

**SECTION -1**  
**Mineral Legislation and Policy on Export and Import of Minerals/Ores**

**1. MINERAL LEGISLATION**

**A. Amendments /Notifications:**

- 1 **MINISTRY OF MINES, NOTIFICATION G.S.R. 411(E).** - In exercise of the powers conferred by sub-section (1A) of Section 17A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government, in consultation with the State Government of Odisha, hereby reserves the area of 1738.04 hectares specified below through M/s National Aluminum Company Limited (NALCO), a Public Sector Undertaking owned and controlled by the Central Government, for undertaking prospecting or mining operations in respect of bauxite deposits in the Taluk of Pottangi of Koraput district in the State of Odisha for a further period of five years with effect from 27<sup>th</sup> April, 2017, except the areas already held under prospecting licence or mining lease and declares that no other prospecting licence or mining lease shall be granted in the said area, during the said period of five years lying within the boundary of such reserved area and for the mineral specified below, namely:—  
District: Koraput  
Area: 1738.04 hectares, Pottangi Bauxite deposit in the Taluk of Pottangi of Koraput district—  
Toposheet No. 65J/14.  
Area demarcated by Latitude and Longitude:  
Latitude 18<sup>°</sup> 34' 00"N to 18<sup>°</sup> 37'15"N  
Longitude 82<sup>°</sup> 56' 30"E to 83<sup>°</sup> 00' 00"E  
Mineral: Bauxite

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Source: The Gazette of India: Extraordinary, Part II- Section 3(i), dated 27.04.2017.

- 2 **MINISTRY OF MINES, NOTIFICATION G.S.R. 505(E).**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Indian Bureau of Mines, Ministry of Mines (Chief Controller of Mines, Controller of Mines, Regional Controller of Mines, Deputy Controller of Mines, Senior Assistant Controller of Mines, Assistant Controller of Mines and Assistant Mining Engineer) Group 'A' and 'B' Posts Recruitment Rules, 2016, namely:-  
1. (1) These rules may be called the Indian Bureau of Mines, Ministry of Mines (Chief Controller of Mines, Controller of Mines, Regional Controller of Mines, Deputy Controller of Mines, Senior Assistant Controller of Mines, Assistant Controller of Mines and Assistant Mining Engineer) Group 'A' and 'B' Posts (Amendment) Recruitment Rules, 2017.  
(2) They shall come into force from the date of their publication in the Official Gazette.  
2. In the said rules, in Schedule, in column (7) for the post of Regional Controller of Mines, the existing entries  
“(1) Bachelor of Engineering or Bachelor of Technology or passed Section (A) and (B) of the Institution of Engineers (India) examinations or Associate Member of Institution of Engineers in mining engineering” or

(ii) twelve years' experience in metalliferous (non-coal) category 'A' fully mechanised mines or in the Government department dealing with mines and minerals as Group 'A' officer combined experience of both for twelve years;" shall be substituted by the word " (1) (i) Bachelor of Engineering or Bachelor of Technology or passed Section (A) and (B) of the Institution of Engineers (India) examinations or Associate Member of Institution of Engineers in mining engineering"

(ii) twelve years' experience in metalliferous (non-coal) category 'A' fully mechanised mines or in the Government department dealing with mines and minerals as Group 'A' officer combined experience of both for twelve years;"

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Source: The Gazette of India: Extraordinary, Part II- Section 3(i), dated 24.05.2017.

- 3 **MINISTRY OF MINES, NOTIFICATION No. T-43010/CGBM/2014.**—By virtue of powers vested in me under Rule 3(1)(c) of Mineral Conservation and Development Rules, 2017 to authorize officers of Indian Bureau of Mines as “Authorized Officer” to perform functions under Mineral Conservation and Development Rules, 2017, I hereby authorize the officers of Indian Bureau of Mines as “Authorized Officer” to take action in respect of Mineral Conservation and Development Rules, 2017 and the matters relating to rule/rules as mentioned below :—

<b>Sl. No.</b>	<b>Authorised officer</b>	<b>Authorised for Rule(s) under MCDR, 2017</b>
1	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	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), 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 (Incharge 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(2), 35(3), 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
15	Assistant Mining Geologist	8(1), 8(2), 19(3), 54(d), 59, 74

This order shall come into force with immediate effect.

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Source: The Gazette of India, Extraordinary, Part III- Section 1, dated 11.05.2017.

## B. Court Decisions:

### 1 **Prakash Nayak, Petitioner v. District Collector, Kasaragod and others, Respondents, AIR 2017, Kerala 55, Vol.104, Part 1240, April, 2017.**

**Subject:** Seeking a writ of mandamus, directing the police officers to release their vehicles and also declare the police or other authorities have no authority/powers under the Sand Act, 2001 to seize the sand imported from other states.

**Facts:** The vehicle No. KA-21-A-5364 belonging to the writ petitioner in W.P.(C)No.4484/2012, and the vehicle No. KA- 21-A-2834 belonging to the writ petitioner in W.P.(C) No.4574/2012 were intercepted by the Sub Inspector of Police, Manjeswar on 06.02.2012, and the two vehicles with full load of sand imported from the State of Karnataka were seized by the police. On finding that sand was being unauthorisedly transported on illegal import from the State of Karnataka, the police initiated prosecution and other actions under the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (for short, 'the Sand Act'). The writ petitioners seek a writ of mandamus directing the police to release the vehicles unconditionally, and also a declaration, that the police or other authorities in Kerala having powers under the Sand Act, will have no authority or powers to seize the sand imported from other States, and that prosecution or other action is not possible in respect of such materials brought from other States, under the Sand Act, especially when import of sand from other States is permitted in the State of Kerala by a Government order.

The learned counsel for the petitioners submitted that the MMDR Act can have application only to minerals, and cannot have any application to minor minerals which are separately dealt with under the Rules framed by the Government of Kerala as authorised under Section 15(1) of the MMDR Act. The learned counsel also submitted that under these Rules seizure of articles is not possible, and what is possible at the most is punishment for violation of the provisions of the Rules, and not for violation of the provisions of the MMDR Act. On the other hand the learned Government Pleader submitted that the definition of minerals is a wide definition including minor minerals, and that Section 3 of the MMDR Act defines minor minerals with a definite object. The learned Government Pleader submitted that such a separate definition is given under Clause (e) not because minor minerals are not included in the definition of minerals under Clause (a). Clause (a) of Section 3 of the MMDR Act defines minerals to include all minerals except mineral oils.

The learned counsel for the petitioners further submitted that when there is a separate definition of minor minerals under Clause (e), the definition of minerals in Clause (a) cannot include minor minerals.

The argument advanced by the petitioners is that police officers will not get any authority for arrest without warrant under Sub Section (6) of Section 21, when there is no notification appointing those officers under Sub Section (4) of Section 21.

**Point of issues :** i) Whether prohibition and control of export of sand in the State of Karnataka, prohibiting such export to the neighbouring States including Kerala, is binding on the State of Kerala, and whether the police authorities in Kerala are bound to honour such prohibition and restriction.

ii) Whether the police authorities or other authorities appointed by the Government in Kerala, will have powers under the Sand Act, or the MMDR Act and the Rules framed thereunder, to seize the sand imported from the State of Karnataka in such circumstance of prohibition or restriction, and to proceed for prosecution and other actions including confiscation.

**Decision:** The High Court has stated that as regards the general police powers under the Code of Criminal Procedure for arrest and seizure, there cannot be any doubt or challenge, when such powers are not specifically ousted or excluded by any special or local law. There are provisions in the MMDR Act, authorising the Government to appoint other categories of officers also to make seizure and to initiate prosecution. We find that this is only in addition to the general powers given to the police under the Code of Criminal Procedure. However, as regards cognizance of offences, there is a specific provision under Section 22, and once cognizance otherwise than on complaint as prescribed under the law is barred, such cognizance under the Code of Criminal Procedure may not be possible. Only to that extent, the general powers of police under the Code of Criminal Procedure will stand excluded. In view of the specific provisions in Section 22 of the MMDR Act, prosecution on the basis of a final report under Section 173(2) Cr.P.C. is not possible. As regards the other police powers including arrest and seizure, there is no specific exclusion by the special law, and so, such general powers can be exercised by the police, including the powers to make arrest, and to seize properties.

The High Court has disposed the above writ petitions with the following order-

a) We declare that factual situations involving illicit import of minerals including sand to Kerala, or illicit possession or transport of such mineral in the State of Kerala, not covered by the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001, or any other special law, will have to be dealt with, and appropriate proceedings including arrest, seizure and confiscation are possible, under the Mines and Minerals (Development and Regulation) Act, 1957.

b) In the given factual situations in these two writ petitions, the Kerala Protection of River Banks and Regulation of Removal of Sand Act is not applicable.

c) A writ of mandamus, as sought by the writ petitioners, directing the police officers to release their vehicles cannot be granted.

Appropriate orders, including confiscation orders, will have to be passed by the Court having jurisdiction to take cognizance of the offence punishable under Sub Section (1) of Section 21 of the MMDR Act, on a complaint brought under Section 22 of the Act.

d) If the police officer who seized the properties has not so far reported the fact of seizure to the Court, he will immediately report the fact of seizure to the Court having

jurisdiction.

e) The Court having jurisdiction shall pass appropriate orders as regards the sand and the vehicles involved in the cases.

f) If application for interim custody of the vehicles is filed by the writ petitioners, the same shall be dealt with and disposed of by the learned Magistrate without any delay, or at any rate, within three months from the date of application.

Ordered accordingly.

2 **M/s. Exotic Granites Exports, Petitioner v. State of Telangana and others, Respondents, AIR 2017, Hyderabad 72, Vol.104, Part 1241, May, 2017.**

**Subject:** Writ petition filed under Article 226 of the Constitution, for declaring the proceedings of the 1<sup>st</sup> respondent vide Memo No.5336/M.II(1)/2008-2 dated 11.7.2008 wherein according permission to the 5<sup>th</sup> respondent to reject quarry lease application of petitioner and further according permission under Rule 12(5) (b) of A.P.M.M.C.Rules, 1966 to the 5<sup>th</sup> respondent for overlooking the priority and considering the application of 6<sup>th</sup> respondent for grant of quarry lease for quarrying black granite over an extent of 4.916 hectares in Ingurthy Reserve Forest, Warangal District as illegal, and arbitrary.

**Facts:** The petitioner herein submitted an application to the Assistant Director of Mines and Geology, Warangal on 02.12.2002 for grant of black granite quarry lease over an extent of 10 hectares of forest land situated in Compartment No.1148 of Ingurthi Reserve Forest Area of Kesamudram Mandal, Warangal district. The said land is situated in Survey Nos.202 and 204/1. The said application was forwarded to the Divisional Forest Officer, Warangal for necessary action under Section 2 of the Forest (Conservation) Act, 1980. A joint survey was conducted by the Forest Department and Mines Department on 16.12.2002. The land available was found to be 4.916 hectares. Thereafter, revised application was submitted by the petitioner on 25.3.2003 to the said extent before the Assistant Director of Mines and Geology and the same was forwarded to the Divisional Forest Officer, Warangal and subsequently the same was processed to the Principal Chief Conservator of Forest-3<sup>rd</sup> respondent herein on 4.11.2003 under Rule 6(1) of the Forest (Conservation) Rules, 2003. Thereafter, vide letter bearing No.723/For.I(1)2005-4 dated 27.6.2005, the 2<sup>nd</sup> respondent-State Government made a request to the Chief Conservator of Forests (Central), Government of India, requesting to obtain and communicate the approval of Government of India for diversion of the applied forest area in favour of petitioner herein for extraction of black granite. The Government of India vide letter bearing No.APB100/2005-BAN/489 dated 27.6.2006 accorded Stage-I approval in favour of the petitioner for diversion of 4.916 hectares of forest land for extraction of black granite in favour of the petitioner subject to the conditions stipulated therein. In pursuance of the said approval, the Divisional Forest Officer, Warangal, South Division, by virtue of proceedings Rc.No.10244/2004/DM dated 31.7.2006 directed the petitioner herein to deposit a sum of Rs.44,60,974/- towards the cost of afforestation, free generation of safety zone area and for net present value of the forest area of 4.916 hectares. In pursuance of the said proceedings, petitioner herein deposited the amount indicated in the above said proceedings dated 31.7.2006 by way of demand draft and the petitioner also purchased 1.64 hectares of land in Nagaram village and 4.31 hectares of land in Katrapalli village of Warangal district and registered the same in favour of the State Government by way of sale deeds bearing document Nos.1016 and 1017 of 2006 dated

2.8.2006. Subsequently, on 30.11.2006, the Principal Chief Conservator of Forest, Hyderabad submitted a compliance report to the State Government-2<sup>nd</sup> respondent herein. Vide proceedings No.APB100/2005- BAN/124 dated 22.12.2006, the Government of India, Ministry of Environment and Forests granted Stage-II approval in favour of petitioner herein. Subsequently, vide G.O.Ms.No.8, Environment, Forest, Science and Technology (FOR.I) Department dated 11.1.2007, the 2<sup>nd</sup> respondent-State Government accorded permission to the Principal Chief Conservator of Forests, Hyderabad-3<sup>rd</sup> respondent herein for diversion of applied forest area. On 31.7.2007, petitioner herein made a representation to the Director of Mines and Geology, Hyderabad for grant of quarry lease.

While the things being so, the 1<sup>st</sup> respondent-State Government, on the request made by the Director of Mines and Geology, to prefer grant of quarry lease in favour of A.P. Mineral Development Corporation Limited (6<sup>th</sup> respondent herein) under Rule 12(5)(b) of A.P. Minor Mineral Concessions Rules, 1960, directed the Mines and Geology Department to overlook the prior applications and to grant quarry lease for black granite in favour of 6<sup>th</sup> respondent-APMDC. Thereafter, by way of G.O.Ms.No.135, Environment, Forests, Science and Technology (FOR.I) Department dated 4.12.2007, ordered cancellation of orders issued earlier in favour of petitioner herein vide G.O.Ms.No.8 dated 11.1.2007, while directing the Principal Conservator of Forests to submit proposals under Forest (Conservation) Act for re-diversion of the said area for extraction of black granite in favour of APMDC. Assailing the validity of the said memo dated 16.3.2007 and G.O.Ms.No.135 dated 4.12.2007, petitioner herein filed W.P.No.7355 of 2007. This Court, by way of order dated 26.3.2008, quashed the said memo, while remanding the matter to the authorities for fresh consideration, after giving notice and for calling objections.

Subsequently, the 1<sup>st</sup> respondent-State Government issued a show cause notice vide Memo No.5336/M.II(1)/2008-1 dated 14.5.2008, asking the petitioner to show cause as to why the application of 6<sup>th</sup> respondent-APMDC should not be preferred over the application of the petitioner. In response to the said show cause notice, the petitioner herein submitted its objections dated 4.6.2008. Thereafter, the 1<sup>st</sup> respondent-State Government by virtue of Memo bearing No.5336/M.II(1)/2008-2 dated 11.7.2008 accorded permission to the Director of Mines and Geology to reject the application of the petitioner and to accord permission for overlooking priority and to consider the application of the 6<sup>th</sup> respondent-APMDC under Rule 12(5)(b) of APMDC Rules, 1966.

The learned counsel for petitioner contended that the questioned order passed by the 1<sup>st</sup> respondent vide Memo No. 5336/M.II(1)/2008-2 dated 11.7.2008 is highly erroneous, contrary to law and violative of Articles 14 and 19(1)(g) of the Constitution of India. It is further contended that since the Central Government already granted approval in favour of the petitioner herein under Section 2 of Forest (Conservation) Act, 1980, the very action of the 1<sup>st</sup> respondent in according permission under Rule 12(5)(b) of A.P. Minor Mineral Concession Rules, 1966 is highly irregular and opposed to the very spirit and object of the provisions of Mines and Mineral Development and Regulation Act, 1957, A.P. Minor Mineral Concession Rules, 1966 and Forest (Conservation) Act, 1980 and that the action of the Respondents is a patent contravention to Rule 6(3) of Forest (Conservation) Rules.

It is further submitted by the learned counsel that the application of 6<sup>th</sup> respondent is a subsequent one and the 6<sup>th</sup> respondent submitted its application for quarry lease on 04.8.2003 and on 05.8.2003 and the said application was returned on 03.6.2004 for re-submission and the 6<sup>th</sup> respondent represented the same with a delay

of 274 days on 18.3.2005 and the said application ought not to have been processed as the same being contrary to Rule 6(3)(a) and (f) of Forest (Conservation) Rules. It is further submitted that notwithstanding the said statutory bar, the 2<sup>nd</sup> respondent- State Government forwarded the proposals to the Chief Conservator of Forests, Ministry of Environment and Forest, Union of India on 26.3.2008. It is further submitted by the learned counsel that the impugned orders issued by the 1st respondent vide Memo dated 11.7.2008 are in the nature of reviewing the earlier orders issued vide G.O.Ms.No.8 dated 11.1.2007 and the same is without jurisdiction in the absence of any power of review expressly provided under the statute and the rules.

It is further submitted by the learned counsel that there is no clearance in favour of 6<sup>th</sup> respondent so far under Section 2 of Forest (Conservation) Act, 1980 read with Rule 6(3)(a) and (b) of the Rules. It is further submitted by the learned counsel that the petitioner herein submitted objections; to the show cause notice dated 14.5.2008 on 4.6.2008, but the 1st respondent did not consider the contents of the said objections. It is further submitted by the learned counsel that when once No Objection Certificate is issued in favour of one user agency, there is no question of Forest Department considering and granting No Objection Certificate in favour of another user agency for the same area or a part of it.

It is further contended by the learned counsel for the petitioner that vide notification dated 17.03.2005 the Mineral Development Corporation proposed for private participation, as such, the Corporation cannot claim any exemption under Section 2 (iii) of the Forest Conservation Act, 1980. It is further submitted that the contention that the proposal was not forwarded through the mines and Geological Development was neither pleaded in the counter affidavit nor there is any material available on record to substantiate the same. It is further contended that the impugned action is unsustainable in view of the provisions of Section 115 of the Indian Evidence Act, which deals with Promissory Estoppel.

The learned Special Government Pleader, for the Telangana State Mineral Development Corporation, contended emphatically that there is no illegality nor there is any procedural lapses nor infirmity in the impugned action, as such, the questioned action is not amenable for any judicial review under Article 226 of the Constitution of India. It is further argued by the learned Special Government Pleader that by way of G.O.Ms.No.8, Environment, Forests, Science and Technology (FOR.I) Department dated 11.1.2007, the State Government granted permission to the Principal Chief Conservator of Forests only for diversion of applied forest area, but did not grant lease in favour of the petitioner to claim any sort of vested right, as such, the contention of the learned counsel for the writ petitioner that by way of G.O.Ms.No.135, Environment, Forests, Science and Technology (For.I) Department dated 4.12.2007, the State Government illegally and unauthorisedly reviewed its earlier order vide G.O.Ms.No.8, Environment, Forests, Science and Technology (For.I) Department dated 11.1.2007 is neither sustainable nor tenable in the eye of law. It is further argued by the learned Special Government Pleader that the impugned action does not amount to reviewing the approvals granted by the Union of India for diversion of forest area vide orders dated 27.06.2006 and 22.12.2006. It is further submitted that the case of the petitioner does not attract the provisions of Section 115 of the Indian Evidence Act. It is further contended that vide G.O.Ms.No.135, Environment, Forests, Science and Technology (For.I) Department dated 4.12.2007, the State Government only cancelled the permission for diversion of forest area and since the earlier orders, granting approval are only administrative in nature, the State Government is empowered to cancel the same as per Section 21 of the General Clauses Act. It is further submitted

that non-adherence to limitation as stipulated under Rule 6 (3) of the Forest (Conservation) Rules, 2003 is not fatal and the said stipulation is only directory in nature but not mandatory and on the said ground the Telangana State Mineral Development Corporation cannot be non- suited.

It is further submitted by the learned Government Pleader that no approval in favour of the Mineral Development Corporation is necessary under Section 2 of the Forests Conservator Act, since it is a Corporation.

**Point of issues:** 1. Whether the action of the State Government in cancelling the proposal sent to the Government of India vide G.O.Ms.No.8, Environment, Forests, Science and Technology (For.I) Department dated 11.1.2007 for diversion of reserved forest area by way of the order vide G.O.Ms.No.135, Environment, Forests, Science and Technology (For.I) Department dated 4.12.2007 is justified, authorised, legal, valid and permissible and whether such action has legal sanctity?  
2. Whether the action of the State Government in sending the proposals for diversion of forest area in favour of the Mineral Development Corporation is in accordance with law or whether the same is barred by limitation as stipulated under Rule 6 (3) of the Forests Conservation Rules, 2003?  
3. Whether the action of the State government is contrary to the principle of promissory estoppel and is opposed to the doctrine of legitimate expectation?  
4. Whether the impugned action is in accordance with Rule 12 (5) (b) of the A.P. Minor Mineral Concession Rules, 1966?

**Decision:** The High Court has referred to Section 2 the Forest Conservation Act, 1980, Section 21 of the General Clauses Act, 1897, the judgments of this Court and the Apex Court in the case of Patel Narshi Thakershi and Ors and V. Murali v. Govt. of Andhra Pradesh and Ors, and stated that the very action of issuance of G.O.Ms.No.135, dated 04.12.2007, asking the Principal Chief Conservator of Forests to submit the proposal under Forest Conservation Act, 1980 for re-diversion of the above said area for extraction of black granite in favour of APMDC Limited, in the absence of any enabling provision of law, is totally one without jurisdiction. It is also significant to note that by asking the said proposals to be sent in favour of the Mineral Development Corporation, the State Government obviously sought the review of the approval granted already by the Union of India in favour of the writ petitioner. Forests Conservation Act or the Rules framed there-under do not authorise the Central Government to reconsider and revoke the approvals already granted.

The High Court has further stated that the Mineral Development Corporation submitted its application on 04.08.2003 and on 03.06.2004 the said application was returned with certain objections and the Mineral Development Corporation represented its application on 18.03.2005 and the State Government forwarded the proposals to the Chief Conservator of Forests. But as per Rule 6 (3) of the above mentioned Rules it is incumbent and obligatory that the application is required to be sent to the Union of India within 210 days. Admittedly the same was sent beyond the said statutory period. No plausible explanation is forthcoming as to why the said mandatory requirement was not adhered to. It is a settled law that when the law directs a particular aspect to be performed in a particular manner, the same is required to be performed in accordance with the said manner only and any deviation from the said mode and manner would render the entire exercise invalid. Therefore, issue No.2 is also answered in favour of the petitioner and against the respondents.

It is further stated that in the present case also the conduct of the respondents



compelled and made the petitioner to pay the amounts and to purchase the lands for afforestation. Therefore, the impugned action is contrary to the principle of Estoppel and the Doctrine of Legitimate Expectation. Therefore, the issue No.3 is also answered in favour of the petitioner and against the respondents.

The High Court has also stated that the Mineral Development Corporation is not entitled to claim under Rule 12 (5) (b) of the APMMC Rules 1966. Once the private participation is invited the Mineral Development Corporation cannot be treated specially for consideration on priority basis under 12 (5) (b) of the aid Rules. Therefore, issue No.4 is also answered in favour of the petitioner and against the respondents.

Accordingly, the High Court has allowed the Writ Petition No. 16298 of 2008, setting aside the proceedings of the 1<sup>st</sup> respondent vide Memo No.5336/M.II(1)/2008-2, dated 11.7.2008. The High Court has directed to the respondent to consider the application of the petitioner for grant, as per law. Further, based on the above order and reasons the High Court has dismissed the W.P.No.1234 of 2009 without any costs.

Ordered accordingly.

3 **Steel Authority of India Limited, Ranchi, Appellant v. State of Jharkhand and others, Respondents, AIR 2017, Jharkhand 64, Vol.104, Part 1241, May, 2017.**

**Subject:** Challenging the letter dated 20.10.2014 issued by the State of Jharkhand whereby the State is seeking consent from the lessee/company to impose the conditions for renewal of lease.

**Facts:** In this case letter dated 22.10.2014, issued by the respondent-State is under challenge, whereby the respondent-State is seeking consent of this petitioner to impose the conditions or renewal of lease, as the application for renewal of lease is pending with the respondent-state with effect from 8.2.2008. This is an application for second renewal, because initially the lease period was granted for 30 years on 22-2-1949, and this lease period expired on in the year 1979. Again an application was preferred for renewal of the lease period, which was granted in the year 1987 with retrospective effect, i.e., from 1979. Thus, further period of 30 years, the lease was renewed, which was to be over on 21-2-2009, and therefore, within time limit of one year, before expiry of the said lease, on 8-2-2008 an application for renewal of lease was preferred and no such decision has been taken by the respondent-State and this letter dated 22-10-2014 has been issued for seeking consent to the petitioner-company to impose conditions for renewal of lease. Section 8-A has been inserted under the Mines and Minerals (Development & Regulation) Act, 1957 (hereafter referred to as “the Act 1957” for the take of brevity). Similarly, the Mineral (Mining the Government Company) Rules, 2015 has also been enacted in exercise of power conferred under Section 13 of the Act, 1957. These rules have been enacted by the Central Government to be read with Section 8A (8) of the Act 1957.

**Decision:** The High Court has stated that the conditions of the renewal of the lease will be proved first by the lessee. There is nothing like advance looking procedure under the Act, 1957 for seeking consent for the conditions first from the lessee for the renewal of the lease. If the State of Jharkhand wants to impose any final condition for renewal of the lease such order they could have passed.

The High Court has further stated this novice method has been followed by the

State of Jharkhand to seek consent of the lessee for the condition to be imposed at the time of the renewal of the lease is de hors the provision of the Act, 1957. The lessee-petitioner must not give any consent, but it does not mean that the State of Jharkhand has no power to impose the conditions for renewal/extension of the same.

The High Court held that in view of insertion of new Section 8A and the judgment delivered in the case of common cause v. Union of India & Ors. (AIR 2016 SC 1672), (especially paragraph No. 32 thereof) and enacted the Mineral (Mining by Government Company) Rules, 2015 enacted by the Central Government, this Court quashed and set aside the communication made by the respondent State dated 22.10.2014, reserving the liberty with the respondent-State to take a decision on the application preferred by this petitioner- company for renewal/extension of the lease period.

Thus, the High Court has allowed the Writ Petition.

Petition allowed.

4 **Yogesh Shah, Petitioner v. State of Madhya Pradesh and others, Respondents, AIR 2017, Madhya Pradesh 66, Vol.104, Part 1241, May, 2017.**

**Subject:.** This Petition filed against the order dated 26.12.2015, by which the Under Secretary of Mining Department, State of Madhya Pradesh ordered that the mining lease be granted in favour of the respondents No. 5 and 6 of two mines.

**Facts:** The Collector, (Mining Branch), District Burhanpur W.P. No. 3563/2016/2 issued an auction notice in a prescribed proforma as per Rule 36(2) of M.P. Minor Mineral Rules, 1996 (hereinafter referred as 'the Rules of 1996'). By the aforesaid notice, persons were invited to participate in an auction, which had been held on 06.12.2014 at the office of the Collector, Burhanpur for grant of mining lease rights in regard to certain quarries mentioned in the schedule. In the schedule, two quarries i.e. Nachankheda and Rehta, area of 7 hectares and 5 hectares, respectively, were also included. The petitioner and other persons participated in the auction. The bids of respondents No. 5 and 6 were found highest. Hence, their bids were accepted. The bid of mining lease situate at village Rehta was finalized in favour of respondent No.5 and the bid of village Nachankheda was finalized in favour of the respondent No. 6. Letters of allotment were issued in favour of the respondents No. 5 and 6 vide order dated 24.12.2014.

The respondents were granted 6 months' time to submit necessary environmental clearance from the prescribed authority i.e. State Environment Impact Assessment Authority and the mining plan duly approved and sanctioned by D.G.M.

The respondents did not fulfill the aforesaid condition. As per the condition of bid document, the successful bidder W.P. No. 3563/2016/3 had to execute the agreement within 30 days. Because the respondents No.5 and 6 did not submit the required documents within stipulated time i.e. within 6 months. Show cause notices were issued to them by the Assistant Mining Officer, Burhanpur on 26.08.2015. It is mentioned in the show cause notices that as per the letter of acceptance of bid, the respondents No. 5 and 6 had to submit approved mining plan and environment clearance within 6 months, however, the respondents did not submit the aforesaid documents with the department. Hence, the respondents are directed to show cause that why the bid be not canceled and the security be not forfeited.

The respondent No.5 submitted environment clearance on 02.09.2015 and mining plan on 07.12.2015. He further pleaded that there was a delay due to family reasons.

Hence, the delay be condoned. The Collector (Mining Branch), Burhanpur on 09.12.2015 wrote a letter to the Director, Mining and sought instructions from the authority in this regard. The Director (Mining) vide letter dated 11.12.2015 directed the Collector (Mining Branch) to take action in accordance with the provisions of the Rules of 1996. On 22.12.2015, the Collector (Mining Branch), Burhanpur W.P. No. 3563/2016/4 wrote a letter to the Director mentioning the facts that three sand quarries of the District were canceled due to non execution of agreement which were put to auction on 08.10.2015. There is scarcity of sand in the district. Hence, the permission to execute agreement in regard to sand quarries of village Rehta may be granted.

The Under Secretary, State of Madhya Pradesh vide letter dated 26.12.2015 granted permission to the Collector (Mining Branch) to execute agreement and grant mining lease in favour of respondents No.5 and 6 in regard to sand quarries of village Rehta and Nachankheda. It is mentioned in the order that the Collector (Mining Branch) observed in the letter that there was a need of sand in the district. Hence, the State Government in exercise of powers conferred under Rule 66 of the Rules of 1996 relaxed the time limit of 6 months as envisaged under Section 33 (3) of the Rules of 1996 and granted permission to execute agreement for grant of mining lease in favour of the respondent No. 5 and 6. Thereafter, the agreements were executed in favour of respondents No. 5 and 6.

Learned Senior Counsel contended that the provisions of Rule 66 do not confer any such power with the State Government to grant lease of sand quarries in favour of the persons who had not followed the terms and conditions of the Statutory Rule 26.

Learned Counsel for respondents No. 5 and 6 contended that the provisions of Rule 26 of the Rules of 1996 are not applicable in the case of sand quarries and the Government has rightly exercised power under Rule 66 of the Rules of 1996.

Learned counsel for the State has submitted that the matter is pending before the State Government for reconsideration and the Collector has also forwarded a letter to the Government and action will be taken in accordance with the letter of the Collector.

**Decision:** The High Court has referred to Rules 26 and 66 of the Rules , 1996 and stated that Rule 66 is an exception to other Rules envisaged in the Rules of 1996. The exception has been construed strictly. The power under the aforesaid Rule is extraordinary power because Rule 66 gives relaxation and the power could be exercised in special cases. Respondents No.5 and 6 are being given benefit in comparison to other persons. This Rule does not permit the authority to give benefit in favour of the persons who have not complied the terms and conditions of Rule 26 of the Rules of 1996. This is a special power and it can be exercised by the Government in extraordinary circumstances. As per the facts of the case, the auction was held on 06.12.2014. The respondents did not submit the required mining plan and environment clearance up to 09.12.2015 i.e. for a period of one year. In that circumstances, the Collector (Mining) could have easily canceled the bids and issued fresh auction notice. Why it was not done? There is no answer. Prima facie, in our opinion, the action of the Government of exercise of power under Rule 66 of the Rules of 1996 is arbitrary and illegal.

The High Court has further stated that Rule 26 clearly provides that where a quarry lease is granted or renewed, the provisions of Rule 26 would be applicable. The lease in question is a quarry lease of sand because Schedule II of the Rule of 1996 includes other minerals i.e. sand/bajri. Hence, Rule 26 is applicable.

The High Court has allowed the writ petition without any order as to costs and

quashed the order dated 26.12.2015. The High Court has directed that the agreements executed in favour of the respondents No.5 and 6 and the lease granted to them in pursuance to order dated 26.12.2015 are also hereby quashed. The competent authority is directed to hold a fresh auction of the quarries as early as possible in accordance with law. The respondents would be eligible to get refund of the amount in accordance with the provisions of Rules of 1996.

Petition allowed.

5 **M/s. Essel Mining and Industries Limited & another, Petitioners v. State of Odisha and others, Respondents, AIR 2017, Odisha 74, Vol.104, Part 1241, May, 2017.**

**Subject:.** The Writ Petition filed for quashing the order dated 08.01.2015 of revoking the approval of carry on mining operation over the lease area of 134.733 ha.

**Facts:** An original mining lease for extraction of iron ore was granted on 14.09.1955 for a period of 30 years over an area of 297.444 hectares. Prior to one year of expiry of the lease period, i.e., on 25.07.1984, an application for first renewal of lease for a further period of 20 years was made, which was for a reduced compact area of 194.196 hectares. Thereafter, an application for second renewal was made by the petitioner on 02.09.2004, which was also for a further period of 20 years, over an area of 194.196 hectares.

The said application of the petitioner for second renewal was forwarded by the Deputy Director of Mines, Joda to the Collector, Keonjhar on 17.08.2006. In turn, the Collector, Keonjhar forwarded the said application to the Director of Mines, Odisha on 27.11.2007. The Director of Mines, thereafter, forwarded the said second renewal application to the State Government on 27.02.2009.

Admittedly, out of the total area of 194.196 hectares, about 21 hectares of land was non-forest land, and 173.039 hectares was forest land. The Stage-I approval, with regard to forest land of 173.039 hectares, was granted under Section 2 of the Forest (Conservation) Act, 1980 on 04.11.2010. Then, on 18.11.2011, the Central Government, by a detailed reasoned order, granted Stage-II clearance for the entire 173.039 hectares of forest land, out of total area of 194.196 hectares. Pursuant to such clearance, having been granted by the Central Government, the petitioner commenced its mining activities over the area for which clearance had been granted, but continued to mine only till 22.11.2012, when the Divisional Forest Officer directed the petitioner to stop the mining activities.

Then, on 25.01.2014, the Special Secretary to Government of Odisha wrote to the Assistant Inspector General of Forests, Government of India, Ministry of Environment and Forest requesting the Government of India "to take steps for revocation of the forest clearance order granted to user agency for 173.039 ha vide Stage-II order dt.18.11.2011 in the total mining lease area of 194.196 ha and to advise the user agency to apply for forest area falling within the reduced approved lease area of 134.733 ha for which terms and conditions had been issued by the State Government in Steel & Mines Department during 1st RML." On the basis of such communication made by the State Government to the Ministry of Environment and Forest, Government of India, the latter has passed the impugned order dated 08.01.2015 revoking Stage-II approval granted on 18.11.2011 for diversion of forest land of 173.039 hectares of mining area granted in favour of the petitioner. Being aggrieved by

the said order, this writ petition has been filed.

Learned Senior Counsel for the petitioner contended that once a valuable right by way of grant of forest clearance under Section 2 of the Forest (Conservation) Act, 1980 had been granted in favour of the petitioner by order dated 18.11.2011, the same could not have been withdrawn without issuing show cause notice and giving opportunity of hearing to the petitioner. It has further been contended that by order dated 25.01.2014, on the basis of which the impugned order dated 08.01.2015 has been passed, the State Government had itself permitted the petitioner to make a fresh application for reduced area of 134.733 hectares instead of 173.039 hectares. But, while passing the revocation order dated 08.01.2015, the said procedure of seeking advice of the Forest Advisory Committee provided under Section 3 of the said Act had not been complied with and, as such, the impugned order has been passed without complying with the provisions of law.

Learned Central Government Counsel for the contesting opposite party No. 6 has submitted that by mere grant of approval vide order dated 18.11.2011 no right had accrued in favour of the petitioner till the mining lease was granted and, since no mining lease had been granted in favour of the petitioner, consequently no substantive right had accrued in favour of the petitioner, and as such the withdrawal or revocation of the approval granted on 18.11.2011 could be made without issuing of show cause notice or giving opportunity of hearing to the petitioner.

**Decision:** The High Court has stated that from the mere reading of the impugned order dated 08.01.2015, it is clear that the same has been passed on the basis of the communication of the State Government dated 25.01.2014, and no reason whatsoever has been assigned in the order dated 08.01.2015 for revoking the approval granted on 18.11.2011. A perusal of the communication dated 25.01.2014 would also make it clear that though the request was made by the State Government for revoking the forest clearance granted on 18.11.2011 for the use of forest land for an area of 173.039 hectares, in the said letter it was mentioned that the petitioner may be advised to apply for approval of reduced approved lease area of 134.733 hectares, meaning thereby that the objection of the State Government was for an area beyond 134.733 hectares and not for the entire area. The said order also does not assign any reason why the approval already granted was being revoked. Admittedly, no show cause notice of opportunity of hearing was afforded to the petitioner prior to passing of the impugned order. It is well settled law that once a right has accrued in favour of a party, the same can be withdrawn only after complying the principles of natural justice, which has not been done in the present case.

The High Court has opined that in the present case, neither the principle of natural justice has been complied, nor any reason whatsoever has been assigned in the impugned order for revocation of the earlier approval granted on 18.11.2011

Accordingly, the High Court has allowed the Writ Petition and quashed the order dated 18.01.2015 passed by the Director of Environment, Forest and Climate Change, Government of India, without any order as to cost.

Petition allowed.

6 **Bishnu Chandra Choudhary, Petitioner v. State of Jharkhand and others, Respondents, AIR 2017, Jharkhand 84, Vol.104, Part 1242, June, 2017.**

**Subject:** Challenging the termination of mining lease.

**Facts:** Petitioner was granted a mining lease for mining Magnesium Silicate (pyroxenite) over an area of 4.49 hectares in Mauza Gamharkocha, P.S. Ghatshila, District East Singhbhum for a period of 20 years with effect from 31st January, 2001 executed in Form-K of the MCR. A criminal prosecution was initiated against him being Potka P.S. Case no. 28 of 2003 under Sections 379/411 of Indian Penal Code and Section 4/21 of the MMDR Act by the respondents. It was however quashed by this Court in W.P. (Cr.) No. 150 of 2006 vide order dated 04 November, 2009 (Annexure-2) and also upheld by the Apex Court on dismissal of the Special Leave to Appeal (Cr.) No. 13711 of 2010 (Annexure-3) vide judgment dated 12<sup>th</sup> July, 2010. According to the petitioner, Vigilance Bureau, Jharkhand submitted a report to the Advisor to the Governor of Jharkhand on 14th May, 2013 alleging that it has failed to pay royalty for a huge quantity of mineral. This was also communicated to the Principal Secretary, Department of Mines and Geology by the Deputy Secretary, Cabinet (Vigilance) Department, Government of Jharkhand on 24th June, 2013. Petitioner states that a recommendation to cancel the mining lease of the petitioner as per the rules was also approved by the Hon'ble Chief Minister of the State in view of the Vigilance Bureau report. This was followed up by the show cause notice dated 28<sup>th</sup> April, 2014. The decision taken thereupon on 03rd September, 2014 (Annexure-9) however, was quashed by the coordinate bench of this Court in W.P.C. No. 4801 of 2014 vide judgment dated 21<sup>st</sup> February, 2015 primarily on the grounds of violation of principles of natural justice as the petitioner had not got adequate opportunity to file his show cause. After quashing of the said decision petitioner has responded to the same show cause on 09<sup>th</sup> March, 2015 whereafter the impugned order has been passed on 11<sup>th</sup> August 2015. During pendency of the writ application the respondents have been restrained from granting lease of mines with any third party vide order dated 21st August, 2015.

Respondents State in its first counter affidavit have stated in the following terms:- After execution of the lease on 07<sup>th</sup> February, 2001, petitioner has disobeyed important terms and conditions of the lease and never bothered to remedy the same despite several notices such as letters dated 12<sup>th</sup> June, 2003; 19<sup>th</sup> June, 2003; 31<sup>st</sup> October, 2007; 29<sup>th</sup> September, 2009 and several such letters such as dated 21<sup>st</sup> December, 2013, marked as Annexure- A Series. It has also been stated that petitioner did not venture to give reply to the above mentioned notices or letters although he had received letters dated 22<sup>nd</sup> May, 2013, 03<sup>rd</sup> July, 2013, 30<sup>th</sup> May, 2013 and 02<sup>nd</sup> July, 2013 (Annexure- B Series to the counter affidavit). The Deputy Commissioner East Singhbhum had also recommended to the State Government to terminate the mining lease of the petitioner vide letters dated 15<sup>th</sup> September, 2003 and 07<sup>th</sup> November, 2003 alleging that petitioner was undertaking mining work with collaboration with Naxalites i.e. Peoples War Group. The Deputy Commissioner also followed up requesting to take action against the petitioner vide letter no. 677 dated 03<sup>rd</sup> March, 2006. It also came to light through letter dated 14<sup>th</sup> May, 2013 of the Additional Director General of Police, Vigilance Bureau, Jharkhand that in the supplies made to the Raw Materials Management Division of Tata Steel, petitioner had suppressed the information about the actual supply made.

It is also alleged that he failed to pay commercial taxes on his Gross Turnover of Rs. 12, 61,69,985/- in financial year 2012- 13. All these facts being brought to the notice and after enquiry, the Hon'ble Chief Minister was pleased to pass an order dated 22<sup>nd</sup> February,

2014 to terminate the mining lease of the petitioner as per law and to propose in respect of Ratnesh Kumar Sinha and Niranjana Prasad. The impugned action was taken thereafter in conformity with the principles of natural justice. Letter dated 22<sup>nd</sup> June, 2012 of the Regional Controller of Mines, Indian Bureau of Mines alleging violation by the petitioner and suspension of mining operation. Letters of the Divisional Forest Officer, Jamshedpur; Regional Officer, Jharkhand State Pollution Control Board and District Transport Officer, Jamshedpur relating to violation of rules by the petitioner. The Director (Geology) had also submitted a report on 12<sup>th</sup> September, 2014 alleging illegal mining in 44.67 Acres of land against the leasehold area of only 3.20 hectares.

**Decision:** The High Court has stated that the facts of the instant case leave no room of doubt that absence of a proper show-cause notice containing specific charges and the order passed thereafter have entailed serious prejudice to the petitioner. Petitioner is also right in contending that the respondents could not have supplemented the reasons in the impugned order by way of statements made in the counter affidavit in the present proceeding.

The High Court has further stated apparently the respondents have, while taking the impugned decision, failed to conform to the well-settled tenets of principles of natural justice which not only caused serious adverse consequence on termination of the lease deed of the petitioner but entailed grave prejudice as well. The decision making process stands vitiated on the aforesaid grounds and it cannot be upheld in the eye of law.

The High Court has quashed the impugned order dated 11.08.2015, and, allowed the Writ Petition and directed that the respondents shall take a fresh decision in the matter after issuing a fresh show-cause notice containing specific charges and the materials in support thereof to enable the petitioner to offer his defence.

The High Court has further directed that MMDR Act, 1957 and MCR, 1960 or any other applicable rule in that regard provide a statutory frame work. The respondent would act in terms thereof while taking a fresh decision in the matter.

Petition allowed.

**7. State of Odisha, Petitioner v. Government of India through Secretary, Ministry of Steel and another, Respondents, AIR 2017, Odisha 142, Vol.104, Part 1245, September, 2017.**

**Subject:-** The Writ petition has been filed seeking setting aside the order dated 29.11.2011 passed by opposite party No.1.

**Facts:-** The Partnership Firm, M/s. Arjun Ladha is the lessee of iron ore in respect of 326.50 hectares equivalent to Ac. 806.80 decimals under the sanction of the State Government. A lease deed was consequently executed in favour of M/s. Arjun Ladha on 5.11.1966. On 17.1.1967 the Collector, Keonjhar granted surface right permission in respect of 121.40 acres within the leasehold area and in the meantime, on 10.6.1978, the Settlement Officer changed the kismat of the land from Jungle to Taila, Patita and Rasta. Before expiry of the lease period, O.P.2 applied for renewal of mining lease on 6.8.1996. A supplementary mining lease was executed by the State Government in favour of O.P.2 to include manganese as second mineral. Pending grant of lease for extraction of manganese ore, State Government in its Steel and Mines Department vide order No.11155, dated 2.9.1991 allowed the O.P.2 to extract manganese ore simultaneously with iron ore subject to usual payment of Government dues in advance. The Government of India in the Ministry of Mines conveyed their approval to the grant and for inclusion of manganese ore with iron ore for the unexpired period till 4.11.1996, vide their letter No. 5(29)/91-MV dated 2.4.1992, however, subject to compliance of all the amended provisions of the Mines & Minerals (Development and Regulation) Act,

1957 (in short, “the MMDR Act”) and the Forest (Conservation) Act, 1980 (in short, “the F.C. Act”).

It is alleged that the O.P.2 was noticed vide letter No. 50-42 dated 7.5.1992, letter No. 8738 dated 18.7.1992, letter No. 8234 dated 3.7.1993, letter No. 10741 dated 21.9.1993 and letter No. 14786 dated 9.12.1994 to remove the deficiencies detected by submitting the approved mining plan and obtaining approval of the Government of India for use of forest land for non-forest purposes. Under the premises that even after three and half years, the O.P.2 failed to submit the approved mining plan and the approval for forest clearance from the Government of India, the State withdrew the working permission for manganese ore, vide Steel and Mines Department letter No. 1900 dated 20.2.1995. In the meantime, by letter dated 30.5.1996, the O.P.2 submitted a mining plan approved by the Indian Bureau of Mines on 2.5.1996. At the same time, the O.P.2 also claimed that it had already taken steps for de-reservation of forest land applying the provision under Section 2 of the F.C. Act. Consequently, manganese ore was included as second mineral and a supplementary lease deed was executed on 6.8.1996 in respect of manganese ore. The O.P.2 also filed an application for renewal of mining lease for iron ore in respect of 326.50 hectares in villages, Hramotto and Pacheri in the district of Keonjhar. The renewal mining lease application was forwarded by the Collector, Keonjhar to the Director of Mines, vide their letter No. MII/48-95/No.4806/Mines, dated 28.12.1995, who finally forwarded the same to the Government of Odisha, vide its letter No. 704 dated 19.1.2009. It reveals that introduction to the mining plan as approved by the Indian Bureau of Mines clearly discloses that the mining lease area of Balalgunda Iron Mines falls in Karo Reserve Forest. Again at page-2 iii of the mining plan, it is stated that the total mining lease area, i.e., 326.50 hectares falls in Karo Reserve Forest. The land use pattern shown in the mining plan suggested that the surface rights were granted over the 20.4% of the lease area, which amounts to 66.609 hectares. 29.8% of the surface right area, i.e., 19.848 hectares is shown as broken forest area prior to 25.10.1980 being the date on which the F.C. Act came into force.

The O.P.2 assailed the letter of the D.D.M., Joda dated 29.7.2009 for withdrawing the transit permit granted in favour of the O.P.2, vide W.P(C) No.17719/2009. This Court disposed of the said writ petition, vide its order dated 24.12.2009.

Subsequently, the O.P.2 filed Misc. Case No. 434/2010 for modification of the order dated 24.12.2009 involving W.P.(C) No. 17719/2009 indicated here in above and seeking therein a direction for issuance of permission for removal of stack and commencement of the mining activities. Said misc. case was disposed of on 16.2.2010. In the meantime, the State Government issued letter dated 19.2.2010 intimating the O.P.2 therein the violations as reported by the Joint Verification committee also noticed under Rule 27(5) of the M.C. Rules to make good the breaches to the lease conditions within sixty days from the date of receipt of copy thereof. The O.P.2 was also threatened that on the failure to remedy the breaches would warrant action as deemed proper under the provisions of the M.M.D.R. Act and the M.C. Rules.

The O.P.2 submitted its explanation on 17.4.2010 whereupon the Deputy Director of Mines was asked to furnish a report on the petitioner’s reply and the report was consequently submitted by the Director of Mines on 30.6.2010. Thereafter, the O.P.2 was given adequate opportunity for submission of his evidence in support of his claim and personal hearings were taken up on several dates. It is alleged that since the O.P.2 did not remedy the breaches nor could be able to justify the breaches to the lease covenant and law, the State Government was pleased to determine the mining lease of the O.P.2 exercising power vested under Rule 27(%) of the M.C. Rules on 15.2.2011. While the above process under Rule 27(5) of the M.C. Rules was on, the State Government filed Special Leave Petition before the Hon’ble Supreme Court as against the order dated 16.2.2010 passed by the High Court involving misc. case No.



434/2010 arising out of W.P.(C) No. 17719/2009, vide SLP (C) No. 33926 of 2010. In the meantime, the O.P.2 filed Revision under Section 30 of the M.M.D.R. Act before the O.P.1 as against the order of the competent authority dated 15.2.2011. The Revision was registered as Revision Application No.22(06)/2011-RC-1 and it was disposed of upon hearing both the parties on 29.11.2011 thereby allowing the Revision at the instance of the O.P.2. For bringing the order passed by the Revisional Authority before the Hon'ble Apex Court, the Hon'ble Apex Court refrained it from deciding the legality of the order dated 16.2.2010 and disposed of the S.L.P.(C) No.33926 of 2010 by its order dated 21.3.2012.

**Decision:-** The High Court has referred to the notice of show cause, Rule 27(5) of the Mineral Concession Rules, 1960, and stated that the competent authority has exceeded its jurisdiction while deciding the issue involved in the show-cause notice and there remains no doubt in it. Further, the High Court has stated that Rule 27(5) of the Mineral Concession Rules, 1960, clearly shows that in the case of violation under Section 27(5) of the Mineral Concession Rules, 1960, the State Government has to issue a further notice to the lessee requiring him to pay royalty or dead rent or remedy the breach, as the case may be, within sixty days from the date of the receipt of the notice and in the event of failure, the State Government may proceed for taking such actions prescribed therein. The High Court has found out that since the notice was issued contemplating action under Rule 27(5) of the Mineral Concession Rules, 1960, upon consideration of the show-cause, the State Government could have at the maximum issued a notice to the lessee for remedying the breach within sixty days and on failure of compliance of direction therein by the O.P.2 in making good the breach of the conditions could have proceeded in the matter of determination of the lease, in absence of which the order cannot be sustained. The High Court further found out that the order was otherwise bad for being not following the statutory requirements prescribed in Rule 27(5) of the M.C. Rules.

Accordingly, the High Court has dismissed the Writ Petition for want of merit, without any costs and confirmed the order passed by the Revisional Authority .

Petition dismissed.

### **8. M/S Sunder Marketing Associates v. State of Haryana & Others, AIR 2017, Punjab & Haryana 157, Vol. 104, Part 1245, September, 2017.**

**Subject:** Seeking a writ of certiorari to quash a show cause notice dated 09.08.2016 and an order dated 29.09.2016 by which respondent No.3 withdrew the permission granted in favour of the petitioners by the official respondents to transfer the share of their joint venture partner M/s Karamjeet Singh & Company Ltd. to the petitioners and declared a lease-deed executed on 05.08.2015 in favour of the petitioners by the official respondents to be void. Also seeking a writ of mandamus directing respondent Nos.1 to 4 to allow them to perform their obligations in accordance with the mining lease dated 05.08.2015.

**Facts:** The official respondents put to auction the mining rights on terms and conditions stipulated in a public notice. Transfer of the lease was not permissible for the first five years. However, the official respondents were entitled to permit the induction of a partner/share holder to the extent of 49% of the total share holding of the original lease holder in accordance with the provisions of the 2012 rules. The official respondents invited bids only from pre-qualified agencies. A detailed criteria for eligibility was stipulated. A bidder was required to obtain 60 out of 100 points to qualify for the bidding process. The eligibility was to be assessed by a committee of experts. The petitioners 2 of 51 CWP No. 20986 of 2016 3 by themselves were admittedly not qualified. In order to meet the eligibility criteria, they formed a joint venture (JV) with M/s Karamjeet Singh & Company Pvt. Ltd. M/s Karamjeet

Singh & Company Pvt. Ltd. had 51% share in the JV. A letter of intent/acceptance was issued by the official respondents in favour of the JV. It was not issued in favour of the petitioners in their independent capacity. For reasons which we will enumerate later, the JV was given an option to rescind the contract. M/s Karamjeet Singh and Company Ltd. decided to rescind the contract and sought a refund of the amount deposited by the JV. The petitioners, however, wanted to implement the contract either by themselves or by the induction of another partner. The official respondents and the JV partners entered into correspondence and after following a considerably detailed procedure including obtaining an opinion of the Advocate General of the State of Haryana, the official respondents agreed to M/s Karamjeet Singh and Company Ltd. transferring their entire 51% shares in favour of the petitioners and a lease/agreement dated 05.08.2015 was entered into between the official respondents and the petitioners. It is this agreement that the petitioners in effect seek enforcement of in this writ petition. The private respondents challenged the same by filing a writ petition. It was not necessary to decide this writ petition as in the meantime the official respondents cancelled the permission to transfer the lease and the lease agreement dated 05.08.2015. It is this decision to cancel the permission and the agreement that is challenged in this writ petition.

**Decision:** The high Court has stated that the agreement is also contrary to the provisions of law. It is contrary to Section 15 of the Act read with Rule 9 of the 2012 Rules which mandate leases of 10 years to 20 years to be granted by the Government following a competitive bid process. The provisions have been held to be mandatory by the judgment of this Court dated 04.03.2015 in the petitioners case, paragraphs 21 and 22 whereof we quoted earlier. The entire decision making process indicates that the agreement of 05.08.2015 was but a continuation and a part of the original auction process. That being so and the process having been flawed for several reasons, we are unable to enforce the contract in petitioners favour on the ground that the State was in any event entitled to independently grant a contract of this nature to the petitioners without affording all other parties interested an opportunity of participating in the commercial venture of the State. If the agreement dated 05.08.2015 is considered to be an independent transaction it makes matters worse for the respondents for that would be contrary to rules 9, 16(1) (2) (8) (9) and 50 as well. The contention that clause 36 is not an essential term as it permits the transfer after the period of five years is not well founded. Merely because a transfer of lease is permitted after a period of five years it does not indicate that the clause does not contain an essential term of the contract. The clause is obviously inter-alia to ensure that the only persons serious about executing the work bid for it. In other words one of the purposes of this condition is to ensure that the parties do not submit bids for speculating/ trading in licenses/leases.

On the contention raised by Petitioners that the private respondents have no locus-standi as they were not the bidders, the High Court has stated that every pre-qualified party irrespective of whether it participated in the earlier auction or not, would be entitled to challenge the agreement dated 05.08.2015. If the challenge is upheld it would entitle the party to participate in the fresh auction, if held. If the pre-qualification norms are reduced as they have been in the petitioners case, there would be even more parties who would be entitled thereby to participate in the fresh process. By entering into the agreement dated 05.08.2015 the official respondents have precluded several other parties similarly situated as the petitioners from participating in the commercial ventures of the State of Haryana. The LoI contemplated and indeed required the execution of the agreement in accordance with the provisions of the law and the terms and conditions of the notice. That admittedly was not the case as the agreement dated 05.08.2015 was entered into with the party that was not qualified.

Lastly, while disposing the Petition the High Court has ordered that the fresh tender

process shall be completed by 31st August, 2017 and the official respondents shall convey the decision in this regard to the petitioners within four weeks thereafter. Liberty to the parties to apply. If the bid is lower than Rs.115 crores, the petitioner shall not be entitled to the difference between Rs.115 crores and the lower bid as the petitioners had in any event agreed to do the work at the rate of Rs.115 crores. Mr. Sinhals statement that the reserve bid in the fresh auction process shall not be less than Rs.115 crores. The amount of Rs.15 crores sought to be tendered on behalf of respondent No.5 on an earlier occasion shall be deposited with the official respondents by 31.07.2017. In the event of a breach of the undertaking by respondent No.5 to bid a minimum of Rs.150 crores and to implement the contract, if any, this amount shall stand forfeited without further orders in addition to any other remedy that the official respondents may have against respondent No.5 including for contempt of Court for the breach of this undertaking. This is subject to the condition of eligibility in the fresh process not being more onerous to respondent No.5. The undertaking on behalf of 50 of 51 CWP No. 20986 of 2016 51 respondent No.5 to take care of his ineligibility on account of any payment required by the official respondents without prejudice to his rights to ensure his participation in the fresh auction or tender is accepted.

The High Court has further stated that the interim order will continue upto and including 31<sup>st</sup> July, 2017 to enable the petitioners to challenge this Judgment.

Ordered accordingly.

**9. Judgment delivered by the Supreme Court on 02.08.2017 in W.P.(C) No. 114 of 2014, Common Cause, Petitioner v. Union of India and Ors., Respondents with W.P.(C) No. 194 of 2014, Prafulla Samantra and Anr, Petitioner v. Union of India and Ors. Respondents.**

**Subject:** Writ Petitions filed under Article 32 of the Constitution for (a) Issue a writ of mandamus or any other appropriate writ directing the Union of India and Government of Odisha to immediately stop forthwith all illegal mining in the State of Odisha and to terminate all leases that are found to be involved in illegal mining and mining in violation of the provisions of the Forest (Conservation) Act, 1980, the environment laws and other laws. (b) Issue a writ of mandamus or any other appropriate writ directing the Union of India and Government of Odisha to take action against all the violators involved either directly or indirectly in illegal mining including those named in the report of Justice Shah Commission. (c) Issue a writ of mandamus or any other appropriate writ directing a thorough investigation by an SIT or CBI under the Shah Commission into illegal mining in Odisha and collusion between private companies/individuals and public officials of the State/Central Governments. (d) Issue a writ of mandamus or any other appropriate writ directing the respondents to recover the illegally accumulated wealth through illegal mining and related activity, as per Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957 and launch prosecutions under Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, and direct that the money recovered would be used for the welfare of local communities, tribals and villagers.

**Facts:** The facts revealed a mining scandal of enormous proportions and one involving megabucks. Lessees in the districts of Keonjhar, Sundergarh and Mayurbhanj in Odisha have rapaciously mined iron ore and manganese ore, apparently destroyed the environment and forests and perhaps caused untold misery to the tribals in the area. Rabi Das, the editor of a daily newspaper called Ama Rajdhani filed I.A. No. 2746-2748 of 2009 in a pending writ

petition being T.N. Godavarman v. Union of India. He prayed, inter alia, for the following directions from this Court: i) Issue a direction to the Central Empowered Committee to conduct an exhaustive fact finding study of the illegal mining in Keonjhar, Sundergarh and other Districts of Orissa; ii) Direct appointment of a “Commission” to investigate and study the modalities of the illegal machinations, fix responsibility on individuals (in Government and outside it) and recommend remedial measures to be immediately implemented by the Government of India and the Government of Orissa; iii) Direct the Respondents to take effective and appropriate action to ensure closure/stoppage of all the illegal mining activities in the concerned areas and direct prosecution and punish all those found guilty of this illegal mining in violation of the Mines and Minerals (Development and Regulation) Act, 1957, Forest (Conservation) Act, 1980 and other relevant laws.

The applications were taken up for consideration on 6<sup>th</sup> November, 2009 when notice was issued to the Central Empowered Committee (for short ‘the CEC’) to file its report/response within six weeks. On 26<sup>th</sup> April, 2010 the CEC submitted an interim report which was noted by this Court and taken on record. The issue of mining in Odisha again came up for consideration on 16<sup>th</sup> September, 2013 and this Court passed the order. With reference to the order passed on 16<sup>th</sup> September, 2013 the CEC conducted an inquiry and some information was sought from M/s Sarda Mines Private Limited (for short ‘SMPL’). The matter was again taken up on 13<sup>th</sup> January, 2014 and this Court passed the order. The writ petition was taken up for consideration on 21<sup>st</sup> April, 2014 and this Court passed the order.

The CEC gave its final report on 25<sup>th</sup> April, 2014 which was considered by this Court and a detailed interim order was passed on 16<sup>th</sup> May, 2014. In the CEC’s final report dated 25<sup>th</sup> April, 2014, it was submitted that in the districts of Odisha, namely, Keonjhar, Sundergarh and Mayurbhanj, the total number of leases granted for mining iron and manganese ore are 187. Of these, 102 lease holders did not have requisite environmental clearance (under the Environment (Protection) Act, 1986) or approval under the Forest (Conservation) Act, 1980 or approved mining plan and/or Consent to Operate under the provisions of the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1981. This Court directed that mining operations in these 102 mining leases shall remain suspended but it will be open to such lease holders to move the concerned authorities for necessary clearances, approvals or consents and as and when the mining lessees are able to obtain all the clearances/approvals/consent they may move this Court for modification of this interim order in relation to their cases. This Court also found that 29 out of 187 mining leases had been determined or rejected or had lapsed. This Court also found that 53 iron ore/manganese ore mining leases were operational and that they had necessary approvals under the Forest (Conservation) Act, 1980, consent to operate granted by the Odisha State Pollution Control Board and also approved mining plans. (There is no specific mention about environmental clearance). In addition 3 mining leases were located in forest as well as non-forest land, but mining operations were being conducted in non-forest areas of the mining lease as the lease holders did not have approvals under the Forest (Conservation) Act, 1980. Therefore, a total of 56 iron ore/manganese ore mining leases were operating in the State of Odisha. As far as the break-up of the 56 operational mining leases is concerned, it was found that 14 mining leases were operating on first renewal basis in accordance with the deeming provisions of Section 8(2) of the Mines and Minerals (Development and Regulation) Act, 1957 (for short ‘the MMDR Act’) read with Rule 24-A(6) of the Mineral Concession Rules, 1960 (for short ‘the MCR’) and 16 mining leases were operating since lease deeds for grant of renewal had been executed in their favour. The remaining 26 mining leases were operating on second and subsequent renewal basis with the renewal applications pending a final decision with the State Government.

In respect of the 14 first renewal mining leases, this Court permitted them to

continue their operations for the time being in view of the deemed renewal provisions. This Court also permitted 16 mining leases to continue to operate since they had lease deeds executed in their favour. With regard to the remaining 26 mining leases operating on second and subsequent renewal applications, this Court drew attention to the decision rendered on 21<sup>st</sup> April, 2014 in *Goa Foundation v. Union of India* (2014) 6 SCC 590). This Court left it open to the mining lease holders to apply for modification of the interim order dated 16<sup>th</sup> May, 2014 on obtaining necessary clearances. The Court also found out that the balance 26 mining leases are now operational in view of the amendment to Section 8(3) of the MMDR Act, 1957 with effect from 12<sup>th</sup> January, 2015. However, the Court not aware whether these 26 mining leases have the necessary statutory clearances. The Court also mentioned that pursuant to the liberty granted to move for modification of the interim order of 16<sup>th</sup> May, 2014 we have received 17 interim applications for modification. Through a chart handed over to us in Court on 3<sup>rd</sup> May, 2017 we have been informed that in respect of two of the 17 applications, that is, *Zenith Mining* (I.A. No. 45) and *Kavita Agrawal* (I.A. No. 47), the lease has not been extended or has been determined and they do not have any Environmental Clearance or Forest Clearance. In respect of *J.N. Pattnaik* (I.A. No. 66), there is no Forest Clearance available. It was also informed that *S.A. Karim* (I.A. No.9) actually had a working lease and had wrongly been included as a non-operational lease. By an order dated 16<sup>th</sup> January, 2015 objections to the final report were permitted. Thereafter, when the matter was again taken up for consideration the learned Amicus filed a note dated 15<sup>th</sup> March, 2016 wherein the following four issues were flagged: (i) Leases lapsed under Section 4A(4) of the MMDR Act, 1957 (11 leases); (ii) Violation of Rule 24 of the Minerals (other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016 (hereinafter referred to as MCR, 2016) and Rule 37 of the MCR, 1960 (9 leases); (iii) Illegal mining in forest lands (20 leases); and (iv) Iron ore produced without/in excess of the environmental clearance (each of the operating leases involved).

On 1<sup>st</sup> July, 2013 the M. B. Shah Commission gave the First Report on Illegal Mining of Iron and Manganese Ores in the State of Odisha. The report contains an executive summary and very briefly the Commission stated that: (i) All modes of illegal mining, as stated in the notification dated 22<sup>nd</sup> November, 2010 of the Central Government are being committed in the State of Odisha; (ii) There is a complete disregard and contempt for law and lawful authorities on the part of many of the emerging breed of entrepreneurs; (iii) It appears that the law has been made helpless because of its systematic non implementation. The said Commission gave its Second Report on Illegal Mining of Iron and Manganese Ores in the State of Odisha, sometime in October, 2013. This report dealt with specific lease holders and violations committed by them. The learned counsel for the mining lease holders submitted that the reports given by the Commission were not acceptable on the ground that a notice had not been given to the lease holders under Section 8B or Section 8C of the Commissions of Inquiry Act, 1952. It was submitted that under these circumstances the reports given by the Commission were vitiated and therefore the foundation of the writ petition filed by Common Cause was taken away.

**Decision:-** The Supreme Court has stated that it is really not for this Court to lay down limits on the extent of mining activities that should be permitted by the State of Odisha or by the Union of India. Nevertheless, this is an aspect that needs serious consideration by the policy and decision makers in our country in the governance structure. At present, keeping in mind the indiscriminate mining operations in Odisha, it does appear that there is no effective check on mining operations nor is there any effective mining policy. The National Mineral Policy, 2008 (effective from March 2008) seems to be only on paper and is not being enforced perhaps due to the involvement of very powerful vested interests or a failure of nerve. We are

of opinion that the National Mineral Policy, 2008 is almost a decade old and a variety of changes have taken place since then, including (unfortunately) the advent of rapacious mining in several parts of the country. Therefore, it is high time that the Union of India revisits the National Mineral Policy, 2008 and announces a fresh and more effective, meaningful and implementable policy within the next few months and in any event before 31<sup>st</sup> December, 2017. The Supreme Court has stated that we do not propose to direct an investigation or inquiry by the CBI for the reason that what is of immediate concern is to learn lessons from the past so that rapacious mining operations are not repeated in any other part of the country. This can be achieved through the identification of lapses and finding solutions to the problems that are faced. Undoubtedly, there have been very serious lapses that have enabled large scale mining activities to be carried out without forest clearance or environment clearance and eventually the persons responsible for this will need to be booked but as mentioned above, the violation of the laws and policy need to be prevented in other parts of the country. The rule of law needs to be established. We are therefore of the view that it would be appropriate if an Expert Committee is set up under the guidance of a retired judge of this Court to identify the lapses that have occurred over the years enabling rampant illegal or unlawful mining in Odisha and measures to prevent this from happening in other parts of the country. There is no doubt that the recommendations of the Commission can form a platform for the study but it is also necessary to use technology for maintenance of registers, records and data through computers, satellite imagery, videography and other technology tools so that the natural wealth of our country is not rapaciously exploited for the benefit of a few to the detriment of a large number, many of whom are tribals inhabiting the land for several generations. The Supreme Court has passed the order on 28<sup>th</sup> April, 2014 that the ad hoc CAMPA may be directed to transfer to the SPV 50 per cent of the additional amount of the NPV recovered from the mining lease holders by the State of Odisha for undertaking tribal welfare and development works.

In conclusion, the Supreme Court has dismissed I.A. Nos. 45 (filed by Zenith Mining) and 47 (filed by Kavita Agrawal) on the ground that they do not have any environment clearance or forest clearance. The I.A. No. 66 (filed by J.N. Pattnaik) is also dismissed since there is no forest clearance available. I.A. No. 9 (filed by S.A. Karim) is also dismissed being infructuous. However, it is made clear that the State Government should ensure that the lessee S.A. Karim in fact has valid statutory clearances. The Supreme Court has directed to State Government to decide the pending show cause notices by 31<sup>st</sup> December 2017, after hearing the concerned notices. The Supreme Court has also directed to all the mining lease holders to deposit the due amounts on or before 31<sup>st</sup> December, 2017. Subject to and only after compliance with statutory requirements and full payment of compensation and other dues, the mining lease holders can re-start their mining operations. The Supreme Court has not given any direction with regard to any investigation by the CBI.

The Supreme Court has also directed to the Union of India to have a fresh look at the National Mineral Policy, 2008 which is almost a decade old, particularly with regard to conservation and mineral development. The exercise should be completed by 31<sup>st</sup> December, 2017. The Supreme Court has also directed to the Chief Secretary of Odisha to file an affidavit within a period of six weeks and in any case on or before 30<sup>th</sup> September, 2017. The Registry will list these petitions along with the affidavit immediately after its receipt for the Court consideration. The Supreme Court has also disposed of all other pending I.A.s as per terms of the orders.

Petitions allowed.

## SECTION -2

### Trend in Mining, Prospecting and Reconnaissance

#### 2.1 TREND IN MINING

##### A. Mining Leases Granted

During the period under review, the information pertaining to the grant of five mining leases covering an area of about 248.05 ha, was received. Limestone accounted for five mining leases.

Reviewing areawise, mining leases granted for Limestone covered an area of 248.05 ha.

Reviewing statewise number of mining leases and total area granted in, Meghalaya five nos. with 248.05 ha.

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

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

Mineral	No. of Mining Leases Granted	Area in ha
Limestone	05	248.05
<b>Total</b>	<b>05</b>	<b>248.05</b>

**Table – 1 B: Details of Mining Leases Granted**

Mineral	State/District	Village	Area in ha	Date of Grant Order	Period in years	Name & Address
Limestone	East Jaintia Hills Meghalaya	Thangskai	31.05	10.01.2017	50	Meghalaya Cement, Thangskai Village, East Jaintia Hills, Meghalaya.
Limestone	East Jaintia Hills Meghalaya	Thangskai	4.90	14.12.2016	50	Adhunik Cement, Thangskai Village, East Jaintia Hills, Meghalaya.
Limestone	East Jaintia Hills Meghalaya	Lumshnong	13.58	04.01.2017	50	Star Cement, Lumshnong, East Jaintia Hills, Meghalaya.
Limestone	East Jaintia Hills Meghalaya	Thangskai	128.52	14.12.2016	50	Adhunik Cement, Thangskai Village, East Jaintia Hills, Meghalaya.
Limestone	East Jaintia Hills Meghalaya	Lumshnong	70.00	04.01.2017	50	Star Cement, Lumshnong, East Jaintia Hills, Meghalaya.

## B. Mining Leases Executed

During the period under review, the information pertaining to execution of one mining lease for limestone covering an area of 149.39 ha was received.

**Table – 2: Details of Mining Leases Executed**

Mineral	State/District	Village	Area In ha	Date of Execution/ Registration	Period in years	Name & Address
Limestone	Kurnool Andhra Pradesh	Palkuv	149.39	02.01.2017	50	Jaya Jothi Cement, 9 <sup>th</sup> floor, Block-3, My Home Hub, Madhapur, Hyderabad 500 081.

## C. Mining Lease Period Extended

During the period under review, the information pertaining to the extension of Lease period for 29 Mining Leases covering an area of about 6132.8 hectares was received. Of these Limestone accounted for 28 mining leases and Manganese ore 1.

Reviewing areawise, Limestone accounted for 6101.94 ha, and Manganese ore 30.86 ha.

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

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

Mineral	No.of Mining Leases Extended	Area in ha
Limestone	28	6101.94
Manganese ore	01	30.86
<b>Total</b>	<b>29</b>	<b>6132.8</b>

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

Mineral	District/State	Village	Area in ha	Date of extension order	Date up to which lease period extended	Name & address of the lessee
Limestone	Girsomnath Gujarat	Talala	194.45	19.01.2017	03.03.2053	Arsibhai Mandabhai Mori, Vaibhav Complex,60 ft. Road, Panchvati Society, AT. &P.O.Veraval, Dist. Junagarh, Gujarat.
Limestone	Krishna Andhra Pradesh	Jaggayyapet	256.54	12.05.2017	09.12.2026	Ramco Cements, Auras Corporate Centre, 5 <sup>th</sup> Floor .Dr.Radhakrishnan, Salai Mylapore, Chennai-600 004.
Limestone	Junagadh Gujarat	MaliyaHatina	100.00	15.06.2017	04.05.2034	Vrajlal Narshibhai Bhatt, Near Railway Station,Gadu, Sherbaug, Ta. Maliya Hatina, Dist: Junagadh-353 255 Gujarat.
Limestone	Jamnagar Gujarat	Jamjodhpur	490.00	15.06.2017	01.03.2055	Prakash Jethalal Thakur, Upleta-Dhoraji Road,NH 8B, Near Girmar Cement, P.O.Upleta, Rajkot-360 496 Gujarat.



Mineral	State/District	Village	Area in ha	Date of extension order	Date up to which lease period extended	Name & address of the lessee
Limestone	Jamnagar Gujarat	Jamjodhpur	400.00	15.06.2017	29.01.2058	Ketan P.Patel, C/o Sivrajsinh H.Vala, Rajniketan,4-Jagnath Plot, Rajkot, Gujarat.
Limestone	Girsomnath Gujarat	Talala	131.72	06.06.2017	06.01.2053	Danabhai Meramanbhai Barad, Vaibhav Complex,60 ft. Road, Panchvati Society, AT. & P.O.Veraval Dist. Junagarh, Gujarat.
Manganese	Jhabua Madhya Pradesh	Meghnagar	30.860	17.07.2017	16.08.2048	S.R.Ferro-Alloys, Meghnagar, Jhabua, Madhya Pradesh.
Limestone	Junagadh Gujarat	MaliyaHatina	846.80	15.06.2017	26.05.2036	Ajmera Cement SonalBunglow, 19,Station Plot, Godnal, Rajkot 360 311.
Limestone	Jamnagar Gujarat	Lalpur	400.00	15.06.2017	26.09.2062	Rajendra .P.Trivedi Near S.N.K. School, Village Bhatia, University Road, Rajkot, Gujarat.
Limestone	Junagadh Gujarat	MaliyaHatina	100.00	15.06.2017	04.05.2034	Rudabhai Devshibhai Vadher, Hospital Road, At &Po.Chorvad, Junagadh, Gujarat.
Limestone	Junagadh Gujarat	MaliyaHatina	2428.11	17.06.2017	26.05.2035	Ajmera Cement, SonalBunglow, 19,Station Plot, Godnal, Rajkot -360 311,
Limestone	Girsomnath Gujarat	Veraval	1618.74	16.06.2017	31.03.2020	Sorath Minerals, C/o Harendra Trivedi Trivedi& Sons, At&Po Veraval Junagadh, Gujarat.
Limestone	Girsomnath Gujarat	Una	400.00	06.06.2017	20.06.2061	Dhirajlal Panchanbhai Vachhani C/o Hari Engg. Co. Opp. Dipak Petrol Pump Dolatpura, Junagadh.
Limestone	Girsomnath Gujarat	Una	200.00	06.06.2017	16.10.2050	Vikram Chemicals At&Po.Ajotha,Una Highway, Veraval, Junagadh.
Limestone	Nalgonda Telangana	Miryalaguda	944.478	24.08.2017	31.03.2020	India Cements Ltd Wadapalli Village, Damarachermandal, Nalgonda-508 355.
Limestone	Nalgonda Telangana	Mattampally	143.66	24.08.2017	30.10.2035	Sagar Cements Ltd Plot No. 111, Road No. 10, Jubilee Hills, Hyderabad-500 033.
Limestone	Suryapet Telangana	Mellacheruvu	4.75	21.08.2017	29.10.1058	Anjani Portland Cements Ltd Chintalapalem Village, Gudimalkapuram Post, Mellacheruvu Mandal, Suryapet-508 246
Limestone	Peddapally Telangana	Ramagundam	122.28	21.08.2017	22.12.2052	Kesoram Cements, Prop: Kesoram Industries Ltd Basanth Nagar, Ramagundam Mandal, Peddapally-505 187
Limestone	Suryapet Telangana	Pedaveedu	42.61	23.08.2017	28.10.2046	NCL Industries Ltd. 4 <sup>th</sup> Floor, Vaishnavis Cynosure, Near Gachibowli Flyover, Gachibowli, Hyderabad-500 032
Limestone	Vikarabad Telangana	Sangam Kalan	613.55	23.08.2017	31.03.2030	Cement Corporation of Ltd CCI Tandur, Rangareddi-501 158
Limestone	Nalgonda Telangana	Irkigudem	1030.22	26.08.2017	31.03.2030	India Cements Ltd Wadapalli Village, Damarachermandal, Nalgonda-508 355
Limestone	Suryapet Telangana	Mattampally	326.31	26.08.2017	17.08.2034	Sagar Cements Ltd Plot No. 111, Road No. 10 Jubilee Hills, Hyderabad-500 033

Mineral	State/District	Village	Area in ha	Date of extension order	Date up to which lease period extended	Name & address
Limestone	Suryapet Telangana	Mellacheruvu	57.52	26.08.2017	14.06.2040	Anjani Portland Cements Ltd ChintalapalemVill, Gudimalkapuram Post, Mellacheruvu Mandal, Suryapet-508 246
Limestone	Suryapet Telangana	Mattampally	130.33	24.08.2017	21.10.2040	NCL Industries Ltd 4 <sup>th</sup> Floor, Vaishnavis Cynosure, Near Gachibowli Flyover, Gachibowli, Hyderabad-500 032
Limestone	Suryapet Telangana	Mellacheruvu	350.00	24.08.2017	22.06.2033	My Home Industries Pvt. Ltd 9 <sup>th</sup> Floor ,Block-111, My Home HUB, Madhapur, Hyderabad-500 081.
Limestone	Suryapet Telangana	Mellacheruvu	89.37	24.08.2017	21.02.2052	My Home Industries Pvt. Ltd 9 <sup>th</sup> Floor ,Block-111, My Home HUB, Madhapur, Hyderabad-500 081.
Limestone	Suryapet Telangana	Mellacheruvu	262.247	24.08.2017	31.07.2055	My Home Industries Pvt. Ltd 9 <sup>th</sup> Floor ,Block-111, My Home HUB, Madhapur, Hyderabad-500 081.
Limestone	Suryapet Telangana	Mattampally	46.356	24.08.2017	13.10.2030	NCL Industries Ltd 4 <sup>th</sup> Floor, Vaishnavis Cynosure, Near Gachibowli Flyover, Gachibowli, Hyderabad-500 032
Limestone	Suryapet Telangana	Mellacheruvu	417.70	24.08.2017	28.09.2031	Rain Cement Ltd Rain Center, 34, Srinagar Colony, Hyderabad 500 073.

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

The mineralwise number of mining lease period executed after grant of extension of mining lease period together with lease area are given in Tables 4A & 4B.

**Table - 4A: Details of Mining Leases Executed after Extension of Mining Lease Period.  
(By Minerals)**

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

**Table - 4 B: Mining Lease Period Executed after Grant of Extension of Mining Lease Period.**

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

### E. Mining Leases Renewed

**Table-5: Details of Mining leases Renewed**

Mineral	District /State	Village	Area in ha	Date of Renewal	Period in Years (From date of Execution/ Registration )	Name & Address
Limestone	Kadapa Andhra Pradesh	Yerraguntla	335.06	11.05.2017	31.03.2030	India Cement , White House Block III, 3 <sup>RD</sup> Floor 6-3-1192/1/1, Kundan Bagh, Hyderabad -500 016
Limestone	Rohtas Bihar	MurliPahadi	131.90	30.08.2017	02.01.2032	Kalyanpur Cements Ltd. Maurya Centre, 1 Fraser Road, Patna – 800 001.

### F. Mining Leases Revoked

**Table –6: Details of Mining leases Revoked**

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

### G. Mining Leases Determined

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

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

### H. Mining Leases Surrendered

**Table – 8: Details of Mining Leases Surrendered**

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

### I. Mining Leases Terminated

**Table – 9: Details of Mining Leases Terminated**

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

## J. Mining Leases Transferred

**Table – 10A: Details of Mining Leases Transferred**

Mineral	District /State	Village	Area in ha	Name and Address		Period (in Yrs.) (From date of Grant of Lease)	Date of Transfer of Deed
				Transferor	Transferee		
Limestone	Rewa Madhya Pradesh	Chijwar	264.095	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 10.5.2067 from date of grant of lease	08.06.2017
Limestone	Satna Madhya Pradesh	Dewra & Kottar	415.097	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to from date of grant of lease	08.06.2017
Limestone	Rewa Madhya Pradesh	Khamaria & Baijnath	33.76	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 10.5.2067 from date of grant of lease	08.06.2017
Limestone	Satna Madhya Pradesh	JudwaniBiha rganj Degra	258.867	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Grater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andhri East, Mahakalicates Road, Mumbai	Upto 9.1.2067 from date of grant of lease	08.06.2017
Limestone	Siddhi Madhya Pradesh	Garharra	362.68	Jaiprakash Associate Ltd. G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 20.3.2027 from date of grant of lease	08.06.17
Limestone	Rewa Madhya Pradesh	Sonra, Hinoti, Narora	147.94	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 29.3.2041 from date of grant of lease	08.06.2017
Limestone	Satna Madhya Pradesh	Hinnoti, Judwani, Biharganj, Degra	378.261	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 13.8.2027 from date of grant of lease	08.06.2017
Limestone	Rewa Madhya Pradesh	Sonra, Mudhpur	200.554	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 7.8.2024 from date of grant of lease	08.06.2017
Limestone	Rewa Madhya Pradesh	Bejnath, Hinnoti, Sonra	70.127	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTechCement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 14.2.2025 from date of grant of lease	08.06.2017
Limestone	Siddhi Madhya Pradesh	Budgona, Bagwar, Godhtok	60.67	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTechCement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicates Road, Mumbai	Up to 20.3.2027 from date of grant of lease	07.06.2017

Mineral	District /State	Village	Area in ha	Name and Address		Period (in Yrs.) (From date of Grant of Lease)	Date of Transfer of Deed
				Transferor	Transferee		
Limestone	Siddhi Madhya Pradesh	Bagwar, Godhatok, Govindgarh,	87.992	Jaiprakash Associate Ltd G-block, Surajpur, Kasna Road, Greater Noida, Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicaves Road, Mumbai	Up to 28.3.2033 from date of grant of lease	08.06.2017
Limestone	Krishna	Jggaihpeta	629.22	Jaypee Balaji cement, (Unit of Jaypee Cement), Sector 128, Noida Uttar Pradesh	UltraTech Cement Ltd. 'B' Wing, 2 <sup>nd</sup> floor, Ahura Centre, Andheri East, Mahakalicaves Road, Mumbai	Up to 5.3.2062 from date of grant of lease	17.5.2017
Limestone	Adilabad Telangana	Yaapalguda	825.83	Birla Cement Industries	Renuka Cement RainCenter,34, Srinagar Colony, Hyderabad 500073	28.01.2046	10.07.2017
Limestone	Solan Himachal Pradesh	Baga, Bhalag	331.42	Jaiprakash Associates	Ultra Tech Cement, B'Wing 2 <sup>nd</sup> Floor, Ahura Centre, Andheri East, Mahakali Caves Road, Mumbai-400 093	28.09.2037	22.06.2017
Manganese	Vizianagram Andhra Pradesh	Garbham	10.522	U .Ramesh	Mahalaxmi Minerals G.Sasdar Reddy, 13/160-2, Guddur, Nellore-524 101	14.07.2047	07.06.2017
Limestone	Solan Himachal Pradesh	Baga Bhalag	324.479	Jaiprakash Associates	UltraTech Cement 'B'Wing 2 <sup>nd</sup> Floor Ahura Centre , Andheri East, Mahakalicaves Road, Mumbai-400 093	12.07.2067	22.06.2017
Limestone	Rewa Madhya Pradesh	Sonara Narora	249.13	Jaiprakash Associates	Ultra tech Cement B'Wing 2 <sup>nd</sup> Floor Ahura Centre, Andheri East, Mahakalicaves Road, Mumbai-400 093	18.08.2021	30.03.2017

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

Mineral	State / District	Village	Area in ha	Name and Address		Period (in Yrs.)/ Dt of expiry.	Date of Execution/ Registration of transfer deed
				Transferor	Transferee		
No such information is received during the period							

**K. Mines Opened**

**Table – 11: Details of Mines Opened**

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

#### L. Mines Temporarily Discontinued

**Table – 12: Details of Mines Temporarily Discontinued**

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

#### M. Mines Reopened

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

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

#### N. Mines Abandoned

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

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

## 2.2 TREND IN PROSPECTING

### A. Prospecting Licences Granted

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

Mineral	State / District	Village	Area in ha	Date on which licences Granted	Period in Years	Name & address
Limestone	Solan Himachal Pradesh	Sanun,Rauri,Lamb a, Lundal,Kamal	2500	26.09.2012	03	Asian Cement Company, SCF 270, Mansadevi Road, Chandigarh -160 101

### B. Prospecting Licences Executed

**Table – 16: Details of Prospecting Licences Executed**

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

### C. Prospecting Licences Renewed

During the period under review, information pertaining to the renewal of 2 prospecting licences for Limestone covering an area of 1520.05 ha was received.

Reviewing statewise, number of prospecting licences and area renewed in Telangana was 1 with 229.75 ha and Rajasthan 1 with 1290.3 ha.

The mineralwise, number of prospecting licences renewed together with area and details of prospecting licences renewed are given in Tables 17 A & 17 B, respectively.

**Table –17A: Mineralwise details of Prospecting Licences Renewed**

Mineral	No.of Mining Leases Renewed	Area in ha
Limestone	02	1520.05
<b>Total</b>	<b>02</b>	<b>1520.05</b>

**Table –17B: Details of Prospecting Licences Renewed**

<b>Mineral</b>	<b>State/District</b>	<b>Village</b>	<b>Area in ha</b>	<b>Date of Renewal</b>	<b>Period in Years</b>	<b>Name &amp; Address</b>
Limestone	Suryapet Telangana	Mattampally	229.75	29.05.2017	2	My Home Industries Pvt Ltd, 9 <sup>th</sup> Floor ,Block111, My HOME Hub, Madhapura Hyderabad-500 081
Limestone	Jodhpur Rajasthan	Ransigaon	1290.34	24.05.2017	3	Saeveshri Cement Pvt Ltd, 107, Star Hitwala Complex, Near Canara Bank, Pula, Udaipur.

**D. Prospecting Licences Revoked**

**Table – 18 Details of Prospecting Licences Revoked**

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

**2.3 Trend in Reconnaissance Permits (R.P.)**

**Table – 19: Details of Reconnaissance Permits**

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



## SECTION – 3

### Production of Mineral-based Products

Table – 20: Production of Mineral-based Products during April 2017 to September 2017

(ITEM-LEVEL INDICES OF INDUSTRIAL PRODUCTION; BASE YEAR: 2004-05 = 100)

Mineral-Based Products	Unit	←-----Months-----→	Cumulative
Information is not available.			

## **SECTION – 4**

### **Highlights**

#### **A. DOMESTIC**

##### **(1) ONGC to invest Rs. 21,528 crore to develop India's deepest gas find**

Oil and Natural Gas Corporation (ONGC) will invest ₹. 21,528 crore to develop India's deepest gas discovery by 2022-23, helping it double output from its prime KG basin block. The oil explore plans to drill nine wells on the discovery that lies in water depths of 2400-3200 metres and will produce a peak output of 19 million standard cubic metres a day.

**(Source:-The Indian Mining & Engineering Journal – Vol 56, April 2017)**

##### **(2) JSW proposes to set up steel plant in Jagatsinghpur**

JSW Steel Ltd of Jindal Group, a leading manufacturers of integrated steel has expressed its intent to set up a mega steel project of 10 million tonnes capacity in Jagatisinghpur district in Odisha state. It will also have 900 MW capacity captive power plant.

**(Source:-The Indian Mining & Engineering Journal – Vol 56, April 2017)**

##### **(3) Vedanta launches Green Institute to dispose red mud**

Vedanta refinery has set up an in-house technology to look in initiative to disposal of red mud, the slurry waste of aluminium refineries. The technology helps the refinery save caustic consumption by 10 to 13 kg per ton of alumina, minimise land requirement for waste disposal by 40-50 per cent, and do away with wet red mud storage, which is considered as an environmental hazard. Vedanta is also converting another risk bearing waste product, fly ash to cement-free green concrete that has been named Cold Setting Geo-Polymer concrete. It sets fast in ambient conditions, consumes less water compared to normal concrete, minimises labour cost and removes threats associated with ash ponds.

**(Source: The Indian Mining & Engineering Journal, April 2017)**

##### **(4) Rs. 25 K – cr Investment to raise NALCO Capacity**

Union Power and Coal Minister Shri Piyush Goyal announced that the National Aluminium Corporation (NALCO) is planning an expansion in production capacity by 1 million tonne per annum (mtpa). As part of the expansion plan, the capacity of NALCO's smelter at Angul is being increased from 0.46 mtpa to one mtpa with an investment of ₹. 20,000 crore. Another green field plant with 0.6 mtpa capacity is also proposed to be set up at nearby Kamakshya Nagar and work is already underway to increase the capacity of alumina refinery at Damanjodi by one mtpa with an investment of ₹. 5400 crore. Its capacity now is 2.275 mtpa.

**(Source:-The Indian Express, 24.11.2017)**

## **(5) Aerial Survey to detect Minerals**

An Aerial geophysical survey by GSI to detect presence of minerals was launched across four mineral blocks in the country from Babasaheb Ambedkar International Airport, Nagpur.

The aircraft will survey four mineral blocks covering Rajasthan, Gujarat, Madhya Pradesh, Uttar Pradesh, Maharashtra and Chhattisgarh. The four blocks are part of the first phase of the project to be completed in three years. The pilot project of the four blocks is scheduled to be completed by December, 2017.

The data compiled from the first phase will be analysed to launch the second phase using helicopters with higher resolution sensors to zero in five mineral blocks.

**(Source: – Business Line, dated 7.4.2017)**

## **(6) US, India think alike on steel**

In a move akin to the Trump administration's policies on steel, India plans to make it compulsory the use of local steel in Government projects & has circulated a draft cabinet note on this.

“We want to promote and encourage the growth of domestic steel industry and so we will be seeking preference for India made steel in Government funded project. We have initiated a draft cabinet note on this.” Steel minister Choudhary Birendra Singh said at a press conference of secondary steel users.

**(Source:-The Telegraph, 12 dated 6.4.2017)**

## **(7) Cracks in Cement show**

It is observed that cement Industry does not appear to be bright for the fourth quarter of 2016-17 (January to March) according to analysis.

Weighed down by demonitisation, the industry has already reported negative growth rate of 8.7% in December, 13.3% in January and 15.8% in February 2017 as per the data from the Department of Industrial Policy and Promotion (DIPP).

**(Source: - The Telegraph, dated 6.4.2017)**

## **(8) Government devising plan to check illegal sand mining**

The centre is working out steps in coordination with states to expand scope of the Mining Surveillance System (MSS) to check illegal mining of sand and other minor minerals.

The Ministry through Indian Bureau of Mines has developed MSS in collaboration with the Ministry of Electronics and Bhaskarcharya Institute of Space Application and Geo-Informatics (BISAG) to use the space technology to check illegal Mining.

**(Source:- Business Line, 7.4.2017)**

## **(9) Aluminium shines bright**

The aluminium, prices are expected to move up over the next six months, China which accounts for nearly 54% of the 58.9 million tonnes global aluminium production is expected to close down some of its highly polluting production centres over the next five years as part of its National Air Pollution Plan.

Prices have moved up about 16% over the last seven months between August 2016 and March 2017. The metal is currently trading at \$1,946 per tonne on the LME. The revival in US, manufacturing over the last four months and healthy auto sales, both in US and China in 2016, are positives for the metals short term and long term prospects.

Rusal estimated global demand will grow by 6.2% in 2017 mainly driven by transportation and construction sectors which constitute to about 40% and 20% of the demand respectively. Of the total global demand China alone constitutes about 70%.

**(Source:- Business Line, dated 3.4.2017)**

## **(10) We have collected Rs. 6,000 crore as cess on mining**

Jharkhand recently made headlines by attracting investment commitment of ₹. 3 lakh crore at its first-ever two day momentum Jharkhand Global Investors Summit. Jharkhand Chief Minister Raghuban Das managed to parade stalwarts of Indian industry including Tata Group, Ex-Chairman, Ratan Tata, Aditya Birla Group Chairman Kumar Mangalam Birla and Essar Group Chairman Shashi Ruia among others. Laden with over 40 percent of India's mineral wealth and gross state domestic product of 12.1 percent, about one percent higher than the National average, it is no wonder that investors had agreed to express their investment commitment by signing on the dotted line.

**(Source:- Business Line, dated 6.04.2017)**

## **(11) Essar Steel output up 47%**

Essar steel has reported 47% increase in flat steel production at 5.6 million tonnes (mt) in the financial year ended March against 3.8 mt recorded in the same period last year. Pellet production was up by 60 percent at 9.3 mt against 5.8 mt logged in the previous year.

In the March quarter, the company's flat steel output was up by 25% at 1.5 mt (1.2 mt). It has registered a growth of 21% in the pellet production at 2.3 mt (1.9mt) in the same period.

The value added component in the production mix has also jumped significantly and the downstream units are currently operating at the optimum level. Various measures taken by the Ministry of Steel and the Government in the last fiscal has helped the steel sector improve performance and there is a need for continuity of those measures to ensure steel sector sustains the momentum.

**(Source:- Business Line, dated 5.4.2017)**

### **(12) JSW Steel posts 26% rise in production**

JSW registered a 26% increase in annual crude steel production at 15.80 million tonnes (mt), its highest ever, marginally surpassing its target of 15.75 mt set at the beginning of the last fiscal. It produced 11.41 mt (9.31 mt) of flat product and 3.2 mt (2.73 mt) of long product in Fy17. The company's performance comes on the back of dumping of low cost steel during major part of the last year with demonetisation of high value currency delivering the last blow in November. Despite testing time, JSW added five million tonnes capacity last year with investment of ₹. 4,300 crore to increase its capacity to 18 mt tpa. In nine months of this financial year, JSW steel registered a net profit of ₹ 2,566 crore against loss of ₹ 632 crore logged in financial year 2016. Revenue from operations was up 24% at ₹ 42,619 crore (₹ 34,230 crore) largely due to better realisation from export market. It recorded its highest ever quarterly steel production of 4.10 mt (3.21 mt) while that of rolled and flat production were up 25% and 7% at 2.98 mt (2.38 mt) and 0.82 mt (0.77 mt). In March crude steel production jumped 15% to 1.45 mt (1.27 mt) while flat products output was up 16% at 1.05 mt (0.90 mt) while that of rolled products was down four percent at 0.27 mt (0.28 mt).

**(Source:- Business Line, dated 3.4.2017)**

### **(13) Government plans to rank secondary steel makers for easier credit access**

The Steel Ministry is planning to rank non integrated secondary steel producers to help them access cheaper capital. Choudhary Birendra Singh, Minister for steel said that the Government is going to identify and award the top 50 secondary steel producers of the country for their contribution to nation building. He also said that the union cabinet will approve the National Steel Policy in a month. It is reported that using domestically produced steel for Government tenders will be mandated. This is going to be incorporated in the National Steel Policy.

**(Source:- Business Line, Dated 6<sup>th</sup> April,2017)**

### **(14) MCX-Nickel up trend intact gaining momentum**

The uptrend in the nickel futures contract on the Multi Commodity Exchange (MCX) has gained momentum over the past week. After consolidating in a side was range between ₹. 645 and ₹. 665 a kg for about a week, the contract has surged 4.7 in the past week and is currently trading at ₹ 690.

The uptrend that has been in the place since June is intact. Support is in the band between ₹. 675 and ₹.672. Intermediate dips to the support zone may find fresh buyers coming into the market. A strong break above this hurdle can take the contract higher to ₹. 715 and Rs. 720.

**(Source:- Business Line, August 10, 2017)**

### **(15) Tata Steel back in the black**

Tata steel has posted a consolidated net profit of ₹ 921.09 crore for the quarter ended June 2017, as against a net loss of ₹.3183 crore a year ago. The consolidated revenue from operation during April – June quarter was ₹. 30973 crore registering an increase of 19%.

**(Source:- The Indian Express, Dated 8<sup>th</sup> August 2017)**

### **(16) Mining Cos. need to focus on innovation**

The beleaguered Mining Industry is banking on ‘disruptive innovation’ to achieve the Government’s vision of self sufficiency and this burden lies on the companies, according to a survey by the University of Western Australia and global consulting firm VCI.

Environmental pressures still weigh on minds of Indian Miners more than their global peers but 93% of Indian Mining leaders believe that innovation is critical for long term business strategy and success as compared to 62% in Australia, and 59% in US, the survey said. Mining accounts for about 2.5% of India’s GDP. The sector has been struggling with problems relating to environment and forest clearances, obtaining approvals, opposition from local communities and land acquisition, which have impeded growth. The Government is now seeking to attract investors to this Sector to scale up domestic production.

Innovation state of play, a platform created by International Consultant VCI and University of Western Australia, conducted a survey of miner across the globe. The India report titled ‘How can India unleash its potential to become a World Mining Superpower, compiles, views, from 50 mining leaders of India’s top nine mining firms including Adani Group, Coal India, Jindal Steel & Power, Tata Steel & Vedanta Resources.

In the last two years, the Indian Government has undertaken reforms and policy changes to make mining more transparent.

**(Source:- The Economics Times, dated 27<sup>th</sup> May 2017)**

### **(17) Only about 1 lakh tonne of Iron ore extracted**

Lloyd’s Metals & Energy Ltd continue to face problems in meeting the expectations of producing iron ore from its Surjagarh mines and setting its processing plant in Gadchiroli district in Maharashtra. The company is unable to operate its mine that is located at Konsari village as the area is known to be naxalite infested region. The ores from the mines is supposed to feed the processing plants, but since the mines are rarely operational, the company has to outsource iron ore from open market. LMEL already has a production facility in neighboring Chandrapur district, about 190 km from mines. This plant too is run on iron ore procured from open market. Though there is a strong demand for setting up a processing plant within Gadchiroli district, the company is not inclined to such proposal as it does not make business sense unless the Surjagarh mines are run at optimal level.

LMEL’s plant at Chandrapur has an installed capacity of 1,000 tonnes per day (TPD) which is being entirely utilized. For Gadchiroli however the company has much smaller

plans. Proposals to set up two units of 100 TPD each in the first phase along with a 10 MW power plant were on the anvil. There are plans to add two more 100 TPD units in the second phase along with a pelletisation plant.

Much will depend on availability of iron ore. So far only about one lakh tonne of ore has been extracted from here in place of five lakh tonnes that the mine could have produced. At present mining is taking place in only a small part of the area. The mining activity could resume if the Government intervenes to find solution to the crisis and settle matters with the groups opposing the setting up of projects in the area.

(Source:- Times of India, dated 16<sup>th</sup> May 2017)

### **(18) Mining set to resume in Uttar Pradesh as Court vacates stay**

In a big relief to the Uttar Pradesh Government, the Allahabad High Court has approved its new Mining Policy that provided for granting, non renewable leases for a period of five years through e-tenders.

As per the new policy, a team of mining officials will be set up in each district and this team will decide on the area that will be made available for mining and the quantity of minerals that can be excavated.

(Source: Business Line, dated 3<sup>rd</sup> May 2017)

### **(19) NALCO Q4 net profit up 25% at Rs. 268 crore**

Aluminium makers Nalco posted 25% rise in standalone profit at ₹.268 crore for the quarter that ended 31<sup>st</sup> March, 2017. The company had posted standalone profit of ₹. 214 crore in the corresponding quarter of 2015-16 fiscal. The standalone revenue from operations increased to ₹. 2,549.7 crore, over ₹. 1,994 crore in the corresponding quarter of 2015-16. The Company has integrated and diversified operations in mining, metal and power. Presently, Government holds 80.93% stake in Nalco. The company has a 68.25 lakh TPA bauxite mine and 22.75 lakh TPA alumina refinery located in Odisha, 4.60 lakh TPA aluminium smelter and 1,200 MW captive power plant located in the same state. As per diversification plan, Nalco has ventured into renewable energy sector. The company has successfully commissioned two wind power plants.

(Source:- The Indian Express, dated 28<sup>th</sup> May 2017)

### **(20) Vedanta Seeks Nod to expand Lanjigarh Alumina Refinery**

Vedanta, the London-headquartered metals and mining Multi National Corporation (MNC) is looking at the possibility of expanding its alumina refinery production at Lanjigarh in Kalahandi district of Odisha beyond the present cap of four million tonnes per annum (mtpa). The refinery's rated capacity is six mtpa and Vedanta expects to get all clearances to operate it at that level by 2020. In 2016-17, the refinery produced 1.2 mt, marking a growth of 24 per cent. During 2017-18, the company will continue to expand operations. The main sources of bauxite would be a mix of mines at Bharat Aluminium Company, a sister concern,

and the balance from other sources, including imports. In FY17, Vedanta's total bauxite requirement was pegged at 3.4 mt. captive mines contributed 31 per cent and the company arranged 23 per cent from domestic sources. Import formed the remaining 46 per cent.

(Source:- <http://www.mining global.com/mining-site>, dated 18 November 2017)

## **(21) Steel Ministry completes three glorious years of progress**

For the first time in the history of steel making in India, the world witnessed a massive demand-supply gap after 2014. Over capacity of 700 to 800 mtpa resulted in a sudden fall in the global steel prices. In the aftermath of increase imports, there is a decline in domestic steel prices, cash flows and the debt serviceability of the major steel producers in the country. The Union Government stepped in to protect the interests of domestic producers by notifying trade remedial measures like Minimum Import Price Anti-Dumping Duty and Safeguard Duty. The Government also eased out financial re-structuring norms through the RBI and Ministry of Finance. In addition to these, many steps have also been taken to input costs, replace imports and enhance domestic consumption. The Government is also working to improve the domestic availability of iron ore, coking coal and natural gas.

The Government's focus on strengthening the steel sector inter-alia has been on ensuring

- Ease of doing business
- Developing new products
- Tackling over-capacity & Imports
- Sustainable production of steel
- Ensuring affordable raw material supply
- Sustainable production of steel
- Demand generation

The Government has populated the three-year timeline with numerous initiatives which comprise steps like increase in Basic Custom Duty, notification of Quality Control Order for steel and steel products, policy on DMISP, National Steel Policy, etc.

The most significant and far-reaching of all policy interventions is the rolling out of the National Steel Policy 2017. This policy will serve as the road map for the industry in the coming years and will help harness the sector's untapped potential. The policy reflects the aspirations of the domestic steel industry to achieve 300 mt of steel making capacity by 2030-31. This translates into additional investment of about ₹ 10 lakh crore and 1.1 million additional workforce getting employed in the steel sector.

The Key features of NSP 2017 include:

- Creating self-sufficiency in steel production
- Encouraging adequate capacity additions,
- Developing globally competitive steel manufacturing capabilities.
- Cost-efficient production and domestic availability of iron ore, coking coal and natural gas,
- Facilitating foreign investment and asset acquisitions of raw materials
- Enhancing domestic steel demand.



Enlisting new Schemes for Secondary Steel Producers in 2017-18, he said that the steel ministry will work on ranking of the top 50 Secondary Steel/Smart Producers and awards will be given for best performing plants in the secondary steel sector, solely on the criterion of their products of BIS standards and cost effectiveness. The Minister also announced the institution of Best Steel Structures Awards in PMAY (Rural and Urban), building projects, and roads made with steel-reinforced cement concrete and other extraordinary structures using steel in abundance.

Singh added that the GST regime is good for the Steel Term as Goods & Services Tax rates and slabs for raw materials like iron ore, manganese, coal, etc. are in the 5 per cent bracket and semi-finished and unfinished goods are in the 18 per cent bracket. The steel industry will see a reduction in input cost with the GST. Minister of State for Steel Vishnu Deo Sai, Steel Secretary Dr. Aruna Sharma and senior officials from the Ministry and steel PSUs were present on the occasion.

(Date 13.8,2017 )

## **(22) Steel industry says will nearly touch target by 2030**

The Steel industry stakeholders in India have said they will be able to “nearly touch” the target of 300 million tonnes of production by 2030 in the country as envisaged by the Government. The industry has been lately grappling with multiple challenges like stagnant demand, fund crises policy bottlenecks, debtors default, sudden and multiple impositions of tariff and non-tariff barriers on import, currency fluctuations and so-on.

(Source:- The Hitavada April 9 ,2017)

## **(23) Hindustan Copper mine inaugurated**

Public sector undertaking Hindustan Copper has inaugurated its Banwas mine at Khetri Copper Complex in Rajasthan. The mine will commence production in 2017-2018. The mine has a capacity of 6 lakh tonnes per annum of copper ore.

(Source ; Business Line, Dated 2<sup>nd</sup> June 2017)

## **(24) India ‘bright spot’ for global steel output growth**

India is seen as a "bright spot" for the global steel production growth on account of the Government's push to augment capacity and demand from the construction, automotive and infra sectors. The Government has been spearheading the push towards the boost in steel production capacity, with upgrades being made to existing steel mills and state-owned companies stepping in to build new steel plants. India will be the global steel production growth bright spot as demand from the construction, automotive and infrastructure industries continues to accelerate," it added. Key companies, that will drive growth are Steel Authority of India Ltd (SAIL) and Tata Steel, the latter which aims to boost sales in the automotive segment with the migration of production towards higher-end steel products. For instance, according to the World Bureau of Metal Statistics, in 2016, India's steel output grew by 7.4 per cent y-o-y.

According to the BMI Research, a Fitch Group company report "We forecast India's steel output to average annual growth of 8.9 per cent during 2017-2021, higher than 2.9 per cent during 2012-2016,". India's steel output will grow from 88.4 million tonnes (MT) in 2017 to 128.6 MT by 2021, it added. The country's share of global steel production will accelerate from 5.4 per cent in 2017 to 7.7 per cent in 2021.

(Source:- The Hitavada Dated 9<sup>th</sup> June 2017)

## **(25) MECL inks MOU with Ministry of mines for FY 2017-18**

Mineral Exploration Corporation Limited (MECL), a Mini Ratna CPSE for mineral exploration in the country has signed a memorandum of understanding (MoU) with Ministry of Mines, Government of India for the financial year 2017-18 recently at Shastri Bhavan, New Delhi. The MoU was signed by Arun Kumar, Secretary of Government of India, Ministry of Mines and Dr Gopal Dhawan, Chairman-cum-Managing Director of MECL. During 2016-17 MECL has carried out more than five lakh metre of drilling for various minerals like coal, lignite, iron ore, gold, copper, lead, zinc, bauxite, limestone, etc., and has added 3,184 million tonnes mineral resources to the national mineral inventory. The financial performance during 2016-17 has been highest since inception of the company. The turnover and the Profit Before Tax (PBT) of the company has risen by 28 per cent and 38 per cent, respectively from the previous year and the company has paid ₹ 23 crore as dividend to Government of India in the previous year.

The MoU has been prepared as per guidelines of Department of Public Enterprise (DPE). The salient features of the MoU includes six lakh metre of drilling with increased productivity, procurement of 2-D seismic survey facilities, induction of 12 hydrostatic drilling rigs, completion of clients order without time over run, bringing transparency in individual performance assessments, timely conducting DPC, vigilance clearance on quarterly basis and turnover of more than ₹ 400 crore in 2017-18.

(Source:- The Hitavada, dated 15<sup>th</sup> June 2017)

## **(26) IBM to create database of all natural resource**

It is high time that scientists and technocrats expand technologies as per the needs of the country for sustainable and inclusive growth, said Ranjan Sahai, Controller General, of Indian Bureau of Mines (IBM).

Technology plays a major role in the development of a country. Therefore, efforts should be made to enhance and update technological knowledge so that the nation made fast progress in competitive world, Sahai said. Environmental, economic and social sustainability was needed for overall development, he added. Sahai, who delivered a guest lecture organized by CSIR-National Environmental Engineering and Research Institute (NEERI) to mark National Technology Day, recalled the success story of Pokhran II nuclear test on May 11, 1998. Explaining the IBM's role in development of technology in mining sector, Sahai said, "By 2035, it was planning to create a database of all natural resources in the country. It will bring forward even small resources not known till date. "We are also planning eco-

friendly excavation of resources by 2035 and restoration of covered forests by 20%," he added.

To create an environment of trust between people and Government schemes, Sahai suggested that all such operations should be done under the surveillance of technology as it would enhance transparency in the system. People have always been critical of mining sector and this step would help gain their trust. Illegal mining has become a serious issue in India for which satellites could be used to identify such activities. An eye from the sky can always help, he added. Sahai suggested that drones can also be used for monitoring environment in mining areas and also to find out abandoned sites which could be rehabilitated.

**(Source:- The Times of India Dated 12<sup>th</sup> May 2017)**

### **(27) Government bans export of gold items above 22-carat purity**

The Government has banned exports of gold jewellery, medallions and other articles above 22 carats purity in a bid to check round tripping of the precious metal.

In a notification, the Directorate General of Foreign Trade (DGFT) has said certain provisions of the foreign trade policy (2015-20) are "amended to allow export of gold jewellery (plain or studded) and articles containing gold of 8 carats and above up to a maximum limit of 22 carats only from domestic tariff area and export-oriented units, electronics hardware technology parks, software technology parks and bio technology parks". This means that export of gold jewellery, medallions and other articles of the precious metal above 22 carats purity is not permitted by any exporter, including from these parks, which are meant for sector-specific shipments.

The DGFT also stated that only those exporters can avail of incentives who are shipping gold jewellery and other articles containing gold of 8 carats and up to a maximum limit of 22 carats and not beyond.

**(Source: The Hitavada, 8<sup>th</sup> August 2017)**

### **(28) Jindal Stainless Ltd Q1 net profit at Rs 41.50 cr**

Jindal Stainless Ltd (JSL) swung into black by posting a net profit of ₹ 41.50 crore during the first quarter ended June 30, 2017. The company had reported a net loss of ₹ 78.21 crore in the year-ago period. Its total income rose to ₹ 2,203.86 crore during the quarter under review from ₹ 2,157.08 crore during the April- June quarter of the preceding fiscal, the company said in a BSE filing.

Jindal Stainless Ltd is one of the largest manufacturers of stainless steel in India with a capacity of 1 million tonne per annum.

**(Source:- The Hitavada, dated 10<sup>th</sup> August 2017)**

### **(29) NMDC posts ₹ 969 crore Net in Q1**

NMDC Ltd has posted a profit of ₹969.20 crore for the first quarter ended June 30, 2017, against a profit of ₹711.34 crore for the corresponding quarter last year. The iron ore

mining major registered total income of ₹2970.13 crore for the first quarter against ₹2065.82 crore for the same period a year ago. The last financial year ended March 31, 2017, NMDC had closed with a total profit of ₹2589.14 crore and income of ₹9738.45 crore.

(Source:- The Hitavada, 10th August 2017)

### **(30) Gold demand up 15 % on stable prices, rising offtake**

Gold demand was up 15 per cent in the quarter ending March, at 123 tonnes, against 107 tonnes logged in the same period last year, largely due to stable prices and a lower base. Jewellery demand increased 16 per cent to 92 tonnes (80 tonnes) as the demand last year was impacted by a prolonged strike against levy of excise duty. In value terms, sales were up 18 per cent at ₹32,420 crore (₹27,535 crore), while in dollar terms, they increased 19 per cent to \$4.8 billion (\$4 billion).

Somasundaram PR, Managing Director, India, World Gold Council, said the revival in demand signals the return of optimism and resilience of this industry, which has been living with tough challenges since 2013. “The rupee appreciation significantly protected Indian households from the hike in dollar gold prices, giving them an additional reason to meet the latent demand that was created in 2016 following demonetisation and other regulatory measures against unaccounted wealth,” he said. Wedding season demand, which accounts for 40-50 per cent of jewellery, and bars and coins, were strong in Q1.

Opportunistic purchasing by investors and an increase in restocking means the gold market is likely to maintain a healthy uptake in the first half of this year, Somasundaram said. The forecast of a normal monsoon could also play a promising role in stabilising consumer demand while the concern over the level of tax on gold in the Goods and Services Tax regime remains, he added. Stable gold prices, which were up two per cent in the March quarter to ₹26,249 (₹25,677) per 10 grams, helped revive demand. Buoyed by rising demand, gold imports more than doubled to 270 tonnes (127 tonnes). Total gold recycled in India was at 14.5 tonnes (14 tonnes) in the March quarter. Global gold demand in the first quarter of 2017 slipped 18 per cent from the year before due to a slowdown in inflows in exchange-traded funds and a drop in demand from central banks.

(Source:- Business Line, Dated 5<sup>th</sup> May 2017)

### **(31) JSW Steel eyes brownfield projects to expand capacity; invest ₹19,200 cr**

JSW Steel plans to invest ₹ 19200 crore in various brownfield projects to enhance its capacity in line with the national steel policy announced by the Government recently. The company plans to double steel-making capacity at Dolvi in Maharashtra to 10 million tonnes per annum (mtpa) along with 4 mtpa pellet plant and 4 klins of 600 tonnes per day of Lime Calcination Plants for ₹ 15,000 crore. This apart, it will increase the blast furnace capacity at Vijayanagar to 4.5 mtpa from 3.5 mtpa with investment of ₹ 1,000 crore and expect to

complete the project in 20 months.

To enhance the production of value added products, it will increase the capacity of cold rolling mill at Vijayanagar to 1.80 mtpa from 0.85 mtpa along with two continuous galvanising line of 0.45 mtpa each, a new 1.2 mtpa Continuous Pickling Line for HRPO (hot rolled pickled and oiled) products, and a new 0.80 mtpa hot rolled Skin Pass Mill for hot rolled Black and HRSPO (Hot-Rolled, Pickled, Skinpassed and Oiled) products. These projects are estimated to cost ₹ 2,000 crore and expected to be completed by September 2019. JSW Steel will also take up modernisation and capacity enhancement of Vasind and Tarapur downstream facilities at estimated cost of ₹1, 200 crore and it is to be completed by April 2019.

(Source:- Business Line, 18<sup>th</sup> May 2017)

### **(32) Arcelor Mittal agrees on concessions to seal \$897 mn JV with SAIL**

Arcelor Mittal, the world's largest steel producer, said it has agreed to make concessions to Steel Authority of India to seal a delayed \$897 million automotive joint venture. "In the interest of the strategic partnership, some concession from Arcelor Mittal on technology has been extended. The deal would help SAIL, which has been in the red for at least seven straight quarters, compete with local rivals such as JSW Steel and Tata Steel who have foreign partnerships to make steel for the car industry. The proposed joint venture is also crucial for Arcelor Mittal as India is the only big steel market where demand is rising fast and Government policy is increasingly favoring locally made products.

(Source:- The Indian Express, 25<sup>th</sup> May 2017)

### **(33) Lignite - An emerging energy source for State of Rajasthan**

Lignite often referred to as brown coal is the lower rank coal used almost exclusively as a fuel for thermal power generation. The lignite occurrence in India is mostly constrained to the districts of Tamil Nadu, Rajasthan, Gujarat, Jammu & Kashmir and Kerala where the tertiary sedimentation is mostly predominant. Tamil Nadu alone constitutes 30275.0 Mt sharing 87.1% of the total Indian Lignite resources, while Rajasthan and Gujarat having 2382.0 Mt, 1870.0 Mt shares 6.8% and 5.4%, respectively. Other occurrences in the states J&K 128 Mt and Kerala 108 Mt constitute a fraction of Indian resources. Total Indian reserve of lignite is estimated about 34.7 Bt. Rajasthan, the biggest state in western part of India Union is fighting against energy crisis and Lignite becomes one of the potential minerals. Recent discoveries of large lignite deposits in Bikaner, Nagaur and Barmer district with total estimates potential of 4263 Mt. Importance of Rajasthan Lignite in the three districts of the state viz. Bikaner, Nagaur and Barmer, geological reserves of more than one billion tonne have been confirmed so far by exploratory.

### **(34) ACC consolidated profit rises about 33%, beats estimates**

ACC has reported 33 per cent growth in net profit in the June quarter at ₹ 326 crore having its net growth by 18 per cent to ₹3,329 crore . ACC has ramped up production at the newly commissioned integrated plant in Jamul resulting in higher volume in Eastern region. It has launched ACC Suraksha and ACC HPC which has received good response and improved its margin.

The company's ready-mix concrete sales volume increased six per cent to 0.67 million cubic metres during the quarter on supply to projects in diversified segments and large housing projects in metropolitan areas, it said. The company expects demand to improve due to good monsoon, launch of smart cities, improvement in urban infrastructure and housing projects. The launch of GST will also get higher volumes for organised cement companies, it said.

**(Source:- Business Line, dated 18<sup>th</sup> August,2017)**

### **(35) Hindustan Zinc Q1 net profit zooms to Rs 1,876 cr**

Vedanta Group firm Hindustan Zinc Ltd (HZL) posted 81 per cent jump in net profit to ₹ 1,876 crore for quarter ended June 30, 2017 helped by better pricing and higher volume. The company had posted a net profit of ₹ 1,037 crore in the corresponding quarter of previous fiscal. The total income during April-June quarter stood at ₹ 5,543 crore, registering an increase of 61 per cent over the year-ago period. Mined metal production during the quarter was at 2,33,000 tonnes, up 84 per cent Y-o-Y. The increase was primarily on account of higher volumes from all mines, higher zinc grade and depletion of opening ore stock. Integrated zinc metal production during the quarter was at 194,000 tonnes, up 91 per cent Y-o-Y.

**(Source:- The Hitavada, Dated 21<sup>st</sup> July 2017)**

### **(36) Strategic sale for Salem**

The Government has decided to sell Salem Steel Plant to a strategic buyer after it failed to get discounts on power tariff from the Tamil Nadu Government. The analysis of the losses of the plant showed that "the single item of power tariff caused 46 per cent of the losses" Salem which has been rerolling alloy steel produced at Durgapur, uses the caotly arc furnace technology & the hike in power tariff is hitting hard. This has been going for several years and there was a huge loss of money. Several efforts were made to the Tamil Nadu Government for concessional supply of electricity but they did not agree. Hence, the ministry took a decision that there should be strategic disinvestment. In a strategic disinvestment, the Government sells the shares and control to a private party, while retaining a stake in the company.

**( Source:-The Telegraph, Dated 1<sup>st</sup> August 2017)**

### **(37) JSW Steel Q1 net slips 44% on flat Output**

The company reported a 44.10 per cent fall in consolidated net profit at ₹.626 crore for the quarter ended June 30, hit by higher expenses. It had posted a net profit of ₹ 1,120 crore in the year-ago period. The operating leverage impact from lower sales volumes and higher prices of inputs like iron ore, fluxes and power led to operating ebitda for the quarter of ₹ 2,617 crore. Exports during the quarter surged by 26 per cent YoY, as demand as well as pricing for steel products in international markets remained buoyant. The company plans to invest up to ₹ 8,000 crore annually on capacity addition at Dolvi and Vijaynagar units. The company hopes to add 5 MT capacity through organic growth and looking for acquisition opportunities for an inorganic growth. The steel demand in the domestic market is improving with increasing public sector spending; reflected in increased activity in sectors like roads, power T&D, solar energy, earthmoving equipment, pre-engineered buildings, and water & gas pipelines. Steel demand may grow by 5 per cent in FY18.

**(Source:-The Indian Express, Dated 2<sup>nd</sup> August 2017)**

### **(38) Over 96,000 cases of illegal mining reported in FY17**

More than 96,000 cases of illegal mining for major and minor minerals were reported in various states, including Maharashtra, Madhya Pradesh and Andhra Pradesh, in 2016-17. The state Governments have been empowered to make rules for preventing illegal mining, transportation and storage of minerals.

As per the details based on the quarterly returns on illegal mining submitted by various states to the Indian Bureau of Mines (IBM), a total of 96,089 cases of illegal mining for major and minor minerals were reported in 2016-17. Maharashtra reported the highest number of such cases (31,173) followed by Madhya Pradesh (13,880) and Andhra Pradesh (9,703). About 57,758 cases were filed in Courts and the State Governments realised fine of about Rs 1,736.76 crore during the period. The state Government has taken the initiative to adopt the use of space technology through mining surveillance system to support in curbing illegal mining.

**(Source:-The Hindu, Dated 4<sup>th</sup> August 2017)**

### **(39) CIL plans to shut down 65 loss –making mines**

Under pressure from low demand for coal, declining profits and high expectations of workers from the ongoing wage negotiations, coal India has revived the agenda of closing down loss making mines to cut operational expenses. According to sources, the company recently identified 65 loss-making mines for closure. Of the total 62 are underground mines.

**( Source:- Business Line, Dated 2<sup>nd</sup> June 2017)**

## **B. ABROAD**

(1) ‘Women in Mining day’ was launched on 28<sup>th</sup> March 2017 as a part of the Mining Investment Asia to relook at the issue of gender diversity in the mining industry, especially within the Asia Pacific region. A macro view on this issue in light of 2016 announcement by BHP Billion for 50% female workforce by 2025, was shared by MsVyonne Tan, HR business partner at BHP Billion (Singapore) and chairperson of the Diversity committee at Women in Mining & Resources (WIMAR) Singapore.

Initiatives to improve the role of women in mining were also shared by speaker from the Philippines, Australia and China at panel discussion and presentation with an audience of 50% men, women in mining day underline the importance of close cooperation between both gender for long term progress on the issue of gender diversity.

**(Source:- The Indian Mining & Engineering General Vol. 56-7 May 2017)**

### **(2) Copper production could rise by 2.5% per year**

The International Copper Study Group (ICSG) has suggested that global copper mine production capacity might grow at an average rate of 2.5% per year until 2020, compared with 4% per year over the past five years. Concentrate production would account for around 90% of the total growth in the world mine production capacity until 2020, the ICSG said. Major increases are expected in Chile, China, the Democratic Republic of the Congo (DRC) Peru and Zambia, which will represent 55% of the growth. The ICSG expects copper smelting production to grow at an average rate of around 1.7% per year until 2020.

**(Source:- Metal Bulletin Magazine, April 2017)**

### **(3) Aurubis to expand non-ferrous production**

Aurubis AG is planning to expand production of non-ferrous metals. The company may explore acquisitions of non-ferrous production companies but will not get involved in mining. Instead, the company will focus on smelting and product output, maintaining copper as its primary focus. Copper has always been their main area of expertise, and it will remain a central metal of the Aurubis Group.

**(Source:- Metal Bulletin Magazine, April 2017)**

### **(4) China Great power Jinchuan to begin cobalt salt production**

China Great Power Jinchuan, which was founded in December 2016, will begin producing cobalt salt in late June and aims to achieve an output of around 4,500 tonnes of cobalt contained by the end of the year.

The Shanghai-headquartered joint venture purchased assets belonging to former Chinese cobalt salt producer Zhejiang Galico Cobalt & Nickel Material at a public auction in December 2016 and plans to invest \$ 150 million into the idled operations. The company expects to reach full production capacity for cobalt salts in August and will begin producing nickel sulphate in September or October.

**(Source:- Metal Bulletin Magazine, April 2017)**



## **(5) Output up as anti-dumping fight continues**

Middle Eastern steel producers increased output and set new production and export targets in March, while their struggle against anti-dumping tariffs continued. Egypt's Ezz Steel plans to increase its crude steel production from 3.50 million tonnes to 5 million tonnes in 2017 and increase its steel exports to \$800 million in 2017. Oman's AI Jazeera Steel achieved its highest ever sales volumes in 2016, selling 335,951 tonnes of steel—a 17.72% increase on 2015. The company produced 333,303 tonnes of steel end-products, 20.37% more than in 2015.

Turkey's steel exports set a four-year high in early 2017, when export tonnages were 12.60% higher than in the corresponding period of 2016, while the value of those exports rose by 31.30% year on year to \$1.8 billion. The World Trade Organization (WTO) Dispute Settlement Body is to investigate Turkish concerns over anti-dumping duties imposed by Morocco on imports of HRC. Morocco imposed 11% permanent anti-dumping duty on HRC from Turkey in August 2014, with Turkey eventually calling for a WTO panel investigation in October 2016.

**(Source:- Metal Bulletin Magazine, April 2017)**

## **(6) US attempts to foil Chinese imports**

The US International Trade Commission (ITC) has agreed to launch a preliminary investigation into imports of aluminium foil products from China in response to an anti-dumping and countervailing duty trade auction filed by the Aluminium Association, which maintains that the large volume of “unfairly low-priced and subsidized” foil that China has been exporting to the United States has “devastated conditions in the US market.” This is the first such auction taken by the Association in its 85 year history.

**(Source: Metal Bulletin Magazine, April 2017)**

## **(7) Chinese supply and demand revisions**

The aluminium market continues to digest the Chinese Governments plans to force a 30% capacity cut on smelters in four provinces around Beijing, which were put into place in March. As a result, they have cut their production expectations for the year by 450,000 tonnes, but also have lowered their demand forecast by 188,000 tonnes as there will be a knock-on effect to fabricators operating rates, especially those taking liquid metal from adjacent smelters.

**(Source:- Metal Bulletin Magazine, April 2017)**

## **(8) Liberty House to invest \$ 12m in R&D centre**

Liberty House to invest 10 million (£12.47 million) in an automotive R&D centre, due to open in early 2018, in Leamington Spa, England. The new facility will act as a Group-wide development centre, housing a range of key design and manufacturing activity. Along with the automotive activity it will also house the design and manufacture of the ‘Trillion by Liberty’ range of premium bicycles.

**(Source:- Metal Bulletin Magazine, April 2017)**

## **(9) IOC to expand Labrador iron ore mine**

Iron Ore Co of Canada (IOC) is going ahead with a Canadian \$79 million (\$60.29-million) expansion project at its iron ore mine in Labrador City in Newfoundland and Labrador. The project includes the development of a new mining pit, Wabush 3, to extend the life of the mine, reduce operating costs and increase production of iron concentrates and pellets.

Construction on Wabush 3 is expected to begin in the second quarter of 2017 now that all key regulatory and environmental approvals are in place, according to the company. The first ore from production mining is expected in the second half of 2018, which will help IOC ramp up its capacity toward 23 million tpy from 18 million tpy. The new pit will be fully integrated into IOC's Labrador City operations, and will use the site's existing facilities, the company added.

**(Source:- Metal Bulletin Magazine April 2017)**

## **(10) JSW Steel to add EAF to Texan mill**

JSW Steel North America intends to install an electric arc furnace (EAF) at its plate and pipe mill in Texas. The new furnace has been added to an already-planned series of upgrades at the former US Steel mill in Baytown.

**(Source: Metal Bulletin Magazine, May 2017)**

## **(11) Arcelor Mittal's 12m plant improvements**

Arcelor Mittal has invested more than 12.40 million (\$13.23 million) into three new projects at the European division's Zenica steelworks in Bosnia & Herzegovina. "The investments [comprise] two focused on further improvements in the company's environmental performance, and a third project designed to modernise the production of one of the steel plant's key products,".

**(Source:- Metal Bulletin Magazine, May 2017)**

## **(12) Mukand and Sumitomo to form alloy steel jv**

Indian specialty steel producer Mukand and Japan's Sumitomo have agreed to form a joint venture to roll and finish alloy steel products. The new company will be called Mukand Alloy Steels (MASPL), Sumitomo said. "The business is currently being conducted by Mukand [through a subsidiary] and will be transferred into a [new] subsidiary which will [then] amalgamate into MAPSL through a scheme of arrangement, subsequent to which Sumitomo shall invest in MAPSL,".

**(Source:- Metal Bulletin Magazine, May 2017)**

## **(13) Newmont to sell Batu Hijau mine stake for \$1.3 billion**

Newmont Mining Corporation has agreed the sale of its stake in PT Newmont Nusa Tenggara, which operates Indonesia's BatuHijau copper and gold mine, to Pt Amman Mineral Internasional (PT AMI).

**(Source:- Metal Bulletin Magazine, July-August 2016)**

#### **(14) KGHM renews major copper supply deal with Minmetals**

Copper producer KGHM has signed a new five-year supply agreement with China Minmetals, worth an estimated \$1.18-2.83 billion. The deal is the fourth long-term copper cathode supply agreement signed by the two companies since 2002, and is the largest in the history of their partnership, KGHM said. The overall value of the deal will depend on the quantities taken up by Minmetals between 2017 and 2021, when the agreement is set to expire.

**(Source:- Metal Bulletin Magazine, July-August 2016)**

#### **(15) Australia backs lithium mine to spur battery push**

The Australian Government will invest in a lithium mine for the first time, as part of a wide-ranging effort to shore up power stability in a market increasingly dependent on variable wind and solar power. The Government said that it would invest about A\$20 million (\$15 million) into Pilbara Minerals Ltd's Pilgangoora project in Western Australia, which will produce lithium concentrate, a key component in electric vehicles and batteries.

#### **(16) JSW Restarts talks to acquire Italian Steel Major**

Having lost the race to acquire Italy's largest steel company Ilva to Arcelor Mittal, Sajjan Jindal-owned JSW Group has re-initiated talks to buy LucchiniSpA, the second largest steel producer in that country.

In 2014, JSW Steel had made a bid to acquire Lucchini. However, Algeria's Cevital Group acquired it the following year and renamed the company Aferpi (Acciaierie e Ferriere di Piombino) SpA. Currently, JSW Steel is in talks with Cevital Group to acquire Aferpi for a valuation of \$100 million (₹640 crore), sources said.

Aferpi is engaged in the production of specialty long products for European railways, bars for specialised auto industry parts and wire rod mills. The JSW Group's talks to acquire a company in Italy comes when its promoter Sajjan Jindal has shown keen interest to produce electric cars India.

**(Source:- Business Line, Dated 28<sup>th</sup> 08.2017)**

#### **(17) TheTata Steel announced a plan to form an equal joint venture with Germany's Thyssenkrupp AG.**

The non-cash transaction framework to combine the flat steel business of the two companies in Europe and the steel mill services of the thyssenkrupp group will create a behemoth that will ship about 21.3 million tonnes of flat products a year with a turnover of €15 billion (₹115,000 crore), an EBITDA of €1.5 billion, and employing some 48,000 workers.

Of this, Tata Steel's European operations will contribute annual shipments of 9.8 million tonnes, a turnover of €7.3 billion and employ some 18,000 workers.

The proposed joint venture that will create Europe's second largest steel maker (after Arcelor Mittal) provides Tata Steel an opportunity to stem further bleeding of its heavily loss-making European operations by transferring some €2.5 billion of term debt and about 18,000 workers to the merged.

**(Source:- Business Line, Dated 21<sup>st</sup> September 2017)**

### **(18) NMDC may pick up stake in Veitnam tungsten mine**

NMDC Ltd is considering picking up stake in a tungsten mine located in Vietnam and is awaiting the Union Cabinet nod to take up due diligence and then pursue the deal.

The state-owned iron ore mining major and Midhani, a strategic defence public sector undertaking, had come together last year to explore opportunities to procure tungsten both in India and abroad, while also working on related technologies, to make the country self-reliant on this element.

**(Source:- The Hindu, Dated 2<sup>nd</sup> September 2017)**

### **(19) Agarwal to up stake in Anglo American**

Mining billionaire Anil Agarwal plans to purchase up to £1.5 billion worth of additional stake in blue chip British miner Anglo American Plc to become its largest shareholder with over 21 per cent holding.

The acquisition of about 9 per cent shares on top of the 12.43 per cent bought in March will give Agarwal an indirect foothold in the world's largest diamond producer, De Beers.

The sources said Agarwal believed that Anglo American was capable of getting technology and skilled people to India which would help to increase the domestic production of metals such as copper, diamond and gold.

Anglo American is one of the world's top five mining groups, alongside BHP Billiton, Rio Tinto, Vale and Glencore, and has copper mines in Chile, iron ore operations in Brazil and South Africa as well as De Beers, the iconic diamond producer.

De Beers sells rough diamonds worth about \$5.2 billion every year, half of which are purchased by Indian diamantaires based in Surat, Mumbai, Antwerp, Hong Kong, South Africa and Dubai. De Beers is the world's leading diamond exploration, mining and marketing company, producing over 30 million carats of diamonds per annum, 35 per cent of global rough diamond production.

**(Source: The Telegraph, Dated 22<sup>nd</sup> September 2017)**

## **(20) Biggest Diamond in a Century Sells for \$ 53 M weighing in at 1,109-carat**

Lucara Diamond finally sold the biggest diamond found in more than a century. The 1,109 carat Lesedi La Rona diamond was sold for \$53 m (£39 m), or \$47,777 (£35,374) a carat, to Graff Diamonds, Lucara said in a statement. The Vancouver-based company, known for producing some of the world's biggest and best stones, unearthed the diamond at its Karowe mine in Botswana.

In May 2016, Lucara sold the smaller 813 carat The Constellation diamond for a record \$63 m, or about \$77,500 a carat, to Dubai-based rough-diamond trading company Nemesis International.

**(Source:- The Hitavada, Dated 27<sup>th</sup> September 2017)**

## **(21) It had bought Tata's Speciality Steel Arm in U.K. for £100 MN**

Liberty House, Sanjeev Gupta's U.K. steel business, is to create an additional 300 jobs at the Speciality Steel unit it has acquired from Tata Steel, for £100 million and said it would invest £20 million in the business in the first year alone.

“By investing in acquiring speciality steels they are casting a big vote of confidence in the future of British industry. The company hopes to raise production from its arc furnaces to over 1 million tonne a year, and for its bar mill to roll over 400,000 tonnes a year.

Liberty House has made a string of purchases in the U.K. steel sector over the past couple of years, now employing around 4,500 workers in the country, and last week announced plans to buy Arcelor Mittal's Georgetown steel plant in South Carolina, in the U.S.

**(Source:- The Hindu, Dated 3rd May 2017)**

## **(22) Silver imports surge in H1, but the momentum may not last**

Rising demand for silver in two of the world's largest consumers, China and India, since the beginning of this year is seen raising hopes of a better price performance for the metal. A precious metal and industrial metal at once, silver generally follows the footsteps of its more sought-after sibling, gold.

The first half of this year has been no different. In the initial months, silver prices rose two per cent on strong investment demand and in line with gold. The market came under pressure following the waning effect of most of the supportive factors, including interest rates and currency. In other words, the Fed rate hike and firmer dollar have pressured the market down.

To be sure, demand is a significant driver of the silver market. Three countries USA, China and India account for close to two-third of global fabrication demand; and between China and India, they account for about 40 per cent. Demand for jewellery has decidedly been weak in the two Asian majors in the whole of last year. However rising consumption in the photovoltaic and automotive sectors has propped up the metal.

Now, there are incipient signs that the tide could again be turning in favour of the metal. According to reports, fabrication demand in China and India is seen rising as evidenced by import data. Both China and India have shown strong growth in import of the metal in recent months.

**(Source:- Business Line, Dated 6<sup>th</sup>July 2017)**

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