Government of Himachal Pradesh
Department of Industries

No. Ind-II (F) 10-7/2019 Dated- Shimla-2 25/02/2020.

OFFICE MEMORANDUM

Subject: Instructions and Action Plan to be implemented by all Mining Officers for checking illegal mining and carriage of Minor Minerals in the Pradesh.

1. In order to streamline the system of mining and carriage of material from mining sites and to prevent illegal mining and carriage thereof, consultations have been held with various departments and authorities and on the basis of these consultations, and also keeping in view the recommendations of Director of Industries, HP, Deputy Commissioner, Una. Deputy Inspector General of Police, Kangra at Dharamshala and other authorities, the following additional instructions are being issued for strict compliance by the Mining Officers posted in Districts and others concerned.

a) **Dumps of mining material to be at least at a distance of 1 Kilometer away from the mining lease sites:**

Mining Officers shall ensure that all the existing permitted dumps of minor minerals of mining lease holders be removed and relocated at least 1 Km beyond the lease areas by **25th March 2020.** Further all the new dumps should only be allowed atleast 1 km away from mining lease areas and it shall be ensured that sign boards on such dumps indicating the name of lessee, name of mining lease, its area and the period of mining lease are placed.

b) **To lodge FIR against JCB and mechanical excavator owners involved in illegal mining:**

If cases of illegal mining by using mechanical excavators like JCB and pocklaine etc are noticed, FIR should be lodged against JCB owner and
the user/driver and JCB/mechanical excavator should be impounded. Compounding should be resorted to only in exceptional cases.

c) **Suspension/Cancellation of Mining lease:**

If any mining lessee is found engaged in un-authorized mining or unscientific mining by using mechanical excavators like JCB, Pocklane, etc. in violation of terms and condition of mining lease deed as well as the approved mining plan, the concerned Mining Officer shall immediately lodge FIR and impound the mechanical excavator and shall immediately suspend the mining activities and shall recommend the case for termination of mining lease to the competent authority instead of merely compounding the offence.

d) **Cancellation of registration of vehicles:**

In cases, where the vehicles are caught carrying illegal mining material, the Mining Officer concerned shall write to the concerned RTO for cancellation of the registration of such vehicles. No transit permit shall be given to vehicles which are found engaged in illegal transportation of mining material repeatedly.

e) **Action against overloaded vehicles and vehicles plying without number plates, RCs, Driving License etc.**

The Mining Officers shall take stringent action against the lessee who is involved in overloading by suspension of lease and shall take up the matter with the concerned RTO for taking action against such vehicles with extended bodies under their respective Act/Rule. No transit permit should be issued to vehicles found to be having extended bodies.

f) **Fixing of roster of Mining Guards/Asst. Mining Inspector:**

Mining Officers shall issue roster for Mining Guards/Asst. Mining Inspectors/Mining Inspectors to inspect the vulnerable areas covering the river bed as well as terrain in stretch wise manner for utilizing the services of field staff effectively and regular inspections are to be ensured.
g) **Boundary Pillars:**

Mining Officers shall ensure that all the mining lease areas have properly erected boundary pillars to clearly depict the lease boundary. In case, the lessee does not erect the boundary pillars, the mining activities be suspended forthwith.

h) **Identification of points for erecting barriers and weigh bridges:**

Mining Officers in consultation with local administration shall identify the points where barriers are required to be erected and also for weigh bridges so that all vehicles crossing the borders could be checked/weighed and stringent action against the offenders could be taken. The Mining Officers shall submit proposal to respective Deputy Commissioners for approval and allocation of funds from the District Mineral Foundation Trust as these activities are required for environment preservation and development of infrastructure for sustainable mining activities. These proposal must be submitted to the Governing Councils of the DMI'T latest by 31st March, 2020 and expeditious action take thereafter.

2. All the Mining Officers are directed to ensure immediate implementation of these instructions. Any laxity in failure to do so will be viewed seriously and will invite disciplinary action.

3. State Geologist, H.P. shall prepare a format accordingly in which the Mining Officers will submit monthly report to Director, Industries, H.P. Strict monitoring of action taken by Mining Officers to implement this plan of action should be done by Director Industries, H.P. and State Geologist.

4. Additional instructions are being issued separately to all the Deputy Commissioners and Superintendents of Police for ensuring prevention of illegal mining and scientific and systematic mining of Minor Minerals in the Pradesh.

By Order

Additional Chief Secretary(Inds) to the
Government of Himachal Pradesh
1. Director of Industries to ensure implementation of these instructions w.r.t. his letter No. Udyog-Bhu(Khani-4) Laghu-misc(PA)-1011, dated 24/02/2020

2. State Geologist to ensure implementation of these instructions.

3. All the Mining Officers, H.P. (By name)

4. All DIGs, DCs and SPs in the Pradesh with the request to strictly implement the Action Plan.

Additional Secretary (Inds) to the Government of Himachal Pradesh