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Prepared by

**Mineral Economics Division
Indian Bureau of Mines**

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SECTION – 1

Mineral Legislation and Policy on Export and Import of Minerals/Ores

1. MINERAL LEGISLATION

A. Amendments/Notifications:

1. Ministry of Mines, S.O. 1523(E).- In pursuance of the powers conferred by clause (a) of Section 4 of the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003) and in supersession of the notification published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (ii) vide number S.O. 339(E), dated the 11th February, 2010, the Central Government hereby notifies the Additional Director General, National Mission Head-II, Geological Survey of India as the administering authority for the purpose of the said Act.

Source: The Gazette of India, Extraordinary, Part II Sec. 3 Sub-section (ii), dated 06.04.2018.

2. Ministry of Mines, G.S.R. 389(E).- In pursuance of the second proviso to sub-section (1) of Section 4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby notifies the Odisha Mineral Exploration Corporation Limited for the purposes of the second proviso to sub-section (1) of Section 4 of the said Act: Provided that the Odisha Mineral Exploration Corporation Limited shall make over the data generated by it, in respect of the prospecting operations undertaken by it, to the State Government.

2. This notification shall come into force on the date of its publication in the Official Gazette.

Source: The Gazette of India, Extraordinary, Part II Sec. 3 Sub-section (i), dated 23.04.2018.

3. Ministry of Mines, No. C-284/3/CMG/2017.-1. Indian Bureau of Mines (herein after referred to as IBM) is vested with the responsibility to review the threshold value of minerals periodically under sub-rule 7 of rule 12 of Mineral Conservation and Development Rules, 2017.

2. IBM, through notice published in the website of IBM on 24.3.2017, had invited comments and suggestions from the stakeholders and general public with regard to revision of the threshold value of minerals notified previously on 16th October, 2009. In response to the notice many suggestions and comments were received from the stakeholders.

3. IBM also conducted five Regional Level technical workshops and a National Level workshop to discuss various issues and concerns raised by the stakeholders with regard to the revision of the threshold value of minerals.

4. After careful examination of the suggestions and comments of the stakeholders through an expert committee constituted for the purpose and based on the recommendations of the committee, the threshold value of following minerals are hereby notified under sub-rule 6 of rule 12 of Mineral Conservation and Development Rules, 2017. This notification supersedes the notification issued earlier vide file No.T-45031/CGBM/2007 (PF) dated 16th October 2009.

5. This notification shall be effective from the date of its notification in the Gazette of India.

6. **THRESHOLD VALUE OF MINERALS**

S. No.	MINERAL	THRESHOLD VALUE
1.	Apatite & Rock Phosphate	P ₂ O ₅ -5% (Min.)
2.	Bauxite	(i) For Aluminous laterite: Al ₂ O ₃ - 20% (Min.) (ii) For Bauxite: Al ₂ O ₃ - 30% (Min.) and SiO ₂ (Total)-7% (Max.)
3.	Chromite	Cr ₂ O ₃ -10%(Min.)
4.	Fluorite	CaF ₂ -5% (Min.)
5.	Graphite	(i) For flaky variety- 2% Fixed Carbon (F.C.) (Min.) (ii) For amorphous variety - 10% Fixed Carbon (F.C.) (Min.)
6.	Iron Ore	(i)#Hematitic Ore - 45% Fe (Min.) (ii) ^Hematitic Siliceous Ore - 35% Fe(Min.) (iii) *Magnetite Ore-15% Fe (Min.)
7.	Kyanite & Sillimanite	35% (Min) Kyanite/*Sillimanite content * Not applicable to sillimanite of beach sand
8.	Limestone	CaO- 34% (Min.) and MgO-5% (Max.)
9.	Magnesite	MgO -35% (Min.), CaO-3% (Max.), Fe ₂ O ₃ - 3% (Max.)
10	Manganese Ore	Mn - 10% (Min.)
11.	Wollastonite	35% (Min.) Wollastonite content

7. For the purpose of this notification:
- a. “threshold value of minerals” will have meaning as defined in Minerals (Evidence of Mineral Contents) Rule, 2015.
 - b. #“hematitic ore” means Fe content in the ore is contributed predominantly by presence of hematite.
 - c. ^“hematitic siliceous ore” means silica in the ore is contributed predominantly due to presence of quartz/chert in the gangue and Fe in the ore is contributed predominantly by presence of hematite and subordinate to minor amounts of martitised magnetite/maghemite.
 - d. *[^]“magnetite ore” means Fe content in the ore is contributed predominantly by presence of magnetite and subordinate to minor amounts of martitised magnetite/maghemite.
 - e. “cut off grade” means the minimum economic assay grade of the mineral for a deposit below which the mining operations become unviable in the present market dynamics or end use quality.
It may vary from deposit to deposit depending upon the market conditions.
8. All the lessee’s are hereby directed to comply with the following:
- a. All resources shall be assessed up to the threshold value and the resources between the threshold value and the cut-off grade shall be reported separately. There will however be no restrictions in estimating resources below the threshold value if there is a ready market of such mineral/ore either directly or after beneficiation.
 - b. The non-saleable/un-usable minerals/ ores above the limit prescribed in the threshold value and below the cut off grade shall be stacked separately in an area earmarked for the purpose.
 - c. The inventory of mineral/ ore stock above the limit prescribed in the threshold values of minerals and below the cut off grade shall be maintained in a bound register indicating the quantity and quality of material stacked. The monthwise inventory of such materials shall be updated.
 - d. The overburden and waste material obtained during mining operation shall not be allowed to be mixed with the materials above the threshold values of minerals stacked.

Source: The Gazette of India, Extraordinary, Part I Section- 1, dated 24.05.2018.

4. Ministry of Mines, G.S.R. 707(E). - In pursuance of the second proviso to sub-section (1) of Section 4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby notifies the Hindustan Copper Limited for the purposes of the second proviso to sub-section (1) of Section 4 of the said Act:

Provided that the Hindustan Copper Limited shall make over the data generated by it, in respect of the prospecting operations undertaken by it, to the concerned State Government.

2. This notification shall come into force on the date of its publication in the Official Gazette.

Source: The Gazette of India, Extraordinary, Part II Sec. 3 Sub-section (i), dated 27.07.2018.

5. Ministry of Mines, No. T-43010/CGBM/2017.- By virtue of powers vested under Rule 3(1) (c) of Mineral Conservation and Development Rules, 2017, I hereby authorise the Chief Mining Geologist of Indian Bureau of Mines as “Authorised Officer” to perform function and take action in respect of rule 35(2) of Mineral Conservation and Development Rules, 2017. This authorisation is in addition to the Notification No. T- 43010/CGBM/2014 dated 11th May, 2017 published in the Gazette of India, Part III Section I on 31st May, 2017.

This order shall come into force with immediate effect.

Source: The Gazette of India, Extraordinary, Part III Sec. 1, dated 06.08.2018.

B. Court Decisions:

1. M/s. Singhbhum Mineral Company, Jharkhand and another, Petitioners v. Union of India and another, Respondents, AIR 2018, Jharkhand 65, Vol. 105 Part 1252, April, 2018.

Subject:

Challenging the rejection of application filed for extension of lease.

Facts:

The then State of Bihar vide its order dated 26.04.1956 granted a mining lease over an area of 500 acres in Karampada Forest Block, Singhbhum West, Chaibasa for a period of 20 years w.e.f. 12.12.1956 to 11.12.1976 in favour of one Shri. Nanalal Vajrang for Iron & Manganese ore. However, during currency of the lease, the then lessee, after obtaining prior approval of the State Government vide order dated 27.05.1965 transferred 350 acres of lease mining area to the present petitioner-M/S Singhbhum Mineral Company and remaining 150 acres was surrendered to State Government.

Thereafter, the petitioner applied for first renewal of mining lease, which was granted vide order dated 06.09.1978 for a further period of 20 years w.e.f. 12.12.1976 to 11.12.1996. It is averred that due to impending expiry of the lease period, the petitioners applied for second renewal of mining lease on 27.10.1995, much prior to one year before due date of expiry of tenure of the mining lease under Rule 24A (1) of Mineral Concession Rules, 1960

(hereinafter referred to as "M.C Rules, 1960" for the sake of brevity) for further period of twenty years.

It has further been averred in the writ application that the petitioners submitted application for forest clearance on 29.11.1995 seeking diversion of forest land for the purpose of conducting mining operations over an area of 18.975 hectares and petitioner also got prepared the mining plan as per the provisions of Mines and Minerals (Development and Regulation) Act, 1957 (hereinafter referred to "MMDR Act, 1957" for the sake of brevity) and Mineral Conservation & Development Rules, 1988 and the said mining was duly approved by Indian Bureau of Mines (IBM) vide letter dated 13.05.1998. It has been averred that even the Central Government, Ministry of Environment and Forest vide letter dated 27.11.1998 granted temporary working permission for a period of nine months to the petitioner. It has further been averred that the State Government, Department of Mines & Geology vide letter dated 01.11.2007 certified that the subject mining lease was valid and subsisting. The petitioner vide letter dated 14.08.2008 also submitted forest diversion proposal before Principal Chief Conservator of Forest, Ranchi. The State Government vide letter dated 03.09.2009 issued a mining dues clearance certificate certifying that no mining dues towards royalty, deed rent, etc. was due and payable on the part of petitioner and 'NOC' was accorded by the D.C., Chaibasa and further mining scheme was also approved by Indian Bureau of Mines vide letter dated 03.05.2012 under Rule 12 of Mineral Conservation and Development Rules, 1988. Thereafter, in compliance of guidelines of Ministry of Environment & Forest, Government of India, the petitioner filed forest diversion proposal for the entire lease area under Section 2 of the Forest Clearance Act. However, the Ministry of Forest and Environment, Govt. of India vide letter dated 19.09.2013 granted stage-1 clearance under Section 2 of the Forest (Conservation) Act and also granted working permission to the petitioner for a period of one year. The State Government, Department of Mines & Geology issued a lease validity certificate certifying that the mining lease was valid and operative upto 21.10.2013. On 19.11.2013, the Ministry of Environment and Forest, Govt. of India also granted environment clearance. The Jharkhand State Pollution Control Board granted consent vide letter dated 13.12.2013 for establishment of the mining project and vide letter dated 28.12.2013 granted consent to operate for the said project. Accordingly, the Divisional Forest Officer, Chaibasa issued working permission for conducting the mining operations in lease-hold area. After obtaining the necessary clearances by the petitioners, a notice for reopening of mine was given under Rule 22 and 25 of the Mineral Conservation and Development Rules, 1988 and accordingly, the petitioner resumed operation of mining since 06.01.2014 under intimation to District Mining Officer, Chaibasa. Thus, there was no discontinuation of mining operations for more than two years as contemplated under Section 4A(4) of MMDR Act read with Rule 28(1) of the M.C. Rules, 1960. After that the petitioners' mining operations were stopped on the basis of amendment in Rule 24-A(6) of the M.C. Rules, 1960 vide notification dated 18.07.2014, when the State Government vide letter dated 04.09.2014 directed the petitioner to stop the mining operations.

It has further been averred that while the renewal application of the petitioner was pending, the Hon'ble President of India vide Gazette Notification dated 12.01.2015 promulgated an Ordinance, known as Mines and Minerals (Development & Regulation) Amendment Ordinance, 2015 and by virtue of Section 8-A (6) of the said Ordinance, the period of last executed mining lease is deemed to have been extended for a period upto 31.03.2020 after amendment in the said Act. The petitioner vide letters dated 16.02.2015 and 27.05.2015 addressed to the Secretary of Mines and Geology, Government of Jharkhand requested the State Government to implement the provisions of MMDR Amendment Act,

2015 and to issue necessary orders including lease validity certificate in view of provisions as contained under Section 8-A(6) of the MMDR Amendment Act, 2015. In this regard, it has been averred that Ministry of Mines, Central Government vide letter dated 05.02.2015 issued a general advisory to all the State Governments including the State of Jharkhand to implement the provisions as contained in Section 8- A of the MMDR Amendment Act, 2015 and to extend the period of mining lease. Pursuant thereto, the State of Jharkhand, Department of Mines and Geology vide letter dated 24.03.2015 also issued a mining dues clearance certificate certifying that no mining dues is payable on the part of the petitioner. It has been submitted that instead of complying the provisions of MMDR Amendment Act, 2015, the State Government initiated a post- facto inquiry as to whether the petitioners have at any point of time failed to comply the terms and conditions of the mining lease prior to commencement of MMDR Amendment Act, 2015, accordingly, notice dated 15.06.2015 was issued by respondent No. 2, to which, the petitioner replied vide letter dated 29.06.2015 contending inter alia that the said notice is without jurisdiction and contrary to the express provisions of Section 8-A(6) of the MMDR Amendment Act, 2015 and further such post-facto inquiry is also derogatory to the basic objective of the said transitional provision of Section 8A(6) of the MMDR Amendment Act, 2015. But the respondents without deciding the matter issued another notice dated 31.07.2015 on the self same allegation, to which, the petitioner again replied vide letter dated 20.8.2015. After receipt of said reply, the State Government constituted a committee for hearing the matter and the petitioner was directed to appear before the committee on 24.08.2015, wherein specific plea was taken by the petitioner that in view of the provisions as contained in Section 8-A(6) of the Act, there is automatic extension to the period last executed mining lease, therefore, the State Government cannot deny the benefit of a statutory provisions on the pretext of making post facto inquiry.

It has further been averred that the State Government vide letter dated 25.03.2015, after issuing a no dues clearance certificate on 24.03.2015 and moreover after promulgation of MMDR Act on 12.01.2015 has raised demand for the cost price of ore relying on subsequent amendment made in Rule 24A(6) of the M.C Rules, 1960. Thereafter, the petitioner filed detailed reply, which did not evoke any response; hence, the petitioner filed a revision petition, which is stated to be still pending.

It has been averred that after having received the copies of reply to the notices and having conducted the hearing in the matter, respondent No. 2 passed impugned order dated 22.01.2016 denying to extend the benefit of provisions as contemplated in Section 8-A(6) of the MMDR Amendment Act, 2015. Thereafter, the petitioner preferred Revision Petition under Section 30 of the MMDR Act to assail order dated 22.01.2016 and 02.02.2016, but the revisional authority refused to admit the revision petition and rejected the same vide order dated 02.03.2016. For the reasons elaborated in the preceding paragraphs, the petitioners approached this Court under Article 226 of the Constitution of India for redressal of his grievances.

Learned senior counsel for the petitioner while assailing the order passed by the revisionary authority referring to Rule 54 and 55 of the M.C. Rules and Section 30 of MMDR Act submitted that due to non-compliance of the provisions, the order passed by the Revisionary Authority is nullity in the eye of law.

Learned senior counsel for the petitioner, relied upon the judgment dated 5.08.2016 delivered by Division Bench of Hon'ble Orissa High Court in the case of M/s Essel Mining & Industries Ltd. vs. Union of India & Ors. passed in W.P. (C) No. 5008 of 2016.

Learned Additional Advocate General appearing for the State of Jharkhand submitted with vehemence that question of granting opportunity of hearing would arise only when an application had been filed by the petitioner under Section 4-A(4) of the MMDR Act, 1957 read with Rule 28(2) of the M.C. Rules, 1960. It is further submitted that since mining operations has been discontinued from 1996 to 2013 so it was not a case of subsisting lease rather in the case at hand mining operation had been discontinued for over two years, hence, the same stood automatically lapsed by virtue of deeming provisions law, immediately after the period of two years of discontinuance. It is also submitted that petitioner has got no case in the light of judgment passed in Common Cause (Supra) as on the face of order dated 28.06.2014 passed by District Mining Officer, Chaibasa, the lease in question was not a subsisting lease as on 12.01.2015, the cut- off date on which, the amendment in MMDR Act came into force.

Decision:

The High Court has referred to the Sections 4-A, 8-A, 30, of the MMDR Act, 1957, Rules 24-A, 28, 54, 55 of the Mineral Concession Rules, 1960, and stated that on the basis of assumption that subject of mining lease of the petitioner has lapsed automatically due to non-mining (discontinuance) of mining from 1996 to 2013 but the view of the State Government runs contrary to the decision of Hon'ble Apex Court in the case of Common Cause (Supra), wherein the Hon'ble Apex Court in unequivocal terms has enunciated that lease cannot lapse automatically unless an order is passed by the State Government after giving notice and opportunity of hearing. The High Court has further stated that the mining lease of the petitioner was not lapsed as neither any order was ever communicated by the State Government, as per relevant Rules of the MC Rules, 1960. Further, the High Court has rejected the impugned order dtd. 2/3/2016 passed in Revision Application for not affording any opportunity of hearing to the petitioners.

Accordingly, the High Court has quashed and set aside the impugned order passed by the State Government dated 22.01.2016 rejecting the application of extension of lease; order dated 02.03.2016 passed by Revision Authority and consequential order dated 02.02.2016 and 08.03.2016, and ordered that the matter is remitted to the respondent-State of Jharkhand to pass appropriate order, after affording sufficient opportunity to the petitioner in the light of judgment delivered in the case of Common Cause (Supra) in accordance with relevant provisions of MMDR Act and MC Rules, as expeditiously as possible preferably within a period of four months from the date of receipt/production of copy of this order.

Thus, the High Court has disposed of the Writ Petition with the above said observations and directions/order.

Ordered accordingly.

2. L.Sriharsha, Petitioner v. State Of Karnataka & Others, Respondents, AIR 2018 Karnataka 61, Vol. 105, Part 1252, April, 2018.

Subject:

Seeking for a direction on the authorities to execute the lease.

Facts:

The application for grant of lease was made by the contractor on 16th January, 2013, that is, prior to the date of amendment to the provisions of the Karnataka Minor Mineral Concession Rules, 1994. Therefore, the endorsement challenged in this writ petition is erroneous, as the authorities proceeded on the basis that the application was not saved.

Decision:

The High Court has set aside the endorsement dated 20th June, 2017, and directed/ordered the authorities to consider the prayer of the writ petitioner for execution of the lease within four weeks from the date of communication of this order.

Ordered accordingly.

3. Ramkumar Sahu, Petitioner v. State of Madhya Pradesh and Others, Respondents, AIR 2018, Madhya Pradesh 87, Vol. 105, Part 1252, April, 2018.

Subject:

Challenging the notification dated 18.05.2017 for substituting Rule 53 of Madhya Pradesh Minor Minerals Rules, 1996.

Facts:

The challenge in the writ petition is to the Notification issued by the State Government in exercise of powers conferred by sub-section (1) of Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 substituting Rule 53 of Madhya Pradesh Minor Mineral Rules, 1996 (for short "the Rules") published on 18.05.2017 in Madhya Pradesh Gazette. By such amendment, in case of unauthorised extraction and transportation of minor minerals, the penalty is contemplated to be imposed in a graded manner as well as the seizure and confiscation of tools, machines and vehicles used.

Decision:

The High Court has referred to Rules 53(1), 68(5) of the Rules, Sections 15, 21, 22, 23C of the above said Act, and also referred the decision given by the Supreme Court in the cases State (NCT of Delhi) v. Sanjay (AIR 2015 SC 75); State of West Bengal v. Gopal Sarkar (AIR 2002 SC 221); State of M.P. v. S.P. Sales Agencies & others (AIR 2004 SC 2088), and stated that the provisions of Rule 53 are to ensure that there is no unauthorised extraction and transportation of the minerals. Such confiscation is not a punishment, which is imposable in exercise of the powers conferred under [Section 21](#) of the Act. The confiscation under Rule 53 is independent proceeding but does not affect the legality and validity of the confiscation contemplated under [Section 21](#) of the Act, which provides for imprisonment as well.

The High Court has further stated that [Section 15](#) of the Act empowers the State Government to make Rules in respect of minor minerals including the terms on which and the conditions subject to which and the authority by which the quarry leases, mining leases or other mineral concessions may be granted or renewed and fixing and collection of rent, royalty, fees, dead rent, fines, etc. or any other matter which is to be, or may be prescribed. Section 23C of the Act specifically empowers the State Government to make rules for preventing illegal mining, transportation and storage of minerals. Therefore, Rule 53, as substituted, traces its source to Section 23C of the Act. Such Rule does not substitute the trial for an offence as contemplated under Section 21 of the Act but is in addition to the offence contemplated under Section 21 of the Act to meet the problem of illegal extraction and transportation of minerals. All natural resources vest with the State. The State as an owner of the minerals is protecting its property in the best possible manner by imposing penalties in a graded manner so that repeat violators are imposed higher penalty, which ultimately leads to confiscation of the vessels and tools. The object of such confiscation proceedings is to stop menace of illegal transportation of minerals which have attained gigantic proportion. Such provisions are applicable in non-discriminatory and in non-arbitrary manner.

The High Court has found out that Rule 53 of the Rules enacted by the State falls within the legislative competence of the State Government in terms of Sections 15 and [23C](#) of the Act. Still further, such provisions are distinct from the provisions of imposition of penalty including confiscation and imprisonment in terms of Section 21 of the Act, as the confiscation of the tools and vehicles in terms of Rule 53 is not a punishment.

Accordingly, the High Court has dismissed the writ petitions for want of merit.

Petition dismissed.

4. Baljit Singh , Petitioner v. State of Punjab and others, Respondents, AIR, 2018 Punjab & Haryana 77, Vol. 105, Part 1252, April, 2018.

Subject:

Challenging the notices dated 27.05.2018 and 29.05.2017 issued by the State of Punjab, asking the petitioners (holders of contracts) to either surrender their existing contracts or to execute a fresh contract for prospecting of minor minerals.

Facts:

The Udhog and Commercial Department, Government of Punjab, issued e-auction notice dated 10.11.2015 in respect of 83 mines in various districts of the State of Punjab. This auction was conducted by following a process of 'reverse bidding'. The petitioners were successful in this auction. Vide letter dated 04.03.2016 issued by the Ministry of Environment, Forest and Climate Change, Government of India, environmental clearance was transferred to the respective petitioners from the Executive Director, Punjab Small Industries and Export Corporation, Limited. The General Manager-cum-Mining Officer, District Industries Centre, SAS Nagar, issued letter dated 14.10.2016 thereafter, granting final approval for operating the quarry allotted. The petitioners were subsequently granted consent to operate under the Air (Prevention and Control of Pollution) Act, 1981, and Water

(Prevention and Control of Pollution) Act, 1974, whereafter, they commenced operation of extraction of minor minerals. On 31.03.2017, another notification was issued for e-auction of 59 mines, through the process of 'reverse bidding'. According to this notice, the date of E-auction was 18.04.2017. However, a fresh notice dated 12.04.2017, was issued postponing the date of e-auction to 24.04.2017. Vide another notification dated 17.04.2017, the date of e-auction was further postponed to 05.05.2017. On 19.04.2017, a meeting of the Cabinet took place, in which a decision was taken, inter alia, to auction mines of minor minerals by the process of 'progressive bidding'. Consequently, public notice dated 20.04.2017 was published, cancelling the auction of 59 mines notified vide notification dated 31.03.2017. A fresh auction notice dated 03.05.2017 was issued for auction of the aforementioned 59 mines through the process of 'progressive bidding'. The auction took place on 19.05.2017 and 20.05.2017. On 27.05.2017, the Director Mining, Industries and Commerce Department, issued a letter to the General Manager-cum- Mining Officer of various Districts in the State of Punjab, directing them to send notices to the contractors, who were successful in the auction held pursuant to the notice dated 10.11.2015 (the petitioners, who had secured contracts through auction held by the process of 'reverse bidding') to change their existing contract to one through 'progressive bidding' or to surrender the mining contract in accordance with Rule 39 of the Punjab Minor Minerals Rules, 2013, (hereinafter referred to as 'the Rules'). Reliance was placed on the Cabinet decision dated 19.04.2017. It was further stated therein that average cost of bid received for a mine through 'progressive bid' will be worked out in the district and will be made applicable to the contract allotted by the process of 'reverse bidding'. In case, no contract has been allotted within the district by 'progressive bidding', the average rate of the adjoining district where contracts have been awarded through 'progressive bidding' would be made applicable. Pursuant to this letter, the General Manager-cum-Mining Officer, District Industries Center, issued letter dated 29.05.2017 to the respective petitioners giving them seven days' time to submit their option. It was also stated that in case of non-receipt of any reply within stipulated time, it would be deemed that the contractor had nothing to say. The said notices dated 27.05.2017 and 29.05.2017 have been challenged in these writ petitions.

Pursuant to notice issued by this Court, the State filed its written statement challenging the maintainability of the writ petitions on the ground that the petitioners were only licensees and had no vested legal right for seeking a writ in the nature of mandamus and that a writ petition against a policy decision was not maintainable. The State Government, in public interest, was not bound by the terms of a previous contract and that conditions existed for switch over to process of 'progressive bidding' because the system of 'reverse bidding' had resulted in creation of a mining mafia, illegal extraction of minor minerals, reduction in supply of minor minerals in the market and recurring loss to the State Exchequer. It is also pleaded that the action of the State is inspired solely by public interest and is not violative of any rights guaranteed under Part-III of the Constitution of India.

On behalf of the petitioner, it was submitted that - (i) The Cabinet decision dated 19.04.2017 is confined to future auctions and does not cover the case of the petitioners. The existing contract holders are not the subject matter of the Cabinet decision and thus, the impugned letters are without jurisdiction. The existing contracts came into being by virtue of a policy decision of the Cabinet to switch over to 'reverse bidding' and the change over to 'progressive bidding' can only be done by a policy decision of the Cabinet; (ii) The terms of a subsisting contract cannot be changed in exercise of administrative powers; (iii) The decision of the Cabinet is not in public interest as minor minerals will become unaffordable; (iv) The impugned decision is arbitrary and unreasonable inter alia, because it amounts to premature

termination of contract without existence of conditions requisite for terminating a contract; (v) Action is mala-fide, intended to oust the existing licensees; (vi) No opportunity of hearing has been granted before passing the impugned orders; (vii) The changed policy cannot be applied retrospectively; and (viii) There is a violation of the doctrine of legitimate expectation.

On the other hand, the State submitted that the impugned action has the sanction of law and is in public interest. The action has been taken to curb the menace of illegal mining, rationalisation of supply and prices and maximisation of State revenue.

It is contended on behalf of the petitioners that the impugned orders, which cannot alter the terms and conditions of a subsisting contract. Reliance has also been placed upon the decision of the Hon'ble Supreme Court of India in 'Polymat India (P) Ltd. v National Insurance Company Limited 2005 (9), SCC 174.

The learned Additional, Advocate General, Punjab, submitted that the prices are not likely to rise because by adoption of the new policy, the supply of minor minerals would increase greatly because the contractor would prospect to the maximum possible extent permissible so as to recover his costs. If adequate supply is available in the market, the prices will self stabilize and market forces will place a check on them.

Decision:

The High Court has referred to the statutory scheme governing the contracts, condition No. 46 of the notification dated 10/11/2015 issued by the State Govt., Chapter - II of the above said Rules, the Memorandum for the meeting dated 19/4/2017, the cabinet proposal and stated that the executive decisions, have been taken pursuant to a decision of the Cabinet of Ministers dated 19.04.2017. The said decision is a policy decision and is covered by the expression 'Government Rules and Instructions'. Hence, it can supplant the terms of a subsisting contract by virtue of Condition No. 46. Moreover, the freedom of the State to exercise its executive powers for running its affairs cannot be restricted in any manner by contract.

The High Court has further stated that the objectives with which the policy decision dated 19.04.2017 has been taken, can be culled-out from the Memorandum submitted to the Cabinet. The principle objectives were to curb illegal mining, to reduce spiralling prices, to maximize production of minor minerals and to augment State revenue. These objectives are in consonance with Article 39(a) and (b) of the Constitution of India and therefore, we have no hesitation in holding that the policy decision dated 19.04.2017 is in public interest.

The High Court has stated that a workable option was given by the State and therefore, we cannot hold that in fact there was only one option of surrender available to the petitioners. Moreover, no malafides can attach to an action taken in exercise of statutory powers and therefore, there is no arbitrariness involved. Unequals cannot seek protection of Article 14 of the Constitution of India and thus, the argument is misconceived. The right of hearing, in such a situation, is not vested in the petitioners. The law permits the Government to change the terms of a contract during its subsistence and the concept of opportunity of hearing is not attracted unless some provision of the Acts or the Rules provides for the same. The petitioners could have claimed a right of hearing in case there was a termination of their subsisting contract, but such a right cannot be claimed once we have already held that no

premature termination is involved in this case. The terms of the contract are liable to be changed in accordance with law and the petitioners are being asked to accept the method of 'progressive bidding' prospectively. Therefore, the argument of retrospectivity is totally misconceived.

The High Court has stated that the underlying principle of Doctrine of Legitimate Expectation is a promise held out by the State. In this case, no promise has ever been held out by the State that the terms of the contract would not be changed during its subsistence. On the contrary, the provisions of the Act, Rules, E-auction notice and conditions of Form-L show that statutorily the State could alter the terms of an existing contract. Thus, the very basis being non-existent in this case, Moreover, it is settled law that legitimate expectation does not provide an independent enforceable right. It only enables the Court to test Government action and nothing more. In any case, legitimate expectation has to yield to public interest.

The High Court has reached to the conclusion that the Statutory Scheme is to create a 'regulatory regime' in respect of prospecting of mines and minerals because minerals, both major and minor, are the wealth of the Nation and their prospecting must be regulated in public interest. Therefore, mines and minerals must be prospected wisely, so that optimum revenue can be earned by the State.

The High Court has stated that in exercise of its regulatory powers, the State is entitled to vary and modify the terms of an existing contract. The exercise has been undertaken in public interest, so as to rationalize prospecting of minor minerals. No mala-fides are attributable to the State. Therefore, the impugned orders are justified on this score as well.

Thus, the High Court has dismissed the writ petitions for want of merits without any order as to costs. The High Court has directed that since the petitioners were litigating before this Court, let they be given one week's time afresh to exercise their options in terms of the impugned notices.

Petition dismissed.

5. Sk. Anishal Haque, Appellant v. State Of West Bengal & Others, Respondents, AIR 2018, Calcutta 101, Vol. 105, Part 1253, May, 2018.

Subject:

Appeal against the judgement & order dated 13/9/2017 for refusal of renewal of mining lease.

Facts:

The appeal arises out of a judgement and order dated 13.9.2017, rendered by a learned single judge in writ petition No. 15433(W) of 2017. The appellant (the writ petitioner) filed a writ petition praying inter alia for a direction upon the respondent authority for renewal of his mining lease on the basis of an application dated 31st May, 2016. This application for renewal was made by the writ petitioner under the provision of West Bengal

Minor Minerals Rules, 2002. However, on 29th July, 2016, by a Gazette Notification a new law was introduced, namely, the West Bengal Minor Minerals Concession Rules, 2016.

Decision:

The High Court has found out that there is no any palpable infirmity of reasoning or perversity in the impugned judgement and order which would warrant any interference in an Intra-Court Mandamus Appeal. That apart and in any event, the impugned order is supported with cogent reason. It is clearly held that the provision of Rule 61 of the West Bengal Minor Minerals Concession Rules, 2016, would apply and the application submitted by the writ petitioner on 31st May, 2016 for renewal of his mining lease had become ineligible. As such, the concerned authority could not be directed to grant the mining lease under the provisions of the West Bengal Minor Minerals Rules, 2002.

Lastly, the High Court has dismissed the appeal and also dismissed the stay application.

Appeal dismissed.

6. M/s Pankaj Kumar Rai, Petitioner v. State of Madhya Pradesh & Others, Respondents , AIR 2018, Madhya Pradesh 106, Vol. 105, Part 1253, May, 2018.

Subject :

The present Writ Petition No. 7798/2017 was earlier referred to larger Bench vide order dated 16.8.2017 whereby a Division Bench of this Court prima facie found that the view taken by the Full Bench of this Court in W.P. No.4547/2016 (M/s Phaloudi Constructions and Infrastructure Pvt. Ltd. v. State of Madhya Pradesh AIR 2016 MP 137) and other connected matters decided on 10.5.2016 requires reconsideration.

Facts:

The petitioner is a registered contractor with Public Works Department and has been awarded work order for construction work. In terms of the agreement, the petitioner is being paid periodically but in every bill deduction of royalty amount is made in spite of submitting purchase bills of the minor minerals of the authorised dealers. The grievance of the petitioners is that deductions of amount of royalty are being made without issuing any notice to the petitioners and the entire payments are not being paid to the petitioners. It is pointed out that there is no express provision of law to pay royalty to the Department of Mines as the royalty is to be paid by the contractor, who undertakes mining operation. The material is purchased by the petitioners from the trader who pays royalty as the payment of royalty is mentioned in the invoices raised and given to the petitioners.

The learned counsel for the petitioners is that the third proviso to Rule 68(1) of the M.P. Minor Mineral Rules, 1996 (in short “the Rules”) does not include the purchase of the minerals from the traders. The construction work undertaken by the petitioners is excluded from the scope and preview of the third proviso. A contractor, as defined under the Rules alone is required to obtain ‘No Mining Dues’ certificate and/or a quarry permit holder and not the contractor who is executing separate construction contract on behalf of the State.

Therefore, 'No Mining Dues' certificate is not required to be submitted by the petitioners as the petitioners in the writ petitions are the purchasers of the mineral from the open market.

Learned Advocate General submitted that the words "contractor engaged in construction work" appearing in the proviso to Rule 68(1) of the Rules, is not a "Contractor" as defined in Rule 2(xvi-b) of the Rules. It is also submitted that the "Quarry permit" holder as mentioned in third proviso is defined in Clause 2(xxiii) of the Rules, which is different from the "Quarry lease" defined in Rule 2(xxv) of the Rules.

Points of issues:

- (i) Whether the purchase of minor minerals from open market in terms of 3rd proviso to Rule 68(1) excludes the obtaining of "No Mining Dues" Certificate from Mining Department as the open market may include illegally extracted minor minerals as well?
- (ii) Whether the judgement in Phaloudi Constructions & Infrastructure Pvt. Ltd lays down good law, in view of the fact that the amendment carried out in Rules on 23rd March, 2013 and later on 02/07/2013 was not brought to the notice of the Bench, when the Rule 68(1) was substituted?

Decision:

The High Court has referred to the Rules 2, 4, 6, 7, 9, 18, 36, 68 of the Rules and found out that the "Quarry Permit" mentioned in Rule 68 third proviso is distinct from a "trade quarry" granted under Rule 7 read with Rule 36 or a "Quarry lease" granted under Rule 6 read with Rule 18 of the Rules. The grant of "Quarry permit" as defined in Rule 2 (xxiii) of the Rules is dealt with only in third proviso of Rule 68 as a permit to extract minor mineral for a specified period of the contract. Such a specified period of contract is granted on payment of advance royalty in terms of Sub-Rule (3) of Rule 68 of the Rules as against the royalty in case of quarry lease or a trade quarry, which is payable after the extraction of mineral in certain situations. Thus, the quarry lease is granted by allotment whereas the trade quarry is allotted by auction whereas the quarry permit is granted for a specified period for the purposes of specific contract in terms of third proviso to Rule 68. Since the expression "Contractor" in third proviso is followed by the expression "engaged in construction work" therefore, the contractor in third proviso is not a contractor, who has been given a trade quarry but a contractor engaged in construction work of the Central or the State Government. The High Court has stated that the argument raised by the learned counsel for the petitioners that proviso is enlarging the main substantive provision, is wholly misplaced. Firstly, the proviso is a part of the Rule, which itself is a proviso to Rule 4, which prohibits that no person shall undertake any mining operation in any area except by way of trade quarry or a quarry lease. Rule 68 deals with neither a trade quarry or a quarry lease but it deals with a situation where the Central or the State Government or a contractor engaged by it are given permission for extraction, removal and transportation of any minor mineral from any specified quarry. Third proviso is a further exception to Sub-clause (1) of Rule 68 when a quarry permit holder or a contractor engaged in construction work are permitted to use the excavated mineral on payment of royalty or on payment of proof of royalty. Therefore, third proviso is not an enlargement of Sub-Rule (1) of Rule 68 but is an additional exception to Rule 4 containing absolute prohibition.

The High Court has also referred the cases- Premium Granites and another v. State of Tamil Nadu & Others (AIR 1994 SC 2233); Kailash Chandra & another v. Mukundi

Lal & Others (AIR 2002 SC 829); National Investigation Agency v. Mohd. Hussain alias Saleem (AIR 2013 SCW 5676) and stated that no word in statute is superfluous and each word has its meaning, the provisos of the statute have to be read as a whole by giving harmonious construction to all the provisions of the law so that none of the provision is rendered redundant. Keeping in view the principle of harmonious construction, the third proviso is additional relaxation to Rule 4 of the Rules and 68(1) of the Rules. Therefore, third proviso cannot be said to be illegal in any manner, nor enlarges the scope of proviso to than that of Rule 68 or any other provision of the Rules.

The High Court has further stated that since minor mineral vests in the State and there is absolute prohibition in extraction of mineral other than by a quarry lease or a trade quarry or permit quarry, therefore, contractor who is engaged in construction work is required to prove that such mineral is royalty paid. For such condition, if the State Government insists on 'No Mining Dues' certificate, the same cannot be said to be illegal as it is to ensure that all minor minerals used in the construction activity are royalty paid material. The High Court has also stated that instead of obtaining 'No Mining Dues' certificate by the contractor after completion of the work, the Mining Officer shall give 'No Mining Dues' certificate at least quarterly on the basis of running bills submitted by the contractor engaged in the construction work. The High Court has found out that to ensure transparency and the digital infrastructure available, the State would be well advised to develop a software, which will give online information of extraction of the minerals by the contractors holding trade quarry or quarry lease or quarry permit. Once that data is available, the Mining Officer of the State can verify how a quantity of extracted minor mineral has been disposed of by each of the category of permit holders. It will create a transparent and also efficient mechanism for issuing certificate of 'No Mining Dues'.

In view of the above, the High Court has overruled the judgment given in the case Phaloudi Constructions (supra). The High Court has ordered that the contractors who are engaged in construction work are required to obtain 'No Mining Dues' certificate on production of the documents in terms of this order. Such 'No Mining Dues' certificate shall be issued expeditiously in a time frame of two months till such time alternative mechanism is developed for the issuance of online 'No Mining Dues' certificates. The High Court has further ordered that the principle of law having been settled, the writ petitions be posted for hearing as per Roster on 23.10.2017.

Ordered accordingly.

7. M/s Geomysore Services (I) Pvt. Ltd. and another, Appellants v. M/s Hutti Goldmines Co. Ltd. and others, Respondents, AIR 2018 Supreme Court 2305, Vol. 105, Part 1254, June, 2018.

Subject:

What is the role and power of the Central Government while dealing with the request of a State Government for reservation of lands for government companies or corporations owned and controlled by the State Government under Section (2) of the Mines and Minerals (Development and Regulation) Act, 1957.

Facts:

There are gold mines in the State of Karnataka and parties are litigating in respect of their rights to exploit those mines. On 01.04.2000 M/s. Geomysore Services (India) Pvt. Ltd, Appellant No.1 (hereinafter referred to as “Geomysore”) applied for grant of Reconnaissance Permit (for short ‘RP’) for 315 sq km of land in Hutti South Belt Gold Mines area. After approval by the Central Government, the State Government granted RP on 03.11.2000 for a period of 3 years. Similarly, Deccan Gold Exploration Services Pvt. Ltd, Appellant No. 2 (hereinafter referred to as “Deccan”) was granted RP in northern part of Hutti Gold Mines for an area measuring 501.48 sq km for a period of 3 years on 09.01.2003 after completing all formalities. The respondent No. 1 i.e. M/s Hutti Gold Mines Co. Ltd (hereinafter referred to as “HGML”) did not file any application for grant of RP for either of the two areas. Geomysore conducted the reconnaissance and submitted a consolidated report on 30.11.2003. Deccan submitted its consolidated report on 21.04.2006. Both the Companies found evidence to suggest the existence of gold deposits and need to carry out further prospecting in certain areas. On the basis of the results of the reconnaissance, Geomysore filed 4 applications for grant of Prospecting Licence (for short ‘PL’) under Section 11(1) of the abovesaid Act. Deccan filed 7 applications for grant of PL with regard to the area where it had conducted reconnaissance. On 28.11.2006, HGML sent a letter to the Commissioner, Geological Resources Development and Director, Department of Mines and Geology, Bangalore praying for reservation of area for the purpose of conservation exclusively for public sector undertakings under Section 17A(2) of the said Act. It was stated that HGML was keen to continue prospecting investigations in the area in question. It was submitted that grant of Mining Lease (for short ‘ML’) to different organisations would create severe problems including safety hazards and as such it was prayed that the entire area, including the area for which RP had been granted to Geomysore and Deccan, be reserved under Section 17A(2) of the Act. It appears that Geomysore came to know about this proposal and it sent a letter on 28.11.2006 itself to the Government of India and opposed the contemplated action of the State of Karnataka to forward a proposal to the Ministry of Mines for reservation of the mining area.

On 27.12.2008, the Government of Karnataka wrote to Government of India for reservation of area in favour of HGML and recommended that 161 sq km of land be allocated to HGML for mining. This covered the areas for which RPs had been granted to Geomysore and Deccan and, therefore, Geomysore and Deccan filed revision petitions before the Central Government. The Central Government allowed the revision petitions and directed the State of Karnataka to consider the PL applications filed by Geomysore as well as Deccan. Thereafter, HGML filed a writ petition in the Karnataka High Court. The High Court held that the reservation of the area had not yet taken place and since the Central Government was still to take a decision on the request of the State Government, it was not necessary to determine whether the preferential right claimed by Geomysore and Deccan under Section 11 of the said Act could defeat the right of the State Government to seek reservation of the area under Section 17A (2) of the Act.

Consequently, the orders passed by the Central Government were set aside and the matter was remanded to the Central Government to take decision on the recommendation made by the State Government with a direction to dispose of the same in accordance with law. The Central Government examined the matter and rejected the proposal of the State Government for reservation of land under Section 17A (2) of the Act for Government undertakings. The Central Government held that the action of the State Government is against the stated purpose of Para 3.3 of the NMP, 2008 which provides that there should a regulatory environment conducive to private investment; that the procedure for grant of

concession should be transparent and seamless transition shall be guaranteed to the concessionaires; Since Geomysore and Deccan had completed their RPs and applied for seamless transition to PL, the proposal of the State Government to reserve the land in favour of HGML was neither in public interest nor in terms of the NMP, 2008 and, therefore, proposal of the State Government to reserve land was rejected and again a direction was issued that the request of Geomysore and Deccan for grant of PL be considered expeditiously. HGML then filed another writ petition challenging the order of the Central Government dated 31.05.2011. Geomysore and Deccan filed a joint reply in the writ petition and the High Court allowed the writ petition vide the impugned judgment, which is under challenge before the Supreme Court.

Learned Additional Solicitor General for the Union of India, submitted that Section 17A (2) of the said Act empowers the State Government to reserve any area not held under PL or ML for any State Government undertaking. According to him, the absence of the words 'reconnaissance permit' from Section 17A (2) of the Act only indicates that whereas for those areas for which PL or ML has been granted, there is an absolute bar, but where only RP is granted, there is no bar and the State Government can, with the approval of the Central Government, reserve that area.

Learned senior counsel for the appellants urged that in view of the huge investments required to be made by the RP holder, it is his legitimate expectation under Section 11 of the Act that he would get the PL. It is further submitted that HGML had not submitted any application for grant of RP or PL. Therefore, the applications of Geomysore and Deccan being prior in time, should have been considered.

Learned senior counsel appearing for the State of Karnataka, submitted that it is the State which is the owner of the minerals and keeping in view the federal structure of our country, the Union cannot override the power of the State.

Learned senior counsel, for HGML submitted that the right of the State to reserve area under Section 17A(2) flows from the paramount right of the State as owner of the land and minerals.

Points of issues:

(i) Whether the State Government being the owner of land and minerals can claim that its proposal to reserve such land for exploitation of minerals by its undertakings is virtually binding on the Central Government?

(ii) What are the considerations which can weigh with the Central Government while dealing with a request of the State Government for reservation of land under Section 17A(2) of the Act?

(iii) Whether Section 11(1) and Section 17A(2) of the Act operate in totally separate spheres and what is the effect of the right of preference granted to RP holder in terms of Section 11(1) of the Act while dealing with a matter under Section 17A (2) of the Act?

(iv) Whether in the present case, the Central Government is justified in rejecting the proposal of the State of Karnataka?

Decision:

The Supreme Court has referred to Sections 3(ha), 3(hb), 3(g) and 3(h)12, 3(c), 3(d), 11(1), 17A, 2 of the MMDR Act, 1957 and also referred the cases State of Tamil Nadu v. M/s Hind Stone & Others (AIR 1981 SC 711); Indian Metals and Ferro Alloys Ltd. v. Union of India & others (AIR 1991 SC 818); State of Tamil Nadu v. M.P.P. Kavary Chetty (AIR 1995 SC, 858); Sandur Manganese and Iron Ores Ltd. v. State of Karnataka & others (AIR 2011 SCW 2486; State of Kerala and others v. Kerala Rare Earth & Minerals Ltd. & Others (AIR 2016 SC 1817), and stated that Section 17A(2) of the Act clearly provides that the State Government can reserve any area for undertaking prospecting or mining operations through a Government company or corporation with the approval of the Central Government. The Act does not lay down the parameters which the Central Government is required to follow. The Central Government can take all factors which are relevant for the purpose of deciding whether reservation should be made or not. The NMP, 2008 being a policy of the country, can definitely be taken into consideration while considering such a request. We are not in agreement with the Karnataka High Court that only those factors can be taken into consideration, which flow from the Act or the Rules.

The Supreme Court has further stated that under Section 11(1) of the Act, an RP holder, who has carried out reconnaissance, is entitled for preference when his case is being considered for grant of PL. However, in Section 17A(2) of the Act, the bar to reservation is only in those cases where the land is held under a PL or ML. When any land is held under PL or ML, then the said land cannot even be considered for reservation. If the land sought to be reserved is not under PL or ML, then the State can make a proposal to reserve the land. If the land sought to be reserved is covered by an RP there is no bar to reserve the land for exploitation by State Government undertakings. This, however, does not mean that while dealing with the proposal of the State, the Central Government must make the reservation. The Central Government while granting approval, has to independently apply its mind and while doing so, there is nothing which debars the Central Government from taking into consideration the fact that some entity was granted RP and the effect thereof. No doubt, the Central Government cannot reject the proposal only on the ground that RP was issued since that would run counter to the provisions of Section 17A(2) of the Act. However, this is a fact which along with other facts can be taken into consideration while deciding the issue of reservation of land. It was held that the request of the State Government was at a belated stage and was against the provisions of the NMP, 2008, the emphasis in which was to provide a regulatory environment which is conducive to private investment. Unless reservation takes place, a private company stands on the same footing as a Government company and in that eventuality, Section 11 of the Act would be applicable and Geomysore and Deccan being the RP holders and also being earlier PL applicants, had to be given preference.

Conclusion:

As far as above said four points of issues are concerned, the Supreme Court has held as under:-

(i) The State Government being the owner of the land and minerals, has a right to make a proposal to the Central Government to reserve lands not held under a prospecting licence or mining lease for exploitation by the State Government companies or undertakings but approval of the Central Government is necessary;

(ii) The Central Government cannot be bound by any specific parameters. Each case has to be decided on its own merits. However, as indicated by us above, the Central Government can

not only take into consideration factors of national security or public interest but also economic factors, the policy of the Government and all such other factors which are relevant to decide the issue whether the land should be reserved for exploitation only by State Government Undertakings;

(iii) Section 11(1) and Section 17A(2) of the Act have no connection with each other. Section 11(1) of the Act deals with preference to be given to RP holder and PL holder while considering their case for grant of PL and ML, respectively. This has nothing to do with reservation of land under Section 17A(2) of the Act. The only connection, if it can be called that, is that if a land is held under a PL or ML, then action under Section 17A(2) of the Act cannot even be initiated;

(iv) The Central Government was justified in rejecting the request of the State of Karnataka in reserving the land in question.

In conclusion, the Supreme Court has taken the view that the Karnataka High Court erred in allowing the writ petition. Hence, set aside the judgement of the High Court passed in Writ Petition No. 25899 of 2011 on 03/04/2012 and upheld the decision of the Central Government dated 31.05.2011, and directed to the State of Karnataka to consider the case of Geomysore and Deccan for grant of PL in accordance with the amended provisions in the year 2015 of the Act.

Lastly, the Supreme Court has allowed the appeals without any order as to costs.

Appeal allowed.

SECTION -2
Trend in Mining, Prospecting and Reconnaissance

2.1 TREND IN MINING

A. Mining Leases Granted

During the period under review, the information pertaining to the grant of 02 mining leases covering an area of about 238.459 ha, was received. Of these, Limestone accounted for 02 mining leases.

- Reviewing area wise, mining leases granted for Limestone covered an area of 238.459 ha.
- Reviewing state wise number of mining leases and area granted in Andhra Pradesh 01 with 24.739 ha and Madhya Pradesh 01 with 213.72 ha.

The mineral wise number of mining leases granted together with lease area and details of mining leases granted are given in Tables 1 A & 1 B, respectively.

**Table - 1 A: Details of Mining Leases Granted
(By Minerals)**

Mineral	No. of Mining Leases Granted	Area in ha
Limestone	02	238.459
Total	02	238.459

Table – 1 B: Details of Mining Leases Granted

Mineral	State/District	Village	Area in ha	Date of Grant Order	Period in years	Name & Address
Limestone	Madhya Pradesh Katni	Shahpura	213.72	21.08.2018	50	Mid East Integrated Steel Ltd, D-12, Freedom Fighter Enclave, IGNU Road Gate No.4, New Delhi.
Limestone	Andhra Pradesh Kurnool	Venkatapuram	24.739	05.09.2018	50	Sree Jayajothi Cements (P) Ltd, 9 th Floor, Block-3, My Home Hub, Madhapur, Hyderabad-500 081.

B. Mining Leases Executed

During the period under review, the information pertaining to the execution of 03 Mining Leases covering an area of about 478.402 hectares was received. Of these, Limestone accounted for all the above 03 mining leases.

Reviewing area wise, Limestone accounted for 478.402 ha mining leases.

Reviewing state wise, all the 03 mining leases executed are pertaining to Telangana covering an area of 478.402 ha.

The mineral wise number of mining leases executed together with lease area and details of mining leases executed are given in Tables 2A & 2B, respectively.

**Table – 2 A: Details of Mining Leases Executed
(By Minerals)**

Mineral	No.of Mining Leases Executed	Area in ha
Limestone	03	478.402
Total	03	478.402

Table – 2 B : Details of Mining Leases Executed

Mineral	State/District	Village	Area in ha	Date of Execution/ Registration	Period in Years / (valid up to)	Name & Address
Limestone	Telangana Suryapet	Choutapalli & Mellacheruvu	247.388	17.02.2018/ 10.05.2018	50 / (31.07.2055)	My Home Industries Private Limited, 9 th Floor, Block-3, My Home Hub, Madhapur, Hyderabad-500 081, Telangana.
Limestone	Telangana Suryapet	Mellacheruvu	141.644	17.02.2018/ 26.04.2018	50 / (22.06.2033)	My Home Industries Private Limited, 9 th Floor, Block-3, My Home Hub, Madhapur, Hyderabad- 500 081, Telangana.
Limestone	Telangana Suryapet	Yepalamadhavaram	89.37	17.02.2018/ 26.04.2018	50 / (21.02.2052)	My Home Industries Private Limited, 9 th Floor, Block-3, My Home Hub, Madhapur, Hyderabad- 500 081, Telangana

C. Mining Lease Period Extended

During the period under review, the information pertaining to the extension of mining lease period for 54 Mining Leases covering an area of about 2963.12 hectares was received. Of these, Limestone accounted for 29 mining leases followed by Bauxite 21 and Manganese 01. In addition to these 03 mining leases period extended were in respect of two or more mineral in association.

- Reviewing area wise, mining lease period extended for Limestone accounted for 1808.03 ha, followed by Bauxite 478.48 ha and Manganese ore 4.53 ha. This is followed by Group of Minerals 672.08 ha.
- Reviewing state wise, number of mining leases and area for which period extended in Gujarat 45 with 1268.95 ha, Telangana 03 with 936.54 ha, Andhra Pradesh 3 with 690.08 ha, Jharkhand 01 with 48.96 ha, Karnataka 01 with 14.06 ha and Maharashtra 01 with 4.53 ha.
- The mineral wise number of mining lease period extended together with lease area and details of mining leases extended are given in Tables 3A & 3B.

**Table 3 A: Details of Mining Leases Period Extended
(By Minerals)**

Mineral	No.of Mining Leases Extended	Area in ha
Bauxite	21	478.48
Limestone	29	1808.03
Manganese ore	01	4.53
Group of Minerals	03	672.08
Total	54	2963.12

Table -3 B : Details of Mining Leases Period Extended.

Mineral	State/District	Village	Area in ha	Date of Extension order	Date up to which lease period extended.	Name & Address
Bauxite	Gujarat Devbhumi Dwarka (earlier Jamnagar)	Virpur	67.18	23.04.2018	31.03.2020	PrabhudasVithaldas, (Mewasa, Virpur, Kenedy&MotaAsota Mines), MayurPankh Society, o/p CircuitVill, Chopati Road, At & Po Porbandar-360 575, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Kenedy	1.41	02.05.2018	17.02.2035	Bauxite Mining Industries (I) Pvt Ltd, C/o Shreji Minerals & Cemicals, 228/229, G.I.D.C. Industrial Area, P/o Porbandar, Distt. Porbandar, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Khakharada	34.80	02.05.2018	28.01.2035	Bauxite Mining Industries Pvt. Ltd. C/o Shreji Minerals & Chemicals, 228/229, G.I.D.C. Industrial Area, P.O. Porbandar, Dist. Porbandar, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Bankodi	50.78	21.05.2018	31.03.2020	Saurashtra Traders, 101, Camps Corner Apartment, Near Panchvati Petrol Pump, Bedi Road, Jamnagar-361 008, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Gaga	37.76	22.05.2018	15.01.2030	Yogita Allied & Calcine Products, C/o A. T. Odedra, Near Railway Crossing, Jubili Road, P.O. Porbandar, Dist. Porbandar.
Bauxite	Gujarat Porbandar	Palakhada	4.89	05.06.2018	18.04.2032	IndulalChhabildasVora, C/oBepin G. Malkan, RukmaniNivas, Wagheshwari Plot, Nr. Old Fuwara, Porbandar-360 575 Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Virpur and Kenedy	70.82	21.05.2018	31.03.2020	PrabhudasVithaldas, MayurPankh Society, Opp. Circuit Villa, Chopati Road, Porbandar-360 757, Dist. Porbandar.
Bauxite	Gujarat Devbhumi Dwarka	Mewasa	04.70	24.05.2018	30.12.2065	GirirajCalcine Bauxite and Refractories (P) Ltd., National High way, Bhatiya, Dist. Devbhumi Dwarka, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Bhopalka	14.16	24.05.2018	28.01.2035	Bauxite Mining Industries (I) Pvt. Ltd. C/o. Shree Minerals & Chemicals, 228,229, G.I.D.C. Are, Porbandar, Dist. Porbandar.
Bauxite	Gujarat Devbhumi Dwarka	Virpur	04.04	24.05.2018	30.12.2065	GirirajCalcine Bauxite and Refractories (P) Ltd. National High way, Bhatiya, Dist. Devbhumi Dwarka, Gujarat.
Bauxite	Gujarat Devbhumi Dwarka	Mewasa	03.20	22.05.2018	06.04.2036	Harsidhi Enterprise, C/o B. G. Malgan, Nagar Street, Por Gate, P. O. Jam Khambhalia, Dist. Jamnagar, Gujarat.
Bauxite	Gujarat Amreli	Chhelana	12.67	04.08.2018	31.05.2029	Pratapsinh Abhalbhai Mori At & Post:-Pipli, Tal. Kodinar, Dist.- Amreli (Gujarat).

Contd...

Table -3 B (Contd.)

Mineral	State/District	Village	Area in ha	Date of Extension order	Date up to which lease period extended.	Name & Address
Bauxite	Gujarat Devbhumi Dwarka	Ran	1.68	04.08.2018	15.07.2047	Kanaiya Industries, Station Road, Bhatia-361 315 Ta.-Kalyanpur, Dist.- Devbhumi Dwarka. (Gujarat).
Bauxite	Gujarat Devbhumi Dwarka	Mevasa	50.18	04.08.2018	04.10.2031	Orient Abrasives Ltd, Orient House, Yogeshwar Nagar, Khambhalia, Dist.- Devbhumi Dwarka.
Bauxite	Gujarat DevbhumiDwarka	Mevasa	8.09	04.08.2018	18.10.2046	Carboranum Universal Ltd. Station Road, Post.- Bhatia 361 315 Ta.-Kalyanpur. Dist.- Devbhumi Dwarka.
Bauxite	Gujarat Devbhumi Dwarka	Mevasa	4.57	04.08.2018	08.09.2054	Carboranum Universal Ltd, Post.- Bhatia 361 315 Ta.-Kalyanpur Dist.- Devbhumi Dwarka.
Bauxite	Gujarat Porbandar	Visavada	12.14	07.08.2018	13.06.2032	NareshKumarPrabhudasMakhecha, VithalNiwas, Station Road, Dist. – Porbandar 360 575.
Bauxite	Gujarat Porbandar	Visavada	20.32	07.08.2018	13.06.2032	NareshKumarPrabhudasMakhecha, VithalNiwas, Station Road, Dist. – Porbandar 360 575.
Bauxite	Gujarat Porbandar	Palakhada	65.39	07.08.2018	15.11.2031	Saurashtra Minerals Pvt. Ltd., EastKadia Plots, At Po. Ta.- Porbandar Dist. –Porbandar 360 575.
Bauxite	Gujarat Porbandar	TukadaMiyani	05.66	13.08.2018	14.09.2037	Dolarrai MuljibhaiThanki, 2,Wadi Plot, Kamla Park, Dist.- Porbandar - 360 575.
Bauxite	Gujarat Porbandar	Keshav	04.04	13.08.2018	15.07.2036	Nikhil Kumar RamanlalThanki, Vimleshwar-1, WadiPlot, Porbandar.
Limestone	Gujarat Porbandar	Aniyari	18.21	16.04.2018	10.11.2030	Shri Valjibhai Rudabhai Karena, KankaiKrupa, O/p Birla A. M. Gate, Ta. & Dist. Porbandar-365 575.
Limestone	Gujarat Devbhumi Dwarka	Pachhtar	32.08	02.02.2018	17.07.2033	Shri Digvijay Cement Co. Ltd, Digvijaygram-361 140, Jamnagar, Gujarat.
Limestone	Gujarat Devbhumi Dwarka	Gurgadh	24.28	17.04.2018	31.03.2020	GokuldasJamnadas, At-Gurgadh, Ta. - Kalyanpur, Distt.-Devbhumi Dwarka - 361 322.
Limestone	Telangana Peddapalli	Palakurthy & Thakkallapally	360.26	19.05.2018	31.08.2030	KesoramCements, Prop: Kesoram Industries Limited, Basanth Nagar, RamagundamMandal, Peddapally District-505 187, Telangana.
Limestone	Telangana Vikarabad (erstwhile Ranga Reddy)	Ogipur	221.92	18.05.2018	27.08.2058	Penna Cement Industries Limited, Lakshmi Nivas, Plot No. 705, Road No. 3, Banjara Hills, Hyderabad-500 034, Telangana.

Contd...

Table -3 B (Contd.)

Mineral	State/District	Village	Area in ha	Date of Extension order	Date up to which lease period extended.	Name & Address
Limestone	Gujarat Gir somnath	Hasnavadar	12.35	17.05.2018	13.07.2030	KartikeyMaheshbhaiTrivedi (permit transferee), L-75, Gujarat Housing Board, Amin Marg, Kalavad Road, Rajkot. (the legal heir of late Rajnikant D. Trivedi).
Limestone	Telangana Nalgonda	Ganeshpahad & Sunyapahad	354.36	18.05.2018	19.12.2051	Penna Cement Industries Limited, Lakshmi Nivas, Plot No. 705, Road No. 3, Banjara Hills, Hyderabad-500 034, Telangana.
Limestone	Gujarat Porbandar	Khirsara	2.00	05.06.2018	10.11.2048	Parbat M. Parmar, A. C. C. Road At. Khirsara, Ta. & Dist. Porbandar. Gujarat.
Limestone	Gujarat Porbandar	Dolatgadh	2.00	05.06.2018	09.01.2052	Shri Vinjabhai Arjanbhai Odedara, Birla Colony, Porbandar-360 576.
Limestone	Gujarat Porbandar	Ishwaria	04.00	05.06.2018	11.10.2061	Masaribhai Rajshibhai Karavadara, Ashwamegh Apartment, Block-A, 6 th floor, Vadi Plot, Porbandar, Gujarat.
Limestone	Gujarat Porbandar	Khirsara	02.00	05.06.2018	25.05.2048	Punjabhai A. Odedara, Indira Nagar, Near Birla Colony, Porbandar-360 576, Gujarat.
Limestone	Gujarat Amreli	Babarkot	565.93	05.06.2018	31.03.2030	Narmada Cement Co. Ltd, At. Babarkot, Ta. Jafarabad, Dist. Amreli, Gujarat.
Limestone	Karnataka Bagalkot	Hebbal	14.06	26.05.2018	17.03. 2043	Murugayya Mallayya Virakthmath, Lokpur Post, Mudhol Taluk-587 122, District Bagalkot.
Limestone	Gujarat Porbandar	Adityana	24.38	23.05.2018	23.06.2024	Industrial Mineral, Opp. Kamala Neharu Park, Wadi plot, M. G. Road, Porbandar, Dist. Porbandar, Gujarat.
Limestone	Gujarat Devbhumi Dwarka	Gojinesh	14.40	22.05. 2018	28.07.2041	Raghuvir Industries, C/o Sagar Medical Store, Krishna Market, P. o. Bhatiya, Dist. Jamnagar, Gujarat.
Limestone	Gujarat Porbandar	Adityana	2.00	03.06.2018	14.10.2046	Smt. Truptiben H. Thanki Nr. Income Tax office, Khijdi Chowk, Porbandar.
Limestone	Gujarat Porbandar	Ishwaria	14.37	13.08.2018	31.03.2030	Tata Chemical Ltd. Mithapur, Taluka- Okhamandal, Jamnagar.
Limestone	Gujarat Porbandar	Khanpur	2.00	07.08.2018	20.08.2047	Merubhai Rajabhai Chauhan, Nageshwar Park, National Highway, At Post & Tal.-Ranavav, Dist.- Porbandar, Gujarat.
Limestone	Gujarat Porbandar	Baladi	4.00	13.08.2018	17.08.2057	Gopalbhai Meghajibhai Patel At&Po. Darbar Gadh Chowk, Gondal, Dist. Rajkot.
Limestone	Gujarat Porbandar	Roghada	4.00	13.08.2018	05.02.2063	Merkhibhai Jetabhai Vanda, At - Roghada, Ta.- Kutiyana, Dist. Porbandar.

Contd...

Table -3 B (Concl.)

Mineral	State/District	Village	Area in ha	Date of Extension order	Date up to which lease period extended.	Name & Address
Limestone	Gujarat Junagadh	Zadaka	10.00	06.08.2018	10.08.2031	Somnath Hydrated Lime & Chemicals Ind. Pvt. Ltd. C/o Shri Dhanabhai Devsibhai Bharga, Re.-GokulEnterprize, Opp.- Harmony Hotel, Ta.- Veraval, Dist.- Girsomnath.
Limestone	Gujarat Porbandar	Dolatgadh	2.00	13.08.2018	09.01.2052	Arasibhai Vajsibhai Odedara, Opp.- Birla Gate, Dist.- Porbandar.
Limestone	Gujarat Porbandar	Bhod	13.37	07.08.2018	20.12..2031	R.R.Minerals, C/o Shri Rajnikant S. Medha, Teachers Colony, Shakti Bhavan, At PO- Ta -Porbandar 360 575.
Limestone	Gujarat Devbhumi Dwarka	Ran	5.00	04.08.2018	14.07.2043	Chimanlal Himatlal Mehta 8/9, AnkurAppits., 3 rd Floor, Near Motar House, Park Colony, Jamnagar -360 008.
Limestone	Gujarat Jamnagar	Ishwaria	26.10	13.08.2018	31.03.2030	Tata Chemical Ltd. Mithapur, Taluka- Okhamandal, Jamnagar.
Limestone	Gujarat Porbandar	Aniyari	2.00	10.08.2018	02.05.2049	Smt. Bhiniben Merubhai Gareja, At.- Gopalpara, Po- Ranavav, Dist.- Porbandar.
Limestone	Gujarat Porbandar	Dolatgadh	2.00	09.08.2018	09.01.2052	Natha Savdas Agath, Indira nagar, Nr. Birla Colony, Dist.- Porbandar 360 507.
Limestone	Andhra Pradesh Ananthapuram	Urichintala	66.96	13.08.2018	31.03.2030	Penna Limestone Quarries.Ltd., Plot No. 703,Srinikethan Colony, Road No.3, Banjara Hills, Hyderabad-500 034.
Limestone	Gujarat Gir Somnath	Ajotha	2.00	29.08.2018	07.10.2029	Arjanbhai Khimabhai Rathod, V- Ajotha, Taluka- Veraval, Dist-Gir somnath.
Manganese ore	Maharashtra Bhandara	Hiwara	4.53	29.06.2018	18.11.2021	Prafulla Ram Lanjewar 6/3,MIG Colony, Wanjari Nagar,Nagpur 440 003.
Iron ore and Manganese	Jharkhand West Singhbhum	Parambaljodi	48.96*	13.04.2018	31.03.2020	Shrimati Mala Roy, Mauja-Parambaljodi, Dist. West Singhbhum, Jharkhand.
Limestone & Clay	Andhra Pradesh YSR Kadapa	Chilamakur	601.88**	26.04.2018	17.11.2031	India Cements Limited, Corporate Office : Coromandal Towers, 93, Santhome High Road, Karpagam Avenue, R. A. Puram, Chennai- 600 028(Tamil Nadu).
Limestone & Dolomite	Andhra Pradesh Ananthapuram	Goddumarri	21.24	13.08.2018	25.08.2037	C.Lashminarayana Reddy, Near Chandana Gate, Rayalacheruvu, Dist.-Ananthapuramu -515 455.

* :- The area reported is 121 Acres.which is converted into 48.96 Hectare

** :- The area reported is 1487.28 Acs.which is converted into 601.88 Hectare.

D. Mining Leases Period Executed after Grant of Extension of Mining Lease Period

Table 4 – Details of Mining Leases Period Executed after Grant of Extension of Mining Lease Period.

Mineral	State/District	Village	Area in ha	Date of Execution/Registration	Date up to which lease period extended.	Name & Address
No such information is received during the said period						

E. Mining Leases Renewed

Table- 5 : Details of Mining leases Renewed

Mineral	State/District	Village	Area in ha	Date of Renewal	Period In Years (From date of Execution/Registration)	Name & Address
No such information is received during the period.						

F. Mining Leases Revoked

Table – 6 : Details of Mining leases Revoked

Mineral	State/District	Village	Area in ha	Date of Revoke	Period in Years	Name & Address
No such information is received during the period.						

G. Mining Leases Determined

Table – 7: Details of Mining Leases Determined (By Minerals)

Mineral	No.of Mining Leases Determined	Area in ha
No such information is received during the period.		

H. Mining Leases Surrendered

Table – 8 : Details of Mining Leases Surrendered

Mineral	State / District	Village	Area in ha	Date of Surrender	Name & Address
No such information is received during the period.					

I. Mining Leases Terminated

Table – 9 : Details of Mining Leases Terminated

Mineral	State / District	Village	Area in ha	Date on which lease Terminated	Name & Address
No such information is received during the period.					

J. Mining Leases Transferred

Table – 10 A : Details of Mining Leases Transferred

Mineral	State / District	Village	Area in ha	Name and Address		Valid up to year	Date of Transfer of Deed
				Transferor	Transferee		
Limestone	Rajasthan Nagaur	Basni	400.70	Grasim Industries Limited	Ultra Tech Cement Limited.	28.10.2036	26.06.2018
Limestone	Rajasthan Nagaur	Gotan	30.80	Grasim Industries Limited	Ultra Tech Cement Limited.	05.12.2031	26.06.2018
Limestone	Rajasthan Chittorgarh	MedikaAmrana, Sava, Kesharpura	760.692	Grasim Industries Limited	Ultra Tech Cement Limited.	28.04.2044	26.06.2018
Limestone	Rajasthan Jaipur	Mohanpura Jodhpura& Kujota	548.78	Grasim Industries Limited	Ultra Tech Cement Limited.	04.07.2034	26.06.2018

Table – 10 B : Details of Transferred Mining Leases Executed / Registered

Mineral	State / District	Village	Area in ha	Name and Address		Period (in Yrs.)/ Dt of expiry.	Date of Execution/ Registration of transfer deed
				Transferor	Transferee		
Limestone	Rajasthan Jaipur	Mohanpura Jodhpura&Kujota	548.78	Grasim Industries Limited	Ultra Tech Cement Limited.	04.07.2034	27.08.2018 28.08.2018

K. Mines Opened

Table – 11: Details of Mines Opened

Mineral	State/District	Name of Mine	Village	Date of Opening	Area in ha	Name & Address
Limestone	Chhattisgarh/ Bilaspur	Godadih Mahal No.2 Limestone Mine	GodadihMahal No.2	25.09.2018	120.313	Jindal Steel and Power Ltd. Post Box No. 16, Kharsia road, Raigarh (Chhattisgarh) 496 001

L. Mines Temporarily Discontinued

Table – 12: Details of Mines Temporarily Discontinued

Mineral	State/ District	Name of Mine	Village	Date of Discontinuation	Reason	Area in ha	Name & Address
No such information is received during the period.							

M. Mines Reopened**Table – 13 : Details of Mines Reopened**

Mineral	State / District	Name of Mine	Village	Date of Reopening	Area in ha	Name & Address
No such information is received during the period.						

N. Mines Abandoned**Table – 14 : Details of Mines Abandoned**

Mineral	State / District	Name of Mine	Village	Date of Abandonment	Reason	Area in ha	Name & Address
No such information is received during the period.							

2.2 TREND IN PROSPECTING

A. Composite Licences Granted

**Table – 15: Composite Licences Granted
(By Minerals)**

Mineral	State / District	Village	Area in ha.	Date on which licences Granted	Period in Years	Name & Address
Gold	Jharkhand West Singhbhum	Pahardiha	272.651	19.09.2018	03	Maithanlspat Ltd. Kolkata

B. Prospecting Licences Granted

**Table – 16: Prospecting Licences Granted
(By Minerals)**

Mineral	State / District	Village	Area in sq.km	Date on which licences Granted	Period in Years	Name & Address
No such information is received during the period.						

C. Prospecting Licences Executed

Table – 17: Details of Prospecting Licences Executed

Village	Mineral	State / District	Area in ha	Date of Execution	Period in Years	Name & Address
No such information is received during the period.						

D. Prospecting Licences Renewed

Table –18A: Mineral wise details of Prospecting Licences Renewed

Mineral	No.of Mining Leases Renewed	Area in ha
Limestone	02	3059.48
Chromite	02	3345.00
Total	04	6404.48

Table –18 B : Details of Prospecting Licences Renewed

Mineral	State/District	Village	Area in ha	Date of Renewal	Period in Years	Name & Address
Limestone (cement grade)	Rajasthan/ Chittorgarh	Ransigaon	1290.34	02.01.2018	01 (01.03.2018 to 28.02.2019)	M/s Drill Well Cement Pvt. Ltd 107, Star Hitawala Complex, Above Canara Bank, Udaipur- 313 001, Rajasthan.
Chromite	Manipur Kamjong	Pinghang, Leision & Kamjong	2470.00	07.05.2018	02 (w.e.07.04.2018)	Manipur Mines and Minerals Pvt. Ltd G-1, BJB Nagar, Bhubaneswar-751 014.

Chromite	Manipur Ukhrul	Lunghar, SihaiKhullen, Nungbi	875.00	08.03.2018	02 (w.e.f. 06.04.2018)	Facor Alloys Ltd Shreeramnagar, Dist.- Vizianagarm, Garividi, Andhra Pradesh.
Limestone (cement grade)	Rajasthan Chittorgarh	Chandakhedi, Sadi, Palaka, Uthen	1769.14	17.04.2018	02 (26.03.2017 to 25.03.2019)	Ultratech Cement Limited, Office No. 1, Third Floor C-98, Sanghi Upasana Tower, Subhash Marg, C Sc, Jaipur-302 001, Rajasthan.

E. Prospecting Licences Revoked

Table – 19: Details of Prospecting Licences Revoked

Mineral	State/District	Village	Area in ha	Date of Revoke	Name & Address
No such information is received during the period.					

2.3 TREND IN RECONNAISSANCE PERMITS (R.P.)

Table – 20 : Details of Reconnaissance Permits

Mineral	State/District	Area in sq km	Date of Approval of Grant	Name & Address
No such information is received during the period.				

Section - 3

Highlights

A. DOMESTIC

Government mulls single clearance for environment, forest for 288 mining leases

The government has given in-principal approval to provide single clearance for environment and forest to the new lease holders of the 288 mining leases expiring in two years. Environment Ministry has agreed that there will be no need to have a separate environment clearance (EC) and forest clearance (FC) to the new lease holders (of the 288 mines) as it is already allowed in the Coal Ministry. The Environment Ministry is in process of issuing necessary orders for it.

Of the 288 mining leases, 59 are working leases, which give substantial production of key minerals viz iron ore, manganese, chromite ore, etc. The Government had fixed the deadline April 1, 2019 for general exploration of these 288 mining leases. The development followed amendment to the Mineral Conservation and Development Rules, 2017. The auction process needs to be initiated well in advance to ensure a seamless transition from the existing to the new lessees so that mineral production is not affected due to expiry of these leases. Earlier, the Centre had issued a directive which mentioned that all the existing leases have to be brought to an exploration level of G2 (general exploration) or G1 (detailed exploration) in five year's time.

(The Times of India, 20th July, 2018)

Goa passes resolution to urge Centre to amend mining Act

The Govt. of Goa unanimously passed a resolution to allow the state government to urge the Centre to amend the central legislation governing the mining sector, allowing the state to bypass the Supreme Court order that had banned mining. A total of 88 mining lease stand revoked due to the order, with the entire mining sector shut down in Goa. Further, the Govt. of Goa requests the Centre to amend the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, and make mining leases in Goa valid from 1987, when the Act was actually promulgated and applied to Goa, rather than 1961, the year Goa was liberated.

(The Indian Express, 4th August, 2018)

Goa government seeks legal opinion on iron ore lying at mining sites

The Govt. of Goa has sought legal opinion about on iron ore lying at mining sites and the royalty-paid ore stacked outside the lease areas. The High Court had suggested that the government could sell the iron ore and use the funds for the benefit of average Goans and for the protection of the fragile ecology of the state.

(The Navhind Times, 30th May,2018)

Odisha targets increasing steel production to more than 100 MTPA by 2030

Mineral-rich Odisha, aspiring to become a manufacturing hub in India with downstream metal industries, will have an incremental steel capacity of 56 million tonnes per annum (MTPA) in the next few years, taking its overall production level to more than 100 MTPA by 2030. The steel plants in the state have an installed capacity of about 33 MTPA, with commitment for another over 56 MTPA. The steel industry in the state has 45 firms sign Memoranda of Understanding (MoU) with the state government for steel projects and 33 other firms are working on steel plants. Of these, 10 projects with a committed capacity of 13.13 MTPA are in the project implementation stage and are likely to be commissioned soon. The remaining steel plants have already been commissioned with an installed capacity of 25.7 MTPA and a committed capacity of 47.84 MTPA. The government has appealed to the Centre to raise the limit for the area held by an iron ore mine lessee from 10 sq km to 75 sq km assured supply of iron ore.

(The New India Express, 29th May, 2018)

Centre must consider classifying aluminium as ninth core industry

The aluminium sector contributes to nearly 2 percent of manufacturing GDP and is a high direct and an indirect employment multiplier creating close to 800,000 jobs. Currently, India indentifies coal, crude oil, natural gas, refinery products, fertilizer, steel, cement and electricity as a eight core industries. The aluminium plants are generally based in the hinterlands of the country and aid in generating peripheral employment and economic development of the region.

(Business Line, 24th July 2018)

Increased aluminium imports to hit realisations of domestic producers

Realisations of domestic primary aluminium producers are expected to drop in 2018-19, as import surges. Vedanta, National Aluminium Company and Hindalco Industries are the major primary producers. Their combined annual output is four million tonnes and can cater to the entire domestic market, where consumption is usually 3.1-3.6 mt. Roughly, half the consumption is being met via import mainly through aluminium scrap. Currently, capacity utilization of the primary industry is close to 90 percent. Aluminium is a continuously producing industry and power-intensive; dropping of utilization levels to bring it in line with domestic consumption comes at a cost.

(Business Standard, 26th July, 2018)

NMDC, CSIRO ink research pact for dry beneficiation of low grade iron ore

Iron ore mining major NMDC has signed a research agreement with Commonwealth Scientific and Industrial Research organization (CSIRO), Australia for research collaboration in the field of complex iron ore processing by energy efficient dry processing technique.

(Business Line, 30th May, 2018)

Molybdenum mine auctions face hurdles due to lack of policy framework

Tamil Nadu is unable to move ahead with the auction of Molybdenum mines as the minerals' royalty rates are not specified in the Central government's mining law and its average sale price has not been published by the Indian Bureau of Mines. The country has never auctioned any Molybdenum mine so far. Non-coal mining auction rules allow the state government to use the all-India average sale price of the IBM as a benchmark for auction if the state's average sale price is not available. Molybdenum can withstand extreme temperatures without significantly expanding or softening, so it is used in manufacturing military armor, aircraft parts, electrical contacts and industrial motors.

(The Indian Express, 16th May, 2018)

Centre seeks list of mineral blocks to be auctioned in FY19

The Centre has sought from states like Chhattisgarh, Goa, Jharkhand and Odisha the list of the mineral blocks likely to go under the hammer in the current fiscal, besides the

status of the statutory clearances of those mines that have been auctioned. In a letter to states like Andhra Pradesh, Chhattisgarh, Goa, Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu and Telangana, the mines ministry asked for “the list of blocks expected to be auctioned in 2018-19 (and) status of statutory clearances for each of the auctioned block. The Centre has also asked states to provide information in respect of the issue pertaining to Pradhan Mantra Khanij Kshetra kalyan Yojana and adoption of new accounting procedure for National Mineral Exploration Trust (NMET) and are requested to provide action plan for implementation of star rating for minor minerals, capacity building for improvement in star rating of mines.

The mineral auction rules have been amended by the mines ministry to make the auction process simpler and help the states auction mineral blocks quickly. The major amendments in the rules include providing more flexibility to state governments in the auction process, relaxation in net worth requirement for increased participation of bidders and adjustment of upfront payment in full at the earliest as against the revenue share mode.

(The Financial Express, 13th May, 2018)

Goa government to file review petition against Supreme Court mining ban order

The Goa government will file a review petition against the Supreme Court order of February this year quashing the second renewal of iron ore mining leases given to 88 companies in Goa in 2015, which brought the mining industry in the coastal state to a halt. The CAC had advised the state government to file a review petition seeking amendment to the Supreme Court order, dated February 7. The five-decade-old mining industry in Goa plunged into uncertainty after the SC ban came into effect on March 16. The shutdown resulted into the people dependent on mining for survival as well as other stakeholders losing their main source of livelihood. The estimated revenue loss to the tune of ` 3,500 crore per year due to closure of the mining activity.

(Business Standard, 10th May, 2018)

B. ABROAD

India looks to lift ban on Gold import from South Korea

India is looking at removing the ban on gold imports from South Korea at zero custom duty under the Comprehensive Economic Partnership (CEPA) Act as soon as it introduces a compulsory Regional Value Content (RVC) requirement in the pact to prevent third country imports from flowing in.

It has been almost year since gold imports from South Korea were restricted following a surge in imports. South Korea is now getting impatient and wants a mutually agreeable solution. Tightening the rules of origin under the CEPA by introducing RBC requirement in addition to existing change in tariff heading requirement could be a way out.

At present the CEPA provides for only change in tariff heading which means that if gold is imported from a third country into South Korea it can be subsequently exported to India at zero percent duty if the imports have changed form to the extent that they fall into different tariff head categorization.

(Business Line, 17th July, 2018)

Australia mining success matters for India

Australia has the world largest economically proven deposit of iron ore, gold, Nickel, uranium and is in the world's top five for coal, copper, tin and lithium. Australia has shown that its mining sector is, world leading. It has the infrastructure, the transport and logistics, the technology and the skills to consistently deliver and grow. In 2000, Australia produced 155 million tonnes of iron ore. Australia may not produce much Steel but huge fraction of the world steel is elemently Australian.

(Business Line, 8th October, 2018)

Government to put in place single window clearance in mineral block auction.

Stating that there were issues in obtaining environment and other clearances for mineral blocks the government said that it is trying to put a single window clearance system in place.

Clearances like environment, forest and land rights are an issue. It is not very easy to get clearances. There are delays in the process, hence Govt trying to put single window clearance

in place and unless issues related to green clearances and land rights were addressed upfront, India may not make much progress in auctioning of mineral blocks in the future.

(The Hitvada, 25th October, 2018)

US says no to unconditional withdrawal of penal tariff on Indian steel aluminium

Ignoring India threat of retaliation the US has formally said no to an unconditional rollback of penal duties on Indian steel and Aluminium imports. It is now insisting that India come up with a counter proposal to resolve the matter. India was not for closing any option, including the capping of export to resolve the matter with the US, but it now seems to be the only option available to India. The problem is not with the Commerce Ministry which has shown flexibility in its attempt to resolve the matter. It is the Steel Ministry that has been sticking to its initial demand of an unconditional roll back.

(Business Line, 28th September, 2018)

Higher Import Duty on Diamonds to hit 1L jobs

Nearly, one in five people engaged in India's diamond industry may become jobless in the next six month as the increase in import duty on cut and polished Diamond has led to the business of Re-cutting and redesigning shifting to competitors such as China and Thailand.

The diamond trade in Surat could potentially loose 1 lakh jobs in the next two quarters due to the increase in duty lack of ease of doing business and the liquidity crunch. A lot of diamonds which used to come up to India for recutting are now being shipped to China and Thailand.

(The Economic Times, 26th October, 2018)

China's trade surplus with U.S. hits record

China's trade surplus with the United States swelled to a record as its overall exports grew at a solid pace, a result that could further inflame a bitter trade dispute with Washington. The analysts expecting a less favourable trade balance for China in coming months as duties on exports start to bite. The data came after the administration of US raised the stakes in its trade row with China, would slap 10% tariffs on an extra \$200 billion worth of Chinese imports, including numerous consumer items. China's trade surplus with the US, which is at the centre of the tariff tussle, widened to a record monthly high of \$ 28.97 billion up from \$ 24.58 billions.

(The Indian Express, 14th July, 2018)
