

भारत सरकार
Government of India
[कौशल];
Ministry of Mines

[कौशल] [कौशल] [कौशल] [कौशल]
[क.म.39] [क.म.39]
विषय & तिथि 2021

Bulletin of Mineral Information
Volume - 39, No. 1
April 2021 – September 2021



भारतीय खान ब्यूरो
INDIAN BUREAU OF MINES

Prepared by

**Mineral Economics Division
Indian Bureau of Mines**

Issued by

**Controller General
Indian Bureau of Mines Nagpur**

December, 2021

The material contained in this publication may be reproduced or quoted with due acknowledgements.

Disclaimer

The Bulletin of Mineral Information is compiled and published with due care and is restricted to general information purpose. The data given here is based on information received from State Government Departments under the provisions of Rule 59 (1) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016. Though the data so obtained is believed to be reliable, the accuracy, adequacy, completeness, legality, usefulness of any information, expressed or implied are not guaranteed. IBM shall not be responsible for any tort arising out of or in connection with the use of the data. The information provided is on "as is" basis and assumes no responsibility for errors or omissions in the content. This office reserves the right to make additions, deletions or modifications to the contents at any time without prior notice. IBM shall not be liable for any consequent damage that may result from errors or omission contained in the bulletin.

CONTENTS

SECTION- 1

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

MINERAL LEGISLATION

A. Amendments/Notifications:

1	Ministry of Mines, G.S.R. 254(E)	1
2	Ministry of Mines, G.S.R. 397(E)	1
3	Ministry of Mines, G.S.R. 421(E)	2
4	Ministry of Mines, G.S.R. 422(E)	18
5	Ministry of Mines, G.S.R. 425 (E)	23
6	Ministry of Mines, G.S.R. 437(E)	23
7	Ministry of Mines, S.O. 2805(E)	24
8	Ministry of Mines, S.O. 2807(E)	24
9	Ministry of Mines, No. T-43010/CGBM/2017	25
10	Ministry of Mines. No. T-43010/CGBM/2017	26

B. Court Decisions:

1	C.H. Venkata Narayana Reddy, Petitioner v. State of Karnataka, Respondent, AIR 2021, Karnataka 71, Vol. 108, Part 1289, May, 2021	27
2	Sai Keshava Enterprise, Tamil Nadu and others, Petitioner v. State Of Karnataka, Respondent, AIR 2021, Karnataka 79, Vol. 108, Part 1289, May, 2021	28
3	M/s Orissa Metaliks Private Ltd and another, Petitioners v. State of Odisha and others, Respondents, AIR 2021, Odisha 85, Vol., 108 – Part 1290, June 2020-21	30
4	Ashapura Minechem Limited, Petitioner v. State of Gujarat, Respondent, AIR 2021, Gujarat 106, Vol. 108, Part 1291, July, 2021	32
5	Manjunath R. Patil, Petitioner v. State of Karnataka, Rep. by its Secretary, Department of Mines and Geology Visaka Soudha Dr. B.R. Ambedkar Veedhi, Bengaluru and others, Respondents, AIR 2021, Karnataka 130, Vol. 108, Part 1292, August, 2021	33
6	J and S Granites company Muppramon, Pathanamthitta, Petitioner v. Director of Mining and Geology, Thiruvanthapuram, Respondent AIR 2021, Kerala 149, Vol. 108, Part 1292, August, 2021	34

7	Rangadhar Pradhan, Petitioner v. State of Odisha and others, Respondents AIR 2021, Odisha 113, Vol. 108, Part 1292, August, 2021	36
8	Palashi Nath Mazumder, Petitioner v. State of Assam and others, Respondents, AIR 2021, Gauhati 137, Vol. 108, Part 1293, September, 2021	38
9	Narayana S.G., Petitioner v. State of Karnataka and others, Respondents, AIR, 2021, Karnataka 150, Vol. 108, Part 1293, September 2021	39
10	Jai Bhawani Stone Crusher, Appellant v. State of Uttarakhand and others., Respondents, AIR 2021, Uttarakhand 133, Vol. 108- Part 1293, September 2021	41

SECTION – 2

2. Trend in Mining

2.1	Trend in Mining	43-46
(A)	Mining Leases Granted	43
(B)	Mining Leases Period Executed	44
(C)	Mining Leases Determined	46
(D)	Mining Leases Transferred	46

SECTION – 3 **47-52**

Highlights

(A)	Domestic	47
(B)	Abroad	50

SECTION-I

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

I. MINERAL LEGISLATION

A. Amendments/Notifications

1. Ministry of Mines, G.S.R. 254(E).—In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act,1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016,namely:-

1. (1) These rules may be called the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Second Amendment) Rules, 2021.

(2)They shall come into force on the date of their publication in the Official Gazette.

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, in rule 44,after clause (i), the following proviso shall be inserted, namely:—

“Provided that in respect of metals for which London Metal Exchange does not publish the daily settlement price, the monthly average price for that metal published by London Metal Exchange shall be multiplied by monthly average of reference rate for the currency in which the price is obtained.”

Source : The Gazette of India: Extraordinary, Part II, Sec. 3(i), dated 08.04.2021

2.Ministry of Mines, G.S.R. 397(E).— In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, namely:—

1. (1)These rules may be called the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Third Amendment) Rules, 2021.

(2)They shall come into force on the 1st day of July, 2021.

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016,in rule 12A,—

(i) After sub-rule(1),the following sub-rules shall be inserted, namely:—

“(1A) In case of shortfall in dispatch from the minimum dispatch required under sub-rule (1), which shall be assessed on a quarterly basis, the lessee shall, in addition to the amounts payable under rule 13 of the Mineral (Auction) Rules, 2015 (hereinafter referred to as the Auction Rules) for the actual dispatch, also pay to the State Government, an amount equal to the difference between the following, namely:—

(a) the amounts payable under rule 13 of the Auction Rules for the quantity equal to the minimum dispatch required under sub-rule (1) in the said quarter on the basis of the

weighted average of grade of minerals dispatched during the quarter; and
(b) the amounts paid under rule 13 of the Auction Rules for the quantity actually dispatched in the said quarter:

Provided that a reconciliation of the amounts paid under rule 13 of the Auction Rules shall be done at the end of the year and on such reconciliation, if it is found that the lessee has dispatched more than or equal to the minimum dispatch required under sub-rule (1) for that year as a whole, then any amount paid by lessee for the shortfall in dispatch in any quarter or quarters of that year shall be adjusted with the amounts to be paid for the last quarter of that year:

Provided further that the amount payable under this sub-rule shall be in addition to any appropriation of performance security for non-compliance of any minimum production or dispatch requirement under the Mine Development and Production Agreement.

(1B) Where the lessee does not maintain minimum dispatch required under sub-rule (1) for the year as a whole, the State Government may terminate such lease after giving the lessee a reasonable opportunity of being heard.

(1C) In cases where the mining lease is executed on or before the commencement of the Mineral (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Third Amendment) Rules, 2021, the provisions of sub-rule (1A) and (1B) shall apply after a period of one year from the date of such execution of mining lease or the date of commencement of the Mineral (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Third Amendment) Rules, 2021, whichever is later.”;

(ii) in sub-rule (2), the following proviso shall be inserted, namely:—

“Provided that the new lessee shall also ensure that at least eighty per cent of such annual production is dispatched in the said year.”.

Source : The Gazette of India: Extraordinary, Part II, Sec. 3(i), dated 10.06.2021

3. Ministry of Mines, G.S.R. 421(E).—In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules to amend the Minerals (Evidence of Mineral Contents) Rules, 2015, namely:—

1. (1) These rules may be called the Minerals (Evidence of Mineral Contents) Amendment Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Minerals (Evidence of Mineral Contents) Rules, 2015 (hereinafter referred to as the said rules), for the word “Schedule”, wherever it occurs [other than in clause (f) of rule 3], the word and figure “Schedule-I” shall be substituted.

3. In the said rules, in rule 3,—

(i) Clause (b) shall be omitted;

(ii) in clause (d), the word and figure “rule 4,” shall be omitted.

4. In the said rules, rule 4 shall be omitted.

5. In the said rules, in rule 5,—

(i) In the marginal heading, after the words “Existence of mineral contents”, the words, brackets, letter and figures “for grant of mining lease under clause (a) of sub-section (2) of section 5 and” shall be inserted;

(ii) in the opening portion, after the words “contents under”, the words, brackets, letter and figures “clause (a) of sub-section (2) of section 5 and” shall be inserted;

(iii) after clause (b), the following proviso shall be inserted, namely:—

“Provided that for the minerals specified in Schedule-II occurring in such type of deposits as specified therein, the existence of mineral contents for the purpose of auction shall be deemed to have been established under this rule, if, in respect of such area—

(a) at least Preliminary Exploration (G3) has been completed to establish Inferred Mineral Resource (333), which shall be considered akin to Indicated Mineral Resource (332), and

(b) a geological study report has been prepared conforming to Part IV of Schedule-I.”.

6. In the said rules, in rule 6—

(a) In the marginal heading after the word “surrendered,” the word “terminated,” shall be inserted;

(b) In clause (b), after the word “surrendered,” the word “terminated,” shall be inserted;

(c) The following proviso shall be inserted, namely:—

“Provided that detailed reassessment of resources shall not be required to be carried out in cases where the estimate of Mineral Resource required for auction can be assessed on the basis of the available report of exploration or geological study report or last approved mining plan for the said area, after adjusting for the mineral already produced from the mine.”.

7. In the said rules, in rule 7—

(a) In sub-rule (1), for clause (a), the following clause shall be substituted, namely:—

“(a) at least Reconnaissance Survey (G4) has been completed to estimate Reconnaissance Mineral Resource (334) or mineral potentiality of the block has been identified based on the available geoscience data but resources are yet to be established; and”;

(b) For sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) On completion of prospecting operations under sub-section (10) of section 11 of the Act, Geological Study Report shall be prepared in accordance with the parameters specified in rule 5, which shall include at least a Pre-Feasibility Study Report to establish Probable Mineral Reserve (121 and 122) conforming to Part V of Schedule-I.”.

8. In the said rules, in Schedule-I—

(a) For Part I, the following Part shall be substituted, namely:—

“PART I

DEFINITIONS

1. The definitions and codes used in this Part are drawn mainly from the United Nations Framework Classification (UNFC) and Committee for Mineral Reserves International Reporting Standards (CRIRSCO) Template and have been suitably modified to suit the needs of the country.

(a) Definition of stages of exploration:

The exploration for any mineral deposit involves four stages namely, Reconnaissance Survey (G4), Preliminary Exploration (G3), General Exploration (G2) and Detailed Exploration (G1) and these stages of exploration lead to four resource categories, namely, Reconnaissance Mineral Resource, Inferred Mineral Resource, Indicated Mineral Resource and Measured Mineral Resource respectively reflecting the degree of geological assurance, which are explained as follows:

Sl. No.	Category	Definition with explanation
1	Reconnaissance Survey (exploration) (G4) Quantity with grade estimated mostly based on indirect evidences	Reconnaissance Survey (G4) identifies areas of enhanced mineral potential based primarily on results of regional geological studies, regional geological traverses and mapping, airborne geophysical survey, remote sensing or satellite data study; identifying the mineralised zones through spectral signatures; combination of geophysical surveys like ground gravity and magnetic, Resistivity surveys, Induced Potential (IP) surveys and other such advanced techniques; geochemical study and other indirect methods as well as geological inference and extrapolation; delineation of mineralised area boundaries and surface contouring by Lidar and Drone surveys and sampling data from existing pits, old workings, nala cuttings, dug wells etc., and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may be used for assessment of resources, if possible. Limited ground truthing by means of few drill-holes, as may be required, may be carried out to substantiate the information so collected and asses the quantity and grade of resources, if any.

	<p>Preliminary Exploration (G3) Quantity with grade estimated with low level of confidence</p>	<p>(1) Preliminary Exploration involves the initial delineation of an identified mineral deposit area of previous stage by furthering the exploration to extend and identify both laterally and vertically down (third dimension) of the ore body. The methods utilised are outcrop identification, surface geological mapping, and indirect methods such as geophysical and geochemical studies or mapping on appropriate scale based on nature of mineralisation. Limited wide spaced pitting or trenching and drilling to ensure maximum core recovery depending on the geological formation with appropriate spacing to understand nature, style and control of mineralisation followed by systematic sampling to identify a deposit, which will be the target for further exploration.</p> <p>(2) Estimates of quantities are inferred, based on interpretation of geological, geophysical, geochemical and geo-technical investigation results. Certain degree of extrapolation beyond the normal sample spacing may be allowed with proper justification depending upon the style and mode of occurrence of a mineral deposit.</p>
3	<p>General Exploration (G2) Quantity with grade estimated with moderate level of confidence</p>	<p>General Exploration involves increasing the geological confidence level and understanding style and mode of occurrence of mineralisation. Methods used include surface geological mapping (if not done in the previous stage of exploration), pitting or trenching or drilling (appropriate spacing closer than the previous stage, according to nature of mineralisation), followed by sampling for evaluation of mineral quantity and quality (including beneficiation tests on laboratory scale if required). The objective is to establish the main geological features of a deposit, giving a reasonable indication of continuity along lateral and vertical (third dimension) extensions which provide an initial estimate of size, shape, structure of mineralised zone, quantity and grade of the mineral deposit.</p>
4	<p>Detailed Exploration (G1) Quantity with grade estimated with high level of confidence</p>	<p>Detailed Exploration involves the detailed three-dimensional delineation of a known mineral deposit achieved through sampling, such as from outcrops, pits, trenches, boreholes, shafts and tunnels etc. Sampling locations are closely spaced such that size, shape, structure, quantity, grade and other relevant characteristics of the deposit are established with a high degree of accuracy. Bench scale beneficiation tests involving bulk sampling may be required in certain cases to understand the recovery and any additional by products.</p>

(b) Definition of stages of feasibility study:

Sl. No.	Category	Definition with explanation
1	Geological Study (F3)	A geological study involves reporting of all the exploration activities undertaken during each stage of exploration including the assessment of the mineral resources with quantity and grade. A preliminary economic evaluation of the deposit should be done based on the gathered field data and a comparison with the similar deposits already in operation. This is achieved by applying meaningful threshold values, cut off values for grade, thickness and depth of the mineralised zone.
2	Pre-Feasibility Study (F2)	Pre-Feasibility Study is the study to demonstrate the possible techno- economic and socio-environmental viability of a mineral deposit through application of various modifying factors wherein a preferred mining method has been ascertained including the mineral beneficiation method, if any. The study shall also include a preliminary financial analysis based on reasonable assumptions on the applicable modifying factors and the evaluation of any other relevant factors which are sufficient to convert all or part of the resources to reserves. The study should lead to part or whole of the Mineral Resource being converted to Mineral Reserve. A Pre-Feasibility Study has a lower confidence level than a Feasibility Study (wherein the cost estimates of the project will have $\pm 30\%$ degree of accuracy).
3	Feasibility Study (F1)	Feasibility Study is a detailed comprehensive techno-economic and socio- environmental evaluation of a mineral deposit through application of various modifying factors to establish the technical feasibility, economic and financial viability of a mineral deposit. At this stage the preferred mining method, beneficiation technology of the deposit has been adequately established with detailed assessments of the applicable modifying factors, relevant operational factors and detailed financial analysis to demonstrate that extraction is reasonably justified. It is expected that all Governmental clearances to start mining operations are already in place and where such clearances have not been obtained on the date of commencement of the Minerals (Evidence of Mineral Contents) Amendment Rules, 2021, the same shall be obtained in due course. The study may lead to part or whole of the Mineral Resource being converted to Mineral Reserve. The result of the study may reasonably serve as a basis for final decision by a proponent or financial institution to proceed with or finance the development of the project. (wherein the cost estimates of the project will have $\pm 20\%$ degree of accuracy)
4	Modifying Factors	Modifying Factors are those factors which are taken into consideration while conducting a Prefeasibility or feasibility

		study so as to convert mineral resources to mineral reserves. These include, but are not limited to, mining, processing, end use, cut-off grade, threshold value, metallurgical, infrastructure, economic, marketing, legal, environmental, social and Governmental factors.
--	--	--

(c) Definition of stages of economic viability:

Sl. No.	Category	Definition with explanation
1	Intrinsically Economic (E3)	Quantities, reported in tonnes or volume with grade or quality, estimated by means of a Geological Study identified to be of intrinsic economic interest, implying that the resources identified may or may not have any immediate economic value. The economic viability of the resources is further ascertained through a prefeasibility or feasibility study by application of appropriate modifying factors. The classes defined are Measured, Indicated, Inferred and Reconnaissance Mineral Resources.
2	Potentially Economic (E2)	Quantities with grade reported by means of a Prefeasibility or Feasibility Study in order of increasing accuracy, not justifying extraction under the prevailing technological, economic, environmental and other relevant conditions, realistically assumed at the time of the determination, but possibly so in the future. The classes defined as per the mineral resources for which are Pre- feasibility Mineral Resources and Feasibility Mineral Resources, including only indicated and measured resources.
3	Economic (E1)	Quantities with grade identified on the basis of a Prefeasibility or Feasibility Study in order of increasing accuracy that justify extraction under the prevailing techno-economic, socio-environmental and other relevant conditions, realistically assumed at the time of the determination. The classes defined are Proved and Probable Mineral Reserves.

(d) Definition of classes of mineral resources and reserve:

Sl. No.	Category	Definition with explanation
1	Mineral Resource	Mineral Resource is a concentration or occurrence of solid material in or on the earth's surface for which quantities with grade or quality have been estimated based on certain geological considerations and understanding which may or may not have any immediate or near-term economic value but are assessed for their future prospective value.
2	Reconnaissance Mineral Resource(334)	Reconnaissance Mineral Resources (334) are estimates of quantity and grade based on indirect evidences including data and information generated through a reconnaissance survey, limited surface and subsurface sampling data from within the exploration

		block or data extrapolated from nearby mining or explored areas as may be required. The quantity and grade estimates have a lower level of confidence than that of inferred mineral resources.
3	Inferred Mineral Resource (333)	<p>(1) Inferred Mineral Resource is the quantity with grade associated with a mineral deposit which can be estimated with a low level of confidence.</p> <p>(2) This is achieved through application of appropriate exploration techniques involving widely spaced drilling, pitting, trenching etc. followed by appropriate sampling and analysis to assume geological continuity of the mineralised body, both laterally and vertically. Certain level of extrapolation beyond the sampling points may be allowed with suitable justification depending upon the type of deposit and its mode of occurrence.</p> <p>(3) This resource cannot be converted to mineral reserve but may be upgraded to indicated mineral resource with additional information.</p>
4	Indicated Mineral Resource (332)	<p>(1) Indicated Mineral Resource is the quantity with grade associated with a mineral deposit which can be estimated with a moderate level of confidence.</p> <p>(2) This is achieved through application of appropriate exploration techniques involving close spaced drilling than the previous stage, pitting, trenching, etc., having spacing wider than that required for estimation of measured resources which ensures assumption of the geological continuity of the mineralised body, both laterally and vertically. This also includes the laboratory scale beneficiation studies to understand the recovery and by-products, if any.</p> <p>(3) Indicated Mineral Resource may be wholly or partly converted to Probable Mineral Reserve through a prefeasibility study.</p>
5	Measured Mineral Resource (331)	<p>(1) Measured Mineral Resource is the quantity with grade associated with a mineral deposit which can be estimated with a very high level of geological confidence.</p> <p>(2) This is achieved through application of appropriate exploration techniques involving sufficiently close spaced drilling, pitting, trenching etc. followed by appropriate sampling and analysis to ensure geological continuity of the mineralised body both laterally and vertically. Bench scale beneficiation studies to confirm the percentage recoverability with additional minerals, if any recovered.</p> <p>(3) Measured Mineral Resource may be wholly or partly converted to Proved or Probable Mineral Reserve through a feasibility or a prefeasibility study.</p>
6	Mineral Reserve	Mineral Reserve is the economically mineable part of a Measured and/or Indicated Mineral Resource. It includes diluting materials and allowances for losses, which may occur when the material is mined or extracted. The quantity and grade of the mineral Reserves is ascertained through suitable prefeasibility or feasibility study by

		application of appropriate Modifying Factors.
7	Proved Mineral Reserve (111)	Proved Mineral Reserve is the economically mineable part of a Measured Mineral Resource. The quantity with grade is demonstrated to be economically mineable by means of a feasibility study. A Proved Mineral Reserve implies a high degree of confidence in the Modifying Factors.
8	Probable Mineral Reserve (121 and 122)	(1) Probable Mineral Reserve is the economically mineable part of an Indicated, and in some circumstances, a Measured Mineral Resource. The quantity with grade is demonstrated to be economically mineable by means of a prefeasibility study. (2) The confidence in the Modifying Factors applying to a Probable Mineral Reserve is lower than that applying to a Proved Mineral Reserve.
9	Feasibility Mineral Resource(211)	Feasibility Mineral Resource is that part of Measured Mineral Resource which is not economically mineable and has been defined by studies at feasibility level as appropriate that extraction is presently not justified. This material is identified as being possibly economically viable subject to changes in technological, economic, and environmental or other relevant conditions.
10	Pre-Feasibility Mineral Resource(221 and 222)	Pre-feasibility Mineral Resource is that part of an Indicated mineral resource, and in some circumstances Measured Mineral Resource, which is not economically mineable and has been defined by studies at Pre-feasibility level as not appropriate for extraction at present. This material is identified as being possibly economically viable subject to changes in technological, economic, and environmental and/or other relevant conditions.”;

(b) In Part II, in the table,—

(i) In serial number 2, for the words, figures, bracket and letters, “On 1:50,000 or smaller scale for reconnaissance (G4) stage”, the words, figures, bracket and letters, “On 1:50,000 or larger scale for reconnaissance (G4) stage” shall be substituted;

(ii) In serial number 4, after the first paragraph, the following paragraph shall be inserted, namely:—

“For Reconnaissance Survey (G4) stage sampling data from existing pits, old workings, nala cuttings, dugwells, etc., and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may be used for assessment of resources, if possible.”;

(c) In Part III, in the table, in serial number I,—

(i) In column (3) relating to ‘G3 stage’, after the words ‘irregular habit’ occurring at the end, the following shall be inserted, namely:—

“Provided that for deposits specified in Schedule II, 3 bore holes drilled so as to form a polygon in blocks of less than 100 hectares and 5 boreholes in blocks of more than 100 hectares may be sufficient.

The lateral influence beyond the bore hole spacing may be limited to a maximum of 50 per cent. of the spacing depending on the results of surface geological mapping.”;

(ii) In column (6) relating to ‘Remarks’, before the words “for shallow surficial deposits”, the following paragraph shall be inserted, namely:—

“For G4 and G3 stages, sampling data from existing pits, old workings, nala cuttings, dug wells, etc., within the block and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may also be used for assessment of resources if possible.”;

(d) For Part IV-A in the table, the following Part shall be substituted, namely:—

PART IV-A

REPORTING OF MINERAL RESOURCES

Standard Template for a Geological study Report which shall also form a part of the pre-feasibility or feasibility report

1. A Geological Study Report for estimation and reporting of Mineral Resources integrating all data of exploration, sampling and testing generated through geophysical (aerial and ground), geochemical, geological surveys and technological study shall be undertaken for every stage of exploration, i.e., from G4 to G1 for assessing the resources.
2. Mineral resource assessment is normally a collective effort involving a multidisciplinary approach. It is expected that individuals/ subject matter experts involved in each part of the report preparation are given due credit for that part with proper acknowledgement in the report and also, they are willing to take due responsibility regarding the accuracy and authenticity of that part. However, the final responsibility of the report shall lie with the lead expert or a group of experts who, after proper due diligence of all the parts of the report have arrived at the final estimation of the resources and reserves and are convinced about the methodology and processes followed in arriving at the resource estimates. These experts taking the final responsibility for the report shall be referred to as the qualified persons and shall certify the report by signing off the report with their credentials.

SI No.		Criteria with parameters of reporting
1.		Executive Summary
	i	The executive summary shall include details about the location of the mineral deposit, purpose of the mineral investigation and the stage of the exploration, brief geology, mineralization, exploration plan with spacing of the sample points, depth of exploration and whether the mineralisation extends beyond the depth of direct evidence. Outcome of the exploration studies including the quantity of resources identified with grade and quality under various classes.

	ii	The summary shall also include observation on the issues regarding the future plan or strategy for the deposit including likely mineability of the deposit based on present technological, environmental, social and market conditions.
2.		Details of the Qualified Person(s) / Exploration Agency (To be provided separately for all the qualified persons signing off the report)
	i	(a) Name: (b) Address: (c) Contact Mobile No: (d) E-Mail id: (e) Qualification: (f) Experience: (g) Affiliation to any organization/ company, if yes, specify the name of the organisation or company:
	ii	Details of qualification and experience of persons associated with various aspects of exploration assessment of resources and reserves
3.		Title and ownership
	i	Name of the explorer/ Mining or prospecting rights holder: Address: Telephone No: E-Mail i.d.:
	ii	Details of period of prospecting/mineral right if any: In case of a licence or lease: (a) Date of grant: (b) Date of execution: (c) Period of licence or lease: (d) Date of completion:
4.		Details of the Area Under Study
	(i)	Village, District, State
	(ii)	Survey of India Toposheet No., Differential Global Positioning System(DGPS) coordinates of all corner points of the area and borehole points in latitude and longitude (Degree Minutes Second) format WGS-84 Datum
	(iii)	Cadastral details of the area with land use, area under forest with type of forest. In case the cadastral details are not available an indicative data of breakup of government, private and forest land
	(iv)	Mineral(s) under investigation or granted under licence or lease

5.		Physiography and environment (Data to be furnished up to five km. radius from the peripheral boundary of project area incase of G3,G2 and G1 stage of exploration)
	(i)	Relief of the area with minimum and maximum elevation, drainage pattern, natural watercourses, reservoirs, etc.
	(ii)	Roads, railway track, electric transmission line, telephone line, etc., passing through the area or nearby
	(iii)	Host population (local tribes), Human settlements within and nearby the area
	(iv)	Socio Demographic profile of the area and nearby
	(v)	Historical sites and archaeological monuments, places of worship, public utilities etc. within or near by
	(vi)	Forests, sanctuaries, national park and wild life sanctuaries; grazing land and gochar land within or near by the area with distance from periphery of the area explored.
	(vii)	Flora and Fauna within and nearby
	(viii)	Water bodies such as river, nala, stream, reservoir, etc., within or nearby
	(ix)	Climatic conditions: (a) Temperature (annual) min__max____Avg____ (b) Rain fall (annual) min__max____Avg____ (c) Humidity (annual) min__max____Avg____
	(x)	Any other physiographic, social and environmental factor having potential to affect the viability of the project and assessment of resources and reserves.
6.		Infrastructure
		Local infrastructure with roads, railways, port facilities, electricity, water etc. with distance from the area. Details of nearby industries in the area which may use the mineral commodity likely to be mined
7.		Geology
	(i)	Brief regional geology of the area outlining the broad geological, stratigraphical and structural frame work.
	(ii)	Local geological setting detailing the common rock types, controls of mineralization, details of old workings if any, surface exposures, etc., of the area under study also of adjoining nearby areas, if the information is likely to have an impact on the area under study.
	(iii)	Structural details of the area such as dip, strike, folds, faults, etc.
	(iv)	A discussion on the type of the deposit based on the style of mineralisation and minerals under investigation. Suggested exploration plan with spacing of the sampling points and depth of exploration commensurate with the stage of exploration.
	(v)	The extent and variability of the mineralisation expressed as length (in meter) (along strike or otherwise), plan width, and depth below surface to the upper and lower limits of the Mineral Resource.

8.		Previous Exploration
	(i)	Name and address of prospecting agency or permit holder or licensee involved in the exploration of the area with year and period of exploration (if more than one agency is involved details to be given separately for each agency)
	(ii)	Brief details of the exploration carried out (to be given separately for each agency)
	(iii)	Reserves or resources estimated, if any, during the previous exploration campaign with quantity and grade under various categories
9.		Aerial or ground geophysical or geochemical data
		Details of aerial, ground geophysical and geochemical survey taken up and their results.
10.		Exploration undertaken during current investigation
	(i)	Details of pitting, trenching, drilling, etc., with spacing and distribution of the sample points along with geographical co-ordinates.
	(ii)	Data spacing for reporting of exploration results: Whether the data spacing and distribution is sufficient to establish the degree of geological and grade continuity appropriate for the mineral resource estimation procedure(s) and classifications applied.
11.		Location of data point
	(i)	Accuracy and quality of surveys used to locate drill holes (collar and down-hole surveys, azimuth, inclination, coordinates of bore holes etc), trenches, mine workings and other locations used in mineral resource estimation.
	(ii)	Quality and adequacy of topographic control.
12.		Sampling technique
		Nature and quality of sampling (eg. cut channels, random chips, etc.) and measures taken to ensure sample representation.
13.		Drilling technique and drill sampling employed
	(i)	Drill type (eg. core, reverse circulation, open-hole hammer, rotary air blast, auger, Bangka, sonic, etc.) and details (eg. core diameter, triple or standard tube).
	(ii)	Whether core and chip sample recoveries have been properly recorded and results assessed.
	(iii)	Measures taken to maximise sample recovery and ensure representative nature of the samples.
	(iv)	Whether a relationship exists between sample recovery and grade and whether sample bias could have occurred due to preferential loss or gain of fine or coarse material.
	(v)	Logging: -Whether core and chip samples have been logged to a level of detail to support appropriate Mineral Resource estimation, mining studies and metallurgical studies.
	(vi)	Discussion on the analysis results of handheld X-ray fluorescence (XRF), if used in the investigation.
14.		Sub-sampling techniques and sample preparation
	(i)	If core, whether cut or sawn and whether quarter, half or all core taken.

	(ii)	(a) If non-core, whether riffled, tube sampled, rotary split, etc., and whether sampled wet or dry. (b) For all sample types, the nature, quality and appropriateness of the sample preparation technique.
	(iii)	Quality control procedures adopted for all sub-sampling stages to maximize representation of samples.
	(iv)	Measures taken to ensure that the sampling is representative of the in-situ material collected.
	(v)	Whether sample sizes are appropriate to the grain size of the material being sampled.
15.		Quality of assay data and laboratory tests
	(i)	(a) The nature, quality and appropriateness of the assaying and laboratory procedures used and whether the technique is considered partial or total. (b) Nature of quality control procedures adopted (eg. standards, blanks, duplicates, external laboratory checks) and whether acceptable levels of accuracy (ie. lack of bias) and precision have been established. (c) Check analysis of at least 10% of samples should be analyzed from third party National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited or Department of Science and Technology (DST) or Bureau of Indian Standards (BIS) recognized laboratories or government laboratories for assessing the acceptable levels of accuracy. (d) Security and chain of control of samples should be clearly mentioned.
16.		Moisture
		Whether the tonnages are estimated on a dry basis or with natural moisture, and the method of determination of the moisture content.
17.		Bulk Density
		Whether assumed or determined. If assumed, the basis for the assumptions. If determined, the method used, whether wet or dry, the frequency of the measurements, the nature, size and representativeness of the samples.
18.		Beneficiation studies as may be required
		Details of beneficiation studies carried out at laboratory scale or bench scale involving bulk sampling tests to understand and suggest technological factors for optimum recovery of explored mineral commodity, any additional by-products or co-products that may be available in the ore which is recoverable should also be discussed. The detailed flow sheet with yield recovery factors and to be discussed.
19.		Resource estimation techniques
	(i)	Discussion on sufficient data density to assure continuity of mineralisation and synthesis of adequate data base for estimation procedure used.
	(ii)	Whether previous exploration data has been used and integrated with the current exploration data for assessment of the updated resources.
	(iii)	The nature and appropriateness of the estimation technique(s) applied and key assumptions, including treatment of extreme grade values, domaining,

		interpolation parameters, maximum distance of extrapolation from data points
	(iv)	The basis for the classification of the mineral resources into varying confidence classes.
	(v)	The assumptions made regarding recovery of by-products.
	(vi)	Detailed description of the method used and the assumptions made to estimate tonnages and grades (section, polygon, inverse distance, geostatistical, or other method).
	(vii)	Description of how the geological interpretation was used to control the resource estimates.
	(viii)	Discussion of basis for using or not using grade cutting or capping. If any computer software was used for estimation of resources then name of the software with the version and method chosen, description of programmes and parameters used.
	(ix)	Geostatistical methods are extremely varied and should be described in detail. The method chosen should be justified. The geostatistical parameters, including the variogram, and their compatibility with the geological interpretation should be discussed. Experience gained in applying geo-statistics to similar deposits should be taken into account.
	(x)	Data verification or validation procedures used, including peer review report.
20.		Reporting of resources
		Basis of reporting of resources into various classes. The criteria and methods used for the classification to be specified. The quantities with grades, for each class are to be specified. The average grade under each class is to be specified. Grade wise classification should also be reported under suitable cases. In case of metallic deposits such as gold, precious metals and base metals the metal content is to be specified and resources should be estimated at various cut off grades. Factor, if any, applied to take care of the confidence level from the actual estimates should also be specified. The inferred, indicated and measured resources should be highlighted in a table.
21.		Summary and recommendations
	(i)	(a) A discussion on the outcome of the exploration work detailing the nature of the deposit, the dimension of the deposit, general structural trend, depth of occurrence and depth up to which exploration has been done, possibility of continuity of mineralisation beyond the depth of exploration and future exploration requirements, if any. (b) The resources estimated under various classes with grade. (c) The possibility of economic extraction based on present technological, environmental, social and market conditions. (d) Hindrances, if any, anticipated in the economic extraction of the deposit.
	(ii)	Discussion on the suggested future plan or strategy for the deposit for further exploration and mining.
22.		Plates and maps

	(i)	Location plan of the area on 1:50000 showing various topographic and physiographic features nearby the project site.
	(ii)	Topographic Map/ Cadastral plan on 1:4000, if available.
	(iii)	A physiography or surface topography plan showing various topographical and physiographical features.
	(iv)	Surface geological plan on appropriate scale showing reliable geological map of appropriate scale with Differential Global Positioning System (DGPS) - global coordinates of the corner points showing major lithological units, structural and tectonic features; extent of surface mineralisation, structure, location of boreholes, pits, trenches, old workings, etc. If the area or part of it has been covered under exploration earlier then the same with the location details should be shown in a map in appropriate scale.
	(v)	Cross sections at suitable intervals showing vertical projections of litho-units and mineralization.
	(vi)	Level plan or slice plan at suitable intervals showing horizontal projections of mineralization, if necessary.
23.		Annexures or enclosures to the report
	(i)	The report shall include all relevant data including maps, sections, logs, analysis reports, photographs, etc., in support of the estimates made.
	(ii)	In case of a Prospecting Licences or Reconnaissance Permit, all relevant orders of grant, execution of licence, permissions to carry out exploration from forest department, Letter of Intent, etc., shall also form part of the report.
24.		Any other information
		Any other information as may be available or required by any authority as prescribed.
25.		Certificate from the qualified person with name, date and signature.

(e) In Part V,—

(i) For the heading “Contents of Prefeasibility Report”, the following heading shall be substituted, namely:—

“CONTENTS OF PRE-FEASIBILITY AND FEASIBILITY REPORT”;

(ii) For the opening portion, the following opening portion shall be substituted, namely:—

“Criteria for Prefeasibility or Feasibility Report for Estimation and Reporting of Mineral Reserves (the criteria listed in the geological study report shall also constitute an integral part of this template).”;

(iii) In serial number 2, in clause (2), for the words, “Cut off parameters”, the words “Cut-off grade or quality parameters” shall be substituted;

(iv) after serial number 8 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

“9.Certificate	Certificate from the qualified person	Name,date&signature.”
----------------	---------------------------------------	-----------------------

9. In the said rules, after the Schedule I, the following Schedule shall be inserted, namely:—

“Schedule-II

[See proviso to rule 5]

**PARAMETER FOR ESTABLISHING THE EXISTENCE OF MINERAL CONTENT IN
CERTAIN AREA IN RESPECT OF CERTAIN MINERALS**

Sl. No.	Principle mineral	Type of deposit
1.	Limestone, iron ore and bauxite	Bedded, stratiform and tabular deposits of homogenous, regular sedimentary and metasedimentary basins without significant structural deformations of limestone and iron ore and residual high level tabular deposits of bauxite.”.

Source: The Gazette of India; Extraordinary, Part II, Section 3(i), dated 18.06.2021

4. G.S.R. 422(E).— In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely:—

1. (1) These rules may be called the Mineral (Auction) Second Amendment Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Mineral (Auction) Rules, 2015 (hereinafter referred to as the said rules), in rule 2, in sub-rule (1), —

(i) clause (b) shall be omitted;

(ii) in clause (m), in sub-clause (ii), for the proviso, the following shall be substituted, namely:—

“Provided that if for any mineral or mineral grade, the average sale price in respect of the relevant State for any month is not published by the Indian Bureau of Mines, the average sale price for the latest month published for such mineral or mineral grade shall be deemed to be the average sale price for the said month for which average sale price is not published:

Provided further that if for any mineral or mineral grade, the average sale price in respect of the relevant State is not published for the entire period of the preceding twelve months, then the all India average sale price published for such mineral or mineral grade for the said twelve months shall be used:

Provided also that in case of auction of mineral block for composite licence for minerals and corresponding deposits as specified in Schedule II of the Minerals (Evidence of Mineral Contents) Rules, 2015, the ‘estimated quantity of mineral resources’ shall be arrived in the following manner, namely:—

(a) the estimated quantity of mineral resources as assessed under G4 level of exploration for the mineralized area in the block shall be considered the ‘estimated quantity of mineral resources’ of the block;

(b) in case the estimated quantity of mineral resources is not possible to be assessed under clause (a), then the same shall be arrived at by multiplying—

(i) the average of the estimated quantity of mineral resource per hectare for the same mineral available in the mineralised area of nearby mining leases or mineral blocks having similar geological features and explored upto G3 level in accordance with the said rules; and

(ii) the mineralised area of the mineral block, which is to be auctioned for composite licence.

Explanation.— For the purposes of this clause ‘nearby mining leases or mineral blocks’ shall mean mining leases or mineral blocks located in the same district or in any adjacent district.”.

3. In the said rules, in rule 6,—

(a) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) The State Government shall not reserve any mine for captive purpose or any specific end use or partial specific end use in the auction.”;

(b) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) Where the State Government has auctioned a mine as a captive mine for any particular specified end use before the commencement of the Mineral (Auction) Second Amendment Rules,

2021, up to fifty per cent. of total mineral produced in such captive mine in a financial year may be sold in market while ensuring that not less than fifty per cent of total mineral produced in such captive mine shall be used during the financial year for meeting the requirement of the end use plant linked with the mine and on payment of such additional amount as specified in the Sixth Schedule to the Act.”.

4. In the said rules, in rule 9, in sub-rule (5), the following provisos shall be inserted, namely:—

“Provided that bid security shall be for an amount equivalent to 0.25 per cent. of the value of estimated resources or fifty crore rupees, whichever is lower, and shall be submitted in the form of a bank guarantee or through security deposit:

Provided further that in auction for composite licence for the mineral block having such type of deposit as specified in serial number I, II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (m) of sub-rule (1) of rule 2, but the mining potentiality of the block has been identified based on the existing geoscience data, the bid security shall be fifty lakh rupees.”.

5. In the said rules, after rule 9, the following rule shall be inserted, namely:—

“9A. Conduct of auction of mining lease by Central Government.—(1) The State Government shall intimate to the Central Government the details of all the areas or mines available with the State Government for auction of mining lease, including the mining leases expired under section 8A and cases covered under sub-section (2) of section 10A, within forty-five days of the commencement of the Mineral (Auction) Second Amendment Rules, 2021.

- (2) The State Government shall intimate to the Central Government regarding the following namely:—

(a) receipt of any geological report in respect of any area or mine for auction of mining lease from Geological Survey of India, Mineral Exploration Corporation Limited or any other Government or private entity, within a period of forty-five days of receiving it, along with a tentative schedule for notification of such area and conducting auction of such area under sub-sections (3) and (4) of section 10B, respectively;

(b) publication of notification under sub-section (3) of section 10B along with its copy, within fifteen days of publication of such notification;

(c) issue of notice inviting tender for auction for mining lease under rule 9 along with its copy, within fifteen days of issue of such notice;

(d) outcome of any auction for mining lease, within fifteen days of completion of auction; and

(e) termination of mining lease or lapsing of letter of intent for mining lease, within fifteen days from such termination or lapse.

(3) In case the Central Government decides to notify an area for auction or conduct auction for mining lease under the proviso to sub-section (3) or sub-section (4) of section 10B, as the case may be, the provisions of rules 5 to 9, as applicable to a State Government, shall *mutatis mutandis* be also applicable to the Central Government.

(4) Upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant mining lease for such area to such preferred bidder in accordance with rule 10.”.

6. In the said rules, in rule 10,—

(a) in sub-rule (1), for the words and figures “being ten per cent. of the upfront payment as per rule 11” the following shall be substituted, namely:—

“of the upfront payment as per rule 11 within fifteen days after being declared as preferred bidder:

Provided that the State Government may, for reasons to be recorded in writing extend the period of fifteen days by further fifteen days.”;

(b) after sub-rule (1), the following sub-rule shall be inserted, namely: —

“(1A) In case the preferred bidder fails to submit the first instalment of the upfront amount within the period or extended period specified in sub-rule (1), the State Government shall,—

(a) forfeit the bid security of the preferred bidder; and

(b) offer the bidder who had submitted the second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agree to the said offer in writing and submit the first instalment of upfront amount within fifteen days of receipt of offer, the State Government shall declare said bidder as the preferred bidder and issue letter of intent in accordance with sub-rule (2):

Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days referred to in this clause by further fifteen days.”;

(c) in sub-rule (2), after the words “preferred bidder”, the words “within fifteen days of receipt of first instalment of upfront payment” shall be inserted;

(d) in sub-rule (3), in clause (b), the words “ being ten per cent.” shall be omitted;

(e) in sub-rule (5), the words “being eighty per cent.” shall be omitted.

7. In the said rules, in rule 11, in sub-rule (2), for the words “ten per cent.; ten per cent.; and eighty per cent”, the words “twenty per cent; twenty per cent; and sixty per cent;” shall be substituted.

8. In the said rules, after rule 17, the following rule shall be inserted, namely:—

“17A. Conduct of auction of composite licence by Central Government.—(1) The State Government shall intimate to the Central Government the details of all the areas or mines available with the State Government for auction of composite licence, including the prospecting licence expired under section 7 and cases covered under sub-section (2) of section 10A, within forty-five days of the commencement of the Mineral (Auction) Second Amendment Rules, 2021.

(2) The State Government shall intimate to the Central Government regarding the following namely:—

(i) receipt of any geological report in respect of any area or mine for auction of composite licence from the Geological Survey of India, Mineral Exploration Corporation Limited or any other Government or private entity, within a period of forty-five days of receiving it, along with a tentative schedule for notification of such area and conducting auction of such area under sub-sections (4) and (5) of section 11, respectively;

(ii) publication of notification under sub-section (4) of section 11 along with its copy, within fifteen days of publication of such notification;

(iii) issue of notice inviting tender for auction for composite licence along with its copy, within

fifteendays of issue of such notice;

(iv) outcome of any auction for composite licence, within fifteen days of completion of auction; and

(v) termination of composite licence or lapsing of letter of intent for composite licence, within fifteendays from such termination or lapse.

(3) In case the Central Government decides to notify an area for auction or conduct auction for composite licence under the proviso to sub-section (4) or sub-section (5) of section 11, as the case may be, the provisions of rules 16 and 17, as applicable to a State Government, shall *mutatis mutandis* be also applicable to the Central Government.

(4) Upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant composite licence for such area to such preferred bidder in accordance with rule 18.”.

9. In the said rules, in rule 18,—

(a) in sub-rule (1),—

(i) after the word and figures “rule 19”, the words “within fifteen days after being declared as preferred bidder” shall be inserted;

(ii) for the words “to the preferred bidder” occurring at the end, the following shall be substituted, namely:—

“to the preferred bidder within fifteen days of receipt of performance security:

Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days for submission of performance security by further fifteen days.”;

(b) after sub-rule (1), the following sub-rule shall be inserted, namely: —

“(1A) In case the preferred bidder fails to submit the performance security within the period or extended period specified in sub-rule (1), the State Government shall,—

(a) forfeit the bid security of the preferred bidder; and

(b) offer the bidder who had submitted second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agree to the said offer in writing and submit the performance security within fifteen days of receipt of offer, the State Government shall declare the said bidder as the preferred bidder and issue letter of intent in accordance with sub-rule (2):

Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days by further fifteen days.”

(c) in sub-rule (3), the following provisos shall be inserted, namely:—

“Provided that on expiry of a period of one year from the date of the letter of intent, no Prospective Licence Deed of Composite Licence shall be executed and the letter of intent shall be invalidated leading to annulment of the entire process of auction:

Provided further that the State Government may allow a further period of six months for execution of the Prospective Licence Deed, if the reasons for delay were beyond the control of the preferred bidder.”

(d) in sub-rule (6),—

- (i) in clause (a), the words, brackets and figures “sub-section (10) of section 11, and” shall be omitted;
- (ii) for clause (b) and the provisos occurring thereafter, the following shall be substituted, namely:—

“(b) completes prospecting operations and submits to the State Government the result of the prospecting operations in the form of a geological report prepared in accordance with sub-section (10) of section 11 resulting in determination of evidence of mineral contents conforming to the Mineral (Evidence of Mineral Contents) Rules, 2015; specifying the area required for grant of a mining lease, accompanied with the first installment of the upfront payment as specified in rule 11, then the State Government shall issue a letter of intent for mining lease within a period of fifteen days:

Provided that any excess area shall be deemed to be surrendered by the holder of Composite Licence after completing its reclamation:

Provided further that after submission of the geological report prepared in accordance with the Mineral (Evidence of Mineral Contents) Rules, 2015, the holder of composite licence may relinquish the entire area and in such case the State Government shall, after being satisfied that the geological report has been prepared conforming to the said rules, return the performance security.”;

- (e) sub-rule (7) shall be omitted;
- (f) in sub-rule (8), in clause (b), for the words “ ten per cent. ”, the words “ twenty per cent. ” shall be substituted;
- (g) in sub-rule (9), for the words “eighty per cent. ” the words “ sixty per cent. ” shall be substituted.

10. In the said rules, in rule 19,—

- (a) in sub-rule (1), the following proviso shall be inserted, namely:—

“Provided that for the mineral block having such type of deposit as specified in serial numbers I, II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (m) of sub-rule (1) of rule 2, but the mining potentiality of the block has been identified based on the existing geoscience data, the performance security shall be one crore and fifty lakh rupees.”;

- (b) in sub-rule (4),—

- (i) in the proviso, the words, brackets and figures “sub-section (10) of section 11 of the Act, and” shall be omitted;
- (ii) after the proviso, the following proviso shall be inserted, namely:—

“Provided further that in case the holder of composite licence fails to complete prospecting operations in accordance with sub-section (9) of section 11, the performance security provided by it shall be forfeited.”

11. In the said rules, after rule 22, the following rule shall be inserted, namely:—

‘23. When day of completion of any requirement is a public holiday.— When the day of completion of any requirement under these rules is falling due on a public holiday, the day of completion shall be deemed to be due on the next successive working day.

Explanation.— The expression “public holiday” includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government or the State Government, as the case may be.’.

12. In the said rules, in Schedule I,—

(a) in paragraph (1), the following proviso shall be inserted, namely:—

“Provided that the net worth requirement shall not exceed two hundred crore rupees.”;

(b) in paragraph (2), the following provisos shall be inserted before the *Explanation*, namely:— “Provided that the net worth requirement shall not exceed one hundred crore rupees:

Provided further that for the mineral block having such type of deposit as specified in serial numbers I,II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (m) of sub-rule (1) of rule 2, but the mining potentiality of the block has been identified based on the existing geoscience data, the applicant shall have a net worth more than or equal to twenty-five crore rupees.”.

13. In the said rules, Schedule II shall be omitted.

Source: The Gazette of India, Extraordinary, Part II, Section 3(i) dated 18.06.2021

5. Ministry of Mines, G.S.R. 425 (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 Hutti Gold Mines Company Limited, Karnataka for the purposes of the second proviso to sub-section (1) of section 4 of the said Act:

Provided that the Hutti Gold Mines Company 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, Section 3(i) dated 22.06.2021

6. Ministry of Mines, G.S.R. 437(E).—In exercise of the powers conferred by sub-sections (5) and (6) of section 9B of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015, namely:—

1. (1) These rules may be called the Mines and Minerals (Contribution to District Mineral Foundation) Amendment Rules, 2021.

(2) They shall be deemed to have come into force on the 28th day of March, 2021.

2. In the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015,

(hereinafter, the principal rules), in rule 2,—

(i) for the words “prospecting licence-cum-mining lease”, at both the places where they occur, the words “composite licence” shall be substituted;

(ii) in clause (a), after the figures, letters and word “12th January, 2015”, the words, brackets, figures and letter “, other than those mineral concessions which are covered under the provisions of sub-section (2) of section 10A” shall be inserted;

(iii) in clause (b), after the figures, letters and word “12th January, 2015”, the words, brackets, figures and letter “and those mining leases covered under the provisions of sub-section (2) of section 10A” shall be inserted.

(iv) after clause (b), the following proviso shall be inserted namely: —

“Provided that the amount calculated at the rate specified at clause (b) of rule 2 in respect of the mining leases covered under the provisions of sub-section (2) of section 10A shall be paid with effect from the 28th day of March, 2021.”

Source: The Gazette of India, Extraordinary, Part II, Section 3(i) dated 25.06.2021.

7. Ministry of Mines, S.O.2805(E).— In pursuance of the provisions of section 22 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby authorises the following officers of the Atomic Minerals Directorate for Exploration and Research to prefer complaints in writing in respect of any offence punishable under the said Act or the rules made thereunder in respect of minerals specified in Part B of the First Schedule to the said Act, namely: —

1. The Director.
2. Head, Mining Regulatory Group.

Source: The Gazette of India, Extraordinary, Part II, Section 3(i) dated 12.07.2021

8. Ministry of Mines, S.O. 2807(E).— In pursuance of the provisions of sub-section (1) of section 24 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby authorises, for the purposes specified in the said sub-section, the following officers of the Atomic Minerals Directorate for Exploration and Research (AMD) to exercise all or any of the powers specified in that sub-section, in respect of minerals specified in Part B of the First Schedule to the said Act, namely: —

1. Head, Mining Regulatory Group.
2. In-charge, Mining Regulatory Group.
3. In-charge, Exploration nominated by the Director, AMD from time to time.
4. Technical Officer (Mining).

Source: The Gazette of India, Extraordinary, Part II, Section 3(i) dated 12.07.2021

9. **Ministry of Mines, No. T-43010/CGBM/2017-** By virtue of powers vested in me under Rule 3(1)(c) of Mineral Conservation and Development Rules, 2017 **and in supersession to earlier notifications viz (i) T-43010/ CGBM/ 2014 dated 11.05.2017 published in Govt. of India Gazette on 31.05.2017 and (ii) T-43010/ CGBM/ 2017 dated 22.03.2018 published in Govt. of India Gazette on 06.08.2018,** to authorise officers of Indian Bureau of Mines as “Authorised Officer” to perform functions under Mineral Conservation and Development Rules, 2017, I hereby authorise the following officers of Indian Bureau of Mines as “Authorised Officer” to take action in respect of Mineral Conservation and Development Rules, 2017 and the matters relating to rule/rules as mentioned below:-

Sl. No.	Authorised officer	Authorised for Rule(s) under MCDR, 20.....
1	Chief Controller of Mines and Controller of Mines (In-charge of Office of Chief Controller of Mines)	5(1), 5(2), 8(1), 8(2), 19(3), 48(1), 54(d), 59, 63(2), 64, 65(3), 67, 74
2	Controller of Mines and Regional Controller of Mines (In-charge of Office of Controller of Mines)	5(1), 5(2), 8(1), 8(2), 19(3), 30(2), 30(3), 30(4), 54(d), 59, 67, 74
3	Chief Mining Geologist	5(1), 5(2), 6, 7, 8(1), 8(2), 9(1), 9(3), 9(5), 19(3), 35 (2), 47, 48(1), 54(d), 59, 63(2), 67, 74
4	Chief Mineral Economist	49, 50, 51, 52
5	Regional Controller of Mines	8(1), 8(2), 9(3), 9(5), 19(3), 20(1), 21(1), 21(2), 21(3), 21(4), 27(2), 27(3), 27(4), 27(5), 27(6), 28(1), 28(2), 29, 30(2), 30(3), 33, 35(3), 46(c), 47, 49, 50, 54(d), 59, , 67, 74
6	Superintending Mining Geologist	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
7	Deputy Controller of Mines (In-charge of Regional Office).	4, 5(1), 5(2), 6, 7, 8(1), 8(2), 9(1), 9(3), 9(5), 19(3), 20(1), 21(1), 21(2), 21(3) , 21(4), 27(2), 27(3), 27(4), 27(5), 27(6), 28(1), 28(2), 29, 30(2), 30(3), 33, 35(3), 35(2), 35(4), 45(5), 46(c), 47, 49, 50, 51, 52, 54(d), 59, 67
8	Deputy Controller of Mines	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
9	Regional Mining Geologist	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
10	Senior Assistant Controller of Mines	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
11	Senior Mining Geologist	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
12	Assistant Controller of Mines	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
13	Junior Mining Geologist	8(1), 8(2), 19(3), 35(3), 54(d), 59, 74
14	Assistant Mining Engineer	8(1), 8(2), 19(3), 54(d), 59, 74

This order shall come into force with immediate effect.

Source: The Gazette of India, Extraordinary, Part III, Section 1 dated 17.09.2021

10. **Ministry of Mines. No. T-43010/CGBM/2017.**—By virtue of powers vested in me under Rule 10(1) of Mineral Conservation and Development Rules, 2017 **and in supersession to earlier notification vide No. T-43010/ CGBM/ 2014 dated 11.05.2017 published in Govt. of India Gazette on 31.05.2017** to authorise officers of Indian Bureau of Mines as “Competent Authority” to perform functions under Mineral Conservation and Development Rules, 2017, I hereby authorise the following officers of Indian Bureau of Mines as “Competent Authority” to take action in respect of Mineral Conservation and Development Rules, 2017 and the matters relating to rule/rules as mentioned below:-

Sl. No.	Competent Authority	Rule(s) under MCDR, 2017
1	Chief Controller of Mines and Controller of Mines (In-charge of Office of Chief Controller of Mines)	10(1), 10(2), 32(2), 32(6), 32(7)
2	Controller of Mines and Regional Controller of Mines (In-charge of Office of Controller of Mines)	10(1) , 10(2), 26(2), 30(1), 32(1)(d), 32(7)
3	Chief Mining Geologist	10(1), 10(2), 32(7)
4	Regional Controller of Mines	10(1) , 10(2), 11(2), 11(4), 21(4), 23, 24(1), 24(2), 25(1), 25(2), 26(1), 26(2), 31, 32(7)
5	Deputy Controller of Mines (In-charge of Regional Office).	10(1) , 10(2), 11(2), 11(4), 21(4), 23, 24(1), 24(2), 25(1), 25(2), 26(1), 26(2), 31, 32(7)

Source: The Gazette of India, Extraordinary, Part III, Section 1 dated 17.09.2021

B. Court Decisions

1. C.H. Venkata Narayana Reddy, Petitioner v. State of Karnataka, Respondent, AIR 2021, Karnataka 71, Vol. 108, Part 1289, May, 2021.

Subject : The petitioner prayed for – (a) Call for the records on the file of the Respondents with regard to grant of Quarrying Lease and extension of the same in respect of the lands in Survey No.118(P1) of Malleshwara Village, Kadur Taluk, Chikkamagaluru District and culminating the proceedings;

(b) Issue a Writ of Certiorari, Similar Writ or Order or Direction and quash the proceedings as at Annexure H dated 13.01.2021, insofar as same relates to observation made in Paragraph No.4 regarding the extension/renewal of the quarrying lease of the Petitioner in respect to the Schedule Property;

(c) Issue a Writ of Mandamus, Similar Writ, Order or Direction and direct the Respondent No.2 to extend/renew the lease of the Schedule Property for the duration of 5 years as per Section 3-B of the Karnataka Minor Mineral Concession Rules, 1994, forthwith and respect of the Schedule Property.

Facts: The petitioner is a successful bidder for development of NH-173 under EPC mode from KM 24.600 to KM 70.063 of Mudigere-Kadur Section in the State of Karnataka under Job No.NH 173-KNT-2017-18-873. The appointed date for the tender is 18th January, 2019 and the tentative completion date was fixed on 17th January, 2021. It is the case of the petitioner that because of Covid-19 pandemic, the work could not be completed, and therefore, he has been granted extension of time for completion of the work.

Petitioner was granted stone quarry lease in respect of the land in Sy. No.118/P1 of Malleshapura village, Kadur Taluk, for a period of two years and this quarry lease was granted for the purpose of his requirement of stone for the project awarded to the petitioner. In view of the extension of time granted to the petitioner for completion of the project, the petitioner had also sought for extension of quarry lease and considering the same, the Executive Engineer, NH Division, Hassan, had recommended the extension of quarrying lease in accordance with Rule 3-B of the Karnataka Minor Mineral Concession Rules, 1994 (for short, 'the said Rules of 1994'). The Respondent No.4 had constituted a committee for the purpose of considering the said application filed by the petitioner for extension consisting of the Deputy Commissioner of the District and other authorities, and in the meeting of the said committee held on 13th January 2021, the Deputy Conservator of Forests, Chickmagalur, raised an objection for extension of the lease on the ground that since petitioner's stone quarry lease comes within the deemed forest area, a joint spot inspection is required to be held prior to issuing any no objection certificate. The committee after considering the said objection, has taken a decision in the said proceedings to extend the quarry lease for a period of two years in favour of the petitioner for development of NH-173. Aggrieved by the same, the present writ petition is filed.

The learned Counsel for the petitioner submitted that prior to executing the original quarry lease, no objection certificates were obtained from all the concerned authorities including the Forest Department, and therefore, for the purpose of extending the lease, fresh no objection certificate is not required. He also submitted that in view of the judgment of this Court in W.P.No.54476/2016 connected with W.P.No.51135/2016 disposed of on 12th June, 2019 in the case of Dhananjayv. State of Karnataka and others, the objection raised by the Deputy Conservator of Forests was required to be overruled. He submitted that in view of Sub-rule (2) of Rule 3-B of the said Rules of 1994, since the recommendation was made by the competent authority for extension of quarry lease for a further

period of five years i.e., one year for construction and four years for maintenance of the said project, the committee was not justified in extending the lease only for two years.

The learned Additional Government Advocate submitted that the work of the project awarded to the petitioner is under progress and recommendation has been made for extension of the quarry lease for a period of five years.

Decision: The High Court has stated that the competent authority vide communication dated 2nd January, 2021 has recommended for grant of extension of quarry lease in question for a period of five years. Sub-rule (2) of Rule 3-B of the said Rules of 1994 provides that the quarry lease shall be issued for a period as recommended by an Engineer not below the rank of Executive Engineer or Tender Inviting Authority of the Development Agency which has awarded the work, and may be further extended by the Deputy Director of Senior Geologist of the District as recommended by the Executive Engineer or the Tender Inviting Authority as may be required for completion of the work. In this case such a recommendation has been made by the Executive Engineer, NH Division, Hassan, and therefore, the Respondent No.4 ought to have renewed the quarry lease in favour of the petitioner for a further period of five years. This High Court has further stated that the decision of the committee in its meeting held on 13th January, 2021 insofar as it relates to extension of quarry lease in question for a period of two years is unjustified.

The High Court has allowed the writ and observed/directed that the Respondent No.4 is required to consider the application made by the petitioner seeking extension of quarry lease in question as provided under Rule 3-B of the said Rules of 1994, taking into consideration the recommendation made by the competent authority dated 2nd January, 2021 in accordance with the law laid down by this Court in Dhananjaya's case stated supra.

Petition allowed

2. Sai Keshava Enterprise, Tamil Nadu and others, Petitioner v. State of Karnataka, Respondent, AIR 2021, Karnataka 79, Vol.108, Part 1289, May, 2021.

Subject: Challenging the constitutional validity of Rule 42(7) of the Karnataka Minor Mineral Concession Rules, 1994 which was incorporated by the Karnataka Minor Mineral Concession (Amendment) Rules, 2020 for imposing levy of fees on transportation of licenced goods from other States.

Facts: The petitioners are carrying on the business of stone crushing and manufacture of M-sand in Krishnagiri District of the State of Tamil Nadu. The petitioners claim that they have obtained requisite permits and approvals from the Government of Tamil Nadu for operating manufacturing plants and have been carrying on such operations for last more than ten years. It is their case that they have obtained quarrying lease from the Government of Tamil Nadu after participating in bidding process. The petitioners, after obtaining transit permits, have been transporting the finished goods to other States including the State of Karnataka.

The challenge to Sub-rule (7) of Rule 42 is firstly on the ground that the provisions of Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (for short, 'the said Act of 1957') do not empower the State Government to frame the Rules for imposing levy of fees for movement of licensed goods from other States. The second contention is that Sub-rule (7) of Rule 42 (for short "the impugned Rule") is violative of Article 301 of the Constitution of India. It is urged that it imposes illegal restraints on the interstate trade. It is also contended that the exercise of power by the State Government for framing such a Rule is not in accordance with Article 265 of the Constitution of India.

The learned Senior Counsel appearing for the petitioners submitted that the field of transportation of minerals and the regulation of mining is already occupied by the said Act of 1957 which is a law made by the Parliament. He pointed out that under the said Act of 1957, a power has been conferred on the States to frame Rules only in accordance with Sections 15 and 23-C thereof. It is pointed out that the State Government has already established various check-posts in the State right from the year 1994 for controlling unauthorised transportation and unauthorised quarrying. It is submitted that the impugned Sub-rule (7) of Rule 42 does not prescribe the object and nature of the levy, and simply states that a sum of rupees seventy per metric ton is payable by non-state transporters. It is not described as a fee. The learned Counsel also invited attention to the stand taken by the State Government in its statement of objections. It was submitted that the impugned Rule is not covered by the legislative power of the State either under Section 15 or under Section 23-C of the said Act of 1957.

The learned Senior Counsel appearing for the petitioners submitted that the power of the State Government to make a law for the levy of fees in accordance with Entry-66 of List-II in the seventh Schedule of the Constitution of India can be exercised only to make a plenary law and not for exercising power of delegated legislation. He pointed out that neither Section 15 nor Section 23-C of the said Act of 1957 permit the State Government to levy the fees for recovering the expenses relating to setting up of infrastructure for checking illegal transportation.

It was submitted that the impugned levy of fee is violative of Articles 14 and 301 of the Constitution of India. The learned Counsel relied upon the decisions in the cases - State of Gujarat and others v. Jayesh bhai Kanji bhai Kalathiya and others (AIR 2019 SC 1213); Vam Organic Chemicals Ltd and another v. State of U.P. and others (AIR Online 1997 SC 608); Shri K.C. Gajapati Narayan Deo and others v. State of Orissa (AIR 1953 SC 375); Ashok Kumar Alias Golu v. Union of India and others (AIR 1991 SC 1792); and Welfare Association, A.R.P., Maharashtra and another v. Ranjit P. Gohil and others (AIR 2003 SC 1266).

The learned Advocate General submitted that the said Act of 1957 has been enacted under entry 54, List-I of seventh Schedule. In the said Act of 1957, the subject of minor minerals is reserved for the State Governments. He pointed out that under Clause (g) of Sub-section (1A) of Section 15, the State Government is empowered to frame the Rules for fixation and collection of rent, royalty, fees, dead rent, fines or other charges. He pointed out that there is a general rule making power vested in the State Government as contemplated by Sub-section (1A) of Section 15 as well as Clause (O) of Sub-Section 1A of Section 15. He urged that Section 23-C of the said Act of 1957 confer powers on the State Government to make Rules for preventing illegal mining, transportation and storage of minerals.

The learned Advocate General also relied upon a decision in the case of Vam Organic Chemicals (supra). He also relied upon a decision of the Apex Court in the case of Sandur Manganese and Iron Ores Ltd v. State of Karnataka and others (AIR 2011 SCW 2486). He submitted that illegal mining is not confined to the State of Karnataka and therefore, it is necessary to prevent illegally excavated minerals from being brought into the State of Karnataka. It is the concern of the State of Karnataka to prevent illegally excavated minerals entering into the territory of the State of Karnataka. He pointed out that the additional documents produced on record will show that there are several instances of transit passes issued by the other State Governments being tampered and there are also instances of transport of minerals from other States without obtaining valid permits. He pointed out that the fee specified under the impugned Sub-rule (7) of Rule 42 is for the service rendered and it is pointed in the statement of objections as to how amount of Rs.70/- per metric tonne levied as per the impugned Sub-rule (7) of Rule 42 is being used.

Decision: The High Court has referred to Section 15, Section 23-C of the said Act, the decision given in the cases of State of Gujarat and others v. Jayesh bhai Kanji bhai Kalathiya and others (AIR 2019

SC 1213);State of Tamil Nadu v. M.P.P. Kavery Chetty (AIR 1995 SC 858), and stated that the State Govt. has no rule making power to make rules providing for recovery of regulatory fee on minerals lawfully excavated in the other States.

The High Court held that neither under Section 15 nor under Section 23-C of the said Act of 1957, there is a power vesting in the State Government to make rules for regulating the entry of lawfully excavated minerals from other States and to levy fees on entry of lawfully excavated minerals from other States into the State of Karnataka. Therefore, these petitions must succeed. Accordingly, the High Court has passed the following order-

i) The writ petitions are allowed in terms of the prayer (a) of Writ Petition No.8851 of 2020 which reads thus:

(a) Struck down Rule 42 (7) of the Karnataka Minor Mineral Concession Rules, 1994 inserted by way of an amendment notified in the Special Gazette dated 30.06.2020 bearing Ref No. C1 115 MMN 2019 as unconstitutional and ultra vires the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957) by way of writ in the nature of certiorari or any other appropriate writ, order or direction;

(ii) There shall be no order as to costs.

Accordingly, the High Court has allowed the writ petition.

Petition allowed.

3. M/s Orissa Metaliks Private Ltd and another, Petitioners v. State of Odisha and others, Respondents, AIR 2021, Odisha 85, Vol., 108 – Part 1290, June 2020-21.

Subject: Challenging the stoppage/suspension of issuance of transit permits, on account of discrepancies found in monthly return forms.

Facts: Petitioner No.1 is a Company engaged inter alia in the business of manufacturing sponge iron, pellet and other steel products in the State of West Bengal, which has two manufacturing units, such as Unit-I and Unit-II. Unit-I is engaged in manufacturing of sponge iron and Captive Power and was issued with a licence on 7th April 2016, by the Joint Director of Mines, Joda, Keonjhar, Odisha, which was valid till 6th April, 2021. It was a licence for procurement of Iron ore and coal for processing, end-use and sale of residuals outside the State of Odisha. Unit-II manufactures iron ore pellet and beneficiation of iron ore, for which a licence was issued on 7th April, 2016, valid till 6th April, 2021. This licence was for procuring iron ore and manganese for processing, end-use and sale of residuals outside the State. Both the licences stand renewed for further period and the copies of renewed licences have been enclosed with the petition. Incidentally, the renewal was granted on 20th February, 2021.

There are three monthly return forms, such as Form-A and Form-E under the Orissa Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules 2007 (in short '2007 Rules') and Form-L under MCDR Rule, 2017 ('2017 Rules') that were required to be submitted by Petitioner No.1. Noticing certain discrepancies in the figure in those returns, a show-cause notice (SCN) was issued to Petitioner No.1 by the Joint Director of Mines, Joda, Keonjhar (Opposite Party No.3) on 6th January, 2021. The licences were suspended and the transit permits were also cancelled.

In response to the SCN, on 12th January, 2021, the Petitioner filed a reply enclosing a verified tabulated chart giving the month-wise procurement of iron ore. Another SCN was issued on 25th January, 2021 seeking to rescind rescission of the transit permits/licences. Petitioner No.1 again filed a reply on 29th January, 2021, wherein it pointed out that there was a bona fide clerical error in filling out the figures in the forms. On 10th February, 2021, after examining the reply, Opposite Party No.3 wrote the letter to Petitioner No.1.

It appears that two days thereafter i.e. on 12th February, 2021, the Director of Mines, Government of Odisha (Opposite Party No.2) wrote a letter to Opposite Party No.3 inviting reference to the 25th meeting of Reconstituted EAC (Industry-I) of the Ministry of Mines, Government of India (held on 25th -27th November, 2020). The letter noted that a 'fresh observation' had been made by REAC, which prima facie pointed to "irregularities committed by the various entities of the Rashmi Group of Companies and their promoters", which were under investigation of the Ministry of Environment, Forest and Climate Change (MoEF and CC). It then observed "Besides, it is alleged that, there is land transfer by various entities amongst themselves and it is not possible to know where exactly the trade licencee is actually stocking the ore procured. Till the time it is clearly established whether any entity of Rashmi Group has diverted the iron ore fines procured from Odisha to Rashmi Cement Ltd, and if so which entity has done such diversion, it is not desirable to allow any further Transit Permit to any of the entities who have trading licence in Odisha."

Despite the above revocation of suspension of the licences, there was a sudden stoppage in dispatch of iron ore, coal and manganese ore which led Petitioner No.1 to send an email to Opposite Party No.3 seeking the reasons therefor. In a reply e-mail dated 15th February, 2021 Opposite Party No.3 referring to the above letter of Opposite Party No. 2 dated 12th February, 2021. Petitioner No.1 then made a representation to the Government of Odisha on 22nd February, 2021 protesting against the stoppage of issuance of transit permits. When no response was received, the present petition was filed.

The learned Senior Advocate for the Petitioners contended that the licences issued to Petitioner No.1, which incidentally have been renewed recently, pertain to not just to iron ore, but also coal and manganese ore, all of which are required for running the units of Petitioner No.1. It is submitted that the impugned order will cause great inconvenience, if the units are compelled to shut down. He contended that Petitioner No.1 is willing to abide by any reasonable terms that may be imposed for the issuance of transit permits, for keeping the operations of Petitioner No.1 continued.

The learned Senior Advocate for the Petitioner drew the attention of the Court to the minutes of the 25th meeting of the REAC on 25th to 27th November, 2020. It contains detailed observations in relation to M/s Rashmi Cement Limited and M/s Rashmi Udyog Private Limited but none with regard to Petitioner No.1. He also drew attention to the subsequent minutes of the 31st meeting of REAC held on 25th to 26th February, 2021 and in particular to the portion where the REAC has recommended the project proposals in relation to both the entities, subject to compliance with certain conditions. It was submitted that since the very basis of the letter dated 12th February, 2021 by opposite party No.2 to Opposite Party No.3 was rendered non-existent, there is no justification in continuing to suspend the transit permits of Petitioner No.1.

The learned Advocate General for the State (Opposite Parties), submitted that Petitioner No.1 had admitted to the discrepancy in forms A, E and L and to the fact that the revocation of suspension of licence was made subject to Petitioner No.1 rectifying the discrepancies in the said forms 'immediately' and undertaking 'not to repeat such type of mistake.

Decision: This High Court has observed that the basis for the impugned action against Petitioner No.1 was the letter written by the Opposite Party No.2 to Opposite Party No.3. In the e-mail communication sent to the Petitioner No.1 by Opposite Party No.3, when asked for the reasons for suspension of transit passes, the only reason given was the above letter which sets out the ostensible ground for the impugned action by referring to the minutes of 25th meeting of the REAC. From the minutes of the subsequent 31st meeting of the REAC, copy of which has been enclosed with the additional affidavit of Petitioner No.1, the correctness of which has not disputed, it is apparent that the observations pertaining to the two group entities of Petitioner No.1 made in the 25th meeting of the REAC were clarified in the subsequent 31st meeting. The project proposals of the said two entities appear to have been approved subject to certain terms. The High Court stated that the very basis for the action against Petitioner No.1 has been rendered non-existent.

The High Court has further stated that under Rule 9 of 2007 Rules, the competent authority can suspend or cancel the licence for breach of the terms and conditions of the licence but there has to be a precedent by an SCN. In the present case, the earlier suspension of the licence which already stood revoked by the letter dated 10th February, 2021, was subject only to the condition that Petitioner No.1 would rectify the discrepancies and undertake not to repeat such mistake in future.

The High Court has referred to the cases of Rashmi Cement Ltd v. State of Odisha (2012) 113 CLT 177; Commissioner of Police v. Gordhan Das Bhanji, (AIR 1952 SC 16) and held that the impugned action of suspension of the issuance of transit passes ought to have been preceded by an enquiry, that prima facie discloses wrong doing by Petitioner No.1 in the form of violation of the terms of the licence. The suspension of a licence even before the inquiry reveals prima facie violation of the terms of the licence would obviously be vulnerable to invalidation on the ground of it being arbitrary and irrational.

The High Court has further held that there is no justification in the Opposite Parties continuing to suspend the issuance of transit passes/permits to Petitioner No.1. The High Court directed that subject to Petitioner No.1 filing an affidavit as directed hereinabove on or before 10th March, 2021 with the Opposite Party No.3, the decision of the Opposite Parties to suspend issuance of transit passes/permits to Petitioner No.1 shall stand quashed. The High Court has ordered that in the event that the inquiry undertaken by the Opposite Parties reveals prima facie violation of the conditions of the licences issued to Petitioner No.1, it would be open to the Opposite Parties to proceed against Petitioner No.1 strictly in accordance with law.

Thus, the High Court has disposed of the writ petition with the above terms.

Order accordingly

4. Ashapura Minechem Limited, Petitioner v. State of Gujarat, Respondent, AIR 2021, Gujarat 106, Vol. 108, Part 1291, July, 2021.

Subject: Petitioners have prayed that the concerned respondent authorities be directed to grant the quarry lease permission and execute the mining lease agreement in pursuance of the LOI dated 17.08.2015 in respect of the private Non-agricultural land in question on certain terms and conditions.

Facts: The petitioner submitted that the petitioner had succeeded in getting permission for conducting mining activities as per the provision of Mines and Minerals (Regulation and Development) Act, 1957 (hereinafter referred to as "Act, 1957" for short) and Gujarat Minor Mineral Concessions Rules, 2017 (hereinafter referred to as "Rules, 2017" for short) and pursuant to which, LOI was executed on 17.08.2015. It is submitted that mining of mineral, which the petitioner intended to, was black trap from the land bearing Survey No.283 of Village Kesiya, Taluka Jodiya, District Jamnagar, admeasuring 01.00.00 hectare. He further submitted that under the said LOI, mainly four conditions viz. Environmental Clearance Certificate, measurement by the DILR, to get it decided the amount of stamp duty for lease deed and approved mining plan from the competent authorities were necessary.

It is submitted that peculiar situation has arisen on account of the decision of the NGT with regard to the constitution of the Committee, which is responsible for issuing necessary sanction and therefore, as time limit prescribed under the relevant Rules for the period of two years is to expire, the present petition is filed.

Learned advocate for the petitioner drew the attention of this Court to relevant Rule No.29, wherein Sub-rule (3) provides for the Government to issue an order in writing for grant of quarry lease to the holder of LOI upon following of certain conditions prescribed within a period of two years from the date of commencement of the Rules. It is submitted that Rules came into effect from 24.05.2017 and therefore, period of two years is to expire on 23.05.2019, however, on account of the

condition as mentioned, the matter did not progress beyond the LOI and no order for grant of quarry lease was passed in favour of the petitioner.

Learned advocate for petitioner also draws attention of this Court to the decision of this Court in Civil Application No. 1 of 2018 in Special Civil Application No.417 of 2017, and in Special Civil Application No.7 of 2017.

On the other hand, learned AGP for the respondent authorities has opposed this petition and submitted that LOI was executed after observing all the necessary requirements and on account of peculiar situation, which arose on account of timeline mentioned in Rule 29(3) of the Rules, 2017, the State has also undertaken necessary steps. It is submitted that if this Court is inclined to consider the case of the petitioner on the basis of the similar orders passed by the Coordinate Bench of this Court in similar type of matters, necessary conditions may be imposed.

Decision: The High Court has referred to the Rule 29 of the Rules, 2017, Notification of 9th March, 2018, and stated that it is for the Government to issue an order in writing for grant of quarry lease to the petitioner. The Rules came into effect from 24.05.2017 and therefore, period of four years is to expire on 23.05.2021. However, on account of the condition as mentioned, the matter did not progress beyond the LOI and no order for grant of quarry lease was passed in favour of the petitioner. It is only after such order, the petitioner is required to undertake necessary formalities and provide necessary sanction/ clearances from the Authorities within a stipulated period. Upon failure to pass an order for grant of quarry lease, it would not be possible for the petitioner to provide such necessary clearances and that too within a stipulated period, which otherwise lead to forfeiture of their rights under the quarry lease.

In view of the abovesaid, the High Court has directed that the Government shall pass an order in writing on or before 20.05.2021 for grant of quarry lease to the petitioner in accordance with the Condition mentioned in the LOI with further condition as under:

(I) The petitioner shall file an undertaking before the District Collector, Kutch within one week from today to the effect that the petitioner shall not commence or carry out any mining activity in the area in question till the environmental clearance and other conditions as mentioned in the letter of Intent are fulfilled, as provided under the Mines and Minerals (Development and Regulation) Amendment Act, 2015 is obtained by the petitioner.

Petition allowed.

5. Manjunath R. Patil, Petitioner v. State of Karnataka, Rep. by its Secretary, Department of Mines and Geology VisakaSoudha Dr. B.R. AmbedkarVeedhi, Bengaluru and others, Respondents, AIR 2021, Karntaka 130, Vol. 108, Part 1292, August, 2021.

Subject: Challenging the communication/letter dated 27.11.2019 issued by the Dy. Director of the Department of Mines and Geology, for stopping the mining activity/quarrying operation in the lease area.

Facts: The petitioner was granted a quarrying lease under the provisions of the Karnataka Minor Mineral Concession Rules, 1994 (for short "the said Rules"). The quarrying lease was granted on 20th April, 2016 for a period of five years. In the statement of objections filed by the respondents, it is accepted that now the validity of the lease has been extended for a period of twenty years from 20th April, 2016. The challenge in this petition under Article 226 of the Constitution of India is to the communication/letter dated 27th November, 2019 issued by the Deputy Director of the Department of Mines and Geology. It is stated in the said letter that an area of 113 acres of land has been declared as a reserved forest under Section 4 of the Karnataka Forest Act, 1963 (for short "the said Act"). It is stated that 11 acres of land in Sy.No.1/D of Uchanagidurga Village, ArasikereHobli, Harapanahalli

Taluk, Davanagere District is of the Revenue Department. The lease has been granted in respect of an area of one acre out of the aforesaid land in Sy.No.1/D1. It is stated that in the joint survey, it was revealed that illegal mining is in progress on the land declared as a forest under Section 4 of the said Act. It is further stated that the Zonal Forest Officer has requested to immediately cancel the permission granted for stone quarrying. Therefore, the petitioner was directed to stop the mining activity in the land subject-matter of lease.

In response to the challenge in this petition, the respondents have filed statement of objections. It was stated that the Forest Department had granted no objection on 31st August, 2015 for grant of lease of the subject land to the petitioner. Similarly, the Revenue Department had issued a No Objection Certificate on 27th August, 2014. It was further alleged that the demand of a sum of Rs.1,20,10,800/- towards mineral dispatch permit made to the petitioner has not been complied with. Secondly, it was alleged that the excavation of the minerals exceeds the quantity permitted under the Environmental Clearance granted to the petitioner. Thirdly, it was stated that the land granted to the petitioner was overlapping with that of the land of the Forest Department and once again, a joint survey ought to have been undertaken to finalise the issue of overlapping. It was further contended that the impugned letter was not a final notice and therefore, the petition was premature. It was further submitted that the area covered by the lease is a part of the reserved forest area.

Decision :The High Court has stated that as far as the breaches alleged regarding nonpayment of amount towards mineral dispatch permit and carrying on excavation in excess of what is permitted are concerned, no such allegations have been incorporated in the impugned letter. There is no specific allegation in the impugned letter that the area subject-matter of lease granted to the petitioner squarely falls within the area covered by a declaration issued under Section 4 of the said Act. The allegation in the impugned letter is that the petitioner is carrying on the quarrying operations on a forest land. Under the said Rules and in particular, under Sub-rule (3) of Rule 6, there is a power vesting in the Competent Authority to cancel a lease on the ground of breach of the terms and conditions of the lease or on the ground of violation of the provisions of the said Rules. In the impugned letter, there are no such allegations. Even the proviso to Rule 45 of the said Rules which provides for power to cancel has not been invoked. The High Court has further stated that there is no statutory power vesting in the Deputy Director of suspending the quarrying operations under a subsisting lease, before passing such a drastic order, the principles of natural justice have not been complied with. The impugned letter contains an order directing stopping of the mining activity. The direction to stop mining activity is not limited by time. Therefore, even assuming that there was a power vesting in the Deputy Director to issue such an order, the same cannot be sustained on account of breach of the principles of natural justice.

Accordingly, the High Court has disposed the Writ Petition and passed the following order:

- (i) The impugned letter dated 27th November, 2019 is hereby set aside;
- (ii) So long as the quarrying lease granted to the petitioner is valid and subsisting, he has a right to carry on the quarrying operations subject to compliance of the terms and conditions of the lease and the provisions of the said Rules;
- (iii) However, this order will not prevent the respondents from initiating appropriate action under the provisions of law for cancellation of the lease granted to the petitioner.

Petition allowed

6. J and S Granites company Muppramon, Pathanamthitta, Petitioner v. Director of Mining and Geology, Thiruvanthapuram, Respondent AIR 2021, Kerala 149, Vol. 108, Part 1292, August, 2021.

Subject: Challenging the refusal / turned down the request (made by the petitioner) by the second respondent in terms of Ext. P5 communication.

Facts: On an application preferred by the petitioner, the second respondent has issued Ext.P2 No Objection Certificate to the petitioner on 07.01.2014 for extracting granite building stones from a Government land measuring 4.39.80 hectares in V-Kottayam Village. Ext.P2 No Objection Certificate was issued for a period of ten years from the date on which the petitioner obtains quarrying lease for the said purpose under the Kerala Minor Mineral Concession Rules, 1967 (the Rules). On the basis of Ext.P2 No Objection Certificate, the petitioner applied for grant of quarrying lease. On the said application, the petitioner was issued Ext.P3 letter of intent, directing them to produce the various licences and permissions obtained by them for the purpose of conducting quarrying operations, including a certificate from the second respondent to the effect that Ext.P2 No Objection Certificate still holds good. Pursuant to Ext.P3, the petitioner applied for such a certificate to the second respondent. The request made by the petitioner in this regard has been turned down by the second respondent in terms of Ext.P5 communication. Ext.P5 communication is under challenge in the writ petition.

The learned Counsel for the petitioner contended that insofar as the petitioner has been issued No Objection Certificate once, it was highly inappropriate on the part of the second respondent in declining the certificate sought for by the petitioner, after the petitioner has acted upon the No Objection Certificate and obtained the various other licences and permissions required for the purpose of conducting the quarry proposed by them, spending sizeable amounts and wasting enormous time and energy. According to the learned counsel, none of the reasons stated in Ext.P5 would justify the decision of the second respondent to decline the certificate sought for by the petitioner.

The learned Government Pleader pointed out that Ext.P2 No Objection Certificate was issued at a point of time when there was no guidelines for issue of No Objection Certificate, and guidelines have now been framed by the Government for the said purpose, in terms of G.O.(Ms) No.28/2021/RD dated 28.1.2021. According to the learned Government Pleader, as per the said guidelines, No Objection Certificate holders have to pay lease rent and furnish security for obtaining No Objection Certificate. It was also pointed out by the learned Government Pleader that in terms of the said guidelines, only those who offer the maximum amount of lease rent in the e-tendering process contemplated under the guidelines are entitled to No Objection Certificate. According to the learned Government Pleader, in the circumstances, the second respondent cannot be found fault with for having declined the certificate sought by the petitioner.

The learned Counsel for the petitioner submitted that new guidelines cannot be applied in respect of the Government land covered by Ext.P2 No Objection Certificate since the said land does not have road access. It was pointed out by the learned counsel that since the Government land covered by Ext.P2 No Objection Certificate is surrounded by the private holdings of the Managing Partner of the petitioner, the petitioner has obtained No Objection Certificate in respect of the said Government land. As regards the arrears of seigniorage mentioned in Ext.P5 order, it was pointed out by the learned counsel that the arrears of seigniorage referred to in Ext.P5 order is part of a larger claim of Rs 5,71,83,621/- demanded for a longer period at the rate of Rs 2.50 per tonne up to 2.2.2015, at the rate of Rs 200/- per tonne thereafter up to 17.2.2016 and at the rate of Rs 50/- per tonne for the period thereafter. It was pointed out by the learned counsel that the unilateral fixation of seigniorage at the rate of Rs 200/- per tonne for the period from 2.2.2015 to 17.2.2016 was challenged by the petitioner in W.P.(C) No.4315 of 2020 and the said writ petition is pending. It was also pointed out by the learned counsel that the number of the said writ petition is wrongly mentioned in the counter affidavit as W.P.(C) No.7557 of 2020. According to the learned counsel, in the circumstances, the Managing Partner of the petitioner paid the entire claim except the claim raised for the period from 2.2.2015 to 17.2.2016 amounting to Rs 3,52,00,687/- and the said amount has not been paid

since the writ petition challenging the demand is pending. It was, however, conceded by the learned counsel that there is no interim order in the said writ petition. It was submitted by the learned counsel that if the arrears aforesaid is the impediment for grant of the certificate sought for by the petitioner, the Managing Partner of the petitioner is prepared to pay the said amount subject to the outcome of the writ petition referred to above.

Decision : The High Court has stated that there is no provision in the Kerala Minor Mineral Concession Rules, 2015 precluding the authorities under the said rules from acting upon the No Objection Certificate issued by the District Collector prior to the said rules for the purpose of considering the request of persons concerned for grant of quarrying permits/quarrying leases. In other words, the reason in Ext.P5 communication that Ext.P2 is one issued under the Kerala Minor Mineral Concessions Rules, 1967 and therefore, the same will not hold good for the purpose of obtaining a quarrying lease in terms of the Kerala Minor Mineral Concession Rules, 2015 is unsustainable. Similarly, the reason stated in Ext.P5 that since environmental clearance is granted only for a period of five years, No Objection Certificate cannot be granted for a period exceeding five years, is equally unsustainable since No Objection Certificate cannot be made use of for the purpose intended, if the holder does not have environmental clearance. The reason stated in Ext.P5 communication as regards the arrears of seigniorage is not relevant now since the petitioner undertakes to pay the same.

The High Court has further stated that in the aforesaid facts and circumstances, Ext.P5 is quashed and the second respondent is directed to issue the certificate sought for by the petitioner on the petitioner remitting Rs 3,52,00,687/-, subject to the condition that the petitioner shall comply with all the conditions stipulated in G.O.(Ms)No.28/2021/RD dated 28.01.2021 as regards payments to be made and securities to be furnished. This shall be done within two weeks. It is made clear that the payment of Rs 3,52,00,687/- in terms of this judgment will be subject to the outcome of W.P.(C) No.4315 of 2020. It is also made clear that in case W.P.(C) No.4315 of 2020 is dismissed, the second respondent will be free to call upon the petitioner to pay interest for the said liability as well and in that event, the petitioner should pay interest for the amount, and the second respondent would be free to recall the certificate issued, if the petitioner fails to pay interest.

Petition dismissed.

7. Rangadhar Pradhan, Petitioner v. State of Odisha and others, Respondents AIR 2021, Odisha 113, Vol. 108, Part 1292, August, 2021.

Subject: Challenging the cancellation of the auction held in respect of Black Stone Quarries located in the Dharmasala Tahsil in Jajpur district.

Facts: An advertisement was issued on 22nd February, 2021 for a long-term 5 years lease of several Sairat Sources in Dharmasala Tahsil. The Petitioner had submitted an application for allotment of the mining lease in respect of Rahadpur Black Stone Quarry No.1 pertaining to Sairat Case No.23 of 2021 at Serial No.14 of the Advertisement.

According to the Petitioner, subsequent to the opening of the bids on 23rd March, 2021, it was found that the Petitioner was the only successful bidder. Although other bidders had quoted a higher price, they had failed to submit the relevant property list which was a mandatory requirement for consideration of the Bid.

While the letter dated 29th April, 2021 of Opposite Party No.3 informed the Petitioner that he was the highest bidder, and that he should come to the office of Opposite Party No.3 for negotiation of the bid amount, since, according to the Petitioner, this was contrary to the applicable OMMC Rules, he did not proceed for negotiation. The Petitioner was issued intimation in Form-F vide letter dated 10th May, 2021 by Opposite Party No.1 declaring him to be the successful bidder. However, the

additional charge was unilaterally and arbitrarily enhanced from Rs 65/- quoted by the Petitioner to Rs 275/- + 1. The Petitioner was asked to deposit 1/4th of the amount so calculated within 15 days, failing which the Earnest Money Deposit (EMD) would be forfeited. The auction was totally cancelled by the Opposite Parties by the impugned letter dated 17th May, 2021. It is in these circumstances that the present writ petition has been filed.

The Learned Counsel for the Petitioners, submitted that, once Form-F is issued by the Opposite Party No.3 announcing the respective Petitioners to be the successful bidder and calling upon the Petitioners to come forward to complete the necessary formalities, then the Opposite Parties were estopped from cancelling the auction at that stage. It is submitted that, the power of the competent authority under Rule F 27 (16) of the OMMC Rules to cancel an auction cannot be permitted to be exercised after all the requirements have been fulfilled by the successful bidder and the only step remaining was the execution of the agreement.

The Learned counsel for the Petitioners submitted that the power under Rules 27 (16) of the OMMC Rules, whereby the Collector could cancel a bid by recording the reasons thereof “if he is not satisfied on the publicity, participation of the bidders and amount of additional charge” cannot be exercised arbitrarily. Importantly, it is submitted that such a power can be exercised only after due notice to the Petitioners and after providing them an opportunity of being heard.

Further it is submitted that, once the Form-F is issued to the successful bidder, the price quoted by him stands disclosed to all his competitors and thereafter to cancel the bid would cause him serious prejudice. It is submitted that there could be no deviation from the procedure mentioned in the OMMC Rules.

Learned AGP for Opposite Parties, placed before this Court a copy of the Proceeding of the District Level Committee Meeting dated 13th May, 2021 in respect of the settlement of Sairat Sources through Tender Process under Dharmasala Tahasil. This explains the reasons for the decision to cancel the auction in respect of the Sairat Sources for which the Petitioners had applied. He assures the Court that within two days’ time the money which was collected from each of the Petitioners would be returned to them and within a week from today the notice for a fresh auction would be issued so that no prejudice is caused to anyone.

Decision: The High Court has not accepted the plea of the Petitioners that in the present case there has been any violation of the principle of natural justice in cancelling the auction. No doubt, the decision would result in the Petitioners having to once again participate in the fresh auction. But, apart from this, it cannot be said that there is any serious prejudice caused to any of them on that score. The fact remains that, in as many as 13 Sairat Sources, out of a total of 27, there was either only one valid bid or no valid bid at all. In such circumstances, it cannot be said that the decision of the opposite parties to cancel the auction in respect of these sairat sources and go in for a fresh Tender notice was arbitrary or unreasonable. Any Tender inviting authority would be justified, in expecting that the price quoted is the most competitive one in the circumstances.

The High Court has further stated that as long as the agreement is not signed, it cannot be said that the Collector, in terms of Rule 27(16) of the OMMC Rules, is precluded from taking a decision, for valid reasons, to cancel the auction. Further, the decision taken by the Collector of cancellation of auction on 15th May 2021 was not just applied to just one or two the sources but to all the 13 sources where only one valid bid or no valid bid at all was received. This, therefore, cannot be termed to be either belated or barred by estoppel. Since the bidders whose successful bids in the first round would in any event be able to participate in the second one as well, it cannot be said that any serious prejudice is caused to any of them as a result of cancellation of the first auction. Also, the money deposited by each of them has been agreed to be refunded by the Opposite Parties.

The High Court has also stated that the price quoted by the individual Petitioners would be known to their competitors cannot be said to prejudice them since they have one more opportunity to

participate in the fresh auction where they would still be able to anticipate the price now to be quoted by other bidders and improve their own respective bid accordingly. That is how perhaps in a competitive bidding process, the best or rather the most competitive price can possibly be obtained. This again cannot be said to be unfair, unreasonable or prejudicial to the Petitioners.

The High Court has dismissed the writ petitions for want of merit and directed that the money if any received from the Petitioners, will be refunded to each of them by the Opposite Parties/State within two days from today. Further, the Opposite Parties/State shall issue notice for the fresh auction of the aforesaid Sairat sources not later than seven days from today.

Petition dismissed

8. Palashi Nath Mazumder, Petitioner v. State of Assam and others, Respondents, AIR 2021,Gauhati 137, Vol. 108, Part 1293, September, 2021.

Subject: The writ petition filed /seeking (i) for setting aside the tender notice dated 29.06.2021 and (ii) for extension of further period after expiry of contract and for compliance of the order passed by the court.

Facts: The petitioner is the settlement holder/ lessee of Dhaleswari Sand Mining Contract Unit No. 01,2 and Katakhal Sand Mining Contract Unit No. 04 under the Assam Minor Mineral Concession Rules, 2013 (hereinafter referred as Rules 2013) and to that effect an agreement for mining contract under Rule 18 (3), 22 (1) of the Rules 2013 was executed by the petitioner and the Divisional Forest Officer, Hailakandi Division i.e. Respondent no. 5. The said contract was on the basis of a sale notice dated 27.08.2013 issued under Rules 32 (1) and 33(1) of the Rules, 2013. During the subsistence of the contract and as per the terms of the agreement, the petitioner paid in advance 25th and 26th quarterly installments (kist) which commenced from 1st of April 2020 and 1st of June, 2022 respectively vide challans dated 20.04.2020 and 10.07.2020. It is submitted by the learned counsel for the petitioner that due to the situation arising out of pandemic Covid-19, the respondent authority in compliance of the protocol of the Government stopped the operation of the said sand Mahal. It is also submitted that the lockdown was imposed while the extraction of minor minerals against the Page No.# 3/8 24th kist money was in operation and as such though as per the term of the contract the kist money for the 25th and 26th kists were deposited in advance however, the mineral against the said kist value could not be extracted as there was no requisite order granted by the respondent authority due to the situation arising out of the Covid pandemic. As per the term of the settlement the contract period was over on 12.05.2021. Prior to the said expiry of the said contract, anticipating no further improvement in the situation, the petitioner submitted representations one after another to the respondents for extension of the time period for extraction of the minerals as against the kist value already deposited and to be deposited in future.

It is contended that without paying heed to the representation of the petitioner there was demand made by the respondents for payment of the installment/ kist money. In between, the petitioner moved this court thereby filing three writ petitions being WP(C) 268/2021, WP(C) 279/2021 and WP(C) 372/2021 which were disposed of on various dates by directing the orders:

In terms of the said orders, the petitioner submitted the representation on 25.02.2021 to the Principal Chief Conservator of Forest, Assam with a prayer to provide all necessary permits and accept the kist money from the month of December, 2020 as current kist permitting to extract minerals and pending extraction against 25th and 26th kist to be considered by extending the time period at the end of the contractual period i.e. on 12.05.2021. While the petitioner was expecting for reply as against the said representation dated 25.02.2021, the impugned notice thereby calling for e-auction under Rules 32, 33, 34, 35, 36 and 37 of the Rules, 2013 seeking for online biddings from interested persons Page No.# 4/8 including Dhaleswari Sand Mining Contract Unit No. 01,2 and

Katakhal Sand Mining Contract Unit No. 04 was issued. The said mining contract units were settled with the petitioner and the term of which expired on 12.05.2021. The said notice was issued on 29.06.2021. Being aggrieved, the petitioner filed this writ petition seeking for setting aside the impugned tender notice dated 29.06.2021 and for compliance of the order passed by this court.

Learned counsel for the petitioner besides submitting the compelling circumstances on the basis of which the petitioner had to file representation for extension of the contract period also relied Section 8A Sub-section 6 of the Mines and Minerals (Development and Regulation) Act, 1957 (hereafter referred as Act, 1957). Referring to the said provision it is submitted by Mr. Choudhury that the respondent authority has the jurisdiction to extend the period of lease granted and further renew the lease period.

It is contented that it is also submitted by advocate Section 14 of the Act of 1957 that Sections 5 to 13 of the said Act 1957 does not apply to any lease in respect of minor minerals which covers building stones, ordinary sand prescribed as per Section 3(e) of the said Act of 1957. He relied on the case - Dharmendra Kumar Singh v. State of Uttar Pradesh and others (AIR 2020 SC 5360).

Decision : This High Court has stated that Section 14 of the said Act, 1957 specifically stipulates about the non-applicability of the Sections 5 to 13 (inclusive) of the Act, 1957 in case of minor minerals. Thus neither the contract nor the statute authorises the court to extend the contract period.

This High Court has further stated that the prayer made by the writ petitioner in this writ petition cannot be entertained and as a result this writ petition stands dismissed. However, the petitioner is granted the liberty to participate in the tender process arising out of e-tender notice dated 29.06.2021 and in addition to that the petitioner is also given the liberty to file appropriate application for remission of the kist money and other reliefs as entitled under the provision of Rules, 2013. In order to allow the petitioner to participate in the said e-auction process the respondents shall make necessary arrangement to that effect if the process is yet to be completed.

The High Court has also ordered no coercive measures shall be initiated by the respondent authority till the representation for remission of the petitioner is disposed of.

With the said observation, the Court has disposed of the Writ Petition.

Petition dismissed.

9. Narayana S.G., Petitioner v. State of Karnataka and others, Respondents, AIR, 2021, Karnataka 150, Vol. 108, Part 1293, September 2021.

Subject: Seeking for quashing of the proceedings of the District Task Force (Mines) Committee and District Stone Crushing unit Licencing Regulation Authority (DTFC) held on 14.12.2020 whereunder the said Committee recommended the rejection of the application filed by the petitioner/lessee for restoration of the quarrying lease granted to the petitioner as also for quashing of the order passed by Sr. Geologist, DMG, rejecting the permission for restoration of quarrying lease granted to the petitioner. Consequently, the petitioner has sought for a mandamus directing the respondents not to interfere with the rights of the petitioner to conduct quarrying operation in terms of the Quarrying Lease No. 801/2018-19.

Facts: The petitioner was granted quarrying lease for building stone in the land bearing Sy.No. 5/P1 measuring 1 acre 28 guntas situated at Kumbatti village, Hosanagar Taluk and Shivmogga district in terms of the QL No. 801/2018-19 executed on 28.12.2018 for a period of 20 years prior to the execution of the lease. The petitioner had secured NOC from the Dy. Conservator of Forest (DCF), environmental clearance from the competent authority etc.

On a complaint filed by certain persons said to be inimical to the petitioner, the DCF vide its letter dated 21.09.2019 addressed to the Sr. Geologist withdrew the no objection issued earlier and

requested the Sr. Geologist to cancel/terminate the quarry lease. Pursuant thereto, the Sr. Geologist – 4th respondent without giving any notice or opportunity to the petitioner is stated to have terminated the registered quarry lease vide its Order dated 17.12.2019, which came to be challenged before this court in W.P. No. 303/2020 wherein the said Termination Order was set aside and the quarry lease was restored. However, liberty was reserved to the competent authority to proceed if required under Rule 6 (3) of KMMC Rules.

The Sr. Geologist – 4th Respondent is stated that to have issued a Notice on 26.05.2020. It was replied to by the petitioner on 15.06.2020 wherein a personal hearing was sought for. Without granting opportunity of hearing, 3rd respondent – District Task Force Committee is stated to have recommended premature determination of the quarrying lease on which basis the Sr. Geologist – 4th Respondent has issued an endorsement informing that the quarrying lease granted to the petitioner is cancelled. It is aggrieved by the same the petitioner filed the Writ Petition before this Court.

The learned counsel for the petitioner contended that the 3rd respondent – District Task Force Committee has been abolished by the Government of Karnataka and therefore, it does not have any jurisdiction to take up the matter for cancellation of quarrying licence. The 4th respondent – Senior Geologist could not have considered the recommendation or a decision of cancellation of the 3rd respondent. There is a violation of principles of natural justice in that the petitioner has not been heard and no opportunity has been given. The reply of the petitioner dated 15.06.2020 has not been considered. There is no reason as such furnished for change of opinion of the DCF in as much as the DCF had earlier issued ‘No Objection Certificate’ after ‘Joint Inspection’.

The learned Additional Govt. Advocate contended that there are serious allegations as regards environmental impact due to quarrying activities carried out by the petitioner. Certain facts were not brought to the notice of the DCF when ‘NOC’ was earlier issued, on the same being pointed out, an inspection was carried out wherein it was found that the licenced land is very close to wild life sanctuary. Quarrying activities could also have an adverse impact on the River Sharavthi, which is very near and as such, action taken by the authorities are proper and correct.

Point of Issues:

- (i) Whether the District Task Force Committee can recommend for cancellation of quarrying licence in respect of building stone?
- (ii) Whether the Sr. Geologist is bound to follow the recommendation of the District Task Force Committee without independent application of mind?
- (iii) Whether a ‘NOC’ earlier granted could be withdrawn without hearing the Party to whom ‘No Objection Certificate’ ipso facto would lead to cancellation of the lease/quarrying licence?
- (iv) Whether a withdrawal of a ‘No Objection Certificate’ ipso facto would lead to cancellation of the lease/quarrying licence?
- (v) What order?

Decision: As regards to Point No. (i) the High Court has referred to Rule 6(3) and Rule 4 of the KMMC Rules and held that it is only the Commissioner/Director for the whole of the State of the Karnataka or the Dy. Director/Sr. Geologist in their respective jurisdiction who could exercise powers under Rule 6(3) of KMMC Rules. The District Task Force Committee is neither the competent authority nor is empowered to take any action under Rule 6(3) of the KMMC Rules.

As regard to Point No. (ii), the High court held that the competent authority under any legislation or subordinate legislation or delegated legislation would be required to independently apply its mind while taking a decision and cannot rely upon a decision or a recommendation by any other authority. The sr. geologist is not bound to follow the recommendation of the DTFC, it is required to apply its mind and come to an independent decision.

As regard to Point No. (iii), the High Court has held that a 'No Objection Certificate' earlier granted cannot be withdrawn without hearing the party to whom a 'No Objection Certificate' has been granted.

As regard to Point No. (iv), the High Court has referred to Rule 45 of the KMMC Rules and held that a withdrawal of a 'No Objection Certificate' ipso facto would not lead to cancellation of the quarrying lease/licence, the procedure under Rule 45 would have to be followed to terminate the lease/licence.

As regard to Point No. (v), the High Court has referred to Rule 6(3) and Rule 45 of KMMC Rules and held that in the present case neither there is any power exercised either under Rule 6(3) or Rule 45 of KMMC Rules. Hence, the impugned order cannot be sustained.

Accordingly, the High Court has disposed the writ petition and directed/pass the following order.

- i) The impugned proceedings at Annexure –A dated 14.12.2020 is set aside.
- ii) The impugned order at Annexure-B dated 05.03.2021 passed by the Senior Geologist is set aside. Liberty is however reserved to the respondents to initiate such proceedings as may be advised in accordance with law.

Order accordingly

10. Jai Bhawani Stone Crusher, Appellant v. State of Uttarakhand and others., Respondents, AIR 2021, Uttarakhand 133, Vol. 108- Part 1293, September 2021.

Subject: The appellant has challenged the legality of the Order dated 07.01.2021, given by the learned Single Judge.

Facts: The learned Senior Counsel appearing for the appellant, submitted that the appellant has also made the following prayers before the learned Single Judge:

"I. Issue a writ order or direction in the nature of certiorari quashing the Office Letter dated 29.10.2020 issued by Respondent No. 2 to the extent whereby the Royalty is being demanded on the quantity of mineral as mentioned in the Work Order dated 16.01.2020 which includes the quantity which was not actually extracted by the petitioner and also includes the period of lockdown in which the mining activity was not done.

II. Issue a writ order or direction in the nature of certiorari quashing the office letter dated 13.10.2020 issued by the Government to the extent that the quantity of minerals to be extracted has not been reduced though the total mining area has been reduced by the respondents after taking into consideration the second demarcation report.

III. Issue a writ order or direction in the nature of mandamus directing to the respondents to raise the demand of the royalty by treating the Mining area to be 29.265 hectares in place of 51.020 hectares and on the actual quantity of Mineral extracted by the petitioner keeping in view of Section 15(3) of Mines & Minerals Act 1957 and also Rule 21 of UP Minor Mineral (Concession) Rules, 1963.

IV. Issue a writ order or direction in the nature of mandamus directing the Respondent No. 2, i.e., the Managing Director of GMVN to grant the additional time for extracting/picking the mineral pursuant to the Work Order dated 16.01.2020 and the Memorandum of Association dated 25.01.2020 for the period during which due to the lockdown all mining activity were banned in the State (i.e., w.e.f. 22.03.2020 to 20.05.2020)."

One of the main grievances of the appellant was that the appellant was being asked to pay royalty on the quantity of mineral which the appellant had never lifted and transported from the mines.

The learned Single Judge has expressed his opinion with regard to the said relief that since there was no stipulation in the Memorandum of Understanding (for short “the MoU”) that the appellant, petitioner would be liable to pay royalty only on the actual quantity of River Bed Material extracted, the demand made by the respondents by Order dated 29.10.2020 was justified.

The learned Senior Counsel for the appellant – Petitioner contended that, by the appellant – Petitioner contended that such a conclusion is patently against Rule 21 of the U.P Minor Mineral (Concession) Rules, 1963 (for short “the Rules, 1963”), as adopted by the State of Uttarakhand called “the Uttarakhand Minor Minerals (Concession) Rules, 2001”. For, the said act clearly stipulates that royalty is payable in respect of “any mineral removed by him”.

Decision: High Court has referred to Rule 21 of the Rules, 1963 and stated that the royalty would be payable only on the quantity “removed” by the miner. Therefore, even if the MoU is silent on the point with regard to the payment of royalty, naturally, the payment of royalty would have to be in consonance with Rule 21 of the Rules, 1963. Therefore, the opinion expressed by the learned Single Judge is legally unsustainable.

The High Court has further stated that it will be in the interest of justice to permit the appellant-petitioner to file a representation vis-à-vis relief Nos.1 to 4 before the Respondent No.1. The Respondent No.1 is directed to decide the appellant’s representation after giving an opportunity of personal hearing to the appellant. The High Court has further directed to decide the representation within a period of three weeks from the date of submission of the representation. Till the decision on the representation is taken, the Respondent No.1 shall not take any coercive steps against the appellant-petitioner.

Thus the High Court has allowed the appeal.

Appeal allowed

SECTION -2

2.1 TREND IN MINING

A. Mining Leases Granted

During the period under review, the information pertaining to the grant of one mining lease covering an area of about 40.816 hectares for limestone in the state of Andhra Pradesh was received.

The number of mining leases granted mineral wise together with lease area and details of mining lease granted are provided 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	01	40.816
Total	01	40.816

Table – 1 B: Details of Mining Leases Granted

Mineral	State/ District	Village	Area in ha	Date of Grant	Period in years	Name & Address
Limestone	Andhra Pradesh/ Anantha- puramu	Gudipadu	40.816	07.07.2021	50	M/s Penna Cement Industries Ltd, No.703, Sriniketan Colony, Road No. 3, Banjara Hills, Hyderabad- 500 034, Telangana

B. Mining Lease Period Extended

During the period under review, the information pertaining to the extension of mining lease period for 11 Mining Leases covering an area of about 2,580.02 hectares was received. Of these, Manganese accounted for 07 mining leases followed by Limestone 03 leases and Manganese ore & limestone 01 lease.

Reviewing areawise, limestone accounted for 2,332.2 ha followed by Manganese ore with 212.62 ha and Manganese ore & Limestone 35.2 ha.

Reviewing statewise, the number of mining leases for which period was extended in Andhra Pradesh was 02 with an area about 1,387.31 ha, Karnataka was 01 with an area about 35.2 ha, Madhya Pradesh was 01 with an area about 944.89 ha and Maharashtra was 7 leases with 212.62 ha.

The number of mining lease period extended mineralwise together with lease area and details of mining leases extended are furnished in Tables 3A & 3B.

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

Mineral	No of Mining Leases Extended	Area in ha
Limestone	03	2332.2
Manganese ore	07	212.62
Manganese ore and Limestone	01	35.2
Total	11	2580.02

Table – 2 B: Details of Mining Leases Period Extended

S. No.	Mineral	State/ District	Village	Area in ha	Date of Extension	Date up to which lease period extended	Name & Address
1	Limestone	Madhya Pradesh/ Katni	Gairtalai, Jararoda and Madva	944.89	01.06.2021	09.06.2041	M/s Steel Authority of India Ltd. RAW Material Division, Kuteshwar limestone Mines, Post office:- Barahi District:-Katni Madhya Pradesh

2	Limestone	Andhra Pradesh/ Guntur	Pondugola & Pulipadu	652.11	14.06.2021	03.04.2037	M/s The India Cements Ltd, Coromandel Towers, 93, Santhome High Road, Karpagam Avenue, R. A. Puram, Chennai-600 028
3	Limestone	Andhra Pradesh/ Kurnool	Kolimigundala & Petnikota,	735.20	04.06.2021	08.08.2050	M/s. The Ramco Cements Limited, Kalvatala Project, Kolimigundla Mandal & PO, Kurnool District-518 123
4	Manganese	Maharashtra/ Nagpur	Mansar	5.74	27.08.2021	31.03.2040	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
5	Manganese	Maharashtra/ Nagpur	Beldongri	12.99	31.08.2021	31.03.2040	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
6	Manganese	Maharashtra/ Nagpur	Gumgaon, Khappeta, Tigai & Rajna	48.59	06.09.2021	30.06.2042	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
7	Manganese	Maharashtra/ Nagpur	Satak	8.68	31.08.2021	30.06.2042	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
8	Manganese	Maharashtra/ Nagpur	Mansar, Chargaon, Khairi, Parsoda, & Kandri	108.63	30.07.2021	30.06.2042	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
9	Manganese	Maharashtra/ Nagpur	Gumgaon & Khapa	1.33	26.07.2021	31.03.2040	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
10	Manganese	Maharashtra/ Nagpur	Beldongri	26.66	31.08.2021	30.06.2042	M/s Moil Limited, 1-A, Moil Bhavan, Katol Road, Nagpur-440 013
11	Manganese and Limestone	Karnataka/ Chitradurga	Chikkabyala dakere	35.20	28.06.2021	17.04.2037	M/s Alok Kumar & Co., S-1, 2nd Floor, Salimar Plaaza, Guttahalli Main Road, Near Vinayaka Circle, Malleswaram, Bengaluru- 560 003

C. Mining Leases Determined

Table – 3: Details of Mining Leases Determined (By Minerals)

Mineral	State/ District	Village	Area in ha	Date of Determination	Name & Address
Mica, Quartz, Feldspar & Vermiculite	Andhra Pradesh/ Nellore	West Guduru	69.35	02.07.2021	M/s Srinivasa Minerals & Traders, Mg: Sri P.Sri K. Guravaiah, S/o Blaguravaiah, 18, Kothari Road, Nungambakkam, Chennai, Tamil Nadu.

D. Mining Leases Transferred

Table – 4: 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		
Bauxite	Gujarat/ Jamnagar (now Devbhumi Dwarka)	Virpur	121.40	M/s Shri Natraj Ceramic and Chemical Industries	M/s Dalmia Refractories Ltd	-	28.07.2021

SECTION - 3

HIGHLIGHTS

A. DOMESTIC

Odisha: auction bauxite mines in priority basis

Odisha alone has the potential for multifold growth in bauxite production from the current 12-13 million tonnes to over 50 million tonnes per annum to meet the domestic bauxite requirement of the nation and curb imports. The State can also auction abundant bauxite reserves which have the potential to garner Rs 5,000 crore for the exchequer and 10,000 livelihood opportunities for every mine auctioned. Odisha can take a cue from the success stories of mineral-rich developing countries like Guinea in West Africa or even developed countries like Australia. Their concerted efforts to unlock their mineral power saw large-scale economic development and global dominance in the world's supply chain. Successful auction of bauxite mines will further attract huge investments in the State wherein fresh investments of over Rs 2 lakh crore are envisaged in Aluminum Sector to meet the growing demand. This will ensure optimum utilisation of domestic natural resource, saving precious foreign exchange, generate huge local employment opportunities and yield rich socio-economic dividends for the State.

(Source: The Pioneer, Bhubaneswar - 15 May, 2021)

GSI finds 690 million tonnes cement-Grade Limestone/reserves in Jaisalmer

The Geological Survey of India (GSI) on 1st April submitted an exploration report of SMS cement grade limestone in three blocks of Jaisalmer. As per the report, the blocks contain 690 million tonnes of SMS cement-grade limestone. Based on the report of the GSI's G-2 and G-3 reports, the process of auctioning the blocks will start soon. Further, the exploration activities in 55 blocks will be undertaken this year. As per the report, the SMS-grade limestone reserves in Ramgarh spread over 2.5 sq.km is estimated to be at 9 million tonnes besides 4.67 million tonnes chemical-grade and 180 million tonnes cement-grade limestone. In the Gorum Khan ki Dhani, spread over 5sq.km, 76 million tonnes SMS grade and 135 million tonnes cement-grade limestone is estimated.

(Source: The Times of India, Jaipur – 2 April, 2021)

Karnataka new mineral policy for 2021-26 on the anvil

A new mineral policy for 2021-26 will be unveiled in the State on the lines of the Centre's National Mineral Policy to give a fillip to the industry and boost the economy. The Government had implemented a mineral policy in 2008 and now plans to introduce it with new reforms. A single-window clearance system will be introduced to dispose applications for grant of mining/quarry leases and crusher licence in a time-bound manner.

To facilitate ease of doing business, 'Mining Adalats' will be set up to address grievances of application. "Mining adalats will be started at four Revenue Divisions in the State under a single-window scheme. This will help address the grievances of people and speedy disposal of pending applications to start business. The Mines and Geology department is already working on the policy and it will be introduced soon.

(Source: Business Standard, Bengaluru – 8 March, 2021)

Atomic mineral exploration begins near china border

Indian authorities are looking for uranium reserves just three kilometres from the India-China border in Arunachal Pradesh in a first-ever such exercise. There was no possibility to do heliborne exploration because of the hills. The exploration for uranium had yielded positive results and further activity would continue, which would also result in mining. The exploration was taken up in Aalo of West Siang district of Arunachal Pradesh, about 619 meters from ground level. Uranium is used for producing nuclear energy which is considered clean energy. Exploration for uranium has also been taken up in several other states in the country with acceptance coming from Northeastern state too.

(Source: The Economic Times, New Delhi- 16 March, 2021)

India needs to double iron ore mining capacity by 2030

India will need to double its iron ore mining capacity by 2030 in order to meet demand as per the NSP 2017. With respect to steel, the growth in infrastructure, power industry, cement industry will be the real trigger for growth while attractive opportunities arising through the PLI scheme, policy support for MSMEs etc. are driving the demand for steel. Domestic production has gone up by 13% in the last five years from 129 million tonnes in 2015 to 206 million tonnes in 2019 at a CAGR of 12.4%. In terms of consumption, it has gone up from 115 million tonnes in 2014-15 to 160 million tonnes in 2019. Major efforts are being made toward achieving the goals of NSP by 2030-31.

(Source: The Times of India, New Delhi – 30 June, 2021)

India's second mining school in Ballari

Ballari, the mining hub of Karnataka, is all set to get another feather in its cap, with the country's second School of Mining to be established outside the city soon. The Department of Mines and Geology will be implementing the project in an area of 50 acres and will train the employees attached to the mining companies operating in Karnataka and other parts of India. The Institute will also conduct short-term training courses for owners and other employees attached to mining firms on legal clauses, best practices in transport and exporting and other such related work. "There is only one such Institute in Dhanbad, Jharkhand. The final approval is from the Government is awaited.

(Source: The New Indian Express, Ballari – 9 July, 2021)

Cabinet approves deep ocean mission

The Cabinet Committee on Economic Affairs has approved the proposal of Ministry of Earth Sciences (MoES) on "Deep Ocean Mission", with a view to explore deep ocean for resources and develop deep sea technologies for sustainable use of ocean resources. The estimated cost of the Mission will be Rs 4,077 crore for a period of 5 years to be implemented in a phase-wise manner. The estimated cost for the first phase for the 3 years (2021-2024) would be Rs.2,823.4 crore. Deep Ocean Mission will be a mission mode project to support the Blue Economy Initiatives of the Government of India. Ministry of Earth Sciences (MoES) will be the nodal Ministry implementing this multi-institutional ambitious mission.

The technologies required for deep sea mining have strategic implications and are not commercially available. Hence, attempts will be made to indigenise technologies by collaborating with leading institutes and private industries. A research vessel for deep ocean exploration would be built in an Indian shipyard which would create employment opportunities. This mission is also directed towards capacity development in Marine Biology, which will provide job opportunities in Indian industries. In addition, design, development and fabrication of specialised equipment, ships and setting up of required infrastructure are expected to spur the growth of the Indian industry, especially the MSME and Start-ups.

(Source: PIB Press Release dates: 16 Jun 2021)

B. ABROAD

India ends decades-old iron ore export pacts with Japan & Korea

The Government is understood to have not renewed a long-term agreement (LTA) for supplying iron ore to Japanese steel mills and South Korean major Posco after its March expiry, apparently in view of the uncertainty over investment plans of steel mills from these countries in India. Shortage of the key raw material for steel-making in India is also seen to be a reason for the decision. Iron ore supply agreements with Korea and Japan have been in existence for around six decades; these got renewed uninterruptedly as New Delhi's goodwill gesture to the two Asian countries. The Union cabinet last renewed the contract on April 25, 2018; the contract was effective till March 31, 2021. State-owned minor NMDC, which supplies iron ore to Japan and Korea, has not dispatched any material to these countries so far in the current fiscal, sources said. Japan and Korea are the only two geographies where NMDC exports the key steel-making raw material while the rest is consumed domestically. In 2019-20, NMDC exported 2.44 million tonnes (MT) iron ore and in 2020-21, it came down by around 6% to around 2.3 MT. Sources said there have been no exports so far in the current fiscal. NMDC used to export the ore at a concessional rate in lieu of reduced export duty at 10% against 30% for private iron ore exporters and some railway freight concessions. Another PSU, MMTC, is the canalising agency.

(Source: The Financial Express, New Delhi- 18 June, 2021)

Western Australia resources see record sales and job creation

The Western Australian Resources Sector has continued to set records in terms of revenues and sales. The Resources sales in 2020 set a new record of A\$ 174-billion in Western Australia with iron-ore sales leading the way at A\$116-billion on the back of the highest iron-ore prices since 2011. Gold sales for 2020 reached more than A\$17-billion, an all-time record, as average gold prices reached around A\$2 500/oz, while nickel sales also increased to A\$3.3-billion, marking the highest sales value in six years. The employment in the Resources Sector was a star performer, with an average of 140-940 people representing yet another record. "With around A\$140-billion of resource projects in the pipeline, Western Australia's future continues to look promising." More than A\$20-billion was invested in the Western Australian Mining and Petroleum Sector, up from A \$17-billion in 2019. This represents the highest level since 2017.

(Source: Mining Weekly, Johannesburg – 1 April, 2021)

Anglo American to run South America mines 100% on renewables

Anglo American has signed a deal to run its Quellaveco copper mine in Peru 100% on renewables, effectively allowing the miner to deliver on its promise of powering all of its Latin American operations

by green energy by 2022. The Company vowed two years ago to meet power requirements of its copper operations in Chile with renewables by 2021. It also said it expected to have its iron ore and nickel operations in Brazil, as well as its copper mine in Peru, relying solely on green power by 2022. “Our sourcing of only renewable energy to power our operations across South America marks another step towards our 2030 GHG reduction target of 30%,”.

(Source: www.mining.com, Posted on 15 April, 2021)

Bacteria help extract rare earths from mine slag heaps

Researchers at the French Geological Survey are looking at ways to extract rare earth elements from mine slag heaps using bacteria found in the subsoil. According to a report by the agency AFP, the process starts by pulverising mine tailings and dissolving them in liquid. The scientists inject different bacteria depending on the metal they are looking for. They also inject oxygen and nutrients like potassium or nitrogen to feed the microorganisms. These solutions are immediately heated at between 30 and 50 degrees Celsius and agitated by a bioreactor, which kicks off the extraction process without the need for pressurising.

(Source: www.mining.com, Staff Writer | August 4, 2021)

Scientists develop low-cost, graphene-based method to remove uranium from drinking water

A research team at the Massachusetts Institute of Technology has developed a highly efficient method for removing uranium from drinking water. In a paper published in the journal *Advanced Materials* the MIT group together with colleagues from the Argonne National Laboratory, the University of Tokyo and National Chiao Tung University, tested the idea of applying an electric charge to graphene oxide foam to capture uranium in solution, which precipitates out as a condensed solid crystal.

(Source: www.mining.com, Valentina Ruiz Leotaud | August 12, 2021)

Study predicts over 400% increase in copper, lithium, nickel battery demand

BNEF predicts annual demand for lithium-ion batteries will pass 2.7 terawatt-hours per year by 2030 – a 35% increase from the analytics company’s forecast made last year. Passenger vehicles will represent 72% of the overall market as sales race to 14 million by 2025 from just over 3 million last year. BNEF expects China to extend its lead in the battery supply chain — particularly processing and refining. The country accounts for almost half of new lithium hydroxide projects coming online this year and has 55% of the world’s nickel sulfate market and 80% of the global market for cobalt sulfate, according to the report.

(Source: www.mining.com, *Cecilia Jamasmie* | July 13, 2021)

Tanzania to add gold to reserves, resume \$3 billion Iron project

Tanzania launched a new gold refinery as its central bank plans to start buying the metal to diversify its reserves. The Mwanza Precious Metal Refinery is able to process 480 kg of gold a day and plans to double the capacity in a few months. The nation's State Mining Corporation has a 25% stake in the project, while Dubai-based Rozella General Trading and Singapore's ACME Consultant Engineers own the rest. Establishing the refinery is part of the government's plan to add value locally from its resources. Tanzania vies with Mali as Africa's third-largest gold producer. It also has an estimated 57-trillion cubic feet of natural gas reserves. The Government wants to raise the contribution of mining to Tanzania's gross domestic product to 10% by 2025 from the current 6.7%. administration asked to fast-track the revival of a \$3-billion joint venture with China's Sichuan Hongda Co for an iron-ore and coal mine.

(Source: Mining Weekly, Johannesburg – 14 June, 2021)

China to release copper, aluminium, and zinc reserves to stabilise prices

China announced plans on 16th June to release industrial metals from its national reserves to curb commodity prices in what some analysts said could be the first such move in a decade by the world's top consumer of metals. The National food and Strategic Reserves Administration said on its website it would release copper, aluminum and zinc in batches to non ferrous processing and manufacturing firms "in the near future" via public auction.

(Source: Reuters, Beijing – 16 June, 2021)

Australia and guinea to drive global bauxite production growth- report

Global Data says bauxite is poised to continue on a growth trajectory globally, with production expected to increase by 3.8% year-on-year this year to reach 372 million tonnes. This follows a 1.2% rise in bauxite output recorded in 2020 to 359 million tonnes. From this year to 2025, global bauxite production is expected to grow at a compound annual rate of 2.2%, to reach 406 million tonnes by 2025. Australia and Guinea are likely to maintain a steady supply growth rates of 1.6% and 6.5%, respectively, over the period, supported by a series of upcoming projects.

(Source: Mining Weekly, 23 August, 2021)
