

MINERAL POLICY AND LEGISLATION



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MINERAL POLICY & LEGISLATION

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**GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES**

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POLICY

Mineral Scenario in India

Mining Sector is one of the core sectors of economy. It provides basic raw material to many important industries. There has been a notable turnaround in the Sector following the government initiatives in reforming the Policy. This turnaround is very much visible in the growth reflection as observed in the Gross Value Added (GVA) in the Mining and Quarrying Sector. The Sector reported the growth of 5.4% and 2.4% in 2013-14 and 2014-15 respectively. During 2015-16, so far the Sector has recorded a growth of 3.6 per cent which is higher than the figure of the similar period of last year. 'Mission Make in India' too had a share in contributing to the growth of the Sector. Mining is expected to be a key Industry to foster investments, both domestic and foreign, and therefore the prospects for growth and generation of employment are profound.

MMDR Amendment Act

The most significant achievement of the government was the enactment of amendment to the MMDR Act 1957, the Act that governs the Mineral Sector. The amendment removed discretion as a criterion for grant of mineral concession and instead it instituted, auction as the sole method for grant of mineral concessions and, thereby brought about greater transparency to such processes. It also provides the much-needed impetus to the Mining Sector by deemed of extension of mining leases. The Act has been amended again in 2016 for clarity in the definition of lease area and to allow the transfer of captive leases, which has not been acquired through auction.

The necessary Rules enabling the auction of mineral blocks under the MMDR Amendment Act, 2015, viz. the Minerals (Evidence of Mineral Contents) Rules, 2015 and Mineral (Auction) Rules, 2015 were notified subsequently by the Ministry of Mines. The Ministry also formulated the 'Modern Tender Documents' to facilitate the

State Governments to expedite the auction process.

The Government of India in order to provide further support to the State Governments in the processes of implementation of auctions of mining leases/PLs-cum-MLs, deputed experts from GSI, IBM, MECL, MSTC, SBICAP and MECON to assist the States in the crucial activities for auctioning viz. area demarcation by total station and DGPS, transaction advisory, compilation and digitisation of GRs, auctioning platform etc.

The success of e-auction has not only put a stamp of approval on auctioning as a viable process for allocation of mineral concession as was initially envisaged by the Ministry, but, more importantly it ensures generation of substantial additional revenue accrument in the State's exchequers much more than what could be collected by way of royalty. It is anticipated that revenue through auction, could be over 2.5 times the amount of revenue that collects through royalty, DMF and NMET put together.

Success of auction procedure is dependent on a host of factors including demand and supply configuration pattern, quality of mineralisation studies, land ownership pattern, coastline environment restrictions where ever applicable, general dull market scenario and any end-use conditions imposed by the states in the bidding documents.

DMF : Socioeconomic Benefit Sharing

The District Mineral Foundation (DMF) is meant to address the long - standing demand of local people in mining areas affected by mining operations for inclusively in growth model. The contribution of 30% of additional royalty by existing miners i.e. before 12.01.2015 and 10% of additional royalty on or by miners granted mines after the MMDR Amendment Act came into effect, i.e. 12.1.2015 shall be remittances directed towards DMFs. The Annual budget of DMFs for major mineral states would be 6,000 crore.

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The State Government also have been empowered to constitute DMF for minor minerals under the newly inserted Section 15A in the MMDR Act.

Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY)

The Government has formulated Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) to be implemented by the DMFs of the respective districts. It has been issued as a directive under Section 20A of the MMDR Act by Central Government on 16.9.2015.

The PMKKKY has mandated 60% of the funds to be utilised in High Priority Areas, such as: drinking water, environment preservation & pollution control measures, health care, education, skill development, welfare of women & children, welfare of aged and disabled people, sanitation while 40% of the fund will be earmarked for utilisation in physical infrastructure, irrigation, energy and watershed development and any other measures for enhancing environmental quality in mining district. The projects implemented under PMKKKY will help create a congenial mining environment, ameliorate the condition of the affected persons and create a win- win situation for the stakeholders.

It is in the interest of the State Governments to expedite the setting up of DMF so that these funds being accrued, may start getting utilised for the welfare and development of these areas as laid down by the PMKKKY Scheme. Such welfare activities are bound to create goodwill for the mining industries amongst the local population.

Impetus for Exploration

It is stated that India is largely unexplored as far as mineral wealth is concerned. Therefore, thrust must be laid upon the Public Sector agencies, DGMs of the State Governments and Geological Survey of India, to speed up exploration work on scientific basis. As the task could be daunting, efforts to encourage the Private Sector to undertake the challenge of meeting the demands in exploration work have been put into effect. Schemes to involve the Private Sector have been reflected in the key

initiative of NMET, draft NMEP etc. Broadening the scope of the policy so as to accommodate private players will bring about qualitative improvement in the exploration work.

The National Mineral Exploration Trust that was created consequent upon the enactment of the MMDR Amendment Act, 2015, and that which would function out of the contributions of a sum equivalent to additional 2% of the royalty levied from the mining lease holders is a pragmatic initiative of the Government that is aimed at encouraging exploration. Besides, the adoption of auction route for grant of mineral concessions would off-shoulder the burden of exploration from the government.

National Mineral Exploration Policy (for non-fuel and non-coal minerals)

The Government, to offer fillip to its strategy on exploration is contemplating of bring forth a comprehensive a National Mineral Exploration Policy, the draft of which has been approved by the Cabinet on 29.6.2016. The Policy is oriented towards providing a framework for fostering exploration activities by Private Sector companies and providing them the necessary impetus to participate in the exploration programme.

The salient features of draft national mineral exploration policy (NMEP) are as follows:

(i) The Government will make available pre-competitive baseline geo-science data of the highest standards. The data would be regularly updated and bench-marked with that of other jurisdictions.

(ii) The Government will create baseline geo-science data as a public good and fund the generation and dissemination of such data.

(iii) National Geoscience Repository will be set up by GSI which will collect all geoscientific baseline data and mineral exploration information generated by diverse exploration agencies and will make these available on a digital geospatial database.

(iv) GSI will undertake National Air-borne geophysical survey in mission mode.

(v) The Government proposes to establish a non-profit autonomous institution, called National Centre of Mineral Targeting (NCMT) which will be a collaborative effort of government industry and academic institutions.

(vi) The Government will launch special initiative to probe deep-seated/concealed mineral deposits in the country.

(vii) The Government's objective is to introduce attractive provisions so as to encourage & incentivise Private Sector participation in mineral exploration through revenue sharing models. GSI has already identified 100 blocks for mineral exploration and these could be utilised for implementation of the scheme.

(viii) Upgradation of chemical and ore beneficiation laboratories of the central agencies and State Governments.

Uncover-Project

The Uncover project of GSI was launched by the Hon'ble Minister of Mines on 17th February, 2016 during the 55th Meeting of the Central Geological Programming Board. This State-of-the-art project is to be implemented in two selected areas in the country and is focused on probing for deep-seated/concealed mineral deposits. This programme is also one of the important action points of the draft NMEP. Characterising India's geological cover, investigating lithospheric architecture, resolving 4D geodynamic and metallogenic evolution and detecting & characterising the distal footprints of ore deposits, would be the main components of this initiative.

Prevention of Illegal Mining

In order to bring a check on illegal mining, the penal provisions have been made further stringent. Higher penalties and jail terms have been provided in the amendment. Further, a provision has been made for constitution of special courts by the State Government, for fast-track trial of cases related to illegal mining.

Use of the Space Technology for Curbing Illegal Mining Issues

IBM has signed a MoU with National Remote Sensing Centre (NRSC), ISRO on 21.1.2016 to undertake a pilot project on 'Monitoring of Mining Activities using Satellite Imagery and Capacity Building' in IBM and training for its officers for three years. The project also includes offering technical support for setting up of Remote Sensing laboratory in IBM.

The project with NRSC is currently under progress. The ultimate objective of adopting this technology is that it enables volumetric estimation of mining excavations which is one of the key parameters in monitoring mining activities and which is laid down specifically in the mining plan. The setting up of Remote Sensing Cell in IBM at Hyderabad is underway.

The Ministry of Mines has reportedly engaged Bhaskaracharya Institute of Space Applications & Geo-Informatics (BISAG), Gujarat and National Remote Sensing Centre (NRSC) separately for the leveraging the use of Space Technology in the Mining Sector. A 'Mining Surveillance System' (MSS) for major minerals is being developed with the help of Bhaskaracharya Institute of Space Applications & Geo-Informatics (BISAG), Gujarat, to curb the incidences of illegal mining with the use of space technology. This technology has minimum human interference, could access remotest areas and has automatic detection capability. The State Governments have been requested to provide the available digitised lease-wise information for all major minerals in their State for expediting the development of MSS. The State Governments may adopt the MSS for minor minerals where illegal mining cases are all the more rampant.

Offshore Mining

Consequent upon the Order published vide Gazette Notification dated 30th June, 2016 wherein the Controller General, IBM, annulled the previous Notification issued vide S.O.1341(E) dated 7th June, 2010 and declared that all actions pertaining to the grant of 62 exploration licences would stand rescinded. The Ministry of Mines has formed a Committee to amend the legislative framework for allotment of offshore blocks.

Sustainable Mining Initiatives

The Sustainable Development Framework has already been rolled out during 2015-16 at Sukinda Chromite mines & Noamundi Iron Ore mines of Tata Steel and Donimalai mines of NMDC.

Star Rating of Mines

Certification of 'Star Rating' is proposed to be awarded to the mining leases for the efforts

and initiatives taken for implementation of the Sustainable Development Framework (SDF). It is anticipated that the Star Rating of Mines will initiate a self-driven mechanism of compliance of all statutory provisions and incorporation of best practices in mining. The Ministry of Mines has initiated the process of evaluation of mines against the star rating of 1 to 5 based on performance assessment under various parameters prescribed under SDF for the FY 2015-16. The process of online filing of star rating template will be in place shortly and the mining lease holders will be required to fill up the evaluation template for star rating on self-certification basis after which assessment for performance would follow.

The Star Rating process of some mines, 3/4 number under each Regional Office of IBM, has already been completed.

Information Technology

The induction of Information Technology for ameliorating the governmental capacity in mineral administration has gained momentum. Some States have already introduced IT in their spheres of mineral administration, viz. Odisha, Rajasthan, Madhya Pradesh etc.

The Ministry of Mines is committed to establishing a Mining Tenement System (MTS), which would primarily involve automating the entire mineral concession life-cycle, starting from identification of area and ending with closure of the mine and connecting the various stakeholders for real-time transfer of electronic files and exchange of data. This shall enable effective management of mineral concession regime and transparency in mining operations, transportation of ore with the help of online electronic weighbridges and check-posts. The Mining Tenement System tender for selection of Implementation Agency is under finalisation.

Revision of Rates of Royalty

The rates of royalty and dead rent for major minerals (other than coal, lignite and sand for stowing) have been revised with effect from 1st September, 2014 which has been published in the Gazette of India vide Notification No.630(E) and 631(E) dated 1st September, 2014.

As a result of the revision of rates of royalty, the revenue from royalty from non-coal minerals to the State Government is expected to increase by about 40%.

Notification of 31 Minerals as Minor Minerals

Thirty-one minerals have been notified as minor minerals vide notification No.S.O.423(E) dated 10.02.2015. With this inclusion, a total of 55 minerals have been classified as minor minerals and placed under the administrative control of the respective State Governments.

Minor Mineral Rules

Pursuant to the Supreme Court judgement dated 27.02.2012 in Deepak Kumar's Case (AIR 2012 SC 1386), getting environment clearance from the MOEF under the Environment Protection Act, 1986, was made mandatory in respect of all minor minerals irrespective of the area of the mining lease. Consequently, the Ministry of Mines, Government of India prepared draft guidelines for mining of minor minerals which was circulated among the State Governments. The States have been requested to comply with in response to the directives issued by the Ministry of Mines, under Section 20A of the MMDR Act, 1957 to implement transparent modalities in awarding minor mineral concessions, especially in the light of the DO letter No.16/119/2015-M.VI/220 dated 24.11.2015 issued by the Ministry of Mines, Government of India to the State Chief Ministers.

Resolving Issues Concerning pending Mining Lease

The mining lease applications saved under Section 10A(2)(c) (prior approval granted in cases for mineral listed in 1st Schedule of the MMDR Act or LOI issued in cases for other major minerals) need to be granted subject to fulfilment of the conditions of the previous approval or of the Letter of Intent within a period of two years from the date of commencement of the said Act, which is upto 11.01.2017.

It has come to the notice of the Ministry of Mines that some of applications for the grant of ML which were considered under Section 10A(2)(c) of MMDR Act, 1957 are pending with State Governments for want of decisions. Some

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of them are also pending with the Ministry of Environment, Forest and Climate Change, Government of India for Environment/ Forest Clearances which form part of the conditions laid down in the prior approval/Letter of Intent issued by Central Government/State Government as the case may be. If these cases are not examined and finalised for appropriate action well before the prescribed time limit of 2 years from 12.01.2015 by the respective authority, they would suo moto lapse.

Meetings of the major-mineral-rich States was held on 10th May, 16th June & 20th June, 2016 reviewed the matter along with expenditure implications of such pending cases with a purpose to impress upon the State Governments and Ministry of Environment, Forest & Climate Change to expedite such cases before their lapsing date.

Skill Plan of the Ministry of Mines

The Ministry of Mines has prepared, to formulate a Skill Plan for the Mining Sector primarily prepared with a view to develop skilled workforce and nurture the human resource of skilled manpower required in the Mining Sector which could cater to the growing demands of the Indian Mining Industry in time to come. The key points are as under :-

- Job profiling and assessment to establish the current essential skill-levels of employees, and identifying further training that would be required to meet the Mining Industry goals.
- Designing and setting-up of training centres for workers.
- Developing capabilities for Mentorship-on-the-job workshops to improve communication and onsite training for workers, supervisors and companies.
- Designing and on-site delivery of workforce development programmes that which would ensure success in technical training and on-the-job performance.
- Tailor-mode skill training programme for workplace success.

Revised Export-Import Duty for Minerals/Ores

1) Basic Customs duty on silica sand (ITC (HS) Code No.25051011, 25051012 and 25051019) has been reduced from 5% to 2.5%.

2) Export duty on iron ore lumps (below 58% Fe content) (ITC (HS) Code No.26011121 and 2601 1122) has been reduced from 30% to nil while for iron ore fines (below 58% Fe content) (ITC (HS) Code No.2601 11 41 and 2601 11 42) has been reduced from 10% to nil.

3) Export duty on chromium ores and concentrates, all sorts [2610] has been reduced from 30% to nil.

4) Export duty on bauxite (natural), not calcined ITC (HS) Code No.26060010 and bauxite (natural) calcined ITC (HS) Code No.26060020 has been reduced from 20% to 15%.

LEGISLATION

The Central Government while bringing reforms in the Mining Sector and also to enforce the amendments suggested/made in the Mines and Minerals (Development and Regulation) Act, 1957 (in short 'MMDR Act, 1957) on 12.1.2015, has framed various Rules/passed Orders/Resolutions thereof, a gist of which is summarised as below:

MMDR Amendment Act, 2015

The MMDR Amendment Ordinance, 2015 was promulgated on 12th January, 2015 and later on passed by the Parliament with the aim to bring reforms in the Mineral Sector. The salient features of the MMDR Amendment Act, 2015 are as below:

(i) *Removal of Discretion, Auction to be Sole Method of Allotment* : The amendment seeks to bring in utmost transparency by introducing auction mechanism for grant of mineral concessions. The tenure of mineral leases has been increased from the existing 30 years to 50 years. Thereafter the mining lease would be put up for auction (no provision for renewal of leases).

(ii) *Impetus to the Mining Sector*: The Mining Industry in the recent past had been severely distressed by the pendency of second and subsequent renewals of mining leases. In fact, this has led to closure of a large number of mines. The Amendment Act in addressing this issue provided leeway for such cases by stating that mining leases would be deemed to be extended

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from the date of their last renewal to 31st March, 2030 (in the case of captive mines) and till 31st March, 2020 (for the merchant miners/non-captive mines) or till the completion of the renewal already granted, if any, or a period of fifty years from the date of grant of such lease, whichever is later. It is expected that this would immediately permit such closed mines to start their operations.

(iii) *Safeguarding Interest of Affected Persons:* There is a provision to establish District Mineral Foundation in the districts affected by mining-related activities. This is designed to address the long-time grievances of the civil society which was that the people affected by mining are not cared for and are not adequately rehabilitated. The funds collected by DMF will be utilised for the welfare of affected persons/ areas on account of mining activities.

(iv) *Encouraging Exploration and Investment:* The Amendment Act proposes to set up a National Mineral Exploration Trust created out of contributions from the mining lease holders, in order to have a dedicated fund for encouraging exploration in the country. In addition, transfer of mineral concessions granted through auction will be permitted in order to encourage investment to the sector and increasing efficiency in mining.

(v) *Simplification of Procedure and Removal of Delay:* The amendment removes the need for “previous approval” from the Central Government for grant of mineral concessions in respect of minerals in Part C of First Schedule to the said Act, thereby making the process quicker and simpler. Similarly, the State Governments will devise a system for filling of a mining plan obviating the need for prior approval of the mining plans by the Central Government. The Central Government will have powers to intervene where State Governments do not pass orders within the prescribed time. This will eliminate delay.

(vi) *Stronger Provisions for Checking Illegal Mining:* In order to address the serious problem of illegal mining, the penal provisions have been made further stringent by prescribing higher penalties up to 5 lakh rupees per hectare and imprisonment up to 5 years. State Governments could now set up Special Courts for speedy trial

of offences that are made in contravention of the provision of the Act.

Further, to give boost to the Mining Sector and to give effect to/ to enforce the MMDR Amendment Act, 2015, the Central Government has framed the following Rules /Policy/made amendments.

The Minerals (Evidence of Mineral Contents) Rules, 2015

The Central Government, Ministry of Mines by exercising the powers conferred under Section 13 of the MMDR Act, 1957, framed the Minerals (Evidence of Mineral Contents) Rules, 2015 and notified the same vide Notification No. G.S.R.304(E) dated 17th April, 2015. The significant provisions of the abovesaid Rules are:

- Determination of existence of mineral contents;
- Existence of mineral contents for auction of mining lease;
- Existence of mineral contents for grant of composite licence;
- Power of relaxation;

The Mineral (Auction) Rules, 2015

The Central Government, Ministry of Mines by exercising the powers conferred under Section 13 of the MMDR Act, 1957, framed the Mineral (Auction), Rules, 2015, and notified the same vide Notification No.G.S.R. 406(E) dated 20th May, 2015. In the said Rules, provisions were made for prerequisites for auction of mining lease, eligibility criteria for mining lease, electronic auction, bidding process, grant of mining lease, upfront payment for mining lease, grant of composite licence, etc.

The Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015

The Ministry of Mines by exercising the powers conferred under Section 9B(5) and (6) of the MMDR Act, 1957, framed the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015 and notified the same vide Notification No.G.S.R.715(E) dated 17.1.2015. These Rules came into force from 12.1.2015. The Central Government has framed the above said Rules for specifying the amount to be paid by holder of a mining lease or a prospecting licence-

cum-mining lease, in addition to the royalty, to the District Mineral Foundation of the district established by the concerned State Government.

Mineral (Non-Exclusive Reconnaissance Permits) Rules, 2015

The Central Government, Ministry of Mines by exercising the powers conferred under Section 13(2)(qqh) (read with Section 10C) of the MMDR Act, 1957, framed the Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015, and notified the same vide Notification No.G.S.R.516(E) dated 29.6.2015. In the said Rules, procedure is laid down for grant of non-exclusive reconnaissance permits.

The National Mineral Exploration Trust Rules, 2015

The Central Government, Ministry of Mines by exercising the powers conferred under Sub-sections (2), (3) and (4) of Section 9C and Section 13 of the MMDR Act, 1957, framed the National Mineral Exploration Trust Rules, 2015, and notified the same vide Notification No.G.S.R.632(E) dated 14.8.2015.

In the above said Rules provisions were made for definitions for 'Chairperson, Executive Committee' 'Chairperson, Governing Body' Executive Committee; Fund; 'Member, Executive Committee' 'Member, Governing Body' obvious geological potential areas, Trust ; etc. Procedure prescribed for the functions of the Governing Body and the Executive Committee; functions of the Trust; management of the Trust; meetings of the Governing Body, meeting of the Executive Committee; quorum for meeting; annual plan; annual budget; annual report; etc.

In addition to the above Rules, the Ministry of Mines vide Notification No.35/3/2015-M.III dated 09.12.2015 constituted the **Advisory Board for Indian Bureau of Mines** in order to provide appropriate advice to the Government with a purpose to equip IBM for its functioning in the new scenario.

The Central Government, Ministry of Mines by exercising the powers conferred under Section 13 of the MMDR Act, 1957, framed the **Mineral (Mining by Government Company) Rules, 2015,**

and notified the same vide Notification No.G.S.R.927(E) dated 03.12.2015. In these Rules, provisions were made for period of mining lease granted to Government companies or corporations before on or, after 12th January, 2015 and payments by a Government company or corporation under Sub-section 2C of Section 17A of the above said Act.

Further, the Central Government, Ministry of Mines by exercising the powers conferred under Section 13 of the MMDR Act, framed **the Minerals (other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 and notified the same vide Notification No.279(E) dated 4.3.2016.** In these Rules, provisions were made for rights of existing holders of mineral concessions; mineral concessions granted through auction; terms and conditions of mineral concessions; preparation of the mining plan and system of certification; expiry of a mining lease, lapse, surrender or termination, transfers; procedure for obtaining a prospecting licence or mining lease in respect of land in which the minerals vest in a person other than the Government. Besides, provisions for revision, associated minerals, minerals valuation, payments, compensation, penalty, repeal and saving, miscellaneous have been laid out along with annexation of 11 Schedules therewith.

Further, Ministry of Mines, Indian Bureau of Mines by exercising the powers conferred under Rule 62 of Mineral Concession and Development Rules, 1988 and in partial modification to the Notification No.T-43010/CGBM/97 dated 19.2.1998, fixed the territorial jurisdiction of the Controller of Mines (Central Zone), Regional Controller of Mines, Nagpur Region, Regional Controller of Mines, Raipur Region and Regional Controller of Mines, Jabalpur Region.

Further, the Central Government, Ministry of Mines by exercising the powers conferred under Section 18 of the MMDR Act, 1957 suggested/ made the amendments in Rule 45 of the Mineral Conservation and Development Rules, 1988 vide Notification No.G.S.R.430(E) dated 19.01.2016.

Further, Ministry of Mines vide Resolution No.11/52/2010 (Pt.3) dated 29.4.2016 has

suggested/ made certain changes in the composition of the Geoscience Advisory Council (GAC).

Further, Ministry of Mines, Indian Bureau of Mines by exercising the powers conferred under Section 5(2)(b) of the MMDR Act, 1957 read with Rule 16(2) of Minerals (other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016, issued Order No.S.O.1856(E) dated 18.5.2016 and stated /declared therein that Mining Plan document accompanied by a non-refundable fee of ₹ 25000/- (Rupees Twenty five thousand only) per sq.km or part thereof shall be submitted to the Indian Bureau of Mines for approval.

Further, Ministry of Mines, Indian Bureau of Mines by exercising the powers conferred under Section 5(2)(b) of the MMDR Act, 1957 read with Rule 13(1)(a) of Minerals (other than Atomic and Hydrocarbons Energy Minerals) Concession Rules, 2016 issued Order No.S.O.1857(E) dated 18.5.2016 and stated therein that the Regional Controller of Mines & Deputy Controller of Mines, Incharge of the Regional Offices/sub-Regional Offices of Mineral Development and Regulation Division of IBM to exercise the powers specified under Rule 16 and 17 of the abovesaid Rules, for approval of Mining Plans.

Further, the Central Government Ministry of Mines by exercising the powers conferred under Section 13(2)(qqja) and proviso to Section 12A(6) of the MMDR Act, 1957 framed **the Minerals (Transfer of Mining Lease Granted Otherwise than through Auction for Captive Purpose) Rules, 2016** and notified the same vide Notification No.G.S.R.560(E) dated 30.5.2016. In the said Rules, provisions were made for conditions for transfer, transfer of mining lease, transfer charges and other payments, along with Schedule I (format of application for transfer of mining lease), Schedule II (format of bank guarantee for performance security and Schedule III (format of deed for transfer of mining lease) annexed therewith.

Further, Ministry of Mines, Indian Bureau of Mines vide Order No.S.O.2324(E) dated 30.6.2016 declared the annulment of the Notification issued vide S.O.1341(E) dated 7.6.2010 with immediate effect and further stated that all subsequent actions undertaken for grant of the 62 exploration licences shall stand rescinded.

Further, Ministry of Mines notified National Mineral Exploration Policy (for Non-fuel and Non-coal Minerals) vide Notification No.11(42)2015-M.I. dated 13.7.2016. In the scope of the policy, 'the **National Mineral Exploration Policy (NMEP)** document spells out the strategy and outlines the action plan that the Government will adopt to ensure comprehensive exploration of country's mineral resources (non-fuel and non-coal)'. The provisions/concepts such as recent policy initiatives, new exploration strategy, offshore mapping and exploration, national geoscience data repository, concealed mineral deposits, prioritisation of regional and detailed exploration, Private Sector participation in exploration, ore beneficiation, role of State Governments and Public Sector undertakings, etc. are enshrined in the said Policy.

Atomic Mineral Concession Rules, 2016

In exercise of the powers conferred by Section 11B of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government has formulated the rules to be placed under the Atomic Mineral Concession Rules, 2016 and notified the same vide notification No.G.S.R.677(E) dated 11.07.2016. These rules shall apply only to mineral concessions relating to Atomic Minerals occurring as such or in association with one or more other minerals, provided the grade of such atomic mineral is equal to or more than threshold value. It includes chapters on discovery and grant of mineral concessions; mining plan for atomic minerals; terms and conditions of a mining lease; lapse, surrender and termination; compensation; payments; revision and penalty etc. It also includes schedules for particulars of threshold value for atomic minerals; parameters for establishing the existence of mineralization for atomic minerals; format of bank guarantee for performance security; format of mining lease deed; format of application for revision or passing of order; notice of change in particular and register of mining leases.

Further, the Central Government Ministry of Mines by exercising the powers conferred under Section 11C of the MMDR Act, 1957, amended the First Schedule of the said Act and notified the same vide Notification No.S.O.2356(E) dated 11.7.2016, wherein after entry 11 of the Part B of the First Schedule, entry 12 for beach sand minerals has been inserted. It is mentioned therein that beach sand minerals include ilmenite, rutile, leucoxene, garnet, monazite, zircon and sillimanite.

