minerals are reported from various parts of the State. In order to prevent illegal mining, transportation and storage of minerals effectively, following measures will be put in place through this Policy:



- i) It has been experienced that most of the incidents of illegal mining are reported during night hours. Henceforth, no mining of minor minerals shall be allowed in the State between 8:00 P.M. to 5:00 A.M however, there shall be no restriction for the transportation of finished goods during this period. Further, any tool, equipment, vehicle or any machinery used for mining purpose shall also not be allowed to be kept/parked within the mineral concession areas during this prohibited time period.
- ii) As illegal mining leads to unscientific and haphazard extraction of minerals, therefore, emphasis shall be given to check the menace of illegal mining proactively. It has been noticed that illegal mining mostly takes place on Govt. land which mostly belongs to Revenue and Forest Department. Henceforth, there is a need for cohesive action by the custodian departments of such land from where this material is sourced. It would be the responsibility of such custodian departments to promptly initiate action to prevent illegal mining for which they have adequately been empowered under relevant act, rules and statutes.
- iii) The concerned department and/or Mining Wing whose property is damaged or caused to be damaged by illegal mining shall lodge First Information Report (FIR) with police for damaging public property besides filing case of illegal extraction in the competent court of law.
- iv) As per the provisions contained in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, no person/entity other than the exempted category in ibid rules can store the minor minerals without obtaining registration from the department. The dealer registration fee along with security shall be enhanced to make the registered dealers more responsible and accountable. Further, in order to discourage illegal storage/dumping of minor minerals, the penalty provisions shall be made more stringent and necessary amendments shall be made in the ibid rules.

- v) The mineral concession holders will fix sign board at the conspicuous prominent places near concession area depicting all relevant details of mining lease like period of permission, purpose of lease etc. for the information of general public. People including mining lessee will be encouraged to report cases of any illegal mining to concerned mining officer and other authorized officers for taking appropriate action as per law.
- vi) For transportation of mineral the transit passes shall be issued through on-line mode. The finished product i.e. grit, sand etc. shall also be transported with online generated supplementary transit pass duly issued by the department.
- vii) The unauthorized mineral seized during checking/raids shall be put to auction by the committee as per the procedure specified under Rule 28 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
- viii) All the unauthorized roads/routes used for illegal mining shall be identified and accordingly be plugged with the help of police and district administration proactively.
- ix) To review the complaints relating to illegal mining contact number of all the mining officers shall be displayed on the website of the department for speedy redressal of the complaints.
- x) To encourage public participation and create public awareness about the ill effects of illegal mining on the environment and ecology, frequent interaction with the public representatives, opinion makers and stake holders at local level shall be undertaken by the department.
- xi) Periodic interaction between the mineral concession holders and department shall be organized to redress the problems and issues pertaining to mining.
- xii) In order to review the action taken by the duty holders to whom powers to check the illegal mining has been delegated, the Deputy Commissioners of the concerned districts shall hold quarterly review meetings and shall monitor the

- progress made regarding action taken. The report to this effect shall be submitted to the Government through Director of Industries.
- xiii) Four (04) dedicated flying squads to check illegal mining in the border areas shall be constituted. These flying squads equipped with DRONES will conduct surprise raids in the areas vulnerable to illegal mining and take deterrent action against the offenders.
  - xiv) In order to check illegal mining activities effectively, the Government vide notification dated 11.03.1993 has constituted a Sub Divisional Level Flying Squad under the chairmanship of concerned Sub Divisional Officer (C) with Assistant Conservator of Forest and Deputy Superintendent of Police as its members. This flying squad shall carry out surprise raids in the areas vulnerable to illegal mining activities.
  - xv) The Govt. vide notification dated 01.12.2021 has delegated powers to twenty five (25) officers/officials of various categories of different departments like Industries, Revenue, Police and Forest to make complaints in writing in the court of competent jurisdiction regarding illegal mining/ transportation of minerals. Such powers have also been delegated to Regional Transport Officers in their respective jurisdiction vide notification dated 19.9.2012. The above officials shall take effective steps to curb the illegal mining activities in their respective jurisdictions.
  - xvi) The Government. vide notification dated 01.12.2021 has also delegated powers to thirteen (13) Officers/officials of various departments like Police, Forest, Revenue, and Industries to seize any mineral raised or transported or caused to be raised or transported by any person without any lawful authority and further any mineral from any land and for that purpose uses any tool, equipment, vehicle or any other thing for this purpose. The above officials shall take effective steps to curb the illegal mining activities in their respective jurisdictions.

- xvii) In order to avoid any mis-utilization of the Transit passes (W & X Forms), it shall be incumbent on the user agencies like HPPWD, NHAI, Jal Shakti Vibhag, HIMUDA and other such agencies, to ensure that the material is procured by the Contractor/Executing agencies from the legal mineral concession holder within a distance of 50 Kms (by road) and entertain only such transit passes for releasing payments etc. In case, the Contractor/Executing agencies submit transit passes of the legal source beyond a distance of 50 Kms (by road), such transit passes shall have to be authenticated/verified from the concerned Mining Officer prior to release of any payment.
- xviii) Permission for the extraction of sand, stone and bajri etc. in the rivers, stream beds falling in the Government land is being granted through auction/tender. The earlier provision of the mineral policy of the State shall continue to the extent that neither auction shall be done nor mining lease for open sale of minerals shall be granted in border areas of Nalagarh sub-division and Kasauli Tehsil of district Solan, where there are chances of over exploitation of river/stream beds and illegal transportation of minerals outside the State.
- xix) To prevent illegal transportation of mineral, the transit passes issued to every vehicle carrying mineral from other States should be properly checked at multipurpose check post/barriers established at inter-state boundaries. The State Govt. shall collect royalty/penalty amount from all those vehicles carrying processed or unprocessed minor minerals without requisite documents across the borders at the rate of Rs. 10/- per cubic feet and the Government may revise this rate through notification. Further, a confirmation receipt as prescribed by the department shall be issued to such vehicles. The district Solan shall be taken up for the pilot project for the above purpose.
- xx) There are instances where the boundary pillars erected after demarcation relating to the concession area are shifted/removed/damaged leading to boundary disputes. Hence, the GPS co-coordinates of the boundaries of the

land proposed for mineral concession shall be recorded with the help of revenue authorities at the time of joint inspection to avoid such boundary disputes in future. This shall also effectively curb illegal mining by the concession holders or others.

## **Conclusion**

This mining policy will guide the mining wing and other stakeholders to develop minerals in a systematic, scientific and sustainable manner. The basic intent of this policy is to mitigate adverse impact on environment and ecology along with meeting the demand of minerals in the State. This policy will help enhance revenue in the state exchequer and further augment the prosperity of the state and its people. The socio-economic emancipation of the state along with conservation of mineral resources will be the priority of this policy. In order to ensure regular and legal supply of minor minerals in the State and also to bring down the prices of construction materials, the mining wing, Deptt. of Industries shall endeavour to de-regulate and promote development of minor minerals by granting adequate mineral concessions and stone crushers. This policy will be a guiding factor for the Geological Wing of the State in its future endeavours.

*Note: These policy guidelines are to be read with the statutory provisions in the relevant Acts & Rules, directions from the Hon'ble Courts and Tribunals from time to time and may be amended/ changed by the competent authority.*

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