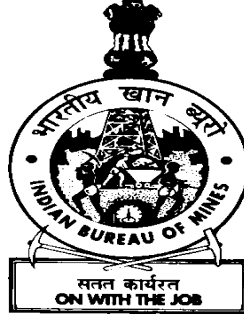


भारत सरकार
Government of India
खान विभाग
Ministry of Mines

खान विभाग
[क.म.४०] व.२
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Bulletin of Mineral Information
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भारतीय खान विभाग
INDIAN BUREAU OF MINES

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

A. Amendments/Notifications

1. Ministry of Mines, Notification, S.O.207(E)—In exercise of the powers conferred by the second proviso to Sub-section (1) of Section 4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Mines number S.O. 2307(E), dated the 18th May, 2022, published in Gazette of India, Part II, Section 3, Sub-section (ii), dated the 18th May, 2022, except as respects things done or omitted to be done before such rescission, with effect from the date of publication of this notification.

Source: The Gazette of India, Extraordinary, No. 194 Part II, Section 3 ,Sub-section (ii), dated 12.01.2023.

2. Ministry of Mines, Notification, S.O. 208(E) — In pursuance of the second proviso to Sub-section (1) of Section 4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby notifies the M/s FCI Aravali Gypsum and Minerals India Limited, a Central Government Company, for the purposes of the second proviso to Sub-section(1) of Section 4 of the said Act: Provided that the M/s FCI Aravali Gypsum and Minerals India Limited shall make over the data generated by it, in respect of the prospecting operations undertaken by it, to the concerned State Government.

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

Source: The Gazette of India, Extraordinary, No. 195 Part II, Section 3,Sub-section (ii), dated 12.01.2023.

3. Ministry of Mines, Notification, S.O.575(E)—In exercise of the powers conferred by the second proviso to Sub-section(1) of Section4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government herebynotifies the Jharkhand Exploration and Mining Corporation Limited, Ranchi, (for the purposes of the said provisosubject to the condition that the Jharkhand Exploration and Mining Corporation Limited, Ranchi, shall make available the data generated in respect of the prospecting operation sunder taken by it to the concerned State Government.

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

Source: The Gazette of India, Extraordinary, No. 546, Part II, Section 3-Sub section (ii), dated 03.02.2023.

4. Ministry of Mines, Notification, S.O. 719(E)—In exercise of the powers conferred under Rule 58 of the Mineral Conservation and Development Rules, 2017 and with the previous approval of the Central Government in the Ministry of Mines, the Controller General, Indian Bureau of Mineshereby directs all the holders of mining lease andthe preferred bidders who are issued with a letter of intent for grant of a mining lease to submit a copy of the digital aerial images which they submit to Indian Bureau of Mines under Rule 34A of the said rules to the State Government also within the time specified in Rule 34A of the said Rules.

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

Source: The Gazette of India, Extraordinary, No. 689, Part II, Section 3, Sub-section (ii), dated 16.02.2023.

5. Ministry of Mines, Notification, S.O.789(E)—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorized Occupants) Act 1971, the Central Government do hereby appoints, the officer mentioned in column (1) of the table below being officer equivalent to the rank of Gazetted Officer of Government to be Estate Officer for the purpose of said Act, and further directs that the said officer shall exercise the powers and duties imposed by or under the said Act, within the local limits of his jurisdictions in respect of the Public Premises specified in column (2) of the said table.

TABLE

Nam and Designation of the officer	Categories of Public Premises and local limits of jurisdiction
(1)	(2)
Shri. Shashi Ranjan Director, additional charge of Chief Security Officer-cum-Estate Officer, Bharat Gold Mines Limited Oorgaum Post, Kolar Gold Fields District: Kolar (Karnataka)	Property held by Bharat Gold Mines Limited at Kolar Gold Fields, Post: Oorgaum, District: Kolar, (Karnataka) (As contained in Annex – I) Property held by Bharat Gold Mines Limited at Ramagiri Mines, Post : Dharamavaram, District: Anantapur, (Andhra Pradesh) (As contained in Annex – II)

Annexure-I

BHARAT GOLD MINES LIMITED

(A Government of India Enterprise)

Details of property held by BGML at K.G.F. Kolar District, Oorgaum Post, Karnataka State – 563120

Sl. No.	Land/Locations	Nos. of Houses	Total area purchased in Acres	Date of Purchase	Purchase value in Rs.	Village	Taluk	District
1.	ND Mine Workmen Houses: Single Hutments Double Hutments Masonry model houses	3164 132 552	480.00 71.00 174.00	28.03.1977 28.03.1977 28.03.1977	1391880 205883 504558	Kediregowdana Kote Golla Halli, Dodda rahalli Doddurkarapanah	Bangarpet Bangarpet Bangarpet	Kolar Kolar Kolar Kolar

	Quarters Bungalows Industrial Area	253	152.00	28.03.19 77	440764	Pitchahalli	ar petBanga rpet	Kolar
		62	68.00	28.03.19 77	197184	ReddiedHalli		
		--	4120.12	28.03.19 77	11947359	Dasarahosaalli		
	Total	4163	5065.12		14687628			
2.	Champion Reef Mine Workmen Houses:	3433	488.00	28.03.19 77	1415083	SwarnaKuppa	Bangarpe t	Kolar
	Single Hutments	156	59.00	28.03.19	171086	Nachihalli,	Bangarpe	Kolar
	Double Hutments	147	41.00	77	118890	PeddapalliOorgaut	Bangarp	Kolar
	Masonry model	335	422.00	28.03.19	1223699	m Village	Bangar	Kolar
	houses Quarters	117	310.00	77	898926	Bottepalli,	petBanga	Kolar
	Bungalows	--	1957.09	28.03.19	5675091	Nachalli	rpetBang	Kolar
	Industrial Area			77		Ganganathodi	arpet	
				28.03.19		Bodigurki		
				77		Kathihalli		
	Total	4188	3277.09		9502775			
3.	MysoreMineWork men Houses:	1676	459.00	28.03.19	1330990			
	a)Single Hutments	266	155.00	28.03.19	449463	Dasarahosaalli	Bangarpe	Kolar
		210	174.00	77	504558		t	
	b)Double Hutments	61	370.00	28.03.19	1072911	Byatrayanahalli	Bangarpe	Kolar
		--	2468.07	77	7156811		t	
	c)Masonary model			28.03.19		Doddakallshalli	Bangarpe	Kolar
	houses			77			t	
	Quarters			28.03.19		Oorgaum Village	Bangarpe	Kolar
	Bungalows			77		Ukkarahalli,Kathit	Bangarp	Kola
	Industrial Area			28.03.19		halli Chinnakote,	etBangar	Kolar
				77		Bovinahalli	pet	
	Total	2560	3767.07		0923599			
1.	TOTALSUMMAR Y:							
a)	NDMineWo rkmen	4163	5065.12		14687628			
2.	Houses	4188	3277.09		9502775			
3.	ChampionReefMin e Mysore MineWork menHouses	2560	3767.07		10923599	Bangaradagani	Bangarpe	Kolar
							t	
	Total	10911	12109.28		35114002			

Note: For all the villages common village name referred as Bangaradagani village for BGML land.

Annexure-II

BHARAT GOLD MINES LIMITED

(A Government of India Enterprise)

Details of property held by BGML at Ramgiri Mines ,Dharamavaram Post, Anantapur District, Andhra Pradesh

Sl. No.	Land/Locations	Nos.of House	Total area purchased in Acres	Date of Purchase	Purchase value in Rs.	Village	Taluk	District
1.	Ramagiri Mines: a) Industrial Area	---	77.61	1984	85845	Ramagiri Village Kothapalli Cheraloapli	Dharamavaram	Anantapur

Source: The Gazette of India, Extraordinary, No. 757, Part II, Section 3, Sub-section (ii), dated 21.02.2023,

6. Ministry of Mines, Notification, S.O.934(E)—In exercise of the powers conferred under the second proviso to sub-section(1) of Section4 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and consequent upon accreditation provided by the National Accreditation Board for Education and Training of the Quality Council of India, the Central Government hereby notifies the following agencies as specified in the guidelines for notification of accredited private exploration agencies issued by the Government of India in the Ministry of Mines vide Order no. M.VI-16/15/2021-Mines VI, dated the 12th August, 2021 (hereafter referred to as the said guidelines for notification of accredited private exploration agencies) for the purposes of the said second proviso to sub-section (1) of Section 4 of the said Act:

Serial Number	Exploration Agency	Category of Exploration Agency
1	M/s Novomine India Private Limited	A
2	M/s Infrastructure Logistics Private Limited	B

The agencies shall carry out prospecting operations in compliance with the conditions specified in the said guidelines for notifications of accredited private exploration agencies.

This notification shall come into force on the date of its publication in the Official Gazette and shall remain valid for a period of three years from the date of notification or till expiry or termination of the accreditation granted, whichever is earlier.

Source: The Gazette of India, Extraordinary, No. 897, Part II, Section 3, Sub section-(ii), dated 28.02.2023.

7. Ministry of Mines, Notification, S.O. 4917(E)—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies the following office of Geological Survey of India, subordinate office of the Ministry of Mines, more than 80% Staff whereof have

acquired working knowledge of Hindi:

1. Geological Survey of India, Marine and Coastal Survey Division, Mangaluru.

Source: The Gazette of India, Extraordinary, No. 4705, Part II, Section 3/Sub-section (ii), dated 18.10.2022.

B. Court Decisions:

1. Samaj Parivartana Samudaya and others, Appellant v. State of Karnataka and others, Respondents, AIR 2022, Supreme Court 4012, Vol. 109, Part 1306, October, 2022.

Subject: The issue involved in the case is the lifting/relaxation of ceiling limit for production of Iron Ore, in the district of Bellary, Chitradurga and Tumkur in the state of Karnataka.

Facts: The learned counsel for the Appellant submitted that the ceiling limits were imposed in view of the earlier CEC recommendation and the report of the learned Lokayukta, which suggested that the rate of mining of iron ore in the State of Karnataka was unsustainable and would result in exhaustion of the iron ore deposits in the State of Karnataka within 30 years. This would seriously impact the goal of intergenerational equity. It is submitted that as the learned Oversight Authority had sought additional information regarding the infrastructural capacity before giving an opinion as to the viability of lifting of the ceiling limit, this Court should presently refrain from passing any orders at this juncture.

The Learned Senior Advocate submitted that the present regime relating to iron ore mining in the State of Karnataka, with Court imposed ceiling limits, has been in existence for over a decade. When the ceiling limit was first imposed, the Court was confronted with a vastly different situation, where there was rampant illegal mining activity taking place in the State of Karnataka. The said situation has now been remedied through series of orders passed by this Court. As a result, all illegal mining in the area has been halted and several ameliorative measures were taken for the improvement of the environment and ecology of the region. In such circumstances, the learned senior advocate submitted that the present mining lease holders, who are complying with all the laws, are being unfairly penalized for the illegalities that were committed a decade ago. Such ceiling limits has resulted in a discriminatory situation where mining lease holders in the State of Karnataka are governed by one legal regime, while those in other States of the country are governed by a completely different regime.

Decision: The Supreme Court has accepted the recommendations of the CEC when it comes to the ceiling limit. In the present case, the CEC has recommended a complete relaxation of the ceiling limit. But the Court was inclined to allow the same in toto. Rather, the situation merits a cautious approach, keeping in view the concerns raised and to ensure that any changes in the situation with respect to the mining activity in the State of Karnataka is brought about gradually, Supreme Court opinion that the ceiling limit of iron ore mining may be raised from 28 MMT to 35 MMT for District Bellary, and from 7 MMT to 15 MMT for Chitradurga and Tumkur Districts collectively. The conservation of the ecology and the environment must go hand in hand with the spirit of economic development and the fine balance between the two goals is what is sought to be achieved even now.

Accordingly, the Supreme Court has Ordered/held that IA Nos. 83141/2017, 72931/2017 and 218/2014 are disposed of on the above terms. As far as IANo. 10973/2018 concerned, the same relates to directions to the CEC and Monitoring Committee regarding deciding applications for enhancement of MPAP in terms of the earlier orders of the Court. The Supreme Court stated that the same may be considered on the next date of hearing.

Order accordingly.

2. Sociedade De Fomento Industrial Pvt Limited, Petitioner-appellant v. State of Jharkhand and Others, Respondants, AIR 2022, Jharkhand 172, Vol. 109, Part 1307, November, 2022.

Subject: Challenging the decision to go for de novo auction process with fresh teams due to presence of single bidder.

Facts: The State of Jharkhand had come out with Notice Inviting Tender(NIT) on 25.10.2019 inviting bids in order to carry out e-auction for grant of mining lease of Lodhapat Jobhipat and Hethilodha Bauxite Blocks having concession area of 75.193 hectares fixing the last date of sale of tender document on 18.11.2019 and date of opening of tender on 17.12.2019. The petitioner No.1 purchased the tender document on 08.11.2019 at the cost of Rs.4,95,600/-.

It was the case of the writ petitioner that in terms of tender document, the upfront payment of Rs. 8.16 crore was payable by the successful bidder as pre-bid security and further in terms of eligibility, the company had to have the net worth of more than Rs. 32.64 crores, which the petitioner No.1 had duly met. As per terms of the NIT, in particular Clause 8, which is akin to Rule 10 of the Rules, 2015, the auction was to take place in two rounds. The first round of E-auction, which consists of technical bid and initial price bid, was to be submitted on or before 16.12.2019. The second round of auction was thereafter to be conducted on 20.01.2020. Further, in terms of the said tender document, the reserve bid was fixed at 10% of the mineral dispatched. Subsequently, the petitioner-company submitted its bid letter on 13.12.2019 expressing its interest in the said blocks, which was duly acknowledged by MSTC Ltd, the auction conducting agency, through e-mail on 16.12.2019.

However, after first round of auction, the State Government vide notice dated 27.01.2020 decided to annul the first attempt of auction for granting of mining lease of the aforesaid Bauxite Block on the ground that there were less than three bidders, who had submitted their bid showing interest in the blocks in question, as such in terms of Rule 9 (9) of the Mineral (Auction) Rules, 2015, which provides that in the first attempt of auction, the second round of auction commences only when the total number of technical qualified bidders was three or more.

The State Government thereafter was started the second attempt of auction in terms of Rule 9(11)(b) of the Rules, 2015, whereby the State Government had the option to conduct the process de novo i.e. with fresh terms and conditions or try a second attempt with the same terms and conditions as the previous NIT had. The State opted for the second option under Rule 9(11) of the Rules, 2015. Accordingly, the State Government issued Notice Inviting Tender dated 28.01.2020 inviting bid for grant of mining lease for the said block, for which, the petitioner-company again expressed its desire and once again purchased the tender documents

on

10.02.2020. Thereafter, submitted the bid letter on 09.03.2020 along with required bank guarantee as bid security in favour of State, before due date i.e., 13.03.2020. However, due to break-out of Covid-19 pandemic in the country and consequential Lockdown orders passed by the Central Government, the State Government vide corrigendum dated 25.03.2020 informed the bidders that the auction of the mineral blocks in question was kept in abeyance till further orders. However, after some relaxation in Lockdown, the State Government came out with modified schedule, whereby announcement of technically qualified bidders was shifted from 07.04.2020 to 15.06.2020 and opening of initial price offer was shifted from 13.04.2020 to 22.06.2020 and then the electronic auction for final price offer was to be conducted on 24.06.2020 in place of 16.04.2020. Thereafter, the preferred bidder was to be announced on 24.06.2020 followed by subsequent stages. In furtherance to changed schedule, the State Government vide letter dated 10.06.2020 informed that the declaration of the technically qualified bidder would be done on 15.06.2020.

It is the case of the petitioner that though in terms of schedule, the e-auction and submission of final price offer was to be conducted on 24.06.2020, but till date the said auction has not been completed. Aggrieved thereof, the petitioner approached this Court invoking the writ jurisdiction of this Court conferred under Article 226 of the Constitution of India for redressal of his grievance. The Learned Senior Counsel for the petitioners-appellants submitted that the contention which had been raised by respondent-State of Jharkhand about annulment of the first attempt of auction vide order dated 27.12.2021 was absolutely incorrect in view of the fact that the State Government had resorted to second attempt of auction process in view of provision as contained under Section 9(11)(b) of the Rules, 2015, which would be evident from the counter affidavit dated 08.03.2022, where in the decision of the Tender Evaluation Committee dated 11.06.2020 had been appended, by which it was evident that in view of provision of Rule 9(12) of Rules 2015 (as amended by Rules 2017) during the second attempt of auction process the bidding shall continue to the second round even in case the number of technically qualified bidders were less than three, therefore decision had been taken by the Tender Evaluation Committee that in view of the provision of Rule 9(12) of the Rules, the second attempt of auction process was to be initiated and also recommended that the following bidder, namely, M/s Sociedade De Fomento Industries Pvt. Ltd., Margao, shall be declared as technically qualified bidder. The learned Senior Counsel for the appellant, submitted that the Tender Evaluation Committee since had been conferred with the power by the State Government to take decision and once the decision had been taken by such committee in exercise of power conferred under Rule 9(12) of the Rules, 2015 for initiation of second attempt of auction process, now it cannot be allowed to be said on behalf of State that they had annulled the first tender process for the purpose of coming out with fresh tender, as had been done vide order dated 27.12.2021 and as such submission had been made that once the State had taken a decision to go for second attempt of tender process, the tender process ought to have come to its conclusion but instead of doing so, the State authority had not acted upon and, therefore, the writ petition had been filed. But, the learned Single Judge without appreciating that aspect of the matter i.e., even in case of number of bidders being less than two or three, the second attempt of the auction process can be set at motion and even though it had been set on motion by virtue of decision taken by the Tender Evaluation Committee on 11.06.2020 but without appreciating that aspect of the matter, the writ petition was dismissed, as such the Order passed by the learned Single Judge is not sustainable in eye of law. The Learned Senior Counsel for the respondents submitted that since there was single bidder and as such the State took a decision not to proceed with the second attempt of auction process and decided to go for the second tender. Therefore, the learned Single Judge taking into consideration these aspects of the matter was

correct in dismissing the writ petition, as such the same may not be interfered with.

Point of issues: (I). Whether the State Government had gone into second attempt of auction process in pursuance to notification vide orders dated 27.12.2021 and 21.01.2022?

(II). Whether the State can be allowed to go for the fresh tender even though the State Government had resorted to the process in terms of provision as contained under Rule 9(11)(b) of the Rules by resorting to the second attempt of auction process?

Decision: The High Court had stated that the Tender Evaluation Committee had taken a decision to go for second attempt of the auction process, as would be evident from decision taken in the meeting of the Tender Evaluation Committee dated 11.06.2020. Thereafter, there was no progress in the proceeding rather the Department had come out with the noting, as contained in file dated 27.12.2001 without passing any order to that effect for publishing it in the daily newspaper for knowing the persons who were having interest in the tender process. It appears from the record that decision for fresh tender had been taken by the Director by referring there in that there were less than two or three bidders. But, such decision, which led the Director to take decision for fresh decision on the basis of number of bidder two or three cannot be said to be a valid reason since the proviso to Rule 9(12) whereby the decision is to be taken for second attempt of auction process even in case the number of bidders are less than two or three, meaning thereby even if the numbers of bidder is one, as per the said provision, the decision shall be taken for second attempt in the auction process and considering the aforesaid statutory provision the Tender Evaluation Committee had already taken decision on 11.06.2020. Therefore, decision of the Director to go for fresh tender based upon the aforesaid reason cannot be said to be justified one.

The High Court had took the view that once the Tender Evaluation Committee had taken decision for second attempt of auction process it was not available for the State Government to take the plea for resorting to the de novo tender process. Further, the reason upon which the writ petition had been dismissed was based upon the consideration of the fact by the learned Single Judge that in case if one bidder would be allowed in the auction process the same would be contrary to the public policy but while giving such finding the learned Single Judge had not appreciated that when the statutory provision was there for proceeding with the tender process even if in case of single bidder, as would appear from provision contained in the rule, it cannot be said that if the tender process would be allowed to proceed in a case of single bidder, it would be contrary to the public policy rather action was required to be taken by the Tender committee if not taken as per the statutory provision then only it can be said to be contrary to the policy decision, but, herein, since the decision for second attempt in the auction process had been decided to be resorted to, as would appear from the decision of the Tender Evaluation Committee dated 11.06.2020, it cannot be said to be contrary to the public policy.

The High Court had further stated that due to non-consideration of the aforesaid factual and legal aspect of the matter, the order passed by the learned Single Judge, require interference. Accordingly, the High Court had quashed and set aside the Order dated 22.04.2022 passed by learned single Judge in W.P.(C) No. 5152 of 2021 and allowed the instant intra-court appeal and also the Writ Petition.

Appeal allowed.

3.M/SDRNInfrastructure Engineers and Contractors, Hubli, Petitioner v. State of Karnataka and others, Respondants. AIR 2022, Karnataka 229, Vol. 109, Part 1307, November, 2022.

Subject: Challenging the Orders dated 23.06.2016 and 24.11.2016 passed by the Senior Geologist, demanding four times the royalty amount.

Facts: The petitioner was granted a quarry lease for extraction of ordinary building stone on 19.07.2013 for a period of five years in respect of land bearing Sy.No.106/A-1 to the extent of 10 acres. The Senior Geologist, Department of Mines and Geology, Haveri, issued an annual audit report in respect of Nellibeedu Quarrying Lease No.93 for the period till 31.03.2015. It was found in the report that a quantity of 2,28,010 tonnes of ordinary building stone was quarried and 1,71,084 tonnes was consumed during the said period. According to the audit report, the petitioner had removed 51200 metric tonnes of ordinary building stone from the quarry lease area on payment of royalty of Rs.30,71,980/-. Thereafter, notice was issued to the petitioner asking it to deposit a sum of Rs.71,93,060/- towards royalty.

The Additional Chief Secretary, Government of Karnataka, issued oral instructions on 10.03.2016 to levy and collect royalty at four times i.e., 2,87,72,200/- on the grounds that (i) advance royalty has not been paid, (ii) mineral dispatch certificates have not been obtained and (iii) terms and conditions of Quarrying Lease Deed Book has been violated. Thereafter, orders dated 23.06.2016 and 24.11.2016 were passed by the Senior Geologist demanding four times the royalty amount i.e., a sum of Rs.2,87,72,200/- for having transported 1,19,884 metric tonnes of ordinary building stone from Neelibeedu Quarrying Lease. The aforesaid order had been challenged in W.P. No.2188/2017.

By another order dated 24.11.2016 passed by Senior Geologist, five times the amount of royalty, i.e., Rs. 7,73,56,724/- for extraction of ordinary building stone as on 31.03.2015 from Bingapur Quarrying Lease, was demanded. In W.P. No.2189/2017, the said order was assailed.

The Learned Counsel for the petitioner submitted that the petitioner has transported the mineral for a period prior to 12.08.2016. The provision incorporating the levy of penalty five times the royalty has been incorporated in Karnataka Minor Mineral Concession Rules, 1994 (hereinafter referred to as 'the Rules' for short) on 12.08.2016 and the said provision does not have a retrospective operation. It is also submitted that at the relevant time, there was no provision in the Rules authorizing the levy five times the amount of royalty. It is further submitted that under clause (4) of the lease agreement, the respondents have no authority to levy the penalty five times the royalty amount which is not provided in the Rules. It is contended that, levy of penalty is per se without any authority of law.

The, Learned Additional Government Advocate submitted that under Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957, the respondents had the authority to recover the value of the mineral. It is further submitted that the market value of the mineral could be recovered under Rule 44(3) of the Minor Mineral Concession Rules, 1994. It was also submitted that Division Bench decision of the Court would not apply to the fact situation of the case. Learned Additional Government Advocate had invited the attention of the Court to the impugned Order and had pointed out that the penalty had been imposed under Clause 4 of Part V of the agreement. It was further submitted that a penalty can be

levied under Section 74 of the Indian Contract Act, 1872. He placed reliance on decisions of Hon'ble Supreme Court in Fatehchand v. Balkishan Das (AIR 1963 SC 1405); MaulaBax v. Union of India (AIR 1970 SC 1955) and Oil and Natural Gas Ltd v. Saw Pipes Ltd (AIR 2003, SC 2629).

Point of issue: Authority of the Senior Geologist, Department of Mines and Geology to issue the impugned demand levying the penalty.

Decision: The High Court had referred to Rule 42(i) of the Rules, Clause 4 of Part V of the "Form E", the relevant extract of the impugned demand notice, and, stated that while issuing the impugned demand notice, the Senior Geologist Mines and Geology Department had taken recourse to Clause 4 of Part V of the lease deed. The petitioner had transported the mineral without obtaining the Mineral Despatch permit and therefore, had violated Rule 42 of the Rules. The Respondents had therefore, invoked Clause 4 of Part V of the lease deed and had imposed the penalty. Thus, the imposition of penalty was under a contract, which had a statutory force. It was settled law that a penalty may be subject matter of breach of statutory duty. The stipulation in the contract was based on principles akin to Section 74 of the Indian Contract Act, 1872. It was also pertinent to note that the penalty was intended to compensate the State for breach of the contract.

The High Court had held that Rule 44(4) was introduced by way of an amendment with effect from 12.08.2016 and therefore, could not be invoked for making a demand for a period anterior to 12.08.2016. Further, the High Court had referred to Rule 6(3) of the Rules and stated that Chapter VII was a special provision dealing with unauthorized transportation of minor minerals and unauthorized quarrying offences and therefore, provisions of Chapter VII and Clause 4 of Part V of the agreement, which provide for levy of penalty five times the royalty in case of unauthorized transportation of minerals being the special provision would prevail over the general provision contained in Rule 6(3). Therefore, the contention that in view of Rule 6(3) of the Rules, only penalty of Rs.10,000/- can be imposed does not deserve acceptance. Accordingly the High Court had dismissed the Writ Petitions for want of merit. Petition dismissed.

4. V. Manga, Petitioner v. State of Andhra Pradesh, Responent, AIR 2022, Andhra Pradesh 183, Vol. 109, Part 1308, December, 2022.

Subject: Challenging the demand notice issued without furnishing copy of inspection report.

Facts: The petitioner had been granted lease over 2 Hectares of land in Sy.No.11 of Parawada Village and Mandal, Visakhapatnam District on 28.07.2010, for a period of 10 years. While the quarry was in operation, the technical staff of the office of the Assistant Director of Mines and Geology, Visakhapatnam were said to have conducted a survey and inspection on 20.08.2020 and 25.08.2020. This survey was said to have been conducted in the presence of Sri V. Venkata Rao, who is the husband of the writ petitioner. On the basis of this inspection, a show cause notice was issued on 09.09.2020 to the petitioner stating that the inspection of 20.08.2020 and 25.08.2020 had revealed that the petitioner had undertaken illegal quarrying outside the lease demarcated area due to which payment of seigniorage fee had been evaded and to show cause why seigniorage fee, penalty and other amounts should not be collected from the petitioner on account of such illegal quarrying.

In reply to the show cause notice, the petitioner had submitted an interim reply dated 28.09.20. In the said reply, the petitioner apart from raising various issues had contended that

the inspection of 20.08.2020 and 25.08.2020 had been conducted behind the back of the petitioner and sought a copy of the said inspection report. The petitioner had taken the stand that she would be able to file a proper reply only after the inspection report is supplied.

The Assistant Director of Mines, Visakhapatnam had issued a Demand Notice No.2871/Q/2006 dated 14.10.2020. In this demand notice, the Assistant Director stated that the survey and inspection reports sought by the Petitioner had been furnished on her with request to submit her reply on or before 06.10.2020. As no reply had been given, the Assistant Director of Mines was said to have passed the demand notice.

It is the case of the petitioner that even though this demand notice was said to have been issued on 14.10.2020, the petitioner was under the impression that the matter was still pending before the Assistant Director and the Petitioner had even filed an application on 31.03.2021 under the Right to Information Act, through her son, requiring a copy of the inspection reports. It was only at that stage, the Petitioner was said to have been served with a copy of the impugned demand notice, which was challenged by her, by way of W.P.No.12853 of 2021. However, the Writ Petition could not be proceeded with on account of the Covid-19 pandemic and was withdrawn with liberty. Thereafter, the writ petition was filed.

The Learned Counsel for the Petitioner submitted that the statement in the demand notice that the reports had been served on the Petitioner on 29.09.2020 was incorrect and the petitioner was awaiting the service of the copy of the said reports. But the 3rd respondent without furnishing the copy of the report had unilaterally passed the impugned Order and the same suffers from violation of principles of natural justice as the report which was the basis of the show cause notice and the demand notice had not been served on the Petitioner and the Petitioner was not given an adequate opportunity of hearing.

The 3rd respondent took the stand that the inspections of 20.08.2020 and 25.08.2020 had revealed that the petitioner had conducted excavation of minor minerals beyond the lease area given to the petitioner and that the petitioner had no cogent answer to this finding in the report.

The learned Counsel for the petitioner pointed out that the inspection report produced by the Government Pleader did not contain the signatures of the representatives of the petitioner and was not the report which was prepared at that point of time. A perusal of the said report showed that it is signed by the Assistant Geologist in the office of the 3rd respondent. There was no other signature. The statement said to have been signed by the husband of the petitioner has been attached to this report. The Learned Government Pleader contended that the statement and the inspection report was part of the same document and the explanation given by the husband at the time of the inspection was produced in writing and it was signed by the said husband. The Learned Counsel for the Petitioner submitted that the husband of the Petitioner had also signed on the inspection report and the same has not been produced before the Court till today.

Decision: The High Court had stated that the inspection report produced before the Court contain the signature of only of the Geologist in the office of the 3rd respondent and did not contain the signatures of any of the other persons, who were said to be present at the time of the inspection. In the circumstances, it was difficult to accept the inspection report produced before the Court. The impugned demand notice had been passed by the 3rd respondent,

without furnishing the copy of the inspection report said to have been prepared earlier and on the basis of which, the demand notice has been issued. The High Court further stated that it was settled law that when action was sought to be taken against any person, the said person had to be informed of the case against him and be furnished with all the material on the basis of which, the said case was being made out against the person. It was only when these two requirements were complied that the affected person would have an adequate opportunity to explain his/her case and any derogation from requirements would amount to violation of principles of natural justice. In the present case, non-furnishing of the joint inspection report would amount to violation of principles of natural justice.

Thus,, the High Court had allowed the Writ Petition without any order as to costs and set aside the impugned demand notice No.2871/Q/2006 dated 14.10.2020 and remanded the matter back to the 3rd respondent to furnish a copy of the joint inspection report after obtaining a receipt for the said document and to pass orders after giving an opportunity of hearing to the petitioner and an opportunity to place his/her objections on record. The said exercise shall be completed within a period of six weeks from the date of receipt of the Order.

Petition allowed.

5. Fakkirappa M.Murgod, Petitioner v. The State of Karnataka, Respondent, AIR 2022, Karnataka 271, Vol. 109, Part 1308, December, 2022.

Subject: Seeking extension of the period of quarry lease.

Facts: The petitioner was granted a quarry lease on 10.08.2017 to extract sand for a period of five years. The period of quarry lease of the petitioner was valid up to 09.08.2022. It was the case of the petitioner that on account of a notice dated 27.10.2017 issued by the Deputy Director, Department of Mines and Geology, the petitioner could not carry out quarrying operations. The petitioner, therefore, submitted a representation to the Secretary, Commerce and Industries Department, seeking extension of the period of quarry lease. The aforesaid representation had been rejected by the impugned order dated 08.07.2022. In the aforesaid factual background, the Writ Petition had been filed.

The learned Counsel for the petitioner submitted that while passing the impugned order dated 08.07.2022, the Authority had not adverted to Rule 8-A of the Karnataka Minor Mineral Concession Rules, 1994 (hereinafter referred to as 'the Rules' for short) under which, the Petitioner was entitled to extension of the period of lease.

The Learned Additional Government Advocate had submitted that the petitioner cannot claim extension of the period of lease.

Decision: The High Court had stated that the first proviso to Rule 8-A of the Rules provides that where a quarry remained closed due to Court order or any other order passed by the Government, the period of lease may be extended equal to the said period. In order to claim the benefit of the first proviso to Rule 8-A of the Rules, the petitioner was required to establish that his quarry remained closed on account of an order passed by the State Government.

The High Court found out that though the petitioner had stated that the Deputy Director,

Department of Mines and Geology issued a notice dated 27.10.2017 asking the petitioner to stop the quarrying operations ,however, nowhere in the representation it has been stated that on account of the said notice, the petitioner had to stop the quarrying operations. It was also pertinent to note that the petitioner had challenged the aforesaid Order in a Writ Petition in W.P. No.50524/2017 which was disposed of in view of the statement made by counsel for the petitioner himself that the Writ Petition did not survive for consideration. The Petitioner had failed to make out any of the grounds mentioned in Rule 8-A of the Rules, and, therefore, he was not entitled to seek extension of the period of quarry lease. The High Court had dismissed the Writ Petition for want of merit.

Petition dismissed.

SECTION -2

Trend in Mining, Prospecting and Reconnaissance

2.1 TREND IN MINING

A. Mining Leases Granted

During the period under review, the information pertaining to the grant of 05 mining leases covering an area of about 672.5 hectares were received. Of these, Bauxite & laterite accounted for 01 mining lease, followed by 01 mining lease of Iron ore and 03 mining leases of Limestone(Cement Grade).

Reviewing Statewise, number of mining leases and area granted in Gujarat state was 04 mining leases with 572.63 ha while that of Odisha was lone mining leases of 92.87ha.

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

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

Mineral	No. of Mining Leases Granted	Area in ha
Bauxite & laterite	1	6.28
Iron ore	1	92.87
Limestone(Cement Grade)	3	573.35
Total	05	672.5

Table – 1 B: Details of Mining Leases Granted

Mineral	State/ District	Village	Area in ha	Date of Grant	Peri od in years	Name & Address
Bauxite & laterite *	Gujarat/ Sabarkantha	Harsol	6.28	19.10.2022	50	Shri Ashok Kumar Patel, 203, 2 nd Floor, Himmatnagar Gujarat- 383 001
Iron ore	Odisha / Sundargarh & keonjhar	Kalmong, Ghorabudhand Gandhalpada	92.875	05.01.2023	50	M/s TATA Steel, Bombay house, 24, Homi Mody Street, Mumbai.
Limestone (Cement Grade)	Gujarat /Kutch	Mudhvay Village	238.08	16.12.2022	50	M/S Adani Cementation Limited, Adani House, 56 Shrimali Society, Navrangpura, Ahmedabad, Gujarat- 380009.
Limestone(Cement Grade)	Gujarat /Kutch	Mudhvay Village	228.269	16.12.2022	50	M/S Shree Cement Limited, Bengur Nagar, Post Box No. 33, Beawar- 305901, Ajmer, Rajasthan.

Limestone(Cement Grade)	Gujarat /Kutch	Mudhvay Village	107.00	16.12.2022	50	M/S JSW Cement Limited, JSW Cement, Bandra Kurla Complex, Near MMRDA Grounds, Bandra East, Mumbai-400051.
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* Letter of Intent issued.

B. Mining Leases Executed

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

Mineral	No. of Mining Leases Executed	Area in ha
Iron and Maganese	01	388.00

Table – 2 B : Details of Mining Leases Executed

Mineral	State/ District	Village	Area in ha	Date of Execution/ Registration	Period in Years	Name & Address
Iron and Maganese	Karnataka/ Ballari	Devadari Hill Range, Swamimalai Block Forest	388.00	02.01.2023	50	M/s KIOCL Limited, IIInd Block Koramangala, Bengaluru-560034.

C. Mining Leases Terminated/Cancelled

Table – 9: Details of Mining Leases Terminated/ Cancelled

Mineral	State / District	Village	Area in ha	Date on which Lease Terminated	Name & Address
Limestone	Gujarat / Kutch	Dhrang	18.00	17.09.2022	Shri Ram Minechem International, Near Kutch Dairy, GIDC, Madhapar, Ta. Bhuj, Dist. Kutch.
Mangenese Ore	Gujarat/ Panchmahal	Shivrajpur	02.95	21.12.2022	M/s. Olymic Industrial Corporation, C/o. Shri Arvind Rasiklal Joshi, At- Shivrajpur, Ta- Halol, Dist. Panchmahal- 389370.

D. Mining Leases Transferred

Table – 10A: Details of Mining Leases Transferred

Mineral	State / District	Village	Area in ha	Name and Address		Date of Transfer of Lease
				Transferor	Transferee	
Iron Ore	Karnataka / Ballari	Sanjeevarayanakote	42.42	Sri Allum Prashant	M/s Suveera Enterprises,	07.01.2023
Iron Ore	Karnataka / Ballari	Thimmappanagudi (NEB) Range	36.20 (Out of 46.20 CFC)	Sri H.G. Rangan Goud	M/s H.G. Rangan Goud & Co..	16.12.2022
Limestone	Andhra Pradesh / Kurnool	Petnikota(V), Kolimigundla (M)	912.797	M/s Grasim Industries Limited, Cement	M/s UltraTech Cement Limited,	27.12.2022
Manganese Ore	Karnataka / Tumakuru	Shivasandra	21.38	Smt. Sunanda V. Allum	M/s Suveera Enterprises, LLP	07.01.2023
Iron Ore	Karnataka / Ballari	Haraginadona	76.63	Sri Allum Prashant,	M/s Suveera Enterprises,	07.01.2023
Limestone	Gujarat / Junagadh	Kadaya	9.87	M/s Ajmera Cements Private Limited,	M/s. GHCL,	20.10.2023
Limestone	Gujarat / Junagadh	Bhanduri	24.28	M/s Ajmera Cements Private Limited,	M/s. GHCL,	20.01.2023
Manganese Ore	Andhra Pradesh / Vizianagaram	Diguvamendangi (Mokasa)	21.77	Sri S.V. Narayana Reddy,	M/s SGX Minerals Pvt.Ltd.,	29.12.2022

E. Mines Opened

Table – 11: Details of Mines Opened

Mineral	State/ District	Name of Mine	Village	Date of Opening	Area in ha	Name & Address
Limestone	Madhya Pradesh/ Panna	Kakra – Panna Limestone Mine	Kakra, Kamtana, Judi, etc	27.12.2022	1594.34	Jayakaycem (Central)Ltd. Kamla Tower, Kanpur-208 001 (UP)

2.2 TREND IN PROSPECTING

A. Prospecting Licences Granted

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

Mineral	State / District	Village	Area in ha	Date on which Licences Granted	Period in Years	Name & Address
Limestone	Meghalaya / East Jaintia Hill	Musiang Lamare (Old)	9.16	23.12.2022	-	M/s Goldstone Cements Ltd. Musiang Lamare (Old), Distt:- East Jaintia Hills, Meghalaya.
Limestone	Meghalaya / East Khasi Hill	Nongwar	13.9	21.04.2023	-	Shri Tamdor Singh Nadon, Village:- Nongawar, East Khasi Hills, Meghalaya
Limestone	Meghalaya / East Jaintia Hill	Lumshnong	18.19	23.12.2022	-	M/s Goldstone Cements Ltd. Musiang Lamare (Old), Distt:- East Jaintia Hills, Meghalaya.

SECTION -3

Highlights

A. DOMESTIC

GOVERNMENT PLANS TO AUCTION 22 MINERAL BLOCKS IN NEXT TWO MONTHS

The government plans to auction 22 mineral blocks in Maharashtra, Uttar Pradesh and Goa in November and December. The mines to be auctioned include six iron ore blocks, three blocks each of limestone and gold, two blocks of bauxite, one block each of copper, phosphorite and glauconite, according to the mines ministry. The government started the process of allocating mineral blocks through auctions in 2015-16. The ministry has expressed hopes of auctioning 500 mines by the end of 2024. The Centre is aiming to increase the mining sector's contribution to the country's Gross Domestic Product (GDP) to 5 per cent from 2.5 per cent at present. The ministry has also notified the Minerals (Evidence of Mineral Contents) Second Amendment Rules, 2021, and the Mineral (Auction) Fourth Amendment Rules, 2021.

(Press Trust of India - 05 October, 2022)

MOST STATES FAILED TO COLLECT DATA ON MINING OPERATIONS, SAYS NEW REPORT

No states, barring Chhattisgarh and Odisha, have started the system of collecting data related to mining operations and failed to detect production loss and verify the mineral output claimed by miners, according to a report. Besides, states like Gujarat, Kerala, Rajasthan, Uttar Pradesh and West Bengal could not furnish the extraction figures of major minerals, said the Natural Resource Accounting report. The report prepared by the government accounting standards advisory board under the aegis of Comptroller and Auditor General of India further said that since states like Gujarat, Kerala, Meghalaya, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal could not provide the extraction figures of major minerals, their accounts had to be based on production figures only. Further, Madhya Pradesh did not have extraction as well as production figures and accordingly their asset accounts were based on dispatch figures only. Consequently, these states remained unaware about the production loss depicted and claimed by the lessees. The royalty is collected on the minerals dispatched and therefore more the production loss, higher is the revenue leakage. Moreover, cases of irregular claims of production loss also remained undetected on account of such system lacunae. Only Chhattisgarh could provide the detailed position of extraction, production and dispatch of resources along with the production loss, which was within five per cent. Most of the states have not prepared a comprehensive mineral map of the state. States, it

said, should be encouraged to prepare the mineral maps as it would be the first step towards effective management of mineral resources. Besides, there are funds earmarked for this purpose under the National Mineral Exploration Trust (NMET) for carrying out the surveys. There is no system for issuance of permits/transit passes for coal on advance payment of royalty, which is a pre-requisite as per the MMDR Act, 1957. There is no control and monitoring of the mining officers on production and dispatch of coal from the mine head. The lessees have their own system of issuing permits/passess and weigh-bridges for measurement. The department also do not have any weigh-bridges or check gate to monitor actual dispatch of coal. Assessment of revenue is done solely on the basis of returns furnished by the lessees. "This system is highly susceptible to illegal mining, pilferage of minerals leading to windfall gains to the lessees and connected parties and commensurate loss to the state exchequer. The state government may take suitable action to establish control and monitoring system and may also look into any case of pilferage of resources leading to revenue loss to the state exchequer.

(Press Trust of India - 20 October, 2022)

CENTRE ALLOWS 13 PRIVATE AGENCIES TO DO MINING EXPLORATION OPERATIONS

The government on Tuesday said that so far 13 private agencies have been accredited for carrying out the exploration of minerals in the country. With this, "the total number of government agencies engaged in mineral exploration comes to 22", the mines ministry said in a statement. Private players are allowed to take part in exploration of mines after the amendment of Mines & Minerals (Development & Regulation) MMDR Act last year. Such agencies need to get accredited by the National accreditation Board for Education and Training (NABET) of the Quality Council of India (QCI). Mineral Exploration and Consultancy Limited (MECL), a central public sector enterprise under the mines ministry, carries out exploration of minerals through National Mineral Exploration Trust funding. Besides, MECL also provides consultancy services for preparation of reports and other documents for actionable blocks. MECL is also engaged with the Rajasthan government for feasibility study of potash deposit in western part of the desert state.

(IANS New Delhi November 08, 2022)

GOVERNMENT SAID TO INVITE BIDS FOR EXTRACTING GOLD FROM DUMPS AT COLONIAL-ERA MINES

India plans to invite bids to extract gold from 50 million tonnes of processed ore in a cluster of colonial-era mines in Karnataka. The Kolar fields, located about 65 km northeast of Bengaluru, are among the country's oldest gold mines. The Kolar mines, closed more than 20 years ago, held gold deposits worth about \$2.1 billion, and India is now keen to take advantage of new technology that can extract gold from even the leftovers of ore that was processed in the past. Other than gold, the government also aims to extract palladium from the processed ore, or dumps, said the official who did not wish to be named in line with official rules. We are looking at how to monetise these gold reserves trapped in the processed ore. The government expects to invite bids in the next four to six months. Our only constraint is that only foreign companies have the technology and experience of taking out gold from processed ore, but foreign companies can always tie up with local companies or even form a consortium," said the official, who is directly involved in decision-making. India is the world's biggest gold consumer after China and meets most of its demand through imports. India raised the duty on gold imports to 12.5% from 7.5% to dampen demand in an attempt to bring down the trade deficit and ease pressure on the rupee. India's demand for gold rose 14% from a year-earlier period to 191.7 tonnes in the quarter through September, according to the World Gold Council.

(Reuters December 15,2022)

BIHAR GOVT INITIATES AUCTION PROCESS FOR IRON ORE MINES WORTH RS 20,000 Cr

The state govt will initiate the process of granting permission to allow mining of glauconite and iron ore reserves worth Rs 20,000 cr, in Rohtas and Jamui districts. The Bihar government has initiated a process for auctioning of glauconite and iron ore reserves worth Rs 20,000 crore in Rohtas and Jamui districts and will engage SBI Capital Markets to prepare a report. The state government will shortly issue an order for engaging SBI Capital Markets as the transaction advisor and also to suggest terms and conditions based on which the auctions would be conducted. The state government has asked SBI CAPS, the investment bank and project advisor, to submit a detailed report. The state government will initiate the process of granting permission to allow mining of glauconite and iron ore reserves worth Rs 20,000 crore, in Rohtas and Jamui districts. Glauconite, a common source of potassium in fertilisers, is

useful in increasing soil fertility, while iron ore is the essential raw material for making steel. Earlier, there was a perception that Bihar lost its mineral wealth following the creation of Jharkhand in 2000. This is for the first time since the creation of Jharkhand, the Bihar government has initiated a process of allowing mining activities for the state's mineral reserves. Besides, the state government has also decided to amend its industrial promotion policy by including provisions to encourage private participation in the mining sector. The decision to make suitable changes in the Bihar Industrial Promotion Policy to encourage private participation in the mining sector, as it has been done by the Odisha, Chhattisgarh and Jharkhand governments, was taken in a recent meeting . The state government has earmarked two glauconite mines worth Rs 14,048 crore in Pipradih and Chutia-Nauhatta blocks of Rohtas district for auction. Mines and Geology Department has decided to allow mining activities in iron ore deposits, worth Rs 6000 crore, in Jamui,. The SBI CAPS will decide modalities of the mineral auction by way of demarcation and assessment of blocks, tender process, reserve price fixation and eligibility criteria among others.

(Press Trust of India - 14 January, 2023)

INDIA'S OCTOBER IRON ORE EXPORTS 'NEARLY ZERO'

India's iron ore exports dropped to "nearly zero" in October, and overseas shipments of the steelmaking raw material are expected to continue to languish due to higher export taxes and lower demand from China. India in May raised the export tax on low-grade iron ore lumps and fines - with iron content below 58% - to 50% from zero, and hiked the duties on pellets to 45% from zero, as part of efforts to meet rising local demand. Other than higher export taxes, an economic slowdown in China, India's top buyer of iron ore, would hit overseas shipments of the steelmaking ingredient. Beijing's strict COVID-19 curbs would also impact India's iron ore shipments. China's steel production could fall in winter, dampening the demand for iron ore. Global iron ore prices have rebounded after a rout in October, with gains largely driven by rumours that China would pivot away from its zero-COVID policy by next year. Officials have denied knowledge of such a plan. In the fiscal year to March 2022, China bought 21 million tonnes of iron ore and concentrates from India, effectively buying 80% of New Delhi's total

exports of 26.32 million tonnes. Low-grade ores comprised 92% of India's total iron ore exports.

(The Economic Times 03 November ,2022)

GOVT CUTS EXPORT DUTY ON STEEL, IRON ORE; HIKES IMPORT DUTY ON SOME RAW MATERIALS

Six months after imposition of the levy, the government has cut the export duty on steel products and iron ore. Export duty on outward shipment of iron ore lumps and fines with less than 58% iron content will be 'nil'. In the case of iron ore lumps and fines with more than 58% iron, the rate of duty will be 30%.As per the notification, import duty on anthracite/PCI, coking coal and ferronickel used as raw material in the steel industry has been hiked to 2.5%, while for coke and semi-coke it has been raised to 5%, from 'nil' earlier. Export duty on pig iron and steel products to 15% from 'nil', a move which was intended to discourage exports and increase domestic availability to help lower prices. The tax on export of iron ores and concentrates was hiked to 50% from 30%, while on iron pellets a 45% duty was imposed. Steel industry has been demanding a rollback of the duties, saying local demand was not sufficient for domestic production.

(The Hindu, 19 November ,2022)

B. ABROAD

INDIA EYES OVERSEAS COPPER, LITHIUM MINES TO MEET DOMESTIC SHORTFALL.

India is exploring ways to secure supplies of metals such as copper and lithium from some of the world's top producers by acquiring overseas mines, as part of efforts to meet rising domestic demand. India has identified one copper and two lithium mines in resource-rich Argentina to either acquire or secure long-term leases. "A team of experts has already studied the technical aspects of the one copper and two lithium mines in Argentina by visiting the sites. As part of its drive to explore overseas mineral assets, the Indian government has formed Khanij Bidesh India (KABIL) Ltd - a company set up by state firms National Aluminium Company Ltd , Hindustan Copper Ltd and unlisted Mineral Exploration Corp Ltd. KABIL is expected to set up its unit in Argentina to mine and process lithium, the sources said. Lithium is an important raw material used to make electric vehicle batteries. As part of a broader push by the government to meet its decarbonisation goals, India has introduced a clutch of measures to boost sales of electric vehicles (EVs). India is set to become the world's third-largest market for passenger and other light vehicles, displacing Japan, according to a forecast by S&P Global Mobility.

India is set to become the world's third-largest market for passenger and other light vehicles, displacing Japan, according to a forecast by S&P Global Mobility. Other than lithium, copper consumption has jumped in India, even as the country produces only 10-15% of its total copper requirement. India was on track to be one of the world's fastest-growing copper markets in 2022, bucking the trend of softening demand expansion elsewhere, including top consumer China, amid a slowing global economy.

(Reuters January 12, 2023)

ANTI-DUMPING DUTY IMPOSED ON STAINLESS STEEL TUBE IMPORTS FROM CHINA

Anti-dumping duty has imposed definitive anti-dumping duty on ‘Stainless Steel Seamless Tubes and Pipes’ from China. Valid for five years, the anti-dumping duty imposed ranges from \$114 to \$3,801 per tonne depending on the producer. The Directorate General of Trade Remedies (DGTR) in the Commerce Ministry in this year recommended imposition of anti dumping duty on Stainless Steel Seamless Tubes and Pipes from China. The DGTR concluded that these products were exported at dumped prices to India, affecting the domestic economy. Stainless Steel seamless tubes and pipes are used for structural purposes and to transfer liquids and gases. It is used in application relating to oil and gas; petrochemicals and refineries; atomic energy; power generators, including nuclear and thermal power. An anti-dumping duty is imposed to protect local businesses and markets from unfair competition by foreign imports. It is a tariff imposed on imports of goods manufactured overseas priced below the fair market value of similar goods in the domestic market. The government can levy provisional as well as definitive anti dumping duty. While the provisional duty usually is valid for six months, the definitive anti-dumping duty is valid for five years, unless revoked earlier.

(Business Line 12, 2022)

COPPER HOLDS ITS GROUND DESPITE CHINA'S COVID WAVE

Copper prices hovered around \$8,350 a tonne as hopes that China’s easing of COVID-19 restrictions will eventually lift demand were offset by a surge in infections that is reducing consumption in the short term. China is the biggest consumer of metals such as copper, which is used in the power and construction industries. Its zero-COVID policy disrupted economic activity and helped pull copper from a record high of \$10,845 in March as low as \$6,955. The dismantling of restrictions starting in November lifted prices but an accelerating wave of cases is now rippling through business. Dozens of hearses queued outside a Beijing crematorium.

(Business Line 12, 2022)

INDIA IDENTIFIES TWO LITHIUM AND ONE COPPER MINE IN ARGENTINA

India has identified two lithium mines and one copper mine in Argentina for a possible acquisition or long-term lease. Commercial evaluation of the mines have begun. The Centre had sent a team of three geologists to the Latin American nation “to assess potential lithium deposits” and possible acquisition opportunities in November last year. The team comprised of one geologist each from the Mineral Exploration Corporation Ltd (MECL), KABIL (Khanij Bidesh India Ltd) and the Geological Survey of India (GSI). KABIL, a joint venture formed through the participation of National Aluminium Company (Nalco), Hindustan Copper (HCL) and MECL, aims to ensure consistent supply of critical and strategic minerals in the domestic market. According to Ministry officials, ownership (in case of acquisition or infusion of equity) or leasing rights of all the three mines will be with KABIL. “Subsequent to preliminary assessment, KABIL expressed interest to partner with a state-owned

organisation there in December for prospecting the identified areas and exploring the possibility of establishing projects for extraction of lithium in due course of time. Commercial evaluation of the same has begun at our end here. So far KABIL has signed non-binding MoUs for sharing information with respect to prospective acreages of lithium with three state-owned organisations of Argentina. Argentina is ranked among the main mineral reserves across the globe. Together with Chile and Bolivia, the north-west of the country forms the so-called “Lithium Triangle” and is currently the fourth largest producer. The country also has the third largest world reserve of lithium – the main component of batteries and other electronics used, including in rechargeable batteries (used in EVs) and energy storage solutions. Australia is the top lithium producer globally. The US and China, too, are key producers of the mineral besides the Lithium Triangle. Lithium is found in sedimentary rock formation and in brine form, which is called *salar* in Latin America. The other alternative is its liquid form. In South America, lithium is typically extracted from the salt flats by pumping brine into ponds and processing the lithium salts that crystallise once the water has evaporated. It requires time and investment to set up, but thereafter, the production is cheaper than the hard-rock mining practiced in Australia. Argentina is already witnessing substantial investment in the sector from international players, including China-backed firms

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