

The Mineral (Mining by Government Company) Rules, 2015

UNION OF INDIA

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Rule

THE-MINERAL-MINING-BY-GOVERNMENT-COMPANY-RULES-2015 of 2015

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The Mineral (Mining by Government Company) Rules, 2015 Published vide Notification No. G.S.R. 927(E), dated 3rd December, 2015 Last Updated 30th September, 2019 Ministry of Mines G.S.R. 927(E). - In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Mineral (Mining by Government Company) Rules, 2015. (2) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires, -(a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957); (b) "Government company" means a company as defined in sub-section (45) of section 2 of the Companies Act, 2013 (18 of 2013); and (c) "minerals" means minerals other than those defined as minor minerals under clause (e) of section 3 and minerals specified in Part A and Part B of the First Schedule to the Act. (2) Words and expressions used and not defined in these rules, but defined in the Act shall have the same meanings as assigned to them in the Act.

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

(1) All mining leases for minerals granted to a Government company or corporation before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), namely, the 12th January, 2015 shall be deemed to have been granted for a period of fifty years. (2) The State Government, upon an application made to it in this behalf by the Government company or corporation at least twelve months prior to the expiry of the mining lease, [shall, for reasons to be recorded] [Substituted 'may, for reasons to be recorded' by Notification No. G.S.R. 695(E), dated 27.9.2019 (w.e.f. 3.12.2015).] in writing, extend the period of the mining lease for further periods of upto twenty years at a time. (3) Subject to sub-rule (1), all applications made by a Government company or corporation for renewal of mining leases and which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015) shall be deemed to be applications for extension of the period of the mining lease and shall be disposed of in accordance with the provisions of sub-rule (2).

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

(1) All mining leases granted to a Government company or corporation for minerals shall be for a period of fifty years. (2) A mining lease granted to a Government company or corporation in accordance with the provisions of section 10B and section 11 of the Act shall expire at the end of the period of fifty years and shall not be extended. (3) The State Government, upon an application made to it in this behalf by the Government company or corporation granted a mining lease in accordance with the provisions of sub-sections (2A) and (2B) of section 17A of the Act, at least twelve months prior to the expiry of the mining lease, [shall, for reasons to be recorded] [Substituted 'may, for reasons to be recorded' by Notification No. G.S.R. 695(E), dated 27.9.2019 (w.e.f. 3.12.2015).] in writing, extend the period of the mining lease for further periods of up to twenty years at a time.

5. Payments by a Government company or corporation under sub-section (2C) of section 17A of the Act.

(1) A Government company or corporation or a joint venture, granted a mining lease in accordance with the provisions of subsections (2A) and (2B) of section 17A of the Act, shall pay an amount equivalent to a percentage of the royalty paid in terms of the Second Schedule to the Act, as notified by the Central Government in each case. (2) A Government company or corporation shall make payments to the State Government as specified under sub-rule (1). (3) A Government company or corporation shall also pay such other amounts as may be required under any law for the time being in force to the concerned authorities, including, - (i) royalty or dead rent to the State Government; (ii) payment to the National Mineral Exploration Trust; and (iii) payment to the District Mineral Foundation.