

वेस्टर्न कोलफील्ड्स लिमिटेड

(कोल इंडिया लि० की अनुषंगी कंपनी)

एक मिनीरत्न कंपनी - भारत सरकार का उपक्रम

(कोल इंडिया लिमिटेड की अनुषंगी कंपनी)



वैश्विक कुटुंबम्
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20 Jun 2026

Standard Operating Procedure on various provisions of MMDR Act, 1957 on dealing with Theft of Coal and Illegal Mining at Western Coalfields Ltd.

Total Pages-11 (Eleven)

Terms of Reference:

(i) Ministry of Coal, Govt of India Gazette Notification No: S.O. 5346(E): Authorises Officers for powers under Section 22 (Cognizance of Offences) and Section 24 (Entry and Inspection).

(ii) Ministry of Coal, Govt of India Gazette Notification No: S.O. 5347(E): Authorises Officers for powers under Section 23B (Power to Search).

(iii) Under Secretary, Ministry of Coal, Govt of India, LA & IR Section Letter No. 49029/25/2025-LAIR dtd 11th June 2026 and,

(iv) Security Deptt, WCL Physical File No.1003 dtd 16 Jun 2026 upon which the Approval of Competent Authority has been obtained on the subject matter.

Background:

To prepare and standardise a SOP on the MMDR Act, 1957 for dealing with Theft of Coal and Illegal Mining at WCL as per the Gazette Notifications issued by Ministry of Coal, Govt of India in view of the recent amendments aimed at dealing with Coal theft and Illegal Mining across Coal India Ltd Subsidiaries esp. Section 22, 23B and 24 of the MMDR Act, 1957.

Brief Introduction:

Illegal mining and coal theft constitute severe threats to the national economy and public trust. Historically, enforcement has faced a gap between the statutory powers of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) and their effective implementation on the ground due to reliance on external agencies.

To bridge this gap, the Central Government has exercised its powers to directly authorised Officers of the Public Sector Undertaking Western Coalfields Ltd and esp. its Security and other designated Executives along with Central Industrial Security Force (CISF) to enforce specific provisions of the MMDR Act, 1957.

Accordingly the various Statutory Provisions have been given/ provided to safeguard the interest of Coal Sector activities which lay special emphasis to ensure Security of its Coal Mining operations.

Statutory Provisions related to MMDR applicable for empowered Executives of Western Coalfields Ltd i.r.o. Theft of Coal and Illegal Mining:

Section 22: Cognizance of Offences

Power to file written complaints directly to the Magistrate, initiating judicial proceedings without sole reliance on police FIRs.

“No court shall take cognizance of any offence punishable under this Act or any rules made thereunder except upon complaint in writing made by a person authorized in this behalf by the Central Government or the State Government.”

Section 23B: Power to Search

Power to search premises and vehicles for illegally raised minerals. This power is subject to the procedural safeguards of the Code of Criminal Procedure (now BNSS).

“If any gazette officer of the Central or a State Government authorized by the Central Government or a State Government as the case may be, in this behalf by general or special order has reason to believe that any mineral has been raised in contravention of the provisions of this Act or rules made thereunder or any document or thing in relation to such mineral is secreted in any place or vehicle, he may search for such mineral, document or thing and the provisions of section 100 of the Code of Criminal Procedure, 1973 shall apply to every such search.”

Section 24: Power of Entry and Inspection

Power to enter mines (active or abandoned), survey boundaries, weigh stocks, and examine records to ascertain illegal extraction.

“(1) For the purpose of ascertaining the position of the working, actual or prospective, of any mine or abandoned mine or for any other purpose connected with this Act or the rules made thereunder, any person authorized

by the Central Government or a State Government in this behalf, by general order.

- (a) enter and inspect any mine;*
- (b) survey and take measurements in any such mine;*
- (c) weigh, measure or take measurements of the stocks of minerals lying at any mine;*
- (d) examine any document, book, register, or record in the possession or power of any person having the control of, or connected with, any mine and place marks of identification thereon, and take extracts from or make copies of such documents, book, register or record;*
- (e) order the production of any such document, book register record;*
- (f) order the production of any such document, book, register, record, as is referred to in clause (d), (e) and (f) examine any person having the control of, or connected with, any mine.”*

“(2) Every person authorized by the Central Government or a State Government under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code”

Purpose:

This SOP operationalises the Statutory Powers conferred upon designated Coal PSU officers/Executives and CISF (wherever deployed) vide Gazette Notification S.O. 5346-E and S.O. 5347-E dated November 21, 2025 (Copy enclosed for reference).

Definitions:

- a) **Illegal Mining:** Any reconnaissance, prospecting, or mining operation undertaken without a valid permit or lease, or in violation of the terms of such instruments, constituting a contravention of Section 4 of the MMDR Act specifically including unauthorized extraction, rat hole mining, pilferage of coal from active mine faces, stockyards, railways siding or during coal transportation within company leaseholds.
- b) **Illegal Transportation:** The movement of minerals (coal) in contravention of Section 4(1A) of the MMDR Act encompassing moving coal without valid transit permits or e-challans, Transporting quantities in excess of the permitted amount and diverting authorized coal from approved routes to unauthorized destinations.
- c) **Illegal Storage:** The stockpiling of minerals without proof of lawful origin. This includes storage in private depots, brick kilns, godowns, or temporary non-approved locations for concealment or secondary processing.

d) **Authorized Officer:** An officer specifically empowered by the Central Government to exercise powers under section 22 and 24 of MMDR Act.

e) **Gazetted Officer:** An officer specifically empowered by the Central Government through Gazette Notification to exercise powers under Section 23B of the MMDR Act.

Scope of Applicability:

The SOP shall be applicable within the Area and related leasehold area where Coal mining operations are undertaken and has Public Sector Officers/Executives posted and that of CISF wherever it has been formerly inducted and deployed by the Western Coalfields Ltd.

Modus Operandi for Detection & Acting on Reports

Activity Phase	Modus Operandi / Action Steps
<p>Surveillance and Intelligence Collection <i>(Read with Section 24(1) of the MMDR Act - Power of Entry, Inspection, Survey and Examination)</i></p>	<p>a) The existing mechanism for surveillance and monitoring through Drones, CCTV systems, ICCC data, weighbridges and allied electronic infrastructure for detection of illegal mining, unauthorized extraction, transportation and stockyards shall continue without dilution, in exercise of powers under Section 24(1) (a), (b) and (c) of the MMDR Act.</p> <p>b) All other existing SOPs of the coal dealing company relating to security management, CCTV operation, weighbridge monitoring, ICCC functioning and data analytics shall remain in force and shall be effectively utilized within the leasehold area, in furtherance of Section 24(1)(d) and (e).</p> <p>c) Any complaint or intelligence input received regarding illegal mining, particularly where the location is specifically identifiable, shall be taken cognizance of promptly for verification and further action, consistent with the statutory mandate under Sections 23B and 24.</p>
<p>Complaint/ Intelligence Management <i>(Read with Sections 23B and 24)</i></p>	<p><u>Western Coalfields Ltd. Nodal Officer</u></p> <p>a) The Head of Department (Security) and Chief Security Officer of the Western Coalfields Ltd. shall act as the Nodal Officer on behalf of the Company for illegal mining-related matters. He shall ensure maintenance of a centralized MIS, aligned with the system maintained by CISF, and shall facilitate</p>

coordination, data sharing, and follow-up actions.

CISF Nomination of Coordinating Officer

1. CISF shall nominate one Officer of appropriate rank to function as the coordinating (Nodal) Officer for all matters relating to illegal mining. The Coordinating Officer shall be responsible for:
 - i. Receiving and collating complaint and intelligence inputs from CISF units, Western Coalfields Ltd officials, and external sources;
 - ii. Recording all complaints in a bound, page-numbered register and simultaneously maintaining a digital Management Information System (MIS); and
 - iii. Preserving complete records of inputs received, verification undertaken, and actions initiated, for purposes of audit, monitoring, and legal scrutiny.
 - iv. Such nomination shall be in furtherance of the authorization contemplated under Section 23B of the MMDR Act, 1957.

Periodic Exchanges of Intelligence and Complaints:

- a) There shall be a structured and periodic exchange of intelligence inputs and complaints between CISF and the Western Coalfields Ltd Management.
- b) The two Nodal Officer designated above shall serve as the single points of contact for such exchange. The exchange shall ordinarily take place on fortnightly basis, and may be undertaken at shorter intervals in emergent or exigent situations, as warranted.

Threat Assessment and Prioritisation (Read with Section 23B Power to Search)

- a) For implementation of Section 23B, the designated Gazetted Officer shall periodically review all complaints and intelligence inputs. Based on quantum of mineral involved, cases shall be classified as:
 - i. Low Threat Zone - up to 5 tonnes
 - ii. Medium Threat Zone - More than 5 tonnes and up to 50 tonnes
 - iii. Severe Threat Zone - more than 50 tonnes

Explanation: For the purposes of this clause of the SOP, the exact quantity of the mineral involved may not be

	<p><i>ascertainable at the initial stage. Accordingly, the classification shall be made on the basis of prima facia assessment, supported by available intelligence inputs and photographic and/or videographic evidence, wherever available.</i></p> <p>This classification shall guide priority of action, deployment of manpower and enforcement intensity.</p> <p>b)Gazetted Officers, authorized under Section 23B, shall initiate action in order of priority from Sever to Medium to Low Threat Zones, subject to situational assessment and availability of resources.</p>
<p>Verification and Evidence Collection (Read with Sections 23B and 24)</p>	<p>a) Prior to acting upon any intelligence/input relating to illegal mining, the designated Gazetted Officer may collect and examine relevant data from the ICCC (where the site is under 24X7 surveillance), conduct or cause to be conducted independent drone surveys, and call for survey data or any other relevant information deemed necessary for verification and collection of evidence.</p> <p>b) The Area Nodal Officer(Security) of the Western Coalfields Ltd. shall act as the single point of contact for facilitating action under Section 23B. The officer shall arrange and coordinate any additional logistics requirement, including deployment of technical personnel such as surveyors for measurement and assessment, and provide any other technical, forensic or operational support as required for effective implementation.</p> <p>c) The Nodal Officer(Security) of the concerned area of the Western Coalfields Ltd. will be member of Coal SHAcTE Dal (QRT) and will exercise the powers conferred on him u/s 24 of MMDR Act along with CISF Nodal Officer/Authorized Officer.</p>
<p>Search Operations (Empowered under Section 23B)</p>	<p>a) In accordance with the provisions of Section 23B, where the designated Gazetted Officer has reason to believe, based on intelligence, surveillance inputs, or preliminary verification, that illegal mining activities are being carried out at an identified location, he may proceed to conduct search operations for such minerals, documents, records, equipment, or any other articles connected with the illegal activity.</p> <p>Such search shall be conducted strictly in accordance</p>

	<p>with due process, and the provisions of Section 103 of the The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Corresponding section 100 of CrPC), including requirement relating to presence of independent witnesses, preparation of search memos, and documentation of seized items, shall apply to every such search carried out under this provision.</p> <p>b) The scope of search shall include, but shall not be limited to, identification and search for illegally raised minerals (coal) and associated stockpiles, spurious or forged transport permits, challans, or transit documents, fake mining leases, forged authorizations, or any other falsified records purporting to permit mining, storage, or transportation as well as tools, machinery, equipment, or implements used or intended to be used for illegal extraction, handling, storage, or transportation of coal.</p> <p>c) Upon entering the premises for search operations Gazetted officer shall produce the search Warrant (Note: If applicable, search warrant(s) shall be obtained from the concerned court with the assistance of the Legal Department and/or empanned lawyers of the company) which includes direction to seize the objectionable material/items or the written authorization order. He will request the occupant to witness the search. If the occupant refuses, the search shall proceed in the presence of independent witnesses.</p> <p>d) The search shall progress methodically (e.g., room by room or cabin/chassis/cargo for vehicles and allowing the occupant/owner to observe the search to prevent allegations of planting evidence.</p> <p>e) If entrance is refused, the officer may use reasonable force to gain entry as per relevant BNSS procedures, provided strict protocol is followed. If law and order issues are anticipated, local police support must be requisitioned in advance and also in case surface rights are not available with the company local police support may be obtained in advance.</p>
<p>Seizure and Documentation</p>	<p>a) A Seizure Memo (Panchnama) shall be prepared at the spot of seizure and shall clearly record the date,</p>

<p>(Read with Sections 21(4), 23B and 24)</p>	<p>time, and exact location of the seizure (including GPS coordinates, wherever feasible), a detailed description of the items seized such as quantity of coal, vehicle registration details, and particulars of documents, and shall bear the signatures of the Gazetted Officer conducting the seizure, two independent witnesses, and the occupant or owner of the premises/vehicle, as applicable.</p> <p>b) The entire search and seizure process shall be supported by photographic and/or videographic documentation, including visuals of the search operation, exact location of recovery, seized items, and weighing or measurement of minerals. All digital media shall be time-stamped and securely preserved as part of the official record.</p>
<p>Extent of Investigation and Arrest Procedures:</p> <p>a) Extent of Investigation</p>	<p>In the event that individuals/groups are found committing Offences related to illegal extraction, storage, or transportation of coal, the Authorized Officer may enquire the persons concerned on the spot for the purpose of investigation, in accordance with the provisions of the MMDR Act and the relevant provisions of BNSS (as applicable to cognisable offences and powers of arrest).</p> <p>The extent of the investigation/enquiry on the spot conducted by the Authorized/Gazetted Officer shall be strictly limited to:</p> <ul style="list-style-type: none"> • Establishing identity of the accused. • Recording preliminary statements (not as a formal “Confession” but as operational notes or preliminary information). • Documenting the modus operandi of the offence. • Securing the physical evidence (coal, tools, vehicles, forged or manipulated transit documents). <p>All such actions shall be carried out in a manner consistent with the safeguards provided under BNSS regarding arrest, detention and protection of personal liberty, including the requirement to produce the accused before the police or magistrate well within the prescribed time limit.</p>

<p>b) Production of Perpetrators</p>	<p>Following the preliminary on-site investigation/enquiry and preparation of the Seizure Memo along with the perpetrators shall be:</p> <ul style="list-style-type: none"> • Formally handed over to the State Police for further legal action and detailed criminal investigation, as per the provisions of BNSS and Code of Criminal Procedure. • Else, lodge a formal complaint before the competent magistrate without any un-necessary delay.
<p>Filing of Complaint (Under Section 22 of the MMDR Act)</p>	<p>a) The Authorized Officer shall file a written complaint before the competent Court (Magistrate) as mandated under Section 22 of the MMDR Act, preferably within 48 hours of the search and seizure. The complaint shall comprehensively set out the “reason to believe,” details of the search proceedings, reference to the Seizure Memo (Panchanama), and the specific violations of Sections 4 and/or 21 of the MMDR Act, along with all supporting documents and evidence including Management Certificate for illegal mining in the concerned area.</p> <p>b) If the company possesses surface rights, first police will be approached for lodging the FIR. In case the Filing of FIR is delayed or denied, the Authorized Officer of Western Coalfields Ltd. along with Authorised officer of CISF will approach magistrate directly along with all the documents including management certificate for illegal mining in the concerned area for lodging of complaints.</p> <p>Escalation Matrix for filing of complaints:</p> <p>WCL: Area Nodal Officer (Security) < Area General Manager or Mine Manager < Project Officer < AGM (Ops) < Area General Manager or Area HR Manager < AGM (Ops) < Area General Manager.</p> <p>CISF: Assistant Commandant < Deputy Commandant < Commandant < Sr. Commandant and thereon.</p> <p>However, every action of CISF is to be informed to Area Management and HOD (Security), WCL.</p>


<p>Role and Coordination with Local Police</p>	<p>Role of and Coordination with Local Police: The designated Gazetted Officers/Authorized Officers shall maintain proactive and continuous coordination with local police authorities to ensure effective enforcement.</p> <p>The role of the local police shall be integrated as follows:</p> <p>a) Pre-Operation Support: If entry to a premises is refused during a search operation, or if there is a likelihood of law and order disturbance, the Gazetted Officer shall requisition prior support from the local police, in line with general police power and public order provisions under BNSS.</p> <p>b) Police support shall also be obtained in advance for operations in areas where the company does not possess surface rights, to ensure lawful and non-confrontation execution of the operation.</p> <p>The perpetrators and seized materials (coal, vehicles, documents etc.) may be handed over to the local police for secure custody and further investigation in the cases relating to cognizable offences.</p>
<p>Safe Custody of Seizure</p>	<p>Cases where a complaint is filed directly before the Magistrate following search and seizure operations conducted by CISF, the management of the concerned Western Coalfields Ltd. shall ensure the provision of a safe and secure facility to keep the seizure during transit.</p>
<p>Transit Route Implementation</p>	<p>a)The Quick Response Team(QRT) shall intercept and stop vehicles operating on identified or suspected transit routes as per existing practices.</p> <p>b)The QRT shall verify transit permits, challans, and documents relating to origin and destination of the mineral being transported.</p> <p>c) In case of suspicion or discrepancies, the QRT shall inform the Gazetted officer of that particular area/section.</p> <p>d) After information undertake further action strictly in accordance with the prevailing section of BNSS/MMDR. Act under direction of Gazetted Officer.</p>

Accordingly, all Area GMs are required to issue Office Order of the AGM (Ops), POs, SAMs, AHRMs, ANO (Security) under their command for needful compliance as per the above SOP. In case of change of Officials on retirement, transfer etc. a fresh order is to be issued from time to time with a copy of the Office Order to be rendered to local State Authorities viz. Dist Collector, SP, SDM, SDPO, Local Police Station Thana Prabhari and to the undersigned for record purpose.

As a first time activity, the respective AGMs are required to issue the First Office Order latest by **30 June 2026** and render compliance to reading of the SOP by all concerned individuals as per Gazette Notification, a copy of which is enclosed for ready reference.

This SOP is being issued as duly approved the Competent Authority.

Encl: Copy of Gazette Notification *i.r.o.* Western Coalfields Ltd.


06/20/2026
Lt Cdr (Dr) Vikrant Malhan
HOD (Security)/ CSO, WCL

Copy for Distribution:

- (i) Chairman-cum-Managing Director, Western Coalfields Ltd.
- (ii) Dir (Fin)-cum-Director (HR), Western Coalfields Ltd.
- (iii) Dir (Tech/Ops), Western Coalfields Ltd.
- (iv) Dir (Tech/P&P), Western Coalfields Ltd.
- (v) CVO, Western Coalfields Ltd.
- (vi) AGMs of All Areas of WCL - *w.r.t. kindly issue Officer Order for Nodal Officers or respective Areas/Sub- Areas along with Nomination (by name) of the indl/s. e.g. AGM (Ops)/POs/SAMs/AHRMs/ANO (Security)*
- (vii) TS to CMD, WCL
- (viii) TS to Dir (Fin), WCL
- (ix) TS to Dir (HR), WCL
- (x) TS to Dir (T/Ops), WCL
- (xi) TS to Dir(T/P&P), WCL
- (xii) TS to CVO, WCL
- (xiii) GM (System)- *w.r.t.* kindly upload the SOP on WCL Website
- (xiv) GM (PR)- *w.r.t.* Kindly provide creative/s for wide dissemination of content of MMDR Act on relevant official platforms
- (xv) GM (E&T)- *w.r.t.* provide a dedicated Desk at ICC, WCL
- (xvi) AHRMs of All Areas of WCL
- (xvii) ANO (Security) of all Areas of WCL
- (xviii) Internal File No. 1003 dtd 16.06.2026 (Physical File)