



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
खान मंत्रालय
MINISTRY OF MINES

**Offshore Areas Mineral (Prevention of
Illegal Mining and Transportation) Rules,
2026.**

अपतटिय क्षेत्र खनिज (अवैध खनन और
परिवहन
निवारण) नियम, 2026

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GOVERNMENT OF INDIA

MINISTRY OF MINES

NOTIFICATION

New Delhi, the 3rd February, 2026

G.S.R. 102(E).— In exercise of the powers conferred by sub-section (1) and clause (pa) of sub-section (2) of section 35 of the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003), the Central Government hereby makes the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026.

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CHAPTER 1
PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026.

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

2. Application.—(1) These rules shall apply to all minerals in the offshore areas, except mineral oils and hydrocarbons as specified in sub-section (1) of section 3;

(2) Nothing contained in these rules shall apply to—

(a) any person or class of persons as the Central Government may, by an order, specify in this behalf:

Provided that the mineral shall be mined, stored or carried by such person or class of persons only for the purpose of scientific test and research work without any commercial motive or purpose;

(b) any department, institution or agency as may be notified by the Central Government under the proviso to sub-section (1) of section 5.

3. Definitions.— (1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003);
- (b) “authorised officer” shall have the meaning as assigned to it under the Explanation to section 22;
- (c) “bank guarantee” means a bank guarantee issued in Form-A by any nationalised bank in India acceptable to the Central Government;
- (d) “carrier” means any mode of conveyance or facility by which a mineral is transported from one place to another and includes a vessel and pipeline;
- (e) “consignee” means the person to whom any mineral from the licence area or lease area is dispatched to;
- (f) “electronic monitoring system” means an electronic system, as specified by the Indian Bureau of Mines, capable of automatically recording, storing, processing, retrieving, communicating or verifying information, data, documents relating to operations in offshore areas, continuously, on a real-time basis, including but not limited to—
- (i) tracking of vessels;
- (ii) displacement or weight of vessel;
- (iii) volume and density of run-of-mine; and
- (iv) recording of images and video feed;
- (g) “first point of discharge” means the first onshore unloading location in India where the mineral extracted from the offshore areas is brought in by the holder of the operating right or an owner of a carrier or a trader, as the case may be;
- (h) “Form” means a form appended to these rules;
- (i) “illegal mining” means any reconnaissance operation or exploration operation or production operation undertaken by any person or company in any offshore area without holding an operating right as required under sub-section (1) of section 5 or, outside the boundaries of the offshore area for which the operating right has been granted:
- Provided that violation of any rules, other than these rules, within the licence area or lease area, by a licensee or a lessee shall not be construed as illegal mining;
- (j) “illegal storage” means the storage of any mineral otherwise than in accordance with the provisions of the Act or the rules made thereunder;
- (k) “illegal transportation” means the removal, shifting, transfer or transport of any mineral by any holder of an operating right or trader or carrier otherwise than in accordance with the provisions of the Act or the rules made thereunder;
- (l) “mechanised machinery” means and includes each and every machinery or platform, both immovable and movable, used in the winning of a mineral from the licence area or lease area, or beneficiation and its processing, run on electricity or otherwise and whether owned or operated by the holder of an operating right or any other person but excludes a carrier;

- (m) “property” means tools, gear, equipment, appliance, carrier, vehicle, installation, stores or cargo or any other thing used by any person to extract, transport or cause to be extracted or transported any mineral from any offshore area;
- (n) “section” means a section of the Act;
- (o) “trader” means any person who carries on the business of buying, possessing, storing, selling, supplying, transporting, distributing, delivering, exporting or importing for sale or processing of mineral, directly or otherwise for cash or for deferred payment or for commission, remuneration or other valuable consideration, and includes a person who—
 - (i) uses mineral and its ingredients as a raw material;
 - (ii) has a mineral sharing agreement with the holder of an operating right;
 - (iii) has an extraction contract with the holder of an operating right;
 - (iv) buys and processes mineral for sale; or
 - (v) holds an operating right;
- (p) “transit permit” means the transit permit within the meaning of sub-rule (2) of rule 8.

(2) The words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Act or rules made thereunder.

4. Powers and functions of Atomic Minerals Directorate for Exploration and Research.— Throughout these rules, wherever any power, function or responsibility of the Indian Bureau of Mines or its officers is specified or any information is to be submitted to the 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 for minerals having grade equal to or greater than the threshold value in respect of atomic minerals, in the following manner, namely:—

- (a) any reference to the Indian Bureau of Mines, shall be deemed to be 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 the Indian Bureau of Mines, shall be deemed to be reference to the Director or as the case may be, the authorised officer of Atomic Minerals Directorate for Exploration and Research.

5. Prohibitions.—No person shall carry on production operations, excavation, storage, sale, transportation, or processing of minerals at any place for the purpose of sale or consumption or otherwise deal with any mineral, except under and in accordance with the Act and the rules made thereunder.

CHAPTER II

MONITORING SYSTEM

6. Monitoring system.—(1) The holder of an operating right or an owner of a carrier, as the case may be, shall deploy an electronic monitoring system.

(2) Any person or company who is an owner of a carrier, a mine developer and operator (by whatever name called) in respect of a mine, owner of a mechanised machinery and such other person as may be specified by the Indian Bureau of Mines shall cause himself and such carrier and mechanised machinery to be registered online on the offshore mining regulation web portal.

(3) No mechanised machinery or carrier shall be used unless the owner of such mechanised machinery or carrier is validly registered with the Indian Bureau of Mines in accordance with sub-rule (2).

7. Clearance to be obtained by a holder of an operating right or trader for export of mineral.—Every holder of an operating right or trader who is desirous of exporting mineral extracted from offshore areas, directly from such offshore area, shall procure a clearance from the Central Board of Indirect Taxes and Customs, if applicable, at least seven days prior to exporting such mineral.

CHAPTER III

DISPATCH AND TRANSPORTATION OF MINERALS

8. Dispatch of mineral outside the licence area or lease area.— (1) A holder of an operating right shall, prior to dispatch of any mineral outside the licence area or lease area, provide the following information on the offshore mining regulation web portal, namely:—

- (a) quantity and grade of mineral dispatched;

- (b) name, address and registration number of the consignee;
- (c) particulars of the carrier carrying the mineral;
- (d) the first point of discharge, expected route for transportation and the particulars of the route to the first point of discharge and to the destination;
- (e) if the holder of the operating right has availed services of any other person for transportation, then particulars of the owner of the carrier along with the details of the carrier including the registration number;
- (f) particulars of royalty and other payments made with respect to such mineral;
- (g) in case of export of the mineral to an overseas consignee, a copy of the documents submitted with the Central Board of Indirect Taxes and Customs with respect to such export along with a copy of the clearance obtained by the holder of an operating right under rule 7; and
- (h) such other particulars as may be specified by the Indian Bureau of Mines.

(2) Upon proper entry of information specified under sub-rule (1), the holder of an operating right shall obtain a digitally signed transit permit for lawful transportation of mineral through a registered carrier, from the licence area or lease area to the first point of discharge, in the format specified in Form-B and such permit shall be available for generation or download, as the case may be, by the holder of an operating right from the offshore mining regulation web portal.

(3) The Indian Bureau of Mines shall furnish a copy of the transit permit to the State Government having jurisdiction over the location where the first point of discharge is situated.

(4) The onshore transit of mineral extracted from the offshore areas, from the first point of discharge shall be undertaken by the holder of an operating right or trader, as the case may be, in accordance with the applicable laws of the State through which the mineral is transported:

Provided that the transit of mineral from the lease area to the first point of discharge shall be in accordance with the transit permit obtained under sub-rule (2).

(5) The Indian Bureau of Mines may, for reasons to be recorded in writing, suspend the transit permit in case,—

- (a) any dues or penalties have been levied by the authorised officer on such holder of operating right and such dues are outstanding;
- (b) the holder of such operating right uses an unregistered carrier; or
- (c) the holder of such operating right contravenes the provisions of the Act or the rules made thereunder.

(6) The Indian Bureau of Mines may revoke the suspension in case the holder of the operating right rectifies the violations specified under sub-rule (5).

(7) The transit permit shall be specific to each carrier carrying the mineral and at all times during transit, a digitally signed or authorised copy of the transit permit shall be retained.

(8) The holder of an operating right shall ensure that it installs such equipment as may be necessary to comply with these rules, including equipment to enter relevant information in the electronic monitoring system, as required in each carrier.

9. First point of discharge.—(1) The holder of operating right or the owner of the carrier or trader, as the case may be, shall ensure that adequate weighment system, including each and every electronic system, mechanical system or technological device or implement utilised in measurement or weighment of mineral, at the first point of discharge is installed and maintained in the manner specified by the Indian Bureau of Mines from time to time.

(2) The weight of the mineral measured at the first point of discharge shall be measured against the weight of the mineral at the time of dispatch from the lease area.

(3) Any weighment of mineral shall be converted on a dry basis by application of a conversion factor, as specified by the Indian Bureau of Mines based on scientific study.

(4) The holder of operating right or the owner of the carrier or trader, as the case may be, shall allow officers authorised by the Indian Bureau of Mines to inspect the weighment system installed at the first point of discharge.

10. Obligations of the consignee.—The consignee, after receipt of the mineral shall verify the quantity and grade of such mineral received against the details specified in the transit permit and shall keep the receipt in respect of the mineral received and maintain records thereof.

11. Obligations of the owner and operator of a carrier.—(1) Every owner and operator of a carrier shall carry in the carrier, the following, namely:—

- (a) a duly working device capable of automatic location tracking and reporting, which shall be a part of the electronic monitoring system;
 - (b) an automated identification system which shall be a part of the electronic surveillance system and shall be capable of transmitting its geographical position without any interruption; and
 - (c) a valid transit permit.
- (2) The carrier shall follow the transportation route as specified under clause (d) of sub-rule (1) of rule 8.
- (3) The Indian Bureau of Mines may impose additional conditions with respect to carriage of mineral.

12. Storage of mineral.—No person shall store mineral extracted or procured from offshore areas otherwise than in accordance with applicable laws of the State in which the storage facility is located.

13. Obligation to provide details to Indian Bureau of Mines.—The Indian Bureau of Mines, may direct—

- (a) an owner or operator of a carrier or a trader carrying mineral to provide and disclose information, including information regarding the quantity, quality, end destination, details of the carrier or trader or person on whose behalf mineral has been dispatched and related price information;
- (b) a consignee who receives mineral dispatched from the licence area or lease area to provide and disclose information regarding the quantity, quality, location of storage and related price information.

CHAPTER IV

INSPECTION, SEIZURE AND RELEASE

14. Inspection and verification by authorised officer.—The authorised officer shall have the power to inspect, verify, check and draw samples of the stocks of mineral of any holder of operating right or trader, at any place including in transit and accounts of mineral and any other documents relating thereto.

15. Seizure of property.—(1) Every authorised officer, exercising powers of seizure and detention under sub-section (3) of section 22 shall,—

- (a) photograph the carrier, mine or any other property and place on such carrier, mine or any other property a mark in such manner as may be determined, indicating that the same has been so seized and detained;
- (b) issue a notice in the format specified in Form-C informing the person from whom the carrier, mine or any other property is seized and detained.

(2) A carrier, mine or any other property ordered to be released in accordance with the proviso to clause (a) of sub-section (5) of section 22, may be so released upon furnishing security in the form of cash or a bank guarantee in the format specified in Form-A.

16. Disposal of mineral including processed mineral by public auction in certain cases.— It shall be lawful for an authorised officer to sell in a fair and transparent manner, by public auction, any mineral seized and detained in accordance with the provisions of the Act and these rules and the proceeds of such sale shall be deposited with the Central Government in the Consolidated Fund of India.

17. Authorities to aid in enforcement of these rules.—The administering authority, the Indian Bureau of Mines and any authorised officer shall be aided by the Indian Navy, Indian Coast Guard, the police force of the relevant State Government or any other government authority in administering, implementation and enforcement of these rules.

CHAPTER V

APPEAL AND PENALTIES

18. Appeal.—Any person aggrieved by an action taken by any authorised officer in exercise of the powers conferred under these rules may, within three months of the date of such action, prefer an appeal to the Central Government in accordance with the provisions of Chapter X of the Offshore Areas Operating Right Rules, 2024 or Chapter IX of the Offshore Areas Atomic Minerals Operating Right Rules, 2025, as the case may be.

19. Penalties and recovery.—(1) Any contravention of these rules, except for such contraventions which are covered as offence under sub-section (1) to sub-section (3) of section 23 of the Act, shall be punishable with imprisonment for a term which may extend to five years or with fine of fifty lakh rupees, which may extend to one crore rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to five lakh rupees for every day during which such contravention continues after conviction for the first such contravention.

(2) Whenever any person, in any manner whatsoever, engages in illegal mining, illegal transportation or illegal storage of any mineral and for that purpose uses any tool, equipment, carrier or any other thing, the authorised officer may, in addition to the penalties prescribed under sub-rule (1) above and subject to the provisions of this rule thereof,—

- (a) recommend to the Central Government for cancellation of the composite licence or production lease or

registration of such person in respect of its operating right, carrier, mechanised machinery or of such trader or mine developer and operator as may be granted pursuant to sub-rule (2) of rule 6 thereof;

- (b) seize such tool, equipment, carrier or any other thing employed by such person in extracting, transporting or storing of mineral.

20. Maintenance of records.— The authorised officer shall collate, compile and maintain a consolidated record in the format specified in Form-D and shall mention therein, the details of every offence committed under these rules.

FORM-A
FORMAT OF BANK GUARANTEE

[See rules 3(1)(c) and 15(2)]

To

[Name of entity in whose favor this guarantee is to be issued to be included]

WHEREAS,

A. [Name of the person whose property is seized] incorporated in India under the Companies Act, 2013 with corporate identity number [CIN], whose registered office is at (address of registered office), India and principal place of business is at ¹[address of principal place of business, if different from registered office] is required to provide an unconditional and irrevocable bank guarantee for an amount equal to INR [figures] (Indian Rupees [words]) valid until [date of expiry of bank guarantee] ("Expiry Date").

B. The Bank Guarantee is required to be provided to [Name of entity in whose favor this guarantee is to be issued to be included] for discharge of certain obligations under Rule 15 of the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026 ("Rules").

C. We, [name of the bank] (the "Bank") at the request of [Name of the person whose property is seized] do hereby undertake to pay to the [Name of entity in whose favor this guarantee is to be issued to be included] an amount not exceeding INR [figures] (Indian Rupees [words]) ("Guarantee Amount") to secure the obligations of [Name of the person whose property is seized] on demand from the [Name of entity in whose favor this guarantee is to be issued to be included] on the terms and conditions herein contained herein.

NOW THEREFORE, the Bank hereby issues in favour of (Name of entity in whose favor this guarantee is to be issued to be included) this irrevocable and unconditional payment bank guarantee (the "Guarantee") on behalf of [Name of the person whose property is seized] for the Guarantee Amount:

1. The Bank for the purpose hereof unconditionally and irrevocably undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] without any demur, reservation, caveat, protest or recourse, immediately on receipt of first written demand from [Name of entity in whose favor this guarantee is to be issued to be included], a sum or sums (by way of one or more claims) not exceeding the Guarantee Amount in the aggregate without [Name of entity in whose favor this guarantee is to be issued to be included] needing to prove or to show to the Bank grounds or reasons for such demand for the sum specified therein and notwithstanding any dispute or difference between [Name of entity in whose favor this guarantee is to be issued to be included] and [Name of the person whose property is seized] on any matter whatsoever. The Bank undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] any money so demanded notwithstanding any dispute or disputes raised by [Name of the person whose property is seized] in any suit or proceeding pending before any court or tribunal relating thereto the Bank's liability under this present being absolute and unequivocal.

2. The Bank acknowledges that any such demand by [Name of entity in whose favor this guarantee is to be issued to be included] of the amounts payable by the Bank to [Name of entity in whose favor this guarantee is to be issued to be included] shall be final, binding and conclusive evidence in respect of the amounts payable by [Name of the person whose property is seized] to [Name of entity in whose favor this guarantee is to be issued to be included] under the Rules.

3. The Bank hereby waives the necessity for [Name of entity in whose favor this guarantee is to be issued to be included] from demanding the aforesaid amount or any part thereof from [Name of the person whose property is seized] and also waives any right that the Bank may have of first requiring [Name of entity in whose favor this guarantee is to be issued to be included] to pursue its legal remedies against [Name of the person whose property is seized], before presenting any written demand to the Bank for payment under this Guarantee.

¹ Note: Suitable changes to be made to the above text in the event the guarantee is provided for any other category of persons

4. The Bank further unconditionally agrees with [Name of entity in whose favor this guarantee is to be issued to be included] that [Name of entity in whose favor this guarantee is to be issued to be included] shall be at liberty, without the Bank's consent and without affecting in any manner the Bank's obligation under this Guarantee, from time to time, to forbear or enforce any of the rights exercisable by [Name of entity in whose favor this guarantee is to be issued to be included] against [Name of the person whose property is seized] under the Rules and the Bank shall not be relieved from its liability by reason of any such act or omission on the part of [Name of entity in whose favor this guarantee is to be issued to be included] or any indulgence by [Name of entity in whose favor this guarantee is to be issued to be included] to [Name of the person whose property is seized] or other thing whatsoever which under the law relating to sure ties would, but for this provision, have the effect of relieving the Bank of its obligations under this Guarantee.
5. Any payment made hereunder shall be made free and clear of and without deduction for, or on account of, any present or future taxes, levies, imposts, duties, charges, fees, commissions, deductions or withholdings of any nature whatsoever.
6. The Bank agrees that [Name of entity in whose favor this guarantee is to be issued to be included], at its option, shall be entitled to enforce this Guarantee against the Bank as a principal debtor in the first instance without proceeding at the first instance against [Name of the person whose property is seized].
7. The Bank further agrees that the Guarantee herein contained shall remain in full force and effect during the period that is specified in the Rules and that it shall continue to be enforceable till all the obligations of [Name of the person whose property is seized] under or by virtue of the Rules with respect to rule 15 of the Rules have been fully paid and its claims satisfied or discharged or till [Name of entity in whose favor this guarantee is to be issued to be included] certifies that the provisions of the Rules with respect to rule 15 of the Rules have been fully and properly carried out by [Name of the person whose property is seized] and accordingly, discharges this Guarantee. Notwithstanding anything contained herein, unless a demand or claim under this Guarantee is made on the Bank in writing on or before the Expiry Date, the Bank shall be discharged from all liability under this Guarantee thereafter.
8. The payment so made by the Bank under this Guarantee shall be a valid discharge of Bank's liability for payment thereunder and no person shall have any claim against the Bank for making such payment.
9. This Guarantee is subject to the laws of India. Any suit, action, or other proceedings arising out of this Guarantee or the subject matter hereof shall be subject to the exclusive jurisdiction of courts at New Delhi, India.
10. The Bank represents that it has the authority and power to issue this Guarantee in favour of [Name of entity in whose favor this guarantee is to be issued to be included]. This Guarantee will not be discharged due to the change in the constitution of the Bank.
11. The Bank undertakes not to revoke this Guarantee during its currency except with the previous consent of [Name of entity in whose favor this guarantee is to be issued to be included] in writing.
12. [Name of entity in whose favor this guarantee is to be issued to be included] may, with prior intimation to the Bank, assign the right under this Guarantee to any other departments, ministries or any governmental agencies, which may act in the name of the [Name of entity in whose favor this guarantee is to be issued to be included]. Save as provided in this clause 12, this Guarantee shall not be assignable or transferable.
13. Notwithstanding anything contained herein:
 - (a) the liability of the Bank under this Guarantee shall not exceed the Guarantee Amount; and
 - (b) this Guarantee shall be valid up to the Expiry Date.
14. The Bank is liable to pay the Guaranteed Amount or any part thereof under this Guarantee only and only if [Name of entity in whose favor this guarantee is to be issued to be included] serves upon the Bank, a written claim or demand on or before the Expiry Date.

Dated the [day] day of [month] [year] for the Bank.

In witness whereof the Bank, through its authorized officer, has set its hand and stamp.

(Signature)

(Name and Designation)

(Bank Stamp)

FORM-B
FORMAT OF TRANSIT PERMIT

[See rule 8(2)]

Sr. No.	Item	Particulars
1	Operating Rights Holder / Mine Developer and Operator Code	
2	Operating Rights Holder / Mine Developer and Operator Registration No.	
3	Operating Rights Holder / Mine Developer and Operator TIN No.	
4	Name of Registered Operating Rights Holder / Mine Developer and Operator	
5	Address and Contact Details	
6	Offshore Lease Area Details	
7	Name of Mineral	
8	Mineral Grade	
9	Quantity of Mineral (in figure, in MT)	
10	Quantity of Mineral (in words, in MT)	
11	Royalty	
12	OMET	
13	Auction Premium	
14	Other Payments (if applicable)	
15	Vessel Details	
16	Electronic Identification/Tracking Device	
17	Destination Port / Onshore Facility / First point of Discharge	
18	Name of Purchaser/ trader	
19	Purchaser/trader Registration No.	
20	Purchaser/trader Address	
21	Captain's Name	
22	Captain's License No.	
23	Journey Start Date	
24	Expected Journey Route	
25	Journey End Date	
26	Distance (in nautical miles and km)	
27	Is mineral exported	
28	If yes, customs documentation (e.g., shipping bill) attached	
29	Safety and Inspection Clearance Attached	
30	Whether a clearance has been obtained from the Central Board of Indirect Taxes and Customs in respect of export of mineral, extracted from offshore areas, outside of India	
31	Generate Transit Permit	

FORM-C
FORM OF NOTICE REGARDING SEIZING OF CARRIER, MINE OR ANY OTHER PROPERTY
[See rule 15(1)(b)]

Dated []

To

(Address)

Take notice that the following property(ies) which was/were involved in offence committed under the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026 on(date) has been seized and detained by Shri. Designation and kept under the custody of the undersigned. The details of the property being seized are as under:

Sr. No.	Item Details	Particulars
1.	Details of carrier, mine or any other property seized.	
a.	Place of seizure with date and time.	
b.	Description of each carrier, mine or property.	
2.	Name and address of person from whom the carrier, mine or property is seized.	
3.	Name and address of any other claimant for the seized carrier, mine or property.	
4.	Name and address of person under whose custody the seized carrier, mine or property has been kept.	
5.	Whether the person whose property has been seized, is registered with the Indian Bureau of Mines/ offshore mining regulation web portal.	(Yes/No)
6.	If yes, then registration number of the person whose property is seized, to be provided.	
7.	Approximate value of the seized carrier, mine or property.	
8.	Name and approx. Quantity of mineral.	
9.	Remarks.	

In case you want to be heard in person in the matter, you are hereby asked to convey the same in writing within 15 days from date of issue of this notice at the following address.

()

Signature of authorised Officer.

with designation and address.

()

Signature of the Custodian.

with designation and address.

FORM-D
FORMAT FOR KEEPING RECORD OF OFFENCES

(See rule 20)

Sr. No.	Complaint No.	Date of Commission of Offence	Name of Accused	Type of offence (relating to Mining, Storage, Transportation)	Brief Description of Offence	Property Involved in Offence	Place of Occurrence (Coordinates or Description)	Officer Detecting the Offence	Payment for Offence (in INR)	No. and Date of Treasury Challan for Payment	Signature of Authority Compounding the Offence	Remarks