



Indian Minerals Yearbook 2020 (Part- I : General Reviews)

59th Edition

MINERAL POLICY & LEGISLATION

(ADVANCE RELEASE)

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

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POLICY

1. National Mineral Policy 2019

National Mineral Policy, 2019 has been approved by the Union Cabinet on 28th February, 2019.

Objective

The aim of National Mineral Policy 2019 is to have a more effective, meaningful and implementable policy that brings in further transparency, better regulation and enforcement, balanced social and economic growth as well as sustainable mining practices.

Details

The National Mineral Policy, 2019 includes provisions which will give boost to Mining Sector such as:

- introduction of Right of First Refusal for RP/PL holders;
- encouraging the Private Sector to take up exploration;
- auctioning in virgin areas for composite RP-cum-PL-cum-ML on revenue share basis;
- encouragement of merger and acquisition of mining entities;
- transfer of mining leases and creation of dedicated mineral corridors to boost Private Sector mining areas;
- proposes to grant status of industry to mining activity to boost financing of mining for Private Sector and for acquisitions of mineral assets in other countries by Private Sector;
- proposes to auction mineral blocks with pre embedded clearances to give fillip to auction process; and
- proposes to make efforts to harmonise taxes, levies & royalty with world benchmarks to help Private Sector.

2. Setting up of Dedicated Mineral Rail Corridors

The National Mineral Policy 2019, inter alia, provides that dedicated mineral corridors shall be planned to facilitate transport of minerals from mining areas in hinterland along with encouraging the local evacuation networks to be built in an integrated manner.

Ministry of Railways has sanctioned construction of two dedicated freight corridors (DFC), i.e, Eastern

and Western DFCs. Further, MoR has decided to prepare Detailed Project Report (DPR) for the following three new Dedicated Freight Corridors:

- (a) East Coast Corridor (Kharagpur to Vijayawada: 1115 KM)
- (b) East-West Sub-corridor
 - (i) (Palghar-Bhusawal-Nagpur-Kharagpur-Dankuni : 2163 KM and
 - (ii) Rajkharsawan-Kalipahari-Andal : 195 KM)
- (c) North-South Sub-corridor (Vijayawada-Nagpur-Itarsi : 975 KM)

3. Odisha Artisan Grade Stone Policy, 2021

Odisha, being a cultural rich state, has always been appreciated across the world for its rich art, cultural and artistic inheritance. In order to continue the trend, State Government, with a vision to ease out the supply of stones to artisans of the State, have decided to formulate Odisha Artisan Grade Stone Policy, 2021. This policy will ensure Demand-Supply Estimation; Identification of Stone source; Extraction and supply of stone to artisan users of different categories like individuals, groups, co-operatives; and monitoring and supervision of stone supply to users & actual utilisation by them. Besides, this policy will also prevent illegal artisan grade stone mining and motivate the artisan to continue their tradition in the State.

4. Policy for Long-term Ore Linkage

With a view to supply raw material to the state-based end user industries, the State Government of Odisha has promulgated Policy for long-term ore linkage to those industries through OMC Ltd vide Notification No.1462/SM dated 17.09.2014 as amended from time to time.

In order to further streamline the implementation of the said policy, the cabinet approved the following amendments to the said policy.

(i) Long-term Linkage (LTL) buyers of OMC who are willing to invest in mechanised ore evacuation system would be permitted LTL linkage for duration of more than five years. This will facilitate ramping up of production by the OMC.

(ii) Lessees having chrome ore leases will not be allowed to participate in the national e-auction. This will help in discovery of fair market price of chrome ore, a scarce raw material.

LEGISLATION

Notifications

Important Notifications notified/issued during the period under review are furnished below:

Ministry of Mines

A. Notification No. G.S.R. 195 (E) dated the 17th March, 2021 reads in exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely

1. Short title and commencement (1) These rules may be called the Mineral (Auction) Amendment Rules, 2021.

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

2. In the Mineral (Auction) Rules, 2015 (hereinafter referred to as the said rules), in Rule 9, in Sub rule (2) — (i) in Clause (a), the word “and” occurring at the end shall be omitted; (ii) in Clause (b), for the words “not owned by the State Government”, the words “not owned by the State Government; and” shall be substituted;

(iii) after Clause (b), the following clause shall be inserted, namely — “(c) the scheduled date of commencement of production in case of auction of mining lease in respect of an area having existence of mineral contents established in accordance with Rule 5 of the Minerals (Evidence of Mineral Contents) Rules, 2015.

3. In Rule 13 of the said rules, in Sub-rule (2), the following proviso shall be inserted, namely, “Provided that in case of auction of mining lease in respect of an area having existence of mineral contents established in accordance with Rule 5 of the Minerals (Evidence of Mineral Contents) Rules, 2015, the lessee shall pay only fifty per cent of the amount quoted under Rule 8, for the quantity of mineral produced and dispatched earlier than the scheduled date of commencement of production as given in the tender document; Provided further that for such quantity of mineral produced and dispatched, other payments as specified in Sub-rules (1), (3) and (4) shall be payable in full and the successful bidder shall obtain all necessary approvals, permissions, licences and the like as may

be required under any law for the time being in force for starting early production. Explanation — For the purposes of this sub-rule, it is clarified that the incentive specified in the first proviso on payment of amount quoted under Rule 8 shall be applicable on the quantity of mineral produced and dispatched between actual date and the scheduled date of commencement of production”.

B. Notification No. G.S.R. 254 (E) dated the 8th April, 2021 reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, namely, — 1. (1) These rules may be called the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Second Amendment) Rules, 2021. (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, in Rule 44, after Clause (i), the following proviso shall be inserted, namely:— “Provided that in respect of metals for which London Metal Exchange does not publish the daily settlement price, the monthly average price for that metal published by London Metal Exchange shall be multiplied by monthly average of reference rate for the currency in which the price is obtained.”

C. Notification No. G.S.R. 421 (E) dated the 18th June, 2021, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules to amend the Minerals (Evidence of Mineral Contents) Rules, 2015, namely, — 1. (1) These rules may be called the Minerals (Evidence of Mineral Contents) Amendment Rules, 2021. (2) They shall come into force on the date of their publication in the Official Gazette.

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

3. In the said rules, in Rule 3, — (i) Clause (b) shall be omitted; (ii) in Clause (d), the word and figure “Rule 4,” shall be omitted.

4. In the said rules, Rule 4 shall be omitted. 5. In the said rules, in Rule 5,— (i) in the marginal heading, after the words “Existence of mineral contents”, the words, brackets, letter and figures “for grant of mining lease under Clause (a) of sub-section (2) of Section 5 and” shall be inserted; (ii) in the opening portion, after the words “ contents under”, te words, brackets, letter and figures “Clause (a) of sub-section (2) of Section 5 and” shall be inserted; (iii) after Clause (b), the following proviso shall be inserted, namely,— “provided that for the minerals specified in Schedule-II occurring in such type of deposits as specific therein, the existence of mineral contents for the purpose of auction shall be deemed to have been established under this rule, if, in respect of such area — (a) at least Preliminary Exploration (G3) has been completed to establish Inferred Mineral Resource (333), which shall be considered akin to Indicated Mineral Resource (332), and (b) a geological study report has been prepared conforming to Part IV of Schedule-I.” 6. In the said rules, in Rule 6 — (a) in the marginal heading after the word “surrendered,” the word “terminated,” shall be inserted; (b) in clause (b), after the word “surrendered,” the word “terminated,” shall be inserted; (c) the following proviso shall be inserted, namely, — “Provided that detailed reassessment of resources shall not be required to be carried out in cases where the estimate of Mineral Resource required for auction can be assessed on the basis of the available report of exploration or geological study report or last approved mining plan for the said area, after adjusting for the mineral already produced from the mine.” 7. In the said rules, in Rule 7— (a) in Sub-rule (1), for Clause (a), the following clause shall be substituted, namely, —“(a) at least Reconnaissance Survey (G4) has been completed to estimate Reconnaissance Mineral Resource (334) or mineral potentiality of the block has been identified based on the available geoscience data but resources are yet to be established; and”; (b) for Sub-ule (2), the following sub-rule shall be substituted, namely, —“(2) On completion of prospecting operations under Sub-section (10) of Section 11 of the Act, Geological Study Report shall be prepared in accordance with the parameters specified in Rule 5, which shall include at least a Pre-Feasibility Study Report to establish

Probable Mineral Reserve (121 and 122) conforming to Part V of Schedule-I.”.

8. In the said rules, in Schedule-I — (a) for Part I, the following Part shall be substituted, namely, — “PART I DEFINITIONS 1. The definitions and codes used in this Part are drawn mainly from the United Nations Framework Classification (UNFC) and Committee for Mineral Reserves International Reporting Standards (CRIRSCO) Template and have been suitably modified to suit the needs of the country. (a) Definition of stages of exploration: The exploration for any mineral deposit involves four stages, namely, Reconnaissance Survey (G4), Preliminary Exploration (G3), General Exploration (G2) and Detailed Exploration (G1) and these stages of exploration lead to four resource categories, namely, Reconnaissance Mineral Resource, Inferred Mineral Resource, Indicated reflecting the degree of geological assurance, which are explained as follows:

1 Reconnaissance Survey (exploration) (G4) Quantity with grade estimated mostly based on indirect evidences

Reconnaissance Survey (G4) identifies areas of enhanced mineral potential based primarily on results of regional geological studies, regional geological traverses and mapping, airborne geophysical survey, remote sensing or satellite data study; identifying the mineralised zones through spectral signatures; combination of geophysical surveys like ground gravity and magnetic, Resistivity

surveys, Induced Potential (IP) surveys and other such advanced techniques; geochemical study and other indirect methods as well as geological inference and extrapolation; delineation of mineralised area boundaries and surface contouring by Lidar and Drone surveys and sampling data from existing pits, old workings, nala cuttings, dug wells etc., and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may be used for assessment of resources, if possible. Limited ground truthing by means of few drill-holes, as may be required, may be carried out to substantiate the information so collected and assess the quantity and grade of resources, if any.2

2 Preliminary Exploration (G3) Quantity with grade estimated with low level of confidence

(1) Preliminary Exploration involves the initial

delineation of an identified mineral deposit area of previous stage by furthering the exploration to extend and identify both laterally and vertically down (third dimension) of the ore body. The methods utilised are outcrop identification, surface geological mapping, and indirect methods such as geophysical and geochemical studies or mapping on appropriate scale based on nature of mineralisation. Limited wide spaced pitting or trenching and drilling to ensure maximum core recovery depending on the geological formation with appropriate spacing to understand nature, style and control of mineralisation followed by systematic sampling to identify a deposit, which will be the target for further exploration. (2) Estimates of quantities are inferred, based on interpretation of geological, geophysical, geochemical and geo-technical investigation results. Certain degree of extrapolation beyond the normal sample spacing may be allowed with proper justification depending upon the style and mode of occurrence of a mineral deposit.

3 General Exploration (G2) Quantity with grade estimated with moderate level of confidence

General Exploration involves increasing the geological confidence level and understanding style and mode of occurrence of mineralisation. Methods used include surface geological mapping (if not done in the previous stage of exploration), pitting or trenching or drilling (appropriate spacing closer than the previous stage, according to nature of mineralisation), followed by sampling for evaluation of mineral quantity and quality (including beneficiation tests on laboratory scale if required). The objective to establish the main geological features of a deposit, giving a reasonable indication of continuity along lateral and vertical (third dimension) extensions which provide an initial estimate of size, shape, structure of mineralised zone, quantity and grade of the mineral deposit.

4 Detailed Exploration (G1) Quantity with grade estimated with high level of confidence

Detailed Exploration involves the detailed three-dimensional delineation of a known mineral deposit achieved through sampling, such as, from outcrops, pits, trenches, boreholes, shafts and tunnels etc. Sampling locations are closely spaced such that size, shape, structure, quantity, grade and other relevant characteristics of the deposit are established with a high degree of accuracy. Bench-scale beneficiation tests

involving bulk sampling may be required conducted in certain cases to understand the recovery and presence of any additional by-products.

(b) Definition of stages of feasibility study:

1 Geological Study (F3)

A geological study involves reporting of all the exploration activities undertaken during each stage of exploration including the assessment of the mineral resources with quantity and grade. A preliminary economic evaluation of the deposit should be done based on the gathered field data and a comparison with the similar deposits already in operation. This is achieved by applying meaningful threshold values, cut off values for grade, thickness and depth of the mineralised zone.

(ii) Pre-Feasibility Study (F2)

Pre-Feasibility Study is the study to demonstrate the possible techno-economic and socio-environmental viability of a mineral deposit through application of various modifying factors wherein a preferred mining method has been ascertained including the mineral beneficiation method, if any. The study shall also include a preliminary financial analysis based on reasonable assumptions on the applicable modifying factors and the evaluation of any other relevant factors which are sufficient to convert all or part of the resources to reserves. The study should lead to part or whole of the Mineral Resource being converted to Mineral Reserve. A Pre-Feasibility Study has a lower confidence level than a Feasibility Study (wherein the cost estimates of the project will have +30% degree of accuracy).

(iii) Feasibility Study (F1)

Feasibility Study is a detailed comprehensive techno-economic and socio-environmental evaluation of a mineral deposit through application of various modifying factors to establish the technical feasibility, economic and financial viability of a mineral deposit. At this stage the preferred mining method, beneficiation technology of the deposit has been adequately established with detailed assessments of the applicable modifying factors, relevant operational factors and detailed financial analysis to demonstrate that extraction is reasonably justified. It is expected that all Governmental clearances to start mining operations are

already in place and where such clearances have not been obtained on the date of commencement of the Minerals (Evidence of Mineral Contents) Amendment Rules, 2021, the same shall be obtained in due course. The study may lead to part or whole of the Mineral Resource being converted to Mineral Reserve. The result of the study may reasonably serve as a basis for final decision by a proponent or financial institution to proceed with or finance the development of the project. (wherein the cost estimates of the project will have +20% degree of accuracy)

4 Modifying Factors

Modifying Factors are those factors which are taken into consideration while conducting a Prefeasibility or feasibility study so as to convert mineral resources to mineral reserves. These include, but are not limited to, mining, processing, end use, cut-off grade, threshold value, metallurgical, infrastructure, economic, marketing, legal, environmental, social and Governmental factors.

(c) Definition of stages of economic viability:

(i) Intrinsically Economic (E3); Quantities, reported in tonnes or volume with grade or quality, estimated by means of a Geological Study identified to be of intrinsic economic interest, implying that the resources identified may or may not have any immediate economic value. The economic viability of the resources is further ascertained through a prefeasibility or feasibility study by application of appropriate modifying factors. The classes defined are Measured, Indicated, Inferred and Reconnaissance Mineral Resources.

(ii) Potentially Economic (E2)

Quantities with grade reported by means of a Prefeasibility or Feasibility Study in order of increasing accuracy, not justifying extraction under the prevailing technological, economic, environmental and other relevant conditions, realistically assumed at the time of the determination, but possibly so in the future. The classes defined as per the mineral resources for which are Prefeasibility Mineral Resources and Feasibility Mineral Resources, including only Indicated and Measured resources.

(iii) Economic (E1)

Quantities with grade identified on the basis of a Prefeasibility or Feasibility Study in order of increasing accuracy that justify extraction under the prevailing techno-economic, socio-environmental and other

relevant conditions, realistically assumed at the time of the determination. The classes defined are Proved and Probable Mineral Reserves.

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

Mineral Resource is a concentration or occurrence of solid material in or on the earth's surface for which quantities with grade or quality have been estimated based on certain geological considerations and understanding which may or may not have any immediate or near-term economic value but are assessed for their future prospective value.

(ii) Reconnaissance Mineral Resource (334); Mineral Resource (334) are estimates of quantity and grade based on indirect evidences including data and information generated through a reconnaissance survey, limited surface and sub-surface sampling data from within the exploration block or data extrapolated from nearby mining or explored areas as may be required. The quantity and grade estimates have a lower level of confidence than that of inferred mineral resources.

(iii) Inferred Mineral Resource (333);

(1) Inferred mineral resource is the quantity with grade associated with a mineral deposit which can be estimated with a low level of confidence. (2) This is achieved through application of appropriate exploration techniques involving widely-spaced drilling, pitting, trenching etc. followed by appropriate sampling and analysis to assume geological continuity of the mineralised body, both laterally and vertically. Certain level of extrapolation beyond the sampling points may be allowed with suitable justification depending upon the type of deposit and its mode of occurrence. (3) This resource cannot be converted to mineral reserve but may be upgraded to Indicated mineral resource with additional information.

(iv) Indicated Mineral Resource (332);

(1) Indicated mineral resource is the quantity with grade associated with a mineral deposit which can be estimated with a moderate level of confidence. (2) This is achieved through application of appropriate exploration techniques involving close-spaced drilling than the previous stage, pitting, trenching, etc., having spacing wider than that required for estimation of Measured resources which ensures assumption of the geological continuity of the mineralised body both laterally and vertically. This also includes laboratory-scale beneficiation studies to understand the recovery

and by-products, if any. (3) Indicated Mineral Resource may be wholly or partly converted to Probable Mineral Reserve through a prefeasibility study.

(v) Measured Mineral Resource (331):

(1) Measured mineral resource is the quantity with grade associated with a mineral deposit which can be estimated with a very high level of geological confidence. (2) This is achieved through application of appropriate exploration techniques involving sufficiently close spaced drilling, pitting, trenching etc. followed by appropriate sampling and analysis to ensure geological continuity of the mineralised body both laterally and vertically. Bench- scale beneficiation studies to confirm the percentage recoverability with additional minerals, if any, recovered.

(3) Measured Mineral Resource may be wholly or partly converted to Proved or Probable Mineral Reserve through a feasibility or a prefeasibility study.

(vi) Mineral Reserve:

Mineral Reserve is the economically mineable part of a Measured and/or Indicated Mineral Resource. It includes diluting materials and allowances for losses, which may occur when the material is mined or extracted. The quantity and grade of the mineral Reserves is ascertained through suitable prefeasibility or feasibility study by application of appropriate Modifying Factors.

(vii) Proved Mineral Reserve (111)

Proved mineral reserve is economically mineable part of a Measured Mineral Resource. The quantity with grade is demonstrated to be economically mineable by means of a feasibility study. Proved Mineral Reserve implies a high degree of confidence in the Modifying Factors.

(viii) Probable Mineral Reserve (121 and 122):

(1) Probable mineral reserve is the economically mineable part of an Indicated, and in some circumstances, a Measured Mineral Resource. The quantity with grade is demonstrated to be economically mineable by means of a prefeasibility study. (2) The confidence in the Modifying Factors Probable Mineral Reserve is lower than that applying to a Proved Mineral Reserve.

(ix) Feasibility Mineral Resource (211):

Feasibility Mineral Resource is that part of Measured Mineral Resource which is not economically mineable and has been defined by studies at feasibility level as appropriate that extraction is presently not justified. This material is identified as being possibly economically viable subject to changes in technological,

economic and environmental or other relevant conditions.

(x) Pre-Feasibility Mineral Resource (221 and 222):

Pre-feasibility Mineral Resource is that part of an Indicated mineral resource, and in some circumstances Measured Mineral Resource, which is not economically mineable and has been defined by studies at Pre-feasibility level as not appropriate for extraction at present. This material is identified as being possibly economically viable subject to changes in technological, economic, and environmental and/or other relevant conditions.”; (b) in Part II, in the table, —

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

(ii) in Serial Number 4, after the first paragraph, the following paragraph shall be inserted, namely, — “For Reconnaissance Survey (G4) stage sampling data from existing pits, old workings, nala cuttings, dug wells, etc., and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may be used for assessment of resources, if possible.”; (c) in Part III, in the table, in Serial Number I,—(i) in Column (3) relating to ‘G3 stage’, after the words ‘irregular habit’ occurring at the end, the following shall be inserted, namely, — “Provided that for deposits specified in Schedule II, 3 bore-holes drilled so as to form a polygon in blocks of less than 100 hectares and 5 bore holes in blocks of more than 100 hectares may be sufficient. The lateral influence beyond the bore-hole spacing may be limited to a maximum of 50 per cent of the spacing depending on the results of surface geological mapping.”; (ii) in Column (6) relating to ‘Remarks’, before the words “for shallow surficial deposits”, the following paragraph shall be inserted, namely, — “For G4 and G3 stages, sampling data from existing pits, old workings, nala cuttings, dug wells, etc., within the block and also sampling data extrapolated from nearby mining lease areas or explored blocks having similar surface geological features may also be used for assessment of resources if possible.”; (d) for Part IV-A in the table, the following Part shall be substituted, namely, — “PART IV-A REPORTING OF MINERAL RESOURCES

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

1. A Geological Study Report for estimation and reporting of Mineral Resources integrating all data of exploration, sampling and testing generated through geophysical (aerial and ground), geochemical, geological surveys and technological study shall be undertaken for every stage of exploration, i.e., from G4 to G1 for assessing the resources.

2. Mineral resource assessment is normally a collective effort involving a multidisciplinary approach. It is expected that individuals/ subject matter experts involved in each part of the report preparation are given due credit for that part with proper acknowledgement in the report and also, they are willing to take due responsibility regarding the accuracy and authenticity of that part. However, the final responsibility of the report shall lie with the lead expert or a group of experts who, after proper due diligence of all the parts of the report have arrived at the final estimation of the resources and reserves and are convinced about the methodology and processes followed in arriving at the resource estimates. These experts taking the final responsibility for the report shall be referred to as the qualified persons and shall certify the report by signing off the report with their credentials. Criteria with parameters of reporting

1. Executive Summary

i The executive summary shall include details about the location of the mineral deposit, purpose of the mineral investigation and the stage of the exploration, brief geology, mineralisation, exploration plan with spacing of the sample points, depth of exploration and whether the mineralisation extends beyond the depth of direct evidence. Outcome of the exploration studies including the quantity of resources identified with grade and quality under various classes.

ii The summary shall also include observation on the issues regarding the future plan or strategy for the deposit including likely mineability of the deposit based on present technological, environmental, social and market conditions.

2. Details of the Qualified Person (s) / Exploration Agency (To be provided separately for all the qualified persons signing off the report)

i

(a) Name:

(b) Address:

(c) Contact Mobile No:

(d) E-Mail id:

(e) Qualification:

(f) Experience:

(g) Affiliation to any organisation/ company, if yes, specify the name of the organisation or company:

ii Details of qualification and experience of persons associated with various aspects of exploration assessment of resources and reserves

3. Title and ownership

i Name of the explorer/ Mining or prospecting rights holder: Address: Telephone No: E-Mail id.:

ii Details of period of prospecting/mineral right if any:

In case of a licence or lease: (a) Date of grant: (b) Date of execution: (c) Period of licence or lease: (d) Date of completion:

4. Details of the Area Under Study

(i) Village, District, State (ii) Survey of India Toposheet No., Differential Global Positioning System (DGPS) coordinates of all corner points of the area and borehole points in latitude and longitude (Degree Minutes Second) format WGS-84 Datum (iii) Cadastral details of the area with land use, area under forest with type of forest. In case the cadastral details are not available an indicative data of breakup of government, private and forest land (iv) Mineral(s) under investigation or granted under licence or lease

5. Physiography and environment

(Data to be furnished up to five km radius from the peripheral boundary of project area in case of G3, G2 and G1 stage of exploration) (i) Relief of the area with minimum and maximum elevation, drainage pattern, natural water courses, reservoirs, etc.

(ii) Roads, railway track, electric transmission line, telephone line, etc., passing through the area or nearby;

(iii) Host population (local tribes), Human settlements within and nearby the area;

(iv) Socio demographic profile of the area and nearby;

(v) Historical sites and archaeological monuments, places of worship, public utilities etc. within or near by;

(vi) Forests, sanctuaries, national park and wild life sanctuaries; grazing land and gochar land within or

near by the area with distance from periphery of the area explored;

(vii) Flora and Fauna within and nearby;

(viii) Water bodies, such as, river, nala, stream, reservoir, etc., within or nearby;

(ix) Climatic conditions:

(a) Temperature (annual) min. ____ max. ____ Avg. ____

(b) Rain fall (annual) min. ____ max. ____ Avg. ____

(c) Humidity (annual) min. ____ max. ____ Avg. ____

(x) Any other physiographic, social and environmental factor having potential to affect the viability of the project and assessment of resources and reserves.

6. Infrastructure Local infrastructure

with roads, railways, port facilities, electricity, water etc. with distance from the area. Details of nearby industries in the area which may use the mineral commodity likely to be mined

7. Geology

(i) Brief regional geology of the area outlining the broad geological, stratigraphical and structural framework. (ii) Local geological setting detailing the common rock types, controls of mineralisation, details of old workings, if any, surface exposures, etc., of the area under study also of adjoining nearby areas, if the information is likely to have an impact on the area under study. (iii) Structural details of the area, such as, dip, strike, folds, faults, etc. (iv) A discussion on the type of the deposit based on the style of mineralisation and minerals under investigation. Suggested exploration plan with spacing of the sampling points and depth of exploration commensurate with the stage of exploration. (v) The extent and variability of the mineralisation expressed as length (in meter) (along strike or otherwise), plan width, and depth below surface to the upper and lower limits of the Mineral Resource.

8. Previous Exploration

(i) Name and address of prospecting agency or permit holder or licensee involved in the exploration of the area with year and period of exploration (if more than one agency is involved details to be given separately for each agency)

(ii) Brief details of the exploration carried out (to be given separately for each agency)

(iii) Reserves or resources estimated, if any, during the previous exploration campaign with

quantity and grade under various categories

9. Aerial or ground geophysical or geochemical data

details of aerial, ground geophysical and geochemical survey taken up and their results.

10. Exploration undertaken during current investigation

(i) Details of pitting, trenching, drilling, etc., with spacing and distribution of the sample points along with geographical co-ordinates.

(ii) Data spacing for reporting of exploration results:

Whether the data spacing and distribution is sufficient to establish the degree of geological and grade continuity appropriate for the mineral resource estimation procedure (s) and classifications applied.

11. Location of data point

(i) Accuracy and quality of surveys used to locate drill holes (collar and down-hole surveys, azimuth, inclination, coordinates of boreholes etc.), trenches, mine workings and other locations used in mineral resource estimation. (ii) Quality and adequacy of topographic control.

12. Sampling technique

Nature and quality of sampling (eg. cut channels, random chips, etc.) and measures taken to ensure sample representation.

13. Drilling technique and drill sampling employed

(i) Drill type (eg. core, reverse circulation, open-hole hammer, rotary air blast, auger, Bangka, sonic, etc.) and details (eg. core diameter, triple or standard tube).

(ii) Whether core and chip sample recoveries have been properly recorded and results assessed.

(iii) Measures taken to maximise sample recovery and ensure representative nature of the samples.

(iv) Whether a relationship exists between sample recovery and grade and whether sample bias could have occurred due to preferential loss or gain of fine or coarse material.

(v) Logging: Whether core and chip samples have been logged to a level of detail to support appropriate Mineral Resource estimation, mining studies and metallurgical studies.

(vi) Discussion on the analysis results of handheld X-ray fluorescence (XRF), if used in the investigation.

14. Sub-sampling techniques and sample preparation

- (i) If core, whether cut or sawn and whether quarter, half or all core taken.
- (ii) (a) If non-core, whether riffled, tube sampled, rotary split, etc., and whether sampled wet or dry.
- (b) For all sample types, the nature, quality and appropriateness of the sample preparation technique.
- (iii) Quality control procedures adopted for all sub-sampling stages to maximise representation of samples.
- (iv) Measures taken to ensure that the sampling is representative of the insitu material collected.
- (v) Whether sample sizes are appropriate to the grain size of the material being sampled.

15. Quality of assay data and laboratory tests

- (i) (a) The nature, quality and appropriateness of the assaying and laboratory procedures used and whether the technique is considered partial or total. (b) Nature of quality control procedures adopted (eg. standards, blanks, duplicates, external laboratory checks) and whether acceptable levels of accuracy (i.e. , lack of bias) and precision have been established. (c) Check analysis of at least 10% of samples should be analysed from third party National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited or Department of Science and Technology (DST) or Bureau of Indian Standards (BIS) recognised laboratories or government laboratories for assessing the acceptable levels of accuracy. (d) Security and chain of control of samples should be clearly mentioned.

16. Moisture

Whether the tonnages are estimated on a dry basis or with natural moisture, and the method of determination of the moisture content.

17. Bulk Density

Whether assumed or determined. If assumed, the basis for the assumptions. If determined, the method used, whether wet or dry, the frequency of the measurements, the nature, size and representativeness of the samples.

18. Beneficiation studies as may be required

Details of beneficiation studies carried out at laboratory-scale or bench-scale involving bulk sampling tests to understand and suggest technological factors for optimum recovery of explored mineral commodity, any additional by-products or co-products

that may be available in the ore which is recoverable should also be discussed. The detailed flow sheet with yield recovery factors are to be discussed

19. Resource estimation techniques

- (i) Discussion on sufficient data density to assure continuity of mineralisation and synthesis adequate database for estimation procedure used.
- (ii) Whether previous exploration data has been used and integrated with the current exploration data for assessment of the updated resources.
- (iii) The nature and appropriateness of the estimation technique(s) applied and key assumptions, including treatment of extreme grade values, domaining, interpolation parameters, maximum distance of extrapolation from data points
- (iv) The basis for the classification of the mineral resources into varying confidence classes.
- (v) The assumptions made regarding recovery of by-products.
- (vi) Detailed description of the method used and the assumptions made to estimate tonnages and grades (section, polygon, inverse distance, geostatistical, or other method).
- (vii) Description of how the geological interpretation was used to control the resource estimates.
- (viii) Discussion of basis for using or not using grade cutting or capping. If any computer software was used for estimation of resources then name of the software with the version and method chosen, description of programmes and parameters used.
- (ix) Geostatistical methods are extremely varied and should be described in detail. The method chosen should be justified. The geostatistical parameters, including the variogram, and their compatibility with the geological interpretation should be discussed. Experience gained in applying geo-statistics to similar deposits should be taken into account.
- (x) Data verification or validation procedures used, including peer review report.

20. Reporting of resources

Basis of reporting of resources into various classes. The criteria and methods used for the classification to be specified. The quantities with grades, for each class are to be specified. The average grade under each class is to be specified. Grade wise classification should also be reported under suitable cases. In case of metallic deposits, such as, gold, precious metals and base metals, the metal content is to be specified and resources

should be estimated at various cut-off grades. Factor, if any, applied to take care of the confidence level from the actual estimates should also be specified. The inferred, indicated and measured resources should be highlighted in a table.

21. Summary and recommendations

(i) (a) A discussion on the outcome of the exploration work detailing the nature of the deposit, the dimension of the deposit, general structural trend, depth of occurrence and depth up to which exploration has been done, possibility of continuity of mineralisation beyond the depth of exploration and future exploration requirements, if any.

(b) The resources estimated under various classes with grade.

(c) The possibility of economic extraction based on present technological, environmental, social and market conditions.

(d) Hindrances, if any, anticipated in the economic extraction of the deposit.

(ii) Discussion on the suggested future plan or strategy for the deposit for further exploration and mining.

22. Plates and maps

(i) Location plan of the area on 1:50000 showing various topographic and physiographic features nearby the project site.

(ii) Topographic Map/ Cadastral plan on 1:4000, if available.

(iii) A physiography or surface topography plan showing various topographical and physiographical features.

(iv) Surface geological plan on appropriate scale showing reliable geological map of appropriate scale with Differential Global Positioning System (DGPS) — global coordinates of the corner points showing major lithological units, structural and tectonic features; extent of surface mineralisation, structure, location of boreholes, pits, trenches, old workings, etc. If the area or part of it has been covered under exploration earlier, then the same with the location details should be shown in a map in appropriate scale.

(v) Cross-sections at suitable intervals showing vertical projections of lithounits and mineralisation.

(vi) Level plan or slice plan at suitable intervals showing horizontal projections of mineralisation, if necessary.

23. Annexures or enclosures to the report

(i) The report shall include all relevant data including maps, sections, logs, analysis reports, photographs, etc., in support of the estimates made.

(ii) In case of a Prospecting Licences or Reconnaissance Permit, all relevant orders of grant, execution of licence, permissions to carry out exploration from forest department, Letter of Intent, etc., shall also form part of the report.

24. Any other information

Any other information as may be available or required by any authority as prescribed

25. Certificate from the qualified person with name, date and signature.

(e) in Part V,— (i) for the heading

“**Contents of Prefeasibility Report**”, the following heading shall be substituted, namely, —

“**CONTENTS OF PREFEASIBILITY AND FEASIBILITY REPORT**”;

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

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

(iii) in Serial Number 2, in Clause (2), for the words, “Cut-off parameters”, the words “Cut-off grade or quality parameters” shall be substituted;

(iv) after Serial Number 8 and the entries relating thereto, the following serial number and entries shall be inserted,

namely, —

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

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

“**Schedule-II**

[See proviso to Rule 5]

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

1. Principle mineral Limestone, iron ore and bauxite Type of deposit Bedded, stratiform and tabular deposits of homogenous, regular sedimentary and metasedimentary basins without significant structural deformations of limestone and iron ore and residual high level tabular deposits of bauxite.”

D. Notification No. G.S.R. 422 (E) dated 18th June, 2021, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely, —

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

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

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

(i) Clause (b) shall be omitted;

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

“Provided that if for any mineral or mineral grade, the average sale price in respect of the relevant State for any month is not published by Indian Bureau of Mines, the average sale price for the latest month published for such mineral or mineral grade shall be deemed to be the average sale price for the said month for which average sale price is not published; Provided further that if for any mineral or mineral grade, the average sale price in respect of the relevant State is not published for the entire period of the preceding twelve months, then the all India average sale price published for such mineral or mineral grade for the said twelve months shall be used; Provided also that in case of auction of mineral block for composite licence for minerals and corresponding deposits as specified in Schedule II of the Minerals (Evidence of Mineral Contents) Rules, 2015, the ‘estimated quantity of mineral resources’ shall be arrived in the following manner, namely;— a the estimated quantity of mineral resources as assessed under G 4 level of exploration for the mineralised area in the block shall be considered the ‘estimated quantity of mineral resources’ of the block; b in case the estimated quantity of mineral resources is not possible to be assessed under Clause (a), then the same shall be arrived at by multiplying —

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

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

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

3. In the said rules, in Rule 6,—

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

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

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

“(4) Where the State Government has auctioned a mine as a captive mine for any particular specified end use before the commencement of the Mineral (Auction) Second Amendment Rules, 2021, up to fifty per cent. of total mineral produced in such captive mine in a financial year may be sold in market while ensuring that not less than fifty per cent of total mineral produced in such captive mine shall be used during the financial year for meeting the requirement of the end-use plant linked with the mine and on payment of such additional amount as specified in the Sixth Schedule to the Act.”.

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

“Provided that bid security shall be for an amount equivalent to 0.25 per cent of the value of estimated resources or fifty crore rupees, whichever is lower, and shall be submitted in the form of a bank guarantee or through security deposit; Provided further that in auction for composite licence for the mineral block having such type of deposit as specified in Serial Number I, II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under Clause (m) of Sub-rule (1) of Rule 2, but the mining potentiality of the

block has been identified based on the existing geoscience data, the bid security shall be fifty lakh rupees.”.

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

“9A. Conduct of auction of mining lease by Central Government—

(1) The State Government shall intimate to the Central Government the details of all the areas or mines available with the State Government for auction of mining lease, including the mining leases expired under section 8A and cases covered under subsection

(2) of Section 10 A, within forty-five days of the commencement of the Mineral (Auction) Second Amendment Rules, 2021.

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

- (a) receipt of any geological report in respect of any area or mine for auction of mining lease from Geological Survey of India, Mineral Exploration Corporation Limited or any other Government or private entity, within a period of forty-five days of receiving it, along with a tentative schedule for notification of such area and conducting auction of such area under Sub-sections (3) and (4) of Section 10B, respectively;
- (b) publication of notification under Sub-section (3) of Section 10B along with its copy, within fifteen days of publication of such notification;
- (c) issue of notice inviting tender for auction for mining lease under Rule 9 along with its copy, within fifteen days of issue of such notice;
- (d) outcome of any auction for mining lease, within fifteen days of completion of auction; and
- (e) termination of mining lease or lapsing of letter of intent for mining lease, within fifteen days from such termination or lapse.

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

(4) Upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant mining lease for

such area to such preferred bidder in accordance with Rule 10.”. 6. In the said rules, in Rule 10,—

(a) in Sub-rule (1), for the words and figures “being ten per cent of the upfront payment as per Rule 11” the following shall be substituted, namely, — “of the upfront payment as per Rule 11 within fifteen days after being declared as preferred bidder: Provided that the State Government may, for reasons to be recorded in writing extend the period of fifteen days by further fifteen days.”; (b) after Sub-rule (1), the following sub-rule shall be inserted, namely, —

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

- (a) forfeit the bid security of the preferred bidder; and
- (b) offer the bidder who had submitted the second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agree to the said offer in writing and submit the first instalment of upfront amount within fifteen days of receipt of offer, the State Government shall declare the said bidder as the preferred bidder and issue letter of intent in accordance with Sub-rule (2): Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days referred to in this clause by further fifteen days.”;

(c) in Sub-rule (2), after the words “preferred bidder”, the words “within fifteen days of receipt of first instalment of upfront payment” shall be inserted; (d) in Sub-rule (3), in Clause (b), the words “ being ten per cent” shall be omitted; (e) in sub-rule (5), the words “being eighty per cent” shall be omitted.

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

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

“17A. Conduct of auction of composite licence by Central Government—

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

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

- (i) receipt of any geological report in respect of any area or mine for auction of composite licence from the Geological Survey of India, Mineral Exploration Corporation Limited or any other Government or private entity, within a period of forth-five days of receiving it, along with a tentative schedule for notification of such area and conducting auction of such area under Sub-sections (4) and (5) of Section 11, respectively;
- (ii) publication of notification under Sub-section (4) of Section 11 along with its copy, within fifteen days of publication of such notification;
- (iii) issue of notice inviting tender for auction for composite licence along with its copy, within fifteen days of issue of such notice;
- (iv) outcome of any auction for composite licence, within fifteen days of completion of auction; and
- (v) termination of composite licence or lapsing of letter of intent for composite licence, within fifteen days from such termination or lapse.

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

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

9. In the said rules, in rule 18,—

(a) in Sub-rule (1), —

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

(ii) for the words “to the preferred bidder” occurring at the end, the following shall be substituted, namely:— “to the preferred bidder within fifteen days of receipt of performance security: Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days for submission of performance security by further fifteen days.”;

(b) after sub-rule (1), the following sub-rule shall be inserted, namely: — “(1A) In case the preferred bidder

fails to submit the performance security within the period or extended period specified in sub-rule (1), the State Government shall,—

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

(b) offer the bidder who had submitted second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agree to the said offer in writing and submit the performance security within fifteen days of receipt of offer, the State Government shall declare the said bidder as the preferred bidder and issue letter of intent in accordance with sub-rule (2): Provided that the State Government may, for the reasons to be recorded in writing, extend the period of fifteen days by further fifteen days.”.

(c) in sub-rule (3), the following provisos shall be inserted, namely:— “Provided that on expiry of a period of one year from the date of the letter of intent, no Prospective Licence Deed of Composite Licence shall be executed and the letter of intent shall be invalidated leading to annulment of the entire process of auction: Provided further that the State Government may allow a further period of six months for execution of the Prospective Licence Deed, if the reasons for delay were beyond the control of the preferred bidder.”.

(d) in sub-rule (6),— (i) in clause (a), the words, brackets and figures “sub-section (10) of section 11, and” shall be omitted; (ii) for clause (b) and the provisos occurring thereafter, the following shall be substituted, namely, — “(b) completes prospecting operations and submits to the State Government the result of the prospecting operations in the form of a geological report prepared in accordance with Sub-section (10) of Section 11 resulting in determination of evidence of mineral contents conforming to the Mineral (Evidence of Mineral Contents) Rules, 2015; specifying the area required for grant of a mining lease, accompanied with the first installment of the upfront payment as specified in Rule 11, then the State Government shall issue a letter of intent for mining lease within a period of fifteen days: Provided that any excess area shall be deemed to be surrendered by the holder of Composite Licence after completing its reclamation: Provided further that after submission of the geological report prepared in accordance with the Mineral (Evidence of Mineral Contents) Rules, 2015, the holder of composite licence may relinquish the entire area and in such case the State Government shall, after being satisfied that the geological report has been prepared conforming to the said rules, return the performance security.”; (e) Sub-rule (7) shall be omitted; (f) in Sub-rule (8), in Clause (b),

for the words “ten per cent”, the words “twenty per cent” shall be substituted; (g) in Sub-rule (9), for the words “eighty per cent.” the words “sixty per cent.” shall be substituted. 10. In the said rules, in Rule 19, — (a) in Sub-rule (1), the following proviso shall be inserted, namely, — “Provided that for the mineral block having such type of deposit as specified in serial numbers I, II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under Clause (m) of Sub-rule (1) of Rule 2, but the mining potentiality of the block has been identified based on the existing geoscience data, the performance security shall be one crore and fifty lakh rupees.”; (b) in Sub-rule (4), —

(i) in the proviso, the words, brackets and figures “Sub-section (10) of Section 11 of the Act, and” shall be omitted;

(ii) after the proviso, the following proviso shall be inserted, namely, —

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

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

‘23. When day of completion of any requirement is a public holiday —

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

Explanation — The expression “public holiday” includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government or the State Government, as the case may be’. 12. In the said rules, in Schedule I — (a) in paragraph (1), the following proviso shall be inserted, namely, — “Provided that the net worth requirement shall not exceed two hundred crore rupees.”; (b) in paragraph (2), the following provisos shall be inserted before the Explanation, namely, — “Provided that the net worth requirement shall not exceed one hundred crore rupees: Provided further that for the mineral block having such type of deposit as specified in Serial Numbers I, II and III of Part III of Schedule I to the Minerals (Evidence of Mineral Contents) Rules, 2015 (except those covered under Schedule II of the said rules), whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated

resources under Clause (m) of Sub-rule (1) of Rule 2, but the mining potentiality of the block has been identified based on the existing geoscience data, the applicant shall have a net worth more than or equal to twenty-five crore rupees”. 13. In the said rules, Schedule II shall be omitted.

E. Notification No. G.S.R. 437 (E) dated. 25th June, 2021, reads — In exercise of the powers conferred by Sub-sections (5) and (6) of Section 9B of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015, namely, — 1. (1) These rules may be called the Mines and Minerals (Contribution to District Mineral Foundation) Amendment Rules, 2021. (2) They shall be deemed to have come into force on the 28th day of March, 2021. 2. In the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015, (hereinafter, the principal rules), in Rule 2, —

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

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

(iv) after Clause (b), the following proviso shall be inserted namely, — “Provided that the amount calculated at the rate specified at Clause (b) of Rule 2 in respect of the mining leases covered under the provisions of Sub-section (2) of Section 10A shall be paid with effect from the 28th day of March, 2021.”

F Notification No. G.S.R. 438 (E) dated. 25th June, 2021, reads — In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) read with Section 21 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Mines number G.S.R. 516 (E), dated the 29th June, 2015 relating to the Mineral (Non-Exclusive Reconnaissance Permits) Rules, 2015, published in Gazette of India, Part II, Section 3, Sub-section (i), dated the 29th June, 2015, except in respect of things done or omitted to be done before such rescission, with effect from the date of publication of this notification.

G. Notification No. G.S.R. 777 (E) dated. 2nd November, 2021, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) read with section 21 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Mines number G.S.R. 927 (E) dated the 3rd December, 2015 relating to the Mineral (Mining by Government Company) Rules, 2015, published in Gazette of India, Part II, Section 3, Sub-section (i), dated the 3rd December, 2015. (2) Not with standing such rescission, anything done or any action taken under the Mineral (Mining by Government Company) Rules, 2015, shall be deemed to have been done or taken under the corresponding provisions of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, published in Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 279 (E), dated 4th March, 2016.

H. Notification No. G.S.R. 775 (E) dated. 2nd November, 2021, reads — In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016, namely, —

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

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

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016 (hereinafter referred to as the said rules), for the words “prospecting licence-cum-mining lease”, wherever they occur, the words “composite licence” shall be substituted.

3. In the said rules, in Rule 2, in Sub-rule (1), —

(i) Clause (b) and (d) shall be omitted;

(ii) in Clause (j), the following provisos shall be inserted, namely, —

“Provided that if for any mineral or mineral grade, the average sale price in respect of the relevant State for any month is not published by Indian Bureau of Mines, the average sale price for the latest month

published for such mineral or mineral grade shall be deemed to be the average sale price for the said month for which average sale price is not published:

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

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

(A) the estimated quantity of mineral resources as assessed under G4 level of exploration for the mineralised area in the block shall be considered as the estimated quantity of mineral resources of the block;

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

(i) the average of the estimated quantity of mineral resource per hectare for the same mineral available in the mineralised area of nearby mining leases or mineral blocks having similar geological features and explored up to G3 level in accordance with the said rules; and (ii) the mineralised area of the mineral block which is to be auctioned for composite licence.

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

4. In the said rules, Rule 5, 7 and 8 shall be omitted.

5. In the said rules, in Rule 9A, — (i) in Sub-rule (1), for “in respect of leases expiring under the provisions of Sub-sections (5) and (6) of Section 8A of the Act, within one week from the date of the notification of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Amendment) Rules, 2020” the words, figure and letter, “for the purpose of issuing vesting order for transfer and vesting of all valid rights, approvals, clearances, licences and the like in accordance with Sub-section (1) of Section 8B” shall be substituted, (ii) for Sub-rule (4), the following Sub-rule shall be substituted, namely, — “(4) In case the new lessee proposes any change in the conditions attached to the approvals, clearances, licences, permits,

and the like, transferred under the vesting order, the lessee will obtain the approval of the same, under the laws for the time being in force.”; (iii) in Sub-rule (5), for the words and letter, “for a period of two years as provided in section 8B of the Act”, the words “till expiry or termination of mining lease granted” shall be substituted; (iv) Sub-rules (6), (7) and (8) shall be omitted. 6. In the said rules, in Rule 12, — (i) in Sub-rule (1), in Clause (k), — (a) after the words “in respect of any mineral”, the words and figure “having a grade equal to or above the threshold value of such mineral, as notified by the Indian Bureau of Mines under the Mineral Conservation and Development Rules, 2017,” shall be inserted; (b) after the first proviso, the following proviso shall be inserted, namely, — “Provided further that in case of overburden or the waste rock or the mineral below the threshold value, which is generated during the course of mining or beneficiation of the mineral; or any minor mineral extracted alongwith the mineral for which lease is granted, the State Government in consultation with Indian Bureau of Mines may, by order permit the lessee to dispose of such material in such quantity and in such manner as may be specified therein, on such payment as may be decided by the State Government;”; (ii) for Sub-rule (5) and (5A) the following Sub-rule shall be substituted, namely, —

“(5) The minimum area for grant of mining lease shall not be less than, —

(a) Two hectares, in respect of beach sands or placers, which are mono or multi-mineral concentrations, including the dunes occurring on and off the coastal shore line deposited as a product of the ebb and flow of tides, waves and inshore currents, and at places semi-consolidated to consolidated in nature;

(b) Two hectares, in respect of limestone, bauxite, manganese, kyanite, sillimanite, marl, selenite, siliceous earth, graphite, vermiculite, wollastonite having small deposits, but not fragmented portions of larger ones, shallow in nature with depth of mineralisation up to twenty metres, isolated and not exceeding two hundred metres in strike length, which are small by virtue of either origin or mode of emplacement or dislocation due to geological disturbances; and small deposits shall also include float deposits (transported) formed due to mechanical weathering and deposition, alluvial or eluvial placers (buried or otherwise), which generally have peculiar configurations excepting beach sands or placers; (c) Four hectares, in respect of all mineral deposits other than those specified under clauses (a)

and (b).”.

7. In the said rules, after rule 12A, the following rule shall be inserted, namely, — “**12B. Manner of Sale of mineral from the captive leases.** — (1) In any lease, where mineral is required to be used for captive purpose, the lessee may sell mineral in the following manner, namely, — (i) lessee may sell up to fifty per cent of total mineral produced in such captive mine in a financial year while ensuring that not less than fifty per cent of total mineral produced in such captive mine shall be used during the financial year for meeting the requirement of the end use plant linked with the mine; (ii) the requirement of the end-use plant linked with the mine for a financial year shall be the actual quantity of mineral consumed in the said plant, in that financial year; (iii) lessee shall pay the additional amount as specified in the Sixth Schedule of the Act for the quantity so sold; (iv) lessee who has been allowed to sell mineral before the commencement of Mines and Minerals (Development and Regulation) Amendment Act, 2021, shall also pay the additional amount for the quantity so sold, as specified in the Sixth Schedule of the Act, only for the quantity sold after the commencement of said Act; (v) lessee will keep a separate record of such sale and shall report such sale in the monthly and annual returns to be submitted under the Mineral Conservation and Development Rules, 2017;

(vi) at the end of the financial year, the lessee shall carry out the reconciliation of the quantity of mineral produced, the quantity of mineral consumed in the linked end-use plant and the quantity of mineral sold in that financial year;

(vii) in case lessee sells less than fifty per cent of total mineral produced in a captive mine in a financial year, it shall not carry forward the deficient quantity for sale in the subsequent year.

Explanation — This rule shall be applicable in all leases where mineral is required to be used for captive consumption, not with standing any order or direction to the contrary, passed by any court or authority, prior to the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.”.

8. In the said rules, in Rule 20, — (i) for the words “mining operations” and “such operations” wherever they occur, the words “production and dispatch” shall be substituted; (ii) in Sub-rule (1), for the words, “Subject to the conditions of this rule where mining operations are”, the words “Where production and

dispatch has” shall be substituted; (iii) for Sub-rule (3), the following shall be substituted, namely, — “Where a lessee is unable to commence the production and dispatch within a period of two years from the date of execution of mining lease or discontinuation of production and dispatch for reasons beyond its control, he may submit an application to the State Government, explaining the reasons for the same and stating the further time required, at least three months before the expiry of such period of two years: Provided that where the lessee has failed to make the application within the time stipulated above due to the reasons beyond his control but has made application before the lapse of lease under Sub-rule (1), the State Government may condone the delay in making the application and in such case the State Government shall pass an order under Sub-section (6) before the lapse of lease: Provided further that where the lessee has failed to make the application within the time stipulated above or delay in making the application has not been condoned by the State Government, the lease shall lapse in accordance with Sub-rule (1).”; (iv) in Sub-rule (6), — (a) for the words “whichever is earlier, either granting or rejecting such request:”, the following shall be substituted, namely, — “whichever is earlier, either extending the period of two year by a further period not exceeding one year or rejecting such request.”; (b) for the proviso, the following proviso shall be substituted, namely, — “Provided that such mining lease shall lapse on failure to undertake production and dispatch or inability to continue production and dispatch within the extended period: Provided further that such extension shall not be granted for more than once during the entire period of lease.”; (v) for sub-rules (7), (8) and (9) the following sub-rule shall be substituted, namely, — “(7) Any application for revival of the mining lease submitted under the third proviso to sub-section (4) of Section 4A, as it stood prior to commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, namely, the 28th March, 2021, which is not disposed of by the State Government prior to the said date, shall lapse on the said date.”; (vi) after Sub-rule (11) the following Sub-rule shall be inserted, namely, — “(12) The State Government shall intimate the Indian Bureau of Mines in writing about such lapse of a mining lease.”. 9. In the said rules, in Rule 21,—

(i) In Sub-rule (1), — (a) for the words, “the entire area”, the words “the entire or a part area” shall be substituted; (b) for the word “twelve”, the word “six” shall be substituted; (c) the proviso shall be omitted; (ii) after sub-rule (3) the following sub-rule shall be inserted, namely, — “(3A) The State Government may refuse to accept such surrender of the entire or a part area of the mining lease for the reasons to be communicated in writing to the lessee.”. 10. In the said rules, in rule 23, — (i) in the heading, the words “granted through auction” shall be omitted; (ii) in sub-rule (1), for the words, “through auction” the words “under the Act” shall be substituted; (iii) in Sub-rule (2), the words, “which has been granted only through auction” shall be omitted;

(iv) in Sub-rule (5), after the words, “as the case may be” occurring at the end, the following shall be inserted, namely, — “and the transfer will not result in change of status of captive mine to merchant mine or vice versa: Provided that any change of status of mine, from captive to merchant or vice versa upon any transfer effected prior to the commencement of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Fourth Amendment) Rules, 2021 shall be void and the captive or merchant status of such mine, as the case may be, as it stood prior to such transfer, shall be restored.”; (v) after Sub-rule (11), the following Sub-rule shall be inserted, namely, — “(12) The upfront payment made by any transferee of mining lease under the provisions of the Minerals (Transfer of Mining Lease Granted Otherwise than through Auction for Captive Purpose) Rules, 2016, as it stood prior to its rescission, shall be refunded by the State Government to such transferee after adjustment against the transfer charges payable under the said rules till 27th of March, 2021: Provided that such refund shall be made within sixty days from the date application by the transferee for such refund.”. 11. After rule 23A, the following rule shall be inserted, namely, —

“23B. Mutation of mining lease or composite licence in favour of legal heirs on death of the lessee or licencee.— (1) In case of death of the holder of a mining lease or composite licence during the currency of the lease or licence period, the legal heirs may apply to the State Government for mutation of their name in the lease or licence in place of the deceased lessee or licencee, as the case may be. (2) The State Government within a

period of ninety days from the date of receiving such application for mutation shall enter the names of such legal heirs in the records in place of the deceased lessee or licensee or reject such mutations for the reasons to be recorded in writing: Provided further that no such mutation of name in a mining lease or a composite licence shall be made in contravention of any condition subject to which such lease or licence was granted.

(3) The State Government shall intimate the Indian Bureau of Mines in writing about any mutation under this rule.” 12. In the said rules, Rule 24 shall be omitted.

13. In the said rules, in Rule 42, in Sub-rule (3), after the words “the non-captive mines”, the words “and any merchant sale done by the captive mines” shall be inserted.

14. In the said rules, in Rule 49, — (i) for the words and figures “rate of 24%”, the words “twelve per cent.” shall be substituted; (ii) for the words “the sixtieth day of” shall be omitted.

15. In the said rules, for the Rule 54, the following rule shall be substituted, namely, — “54. Penalty — (1) Any contravention of Rules 11, 12, 12A, 12B, 13, 15, 17 [Sub-rule (1)], 21 [Sub-rule 4], 22 [Sub-rule (2)], 23, 25, 28 to 33, 40, 50, 51, 52, 60, 61, 64 and 65 shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to rupees five lakhs, or with both, and in the case of a continuing contravention, with additional fine which may extend to rupees fifty thousand for every day during which such contravention continues after conviction for the first such contravention. (2) Any contravention of Sub-rule (2) of Rule 17 shall be punishable with fine for an amount as specified in Schedule XII.” 16. In the said rules, in Rule 55, Schedule V, Schedule VII and Schedule IX, for the words, figures, “Concession Rules, 2015” the words and figures, “Concession Rules, 2016” shall be substituted.

17. In the said rules, in Rule 60, for heading, the following heading shall be substituted, namely, — “Supply of certain information to the new concession holder.”

18. In the said rules, after rule 70, the following rules and Chapter shall be inserted, namely, — “71. When day of completion of any requirement is a public holiday — **When the day of completion of any requirement under these rules is falling due on a public holiday**, the

day of completion shall be deemed to be due on the next working day.

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

CHAPTER XXVIII

MINING BY GOVERNMENT COMPANIES

72. Period of mining lease granted to Government companies or corporations before 12th January, 2015

— (1) All mining leases for minerals granted to a Government company or corporation before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), namely, the 12th January, 2015 shall be deemed to have been granted for a period of fifty years.

(2) The State Government, upon an application made to it in this behalf by the Government company

or corporation at least three months prior to the expiry of the mining lease, shall, extend the period of the mining lease for further periods of twenty years at a time:

Provided that the State Government may condone the delay in making of such application. (3) Subject to Sub-

rule (1), all applications made by a Government company or corporation for renewal of mining leases and which were pending as on the date of commencement of the

Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015) shall be deemed to be applications for extension of the period of the mining

lease and shall be disposed of in accordance with the provisions of Sub-rule (2). (4) If an application for

extension of a mining lease made within the time referred to in Sub-rule (2), including any application for

extension of mining lease submitted before the commencement of the Minerals (Other than Atomic and

Hydro Carbons Energy Minerals) Concession (Fourth Amendment) Rules, 2021, is not disposed of by the State Government before the date of expiry of the mining

lease which may take place before or after the commencement of the said Rules, the period of that

lease shall be deemed to have been extended by a further period till the State Government grants extension of mining lease and the Government company or corporation may continue mining operations, production and dispatch from such mining lease: Provided that the Government company or corporation

shall pay the amounts as specified in Rule 74 upon such deemed extension.

73. Period of mining lease granted to Government companies or corporations on or after 12th January, 2015.

— (1) All mining leases granted to a Government company or corporation for minerals shall be for a period of fifty years.

(2) A mining lease granted to a Government company or corporation in accordance with the provisions of section 10B and section 11 of the Act shall expire at the end of the period of fifty years and shall not be extended.

(3) The State Government, upon an application made to it in this behalf by the Government company or corporation granted a mining lease in accordance with the provisions of sub-sections

(2A) and (2B) of section 17A of the Act, at least three months prior to the expiry of the mining lease, shall extend the period of the mining lease for further periods of twenty years at a time: Provided that the State Government may condone the delay in making of such application.

(4) If an application for extension of a mining lease made within the time referred to in sub-rule (3) is not disposed of by the State Government before the date of expiry of the mining lease, the period of that lease shall be deemed to have been extended by a further period till the State Government grants extension of mining lease and the Government company or corporation may continue mining operations, production and dispatch from such mining lease: Provided that the Government company or corporation shall pay the amounts as specified in rule 74 upon such deemed extension.

74. Payments by a Government company or corporation

— (1) In case of a mining lease granted or extended to a Government company or corporation or a joint venture, under the provisions of the Act, otherwise than through auction; on or after 12th January 2015, shall pay an amount to the State Government as prescribed under Fifth Schedule of the Act for the mineral produced after the commencement of the Mines and Mineral (Development and Regulation) Amendment Act, 2021. (2) A Government company or corporation, in addition to payment of additional amount as specified in Fifth Schedule, shall also pay such other amounts as may be required under any law

for the time being in force to the concerned authorities, including,— (i) royalty or dead rent to the State Government; (ii) payment to the National Mineral Exploration Trust; and (iii) payment to the District Mineral Foundation.”.

19. In the said rules, after Schedule XI, the following schedule shall be inserted, namely, — “Schedule XII [See Rule 54 (2)] AMOUNT OF FINE Rule No. Marginal Heading of the Rule, Amount for compounding (in Rs.), Sub-Rule (2) of Rule 17 Modification and review of the Mining Plan 2,000/- per day, subject to maximum 5,00,000/-”.

I. Notification No.G.S.R. 778 (E) dated. 2nd November, 2021, reads. — In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) read with section 21 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Mines number G.S.R. 560 (E) dated the 30th May, 2016 relating to the Minerals (Transfer of Mining Lease Granted Otherwise than through Auction for Captive Purpose) Rules, 2016, published in Gazette of India, Part II, section 3, sub-section (i) dated the 30th May, 2016.

(2) Notwithstanding such rescission, anything done or any action taken under the Minerals (Transfer of Mining Lease Granted Otherwise than through Auction for Captive Purpose) Rules, 2016, shall be deemed to have been done or taken under the corresponding provisions of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, published in Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 279 (E), dated 4th March, 2016.

J. Notification No.G.S.R. 776 (E) dated. 2nd November, 2021, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely, — 1. (1) These rules may be called the Mineral (Auction) Third Amendment Rules, 2021. (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Mineral (Auction) Rules, 2015 (hereinafter referred to the said rules), in Rule 6, — (i) in sub-rule (3), the following explanation shall be inserted, namely,

—“Explanation — This sub-rule shall be applicable in all cases of auction, notwithstanding any order or direction to the contrary, passed by any court or authority, prior to the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.”

(ii) in Sub-rule (4), the following explanation shall be inserted, namely, —“Explanation — This sub-rule shall be applicable in all leases where mineral is required to be used for captive consumption, notwithstanding any order or direction to the contrary, passed by any court or authority, prior to the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.” 3. In the Mineral (Auction) Rules, 2015, in rule 14, — (i) for the words “twenty-four” the words “twelve” shall be substituted; (ii) the words, “sixty days from” shall be omitted.

K. Notification No.G.S.R. 780 (E) dated. 3rd November, 2021, reads — In exercise of the powers conferred by section 18 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Conservation and Development Rules, 2017, namely, —

1. (1) These rules may be called the Mineral Conservation and Development (Amendment) Rules, 2021.

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

2. Throughout in the Mineral Conservation and Development Rules, 2017 (hereinafter referred to as the principal rules), for the words “prospecting licence-cum-mining lease” and “prospecting licence-cummining lease”, wherever they occur [except Sub-rule (1) of Rule 4], the words “composite licence” shall be substituted.

3. In the principal rules, in Rule 3, after Sub-rule (2), the following Sub-rule shall be inserted, namely,—“(3) Throughout these rules, wherever any power, function or responsibility of Indian Bureau of Mines or its officers is specified or any information is to be submitted to Indian Bureau of Mines or its officers, the same shall be deemed as power, function or responsibility of the Atomic Minerals Directorate for Exploration and Research or its officers or requirement of submission of information to the said Directorate or its officers in respect of minerals specified in Part B of

the First Schedule to the Act where the grade of such atomic minerals is equal to or above the threshold value limits declared under Schedule-A of the Atomic Minerals Concession Rules, 2016, in the following manner, namely, —

(a) any reference to the Indian Bureau of Mines, to be deemed as reference to the Atomic Minerals Directorate for Exploration and Research;

(b) any reference to the Controller General or the Chief Controller of Mines or the Controller of Mines or the Regional Controller or the authorised officer of Indian Bureau of Mines, to be deemed as reference to the Director or as the case may be, the authorised officer of Atomic Minerals Directorate for Exploration and Research.”.

4. In the principal rules, in Rule 4, in Sub-rule (1), for the words “prospecting license-cum-mining lease” the words “composite licence or the preferred bidder selected for grant of composite licence” shall be substituted.

5. In the principal rules, in Sub-rule (1) and Sub-rule (2) of Rule 5, the words “and Regional Controller” shall be omitted.

6. In the principal rules, in Rule 6, for the words “the Controller General and Regional Controller”, the words “Controller General” shall be substituted.

7. In the principal rules, in Rule 9, —

(i) in Sub-rule (1), for the words “from the date of execution of the relevant prospecting licence deed or the expiry of the prospecting licence or prospecting license-cum-mining lease, whichever is earlier”, the words “from the date of execution of the relevant reconnaissance permit, prospecting licence deed or the expiry of the reconnaissance permit, prospecting licence or composite licence, whichever is earlier” shall be substituted; (ii) in Sub-rule (3), for the words “yearly report in Form B”, the words “yearly report along with Form B” shall be substituted; (iii) in Sub-rule (4), for the words “prospecting operations”, the words “reconnaissance or prospecting operations” shall be substituted;

(iv) in Sub-rule (5), for the words “prospecting licence”, the words and figure “reconnaissance permit, prospecting licence” shall be substituted.

8. In the principal rules, in Rule 11, in Sub-rule (3), in the proviso, for the word “below”, the words “equal to or above” shall be substituted.

9. In the principal rules, in Rule 12, —

(i) in Sub-rule (3), after the words “under the mining lease,” the words, brackets and figures “in the manner specified in the Minerals (Evidence of Mineral Contents) Rules, 2015 or the Atomic Minerals Concession Rules, 2016, as the case may be,” shall be inserted; (ii) for sub-rule (4), the following sub-rule shall be substituted, namely, — “(4) In the case of existing mining leases, detailed exploration (G1 level) over the entire potentially mineralised area under the mining lease shall be carried out in the manner specified in the Minerals (Evidence of Mineral Contents) Rules, 2015 or the Atomic Minerals Concession Rules, 2016, as the case may be, within a period of five years from the date of commencement of these rules.”;

(iii) for Sub-rule (4A), the following sub-rules shall be substituted, namely, —

“(4A) In case of mining leases covered under Sub-section (6) of Section 8A of the Act where the date of expiry of the period of such lease is on or before 31st March, 2022, the holders of such mining lease shall carry out general exploration (G2 level) over the entire mineralised area under the mining lease in the manner specified in the Minerals (Evidence of Mineral Contents) Rules, 2015 and prepare and submit to the State Government and Indian Bureau of Mines, a Geological Study Report prepared in the manner specified in the said rules before the 31st March, 2022 or date of expiry of lease, whichever is earlier.

(4B) For the exploration done under Sub-rule (3) and (4), the holder of mining lease shall submit to the State Government and Indian Bureau of Mines, a Geological Study Report prepared in the manner specified in the Minerals (Evidence of Mineral Contents) Rules, 2015, within three months after the completion of the exploration work.

(4C) The State Government shall conduct technical audit of Geological Study Report as submitted under this rule for its verification and in case lease holder fails to perform his duties as so specified, the State Government may, after giving the lease holder an opportunity of being heard, take such action for enforcing compliance, as it deems fit.”

10. In the principal rules, in rule 18, after the words “Controller General”, wherever they occur, the words “or the authorised officer of Indian Bureau of Mines” shall be inserted.

11. In the principal rules, in rule 24, —

(i) in Sub-rule (1), after the words, “closure of the mine”, the words “or surrender of the entire or part area of the mining lease, accompanied by such fee as may be specified by the Indian Bureau of Mines” shall be inserted;

(ii) after Sub-rule (2), the following sub-rule shall be inserted, namely, — “(3) Non-submission of final mine closure plan within the period specified under Sub-rule (1) will attract the forfeiture of financial assurance, or, as the case may be, performance security as applicable for a mining lease wherein the Mine Development and Production Agreement has been signed between the lessee and the State Government and performance security has been submitted.”.

12. In the principal rules, in rule 26, in Sub-rule (2), after the words “before 1st day of July every year”, the words “along with annual return” shall be inserted.

13. In the principal rules, in rule 27, in Sub-rule (1) — (i) for the words and letters “three lakh rupees for Category A mines and two lakh rupees for Category B mines”, the words and letters “five lakh rupees for Category A mines and three lakh rupees for Category B mines” shall be substituted; (ii) for the second proviso, the following proviso shall be substituted, namely, — “Provided further that the provisions of sub-rule (1) shall not be applicable for a mining lease wherein the Mine Development and Production Agreement has been signed between the lessee and the State Government and performance security has been submitted.”

14. In the principal rules, in rule 31, —

(i) in Sub-rule (1), in Clause (b), for the words “the letter”, the word “observation” shall be substituted;

(ii) in Sub-rule (4), for the words “within three months”, the words “showing also the respective proposal of approved mining plan for various activities pertaining to that year, within three months” shall be inserted.

15. In the principal rules, in Rule 32, in Sub-rule (1), in Clause (a), for the words “grazing land and subsidence on the surface beneficiation plants”, the words “grazing land, surface beneficiations plants” shall be substituted.

16. In the principal rules, in Rule 33, after the words “maintained under Rule 32”, the words “alongwith the annual return” shall be inserted.

17. In the principal rules, in Rule 34, after Sub-rule (1), the following sub-rule shall be inserted, namely, — “(1A) All plans and sections shall be prepared by using a combination of Differential Global

Positioning System (DGPS) or Total Station or by the use of drone survey or as may be specified in this regard by the Indian Bureau of Mines in relation to certain or all category of leases.”.

18. In the principal rules, after Rule 34, the following rule shall be inserted, namely, —

“34A. Digital aerial images of mining lease area.—

(1) Every lessee having — (a) an annual excavation plan of one million tonne or more in a particular year; or (b) leased area of fifty hectare or more, shall carry out a drone survey of the leased area and up to hundred metres outside the lease boundary in the month of April or May every year and submit the processed output [digital elevation model (DEM) and Orthomosaic] images obtained from such survey or any other format as may be specified by the Indian Bureau of Mines in this regard to the Controller General on or before 1st day of July every year. (2) Every lessee, other than those covered under sub-rule (1), shall submit soft copy of high resolution Georeferenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred metres outside the lease boundary taken in the month of April to June of every year, to the Controller General on or before 1st day of July of that year in the standards formats such as GeoTIFF along with metadata or any other format as may be specified by the Indian Bureau of Mines in this regard: Provided that the lessee who has submitted images under Sub-rule (3) shall not be required to submit the images under this sub-rule for the year in which images are submitted under Sub-rule (3). (3) Every lessee shall carry out a drone survey of his leased area and up to hundred metres outside the lease boundary within six months before submission of any mining plan document or modification thereto to the Indian Bureau of Mines for approval and shall submit processed output [digital elevation model (DEM) and Orthomosaic] images obtained from such survey or any other format as may be specified by the Indian Bureau of Mines in this regard to the concerned Regional Controller of Mines and the Controller General along with the application for approval or modification of mining plan: Provided that the lessee who has submitted the images under Sub-rule (1) on or before the 1st day of July falling immediately before submission of mining plan document, shall not be required to submit the same under Sub-rule (3).

(4) All preferred bidders who are issued with a letter of intent for grant of a mining lease shall carry out a drone

survey of the mining block granted through auction and up to hundred metres outside the block boundary and submit the processed output [digital elevation model (DEM) and Orthomosaic] images obtained from such survey or any other format as may be specified by the Indian Bureau of Mines in this regard along with the mining plan to the Regional Controller and the Controller General.

(5) The standard operating procedure for carrying out the drone survey and form of the data to be submitted shall be specified by the Indian Bureau of Mines from time to time: Provided that the Indian Bureau of Mines may specify any alternate mechanism for survey and submission of data or images other than the mechanism specified in Sub-rules (1) to (4), in case of any restriction on use of drones under any law for the time being in force regulating the use of drones.”.

19. In the principal rules, in Rule 35, —

(i) for Sub-rule (2), the following sub-rule shall be substituted, namely, — “(2) Every holder of a mining lease shall monitor his mining and allied activities as per the template of star rating in the format specified in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self assessment report before the 1st day of July every year for the previous financial year, alongwith the digital images of mining lease area under rule 34 A, to the Regional Controller or the authorised officer of the Indian Bureau of Mines: Provided that those mining lease holders who do not fill and submit the template as specified shall be deemed self-assessed star rating below the qualifying star rating as provided under Sub-rule (4) and action shall be initiated accordingly.”; (ii) for Sub-rule (4), the following sub-rules shall be substituted, namely, —

“(4) Every holder of a mining lease shall achieve at least three-star rating within a period of four years with effect from the 27th February, 2017 or four years from the date of commencement of mining operations, as the case may be, and thereafter maintain the same on year-on- year basis. (4A) The Regional Controller or the authorised officer of the Indian Bureau of Mines may suspend the mining operations in those mines where, — (a) at least three-star rating has not been achieved within a period of four years with effect from the 27th February, 2017 or four years from the date of commencement of mining operations, as the case may be, or (b) at least three-star rating has not been maintained on year-on-year basis, or

(c) where the lessee has failed to submit the star rating template, after giving a show cause notice of forty-five days to qualify for star rating or submit star rating template, as the case may be. (4B) In case of non-filing of template as stated in Sub-rule (2), the holder of mining lease shall be liable to pay an amount of ten thousand rupees per day for such delay to the authorised officer of the Indian Bureau of Mines.”; (iii) in Sub-rule (5), for the words, brackets and figures “Sub-rules (3), (4) and (5)”, the words, brackets and figures “Sub-rules (3), (4), (4A), (4B) and (5)” shall be substituted.

20. In the principal rules, in Rule 45, — (i) in Sub-rules (1), (2) and (4), for the words “mining lease”, wherever they occur, the words “mineral concession” shall be substituted; (ii) in Sub-rules (1), (2), (4), (6), (7), (9), (11) and (12), for the word “export”, wherever they occur, the words “export or import” shall be substituted; (iii) in Sub-rule (1), the words “mines in the country” shall be omitted; (iv) in Sub-rule (2), for the words and figure “registration of the lease deed”, the words “grant or registration of the permit, licence or lease deed, as the case may be,” shall be substituted; (v) in sub-rule (5), — (a) for the word “Regional Controller or any other authorised official”, the words “Regional Controller and the authorised officer” shall be substituted; (b) Clause (a) shall be omitted; (vi) in Sub-rule (7), — (a) the words “daily or” shall be omitted; (b) in Clause (a), for the words “may advise the State Government to” the words “or the authorised officer of the State Government may” shall be substituted; and after the words “all mining operations”, the words “and dispatches” shall be inserted; (c) in Clause (c), the proviso shall be omitted; (vii) after Sub-rule (7), the following sub-rule shall be inserted, namely, — “(7A) (i) Before taking any action specified under Sub-rule (7), the relevant authority shall issue a show cause notice to the holder of a mining lease or the person or company, as the case may be, informing about the violation made under Sub-rule (7) and asking reasons as to why action under Sub-rule (7) shall not be taken against such holder, person or company and shall give thirty days time for reply and rectification of the violation stated in such notice; (ii) if such holder, person or company, — (a) rectifies the violation stated in the show cause notice and deposit within the said period of thirty days, such amount as specified in Schedule II for the period from due date of submission of return till the date of rectification of violation, no further action shall be taken; (b) does not

provide satisfactory reply or rectify the violation within the said period of thirty days, the mining operations and dispatches may be suspended and any action under Sub-rule (7) may be initiated; (iii) the suspension of mining operations may be revoked only after the rectification of violation as indicated in the violation-cum-show cause notice and after deposition of such amount as specified in Schedule II for the period from due date of submission of return till the date of rectification of violation.”

21. In the principal rules, for Rule 49, the following rule shall be substituted, namely, —

“49. Change in name of mine to be intimated —The State Government may, on its own or on receipt of an application from the lessee, change the name of a mine and upon such change it shall intimate the same to the lessee and Regional Controller within thirty days of such change.”.

22. In the principal rules, in Rule 55, — (i) in Sub-rule (1), — (a) for Clause 3, the following clause shall be substituted, namely, — “3. every holder of a mining lease shall employ, in case of — (i) category 'A' mines having leased area equal to or above twenty-five hectares, a whole-time mining engineer and a geologist; (ii) category 'A' mines having lease area below twenty-five hectares and category 'B' mines, a part-time mining engineer and a part-time geologist: Provided that in the case of fully mechanised category 'A' mines, the mining engineers and geologist shall have minimum five years of professional experience of working in a supervisory capacity in the field of mining.”; (b) after Clause 3, the following clause shall be inserted, namely, —

“4. Notice of such appointment or termination shall be intimated in the monthly and annual return to be submitted under rule 45.”; (ii) in Sub-rule (6), — (a) for the paragraph opening with the words “Mining Engineer: A degree in Mining” and ending with the words “or any equivalent qualification.”, the following paragraphs shall be substituted, namely, — “Full time Mining Engineer ; A degree in Mining Engineering granted by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, including any institution recognised by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956) or any equivalent qualification or diploma in mining and mine surveying granted by a duly recognised institute along with a second class certificate of

competency issued by the Director General of Mines Safety. Part time Mining Engineer: A degree in Mining Engineering granted by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, including any institution recognised by the University Grant Commission established under Section 4 of the University Grants Commission Act, 1956 (3 of 1956) or any equivalent qualification or diploma in mining and mine surveying granted by a duly recognised institute along with a second class certificate of competency or a foreman certificate of competency issued by the Director General of Mines Safety.”.

23. In the principal rules, for Rule 62, the following rule shall be substituted, namely, —

“62. Penalty — (1) Any contravention of Rules 4 to 9, Sub-rule (1), (2) and (3) of Rule 11, 13 to 17, 21, 24, 26, 27, 30, 32 to 42, 44, 45, 47, 48, 50, 52 to 54, 58, 60, 63, 67 and 72 shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to rupees five lakhs, or with both, and in the case of a continuing contravention, with additional fine which may extend to rupees fifty thousand for every day during which such contravention continues after conviction for the first such contravention. (2) Any contravention of Sub-rule (4) of Rule 11, Rules 12, 18, 19, 20, 23, 28, 29, 46, 51 and 55 shall be punishable with fine for an amount as specified in Schedule III. (3) Any offence punishable under these rules may either before or after the institution of the prosecution, be compounded by the person authorised under Section 22 of the Act to make a complaint to the court with respect to that offence, on payment to that person, for credit to the Government, of such sum specified in this regard by the Controller General or the Director, Atomic Minerals Directorate for Exploration and Research, in respect of minerals specified in Part B of the First Schedule to the Act where the grade of such atomic minerals is equal to or above the threshold value limits declared under Schedule-A of the Atomic Minerals Concession Rules, 2016, as the case may be: Provided that in case of an offence punishable with fine only, such sum shall not exceed the maximum amount of fine which may be imposed for that offence: Provided further that where an offence is compounded under these rules, no proceeding or further proceeding, as the case may be, shall be made against the offender in respect of the offence so compounded, and the offender, if in custody, shall be released forthwith.”.

24. In the principal rules, for Rule 71, the following rule shall be substituted, namely, —

“71. Review of format, templates and manuals. —The Indian Bureau of Mines or the Director, Atomic Minerals Directorate for Exploration and Research, as the case may be, may revise or update, at such interval as considered appropriate, after consultation with stakeholders, the formats of the scheme of reconnaissance, scheme of prospecting, mining plan, mine closure plan and the templates for Star Rating of mines provided by it.”.

25. In the principal rules, after Rule 71, the following rule shall be inserted, namely, —

“71 A. Day of completion of any requirement. —When the day of completion of any requirement under these rules is falling due on a public holiday, the day of completion shall be deemed to be due on the next working day. Explanation — For the purposes of these rules, the expression “public holiday” includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government or the State Government, as the case may be.”.

26. In the principal rules, the Schedule shall be numbered as Schedule-I and after Schedule-I as so numbered, —

(i) in Form K, for the word, “export”, wherever it occurs, the words “export or import” shall be substituted;
(ii) after Schedule-I, the following Schedules shall be inserted, namely, —

“SCHEDULE-II [see Rule 45(7A)] AMOUNT TO BE PAID IN CASE OF VIOLATION UNDER RULE 45

Item, Amount (in Rs.), Explanation

(1) (2) (3) Non-submission or incomplete/ wrong/ false information in monthly returns in Form F1, F2, F3; by the due date ₹ 10,000/- per day after due date of submission of return as specified in the Rule till rectification of violation

In case of referred back returns by Indian Bureau of Mines for incorporating necessary corrections, to be undertaken by the Indian Bureau of Mines, no amount will be payable for the intervening period for such corrections. Failure to rectify in such cases will attract the payment as specified. lease holder, and if corrected within the allotted time limit and accepted thereafter by the

Non-submission or incomplete/wrong/ false information in annual returns in Form G1, G2, G3; by the due date ₹ 10,000/- per day after due date of submission of return as specified in the Rule till rectification of violation. Non-submission or incomplete/ wrong/ false

information in monthly returns in Form L; by the due date

Rs 5,000/- per day after due date of submission of return as prescribed in the Rule till rectification of violation Non-submission or incomplete/wrong/ false information in annual returns in Form M; by the due date

₹ 5,000/- per day after due date of submission of return as prescribed in the Rule till rectification of violation Schedule III [see Rule 62 (2)] Rules whose contravention shall be punishable with fine Rule No., Marginal heading of the Rule Amount of Fine, (in Rs.), (1) (2) (3) Sub-rule (4) of rule, 11 Mining operations under mining lease, 2,000/- per day, subject to maximum 5,00,000/- 12 Prospecting and mining operations 5,00,000/-

18 Beneficiation studies to be carried out 5,00,000/-

19 Machinery and plant 5,00,000/-

20 Notice for opening of mine 5,00,000/- 23 Submission of progressive mine closure plan 5,00,000/-

28 Notice of temporary discontinuance of work in mines and obligations of lease holders. 5,00,000/-

29 Intimation of reopening of a mine 5,00,000/-

46 Notice of certain appointments 2,000/- per day, subject to maximum 1,00,000/-

51 Notice of amalgamation of mining lease ₹ 2,000/- per day after due date as prescribed in the Rule, subject to maximum 1,00,000/-

55 Employment of geologists and mining engineers 5,00,000/- “.

L. Notification No.G.S.R. 856 (E) dated. 14th December, 2021, reads — In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules to amend the Minerals (Evidence of Mineral Contents) Rules, 2015, namely, — 1. (1) These rules may be called the Minerals (Evidence of Mineral Contents) Second Amendment Rules, 2021. (2) They shall come into force on the date of their publication in the Official Gazette. 2. In the Minerals (Evidence of Mineral Contents) Rules, 2015 (hereinafter referred to as the said rules), in Rule 7, after Sub-rule (1), the following sub-rules shall be inserted, namely, — “(1A) Any person intending to obtain composite licence in respect of an area may submit a proposal to the State Government in the format specified in Schedule III along with available geoscience data for notification of the area for auction to grant a composite licence. (1B) In order to identify mineral potentiality of a block based on the available

geoscience data where resources are yet to be established as referred in Clause (a) of Sub-rule (1), including in any block proposed by any person under the Sub-rule (1A), the State Government shall place it before a committee consisting of the following members, —

(a) Principal Secretary or Secretary in the Mining and Geology Department of State Government (by whatever name called) — Chairman;

(b) Deputy Director General of Geological Survey of India — Member;

(c) Director in the Mining and Geology Department of State Government (by whatever name called) —

Member Secretary. (1C) On being satisfied of mineral potentiality of the area, the committee may recommend the area for notification for auction with such alteration in it as may be required. (1D) The committee shall recommend or reject the proposal within sixty days of its receipt in the State Government and thereafter the State Government shall notify recommended block for auction or reject the recommendation within sixty days of such recommendation.”.

3. In the said rules, after Schedule II, the following schedule shall be inserted, namely, —

“**SCHEDULE III**

[See Rule 7(1A)]

FORMAT FOR SUBMITTING PROPOSAL FOR AUCTION OF AN AREA FOR GRANT OF COMPOSITE LICENCE

To,

The Director, Mining and Geology Department,
Government of ___ [mention name of State Government]
Madam/ Sir,

Under the provision of Sub-rule (1A) of Rule 7 of the Minerals (Evidence of Mineral Contents) Rules, 2015, I/we am/are submitting the following details and other particulars of the area for consideration of the State Government for auction of composite licence in respect of the area. It is submitted that I/we intend to participate in auction of composite licence in respect of the said area.

1. Name and Address of the Applicant

(a) Name:

(b) Postal address:

(c) Telephone Number (Office):

(d) Fax number (Office):

(e) Mobile No.:

(f) Telephone Number (Residence):

(g) E-Mail address:

2. Location Details of the Area Proposed for Auction

(a) State

(b) District (s)

(c) Nearby Village(s)

(d) Survey of India (SOI) Toposheet (s) No.

(e) Area in sq. km.

(f) Boundary coordinates of the proposed block (in Decimal degree)

3. Mineral Potential of the Area

(a) Name of Mineral(s) identified/ expected in the area/ block

(b) Basis on which mineral potential in the area has been identified

(c) List of documents and references relied upon in support of item

(b) above.

4. Documents to be enclosed with the application

i) Location of the proposed block demarcated on Survey of India (SOI) Toposheet No.

ii) Documents mentioned in item 3(c) above. Place, Date, Signature of applicant

M. Notification No. G.S.R. 857 (E) dated 14th December, 2021, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely, — 1. (1) These rules may be called the Mineral (Auction) Fourth Amendment Rules, 2021. (2) They shall come into force on the date of their publication in the Official Gazette. 2. In the Mineral (Auction) Rules, 2015, in Rule 9, in Sub-rule (5), in Clause (B), after the second proviso, the following proviso shall be inserted, namely, — “Provided also that in case the area proposed by a person under sub-rule (1A) of rule 7 of the Minerals (Evidence of Mineral Contents) Rules, 2015 is put up for auction to grant a composite licence, such person shall be required to submit the bid security of only fifty per cent. of the amount specified in this clause for participating in the auction for the said area.”

N. Notification No. G.S.R. 137 (E) dated 18th February, 2022, reads — In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central

Government hereby makes the following rules further to amend the Mineral (Auction) Rules, 2015, namely, —

1. (1) These rules may be called the Mineral (Auction) Amendment Rules, 2022. (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Mineral (Auction) Rules, 2015, —

(a) in Rule 16, in Sub-rule (2), for the words “and the area so demarcated shall be classified into forests land, land owned by the State Government, and land not owned by the State Government”, the words “, or global positioning system” shall be substituted;

(b) in Rule 17, in Sub-rule (1), — (i) in Clause (b), in Sub-clause (i), for the words “divided into forest land, land owned by the State Government, and land not owned by the State Government”, the words “, or global positioning system” shall be substituted; (ii) in Clause (c), for Sub-clause (ii), the following sub-clause shall be substituted, namely, — “(ii) details of the area identified, demarcated using total station and differential global positioning system, or global positioning system;”

O. Notification No. G.S.R. 205 (E) dated 15th March, 2022, reads — In exercise of the powers conferred by Section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, namely, — 1. (1) These rules may be called the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Amendment Rules, 2022.

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

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (hereinafter referred to as the said rules), in Rule 45,— (i) in the heading of the rule, after the word, “Tungsten”, the words “and other minerals” shall be inserted; (ii) after Sub-rule (3), the following sub-rule shall be inserted, namely, —“(4) The following formula shall be used by Indian Bureau of Mines for arriving at the average sale price of Glaucosite and Potash: (i) Average Sale Price for Glaucosite & Potash = Domestic price of Muriate of Potash(MOP) as published in the monthly bulletins of Department of Fertilizers, Government of India. X Percentage of K₂O content in Glaucosite/ Potash deposit. X 0.4 (conversion factor).”

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

(DIRECTORATE GENERAL OF FOREIGN TRADE)

A. Public Notice No. 50/ 2015-20, dated 31st March, 2021,

reads Subject; Procedure for allocation of quota, for year 2021-2022, for import of (i) Calcined Pet Coke (0.5 Million MT per annum) for Aluminum Industry and (ii) Raw Pet Coke (1.4 Million MT) for CPC manufacturing industry — regd.

F. No: 01/93/180/03/AM-10/PC-2[A]/Part-II/e-10763.—

The Hon'ble Supreme Court in the Writ Petition No. 13029/1985 vide its order dated 9th October, 2018, has decreed that the import of raw material for use as Calcined Pet coke (CPC) in Aluminum Industry cannot exceed 0.5 Million MT per annum in total. Similarly import of Raw Pet Coke for CPC manufacturing industry cannot exceed 1.4 Million MT per annum. In light of the Order of the Hon'ble Supreme Court, the import policy condition of Pet Coke was amended vide Notification No. 42 dated 23rd October, 2018 and wherein it had been indicated that the regulation and monitoring of such imports will be as per the guidelines of Ministry of Environment, Forest and Climate Change issued vide OM No Q-18011/54/2018-CPA dated 10th September, 2018.

2. Pursuant to the above and in exercise of the powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 as amended from time to time read with Para 2.04 of the Foreign Trade Policy (2015-2020), the Director General of Foreign Trade has notified the procedure/ mechanism to implement the restriction imposed on import of Calcined Pet Coke and Raw Pet Coke for the year 2021-2022, which are as under:

Conditions and modalities of application for import of Pet coke.

i. Imports will be subject to guidelines laid down by MoEF&CC issued vide OM No Q-18011/54/2018-CPA and para wise compliance may be submitted with the application for consideration of release of quota. ii. The annual quantity limitation in import will be operated on fiscal year basis. Accordingly, the total quantity permitted for import per annum by the Hon'ble Supreme Court and available for import is (i) Calcined Pet Coke for use as Calcined Pet coke in Aluminum Industry is 0.5

Million MT and (ii) Raw Pet Coke for CPC manufacturing industry is 1.4 Million MT. This is March, 2019 along with State Pollution Control Board Certificate (SPCB)/ Pollution Control Committee (PCC) indicating capacity of the unit as on 9.10.2018 (Hon'ble Supreme Court Order in Writ Petition No. 13029/1985) and also valid consent certificate from SPCB/ PCC, in the name of user industrial units indicating the quantity permitted for import and its usage on a monthly and yearly basis. iv. Completed online application form and the documents mentioned at (iii) above must reach on or before 15th April, 2021. Application fee shall be paid in accordance with the procedure as in Appendix 2K of March, 2019 along with State Pollution Control Board Certificate (SPCB)/ Pollution Control Committee (PCC) indicating capacity of the unit as on 9.10.2018 (Hon'ble Supreme Court Order in Writ Petition No. 13029/1985) and also valid consent certificate from SPCB/ PCC, in the name of user industrial units indicating the quantity permitted for import and its usage on a monthly and yearly basis. iv. Completed online application form and the documents mentioned at (iii) above must reach on or before 15th April, 2021. Application fee shall be paid in accordance with the procedure as in Appendix 2K of available for all industrial units in these two sectors. iii. All eligible entities desiring to avail quota as mentioned above, may apply for import license as per procedure mentioned in Trade Notice No. 49 dated 15th Appendices & Aayat Niryat Forms and deposited online along with the application. v. If documents received are found in order, application will be considered in Exim Facilitation Committee (EFC) for import of restricted items and the concerned jurisdictional Regional Authority will grant authorisation. The import licence/ authorisation will be valid till 31.03.2022 only for the purpose of imports. vi. If, after obtaining permission/licence, importer cannot utilise / import the entire quantity for which the licence has been issued, the applicant shall intimate the same to DGFT at petcokeimport dgft@gov.in and importdgft@ nic.in on or before 31.12.2021 in order to facilitate distribution of the unutilised quota to other applicants who had applied initially. Failure to utilise allotted quantity and non-surrender will disqualify the applicant for future quota and the unutilised quantity will be deducted from their entitlement.

vii. Further, the quantity allocated during FY 2021-22 to the user applicants, if not utilised or surrendered to DGFT; the quantity left unutilised will be deducted from the quota for which applicant would be eligible in FY 2022-23, for better resource utilisation. viii. Holders of the licence for import of Pet Coke would keep the Regional Authority informed of the details of his import consignments i.e the quantity of import, source and date of import along with details of Bill of entry in respect of each consignment on clearance of goods from Customs. Subsequently, a consolidated rethority, giving consolidated details of all imports made during the period. ix. EFC in DGFT will evaluate and allocate quota among applicants and licences will be issued by the concerned jurisdictional Regional Authorities of DGFT. x. Impments must be cleared by customs authorities before this date.

2. **Effect of this Public Notice:** Procedure for allocation of quota for import of (i) Calcined Pet Coke for use as Calcined Pet coke (CPC) in Aluminum Industry and (ii) Raw Pet Coke for CPC manufacturing industry for the year 2021-2022 is notified.

(b) Notification No. 43/2015-2020, dated. 22nd November, 2021, reads Subject:

Amendment in policy conditions governing import and export in rough diamonds falling under Chapter-71 of Schedule (I) of ITC(HS) 2017 and Schedule(II) of ITC(HS) 2018 — reg.

S.O. 4794(E).— In exercise of powers conferred by Section 3 read with Section 5 of the FT (D&R) Act, 1992 and paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-20, as amended from time to time, the Central Government hereby revises the policy conditions governing import and export of rough diamonds falling under Chapter-71 of Schedule (I) of ITC (HS) 2017 and Schedule(II) of ITC (HS) 2018 as under - 2. Policy condition No.05 is inserted under chapter-71 of Schedule-I (Import Policy) of ITC (HS) 2017, as under:

Import of rough diamonds shall not be permitted unless the concerned importer is registered with Gems & Jewellery EPC, which is the designated importing and exporting authority of India for Kimberley Process Certification Scheme (KPCS).

3. Further, a Policy Condition No.01 is inserted in the Chapter-71 of Schedule-II (Export Policy) of ITC(HS) 2018, as under:

Export of rough diamonds shall not be permitted unless the concerned exporter is registered with Gems & Jewellery EPC, which is the designated importing and exporting authority of India for Kimberley Process Certification Scheme (KPCS).

Effect of this Notification:

Import or export of rough diamonds shall not be permitted unless the concerned importer and exporter is registered with G & JEPC.

FDI POLICY

(I) 100% FDI has been permitted via Automatic Route for mining and exploration of metal and non-metal ores including diamond, gold, silver and precious ores and the mining of coal and lignite for captive consumption for power projects, iron, steel and cement units.

(II) 100% FDI has been permitted through Government Route for mining of titanium-bearing minerals and its ores, its value addition and integrated activities.

FDI Equity Inflow

As per Department of Promotion of Industry and Internal Trade (DPIIT) statement on sectorwise FDI equity inflows (FDI) from April 2000 to March, 2021 the FDI equity Inflow in the Mining Sector was ₹ 16,869.18 crore.

Mineral Auctions

Auction Framework and Handholding Support

- The Government of India amended the Mines & Minerals (Development & Regulation) (MMDR) Act, the principal Act which governs the Mineral Sector in India, with effect from 12th January, 2015, which brought major paradigm shifts in the mining regulations, including the grant of mineral concessions of major minerals through auctions to bring transparency and remove discretion.
- The necessary rules enabling the auction of mineral blocks under the MMDR Amendment Act, 2015, viz. Mineral (Evidence of Mineral Content) Rules & Mineral (Auction) Rules were notified soon after by the Ministry. The Ministry also formulated the ‘Model’ tender documents to facilitate the State Governments to expedite the auction process.
- In order to provide handholding support for the implementation of auctions of mining leases/PL-cum MLs, the Ministry of Mines through its Institutions,

i.e., Geological Survey of India (GSI), Mineral Exploration Corporation Ltd (MECL) and Indian Bureau of Mines (IBM) and Central Public Sector Enterprises, such as, SBI Capital Markets Ltd (SBICAP), MECON Ltd, and MSTC Ltd, provided initial handholding support to the State Governments for Transaction Advisory Services, Differential Global Positioning System (DGPS) Survey, Geological Report (GR) preparation and e-auction platform.

Auction Status

• As per information available on website of Ministry of Mines as on 09.03.2022, a total of 145 mineral blocks have been auctioned successfully across 11 States.

District Mineral Foundation (DMF) and Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY)

• DMF is meant to address the long standing demand of the local people in mining areas for inclusive growth. The funds for DMF will be met from additional contributions of 30 % of royalty by existing miners and 10% by miners granted mines after the MMDR Amendment w.e.f. 12.1.2015. The Annual budget of DMFs for major mineral States would be about 6,000 crore.

• 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 Act by the Central Government on 16.09.2015.

• The PMKKKY has mandated 60% of the funds to be utilised for High Priority Areas, such as, Drinking water / Environment preservation and pollution control / Health care / Education / Skill development / Welfare of women, children, aged and disabled people / Sanitation and

• 40% of the funds to be utilised for Infrastructure — Roads & physical infrastructure / Irrigation / Watershed development. 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.

A total of ₹ 40,279.58 crore have been collected under PMKKKY as on July 2020.

• More than 1,76,636 projects have been sanctioned under PMKKKY.

• Funds worth more than ₹ 23,800 crore have been sanctioned for various projects.

