

The Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015

UNION OF INDIA

India

The Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015

Rule

THE-MINERAL-NON-EXCLUSIVE-RECONNAISSANCE-PERMIT-RULE of 2015

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The Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015 Published vide Notification No. G.S.R. 516(E), dated 29th June, 2015 G.S.R. 516(E). - In exercise of the powers conferred by clause (qqh) of sub-section (2) of section 13 read with section 10C of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules, namely:-

Chapter I Preliminary

1. Short title and commencement.

(1) These rules may be called the Mineral (Non-exclusive Reconnaissance Permits) Rules, 2015. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.

(1) In these rules, unless the context otherwise requires, "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957). (2) Words and expressions defined in the Act and used, but not defined in these rules, shall have the same meaning as assigned to them in the Act.

3. Grant of non-exclusive reconnaissance permit.

(1)The State Government may grant a non-exclusive reconnaissance permit in respect of any mineral other than a mineral notified as a minor mineral as defined in clause (e) of section 3 and minerals specified in Part A and Part B of the First Schedule to the Act, subject to such terms and conditions specified in these rules.(2)The State Government shall establish an online system for receipt of applications and grant of a nonexclusive reconnaissance permit.(3)An application may be made to a State Government in the format specified in Schedule I annexed to these rules for grant of a non-exclusive reconnaissance permit over any area,-(i)which is not held under a reconnaissance permit, prospecting licence, a prospecting licence-cum-mining lease, mining lease; or(ii)where the State Government has not initiated auction process for grant of a prospecting licence-cum-mining lease or mining lease.(4)The State Government may grant more than one non-exclusive reconnaissance permit over any area.(5)An applicant for grant of non-exclusive reconnaissance permit shall meet the eligibility conditions specified in section 5 of the Act for grant of a reconnaissance permit and shall submit an online application for grant of non-exclusive reconnaissance permit as per the format specified in Schedule I alongwith an online payment of a fee calculated at the rate of one thousand rupees per square kilometre.(6)An online acknowledgement shall be provided to the applicant on submission of an application under the provisions of sub-rule (5).(7)The State Government shall dispose of the application made under the provisions of sub-rule (5) within a period of thirty days from the date of receipt of a duly completed online application and may either issue a non-exclusive reconnaissance permit or reject the application for reasons to be recorded in writing and the letter to grant or reject the non-exclusive reconnaissance permit shall be posted online which shall be available for download by the applicant:Provided that in case an application is rejected, the fee made under sub-rule (5) shall be refunded to the applicant after deduction of an amount of ten per cent. of such fee.(8)The non-exclusive reconnaissance permit shall be issued in the format specified in Schedule II and shall be subject to the terms and conditions specified therein.(9)The maximum area for grant of non-exclusive reconnaissance permit shall not exceed the maximum area for reconnaissance permit specified in section 6 of the Act and the period for grant of non-exclusive reconnaissance permit shall be as specified in sub-section (1) of section 7 of the Act for reconnaissance permit.(10)The State Government shall allow the Indian Bureau of Mines to access the online system for grant of a non-exclusive reconnaissance permit and shall also communicate in writing to the Indian Bureau of Mines the grant or rejection of the non-exclusive reconnaissance permit made under sub-rule (7).(11)The grant of a non-exclusive reconnaissance permit over any area shall not prohibit the State Government from notifying all or any part of such area for grant of a mining lease or a prospecting licence-cum-mining lease and upon such notification the validity of all non-exclusive reconnaissance permits over such notified area will stand automatically terminated:Provided that the State Government shall communicate in writing such automatic termination to every holder of non-exclusive reconnaissance permit over such notified area.

4. Findings of a non-exclusive reconnaissance permit.

(1)The holder of a non-exclusive reconnaissance permit may choose to submit its findings to the State Government and may request the State Government to conduct auction for grant of a

prospecting licence-cum-mining lease or a mining lease based on such findings.(2)Upon receipt of a request for auction under sub-rule (1), the State Government shall have the right to seek further information including documents regarding such findings and the State Government may decide to conduct auction for grant of a prospecting licence-cum-mining lease or a mining lease based on such findings.(3)The State Government upon being satisfied regarding,-(a)the existence of evidence of mineral contents as specified in the Minerals (Evidence of Mineral Contents), Rules 2015 may conduct an auction for grant of mining lease; or(b)the requirements specified in rule 7 of the Minerals (Evidence of Mineral Contents) Rules, 2015 may conduct an auction for grant of a prospecting licence-cum-mining lease,in accordance with the Mineral (Auction) Rules 2015.

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(See sub-rule (3) of rule 3)Format for online submission for Non-Exclusive Reconnaissance Permit (NERP) application under sub-section (1) of section 10C of the Act

1 Details and name of the applicant

Name Mr/Mrs./Ms./M/s (whichever is applicable)

Address

City

District

State

Pin Code

Email

{|

Landline Numbers

STD Code Number

||

FAX Numbers

STD Code Number

||

Mobile Numbers

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2 Status of Applicant-

Individual CPSU SPSU Public Co. Private Co. Firm Association

Name of Mineral(s) for which applicant intends to apply

3 forNon-Exclusive Reconnaissance Permit (notified & non-notifiedseparately)

(i)					(ii)	(iii)	(iv)
(v)					Others		
4	Extent of area applied for Non-Exclusive Reconnaissance Permit(in Sq Km)	7	Boundary of the area applied for (GPS/ DGPS Coordinates)				
5	Period for which Non-Exclusive Reconnaissance Permit isrequired	S. No.	Latitude	Longitude			
6	Details of the area applied for	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
State 1							
S. No.	Village(s)	District	Area (km2)	2			
1				3			
2				4			
3				5			
4				6			
5				7			
6				8			
8	Does the applicant already possess any NERP in the same State where applied for				Yes	No	
9	If so, give details in a separate sheet				Yes	No	
10	The proposed exploratory works to be undertaken for proving the existence of mineral along with their annual physical targets & anticipated minimum annual expenditure :						
	Nature of work				Expenditure (in lakhs)		
(i)							
(ii)							
(iii)							
11	Application Fees Payment Details	Amount Payable	Rs.	Amount Paid	Rs.		
	Deposited on	D	D	M	M	Y Y Y Y	Mode of payment :
	Other payment details viz. DD No.						

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details including accurate plans and security deposit, as may be required by you.

Place : { |

| _____ Yours faithfully, | - | Date : |

D D M M Y Y Y Y

|| Signature of the applicant | } Instructions for filing Non-Exclusive Reconnaissance Permit (NERP) applications under section 10C of the Act

Sl. No. Instructions
in form

2 In case the applicant is, -(a) an individual, proof of the nationality shall be enclosed; (b) a company, a self-attested copy of the certificate of incorporation of the company shall be enclosed; and (c) Firm or Association, proof of the nationality of all the partners of the firm or members of the association shall be enclosed.

6 and 7 An applied area map duly demarcated with geo reference co-ordinates

A cadastral Map of the area superimposed with the area applied for Non-Exclusive Reconnaissance permit showing name of the Tehsil, District, State and Survey of India Toposheet number and area in Square kilometers of each field and part thereof if available.

6 and 7 In the case of forest maps the area should be marked on the geo referenced forest map showing the range and felling series if available.

8 and 9 A statement duly supported by affidavit giving particulars of the area mineral-wise in the State for which the applicant or any person joint in interest with him, -(a) already holds under a reconnaissance permit or non-exclusive reconnaissance permit; and (b) has already applied for reconnaissance permit or non-exclusive reconnaissance permit but not granted.

Note. - (1) The application for grant of Non-Exclusive Reconnaissance Permit (NERP) should be made to the respective State DMG through on-line. Only an online application will be accepted. (2) Printout of online application may be taken and submitted with the enclosures of above mentioned documents to State Government within 15 days of submission as a hard copy of application.

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(See sub-rule (8) of rule 3) Format of non-exclusive reconnaissance permit
The Government of [State] [address] To [name of holder of non-exclusive reconnaissance permit] [address]. Sub: Grant of a non-exclusive reconnaissance permit. Dear Sir/Madam, The Government of [State] is pleased to grant a non-exclusive reconnaissance permit to [name of holder of nonexclusive reconnaissance permit] ("NERP Holder"), pursuant to section 10C of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957) and the rules made thereunder, subject to the terms and conditions specified below: (1) This non-exclusive reconnaissance permit is being granted pursuant to the application number [number] dated [date] submitted by the NERP Holder. If any information submitted in such application is found to be incorrect, incomplete or misleading in any manner whatsoever, this non-exclusive reconnaissance permit shall be revoked. (2) This non-exclusive reconnaissance permit is being granted for the following area:

Item	Particulars
1	Size of the area in square kilometers
2	Details of area
3	District
4	Village
5	Taluka
6	Revenue survey number
7	Survey of India toposheet no
8	Minerals expected to be discovered

(3) This non-exclusive reconnaissance permit shall be valid for a period of [number] [months/years], unless terminated earlier pursuant to the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957) or the rules framed thereunder. (4) This non-exclusive reconnaissance permit shall be subject to all the terms and conditions relating to reconnaissance permit or non-exclusive reconnaissance permit specified in the Act and the rules made thereunder, and the following general terms and conditions: (a) the NERP holder shall follow the minimum expenditure commitment and physical targets as indicated in the application; (b) the non-exclusive reconnaissance permit is subject to all clearances, permits and any other statutory provision as may be required for carrying out reconnaissance operations by the NERP holder; (c) the State Government may, with the approval of the Central Government, impose such further conditions in the non-exclusive reconnaissance permit; (d) the NERP holder shall report to the State Government the discovery of any mineral not specified in the nonexclusive reconnaissance permit along with full particulars of the nature and position of each such finding, within a period of 60 days from the date of such finding; (e) the NERP holder shall not be entitled to make any claim for the grant of any Composite Licence or Mining Lease on the basis of non-exclusive reconnaissance permit; (f) every NERP holder shall submit to the State Government a Scheme of reconnaissance operations indicating the manner in which the NERP holder proposes to carry out reconnaissance operations in the area covered by the nonexclusive reconnaissance permit, which shall incorporate the following: (i) particulars of the area such as aerial extent, boundaries; (ii) the scale of the plan and the area of geological mapping; and (iii) the particulars of the machines and instruments to be used; (g) the Scheme of reconnaissance may be modified at any time by the NERP holder during continuance of the non-exclusive reconnaissance permit. Any such modification(s) carried out to the Scheme of reconnaissance may be intimated to the State Government; and (h) the NERP holder shall inform the State Government the date of commencement of the reconnaissance operations.