

F. No. MPS/02/2022-MPS
Government of India
Ministry of Coal
[MPS Section]

Shastri Bhawan, New Delhi
Dated: 28th October, 2022

OFFICE MEMORANDUM

Subject: Guidelines for the Management of Mines discontinued/abandoned/closed before the year 2009

A large number of coal mines were discontinued/abandoned/closed before 2009 when 1st mine closure guidelines were issued by the Ministry of Coal. However, these guidelines were silent about them. There is a need to close these mines scientifically in such a manner that they provide benefit to the community, prevent illegal mining, ensure the safety and repurposing of the mined-out land. Therefore, the following guidelines are being issued to provide guidance to all coal companies (including lignite) having discontinued/ abandoned/ closed mines after the nationalization of coal mines till 27th August 2009 (date of issuance of first coal mines closure guidelines). The guidelines intend to only provide an overall framework for the closure of mines and the details of final implementation plans are to be finalized and approved by the respective Company Boards. The overall goal of the guidelines is to restore the mined-out land as far as possible to its pre-mining stage, bring ecological balance and purposefully reutilise the land for the benefit of the country.

1. Categorisation of non-operational mines -

In continuation to various circulars issued by DGMS and industry-accepted norms, the following categories will now be defined as specified below -

- 1.1. Discontinued Mines:** Discontinued mines mean such working in a mine as have been discontinued for any reason and are inaccessible or rendered inaccessible but are likely to be worked again. These mines can be re-opened as per provisions of CMR (Reg.-6) and Colliery Control Amendment Rule-2021 (Rule no.9 (ii)).
- 1.2. Abandoned Mines:** Abandoned mines mean such working as have been abandoned with no intention of working in the future for which the owner of the mine has already submitted a notice to the Chief Inspector of Mines, Regional Inspector, and District Magistrate about abandonment in the prescribed format (Reg. no. 5 of CMR, 2017).
- 1.3. Closed Mines:** Closed mines are those mines for which the owner/agent/manager has submitted notice of closure in the prescribed format (under CMR-2017, Reg.-5) to the Chief Inspector of Mines, Regional Inspector and District Magistrate and has also obtained the mine closure certificate from Coal Controller (As per mine closure guidelines-2020).

However, prior to the implementation of Mine Closure guidelines-2009, closed mines may be considered as those mines for which the owner of the mine has already submitted a notice to the Chief Inspector of Mines, Regional Inspector and District Magistrate about the closure in the prescribed format (Form-1 of Regulation – 6 of CMR-1957), and the extractable reserve as per mining plan has been exhausted.

2. Steps to be taken by mine owners to manage the non-operational mines -

2.1. Discontinued/Abandoned mines -

2.1.1. Mine re-operationalization: The owner of the mine shall explore possibilities to operationalize the concerned mines through various models, additional exploration if required and prepare a detailed action plan after due consultation ensuring transparency and objectivity. EC if required may be obtained following the guidelines of MoEFCC for reopening the mines.

2.1.2. Approval of the re-operationalization plan: The re-operationalization plan must be approved by the company board.

2.1.3. Modification in Mining Plan: Concerned Coal Company will modify the mining plan within 1 year of coming into force these guidelines if required.

2.1.4. Temporary mine closure plan: If the mine cannot be operationalized after initiatives taken under Para 2.1.1, then the owner of the mine shall prepare a temporary mine closure plan. A temporary mine closure plan would contain the mine closure activities such as protective works, safety measures, and any other required activity as per Para 8.10.1. of the Guidelines of preparation of Mining Plan & Mine Closure Plan dated 29th May 2020, in such a manner that if technology permits in the future, mining can be restarted. Mine owners should include short-term economic activities in the temporary closure plan without damaging the seams/reserves available.

2.1.5. Approval of temporary mine closure plan: The temporary closure plan must be approved by the company board. Also, the plan must include details of efforts undertaken to operationalize mine as per Para 2.1.1. The coal mine owners are required to obtain the approval for Temporary mine closure plan within one year from the date of issuance of these guidelines. In case temporary mine closure plan is not prepared by CMPDI, then it may be vetted by a third-party expert agency approved by the central government, like Central Mine Planning and Design Institute Ltd. (CMPDI), National Environment Engineering Research Institute (NEERI), Indian Institute of Technology (IIT-ISM) etc. before submitting it to the Company Board.

2.1.6. Implementation of temporary closure plan: After the approval of the mine closure plan, the owner of mine will carry out mine closure activities as detailed in the temporary mine closure plan within 3 years, failing which appropriate action would be taken against the mine owner.

2.1.7. The Government may at any time before the closure of the mine, require certain activities to be included in the mine closure plans, which it may consider necessary for the safety and conservation of the environment or in compliance with any modification/ amendment in the relevant legislation.

2.2. Closed Mines -

2.2.1. Final mine closure plan: In the case of closed mines, the owner of the concerned mine shall prepare a Final mine closure plan. The Final Mine closure plan should be prepared as per the Guidelines for preparing the Mining Plan & Mine Closure plan dated 29th May 2020. However, only the mine closure part is to be prepared in case of these mines.

- 2.2.2. Approval of Final mine closure plan:** The Final mine closure plan has to be approved by the company board. The mine owners shall ensure mine closure as per the mine closure plan approved by the Company Board. The coal mine owners are required to obtain the approval of the Final mine closure plan within one year from the date of issuance of these guidelines. In case final mine closure plan is not prepared by CMPDI, then it may be vetted by a third-party expert agency approved by the central government, like Central Mine Planning and Design Institute Ltd. (CMPDI), National Environment Engineering Research Institute (NEERI), Indian Institute of Technology (IIT-ISM) etc. before submitting it to the Company Board.
- 2.2.3. Implementation of Final mine closure plan:** After the approval of the Company Board, the owner of mine will carry out mine closure activities as detailed in the Final mine closure plan within 5 years failing which appropriate action would be taken against the mine owner.
- 2.2.4. Alternate use of reclaimed Land:** After the closure of the mine, on the reclaimed land various project-specific economic repurposing activities can be carried out or reclaimed land to be leased out as per Ministry of Coal policy guidelines dated 22nd April 2022 for use of land acquired under the Coal Bearing Area (Acquisition & Development) Act, 1957.
- 2.2.5.** The Government may at any time before the closure of the mine require certain activities to be included in the mine closure plans, which it may consider necessary for the safety and conservation of the environment or in compliance with any modification/ amendment in the relevant legislation.

3. Social support measures -

- 3.1.** The air, water, and soil quality of the region surrounding 5 km of the discontinued/ abandoned/ closed mines should be monitored as per MoEFCC/CPCB defined acceptable standards and it is mandated to ensure that the closure plan must include all such activities needed to control the pollution from the concerned mines.
- 3.2.** The health camps must be organized on monthly basis to monitor the health of the population residing within 5 km of the discontinued/ abandoned/ closed mines with a special focus on respiratory diseases such as silicosis etc. The identified patients must be linked to local health administration for further treatment if required.
- 3.3.** A careful consideration is to be given to provide reskilling to the willing workers as per their need for their gainful employment.

4. Financial provision-

The financial provision for the closure activities of both temporary and final mine closure plans of the mines is to be made by the respective Coal Companies. Closure cost is to be estimated based on the required activities as per para 8.10.1 of guidelines for the preparation of the Mining Plan and Mine Closure Plan dated 29th May 2020 for implementing the approved closure plan. However, Coal India Ltd. may consider to levy additional fee on per tonne basis to be paid by the coal consumers to meet the cost of mine closure with the approval of Board and to provide funding for those subsidiaries which are not able to fund the closure of these mines.

5. Exceptions -

- 5.1. In certain cases, there are more than one mine below the same surface land. One mine may have been closed due to exhaustion of resources but other mines are running. In such cases, final mine closure activities related to surface land may have to be deferred till the closing of all the mines.
- 5.2. A mine can be planned and worked covering only a part of a Coal Block. The present mine can be extended to cover the remaining part of the Coal Block in the future. Hence, Final Mine Closure activities for the present mine area may be deferred.
- 5.3. However, progressive closure activities are to be carried out as per Mine closure guidelines 2020 for both the above cases.


6. Maintenance of records & submission of returns -

The owner shall maintain all the records of works done for the closure of the mine and keep them available till the final closure certificate is obtained from the competent authority. DGPS survey of Abandoned/Discontinued mines linked to the national grid to be kept available.

7. Monitoring -

CCO to carry out the inspection of all the mines, check the records maintained by the owner of the work done and give written observation. Concerned mine authorities should submit compliance to the observations made. Also, Coal companies are to submit a quarterly report of work done towards closure to CCO. The Ministry of Coal will do a quarterly review of the progress of the closure of mines.

8. Nothing in present guidelines shall absolve the owner of the mine from fulfilling various statutory requirements under other applicable statutes and obligations. Further, guidelines are without any prejudice to any other relevant rules and regulations, such as those issued by the state government, Ministry of environment, forest & climate change, Ministry of Labour, and employment.


28/10/22
(M. Nagaraju)

Additional Secretary to the Government of India

To,

Mine Owners

Copy to:

1. Secretary, MoEF&CC
2. DG, DGMS
3. Coal Controller