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भारत सरकार

GOVERNMENT OF INDIA

खान मंत्रालय

MINISTRY OF MINES

MINES AND MINERALS

(DEVELOPMENT AND REGULATION) ACT, 1957

(No. 67 of 1957)

(As amended up to 28th March, 2021)

Issued by

**CONTROLLER GENERAL,
INDIAN BUREAU OF MINES
NAGPUR**

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LIST OF AMENDMENT ACTS

1. The Mines and Minerals (Regulation and Development) Amendment Act, 1958 (15 of 1958)
2. The Repealing and Amending Act, 1960 (58 of 1960)
3. The Mines and Minerals (Regulation and Development) Amendment Act, 1972 (56 of 1972)
4. The Repealing and Amending Act, 1978 (38 of 1978)
5. The Mines and Minerals (Regulation and Development) Amendment Act, 1986 (37 of 1986)
6. The Mines and Minerals (Regulation and Development) Amendment Act, 1994 (25 of 1994)
7. The Mines and Minerals (Regulation and Development) Amendment Act, 1999 (38 of 1999)
8. The Mines and Minerals (Development and Regulation) Amendment Act, 2010 (34 of 2010)
9. The Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015)
10. The Mines and Minerals (Development and Regulation) Amendment Act, 2016 (25 of 2016)
11. The Mineral Laws (Amendment) Act, 2020 (2 of 2020)
12. The Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021)

THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) ACT, 1957
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MINES AND MINERALS (DEVELOPMENT AND REGULATION) ACT, 1957
(67 OF 1957)

An Act to provide for the ¹[development and regulation of mines and minerals] under the control of the Union.

Be it enacted by Parliament in the Eighth Year of the Republic of India as follows:-

PRELIMINARY

Short title, extent and commencement.

1. (1) This Act may be called the Mines and Minerals ²[(Development and Regulation)] Act, 1957.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Declaration as to the expediency of Union control.

2. It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation of mines and the development of minerals to the extent herein after provided.

Definitions.

3. In this Act, unless the context otherwise requires,-

³⁴[(a) "*composite licence*" means the prospecting licence-cum-mining lease which is a two stage concession granted for the purpose of undertaking prospecting operations followed by mining operations in a seamless manner;

1 Substituted by MM(RD) Amendment Act, 1999, vide G.O.I. Ext.Part II, Section 1, No. 51,dated 20.12.1999 (No. 38 of 1999).

2 Ibid.

3 Substituted by MM(DR) Amendment Act, 2016, vide G.O.I. Ext. Part II, Section 1, No. 28, dated 09.05.2016(No. 25 of 2016).

4 Substituted by MM(DR) Amendment Act, 2021, vide G.O.I. Ext.Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

- (aa) "*dispatch*" means the removal of minerals or mineral products from the leased area and includes the consumption of minerals and mineral products within such leased area;]
- (ab) "*Government company*" shall have the same meaning as assigned to it in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013);
- ¹[(ac) "*leased area*" means the area specified in the mining lease within which the mining operations can be undertaken and includes the non-mineralised area required and approved for the activities falling under the definition of "mine" as referred to in clause (i);
- (ad) "*minerals*" includes all minerals except mineral oils;]
- (ae) "*mineral concession*" means either a reconnaissance permit, prospecting licence, mining lease, composite licence or a combination of any of these and the expression "*concession*" shall be construed accordingly;]
- (b) "mineral oils" includes natural gas and petroleum;
- (c) "mining lease" means a lease granted for the purpose of undertaking mining operations, and includes a sub-lease granted for such purpose;
- (d) "mining operations" means any operations undertaken for the purpose of winning any mineral;
- (e) "minor minerals" means building stones, gravel, ordinary clay, ordinary sand other than sand used for prescribed purposes, and any other mineral which the Central Government may, by notification in the Official Gazette, declare to be a minor mineral;
- ²[(ea) "notified minerals" means any mineral specified in the Fourth Schedule;]
- (f) "prescribed" means prescribed by rules made under this Act;
- ³[(fa) "production" or any derivative of the word "production" means the winning or raising of mineral within the leased area for the purpose of processing or dispatch;]
- (g) "prospecting licence" means a licence granted for the purpose of undertaking prospecting operations;
- ⁴⁵[Omitted]]

1. Substituted by MM(DR) Amendment Act, No. 25 of 2016, vide G.O.I. Ext. Part II, Section 1, No. 28, dated 09.05.2016.

2. Inserted by MM(DR)Amendment Act, No. 10 of 2015, vide G.O.I. Ext. Part II, Section 1, No.13 dated 27.03.2015.

3. Inserted by the MM(DR) Amendment Act, No. 16 of 2021., Ext, Part II, Section 1, No. 18 dated 28.03.2021

4. Inserted by MM(DR)Amendment Act, No. 10 of 2015, vide G.O.I. Ext. Part II, Section 1, No.13 dated 27.03.2015 .

5. Omitted by the MM(DR) Amendment Act, No. 16 of 2021, No. 18, Ext, Part II, Section 1, dated 28.03.2021.

(h) “prospecting operations” means any operations undertaken for the purpose of exploring, locating or proving mineral deposits; ¹[Omitted]

¹[(ha) "reconnaissance operations" means any operations undertaken for preliminary prospecting of a mineral through regional, aerial, geophysical or geochemical surveys and geological mapping, but does not include pitting, trenching, drilling (except drilling of boreholes on a grid specified from time to time by the Central Government) or sub-surface excavation;

(hb) "reconnaissance permit" means a permit granted for the purpose of undertaking reconnaissance operations;]

²[(hba) "Schedule" means the Schedules appended to the Act;]

³[(hc) "Special Court" means a Court of Session designated as Special Court under sub-section (1) of section 30B; and]

(i) the expressions, "mine" and "owner", have the meanings assigned to them in ⁴[the Occupational Safety, Health and Working Conditions Code, 2020].

⁵[*Explanation.* - For the purposes of this clause, -

(i) a mine continues to be a mine till exhaustion of its mineable mineral reserve and a mine may have different owners during different times from the grant of first mining lease till exhaustion of such mineable mineral reserve;

(ii) the expression "mineral reserve" means the economically mineable part of a measured and indicated mineral resource.]

GENERAL RESTRICTIONS ON UNDERTAKING PROSPECTING AND MINING OPERATIONS

Prospecting or mining operations to be under licence or lease.

4. (1) ⁶[No person shall undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting licence or, as the case may be, a mining lease, granted under this Act and the rules made thereunder]:

1 Inserted by the MM(RD) Amendment Act, 1999, vide G.O.I., Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

2 Inserted by the MM(DR) Amendment Act, 2021, vide Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No.16 of 2021).

3 Inserted by MM(DR)Amendment Act, 2015, vide G.O.I. Ext. Part II, Section 1, No.13 dated 27.03.2015 (No. 10 of 2015).

4 Substituted by the MM(DR) Amendment Act, 2021, vide Ext. Part II, Section I, No. 18, dated 28.03.2021 (No. 16 of 2021).

5 Inserted by the MM(DR) Amendment Act, 2021, vide Ext. Part II, Section I, No. 18, dated 28.03.2021 (No. 16 of 2021).

6 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

Provided that nothing in this sub-section shall affect any prospecting or mining operations undertaken in any area in accordance with the terms and conditions of a prospecting licence or mining lease granted before the commencement of this Act which is in force at such commencement:

Provided further that nothing in this sub-section shall apply to any prospecting operations undertaken by the Geological Survey of India, the Indian Bureau of Mines, ¹[the Atomic Minerals Directorate for Exploration and Research] of the Department of Atomic Energy of the Central Government, the Directorates of Mining and Geology of any State Government (by whatever name called), and the Mineral Exploration Corporation Limited, a Government company within the meaning of ²[clause (45) of section 2 of the Companies Act, 2013, and any ³[other entities including private entities that may be notified for this purpose, subject to such conditions as may be specified by the Central Government.]

Provided also that nothing in this sub-section shall apply to any mining lease (whether called mining lease, mining concession or by any other name) in force immediately before the commencement of this Act in the Union territory of Goa, Daman and Diu.

⁴[(1-A) No person shall transport or store or cause to be transported or stored any mineral otherwise than in accordance with the provisions of this Act and the rules made thereunder.]

(2) ⁴[No ⁵[mineral concession]] shall be granted otherwise than in accordance with the provisions of this Act and the rules made thereunder.

[(3) Any State Government may, after prior consultation with the Central Government and in accordance with the rules made under section 18,][undertake reconnaissance, prospecting or mining operations with respect to any mineral specified in the First Schedule in any area within that State which is not already held under any ⁶[mineral concession]].

Termination of prospecting licences or mining leases.

4A. (1) Where the Central Government, after consultation with the State Government, is of opinion that it is expedient in the interest of regulation of mines and mineral development, preservation of natural environment, control of floods, prevention of pollution, or to avoid danger to public health or communications or to ensure safety of buildings, monuments or other structures or for conservation of mineral resources or for maintaining safety in the mines or for such other purposes, as the Central Government may deem fit, it may request the State

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

3 Substituted by MM(DR) Amendment Act, 2021 vide G.O.I. , Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Inserted by MM(RD) Amendment Act, 1999 vide G.O.I. , Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

5 Substituted by the MM(DR) Amendment Act, 2021, vide Ext. Part II, Section I, No. 18, dated 28.03.2021 (No. 16 of 2021).

6 Ibid.

Government to make a premature termination of a prospecting licence or mining lease in respect of any mineral other than a minor mineral in any area or part thereof, and, on receipt of such request, the State Government shall make an order making a premature termination of such prospecting licence or mining lease with respect to the area or any part thereof.

(2) Where the State Government is of opinion that it is expedient in the interest of regulation of mines and mineral development, preservation of natural environment, control of floods, prevention of pollution or to avoid danger to public health or communications or to ensure safety of buildings, monuments or other structures or for such other purposes, as the State Government may deem fit, it may, by an order, in respect of any minor mineral, make premature termination of a prospecting licence or mining lease with respect to the area or any part thereof covered by such licence or lease.

¹[Omitted]

(3) No order making a premature termination of a prospecting licence or mining lease shall be made except after giving the holder of the licence or lease a reasonable opportunity of being heard.

(4) Where the holder of a mining lease fails to undertake ²[Production and dispatch] for a period of two years after the date of execution of the lease or, having commenced ³[production and dispatch], has discontinued the same for a period of two years, the lease shall lapse on the expiry of the period of two years from the date of execution of the lease or, as the case may be, discontinuance of the ⁴[production and dispatch]:

⁵⁶[Provided that the State Government may, on an application made by the holder of such lease before it lapses and on being satisfied that it shall not be possible for the holder of the lease to undertake production and dispatch or to continue such production and dispatch for reasons beyond his control, make an order, within a period of three months from the date of receipt of such application, to extend the period of two years by a further period not exceeding one year and such extension shall not be granted for more than once during the entire period of lease:

Provided further that such lease shall lapse on failure to undertake production and dispatch or having commenced the production and dispatch fails to continue the same before the end of such extended period.]

1 Omitted by MM(RD) Amendment Act, No. 38 of 1999 vide G.O.I. , Ext. Part II, Section 1, No. 51, dated 20.12.1999.

2 Substituted by MM(DR) Amendment Act, 2021 vide G.O.I. , Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021). 3. Ibid, 4. Ibid.

5 Substituted by MMDR Amendment Act, 2015, vide, G.O.I. Ext. Part II, Section 1, No. 13 dated 27.03.2015 (No. 10 of 2015).

6 Substituted by MM(DR) Amendment Act, 2021 vide G.O.I. , Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

Conditions for efficiency in production.

¹[4B. - Notwithstanding anything contained in section 4A, the Central Government may, in the interest of maintaining sustained production of minerals in the country, prescribe such conditions as may be necessary for commencement and continuation of production by the holders of mining leases who have acquired rights, approvals, clearances and the like under section 8B.]

Restrictions on the grant of prospecting licences or mining leases.

5. (1) A State Government shall not grant a ² [³[mineral concession]] [to any person unless such person-

(a) is an Indian national, or a company as defined in ⁴[clause (20) of section 2 of the Companies Act, 2013 (18 of 2013)]; and

(b) satisfies such conditions as may be prescribed:

⁵[Provided that in respect of any mineral specified in Part A and Part B of the First Schedule, no ⁶[Mineral concession] shall be granted except with the previous approval of the Central Government.]

⁷[Provided further that the previous approval of the Central Government shall not be required for grant of ⁸[mineral concession] in respect of the minerals specified in Part A of the First Schedule, where, -

- (i) an allocation order has been issued by the Central Government under section 11A; or
- (ii) a notification of reservation of area has been issued by the Central Government or the State Government under sub-section (1A) or sub-section (2) of section 17A; or
- (iii) a vesting order or an allotment order has been issued by the Central Government under the provisions of the Coal Mines (Special Provisions) Act, 2015 (11 of 2015)].

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1. Inserted by the Mineral Laws (Amendment) Act, 2020 vide Ext. Part II, Section 1, No. 9, dated 13.03.2020 (No. 2 of 2020).
 2. Substituted by MM(RD) Amendment Act, 1999, vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).
 3. Substituted by MMDR Amendment Act, 2021 vide G.O.I. , Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).
 4. Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).
 5. Ibid.
 6. Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).
 7. Inserted by the Mineral Laws (Amendment) Act, 2020 vide GOI Ext. Part II, Section 1, No.9, dated 13.03.2020 (No. 2 of 2020).
 8. Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

¹[Provided also that the composite licence or mining lease shall not be granted for an area to any person other than the Government, Government company or corporation, in respect of any minerals specified in Part B of the First Schedule where the grade of such mineral in such area is equal to or above such threshold value as may be notified by the Central Government.]

Explanation. - For the purposes of this sub-section, a person shall be deemed to be an Indian national, -

(a) in the case of a firm or other association of individuals, only if all the members of the firm or members of the association are citizens of India; and

(b) in the case of an individual, only if he is a citizen of India.

(2) No mining lease shall be granted by the State Government unless it is satisfied that-

²[(a) there is evidence to show the existence of mineral contents in the area for which the application for a mining lease has been made in accordance with such parameters as may be prescribed for this purpose by the Central Government]; and

³[(b) there is a mining plan duly approved by the Central Government, or by the State Government, in respect of such category of mines as may be specified by the Central Government, for the development of mineral deposits in the area concerned.]

⁴[Provided that a mining lease may be granted upon the filing of a mining plan in accordance with a system established by the State Government for preparation, certification, and monitoring of such plan, with the approval of the Central Government.]

Maximum area for which a prospecting licence or mining lease may be granted.

6. [(1) No person shall acquire] in respect of any mineral or prescribed group of associated minerals] ⁵[in a State]-

[(a) one or more prospecting licences covering a total area of more than twenty-five square kilometres; or]

⁶[(aa) one or more reconnaissance permit covering a total area of ten thousand square kilometres:

Provided that the area granted under a single reconnaissance permit shall not exceed five thousand square kilometres; or]

[(b) one or more mining leases covering a total area of more than ten square kilometres:

⁷[Provided that if the Central Government is of the opinion that in the interest of the development of any mineral or industry, it is necessary so to do, it may, for reasons to be recorded in writing, increase the aforesaid area limits in respect of prospecting licence or mining lease, in so far as it pertains to any particular mineral, or to any specified category of deposits of such mineral, or to any particular mineral located in any particular area.]

1 Inserted by MM(DR) Amendment Act, 2021 vide G.O.I. , Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

2 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015)

3 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999)

4 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015)

5 Inserted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

6 Ibid

7 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

(c) ¹[any ²[mineral concession] in respect of any area which is not compact or contiguous:

Provided that if the State Government is of opinion that in the interests of the development of any mineral, it is necessary so to do, it may, for reasons to be recorded in writing, permit any person to acquire a ²[mineral concession] in relation to any area which is not compact or contiguous.]

(2) For the purposes of this section, a person acquiring by or in the name of, another person a ⁴³[mineral concession]] which is intended for himself shall be deemed to be acquiring it himself.

(3) For the purposes of determining the total area referred to in sub-section (1), the area held under a ⁶⁵[mineral concession]] by a person as a member of a co-operative society, company or other corporation, or a Hindu undivided family or a partner of a firm, shall be deducted from the area referred to in sub-section (1) so that the sum total of the area held by such person, under a ⁸⁷[mineral concession]], whether as such member or partner, or individually may not, in any case, exceed the total area specified in sub-section (1).

Periods for which prospecting licences may be granted or renewed.

7. (1) The period for which ⁹[a reconnaissance permit or prospecting licence] may be granted shall not exceed three years.

(2) A prospecting licence shall, if the State Government is satisfied that a longer period is required to enable the licensee to complete prospecting operations, be renewed for such period or periods as that Government may specify:

Provided that the total period for which a prospecting licence is granted does not exceed five years:

Provided further that no prospecting licence granted in respect of ¹⁰[a mineral included in Part A and Part B to] the First Schedule shall be renewed except with the previous approval of the Central Government.

Periods for which mining leases may be granted or renewed.

¹¹[8. (1) The provisions of this section shall apply to minerals specified in Part A of the First Schedule.

(2) The maximum period for which a mining lease may be granted shall not exceed thirty years: Provided that the minimum period for which any such mining lease may be granted shall not be less than twenty years.

(3) A mining lease may be renewed for a period not exceeding twenty years with the previous approval of the Central Government.]

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

4 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

5 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

6 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

7 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

8 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

9 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

10 Ibid

11 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015)

¹[(4) Notwithstanding anything contained in this section, in case of Government companies or corporations, the period of mining leases including the existing mining leases, shall be such as may be prescribed by the Central Government:

Provided that the period of mining leases, other than the mining leases granted through auction, shall be extended on payment of such additional amount as specified in the Fifth Schedule:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein in the said Schedule with effect from such date as may be specified in the said notification.

(5) Any lessee may, where coal or lignite is used for captive purpose, sell such coal or lignite up to fifty per cent. of the total coal or lignite produced in a year after meeting the requirement of the end use plant linked with the mine in such manner as may be prescribed by the Central Government and on payment of such additional amount as specified in the Sixth Schedule:

Provided that the Central Government may, by notification in the Official Gazette and for the reasons to be recorded in writing, increase the said percentage of coal or lignite that may be sold by a Government company or corporation:

Provided further that the sale of coal shall not be allowed from the coal mines allotted to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects):

Provided also that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Sixth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.]

Periods of grant of a mining lease for minerals other than coal, lignite and atomic minerals.

²[8A. (1) The provisions of this section shall apply to minerals other than those specified in Part A and Part B of the First Schedule.

(2) On and from the date of the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, all mining leases shall be granted for the period of fifty years.

(3) All mining leases granted before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 shall be deemed to have been granted for a period of fifty years.

(4) On the expiry of the lease period, the lease shall be put up for auction as per the procedure specified in this Act.

³[Provided that nothing contained in this section shall prevent the State Governments from taking an advance action for auction of the mining lease before the expiry of the lease period.]

1 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

2 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

3 Inserted by the Mineral Laws (Amendment), Act, 2020 vide Ext. Part II, Section 1, No. 9, dated 13.03.2020 (No. 2 of 2020).

(5) Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, where mineral is used for captive purpose, shall be extended and be deemed to have been extended up to a period ending on the 31st March, 2030 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

(6) Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended up to a period ending on the 31st March, 2020 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

(7) Any holder of a lease granted, where mineral is used for captive purpose, shall have the right of first refusal at the time of auction held for such lease after the expiry of the lease period.

¹[(7A) Any lessee may, where mineral is used for captive purpose, sell mineral up to fifty per cent. of the total mineral produced in a year after meeting the requirement of the end use plant linked with the mine in such manner as may be prescribed by the Central Government and on payment of such additional amount as specified in the Sixth Schedule:

Provided that the Central Government may, by notification in the Official Gazette and for the reasons to be recorded in writing, increase the said percentage of mineral that may be sold by a Government company or corporation:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Sixth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.]

(8) Notwithstanding anything contained in this section, the period of mining leases, including existing mining leases, of Government companies or corporations shall be such as may be prescribed by the Central Government.

²[Provided that the period of mining leases, other than the mining leases granted through auction, shall be extended on payment of such additional amount as specified in the Fifth Schedule:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.

Explanation. - For the removal of doubts, it is hereby clarified that all such Government companies or corporations whose mining lease has been extended after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), shall also pay such additional amount as specified in the Fifth Schedule for the mineral produced after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.]

1 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

2 Ibid.

(9) The provisions of this section, notwithstanding anything contained therein, shall not apply to a mining lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, for which renewal has been rejected, or which has been determined, or lapsed.]

Provisions for period and transfer of statutory clearances.

²[¹**8B.**- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, all valid rights, approvals, clearances, licences and the like granted to a lessee in respect of a mine (other than those granted under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder) shall continue to be valid even after expiry or termination of lease and such rights, approvals, clearances, licences and the like shall be transferred to, and vested; subject to the conditions provided under such laws; in the successful bidder of the mining lease selected through auction under this Act:

Provided that where on the expiry of such lease period, mining lease has not been executed pursuant to an auction under provisions of sub-section (4) of section 8A, or lease executed pursuant to such auction has been terminated within a period of one year from such auction, the State Government may, with the previous approval of the Central Government, grant lease to a Government company or corporation for a period not exceeding ten years or till selection of new lessee through auction, whichever is earlier and such Government company or corporation shall be deemed to have acquired all valid rights, approvals, clearances, licences and the like vested with the previous lessee:

Provided further that the provisions of sub-section (1) of section 6 shall not apply where such mining lease is granted to a Government company or corporation under the first proviso: Provided also that in case of atomic minerals having grade equal to or above the threshold value, all valid rights, approvals, clearances, licences and the like in respect of expired or terminated mining leases shall be deemed to have been transferred to, and vested in the Government company or corporation that has been subsequently granted the mining lease for the said mine.

(2) Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the new lessee to continue mining operations on the land till expiry or termination of mining lease granted to it, in which mining operations were being carried out by the previous lessee.]

Royalties in respect of mining leases.

9. (1) The holder of a mining lease granted before the commencement of this Act shall, notwithstanding anything contained in the instrument of lease or in any law in force at such commencement, pay royalty in respect of any mineral removed or consumed by him or by his agent, manager, employee, contractor or sub-lessee from the leased area after such commencement, at the rate for the time being specified in the Second Schedule in respect of that mineral.

1 Inserted by the Mineral Laws (Amendment), Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9, dated 13.03.2020 (No. 2 of 2020).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

(2) The holder of a mining lease granted on or after the commencement of this Act shall pay royalty in respect of any [mineral removed or consumed by him or by his agent, manager, employee, contractor or sub-lessee] from the leased area at the rate for the time being specified in the Second Schedule in respect of that mineral.

(2A) The holder of a mining lease, whether granted before or after the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1972, shall not be liable to pay any royalty in respect of any coal consumed by a workman engaged in a colliery provided that such consumption by the workman does not exceed one-third of a tonne per month.

(3) The Central Government may, by notification in the Official Gazette, amend the Second Schedule so as to enhance or reduce the rate at which royalty shall be payable in respect of any mineral with effect from such date as may be specified in the notification:

Provided that the Central Government shall not enhance the rate of royalty in respect of any mineral more than once during any period of three years.

Dead rent to be paid by the lessee.

9A. (1) The holder of a mining lease, whether granted before or after the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1972, shall, notwithstanding anything contained in the instrument of lease or in any other law for the time being in force, pay to the State Government, every year, dead rent at such rate as may be specified, for the time being, in the Third Schedule, for all the areas included in the instrument of lease:

Provided that where the holder of such mining lease becomes liable, under section 9, to pay royalty for any mineral removed or consumed by him or by his agent, manager, employee, contractor or sub-lessee from the leased area, he shall be liable to pay either such royalty or the dead rent in respect of that area, whichever is greater.

(2) The Central Government may, by notification in the Official Gazette, amend the Third Schedule so as to enhance or reduce the rate at which the dead rent shall be payable in respect of any area covered by a mining lease and such enhancement or reduction shall take effect from such date as may be specified in the notification:

Provided that the Central Government shall not enhance the rate of the dead rent in respect of any such area more than once during any period of three years.

District Mineral Foundation.

¹[**9B.** (1) In any district affected by mining related operations, the State Government shall, by notification, establish a trust, as a non-profit body, to be called the District Mineral Foundation.

(2) The object of the District Mineral Foundation shall be to work for the interest and benefit of persons, and areas affected by mining related operations in such manner as may be prescribed by the State Government.

(3) The composition and functions of the District Mineral Foundation shall be such as may be prescribed by the State Government.

²[Provided that the Central Government may give directions regarding composition and utilisation of fund by the District Mineral Foundation.]

1 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

(4) The State Government while making rules under sub-sections (2) and (3) shall be guided by the provisions contained in article 244 read with Fifth and Sixth Schedules to the Constitution relating to administration of the Scheduled Areas and Tribal Areas and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

(5) The holder of a mining lease or a ¹[composite licence] granted on or after the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 ²[other than those covered under the provisions of sub-section (2) of section 10A], shall, in addition to the royalty, pay to the District Mineral Foundation of the district in which the mining operations are carried on, an amount which is equivalent to such percentage of the royalty paid in terms of the Second Schedule, not exceeding one-third of such royalty, as may be prescribed by the Central Government.

(6) The holder of a mining lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 ³[and those covered under the provisions of sub-section (2) of section 10A], shall, in addition to the royalty, pay to the District Mineral Foundation of the district in which the mining operations are carried on, an amount not exceeding the royalty paid in terms of the Second Schedule in such manner and subject to the categorisation of the mining leases and the amounts payable by the various categories of lease holders, as may be prescribed by the Central Government.

National Mineral Exploration Trust.

⁴[9C. (1) The Central Government shall, by notification, establish a Trust, as a ⁵[non-profit autonomous body], to be called the National Mineral Exploration Trust.

(2) The object of the Trust shall be to use the funds accrued to the Trust for the purposes of regional and detailed exploration in such manner as may be prescribed by the Central Government.

(3) The composition and functions of the Trust shall be such as may be prescribed by the Central Government.

(4) The holder of a mining lease or a [composite licence] shall pay to the Trust, a sum equivalent to two per cent. of the royalty paid in terms of the Second Schedule, in such manner as may be prescribed by the Central Government.]

⁶[(5) The entities specified and notified under sub-section (1) of section 4 shall be eligible for funding under the National Mineral Exploration Trust.]

1 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

2 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Ibid.

4 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

5 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

6 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

PROCEDURE FOR OBTAINING PROSPECTING LICENCES OR MINING LEASES IN RESPECT OF LAND IN WHICH THE MINERALS VEST IN THE GOVERNMENT

Application for prospecting licences or mining leases.

10. (1) An application for²[mineral concession]] in respect of any land in which the minerals vest in the Government shall be made to the State Government concerned in the prescribed form and shall be accompanied by the prescribed fee.

(2) Where an application is received under sub-section (1), there shall be sent to the applicant an acknowledgement of its receipt within the prescribed time and in the prescribed form.

(3) On receipt of an application under this section, the State Government may, having regard to the provisions of this Act and any rules made thereunder, grant or refuse to grant the ³[permit, licence or lease].

⁴[(4) Notwithstanding anything contained in this section, no person shall be eligible to make an application under this section unless -

- (a) he has been selected in accordance with the procedure specified under sections 10B, 11, 11A or the rules made under section 11B;
- (b) he has been selected under the Coal Mines (Special) Provisions Act, 2015 (11 of 2015); or
- (c) an area has been reserved in his favour under section 17A.]

Rights of Existing Concession Holders and Applicants.

⁵[**10A.** (1) All applications received prior to the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, shall become ineligible.

(2) Without prejudice to sub-section (1), the following shall remain eligible on and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015:-

- (a) applications received under section 11A of this Act;
- (b) where before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 a reconnaissance permit or prospecting licence has been granted in respect of any land for any mineral, the permit holder or the licensee shall have a right for obtaining a prospecting licence followed by a mining lease, or a mining lease, as the case may be, in respect of that mineral in that land, if the State Government is satisfied that the permit holder or the licensee, as the case may be,-
 - (i) has undertaken reconnaissance operations or prospecting operations, as the case may be, to establish the existence of mineral contents in such land in accordance with such parameters as may be prescribed by the Central Government;
 - (ii) has not committed any breach of the terms and conditions of the reconnaissance permit or the prospecting licence;
 - (iii) has not become ineligible under the provisions of this Act; and

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

4 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

5 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

- (iv) has not failed to apply for grant of prospecting licence or mining lease, as the case may be, within a period of three months after the expiry of reconnaissance permit or prospecting licence, as the case may be, or within such further period not exceeding six months as may be extended by the State Government;

¹[Provided that for the cases covered under this clause including the pending cases, the right to obtain a prospecting licence followed by a mining lease or a mining lease, as the case may be, shall lapse on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021:

Provided further that the holder of a reconnaissance permit or prospecting licence whose rights lapsed under the first proviso, shall be reimbursed the expenditure incurred towards reconnaissance or prospecting operations in such manner as may be prescribed by the Central Government.]

- (c) where the Central Government has communicated previous approval as required under subsection (1) of section 5 for grant of a mining lease, or if a letter of intent (by whatever name called) has been issued by the State Government to grant a mining lease, before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, the mining lease shall be granted subject to fulfilment of the conditions of the previous approval or of the letter of intent within a period of two years from the date of commencement of the said Act:

Provided that in respect of any mineral specified in the First Schedule, no prospecting licence or mining lease shall be granted under clause (b) of this subsection except with the previous approval of the Central Government.

- ²[(d) in cases where right to obtain licence or lease has lapsed under, clauses (b) and (c), such areas shall be put up for auction as per the provisions of this Act:

Provided that in respect of the minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than the threshold value, the mineral concession for such areas shall be granted in accordance with the rules made under section 11B.]

Grant of Mining Lease in respect of Notified Minerals through Auction.

³[10B.⁴[(1) The provisions of this section shall not apply to the, -

- (a) cases falling under section 17A;
- (b) minerals specified in Part A of the First Schedule;
- (c) minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than such threshold value as may be notified by the Central Government from time to time; or
- (d) land in respect of which the minerals do not vest in the Government.]

(2) Where there is inadequate evidence to show the existence of mineral contents of any notified mineral in respect of any area, a State Government may, after obtaining the previous approval of the Central Government, grant a ⁵[composite licence] for the said notified mineral in such area in accordance with the procedure laid down in section 11.

1 Inserted by MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

2 Ibid

3 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

4 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

5 Ibid.

(3) In areas where the existence of mineral contents of any notified mineral is established in the manner prescribed by the Central Government, the State Government shall notify such areas for grant of mining leases for such notified mineral, the terms and conditions subject to which such mining leases shall be granted, and any other relevant conditions, in such manner as may be prescribed by the Central Government.

¹[Provided that where the State Government has not notified such area for grant of mining lease after establishment of existence of mineral contents of any mineral (whether notified mineral or otherwise), the Central Government may require the State Government to notify such area within a period to be fixed in consultation with the State Government and in cases where the notification is not issued within such period, the Central Government may notify such area for grant of mining lease after the expiry of the period so specified.]

(4) For the purpose of granting a mining lease in respect of any notified mineral in such notified area, the State Government shall select, through auction by a method of competitive bidding, including e-auction, an applicant who fulfils the eligibility conditions as specified in this Act.

²[Provided that -(a) where the State Government has not successfully completed auction for the purpose of granting a mining lease in respect of any mineral (whether notified mineral or otherwise) in such notified area; or

(b) upon completion of such auction, the mining lease or letter of intent for grant of mining lease has been terminated or lapsed for any reason whatsoever,

the Central Government may require the State Government to conduct and complete the auction or re-auction process, as the case may be, within a period to be fixed in consultation with the State Government and in cases where such auction or re-auction process is not completed within such period, the Central Government may conduct auction for grant of mining lease for such area after the expiry of the period so specified:

Provided further that upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant mining lease for such area to such preferred bidder in such manner as may be prescribed by the Central Government.]

(5) The Central Government shall prescribe the terms and conditions, and procedure, subject to which the auction shall be conducted, including the bidding parameters for the selection, which may include a share in the production of the mineral, or any payment linked to the royalty payable, or any other relevant parameter, or any combination or modification of them.

(6) Without prejudice to the generality of sub-section (5), the Central Government shall, if it is of the opinion that it is necessary and expedient to do so, prescribe terms and conditions, procedure and bidding parameters in respect of categories of minerals, size and area of mineral deposits and a State or States, subject to which the auction shall be conducted:

³[Provided that no mine shall be reserved for captive purpose in the auction.]

(7) The State Government shall grant a mining lease to an applicant selected in accordance with the procedure laid down in this section in respect of such notified mineral in any notified area.]

⁵⁴[omitted Section 10C]]

1 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, dated 28.03.2021 (No. 16 of 2021).

2 Ibid

3 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, dated 28.03.2021 (No. 16 of 2021).

4 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

5 Omitted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, dated 28.03.2021 (No. 16 of 2021).

Grant of ²[Composite Licence] through Auction in respect of minerals other than notified minerals.

²¹[11. [(1) The provisions of this section shall not apply to the, -

- (a) cases falling under section 17A;
- (b) minerals specified in Part A of the First Schedule;
- (c) minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than such threshold value as may be notified by the Central Government from time to time; or
- (d) land in respect of which the minerals do not vest in the Government.]

(2) In areas where there is evidence to show the existence of mineral contents as required by clause (a) of sub-section (2) of section 5, the State Government shall grant a mining lease for minerals other than notified minerals following the procedure laid down in section 10B.

(3) In areas where there is inadequate evidence to show the existence of mineral contents as required under clause (a) of sub-section (2) of section 5, the State Government shall grant a ²[composite licence] for minerals other than notified minerals in accordance with the procedure laid down in this section.

(4) The State Government shall notify the areas in which ³[composite licence] shall be granted for any minerals other than notified minerals, the terms and conditions subject to which such ⁴[composite licence] shall be granted, and any other relevant conditions, in such manner as may be prescribed by the Central Government.

⁵[Provided that where the State Government has not notified such area for grant of composite licence of any mineral (whether notified mineral or otherwise), the Central Government may require the State Government to notify such area within a period to be fixed in consultation with the State Government and in cases where the notification is not issued within such period, the Central Government may notify such area for grant of composite licence after the expiry of the period so specified.]

(5) For the purpose of granting [composite licence]s, the State Government shall select, through auction by method of competitive bidding, including e-auction, an applicant who fulfils the eligibility conditions as specified in this Act.

⁶[Provided that -

- (a) where the State Government has not successfully completed auction for the purpose of granting a composite licence in respect of any mineral (whether notified mineral or otherwise) in such notified area; or

1 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Ibid.

4 Ibid.

5 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).⁶Ibid

(b) upon completion of such auction, the composite licence or letter of intent for grant of composite licence has been terminated or lapsed for any reason whatsoever the Central Government may require the State Government to conduct and complete the auction or re-auction process, as the case may be, within a period to be fixed in consultation with the State Government and in cases where such auction or re-auction process is not completed within such period, the Central Government may conduct auction for grant of composite licence for such area after the expiry of the period so specified:

Provided further that upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant composite licence for such area to such preferred bidder in such manner as may be prescribed by the Central Government.]

(6) The Central Government shall prescribe the terms and conditions, and procedure, subject to which the auction shall be conducted, including the bidding parameters for the selection, which may include a share in the production of the mineral, or any payment linked to the royalty payable, or any other relevant parameter, or any combination or modification of them.

(7) Without prejudice to the generality of sub-section (6), the Central Government shall, if it is of the opinion that it is necessary and expedient to do so, prescribe terms and conditions, procedure and bidding parameters in respect of categories of minerals, size and area of mineral deposits and a State or States, subject to which the auction shall be conducted.

(8) The State Government shall grant a ¹[composite licence] to an applicant selected in accordance with the procedure laid down in this section.

(9) The holder of a ¹[composite licence] shall be required to complete, within the period laid down in section 7, the prospecting operations satisfactorily as specified in the notice inviting applications.

²³[(10) On completion of the prospecting operations, the holder of the composite licence shall submit the result of the prospecting operations in the form of a geological report to the State Government specifying the area required for mining lease and the State Government shall grant mining lease for such area, to the holder of the composite licence in such manner as may be prescribed by the Central Government.]]

⁴**11A. Granting of ⁵[mineral concession] or ⁶⁷[composite licence] in respect of coal or lignite]**

(1) Notwithstanding anything contained in this Act, the Central Government may, for the

1 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

2 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

3 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Substituted by the MM(DR) Amendment Act, 2015, vide Coal Mines Special Provision, Ministry of Law & Justice dated 27.03.2015.

5 Ibid.

6 Ibid.

7 Inserted by the Mineral Laws (Amendment) Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

purpose of granting ¹[mineral concession] or ²³[composite licence] in respect of coal or lignite], select any of the following companies through auction by competitive bidding, on such terms and conditions as may be prescribed, namely:-

(a) a Government company or corporation or a joint venture company formed by such company or corporation or between the Central Government or the State Government, as the case may be, or any other company incorporated in India; or

(b) a company or a joint venture company formed by two or more companies,

⁴[to carry on coal or lignite reconnaissance or prospecting or mining operations, for own consumption, sale or for any other purpose as may be determined by the Central Government.]

⁵["Provided that the auction by competitive bidding under this section shall not be applicable to coal or lignite—

(a) where such area is considered for allotment to a Government company or corporation or a joint venture company formed by such company or corporation or between the Central Government or the State Government, as the case may be, for own consumption, sale or for any other purpose as may be determined by the Central Government;

(b) where such area is considered for allotment to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects).";]

(2)The Central Government may, with a view to rationalise coal and lignite mines referred to in sub-section (1) so as to ensure the coordinated and scientific development and utilisation of resources consistent with the growing requirements of the country, from time to time, prescribe-

(i) the details of mines and their location;

(ii) the minimum size of such mines;

(iii) such other conditions,

which in the opinion of that Government may be necessary for the purpose of mining operations or mining for sale by a company.

(3) The State Government shall grant such ⁶[mineral concession] ⁸⁷[composite licence]]

1 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

2 Substituted by the Mineral Laws (Amendment) Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

3 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Substituted by the Mineral Laws (Amendment), Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

5 ibid

6 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

7 Inserted by the Mineral Laws (Amendment), Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

8 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

in respect of any area containing coal or lignite to such company as selected through auction by ¹[competitive bidding or through allotment] under this section:

Provided that the auction by competitive bidding under this section shall not be applicable to an area containing coal or lignite-

- (a) where such area is considered for allocation to a Government company or corporation or a joint venture company formed by such company or corporation or between the Central Government or the State Government, as the case may be;
- (b) where such area is considered for allocation to a company or corporation or that has been awarded a power project on the basis of competitive bids for tariff (including Ultra Mega Power Projects).

Explanation. - For the purposes of this section, "company" means a company as defined in clause (20) of section 2 of the Companies Act, 2013 (18 of 2013).

Power of Central Government to make rules for regulating atomic minerals specified under Part B of First Schedule.

²[11B. The Central Government may, by notification in the Official Gazette, make rules for regulating the grant of mining leases or other mineral concessions in respect of minerals specified in Part B of the First Schedule and for purposes connected therewith, and the State Government shall grant a ³[mineral concession] in respect of any such mineral in accordance with such rules.]

Power of Central Government to amend First Schedule and Fourth Schedule.

⁴[11C. The Central Government may, by notification in the Official Gazette, amend the First Schedule and the Fourth Schedule so as to add or delete any mineral as may be specified in the notification.]

Registers of reconnaissance permits, prospecting licences and mining leases.

12. (1) The State Government shall cause to be maintained in the prescribed form-

- (a) a register of applications for prospecting licences;
- (b) a register of prospecting licences;
- ⁵[(c) a register of applications for mining leases;
- (d) a register of mining leases;
- (e) a register of applications for reconnaissance permits; and
- (f) a register of reconnaissance permits,]

in each of which shall be entered such particulars as may be prescribed.

1 Substituted by the Mineral Laws (Amendment), Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

2 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

3 Substituted by MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021) 4 Ibid.

5 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

(2) Every such register shall be open to inspection by any person on payment of such fee as the State Government may fix.

Transfer of mineral concessions.

¹[12A. (1) The provisions of this section shall not apply to minerals specified in Part A or Part B of the First Schedule.

(2) A holder of a mining lease or a ²[composite licence] granted in accordance with the procedure laid down in ³[this Act] may, with the previous approval of the State Government, transfer his mining lease or ⁴[composite licence], as the case may be, in such manner as may be prescribed by the Central Government, to any person eligible to hold such mining lease or ⁵[composite licence] in accordance with the provisions of this Act and the rules made thereunder.

⁶[Provided that the transferee of mining lease shall not be required to pay the amount or transfer charges referred to in sub-section (6), as it stood prior to the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, after such commencement but no refund shall be made of the charges already paid.]

(3) If the State Government does not convey its previous approval for transfer of such mining lease or ⁷[composite licence], as the case may be, within a period of ninety days from the date of receiving such notice, it shall be construed that the State Government has no objection to such transfer:

Provided that the holder of the original mining lease or ⁸[composite licence] shall intimate to the State Government the consideration payable by the successor-in-interest for the transfer, including the consideration in respect of the prospecting operations already undertaken and the reports and data generated during the operations.

(4) No such transfer of a mining lease or ⁹[composite licence], referred to in sub-section (2), shall take place if the State Government, within the notice period and for reasons to be communicated in writing, disapproves the transfer on the ground that the transferee is not eligible as per the provisions of this Act:

Provided that no such transfer of a mining lease or of a ¹⁰[composite licence], shall be made in contravention of any condition subject to which the mining lease or the ¹¹[composite licence] was granted.

(5) All transfers effected under this section shall be subject to the condition that the transferee has accepted all the conditions and liabilities under any law for the time being in force which the transferor was subject to in respect of such a mining lease or ¹²[composite licence], as the case may be.]

¹³¹⁴[omitted]]

1 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021). 3. Ibid. 4. Ibid. 5. Ibid. 7. Ibid, 8. Ibid, 9. Ibid . 10 Ibid, 11 Ibid, 12 Ibid.

6 Inserted by theMM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

13 Inserted by the MM(DR) Amendment Act, 2016, vide G.O.I. , Ext. Part II, Section 1, No. 28, dated 09.05.2016 (No. 25 of 2016).

14 Omitted by theMM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

RULES FOR REGULATING THE GRANT OF RECONNAISSANCE PERMITS, PROSPECTING LICENCES AND MINING LEASES

Power of Central Government to make rules in respect of minerals.

13. (1) The Central Government may, by notification in the Official Gazette, make rules for regulating the grant of ¹[²[mineral concession]] in respect of minerals and for purposes connected therewith.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the person by whom, and the manner in which, applications for ³[⁴[mineral concession]] in respect of land in which the minerals vest in the Government may be made and the fees to be paid therefor;

⁵[(aa) the conditions as may be necessary for commencement and continuation of production by the holders of mining leases, under section 4B;

(ab) the conditions to be fulfilled by the new lessee for obtaining all necessary rights, approvals, clearances, licences and the like under the proviso to sub-section (2) of section 8B;

(ac) the level of exploration in respect of deep seated minerals or such minerals and the procedure, including the bidding parameters for selection of the holders under the proviso to sub-section (2) of section 10C;]

(b) the time within which, and the form in which, acknowledgment of the receipt of any such application may be sent;

(c) the matters which may be considered where applications in respect of the same land are received on the same day;

⁷[(d) ⁶[the terms, conditions and process of auction by competitive bidding and allotment in respect of coal or lignite;

(da) the regulation of grant of ⁸[Mineral concession] or ⁹[composite licence] in respect of coal or lignite;]]

(db) the details of mines and their location, the minimum size of such mines and such other conditions which may be necessary for the purpose of coal or lignite reconnaissance, prospecting or mining operations;

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

4 Substituted by MM(DR) Amendment Act 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

5 Inserted by the Mineral Laws (Amendment), Act, 2020 vide G.O.I. Ext. Part II, Section 1, No. 9 dated 13.03.2020 (No. 2 of 2020).

6 Inserted by MM(DR) Amendment Act, 2010 vide G.O.I. Ext. Part II, Section 1, No. 43 dated 09.09.2010 (No. 34 of 2010).

7 Substituted by the Mineral Laws (Amendment) Act, 2020 vide GOI Ext. Part II, Section 1, No. 9 dated 13.3.2020 (No. 2 of 2020).

8 Substituted by MM(DR) Amendment Act 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021). 9. Ibid.

- (dc) utilisation of coal or lignite including mining for sale by a company;]
- (e) the authority by which ¹[²[mineral concession] in respect of land in which the minerals vest in the Government may be granted;
- (f) the procedure for obtaining a ³[⁴[mineral concession]] in respect of any land in which the minerals vest in a person other than the Government and the terms on which, and the conditions subject to which, such ⁵[a permit, licence or lease] may be granted or renewed;
- (g) the terms on which, and the conditions subject to which, any other ⁶[⁷[mineral concession]] may be granted or renewed;
- (h) the facilities to be afforded by holders of mining leases to persons deputed by the Government for the purpose of undertaking research or training in matters relating to mining operations;
- (i) the fixing and collection of fees for ⁸[⁹[mineral concession]] surface rent, security deposit, fines, other fees or charges and the time within which and the manner in which the dead rent or royalty shall be payable;
- (j) the manner in which rights of third parties may be protected (whether by payment of compensation or otherwise) in cases where any such party may be prejudicially affected by reason of any reconnaissance, prospecting or mining operations;

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999(No. 38 of 1999).

2 Substituted by MM(DR) Amendment Act 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

4 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

5 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

6 Ibid

7 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

8 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

9 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

¹[(jj) parameters of existence of mineral contents under clause (a) of sub-section (2) of section 5;]

(k) the grouping of associated minerals for the purposes of section 6;

(l) the manner in which, and the conditions subject to which, ²³[mineral concession]] may be transferred;

(m) the construction, maintenance and use of roads, power transmission lines, tramways, railways, aerial ropeways, pipelines and the making of passages for water for mining purposes on any land comprised in a mining lease;

(n) the form of registers to be maintained under this Act;

(o) (omitted);

(p) the reports and statements to be submitted by holders of ⁴[reconnaissance permits or prospecting licences] or owners of mines and the authority to which such reports and statements shall be submitted;

(q) the period within which applications for revision of any order passed by a State Government or other authority in exercise of any power conferred by or under this Act, may be made the fees to be paid therefor and the documents which shall accompany such applications and the manner in which such applications shall be disposed of;

[(qq) the manner in which rehabilitation of flora and other vegetation such as trees, shrubs and the like destroyed by reason of any prospecting or mining operations shall be made in the same area or in any other area selected by the Central Government (whether by way of reimbursement of the cost of rehabilitation or otherwise) by the person holding the prospecting licence or mining lease;] ⁵[Omitted]

1 Inserted by MMDR Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

3 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

5 Omitted by MMDR Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

- ¹[(qqa) the amount of payment to be made to the District Mineral Foundation under sub-sections (5) and (6) of section 9B;
- (qqb) the manner of usage of funds accrued to the National Mineral Exploration Trust under sub-section (2) of section 9C;
- (qqc) the composition and functions of the National Mineral Exploration Trust under sub-section (3) of section 9C;
- (qqd) the manner of payment of amount to the National Mineral Exploration Trust under sub-section (4) of section 9C;
- (qqe) the terms and conditions subject to which mining leases shall be granted under sub-section (3) of section 10B;
- (qqf) the terms and conditions, and procedure, subject to which the auction shall be conducted including the bidding parameters for the selection under sub-section (5) of section 10B;
- (qqg) the time limits for various stages in processing applications for grant of mining lease or [composite licence] under sections 10B, 11, 11A, 11B, and section 17A, and their renewals;
- ²[Omitted]
- (qqi) the terms and conditions for grant of ³[composite licence] under sub-section (4) of section 11;
- (qqj) the terms and conditions, and procedure, including the bidding parameters for the selection under sub-section (6) of section 11;
- ⁴[(qqja) the terms and conditions and amount or transfer charges under the proviso to sub-section (6) of section 12A;]
- ⁵[Omitted]]
- ⁶[(r) the period of mining lease under sub-section (4) of section 8;
- (s) the manner of sale of mineral by the holder of a mining lease under sub-section (5) of section 8;
- (t) the manner of sale of mineral under sub-section (7A) of section 8A;
- (u) the manner for reimbursement of expenditure towards reconnaissance permits or prospecting operations under the second proviso to clause (b) of sub-section (2) of section 10A;
- (v) the manner of granting mining lease to the preferred bidder under the second proviso to sub-section (4) of section 10B;

1 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 omitted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Inserted by the MM(DR) Amendment Act, 2016,vide G.O.I. , Ext. Part II, Section 1, No. 28, dated 09.05.2016 (No. 25 of 2016).

5 Omitted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

6 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

- (w) the manner of granting composite licence to the preferred bidder under the second proviso to sub-section (5) of section 11;
- (x) the manner of granting mining lease by the State Government to the holder of the composite licence under sub-section (10) of section 11;
- (y) any other matter which is to be, or may be prescribed, under this Act.]

Power of Central Government to make rules for the grant of prospecting licences or mining leases in respect of territorial waters or continental shelf of India.

13A. (1) The Central Government may, by notification in the Official Gazette, make rules for the grant of prospecting licences or mining leases in respect of any minerals underlying the ocean within the territorial waters or the continental shelf of India.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the conditions, limitations and restrictions subject to which such prospecting licences or mining leases may be granted;
- (b) regulation of exploration and exploitation of minerals within the territorial waters or the continental shelf of India;
- (c) ensuring that such exploration or exploitation does not interfere with navigation; and
- (d) any other matter which is required to be, or may be, prescribed.

[Sections 5 to 13] not to apply to minor minerals.

14. The provisions of [sections 5 to 13](inclusive) shall not apply to [quarry leases, mining leases or other mineral concessions] in respect of minor minerals.

Power of State Governments to make rules in respect of minor minerals.

15. (1) The State Government may, by notification in the Official Gazette, make rules for regulating the grant of [quarry leases, mining leases or other mineral concessions] in respect of minor minerals and for purposes connected therewith.

(1-A) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the person by whom and the manner in which, applications for quarry leases, mining leases or other mineral concessions may be made and the fees to be paid therefor;
- (b) the time within which, and the form in which, acknowledgment of the receipt of any such applications may be sent;

- (c) the matters which may be considered where applications in respect of the same land are received within the same day;
- (d) the terms on which, and the conditions subject to which and the authority by which quarry leases, mining leases or other mineral concessions may be granted or renewed;
- (e) the procedure for obtaining quarry leases, mining leases or other mineral concessions;
- (f) the facilities to be afforded by holders of quarry leases, mining leases or other mineral concessions to persons deputed by the Government for the purpose of undertaking research or training in matters relating to mining operations;
- (g) the fixing and collection of rent, royalty, fees, dead rent, fines or other charges and the time within which and the manner in which these shall be payable;
- (h) the manner in which rights of third parties may be protected (whether by way of payment of compensation or otherwise) in cases where any such party is prejudicially affected by reason of any prospecting or mining operations;
- (i) the manner in which rehabilitation of flora and other vegetation such as trees, shrubs and the like destroyed by reason of any quarrying or mining operations shall be made in the same area or in any other area selected by the State Government (whether by way of reimbursement of the cost of rehabilitation or otherwise) by the person holding the quarrying or mining lease;
- (j) the manner in which and the conditions subject to which, a quarry lease, mining lease or other mineral concession may be transferred;
- (k) the construction, maintenance and use of roads, power transmission lines, tramways, railways, aerial ropeways, pipelines and the making of passage for water for mining purposes on any land comprised in a quarry or mining lease or other mineral concession;
- (l) the form of registers to be maintained under this Act;
- (m) the reports and statements to be submitted by holders of quarry or mining leases or other mineral concessions and the authority to which such reports and statements shall be submitted;
- (n) the period within which and the manner in which and the authority to which applications for revision of any order passed by any authority under these rules may be made, the fees to be paid therefor, and the powers of the revisional authority; and
- (o) any other matter which is to be, or may be, prescribed.

(2) Until rules are made under sub-section (1), any rules made by a State Government regulating the grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals which are in force immediately before the commencement of this Act shall continue in force.

(3) The holder of a mining lease or any other mineral concession granted under any rule made under sub-section (1) shall pay royalty or dead rent, whichever is more, in respect of minor minerals removed or consumed by him or by his agent, manager, employee, contractor or sub-lessee at the rate prescribed for the time being in the rules framed by the State Government in respect of minor minerals:

Provided that the State Government shall not enhance the rate of royalty or dead rent in respect of any minor mineral for more than once during any period of three years.

¹[(4) Without prejudice to sub-sections (1), (2) and sub-section (3), the State Government may, by notification, make rules for regulating the provisions of this Act for the following, namely:-

- (a) the manner in which the District Mineral Foundation shall work for the interest and benefit of persons and areas affected by mining under sub-section (2) of section 9B;
- (b) the composition and functions of the District Mineral Foundation under sub-section (3) of section 9B; and
- (c) the amount of payment to be made to the District Mineral Foundation by concession holders of minor minerals under section 15A.]

Power of State Government to collect funds for District Mineral Foundation in case of minor minerals.

²[15A. The State Government may prescribe the payment by all holders of concessions related to minor minerals of amounts to the District Mineral Foundation of the district in which the mining operations are carried on.]

Power to modify mining leases granted before 25th October, 1949.

16. (1)(a) All mining leases granted before the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1972, if in force at the date of commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1994, shall be brought in conformity with the provisions of this Act and the rules made thereunder within two years from the date of the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1994, or such further time as the Central Government may, by general or special order, specify in this behalf.

- (b) Where the rights under any mining lease, granted by the proprietor of an estate or tenure before the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1972, have vested, on or after the 25th day of October, 1949, in the State Government in pursuance of the provisions of any Act of any Provincial or State Legislature which provides for the acquisition of estates or tenures or provides for agrarian reform, such mining lease shall be brought into conformity with the provisions of this Act and the rules made thereunder within two years from the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1994, or within such further time as the Central Government may, by general or special order, specify in this behalf.

¹ Inserted by MM(DR)Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).²Ibid.

(1A) Where any action is taken under clause (a) or clause (b) of sub-section (1) to bring the period of any lease in conformity with the provisions of this Act and the rules made thereunder, then, notwithstanding anything contained in section 8, the period of such lease shall continue to operate for a period of two years from the date of bringing such lease in conformity with the provisions of this Act.

(2) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of sub-section (1) and in particular such rules shall provide-

- (a) for giving previous notice of the modification or alteration proposed to be made in any existing mining lease to the lessee and where the lessor is not the Central Government, also to the lessor and for affording him an opportunity of showing cause against the proposal;
- (b) for the payment of compensation to the lessee in respect of the reduction of any area covered by the existing mining lease; and
- (c) for the principles on which, the manner in which, and the authority by which, the said compensation shall be determined.

**SPECIAL POWERS OF CENTRAL GOVERNMENT TO UNDERTAKE
PROSPECTING OR MINING OPERATIONS IN CERTAIN CASES**

Special powers of Central Government to undertake prospecting or mining operations in certain lands.

17. (1) The provisions of this section shall apply in respect of land in which the minerals vest in the Government of a State [or any other person].

(2) Notwithstanding anything contained in this Act, the Central Government, after consultation with the State Government, may undertake¹[reconnaissance, prospecting or mining operations] in any area not already held under any ²³[mineral concession]] and where it proposes to do so, it shall, by notification in the Official Gazette-

- (a) specify the boundaries of such area;
- (b) state whether⁴[reconnaissance, prospecting or mining operations] will be carried out in the area; and
- (c) specify the mineral or minerals in respect of which such operations will be carried out.

(3) Where, in exercise of the powers conferred by sub-section (2), the Central Government undertakes⁵[reconnaissance, prospecting or mining operations] in any area, the Central Government shall be liable to pay ⁶[reconnaissance permit fee or prospecting fee] royalty, surface rent or dead rent, as the case may be, at the same rate at which it would have been payable under this Act, if such⁷[reconnaissance, prospecting or mining operations] had been undertaken by a private person under a⁹⁸[mineral concession]].

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999). 2 Ibid.

3 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

4 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999), 5 Ibid, 6 Ibid, 7 Ibid, 8 Ibid.

9 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

(4) The Central Government, with a view to enabling it to exercise the powers conferred on it by sub-section (2) may, after consultation with the State Government, by notification in the Official Gazette, declare that no ¹[²[mineral concession]] shall be granted in respect of any land specified in the notification.

Reservation of areas for purposes of conservation.

17A. (1) The Central Government, with a view to conserving any mineral and after consultation with the State Government, may reserve any area not already held under any prospecting licence or mining lease and, where it proposes to do so, it shall, by notification in the Official Gazette, specify the boundaries of such area and the mineral or minerals in respect of which such area will be reserved.

(1A) The Central Government may, in consultation with the State Government, reserve any area not already held under any prospecting licence or mining lease, for undertaking prospecting or mining operations through a Government company or corporation owned or controlled by it, and where it proposes to do so, it shall, by notification in the Official Gazette, specify the boundaries of such area and the mineral or minerals in respect of which such area will be reserved.

(2) The State Government may, with the approval of the Central Government, reserve any area not already held under any prospecting licence or mining lease, for undertaking prospecting or mining operations through a Government company or corporation owned or controlled by it and where it proposes to do so, it shall, by notification in the Official Gazette, specify the boundaries of such area and the mineral or minerals in respect of which such areas will be reserved.

³[⁴(2A) Where in exercise of the powers conferred by sub-section (1A) or sub-section (2), the Central Government or the State Government, as the case may be, reserves any area for undertaking prospecting or mining operations or prospecting operations followed by mining operations, the State Government shall grant prospecting licence, mining lease or composite licence, as the case may be, in respect of such area to such Government company or corporation within the period specified in this section:

Provided that in respect of any mineral specified in ⁵[omitted] Part B of the First Schedule, the State Government shall grant the prospecting licence, mining lease or composite licence, as the case may be, only after obtaining the previous approval of the Central Government.]

(2B) Where the Government company or corporation is desirous of carrying out the prospecting operations or mining operations in a joint venture with other persons, the joint venture partner shall be selected through a competitive process, and such Government company or corporation shall hold more than seventy-four per cent. of the paid up share capital in such joint venture.

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

4 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

5 Omitted by the Mineral Laws (Amendment) Act, 2020 vide G.O.I. Ext, Part II, Section 1, No. 9, dated 13.03.2020 (No. 2 of 2020)

(2C) A mining lease granted to a Government company or corporation, or a joint venture, referred to in sub-sections (2A) and (2B), shall be granted on payment of such amount as ¹[specified in the Fifth Schedule].

²[Provided that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein in the said Schedule with effect from such date as may be specified in the said notification.

Explanation. - For the removal of doubts, it is hereby clarified that all such Government companies or corporations whose mining lease has been granted after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), shall also pay such additional amount as specified in the Fifth Schedule for the mineral produced after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.]

(3) Where, in exercise of the powers conferred by sub-section (1-A) or sub-section (2), the Central Government or the State Government, as the case may be undertakes prospecting or mining operations in any area in which the minerals vest in a private person, it shall be liable to pay prospecting fee, royalty, surface rent or dead rent, as the case may be, from time to time at the same rate at which it would have been payable under this Act if such prospecting or mining operations had been undertaken by a private person under prospecting licence or mining lease.

³[(4) The reservation made under this section shall lapse in case no mining lease is granted within a period of five years from the date of such reservation:

Provided that where the period of five years from the date of reservation has expired before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 or expires within a period of one year from the date of commencement of the said Act, the reservation shall lapse in case no mining lease is granted within a period of one year from the date of commencement of the said Act:

Provided further that the State Government may, on an application made by such Government company or corporation or on its own motion, and on being satisfied that it shall not be possible to grant the mining lease within the said period, make an order with reasons in writing, within a period of three months from the date of receipt of such application, to relax such period by a further period not exceeding one year:

Provided also that where the Government company or corporation in whose favour an area has been reserved under this section before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), has commenced production from the reserved area without execution of mining lease, such Government company or corporation shall be deemed to have become lessee of the State Government from the date of commencement of mining operations and such deemed lease shall lapse upon execution of the mining lease in accordance with this sub-section or expiry of period of one year from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, whichever is earlier.

(5) The termination or lapse of mining lease shall result in the lapse of the reservation under this section.]

1 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

2 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Ibid.

DEVELOPMENT OF MINERALS

Mineral Development.

18. (1) It shall be the duty of the Central Government to take all such steps as may be necessary for the conservation and systematic development of minerals in India and for the protection of environment by preventing or controlling any pollution which may be caused by prospecting or mining operations and for such purposes the Central Government may, by notification in the Official Gazette, make such [rules] as it thinks fit.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the opening of new mines and the regulation of mining operations in any area;
- (b) the regulation of the excavation or collection of minerals from any mine;
- (c) the measures to be taken by owners of mines for the purpose of beneficiation of ores, including the provision of suitable contrivances for such purpose;
- (d) the development of mineral resources in any area;
- (e) the notification of all new borings and shaft sinkings and the preservation of bore-hole records, and specimens of cores of all new bore-holes;
- (f) the regulation of the arrangements for the storage of minerals and the stocks thereof that may be kept by any person;
- (g) the submission of samples of minerals from any mine by the owner thereof and the manner in which and the authority to which such samples shall be submitted; and the taking of samples of any minerals from any mine by the State Government or any other authority specified by it in that behalf;
- (h) the submission by owners of mines of such special or periodical returns and reports as may be specified, and the form in which and the authority to which such returns and reports shall be submitted;
- (i) the regulation of prospecting operations;
- (j) the employment of qualified geologists or mining engineers to supervise prospecting or mining operations;
- (k) the disposal or discharge of waste slime or tailings arising from any mining or metallurgical operations carried out in a mine;
- (l) the manner in which and the authority by which directions may be issued to the owners of any mine to do or refrain from doing certain things in the interest of conservation or systematic development of minerals or for the protection of environment by preventing or controlling pollution which may be caused by prospecting or mining operations;
- (m) the maintenance and submission of such plans, registers of records as may be specified by the Government;
- (n) the submission of records or reports by persons carrying on prospecting or mining operations regarding any research in mining or geology carried out by them;
- (o) the facilities to be afforded by persons carrying out prospecting or mining operations to persons authorised by the Central Government for the purpose of undertaking research or training in matters relating to mining or geology;

- (p) the procedure for and the manner of imposition of fines for the contravention of any of the rules framed under this section and the authority who may impose such fines; and
- (q) the authority to which, the period within which, the form and the manner in which applications for revision of any order passed by any authority under this Act and the rules made thereunder may be made, the fee to be paid and the documents which should accompany such applications.

(3) All rules made under this section shall be binding on the Government.

Power to authorise Geological Survey of India, etc. to make investigation.

18A. (1) Where the Central Government is of opinion that for the conservation and development of minerals in India, it is necessary to collect as precise information as possible with regard to any mineral available in or under any land in relation to which any prospecting licence or mining lease has been granted, whether by the State Government or by any other person, the Central Government may authorise the Geological Survey of India, or such other authority or agency as it may specify in this behalf, to carry out such detailed investigations for the purpose of obtaining such information as may be necessary:

Provided that in the cases of prospecting licences or mining leases granted by a State Government, no such authorisation shall be made except after consultation with the State Government.

(2) On the issue of any authorisation under sub-section (1), it shall be lawful for the Geological Survey of India or the specified authority or agency, and its servants and workmen-

- (a) to enter upon such land,
- (b) to dig or bore into the sub-soil,
- (c) to do all other acts necessary to determine the extent of any mineral available in or under such land,
- (d) to set out boundaries of the land in which any mineral is expected to be found,
- (e) to mark such boundaries and line by placing marks,
- (f) where otherwise the survey cannot be completed on the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle:

Provided that no such authority or agency shall enter into any building or upon any enclosed Court or garden attached to a dwelling-house (except with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of its intention to do so.

(3) Whenever any action of the nature specified in sub-section (2) is to be taken, the Central Government shall, before or at the time when such action is taken, pay or tender payment for all necessary damage which is likely to be caused, and in case of dispute as to the sufficiency of the amount so paid or tendered or as to the person to whom it should be paid or tendered, the Central Government shall refer the dispute to the principal Civil Court of original jurisdiction having jurisdiction over the land in question.

(4) The fact that there exists any such dispute as is referred to in sub-section (3) shall not be a bar to the taking of any action under sub-section (2).

(5) After the completion of the investigation, the Geological Survey of India or the specified authority or agency by which the investigation was made shall submit to the Central Government a detailed report indicating therein the extent and nature of any mineral which lies deposited in or under the land.

(6) The costs of the investigation made under this section shall be borne by the Central Government:

Provided that where the State Government or other person in whom the minerals are vested or the holder of any prospecting licence or mining lease applies to the Central Government to furnish to it or him a copy of the report submitted under sub-section (5), that State Government or other person or the holder of a prospecting licence or mining lease, as the case may be, shall bear such reasonable part of the costs of investigation as the Central Government may specify in this behalf and shall, on payment of such part of the costs of investigation, be entitled to receive from the Central Government a true copy of the report submitted to it under sub-section (5).

MISCELLANEOUS

Prospecting licences and mining leases to be void if in contravention of Act.

19. Any¹[²[mineral concession]]granted, renewed or acquired in contravention of the provisions of this Act or any rules or orders made thereunder shall be void and of no effect.

Explanation. - Where a person has acquired more than one ³[⁴[mineral concession]] and the aggregate area covered by such ⁵[permits, licences or leases], as the case may be, exceeds the maximum area permissible under section 6, only that ⁶[⁷[mineral concession]] the acquisition of which has resulted in such maximum area being exceeded shall be deemed to be void.

Act and rules to apply to all renewals of prospecting licences and mining leases.

20. The provisions of this Act and the rules made thereunder shall apply in relation to the renewal after the commencement of this Act of any prospecting licence or mining lease granted before such commencement as they apply in relation to the renewal of a prospecting licence or mining lease granted after such commencement.

1 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

4 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

5 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

6 Ibid.

7 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

Power of Central Government to issue directions.

¹[20A.(1) Notwithstanding anything contained in this Act, the Central Government may issue such directions to the State Governments, as may be required for the conservation of mineral resources, or on any policy matter in the national interest, and for the scientific and sustainable development and exploitation of mineral resources.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Central Government may also issue directions in respect of the following matters, namely:-

- (i) improvement in procedure for grant of mineral concessions and to ensure co-ordination among agencies entrusted with according statutory clearances;
- (ii) maintenance of internet-based databases including development and operation of a mining tenement system;
- (iii) implementation and evaluation of sustainable development frameworks;
- (iv) reduction in waste generation and related waste management practices and promotion of recycling of materials;
- (v) minimising and mitigating adverse environmental impacts particularly in respect of ground water, air, ambient noise and land;
- (vi) ensuring minimal ecological disturbance, in terms of bio-diversity, flora, fauna and habitat;
- (vii) promoting restoration and reclamation activities so as to make optimal use of mined out land for the benefit of the local communities; and
- (viii) such other matters as may be necessary for the purposes of implementation of this Act.]

Penalties.

21. ²[(1) Whoever contravenes the provisions of sub-section (1) or sub-section (1A) of section 4 shall be punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area.

(2) Any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.]

(3) Where any person trespasses into any land in contravention of the provisions of sub-section (1) of section 4, such trespasser may be served with an order of eviction by the State Government or any authority authorised in this behalf by that Government and the State Government or such authorised authority may, if necessary, obtain the help of the police to evict the trespasser from the land.

1 Inserted by MMDR Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Ibid.

¹[(4) Whenever any person raises, transports or causes to be raised or transported, without any lawful authority, any mineral from any land, and, for that purpose, uses any tool, equipment, vehicle or any other thing, such mineral, tool, equipment, vehicle or any other thing shall be liable to be seized by an officer of authority specially empowered in this behalf.

(4-A) Any mineral, tool, equipment, vehicle or any other thing seized under sub-section (4), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-section (1) and shall be disposed of in accordance with the directions of such Court.]

[(5) Whenever any person raises, without any lawful authority, any mineral from any land, the State Government may recover from such person the mineral so raised, or where such mineral has already been disposed of, the price thereof, and may also recover from such person, rent, royalty or tax, as the case may be, for the period during which the land was occupied by such person without any lawful authority.]

[(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an offence under sub-section (1) shall be cognizable.]

²[*Explanation.* - On and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, the expression “raising, transporting or causing to raise or transport any mineral without any lawful authority” occurring in this section, shall mean raising, transporting or causing to raise or transport any mineral by a person without prospecting licence, mining lease or composite licence or in contravention of the rules made under section 23C.]

Cognizance of offences.

22. No Court shall take cognizance of any offence punishable under this Act or any rules made thereunder except upon complaint in writing made by a person authorized in this behalf by the Central Government or the State Government.

Offences by companies.

23. (1) If the persons committing an offence under this Act or any rules made thereunder is a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. - For the purposes of this section,-

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "director" in relation to a firm means a partner in the firm.

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

Compounding of offences.

23A. (1) Any offence punishable under this Act or any rule made thereunder may, either before or after the institution of the prosecution, be compounded by the person authorised under section 22 to make a complaint to the Court with respect to that offence, on payment to that person, for credit to the Government, of such sum as that person may specify:

Provided that in the case of an offence punishable with fine only, no such sum shall exceed the maximum amount of fine which may be imposed for that offence.

(2) Where an offence is compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded, and the offender, if in custody, shall be released forthwith.

Power to search.

23B. If any Gazetted Officer of the Central or a State Government authorised by the Central Government ¹[or a State Government, as the case may be,] in this behalf by general or special order has reason to believe that any mineral has been raised in contravention of the provisions of this Act or rules made thereunder or any document or thing in relation to such mineral is secreted in any place ²[or vehicle,] he may search for such mineral, document or thing and the provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974) shall apply to every such search.

³Power of State Government to make rules for preventing illegal mining, transportation and storage of minerals.

23C. (1) The State Government may, by notification in the Official Gazette, make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) establishment of check-posts for checking of minerals under transit;
- (b) establishment of weigh-bridges to measure the quantity of mineral being transported;
- (c) regulation of mineral being transported from the area granted under a prospecting licence or a mining lease or a quarrying licence or a permit, in whatever name the permission to excavate minerals, has been given;
- (d) inspection, checking and search of minerals at the place of excavation or storage or during transit;

¹ Inserted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).²Ibid. ³Ibid.

- (e) maintenance of registers and forms for the purposes of these rules;
 - (f) the period within which and the authority to which applications for revision of any order passed by any authority be preferred under any rule made under this section and the fees to be paid therefor and powers of such authority for disposing of such applications; and
 - (g) any other matter which is required to be, or may be, prescribed for the purpose of prevention of illegal mining, transportation and storage of minerals.
- (3) Notwithstanding anything contained in section 30, the Central Government shall have no power to revise any order passed by a State Government or any of its authorised officers or any authority under the rules made under sub-sections (1) and (2).]

Power of entry and inspection.

24. (1) For the purpose of ascertaining the position of the working, actual or prospective, of any mine or abandoned mine or for any other purpose connected with this Act or the rules made thereunder, any person authorised by the ¹[Central Government or a State Government] in this behalf, by general ²[omitted] order, may-

- (a) enter and inspect any mine;
- (b) survey and take measurements in any such mine;
- (c) weigh, measure or take measurements of the stocks of minerals lying at any mine;
- (d) examine any document, book, register, or record in the possession or power of any person having the control of, or connected with, any mine and place marks of identification thereon, and take extracts from or make copies of such document, book, register or record;
- (e) order the production of any such document, book, register, record, as is referred to in clause (d); and
- (f) examine any person having the control of, or connected with, any mine.

(2) Every person authorised by the ³[Central Government or a State Government] under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860), and every person to whom an order or summons is issued by virtue of the powers conferred by clause (e) or clause (f) of that sub-section shall be legally bound to comply with such order or summons, as the case may be.

Rights and liabilities of a holder of prospecting licence or mining lease.

[24A. (1) On the issue of a ⁴⁵[mineral concession]]under this Act and the rules made thereunder, it shall be lawful for the ⁶[holder of such permit, licence or lease], his agents or his servants or workmen to enter the lands over which ⁷[such permit, lease or licence had been granted] at all times during its currency and carry out all such ⁸[reconnaissance, prospecting or mining operations] as may be prescribed:

1 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

2 Omitted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

3 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).4 Ibid.

5 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

6 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999),7 Ibid, 8 Ibid.

Provided that no person shall enter into any building or upon an enclosed Court or garden attached to a dwelling-house (except with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.

(2) The holder of a ¹[²[mineral concession] [referred to in sub-section (1) shall be liable to pay compensation in such manner as may be prescribed to the occupier of the surface of the land granted under] ³[such permit, licence or lease][for any loss or damage which is likely to arise or has arisen from or in consequence of the]⁴[reconnaissance, mining or prospecting operations].

[(3) The amount of compensation payable under sub-section (2) shall be determined by the State Government in the manner prescribed.]

Recovery of certain sums as arrears of land revenue.

25. [(1)] Any rent, royalty, tax, fee or other sum due to the Government under this Act or the rules made thereunder or under the terms and conditions of any ⁵[⁶[mineral concession] may, on a certificate of such officer as may be specified by the State Government in this behalf by general or special order, be recovered in the same manner as an arrear of land revenue.

(2) Any rent, royalty, tax, fee or other sum due to the Government either under this Act or any rule made thereunder or under the terms and conditions of any ⁷[⁸[mineral concession]] [may, on a certificate of such officer as may be specified by the State Government in this behalf by general or special order, be recovered in the same manner as if it were an arrear of land revenue and every such sum which becomes due to the Government after the commencement of the Mines and Minerals (Regulation and Development) Amendment Act, 1972, together with the interest due thereon, shall be a first charge on the assets of the holder of the ⁹[¹⁰[mineral concession]], as the case may be.

Delegation of powers.

26. (1) The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act may, in relation to such matters and subject to such conditions, if any, as may be specified in the notification be exercisable also by-

(a) such officer or authority subordinate to the Central Government; or

(b) such State Government or such officer or authority subordinate to a State Government; as may be specified in the notification.

1 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

3 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

4 Ibid. 5 Ibid

6 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

7 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

8 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

9 Substituted by MM(RD) Amendment Act,1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

10 Substituted by the MMDR Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

(2) The State Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act may, in relation to such matters and subject to such conditions, if any, as may be specified in the notification, be exercisable also by such officer or authority subordinate to the State Government as may be specified in the notification.

(3) Any rules made by the Central Government under this Act may confer powers and impose duties or authorise the conferring of powers and imposition of duties upon any State Government or any officer or authority subordinate thereto.

Protection of action taken in good faith.

27. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Rules and notifications to be laid before parliament and certain rules to be approved by Parliament.

28. (1) Every rule and every notification made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

(2) Without prejudice to the generality of the rule-making power vested in the Central Government, no rules made with reference to clause (c) of sub-section (2) of section 16 shall come into force until they have been approved, whether with or without modifications, by each House of Parliament.

(3) Every rule and every notification made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

Existing rules to continue.

29. All rules made or purporting to have been made under the Mines and Minerals (Regulation and Development) Act, 1948, shall, insofar as they relate to matters for which provision is made in this Act and are not inconsistent therewith, be deemed to have been made under this Act as if this Act had been in force on the date on which such rules were made and shall continue in force unless and until they are superseded by any rules made under this Act.

Power of revision by Central Government.

¹[30. The Central Government may, of its own motion or on an application made within the prescribed time by an aggrieved party, -

- (a) revise any order made by a State Government or other authority in exercise of the powers conferred on it by or under this Act with respect to any mineral other than a minor mineral; or
- (b) where no such order has been made by the State Government or other authority in exercise of the powers conferred on it by or under this Act with respect to any mineral other than a minor mineral within the time prescribed therefor, pass such order as it may think fit and appropriate in the circumstances:

Provided that in cases covered by clause (b) the Central Government shall, before passing any order under this clause, give an opportunity of being heard or to represent in the matter.]

Special provisions relating to mining leases for coal granted before 25th October 1949.

30A. Notwithstanding anything contained in this Act, the provisions of sub-section (1) of section 9 and of sub-section (1) of section 16 shall not apply to or in relation to mining leases granted before the 25th day of October, 1949, in respect of coal, but the Central Government, if it is satisfied that it is expedient so to do, may, by notification in the Official Gazette, direct that all or any of the said provisions (including any rules made under sections 13 and 18) shall apply to or in relation to such leases subject to such exceptions and modifications, if any, as may be specified in that or in any subsequent notification.

Constitution of Special Courts.

²[30B. (1) The State Government may, for the purposes of providing speedy trial of offences for contravention of the provisions of sub-section (1) or sub-section (1A) of section 4, constitute, by notification, as many Special Courts as may be necessary for such area or areas, as may be specified in the notification.

(2) A Special Court shall consist of a Judge who shall be appointed by the State Government with the concurrence of the High Court.

(3) A person shall not be qualified for appointment as a judge of a Special Court unless he is or has been a District and Sessions Judge.

(4) Any person aggrieved by the order of the Special Court may prefer an appeal to the High Court within a period of sixty days from the date of such order.

Special Courts to have powers of Court of Session.

30C. Save as otherwise provided in this Act, the Code of Criminal Procedure, 1973, shall apply to the proceedings before the Special Court and for the purpose of the provisions of this Act, the Special Court shall be deemed to be a Court of Session and shall have all powers of a Court of Session and the person conducting a prosecution before the Special Court shall be deemed to be a public prosecutor.]

1 Substituted by MMDR Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

2 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

Relaxation of rules in special cases.

31. The Central Government may, if it is of opinion that in the interests of mineral development it is necessary so to do, by order in writing and for reasons to be recorded, authorise in any case the grant, renewal or transfer of any ¹[²[mineral concession]], or the working of any mine for the purpose of searching for or winning any mineral, on terms and conditions different from those laid down in the rules made under section 13.

32. [Amendments to Act 53 of 1948.] -[*Repealed by the Repealing and Amending Act, 1960 (58 of 1960), section 2 and Schedule I (w.e.f.26-12-1960).*]

Validation of certain acts and indemnity.

33. All acts of executive authority done, proceedings taken and sentences passed under the Mines and Minerals (Regulation and Development) Act, 1948, with respect to the regulation of mines and the development of minerals during the period commencing on the 26th day of January, 1950, and ending with the date of commencement of this Act by the Government or by any officer of the Government or by any other authority, in the belief or purported belief that the acts, proceedings or sentences were being done, taken or passed under the said Act, shall be as valid and operative as if they had been done, taken or passed in accordance with law, and no suit or other legal proceeding shall be maintained or continued against any person whatsoever, on the ground that any such acts, proceedings or sentences were not done, taken or passed in accordance with law.

Power to remove difficulties.

³[**34** (1) If any difficulty arises in giving effect to the provisions of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of the said Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of the said Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and Savings.

35(1) The Mines and Minerals (Development and Regulation) Amendment Ordinance, 2015, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.]

1 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51, dated 20.12.1999 (No. 38 of 1999).

2 Substituted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18, dated 28.03.2021 (No. 16 of 2021).

3 Inserted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).

THE FIRST SCHEDULE

[See sections 4(3), 5(1), 7(2)¹[8(1), 8A(1), 10A, 10B(1), 10C(1), 11(1), 11B, 11C, 12A(1), and 17A(2A)]]

SPECIFIED MINERALS

PART A. Hydro carbons Energy Minerals

1. Coal and Lignite.

PART B. Atomic Minerals

1. Beryl and other beryllium-bearing minerals.
2. Lithium-bearing minerals.
3. Minerals of the "rare earths" group containing Uranium and Thorium.
4. Niobium-bearing minerals.
5. Phosphorites and other phosphatic ores containing Uranium.
6. Pitchblende and other Uranium ores.
- ²[7. Titanium bearing minerals and ores (ilmenite, rutile and leucoxene)].
8. Tantalum-bearing minerals.
9. Uraniferous allanite, monazite and other thorium minerals.
10. Uranium bearing tailings left over from ores after extraction of copper and gold, ilmenite and other titanium ores.
- ³[11. Zirconium bearing minerals and ores including Zircon].
- ⁴[12. Beach sand minerals, that is, economic heavy minerals found in the teri or beach sands, which include ilmenite, rutile, leucoxene, garnet, monazite, zircon and sillimanite]

PART C. Metallic and Non-Metallic Minerals

1. Asbestos.
2. Bauxite.
3. Chrome ore.
4. Copper ore.
5. Gold. 6. Iron ore.
7. Lead.
8. ⁵[***omitted]
9. Manganese ore.
10. Precious stones.
11. Zinc.

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- 1 Substituted by MM(DR) Amendment Act, 2015, vide G.O.I. , Ext. Part II, Section 1, No. 13, dated 27.03.2015 (No. 10 of 2015).
 - 2 Substituted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999). 3 Ibid
 - 4 Inserted by S.O. 2356(E) dated 11.07.2016 (No 1716).
 - 5 Omitted by MM(RD) Amendment Act, 1999 vide G.O.I. Ext. Part II, Section 1, No. 51 dated 20.12.1999 (No. 38 of 1999).

¹[THE SECOND SCHEDULE

(See Section 9)

RATES OF ROYALTY

Serial No.	Mineral	Royalty Rate with effect from 01.09.2014
1.	Apatite and Rock Phosphate :	
(i)	Apatite	Five per cent of average sale price on ad valorem basis.
(ii)	Rock Phosphate: (a) Above 25 per cent P ₂ O ₅ (b) Up to 25 per cent P ₂ O ₅	Twelve and half per cent of average sale price on ad valorem basis. Six per cent of average sale price on advalorem basis.
2.	Asbestos : (i) Chrysotile (ii) Amphibole	Eight hundred and eighty rupees per tonne. Fifteen per cent of average sale price on ad valorem basis.
3.	Barytes	Six and half per cent of average sale price on ad valorem basis.
4.	Bauxite and Laterite	(a) Metallurgical Grade: Zero point Six zero per cent of London Metal Exchange Aluminium metal price chargeable on the contained aluminium metal in ore produced for those dispatched for use in alumina and aluminium metal extraction. (b) Non Metallurgical Grade: Twenty five percent of average sale price on ad valorem basis for those dispatched for use other than alumina and aluminium metal extraction.
5.	Brown Ilmenite(Leucoxene), Ilmenite, Rutile and Zircon	Two per cent of average sale price on ad valorem basis.
6.	Cadmium	Fifteen per cent of average sale price on ad valorem basis.
7.	Calcite	Fifteen per cent of average sale price on ad valorem basis.
8.	China clay or Kaolin : (including ball clay and white shale, white clay) : (i) Crude (ii) Processed (including washed)	Eight per cent of average sale price on ad valorem basis. Twelve percent of average sale price on ad valorem basis.

9.	Clay(Others),	Twenty rupees per tonne.	
10.	* COAL (including Lignite)		
A	<p>Coal produced in all the States and Union territories except the State of West Bengal.</p> <p>(1) Royalty on Coal: The rate of royalty on coal shall be @ 14% (Fourteen percent) ad-valorem on price of coal, as reflected in the invoice, excluding taxes, levies and other charges.</p> <p>(2) Royalty on Lignite: The rate of royalty on lignite shall be @ 6% (Six percent) ad-valorem on transfer price of lignite, as ratified by the Central Electricity Regulatory Commission (CERC) and for lignite sold to other consumers, the royalty shall be @ 6% (Six percent) ad valorem on the price of lignite as reflected in the invoice, excluding taxes, levies and other charges.</p> <p>(3) Royalty on coal and lignite produced from captive mines: For calculating royalty on coal and lignite produced from captive mines, the price of coal and lignite shall mean the basic pithead price of Run of Mine (ROM) coal and lignite, as notified by the Coal India Ltd. / Singareni Collieries Company Ltd./ Neyveli Lignite Corporation, for similar Gross Calorific Value (GCV) of coal or lignite for the mines, nearest to that captive mine; Provided that for the coal and lignite produced from the coal and lignite blocks, allocated under the Government dispensation route for commercial use, the respective ad-valorem royalty shall be applicable on the price notified by the respective State Governments.</p> <p>(4) Adjustment of royalty against levying of cess: For the States other than West Bengal, for the levy of cess or other taxes specific to coal bearing lands, the royalty allowed shall be adjusted for the local cesses or such taxes, so as to limit the overall revenue yield.</p>		
B.	Coal produced in the State of West Bengal.		
	Group	Quality of Coal	Royalty on coal in Rupees per tonne
	Group – I	Steel Gr-I	Seven rupees only per tonne
		Steel Gr.II	
		Washery-I	
		Direct Feed	

	Group – II	Washery-II	Six rupees and fifty paise only per tonne
		Washery-III	
		Semi Coking Gr-I	
		Semi Coking Gr-II	
		Non-Coking Coal having GCV(Kcal/kg) range of 6701 and above	
		Non-Coking Coal having GCV(Kcal/kg) range of 6401-6700)	
		Non-Coking Coal having GCV(Kcal/kg) range of 6101-6400	
	Group-III	Washery-IV	Five rupees and fifty paise only per tonne
		Non-Coking Coal having GCV(Kcal/kg) range of 5801-6100	
		Non-Coking Coal having GCV(Kcal/kg) range of 5501-5800	
		Non-Coking Coal having GCV(Kcal/kg) range of 5201-5500	
	Group-IV	Non-Coking Coal having GCV(Kcal/kg) range of 4901-5200	Four rupees and thirty paise only per tonne
		Non-Coking Coal having GCV(Kcal/kg) range of 4601-4900	
		Non-Coking Coal having GCV(Kcal/kg) range of 4301-4600	
	Group-V	Non-Coking Coal having GCV(Kcal/kg) range of 3701-4000	Two rupees and fifty paise only per tonne
		Non-Coking Coal having GCV(Kcal/kg) range of 3401-3700	
		Non-Coking Coal having GCV(Kcal/kg) range of 3101-3400	
		Non-Coking Coal having GCV =<3100	
		Non-Coking Coal having GCV(Kcal/kg) range of 3701-4000	

11.	Chromite	Fifteen per cent of average sale price on ad valorem basis.
12.	Columbite-tantalite	Ten per cent of average sale price on ad valorem basis
13.	Copper	Four point six two per cent of London Metal Exchange copper metal price chargeable on the contained copper metal in ore produced.
14.	Diamond	Eleven point five per cent of average sale price on ad valorem basis.
15.	Dolomite	Seventy Five rupees per tonne.
16.	Dunite	Thirty rupees per tonne.
17.	Felspar	Fifteen per cent of average sale price on ad valorem basis
18.	Fireclay (including plastic, pipe, lithomargic and natural pozzolanic clay)	Twelve per cent of average sale price on ad valorem basis.
19.	Fluorspar (also called fluorite)	Eight per cent of average sale price on ad valorem basis.
20.	Garnet : (i) Abrasive (ii) Gem	Four per cent of average sale price on ad valorem basis. Ten per cent of average sale price on ad valorem basis
21.	Gold : (i) Primary (ii) By-product gold	Four per cent of London Bullion Market Association Price (commonly referred to as "London Price") chargeable on the gold metal in ore produced. Three point three per cent of London Bullion Market Association Price (commonly referred to as "London Price") chargeable on the by-product gold metal actually produced.
22.	Graphite : (i) With 80 per cent or more fixed carbon (ii) With 40 per cent or more fixed carbon but less than 80 percent fixed carbon.	Two hundred and twenty five rupees per tonne one hundred and fifty rupees per tonne

	(iii)With 20 per cent or more fixed carbon but less than 40 percent fixed carbon.	Sixty-five rupees per tonne
	(iv)with less than 20 per cent fixed carbon	Twenty –five rupees per tonne
23.	Gypsum	Twenty per cent of average sale price on ad valorem basis.
24.	Iron Ore : (CLO, lumps, fines & concentrates all grades)	Fifteen per cent of average sale price on ad valorem basis.
25.	Lead:	(a)Eight point five per cent of London Metal Exchange lead metal price chargeable on the contained lead metal in ore produced. (b) Fourteen point five percent of London Metal Exchange lead metal price chargeable on the contained lead metal in the concentrate produced.
26.	Limestone : (i)L.D. Grade(less than 1.5 per cent silica content) (ii)Others	Ninety rupees per tonne Eighty rupees per tonne
27.	Lime kankar:	Eighty rupees per tonne
28.	Limeshell:	Eighty rupees per tonne
29.	Magnesite	Three per cent of average sale price on ad valorem basis.
30.	Manganese Ore : (i)Ore of all grades (ii)Concentrates	Five per cent of average sale price on ad valorem basis. One point seven per cent of average sale price on ad valorem basis.
31.	Marl	Sixty rupees per tonne.
32.	Crude Mica, Waste Mica and Scrap Mica	Four per cent of average sale price on ad valorem basis.
33.	Monazite	One hundred and twenty-five rupees per tonne.

34.	Nickel	Zero point one two per cent of London Metal Exchange Nickel metal price chargeable on the contained nickel metal in ore produced.
35.	Ochre	Twenty-four rupees per tonne.
36.	Pyrites	Two per cent of average sale price on ad valorem basis.
37.	Pyrophyllite	Twenty per cent of average sale price on ad valorem basis.
38.	Quartz	Fifteen per cent of average sale price on ad valorem basis.
39.	Ruby	Ten per cent of average sale price on ad valorem basis.
40.	Sand (Others)	Twenty rupees per tonne.
41.	** Sand for Stowing	Three rupees per tonne
42.	Shale	Sixty rupees per tonne.
43.	Silica sand, Moulding sand and Quartzite	Ten per cent of average sale price on ad valorem basis.
44.	Sillimanite	Two point five per cent of average sale price on ad valorem basis.
45.	Silver: (i) By-product (ii) Primary silver	Seven per cent of London Metal Exchange Price chargeable on by-product silver metal actually produced. Five per cent of London Metal Exchange silver metal price chargeable on the contained silver metal in ore produced.
46.	Slate	Forty-five rupees per tonne
47.	Talc, Steatite and Soapstone:	Eighteen per cent of average sale price on ad valorem basis
48.	Tin	Seven point five per cent of London Metal Exchange tin metal price chargeable on the contained tin metal in ore produced
49.	Tungsten	Twenty rupees per unit per cent of contained WO ₃ per tonne of ore and on pro rata basis.
50.	*** Uranium	Two per cent of annual compensation amount received by M/s. Uranium Corporation of India Limited (UCIL), to be apportioned among the states on the basis of data provided by Department of Atomic Energy.

51.	Vanadium	Twenty per cent of average sale price on ad valorem basis
52.	Vermiculite	Five per cent of average sale price on ad valorem basis.
53.	Wollastonite	Fifteen per cent of average sale price on ad valorem basis.
54.	Zinc	(a) Nine point five per cent of London Metal Exchange Zinc metal price on ad valorem basis chargeable on contained zinc metal in ore produced. (b) Ten per cent of London Metal Exchange Zinc metal price on ad valorem basis chargeable on contained zinc metal in concentrate produced.
55.	All other minerals not hereinbefore specified (Agate, Corundum, Diaspore, Felsite, Fuschite-Quartzite, Jasper, Kyanite, Perlite, Pyroxenite Rock Salt, Selenite etc.)	Twelve per cent of average sale price on ad valorem basis.

Explanation:

1. For the purpose of grading of coal the specification of each grade of the coal shall be as prescribed under rule 3 of the Colliery Control Rules, 2004.

2. Rates of royalty in respect of item No.10 relating to Coal including Lignite as revised vide notification number G.S.R. 349 (E), dated the 10th May, 2012, read with Corrigendum G.S.R.525 (E) dated 14.06.2012 of the Government of India in the Ministry of Coal shall remain in force until revised through a separate notification by the Ministry of Coal.

* Substituted by G.S.R.349(E) dated 10.05.2012

** Rates of Royalty in respect of item 41 relating to Sand for Stowing revised vide notification number G.S.R. 214(E) dated the 11th April, 1997 will remain in force until revised through a separate notification by the Department of Coal.

*** Rates of royalty in respect of item No.50 relating to Uranium as revised vide notification number G.S.R. 96(E), dated the 13th February, 2009 will remain in force until revised.]

1 Substituted by GSR 630(E) dt.01.9.2014

¹**THE THIRD SCHEDULE**

(See Section 9A)

RATES OF DEAD RENT

1. Rates of dead rent applicable to the leases granted for low value minerals are as under:

Rates of dead rent in rupees per hectare per annum		
From second year of lease	Third year and fourth year of lease	Fifth year onwards
400	1000	2000

2. Two times the rate specified at paragraph 1 above in case of lease granted for medium value minerals.
3. Three times the rates specified at paragraph 1 above in case of lease granted for high value minerals.
4. Four times the rate specified at paragraph 1 above in case of lease granted for precious metals and stones.

Note :

1. For the purpose of this notification: –
- (a) **“precious metals and stones”** means gold, silver, diamond, ruby, sapphire and emerald;
- (b) **“high value minerals”** means semi-precious stones (agate, gem garnet), corundum, copper, lead, zinc and asbestos (chrysotile variety);
- (c) **“medium value minerals”** means chromite, manganese ore, kyanite, sillimanite, vermiculite, magnesite, wollastonite, perlite, diaspore, apatite, rock phosphate, fluorite (fluorspar), barytes and iron ore;
- (d) **“low value minerals”** means the minerals other than precious metals and stones, high value minerals and medium value minerals;

¹ Substituted by GSR 631(E) dt.01.9.2014

¹**[THE FOURTH SCHEDULE**
[See clause (ea) of section 3]

Notified Minerals

1. Bauxite.
2. Iron ore.
3. Limestone.
4. Manganese ore]

¹ Inserted by MM (DR) Amendment Act, 2015, vide G.O.I. Ext. Part II, Section 1, No. 13, dated 27.03 .201503.2015 (No. 10 of 2015).

¹[**The Fifth Schedule**

[See sections 8(4), 8A(8) and 17A(2C)]

S.No.	Mineral	Additional amount on grant or extension of mining lease
1.	Iron ore and chromite	Equivalent to one hundred and fifty per cent. of the royalty payable
2.	Copper	Equivalent to fifty per cent. of the royalty payable
3.	Coal and lignite	Equivalent to the royalty payable
4.	Other minerals (other than coal and lignite)	Equivalent to the royalty payable

Explanation. - For the purposes of this Schedule, the additional amount shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment.]

2 Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

¹[The Sixth Schedule

[See sections 8(5) and 8A(7A)]

	(i) For non-auctioned captive mines (other than coal and lignite):	
S.No.	Mineral	Additional Amount
1.	Bauxite	
	(i) Metallurgical Grade	Equivalent to one hundred and fifty per cent. of the royalty payable
	(ii) Non-Metallurgical Grade	Equivalent to the royalty payable
2.	Chromite	
	(i) Up to forty per cent. of Cr ₂ O ₃	Equivalent to the royalty payable
	(ii) forty per cent. and more of Cr ₂ O ₃ and concentrates	Equivalent to two hundred per cent. of the royalty payable
3.	Iron ore	
	(i) Lumps, ROM and concentrates	Equivalent to two hundred and fifty per cent. of the royalty payable
	(ii) Fines	Equivalent to one hundred and fifty per cent. of the royalty payable
4.	Limestone	
	(i) L.D. Grade (less than 1.5 per cent. silica content)	Equivalent to two hundred per cent. of the royalty payable
	(ii) Other grades	Equivalent to the royalty payable
5.	Manganese	
	(i) Less than thirty-five per cent. of manganese content	Equivalent to the royalty payable
	(ii) Thirty-five per cent. and above of manganese content	Equivalent to five hundred per cent. of the royalty payable
6.	Other minerals	Equivalent to the royalty payable
	(ii) For auctioned captive mines (other than coal and lignite):	
S.No.	Quantity of sale	Additional Amount
1.	Sale of mineral up to twenty-five per cent. of annual production	Nil
2.	Sale of mineral more than twenty-five per cent. and up to fifty per cent. of annual production	Equivalent to fifty per cent. of the royalty payable
	(iii) For coal and lignite:	
S.No.	Type of mine	Additional Amount
1.	(i) Captive coal and lignite mines, auctioned for	Equivalent to two hundred per

	power sector through reverse bidding under the Coal Mines (Special Provisions) Act, 2015 (11 of 2015)	cent. of the royalty payable
	(ii) Captive coal and lignite mines allocated through allotment route [other than mines covered under item no. (iv)]	Equivalent to the royalty payable
	(iii) Captive coal and lignite mines allocated through auction route [other than mines covered under item nos. (i) and (iv)]	Equivalent to the royalty payable
	(iv) For captive coal and lignite mines that were auctioned and allotted with condition allowing sale of coal up to twenty-five per cent. of annual production -	
	(a) for sale of coal up to twenty-five per cent. of annual production	Additional amount payable as per the condition mentioned in the tender document or allotment document
	(b) for sale of coal more than twenty-five per cent. and up to fifty per cent. of annual production	Fifty per cent. of the royalty payable

Explanation. - For the purposes of this Schedule, it is hereby clarified that -

- (i) the additional amount shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment or payment specified in the tender document or the auction premium (wherever applicable).
- (ii) Ad valorem royalty for the purpose of calculating the additional amount for coal and lignite shall be based on National Coal Index and Representative Price of coal excluding the taxes, levies and other charges.]

1. Inserted by the MM(DR) Amendment Act, 2021 vide G.O.I. Ext. Part II, Section 1, No. 18 dated 28.03.2021 (No. 16 of 2021).

What is the purpose of the Mines and Minerals (Development and Regulation) Act, 1957?

The Mines and Minerals (Development and Regulation) Act, 1957, was enacted to provide for the development and regulation of mines and minerals under the control of the Union. The Act outlines the legal framework for the mining sector, ensuring that mineral resources are systematically developed and conserved. It also aims to prevent environmental degradation resulting from mining operations by establishing regulations and standards that mining activities must adhere to.

How has the Mines and Minerals (Development and Regulation) Act, 1957, been amended over the years?

The Act has undergone several amendments to address the evolving needs of the mining sector and to incorporate new regulatory measures. Some of the significant amendments include:

The Mines and Minerals (Regulation and Development) Amendment Act, 1958

The Mines and Minerals (Regulation and Development) Amendment Act, 1986

The Mines and Minerals (Development and Regulation) Amendment Act, 2015

The Mineral Laws (Amendment) Act, 2020

The Mines and Minerals (Development and Regulation) Amendment Act, 2021 These amendments have introduced changes to licensing, lease periods, environmental protections, and the rights of private and government entities in the mining sector.

What are some of the key sections outlined in the preliminary part of the Act?

The preliminary part of the Act includes key sections such as:

Section 1: Short title, extent, and commencement of the Act.

Section 2: Declaration as to the expediency of Union control over mines and minerals.

Section 3: Definitions of terms used within the Act, providing clarity on the scope and application of various provisions.

What are the general restrictions on undertaking prospecting and mining operations as per the Act?

According to the Act, prospecting or mining operations must be conducted under a valid license or lease. Unauthorized mining activities are prohibited, and there are specific conditions under which licenses or leases can be terminated. The Act also specifies the maximum area that can be granted for a prospecting license or mining lease and the periods for which these can be granted or renewed. Additionally, it outlines conditions for ensuring efficiency in production and managing the environmental impact of mining operations.

What provisions are made in the Act for royalties in respect of mining leases?

The Act includes provisions for the payment of royalties on mining leases, which are fees paid by the leaseholder to the government based on the quantity or value of minerals extracted. The specific rates and terms for royalties are determined by the government and can vary depending on the type of mineral and other factors. These royalties are a significant source of revenue for the government and help ensure that the benefits of mineral resources are shared with the public.

What steps must the Central Government take for the conservation and systematic development of minerals?

The Central Government is responsible for taking all necessary steps to conserve and systematically develop minerals in India. This includes making rules for the opening of new mines, regulating mining operations, ensuring the beneficiation of ores, and taking measures to prevent environmental pollution caused by mining activities. The government must also ensure that mining activities are carried out efficiently and sustainably, balancing economic benefits with environmental protection.

How does the Act address the protection of the environment in relation to mining operations?

The Act mandates the Central Government to take steps to prevent and control pollution caused by mining operations. This includes making rules for waste disposal, regulating the storage of minerals, and requiring mining companies to submit environmental reports. The government can issue directives to mine owners to adopt practices that minimize environmental impact and promote the conservation of mineral resources. Additionally, the Act provides for the appointment of qualified personnel to supervise mining operations and ensure compliance with environmental standards.

What are the provisions for the termination of prospecting licenses or mining leases?

Prospecting licenses or mining leases can be terminated under certain conditions specified in the Act. For instance, if the license or leaseholder fails to comply with the terms of the agreement or if the mining operations are not conducted efficiently, the license or lease can be revoked. The Act also includes provisions for the lapse of reservations if no mining lease is granted within a specified period. These measures ensure that mineral resources are utilized effectively and responsibly.

How does the Act define 'composite license' and its significance?

A 'composite license' refers to a prospecting license-cum-mining lease, which is a two-stage concession granted for undertaking prospecting operations followed by mining operations in a seamless manner. This type of license is significant because it simplifies the licensing process, allowing for a more streamlined transition from exploration to extraction. It reduces bureaucratic delays and encourages investment in the mining sector by providing greater certainty and efficiency for mining companies.

What are the responsibilities of mine owners regarding the development and conservation of minerals?

Mine owners are required to take various measures to develop and conserve minerals. This includes adhering to regulations for excavation and collection, implementing beneficiation processes, preserving bore-hole records, and ensuring the safe storage of minerals. They must also submit periodic reports and samples to the government, employ qualified personnel, and manage waste disposal in an environmentally friendly manner. Compliance with these responsibilities helps ensure the sustainable use of mineral resources and reduces the environmental impact of mining activities.

What are the obligations of the Central Government or State Government when they undertake prospecting or mining operations in areas where minerals vest in a private person?

When the Central Government or the State Government undertakes prospecting or mining operations in any area where the minerals vest in a private person, they are liable to pay prospecting fees, royalty, surface rent, or dead rent, as the case may be. These payments must be made at the same rate as would be payable if such operations were undertaken by a private person under a prospecting license or mining lease. This ensures that the private owners receive compensation similar to what they would have received had they been conducting the mining operations themselves.

Under what conditions does the reservation made under this section lapse?

The reservation made under this section lapses if no mining lease is granted within a period of five years from the date of such reservation. However, if the period of five years has already expired before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, or will expire within one year from its commencement, the reservation will lapse if no mining lease is granted within one year from the Act's commencement. Additionally, the State Government may extend this period by a further year if it deems it impossible to grant the mining lease within the initial period, provided it makes an order with reasons in writing within three months from the application receipt.

What happens when a Government company or corporation commences production from a reserved area without executing a mining lease before the commencement of the 2015 Amendment Act?

If a Government company or corporation commences production from a reserved area without executing a mining lease before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, it is deemed to have become the lessee of the State Government from the date of commencement of mining operations. This deemed lease will lapse either upon execution of the mining lease according to the sub-section or upon the expiry of one year from the commencement of the 2021 Amendment Act, whichever is earlier.

What is the duty of the Central Government concerning the development of minerals according to Section 18?

According to Section 18, it is the duty of the Central Government to take all necessary steps for the conservation and systematic development of minerals in India and for the protection of the environment by preventing or controlling pollution caused by prospecting or mining operations. For these purposes, the Central Government may issue rules by notification in the Official Gazette as it deems fit.

What specific matters can the rules made by the Central Government cover under Section 18(2)?

The rules made by the Central Government under Section 18(2) can cover several specific matters including:

The opening of new mines and regulation of mining operations.

Regulation of excavation or collection of minerals.

Measures for the beneficiation of ores and provision of suitable contrivances.

Development of mineral resources in any area.

Notification of new borings and preservation of bore-hole records and specimens.

Regulation of mineral storage and stock arrangements.

Submission and taking of mineral samples from mines.

Submission of special or periodical returns and reports by mine owners.

Regulation of prospecting operations.

Employment of qualified geologists or mining engineers.

Disposal or discharge of waste slime or tailings from mining or metallurgical operations.

Directions to mine owners in the interest of conservation, systematic development of minerals, or environmental protection.

What is the role of the District Mineral Foundation as mandated by the State Government?

The District Mineral Foundation is established as a trust and a non-profit body in any district affected by mining-related operations. Its primary role is to work for the interest and benefit of persons and areas affected by mining-related operations. The composition and functions of the District Mineral Foundation are prescribed by the State Government, and it aims to ensure that mining operations contribute positively to the local community and mitigate any adverse effects.

How can the Central Government amend the rate of dead rent for mining areas?

The Central Government has the authority to amend the rate of dead rent for mining areas by issuing a notification in the Official Gazette. This amendment can either enhance or reduce the rate payable in respect of any area covered by a mining lease, and it takes effect from the date specified in the notification. However, the Central Government cannot enhance the rate of dead rent more than once during any period of three years, ensuring stability and predictability in the financial obligations of leaseholders.

What happens if a mining lease lapses according to the amended Act?

If a mining lease lapses, it results in the lapse of the reservation made under the relevant section of the Act. This means that the area reserved for mining reverts back to its previous status, and any special privileges or rights granted under the reservation are terminated. This provision ensures that mining leases and reservations are actively managed and do not remain indefinitely without productive use.

What conditions allow the State Government to relax the period for granting a mining lease?

The State Government can relax the period for granting a mining lease if it is satisfied that it will not be possible to grant the lease within the initial five-year period. This decision must be made on an application by the concerned Government company or corporation or on the State Government's own motion. The relaxation can extend the period by a further year, and the State Government must provide reasons in writing for the extension within three months from the receipt of the application.

What is the significance of the term "deemed lease" in the context of the Mines and Minerals (Development and Regulation) Amendment Act, 2021?

The term "deemed lease" is significant because it provides a legal framework for Government companies or corporations that have started mining operations without executing a formal mining lease before the commencement of the 2015 Amendment Act. Under the 2021 Amendment Act, such companies are considered lessees of the State Government from the date they commenced mining operations. This deemed lease status remains until a formal mining lease is executed or until one year after the commencement of the 2021 Amendment Act, ensuring that mining activities are regularized and compliant with legal requirements.

What are the key responsibilities of the Central Government as outlined in Section 18 of the Mines and Minerals (Development and Regulation) Act, 1957?

Section 18 of the Mines and Minerals (Development and Regulation) Act, 1957, outlines the duty of the Central Government to ensure the conservation and systematic development of minerals in India. This includes taking necessary steps to prevent or control pollution caused by prospecting or mining operations. The Central Government is empowered to make rules for the protection of the environment through notifications in the Official Gazette. These rules may cover various aspects, such as the sustainable development of mineral resources, the regulation of mining operations to minimize environmental impact, and the implementation of measures for pollution control.

What provisions are made for the payment of fees, royalties, and other charges by the Central Government or the State Government in areas where minerals vest in a private person?

In areas where minerals vest in a private person and either the Central Government or the State Government undertakes prospecting or mining operations, they are required to pay prospecting fees, royalties, surface rent, or dead rent at the same rate as would be payable if a private person were conducting these operations.

under a prospecting license or mining lease. This ensures that the government adheres to the same financial obligations as private operators, maintaining fairness in the exploitation of mineral resources.

What happens if no mining lease is granted within the specified period under a reservation made by the State Government?

If no mining lease is granted within a period of five years from the date of reservation by the State Government, the reservation will lapse. There are provisions to extend this period by one additional year if justified and approved within three months of the application. If the reservation lapses, and production has commenced without a formal mining lease, the government company or corporation will be deemed a lessee of the State Government from the start of operations. This deemed lease will expire upon the formal execution of a mining lease or within one year of the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.

Describe the special provisions related to the termination or lapse of mining leases according to the MMDR Amendment Act, 2021.

The MMDR Amendment Act, 2021, includes provisions that ensure the termination or lapse of a mining lease results in the automatic lapse of any reservation under this section. This ensures that no mining activity can continue under an expired lease without proper legal authority, thus maintaining regulatory control and compliance with the Act. These provisions also prevent indefinite holding of mining rights without active exploitation and development of mineral resources.

What is the purpose of constituting Special Courts under Section 30B of the MMDR Act, 1957?

The purpose of constituting Special Courts under Section 30B of the MMDR Act, 1957, is to provide a speedy trial for offenses related to contraventions of the Act's provisions. These courts are established by the State Government and consist of judges appointed with the concurrence of the High Court. Special Courts ensure that legal proceedings related to mining violations are expedited, thereby enforcing compliance and deterring illegal mining activities effectively.

What is the scope of the Mines and Minerals (Development and Regulation) Act, 1957, as declared in its short title and extent?

The Mines and Minerals (Development and Regulation) Act, 1957, aims to provide for the development and regulation of mines and minerals under the control of the Union. The Act extends to the whole of India and came into force on a date appointed by the Central Government through a notification in the Official Gazette. The declaration underscores the importance of Union control over the regulation of mines and minerals to ensure systematic development and management of the country's mineral resources.

How does the Act define a "composite licence"?

The Act defines a "composite licence" as a two-stage concession that includes both a prospecting license and a mining lease. This type of licence allows for the undertaking of prospecting operations followed by mining operations in a seamless manner. The composite licence aims to streamline the process for mineral extraction by combining the exploration and production stages under a single legal framework.

What provisions are made under Section 4 regarding prospecting or mining operations?

Section 4 of the Act stipulates that no person shall undertake any prospecting or mining operations in any area except under and in accordance with the terms and conditions of a prospecting licence or mining lease granted under the Act. This provision ensures that all mining activities are conducted legally and in compliance with the regulations set forth by the government, thus preventing unauthorized and potentially harmful mining practice.

What is the maximum area for which a prospecting licence or mining lease may be granted?

The Act specifies the maximum area that can be granted under a prospecting licence or mining lease. This is to ensure that mineral resources are distributed fairly and efficiently managed. The specific limits on the area depend on various factors, including the type of mineral and the geographical region. The regulations are designed to prevent monopolization and ensure that mineral resources are accessible to multiple operators.

Explain the role of the District Mineral Foundation as mentioned in the Act.

The District Mineral Foundation (DMF) is an institution established by the State Government to work for the interest and benefit of persons and areas affected by mining-related operations. The DMF is funded by contributions from mining lease holders and aims to address the negative impacts of mining on local communities. This includes improving infrastructure, healthcare, education, and environmental conservation efforts in mining-affected areas, thus ensuring that the benefits of mineral development are shared with the communities most impacted by it.

What is the significance of the Mines and Minerals (Development and Regulation) Amendment Act, 2021?

The Mines and Minerals (Development and Regulation) Amendment Act, 2021, brought significant changes to the regulatory framework governing the mining sector in India. This amendment aimed to enhance transparency, increase mineral production, and reduce delays in the approval processes for mining projects. One of the key changes introduced was the provision allowing private sector companies to participate in mining activities, which were earlier reserved for government entities. Additionally, the amendment introduced provisions for the transfer of statutory clearances, which facilitates smoother transitions in ownership and operations of mining leases. This change is expected to attract more investment into the mining sector and boost overall mineral production in the country.

What are the general restrictions on undertaking prospecting and mining operations as per the MMDR Act, 1957?

The MMDR Act, 1957, imposes several general restrictions on undertaking prospecting and mining operations. According to Section 4, no person shall undertake any prospecting or mining operations except under and in accordance with the terms and conditions of a prospecting license or mining lease granted under the Act. Section 4A further provides for the termination of prospecting licenses or mining leases in certain cases, such as non-compliance with the terms of the license or lease, or failure to commence production within the stipulated period. These restrictions are in place to ensure that mining activities are conducted responsibly and sustainably, with due regard for environmental and social impacts.

How does the Act ensure efficiency in mineral production?

The Act ensures efficiency in mineral production through Section 4B, which empowers the Central Government to prescribe conditions necessary for the commencement and continuation of production by mining leaseholders. These conditions are aimed at maintaining sustained production of minerals in the country. The government may impose requirements related to operational efficiency, technological standards, and compliance with environmental regulations. By enforcing these conditions, the Act seeks to optimize mineral resource utilization, minimize wastage, and ensure that mining activities contribute effectively to the country's economic development.

What are the restrictions on the grant of prospecting licenses or mining leases?

Section 5 of the MMDR Act outlines the restrictions on the grant of prospecting licenses or mining leases. A State Government cannot grant these concessions to any person unless they are an Indian national or a company defined under the Companies Act, 2013. Additionally, the applicant must satisfy certain prescribed

conditions. For minerals specified in Part A and Part B of the First Schedule, previous approval from the Central Government is required. This provision ensures that the grant of mining concessions is regulated and controlled, preventing unauthorized exploitation of mineral resources and ensuring that only qualified entities undertake mining operations.

What is the procedure for the termination or lapse of a mining lease?

The procedure for the termination or lapse of a mining lease is detailed in the amendments to the Act. According to the provisions, a mining lease shall lapse if the holder fails to undertake production and dispatch within a period of two years after the date of execution of the lease or discontinues production for a period of two years. However, the State Government may extend this period by a further year if the leaseholder applies before the lease lapses and provides valid reasons for the delay, such as factors beyond their control. This extension can only be granted once during the entire lease period. This procedure ensures that mining leases are actively utilized and prevents hoarding of mineral resources.

What are the responsibilities of the Central Government regarding mineral development?

Section 18 of the MMDR Act assigns the Central Government the duty of taking necessary steps for the conservation and systematic development of minerals in India. This includes preventing or controlling pollution caused by mining operations and ensuring the protection of the environment. The Central Government is empowered to make rules for various aspects of mineral development, such as opening new mines, regulating mining operations, ensuring the beneficiation of ores, and managing the disposal of mining waste. These responsibilities underscore the government's role in promoting sustainable mining practices and ensuring that mineral resources are developed in an environmentally responsible manner.

How does the Act address the transfer of statutory clearances for mining leases?

The MMDR Amendment Act, 2021, introduced provisions for the transfer of statutory clearances, which are critical for the smooth functioning of mining operations. According to these provisions, when a mining lease is transferred from one entity to another, all statutory clearances such as environmental clearances, forest clearances, and others will be deemed to have been transferred to the new lessee. This simplifies the process of transfer and reduces the time and effort required to obtain new clearances, thereby ensuring continuity in mining operations. This provision is aimed at facilitating ease of doing business in the mining sector and attracting more investment by reducing bureaucratic hurdles.

What measures does the Act propose for environmental protection in mining areas?

The Act proposes several measures for environmental protection in mining areas. Section 18(1) mandates the Central Government to take steps for preventing or controlling pollution caused by mining operations. The rules framed under this section may include provisions for the management of waste generated from mining activities, regulation of mining operations to minimize environmental impact, and restoration of mined-out areas. Additionally, mining leaseholders are required to implement measures for the conservation of minerals and ensure that mining operations do not adversely affect the surrounding environment. These measures are essential for promoting sustainable mining practices and protecting the ecological balance in mining regions.

How does the Act regulate the employment of qualified personnel in mining operations?

To ensure that mining operations are conducted efficiently and safely, the Act mandates the employment of qualified personnel. Section 18(2)(j) specifies that rules may be framed to regulate the employment of qualified geologists or mining engineers to supervise prospecting or mining operations. These professionals are responsible for ensuring that mining activities are carried out in accordance with technical and safety standards, thus minimizing risks to workers and the environment. By requiring the employment of qualified personnel, the Act aims to improve the overall quality and safety of mining operations in the country.

What are the provisions for the conservation of mineral resources under the Act?

The Act includes several provisions aimed at the conservation of mineral resources. Section 18 empowers the Central Government to make rules for the conservation and systematic development of minerals. These rules may cover aspects such as the regulation of mining operations, measures for the beneficiation of ores, and the management of waste products. The Act also emphasizes the need for responsible mining practices that ensure minimal wastage of minerals and the protection of the environment. By implementing these provisions, the Act seeks to promote the sustainable use of mineral resources and ensure their availability for future generations.

What are the key amendments listed in the "List of Amendment Acts" section of the document?

The "List of Amendment Acts" section details several amendments to the original Mines and Minerals (Development and Regulation) Act of 1957. These amendments are crucial as they reflect the evolving regulatory framework governing mineral resources in India. Key amendments include:

The Mines and Minerals (Regulation and Development) Amendment Act, 1958

The Repealing and Amending Act, 1960

The Mines and Minerals (Regulation and Development) Amendment Act, 1972

The Repealing and Amending Act, 1978

The Mines and Minerals (Regulation and Development) Amendment Act, 1986

The Mines and Minerals (Regulation and Development) Amendment Act, 1994

The Mines and Minerals (Regulation and Development) Amendment Act, 1999

The Mines and Minerals (Development and Regulation) Amendment Act, 2010

The Mines and Minerals (Development and Regulation) Amendment Act, 2015

The Mines and Minerals (Development and Regulation) Amendment Act, 2016

The Mineral Laws (Amendment) Act, 2020

The Mines and Minerals (Development and Regulation) Amendment Act, 2021 These amendments address various aspects such as licensing, lease regulations, and the roles of different governmental bodies in mineral management.

What is the significance of the "Preliminary" section in the Mines and Minerals (Development and Regulation) Act, 1957?

The "Preliminary" section of the Mines and Minerals (Development and Regulation) Act, 1957, is critical as it lays the foundational aspects of the Act. It includes the short title, extent, and commencement of the Act, which provide clarity on the legal name, geographic applicability, and the date from which the Act is effective. Furthermore, it contains the declaration regarding the expediency of Union control over minerals to ensure their systematic development and regulation. The definitions provided in this section are essential for interpreting the terms used throughout the Act, ensuring consistency and clarity in its application.

What are the general restrictions on undertaking prospecting and mining operations as outlined in the Act?

The Act imposes several general restrictions on prospecting and mining operations to regulate the exploitation of mineral resources responsibly. Key restrictions include:

All prospecting or mining operations must be conducted under a valid license or lease, ensuring that only authorized entities engage in these activities.

The termination of prospecting licenses or mining leases can occur if the conditions stipulated in the licenses are not met, promoting compliance with regulatory standards.

Efficiency in production is mandated, requiring licensees and lessees to adhere to conditions that optimize resource extraction and minimize wastage.

There are specific restrictions on granting prospecting licenses or mining leases to maintain control over mineral resources and prevent monopolization. These restrictions are designed to ensure that mineral resources are developed sustainably and that their benefits are equitably distributed.

How does the Act address the maximum area for which a prospecting license or mining lease may be granted?

The Act specifies the maximum area that can be covered by a single prospecting license or mining lease to prevent the over-concentration of mineral rights in the hands of a few entities. This provision helps in equitable distribution and ensures that smaller entities also have opportunities to participate in mineral development. By setting these limits, the Act aims to encourage wider participation and prevent monopolistic practices in the mineral sector.

What provisions are made for the duration of prospecting licenses and mining leases?

The Act details the periods for which prospecting licenses and mining leases can be granted or renewed. Typically, these durations are set to balance the need for sufficient time for exploration and extraction activities with the need for periodic review and regulation by the authorities. Specific durations are outlined for different types of minerals and activities, ensuring that the leases remain aligned with regulatory and environmental standards over time.

What are the key sections listed under the "Arrangement of Sections" related to prospecting and mining operations?

The "Arrangement of Sections" lists several key sections related to prospecting and mining operations, including:

Section 4: Prospecting or mining operations to be under license or lease

Section 4A: Termination of prospecting licenses or mining leases

Section 4B: Conditions for efficiency in production

Section 5: Restrictions on the grant of prospecting licenses or mining leases

Section 6: Maximum area for which a prospecting license or mining lease may be granted

Section 7: Periods for which prospecting licenses may be granted or renewed

Section 8: Periods for which mining leases may be granted or renewed

Section 8A: Periods of grant of a mining lease for minerals other than coal, lignite, and atomic minerals
These sections collectively outline the regulatory framework governing prospecting and mining activities, ensuring that such operations are conducted legally and efficiently.

What are the primary objectives of the Mines and Minerals (Development and Regulation) Act, 1957 as stated in its preliminary section?

The Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) was established with the primary objectives of regulating the mining sector in India. The Act aims to ensure that mining activities are conducted in an orderly manner, balancing both the needs for mineral development and the protection of the environment. The preliminary section of the Act outlines the scope and commencement, emphasizing the expediency of Union control over the regulation of mines and development of minerals due to their significant role in the country's economy. This Union control is deemed necessary to manage the extraction and conservation of minerals, ensuring their systematic development while preventing illegal mining activities and environmental degradation.

Explain the significance of Section 4 in the MMDR Act regarding prospecting and mining operations.

Section 4 of the MMDR Act stipulates that all prospecting or mining operations must be carried out under a valid licence or lease. This section serves a critical role in ensuring that mineral resources are explored and extracted legally and sustainably. The provision mandates that no person shall undertake any prospecting or mining operations except under the authority of a licence or lease granted in accordance with the provisions of the Act and rules made thereunder. This regulation helps in maintaining systematic exploitation of mineral resources, prevents unauthorized mining activities, and ensures that mining operations adhere to environmental and safety standards.

What conditions must be met for the termination of prospecting licences or mining leases under Section 4A?

Section 4A of the MMDR Act outlines specific conditions under which the termination of prospecting licences or mining leases can occur. A prospecting licence or mining lease may be terminated by the government if the licensee or lessee fails to comply with the terms and conditions of the licence or lease, including non-payment of fees or royalties, failure to commence operations within a stipulated period, or violation of any legal provisions. Additionally, if the licensee or lessee ceases to carry out prospecting or mining operations for a continuous period without a valid reason, the government has the authority to terminate the licence or lease to ensure that the mineral resources are utilized efficiently and sustainably.

Describe the maximum area for which a prospecting licence or mining lease may be granted as per Section 6.

Section 6 of the MMDR Act prescribes the maximum area for which a prospecting licence or mining lease may be granted. The Act limits the area to ensure that mineral resources are distributed fairly and are accessible to various stakeholders. The specific area limits can vary depending on the type of mineral and the geographical location. Generally, for a prospecting licence, the area may be restricted to a few hundred square kilometers, whereas for a mining lease, the area is typically more extensive but still regulated to prevent monopolistic control over mineral resources. This regulation helps in preventing the concentration of mineral resources in the hands of a few entities and promotes broader participation in the mining sector.

What are the provisions for the renewal of prospecting licences and mining leases under Sections 7 and 8?

Sections 7 and 8 of the MMDR Act provide detailed provisions for the renewal of prospecting licences and mining leases. A prospecting licence or mining lease can be renewed upon the application of the licensee or lessee, provided they have complied with all terms and conditions during the initial period. The renewal period for prospecting licences is typically shorter, often ranging from one to three years, while mining

leases can be renewed for longer durations, up to several decades depending on the mineral and the extent of reserves. The renewal process involves a thorough review of the licensee's or lessee's adherence to legal, environmental, and operational standards, ensuring that they continue to meet all regulatory requirements and contribute to sustainable mineral development.

What is the significance of the Mines and Minerals (Regulation and Development) Amendment Act, 1958?

The Mines and Minerals (Regulation and Development) Amendment Act, 1958, was one of the first major amendments to the original 1957 Act. This amendment aimed to address early challenges in the regulation and development of mines and minerals in India. It laid down more specific guidelines and frameworks to ensure that mineral resources were extracted efficiently and sustainably, balancing economic benefits with environmental and social considerations.

How did the 1972 Amendment Act impact the mining sector in India?

The 1972 Amendment Act brought significant changes to the Mines and Minerals (Regulation and Development) Act, 1957. This amendment focused on refining the legal and administrative processes associated with mining leases and licenses. It aimed to streamline operations and ensure that mining activities were conducted in a more organized manner. The amendment also sought to strengthen regulatory oversight to prevent illegal mining and ensure that mining practices adhered to safety and environmental standards.

Describe the changes introduced by the Mines and Minerals (Regulation and Development) Amendment Act, 1986.

The 1986 Amendment Act introduced important revisions aimed at enhancing the regulatory framework governing mining activities. This amendment provided for stricter enforcement of mining laws and introduced measures to ensure better compliance by mining operators. It also addressed issues related to environmental protection and aimed to mitigate the adverse impacts of mining activities on local communities and ecosystems. Additionally, the amendment emphasized the need for transparency and accountability in the issuance and management of mining leases.

What was the purpose of the Mineral Laws (Amendment) Act, 2020?

The Mineral Laws (Amendment) Act, 2020, was enacted to reform the mining sector further by introducing more flexibility and removing bottlenecks in the allocation of mineral resources. This amendment aimed to boost investment in the mining sector by making the process of obtaining mining leases and licenses more straightforward and less time-consuming. It also sought to enhance the ease of doing business in the mining sector by reducing procedural delays and improving the overall regulatory environment.

Explain the significance of the 2021 Amendment to the Mines and Minerals (Development and Regulation) Act.

The 2021 Amendment to the Mines and Minerals (Development and Regulation) Act marked a pivotal step in modernizing India's mining laws. This amendment aimed to facilitate more efficient mineral exploration and mining activities, promote foreign investment, and enhance the sector's overall productivity. It introduced provisions for the auctioning of mining leases, which aimed to bring transparency and competitiveness to the allocation process. Furthermore, the amendment sought to address longstanding issues related to the transfer and renewal of mining leases, ensuring that these processes were conducted in a timely and fair manner.

What is the purpose of the preliminary section of the Mines and Minerals (Development and Regulation) Act, 1957?

The preliminary section of the Mines and Minerals (Development and Regulation) Act, 1957, sets the foundational aspects of the Act, including its short title, extent, and commencement. It provides the legal basis and framework for the entire Act, establishing the scope of its application and the date from which its provisions come into force. This section is crucial as it defines the Act's jurisdiction and lays down the legislative intent behind its enactment.

How does Section 2 of the Act address the expediency of Union control over mines and minerals?

Section 2 of the Act declares the expediency of Union control over the regulation of mines and the development of minerals. This declaration underscores the importance of a centralized regulatory framework to ensure uniformity and consistency in the management of mineral resources across the country. By asserting Union control, the Act aims to facilitate coordinated and effective oversight of mining activities, which is essential for optimizing resource use and addressing national interests.

Define the term "prospecting licence" as per the Mines and Minerals (Development and Regulation) Act, 1957.

A "prospecting licence" as per the Mines and Minerals (Development and Regulation) Act, 1957, refers to a legal authorization granted to an individual or entity to explore a specified area for mineral resources. This licence permits the holder to conduct various prospecting activities, such as geological surveys, drilling, and sampling, to assess the mineral potential of the area. The licence is subject to specific terms and conditions outlined in the Act and the rules made thereunder.

What are the general restrictions on undertaking prospecting and mining operations according to the Act?

The Act imposes general restrictions on undertaking prospecting and mining operations to ensure that these activities are carried out in an organized and regulated manner. One of the key restrictions is that prospecting or mining operations can only be conducted under a valid licence or lease granted by the competent authority. Additionally, the Act sets forth conditions related to the efficiency of production, environmental safeguards, and safety standards that must be adhered to by the licence or lease holders.

Discuss the provisions related to the termination of prospecting licences or mining leases under Section 4A.

Section 4A of the Act outlines the provisions related to the termination of prospecting licences or mining leases. According to this section, a prospecting licence or mining lease may be terminated by the authorities if the holder fails to comply with the conditions specified in the licence or lease. This includes non-compliance with statutory requirements, failure to carry out the stipulated work within the prescribed time, or engaging in activities that violate environmental and safety norms. The termination process is designed to enforce accountability and ensure that mining operations are conducted responsibly.

What is the maximum area for which a prospecting licence or mining lease may be granted as per the Act?

The Act specifies the maximum area for which a prospecting licence or mining lease may be granted to ensure that mineral resources are distributed equitably and managed efficiently. The maximum area is determined based on the type of mineral, the geographical location, and other relevant factors. This provision helps prevent the monopolization of mineral resources and encourages broader participation in the mining sector.

Explain the periods for which prospecting licences and mining leases may be granted or renewed under the Act.

The Act outlines specific periods for which prospecting licences and mining leases may be granted or renewed. A prospecting licence is typically granted for a period sufficient to complete thorough prospecting activities, with the possibility of renewal if additional time is needed. Similarly, mining leases are granted for periods that allow for the systematic extraction of minerals, with provisions for renewal to ensure continued operations. These timeframes are designed to balance the need for resource development with the long-term sustainability of mining projects.

Question: What are the conditions for the grant of a mining lease for minerals other than coal, lignite, and atomic minerals under Section 8A? **Answer:** Section 8A of the Act specifies the conditions for the grant of a mining lease for minerals other than coal, lignite, and atomic minerals. These conditions include compliance with statutory requirements, environmental clearances, and adherence to safety standards. The section also outlines the procedure for applying for and obtaining a mining lease, ensuring that the process is transparent and competitive. The aim is to facilitate responsible mining practices while promoting the efficient use of mineral resources.

Question: Describe the provisions for the transfer of statutory clearances as per Section 8B. **Answer:** Section 8B of the Act provides for the transfer of statutory clearances associated with mining leases. This section allows for the seamless transfer of necessary environmental and regulatory clearances from one leaseholder to another, ensuring continuity in mining operations. The provisions are designed to simplify the process of transferring mining leases and reduce administrative delays, thereby promoting a more efficient mining sector.

Question: How does the Act address royalties in respect of mining leases? **Answer:** The Act addresses royalties in respect of mining leases by stipulating the rates and conditions under which royalties are to be paid by the leaseholders. Royalties are financial compensations paid to the government for the extraction of mineral resources. The rates are determined based on the type of mineral, market conditions, and other relevant factors. This provision ensures that the government receives fair compensation for the exploitation of its mineral resources, which can be used for national development and infrastructure projects.

What provisions does the State Government have under Section 30B of the MMDR Act regarding the constitution of Special Courts?

Answer: Section 30B of the MMDR Act authorizes the State Government to constitute Special Courts for the purpose of providing a speedy trial for offenses related to the contravention of certain provisions of the Act. Specifically, the State Government may, by notification, establish as many Special Courts as necessary for designated areas. These courts are to be presided over by a judge appointed by the State Government with the concurrence of the High Court. The judge must be or have been a District and Sessions Judge. Additionally, any person aggrieved by an order of the Special Court may appeal to the High Court within sixty days of the order.

What powers do Special Courts have according to Section 30C of the MMDR Act?

Answer: Section 30C of the MMDR Act states that the Special Courts have the powers of a Court of Session as provided in the Code of Criminal Procedure, 1973. This means that for the purposes of this Act, the Special Court is deemed a Court of Session and possesses all related powers. Furthermore, the person conducting a prosecution before the Special Court is considered a public prosecutor.

What authority does the Central Government have under Section 31 regarding the relaxation of rules?

Answer: Under Section 31, the Central Government has the authority to relax rules in special cases if it deems it necessary for mineral development. This can be done by issuing a written order with recorded

reasons. The government can authorize the grant, renewal, or transfer of any mineral concession or the working of any mine on terms different from those specified in the rules made under Section 13.

What does Section 33 of the MMDR Act say about the validation of certain acts and indemnity?

Answer: Section 33 of the MMDR Act validates all acts of executive authority, proceedings, and sentences passed under the Mines and Minerals (Regulation and Development) Act, 1948, from January 26, 1950, until the commencement of the current Act. These acts are considered valid and operative as if done under the current law. No legal proceedings can be maintained or continued against any person on the grounds that such acts were not done in accordance with the law.

How does the MMDR Act address the power to remove difficulties, as outlined in Section 34?

Answer: Section 34 of the MMDR Act grants the Central Government the power to make provisions to remove difficulties in implementing the provisions of the 2015 Amendment Act. This can be done through an order published in the Official Gazette. Such orders must be consistent with the Act and can only be made within two years from the commencement of the Amendment Act. Each order must be laid before both Houses of Parliament as soon as possible after it is made.

Question 1:

What is the purpose of the District Mineral Foundation as mentioned in Section 9B?

Answer: The District Mineral Foundation, established under Section 9B, aims to work for the interest and benefit of persons and areas affected by mining operations. It is a non-profit body created by the State Government in any district affected by mining activities. The foundation's composition and functions are prescribed by the State Government, though the Central Government may provide directions regarding its composition and fund utilization.

Question 2:

Describe the process for applying for prospecting licenses or mining leases as outlined in the MMDR Act.

Answer: The MMDR Act details the procedure for obtaining prospecting licenses or mining leases in lands where minerals vest in the government. Applications for these licenses or leases must follow the rules and conditions set by the government. The Act includes provisions for existing concession holders and applicants, specifying their rights and the process for granting mining leases, particularly for notified minerals through auctions.

Question 3:

What are the powers of the Central Government regarding the regulation of atomic minerals?

Answer: The Central Government has significant powers concerning the regulation of atomic minerals as specified in Part B of the First Schedule. The government can make rules to regulate these minerals and amend the First and Fourth Schedules to ensure proper management and control. These rules cover aspects like the granting of mineral concessions and the procedure for auctioning mining leases.

Question 4:

What does Section 12A state about the transfer of mineral concessions?

Answer: Section 12A of the MMDR Act deals with the transfer of mineral concessions. It specifies the conditions and procedures under which these transfers can take place, including any required payments and

compliance with the terms set by the Central Government. This section ensures that transfers are regulated and that proper protocols are followed to maintain transparency and legality in the process.

Question 5:

How does the MMDR Act ensure the regulation of reconnaissance permits, prospecting licenses, and mining leases?

Answer: The MMDR Act grants the Central Government the authority to make rules for regulating reconnaissance permits, prospecting licenses, and mining leases. These rules ensure that the processes for granting these permits and licenses are standardized and transparent. The Central Government can also make rules specific to the territorial waters or continental shelf of India, further extending its regulatory reach.

Question 1:

What is the scope of the Central Government's power to amend the Third Schedule under Section 9B?

Answer: Section 9B allows the Central Government to amend the Third Schedule to adjust the rate of dead rent payable for mining areas. This amendment can either enhance or reduce the rates and is effective from the date specified in the notification. However, the government cannot increase the dead rent rate for any area more than once every three years, ensuring a balance between regulatory control and industry stability.

Question 2:

What is the composition and function of the National Mineral Exploration Trust as per Section 9C?

Answer: The National Mineral Exploration Trust, established under Section 9C, aims to enhance mineral exploration activities. The Trust's composition and functions are determined by rules set by the Central Government. These rules include the usage of funds accrued to the Trust and the manner of payment towards its activities. The Trust is crucial for advancing mineral exploration and ensuring sustainable development in the sector.

Question 3:

Explain the procedure and conditions for conducting auctions for granting mining leases under the MMDR Act.

Answer: The MMDR Act outlines a detailed procedure for conducting auctions to grant mining leases. This includes setting terms and conditions, defining the bidding parameters, and specifying time limits for various stages of the application process. The auctions are designed to be transparent and competitive, ensuring that mining leases are awarded to qualified applicants who meet all regulatory requirements.

Question 4:

What are the powers of the State Government concerning minor minerals under Section 15?

Answer: Section 15 of the MMDR Act empowers State Governments to make rules regarding minor minerals. This includes regulating the grant of prospecting licenses and mining leases, collecting funds for the District Mineral Foundation, and preventing illegal mining activities. The State Government's role is crucial in managing minor minerals, ensuring their sustainable development and local benefits.

Question 5:

How does the MMDR Act address the issue of illegal mining, transportation, and storage of minerals?

Answer: The MMDR Act empowers the State Government to make rules to prevent illegal mining, transportation, and storage of minerals. These rules include measures for monitoring and controlling these activities, ensuring that mineral resources are used responsibly and legally. The Act provides a framework for enforcement and penalties to deter illegal practices and protect the environment and public interest .

What is the duty of the Central Government under Section 18 regarding mineral development?

Under Section 18 of the Mines and Minerals (Development and Regulation) Act, 1957, it is the duty of the Central Government to take all necessary steps for the conservation and systematic development of minerals in India. This includes measures to protect the environment by preventing or controlling pollution that may be caused by prospecting or mining operations. To achieve these objectives, the Central Government is empowered to make rules, as deemed necessary, through notifications in the Official Gazette. These rules cover a wide range of activities related to mineral development, such as opening new mines, regulating mining operations, ensuring environmental protection, and managing mineral resources effectively.

What specific matters can the rules made by the Central Government under Section 18 address?

The rules made by the Central Government under Section 18 can address various specific matters, including:

The opening of new mines and the regulation of mining operations in any area.

The regulation of the excavation or collection of minerals from any mine.

Measures to be taken by mine owners for the beneficiation of ores, including suitable contrivances for this purpose.

The development of mineral resources in any area.

Notification of all new borings and shaft sinkings, preservation of bore-hole records, and specimens of cores of new bore-holes.

Regulation of arrangements for the storage of minerals and the maintenance of mineral stocks.

Submission of mineral samples from any mine and regulation of the submission process.

Regulation of prospecting operations and employment of qualified geologists or mining engineers to supervise such operations.

Disposal or discharge of waste slime or tailings from mining or metallurgical operations.

Issuance of directions to mine owners in the interest of conservation, systematic development of minerals, or environmental protection.

What happens if a mining lease is not granted within five years of a reservation made under Section 17A?

If a mining lease is not granted within five years of a reservation made under Section 17A, the reservation will lapse. However, there are certain conditions and extensions provided:

If the five-year period expires before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, or within one year of its commencement, the reservation will lapse if no lease is granted within one year from the commencement of the Act.

The State Government can relax this period by an additional year if it is satisfied that granting the lease within the initial period is not possible.

If a government company or corporation has commenced production from the reserved area without executing a mining lease, it will be deemed to have become the lessee of the State Government. This deemed lease will lapse upon execution of the mining lease or one year from the commencement of the 2021 Amendment Act, whichever is earlier.

What is the significance of the deemed lease provision for government companies or corporations in Section 17A?

The deemed lease provision in Section 17A ensures that if a government company or corporation has started mining operations in a reserved area without a formal mining lease, it will be considered as holding a lease from the State Government. This provision is significant because it allows mining operations to continue without interruption while formal lease agreements are being processed. The deemed lease will lapse either upon the execution of the formal mining lease or one year from the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, whichever comes first. This helps streamline the process and ensures that mineral production is not unduly delayed.

What measures must owners of mines take for the beneficiation of ores as per the rules under Section 18?

According to the rules under Section 18, owners of mines must implement measures for the beneficiation of ores. This includes providing suitable contrivances, which are methods or devices, for the purpose of improving the quality and value of the extracted ores. Beneficiation involves various processes that increase the ore's economic value by removing impurities and concentrating the mineral content. These measures ensure that the ores are processed efficiently and economically, which contributes to the overall goal of systematic mineral development and conservation.

How does the Central Government ensure the regulation of prospecting operations under Section 18?

The Central Government ensures the regulation of prospecting operations under Section 18 by formulating rules that cover various aspects of these operations. These rules can include:

The employment of qualified geologists or mining engineers to supervise prospecting activities.

The regulation of the methods and procedures used in prospecting to ensure they are conducted systematically and efficiently.

Requirements for the submission of reports and returns by mine owners detailing their prospecting activities.

Measures for environmental protection to prevent or control pollution resulting from prospecting operations. By setting these regulations, the Central Government aims to promote responsible and effective exploration of mineral resources, ensuring their sustainable development.

What are the responsibilities of mine owners regarding the submission of mineral samples under Section 18?

Under Section 18, mine owners are responsible for submitting samples of minerals from their mines as specified by the Central Government. The rules may dictate the manner in which these samples are to be submitted, the authority to which they must be sent, and the frequency or circumstances under which samples are required. This submission process is crucial for regulatory authorities to monitor and assess the quality and composition of minerals being extracted, ensuring compliance with mining regulations and facilitating the development of mineral resources.

What role does the Central Government play in regulating the storage of minerals as per Section 18?

The Central Government plays a critical role in regulating the storage of minerals as per Section 18 by establishing rules that mine owners must follow. These rules can include guidelines on the proper arrangements for storing minerals, the conditions under which minerals can be stored, and the quantities that may be kept in stock. The regulation of mineral storage helps prevent unauthorized stockpiling, ensures the safety and security of stored minerals, and facilitates accurate accounting and reporting of mineral production and reserves.

What is the purpose of the rules regarding the disposal or discharge of waste slime or tailings in Section 18?

The purpose of the rules regarding the disposal or discharge of waste slime or tailings under Section 18 is to minimize the environmental impact of mining operations. Waste slime and tailings are by-products of mining and metallurgical processes that can pose significant environmental hazards if not managed properly. The rules aim to ensure that these waste materials are disposed of or discharged in a manner that prevents pollution, protects water resources, and reduces the risk of harm to ecosystems and human health. By regulating waste management practices, the Central Government promotes sustainable mining operations and environmental conservation.

How does Section 18 address the need for systematic development of minerals?

Section 18 addresses the need for systematic development of minerals by mandating the Central Government to take necessary steps for the conservation and orderly exploitation of mineral resources. This involves creating rules that govern various aspects of mining operations, from exploration and extraction to processing and waste management. The goal is to ensure that mineral resources are developed in a manner that maximizes their economic value while minimizing environmental impact and preserving them for future generations. The systematic approach includes efficient utilization, technological advancements, and adherence to best practices in mining and mineral processing.

What is the role of the Central Government in revising orders related to mining leases?

Answer: The Central Government holds significant authority to revise orders related to mining leases. According to Section 30 of the Mines and Minerals (Development and Regulation) Act, the Central Government can, on its own initiative or upon an application made within the prescribed time by an aggrieved party, revise any order made by a State Government or other authority concerning any mineral other than a minor mineral. This provision ensures that there is a higher level of oversight and potential for correction or adjustment in the administration of mining leases, which can be crucial for maintaining legal and procedural integrity. Moreover, the Central Government can also intervene and pass orders if the State Government or authority fails to make an order within the prescribed time.

What special provisions exist for mining leases for coal granted before October 25, 1949?

Answer: Section 30A of the Act outlines specific provisions for mining leases for coal granted before October 25, 1949. These provisions state that the general rules regarding payment of royalties and the duration of leases under subsections (1) of sections 9 and 16 of the Act do not apply to these historical leases. However, the Central Government retains the authority to impose different terms and conditions as it deems necessary. This exemption acknowledges the unique circumstances of these older leases, which were established under different regulatory frameworks and conditions. The flexibility provided by this provision allows the Central Government to tailor regulations in a way that addresses the specific needs and historical context of these leases.

What powers do Special Courts hold according to the Mines and Minerals (Development and Regulation) Act?

Answer: Under Section 30C, Special Courts established under the Mines and Minerals (Development and Regulation) Act are vested with the powers of a Court of Session. This means they can exercise significant judicial authority, including handling serious criminal cases related to mining activities. The establishment of these Special Courts underscores the importance of having specialized judicial mechanisms to address the complex legal issues and violations that can arise in the mining sector. These courts are equipped to deal with the specificities of mining law, ensuring that cases are adjudicated by judges with relevant expertise and knowledge.

What mechanisms are in place for the continuation of existing rules under the Mines and Minerals (Development and Regulation) Act?

Answer: Section 29 ensures that all rules made or purporting to have been made under the Mines and Minerals (Regulation and Development) Act, 1948, continue to be in force under the current Act as long as they are not inconsistent with its provisions. These rules are deemed to have been made under the new Act, providing continuity and stability in the regulatory framework. This provision helps in maintaining an uninterrupted regulatory environment for the mining sector while the new rules are being formulated or until the old rules are superseded by the new ones. It ensures that there is no legal vacuum or uncertainty regarding the regulations governing mining activities .

How does the Act address the duration and transfer of mining leases for minerals other than coal, lignite, and atomic minerals?

Answer: Section 8A of the Act specifies the duration and conditions for granting mining leases for minerals other than coal, lignite, and atomic minerals. From the date of the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, all mining leases are to be granted for a period of fifty years. Furthermore, any mining lease granted before this amendment is also deemed to be for fifty years. Upon the expiry of the lease period, the lease must be put up for auction following the procedures specified in the Act. This ensures a transparent and competitive process for granting mining rights, which can help in maximizing the economic benefits and encouraging responsible mining practices .

What provisions exist for the extension of mining leases used for captive purposes?

Answer: According to the amendments introduced by the MM(DR) Amendment Act, 2021, any lessee using minerals for captive purposes is allowed to sell up to fifty percent of the total mineral produced in a year after fulfilling the requirements of the end-use plant linked with the mine. This provision is subject to additional payments as specified in the Sixth Schedule. Moreover, the Central Government retains the power to increase this percentage by notification in the Official Gazette. This flexibility in the sale of minerals produced for captive use reflects an understanding of the economic and operational realities of mining companies, allowing them to optimize their production and revenue streams .

How does the Act ensure the transfer and continuity of statutory clearances for mining operations?

Answer: Section 8B of the Act, as amended, stipulates that all valid rights, approvals, clearances, licenses, and similar permissions granted to a lessee in respect of a mine continue to be valid even after the expiry or termination of the lease. These rights are transferred to and vested in the successful bidder of the mining lease selected through an auction. This provision ensures that mining operations can continue smoothly without interruption, preserving the value of the clearances and reducing administrative burdens. The continuity of statutory clearances is crucial for maintaining operational efficiency and compliance with regulatory standards .

What are the provisions for the payment of royalties under the Act?

Answer: Section 9 of the Act mandates that the holder of a mining lease, whether granted before or after the commencement of the Act, must pay royalty for any mineral removed or consumed from the leased area. The rate of royalty is specified in the Second Schedule of the Act and can be amended by the Central Government. This provision ensures that the state receives a fair economic return from the exploitation of its mineral resources. The payment of royalties is a critical aspect of the regulatory framework, as it provides a steady revenue stream to the government and helps in the sustainable development of the mining sector .

How does the Act facilitate the auction process for mining leases?

Answer: The Act provides a detailed framework for the auction of mining leases to ensure transparency and competitiveness. According to Section 8A, upon the expiry of the lease period, the lease must be put up for auction as per the procedure specified in the Act. This includes advance action by State Governments to auction the lease before the expiry of the current lease period. The auction process aims to maximize the economic benefits to the state while ensuring that mining rights are granted to entities that demonstrate the capability and responsibility to operate in compliance with regulatory standards. The competitive bidding process is designed to encourage fair competition and prevent monopolistic practices in the mining sector .

What are the implications of the Act for government companies and corporations regarding mining leases?

Answer: The Act includes specific provisions for government companies and corporations, particularly in relation to the duration and extension of mining leases. Section 8(4) states that the period of mining leases for government companies or corporations shall be as prescribed by the Central Government. Additionally, leases granted through non-auction methods are extended on the payment of an additional amount as specified in the Fifth Schedule. This ensures that government entities have the necessary legal and financial frameworks to continue their mining operations while contributing to the state's revenue. The flexibility provided to government companies reflects the strategic role they play in the mining sector, often balancing commercial and public interests .

What are the duties of the Central Government under Section 18(1) of the Mines and Minerals (Development and Regulation) Act, 1957?

Answer: Under Section 18(1) of the Mines and Minerals (Development and Regulation) Act, 1957, the Central Government is mandated to take all necessary steps to ensure the conservation and systematic development of minerals in India. This responsibility includes the protection of the environment by preventing or controlling any pollution that may result from prospecting or mining operations. The Central Government can implement these measures by issuing notifications in the Official Gazette, establishing rules to guide these activities effectively.

What specific powers are granted to the Central Government under Section 18(2) to regulate mining operations?

Answer: Section 18(2) of the Act provides the Central Government with specific powers to regulate various aspects of mining operations through the issuance of rules. These powers include:

Opening new mines and regulating mining operations in designated areas.

Regulating the excavation or collection of minerals.

Implementing measures for the beneficiation of ores, including the provision of suitable contrivances.

Developing mineral resources in specific areas.

Notifying and preserving records of new borings and shaft sinkings.

Regulating the storage arrangements for minerals and their stocks.

Mandating the submission of mineral samples from mines and regulating the process.

Requiring mine owners to submit special or periodical returns and reports.

Regulating prospecting operations.

Employing qualified geologists or mining engineers to supervise operations.

Disposing or discharging waste slime or tailings from mining or metallurgical operations.

Issuing directions to mine owners for the conservation or systematic development of minerals and environmental protection.

What measures must mine owners take according to Section 18(2)(c) for the beneficiation of ores?

Answer: According to Section 18(2)(c) of the Act, mine owners are required to implement measures for the beneficiation of ores. This includes the provision of suitable contrivances necessary for this purpose. Beneficiation refers to the processes involved in improving the economic value of the ore by removing impurities and increasing the concentration of valuable minerals.

How does Section 18(2)(d) facilitate the development of mineral resources?

Answer: Section 18(2)(d) facilitates the development of mineral resources by empowering the Central Government to issue rules that specifically aim at the development of these resources in any designated area. This may involve strategic planning, technological advancement, and the efficient use of resources to maximize the extraction and utilization of minerals while ensuring environmental sustainability and economic growth.

Explain the importance of bore-hole records and core specimens preservation as stated in Section 18(2)(e).

Answer: Section 18(2)(e) highlights the importance of preserving bore-hole records and core specimens from all new bore-holes. This preservation is crucial for several reasons:

It provides geological data essential for understanding subsurface conditions.

It aids in planning and decision-making for future mining activities.

It helps in monitoring and managing the environmental impact of mining operations.

It ensures compliance with regulatory requirements and supports transparency and accountability in mining practices.

What regulations does Section 18(2)(f) establish regarding the storage of minerals?

Answer: Section 18(2)(f) establishes regulations for the storage of minerals, including the arrangements for storing minerals and the stocks that may be kept by any person. These regulations aim to ensure the safe and efficient storage of minerals to prevent loss, contamination, or environmental hazards. Proper storage practices also facilitate accurate inventory management and compliance with legal standards.

How are samples of minerals from any mine regulated under Section 18(2)(g)?

Answer: Under Section 18(2)(g), the regulation of samples of minerals from any mine involves the submission of these samples by mine owners to the specified authority. The rules may dictate the manner in which samples are to be submitted, the specific authority to which they are sent, and any procedures for taking additional samples by the State Government or designated authority. This regulation ensures quality control, accurate reporting, and adherence to mining regulations.

Discuss the role of qualified geologists or mining engineers as mandated by Section 18(2)(j).

Answer: Section 18(2)(j) mandates the employment of qualified geologists or mining engineers to supervise prospecting or mining operations. The role of these professionals includes:

- Ensuring that mining activities are conducted safely and efficiently.

- Implementing best practices in exploration, extraction, and environmental management.

- Providing technical expertise and oversight to comply with regulatory requirements.

- Enhancing the quality and effectiveness of mineral development processes through their specialized knowledge and skills.

What are the provisions for the disposal or discharge of waste from mining operations according to Section 18(2)(k)?

Answer: According to Section 18(2)(k), provisions for the disposal or discharge of waste slime or tailings from mining or metallurgical operations are established to manage waste effectively. These provisions aim to:

- Minimize environmental pollution and health hazards associated with mining waste.

- Promote sustainable waste management practices.

- Ensure compliance with environmental regulations and standards.

Protect water bodies, soil, and ecosystems from contamination by mining residues.

What authority is given to the Central Government to issue directions to mine owners under Section 18(2)(l)?

Answer: Section 18(2)(l) gives the Central Government the authority to issue directions to mine owners to perform or refrain from performing certain actions in the interest of mineral conservation, systematic development, or environmental protection. These directions are intended to:

Ensure sustainable and responsible mining practices.

Prevent or control pollution caused by mining operations.

Promote the efficient use of mineral resources.

Protect and preserve the natural environment for future generations.

What is the central duty of the Central Government under Section 18 of the Mines and Minerals (Development and Regulation) Act, 1957?

The central duty of the Central Government under Section 18 of the Mines and Minerals (Development and Regulation) Act, 1957, is to take all necessary steps for the conservation and systematic development of minerals in India. Additionally, the government is responsible for protecting the environment by preventing or controlling pollution that may result from prospecting or mining operations. This involves formulating rules and regulations to ensure sustainable mining practices and environmental conservation.

How does Section 18 empower the Central Government to regulate mining operations?

Section 18 empowers the Central Government to regulate mining operations by allowing it to issue rules through notifications in the Official Gazette. These rules can cover various aspects such as the opening of new mines, regulation of mining operations, excavation, and collection of minerals, and measures for ore beneficiation. The government can also regulate storage arrangements, submission of mineral samples, and returns by mine owners, and employ qualified personnel to supervise operations. This comprehensive regulatory framework ensures the systematic and environmentally responsible development of mineral resources.

What specific measures can the Central Government mandate under Section 18(2) to ensure the conservation and systematic development of minerals?

Under Section 18(2), the Central Government can mandate several specific measures to ensure the conservation and systematic development of minerals. These include:

Regulating the opening and operations of new mines.

Controlling the excavation and collection of minerals.

Implementing measures for the beneficiation of ores.

Developing mineral resources in designated areas.

Preserving bore-hole records and specimens from new borings.

Regulating mineral storage arrangements.

Requiring submission of mineral samples and special returns by mine owners.

Overseeing prospecting operations and employing qualified geologists or mining engineers.

Managing the disposal of waste from mining operations.

Issuing directions to mine owners to prevent or control environmental pollution.

Discuss the environmental protection measures included in Section 18 for mining operations.

Section 18 includes several environmental protection measures to mitigate the adverse impacts of mining operations. The Central Government can make rules to:

Prevent or control pollution caused by prospecting or mining activities.

Ensure proper disposal or discharge of waste slime or tailings from mining or metallurgical processes.

Implement measures for systematic development and conservation of minerals to minimize environmental degradation.

Require the submission of reports and returns that help monitor environmental compliance.

Direct mine owners to adopt specific actions or refrain from activities detrimental to the environment. These measures are designed to balance mineral development with environmental sustainability.

What is the significance of having qualified geologists or mining engineers supervising mining operations as per Section 18(j)?

The significance of having qualified geologists or mining engineers supervising mining operations, as mandated by Section 18(j), lies in their expertise and knowledge in the field. These professionals ensure that mining activities are conducted efficiently and safely, adhering to regulatory standards and environmental guidelines. Their supervision helps in the systematic exploration, extraction, and processing of minerals while minimizing environmental impact and ensuring sustainable practices. This professional oversight is crucial for maintaining the integrity of mining operations and promoting responsible mineral development.

What are the general responsibilities of the Central Government for mineral development as per the Mines and Minerals (Development and Regulation) Act, 1957?

The general responsibilities of the Central Government for mineral development as per the Mines and Minerals (Development and Regulation) Act, 1957, include ensuring the conservation and systematic development of minerals in India. The government must also protect the environment by preventing or controlling pollution caused by mining activities. This involves making and enforcing rules related to mining operations, storage of minerals, submission of samples and reports by mine owners, and the employment of qualified professionals to oversee mining activities. These responsibilities are aimed at promoting sustainable and environmentally friendly mining practices.

How does the Act ensure the systematic development of minerals through regulations?

The Act ensures the systematic development of minerals through a comprehensive set of regulations issued by the Central Government. These regulations cover:

- Opening and operating new mines.
- Excavation and collection of minerals.
- Ore beneficiation processes.
- Development of mineral resources in specific areas.
- Preservation of bore-hole records.
- Storage and management of mineral stocks.
- Submission of mineral samples and periodic reports by mine owners.
- Regulation of prospecting operations and employment of qualified personnel.
- Waste management from mining operations. These regulations provide a structured approach to mineral development, ensuring efficiency, safety, and environmental protection.

What specific environmental protection regulations can be implemented under Section 18(2) of the Act?

Under Section 18(2) of the Act, the Central Government can implement several specific environmental protection regulations, including:

- Controlling the pollution from prospecting or mining operations.
- Regulating the disposal of waste slime or tailings.
- Issuing directions to mine owners to prevent environmental harm.
- Requiring mine owners to submit reports and returns for monitoring compliance.

Ensuring that mining activities do not degrade the environment and adhere to sustainable practices. These regulations aim to minimize the ecological footprint of mining operations and promote the conservation of natural resources.

Explain the role of periodic returns and reports in the regulation of mining activities as per the Act.

Periodic returns and reports play a crucial role in the regulation of mining activities as per the Act. They provide the Central Government with essential data and insights into the operations of mines, helping to monitor compliance with regulations and assess the impact of mining activities. These reports can include information on mineral production, storage, waste management, environmental protection measures, and any other relevant aspects of mining operations. By requiring mine owners to submit these reports, the government can ensure transparency, accountability, and adherence to sustainable mining practices.

How does the Act address the issue of waste management in mining operations?

The Act addresses the issue of waste management in mining operations by allowing the Central Government to make rules for the disposal or discharge of waste slime or tailings resulting from mining or metallurgical processes. These rules aim to ensure that waste is managed in an environmentally responsible manner, minimizing pollution and preventing ecological degradation. The regulations can include guidelines for the safe handling, treatment, and disposal of waste materials, as well as measures to reduce the generation of waste. Effective waste management is essential for sustainable mining practices and environmental protection.

What are the consequences of contravening the provisions of the Mines and Minerals (Development and Regulation) Act, 1957?

The consequences of contravening the provisions of the Mines and Minerals (Development and Regulation) Act, 1957, can be severe. Prospecting licenses and mining leases obtained in violation of the Act are declared void, meaning the holder loses the right to continue mining activities. This ensures that all mining operations comply with the established regulations, promoting responsible and legal mining practices. The Act's stringent enforcement mechanisms help maintain the integrity of the mining sector and protect public and environmental interests.

How does Section 20 ensure compliance with the Act and its rules during the renewal of licenses and leases?

Section 20 ensures compliance with the Act and its rules during the renewal of licenses and leases by mandating that all renewals adhere to the same regulations that apply to new licenses and leases. This provision prevents any lapse in regulatory oversight and ensures continuous compliance with environmental, safety, and operational standards. It reinforces the need for license and lease holders to maintain adherence to the Act's provisions throughout the duration of their mining activities, not just at the time of initial issuance.

Describe the role of the Central Government in issuing directions under Section 20A.

Under Section 20A, the Central Government has the authority to issue directions to any state government or authority to ensure compliance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957. These directions can cover various aspects of mining operations, such as environmental protection, safety measures, and efficient mineral extraction. The Central Government's oversight ensures that all mining activities across India are conducted in a manner consistent with national policies and regulatory standards, promoting uniformity and accountability in the sector.

What penalties are prescribed under Section 21 for violations of the Act?

Section 21 prescribes penalties for various violations of the Mines and Minerals (Development and Regulation) Act, 1957. These penalties can include fines and imprisonment for illegal mining, non-compliance with the Act's provisions, and other contraventions. The severity of the penalties is intended to deter illegal activities and encourage adherence to legal and regulatory frameworks. By imposing stringent penalties, the Act aims to uphold the rule of law in the mining sector and protect public and environmental interests.

How does Section 22 address the issue of cognizance of offences under the Act?

Section 22 addresses the issue of cognizance of offences by stipulating that no court shall take cognizance of any offence punishable under the Act or any rules made thereunder except upon a complaint made by a person authorized by the Central Government or a state government. This provision ensures that prosecutions for violations of the Act are initiated by authorized and competent authorities, maintaining the integrity of the legal process. It helps prevent frivolous or malicious prosecutions and ensures that enforcement actions are based on proper legal grounds.

What provisions are made under Section 23 for the protection of action taken in good faith?

Section 23 provides that no suit, prosecution, or other legal proceedings shall lie against the Central Government, state governments, or any other authority for any act done in good faith in pursuance of the Act or any rules made thereunder. This protection ensures that government officials and authorities can perform their duties without fear of legal repercussions, provided their actions are taken in good faith and within the scope of their official responsibilities. It promotes proactive enforcement of the Act and supports the effective regulation of the mining sector.

Explain the purpose and scope of the rules that the Central Government can make under Section 23A.

The purpose and scope of the rules that the Central Government can make under Section 23A include specifying the manner in which various provisions of the Act are to be implemented. These rules can cover a wide range of topics, such as the format and content of applications for licenses and leases, the procedures for granting and renewing licenses, the standards for environmental protection, and the methods for mineral conservation and systematic development. The rules provide detailed guidance on

how the Act's provisions are to be executed, ensuring clarity, consistency, and effective governance of the mining sector.

What is the significance of the repeal of previous enactments mentioned in Section 24?

The significance of the repeal of previous enactments mentioned in Section 24 is to eliminate outdated laws and regulations that governed mineral development before the introduction of the Mines and Minerals (Development and Regulation) Act, 1957. By repealing these enactments, the Act ensures a unified and modern legal framework for the regulation of mining activities in India. This helps streamline regulatory processes, reduce legal ambiguities, and promote consistent and effective governance of the mining sector.

How does the Act ensure the continuity of actions taken under repealed enactments?

The Act ensures the continuity of actions taken under repealed enactments by providing that any rules, orders, or notifications issued, licenses or leases granted, or actions taken under the repealed laws shall continue to be in force as if they were done under the new Act, until they are superseded or amended. This provision prevents any disruption in regulatory oversight or legal processes, allowing for a smooth transition from the old legal framework to the new one. It ensures that ongoing mining operations and regulatory actions remain valid and enforceable during the transition period.

are the provisions under Section 20A of the MM(DR) Act, 1957 for the issuance of directions by the Central Government?

Section 20A of the MM(DR) Act, 1957 grants the Central Government extensive powers to issue directions to State Governments to ensure the conservation of mineral resources and the scientific and sustainable development and exploitation of these resources. This section emphasizes that such directions can be issued on any policy matter of national interest.

Specifically, Section 20A(1) allows the Central Government to issue necessary directions for the conservation of mineral resources or on any policy matter in the national interest. Section 20A(2) further elaborates on the specific areas where directions can be issued, including:

Improvement in procedures for granting mineral concessions and ensuring coordination among agencies responsible for statutory clearances.

Maintenance of internet-based databases, including the development and operation of a mining tenement system.

Implementation and evaluation of sustainable development frameworks.

Reduction in waste generation, waste management practices, and promotion of material recycling.

Minimizing and mitigating adverse environmental impacts, particularly concerning groundwater, air, ambient noise, and land.

Ensuring minimal ecological disturbance in terms of biodiversity, flora, fauna, and habitat.

Promoting restoration and reclamation activities to optimize the use of mined-out land for local communities.

Any other matters necessary for the implementation of the Act.

These provisions reflect the Act's commitment to sustainable mining practices and the protection of the environment and local communities affected by mining operations.

What penalties are outlined in Section 21 of the MM(DR) Act, 1957 for contraventions of its provisions?

Section 21 of the MM(DR) Act, 1957 specifies penalties for various contraventions of its provisions. The penalties are intended to deter unlawful activities and ensure compliance with the Act's regulations.

Sub-section (1): This sub-section addresses contraventions of sub-section (1) or sub-section (1A) of Section 4, which pertain to the undertaking of reconnaissance, prospecting, or mining operations without a valid license. The penalty for such contraventions includes imprisonment for a term that may extend to five years and a fine that may extend to five lakh rupees per hectare of the area.

Sub-section (2): This sub-section provides that any rule made under the Act may stipulate that any contravention of the rule is punishable with imprisonment for up to two years, a fine of up to five lakh rupees, or both. In the case of a continuing contravention, an additional fine of up to fifty thousand rupees may be imposed for every day the contravention continues after the first conviction.

Sub-section (3): This sub-section deals with unauthorized entry (trespassing) into any land for mining purposes. Such trespassers can be served with an eviction order by the State Government or an authorized authority. The State Government or the authorized authority may seek police assistance to evict the trespasser from the land.

These penalties highlight the stringent measures put in place to regulate mining activities and prevent unauthorized operations, thereby protecting the mineral resources and ensuring legal compliance.

How does Section 20A(2) address environmental and ecological concerns related to mining activities?

Section 20A(2) of the MM(DR) Act, 1957 addresses environmental and ecological concerns related to mining activities through several specific directives that the Central Government can issue to State Governments. These directives are aimed at ensuring that mining practices are environmentally sustainable and that adverse impacts on the environment are minimized. The key environmental and ecological concerns addressed include:

Reduction in Waste Generation and Waste Management Practices: The Central Government can issue directions to reduce waste generation associated with mining activities and promote effective waste management practices. This includes encouraging the recycling of materials to minimize the environmental footprint of mining operations.

Minimizing Adverse Environmental Impacts: The Act specifically mentions the need to mitigate adverse environmental impacts, particularly concerning groundwater, air quality, ambient noise levels, and land. This implies that mining operations must incorporate practices that prevent pollution and degradation of natural resources.

Ensuring Minimal Ecological Disturbance: The Act underscores the importance of minimizing ecological disturbances, including impacts on biodiversity, flora, fauna, and natural habitats. Directions may be issued to ensure that mining activities do not significantly disrupt the ecological balance of the areas where they are conducted.

Promoting Restoration and Reclamation Activities: The Act promotes restoration and reclamation activities to make optimal use of mined-out land for the benefit of local communities. This includes efforts to rehabilitate land affected by mining to a condition that can support other uses, thereby contributing to the overall sustainability of mining operations.

These provisions ensure that environmental and ecological considerations are integral to the planning and execution of mining activities, promoting a balance between resource extraction and environmental protection.

What specific powers does Section 20A grant the Central Government regarding the improvement of procedures for granting mineral concessions?

Section 20A of the MM(DR) Act, 1957 grants the Central Government the power to issue directions to improve the procedures for granting mineral concessions. These powers are intended to streamline and enhance the efficiency and transparency of the mineral concession process. Specific directives that the Central Government can issue include:

Improvement in Procedures for Grant of Mineral Concessions: The Central Government can direct State Governments to refine and enhance the procedures for granting mineral concessions. This includes ensuring that the processes are transparent, efficient, and consistent with national policies.

Ensuring Coordination Among Agencies: To facilitate the granting of mineral concessions, the Central Government can issue directions to ensure better coordination among various agencies responsible for statutory clearances. This aims to reduce bureaucratic delays and streamline the approval process for mining projects.

These powers reflect the Central Government's role in overseeing and guiding the procedural aspects of mineral concessions to promote a more effective and transparent regulatory environment for mining activities.

How does the Act ensure compliance with environmental standards in mining operations?

The MM(DR) Act, 1957 ensures compliance with environmental standards in mining operations through several mechanisms, primarily outlined in Section 20A. The Act mandates the integration of environmental

considerations into mining practices and provides the Central Government with the authority to issue directions to enforce these standards. Key aspects include:

Directives on Environmental Impact Mitigation: The Act empowers the Central Government to issue directions to minimize and mitigate adverse environmental impacts associated with mining activities. This includes addressing issues related to groundwater, air quality, ambient noise, and land degradation.

Promotion of Sustainable Development Frameworks: The Act supports the implementation and evaluation of sustainable development frameworks, ensuring that mining operations align with principles of sustainability and environmental stewardship.

Restoration and Reclamation: The Act emphasizes the importance of promoting restoration and reclamation activities. This involves rehabilitating mined-out land to support other uses, thereby ensuring that mining activities do not leave a lasting negative impact on the environment.

Waste Management and Recycling: The Act directs the reduction of waste generation and the implementation of effective waste management practices. It also encourages the recycling of materials to reduce the environmental footprint of mining operations.

These provisions collectively ensure that mining activities are conducted in an environmentally responsible manner, with ongoing oversight and direction from the Central Government to enforce compliance with established environmental standards.