भारत सरकार
खान मंगलाय
शास्त्री भवन : नई दिल्ली

विषय: सूचना का अधिकार अधिनियम, 2005 के अंतर्गत प्राप्त आवेदन।

श्री. बलवंत अंतररामजी कृकिते, नागपुर से प्राप्त मूल आवेदन दिनांक 11.11.2013 को इस पत्र के साथ 
उचित कार्यवाही हेतु प्रस्तुत किया जा रहा है।

2. आपसे अनुरोध है कि उक्त आवेदन को आर.टी.आई. ऑनलाइन पोर्टल में प्राप्ति के तीन दिनों में 
तुरंत प्रविष्ट करके आवेदक को पावली भेजी जाए एवं सूचना का अधिकार अधिनियम, 2005 के नियमों
का पालन करते हुए उसपर निर्धारित समय में कार्यवाही की जाए।

(राजेश शाह/Rajesh Shah)
ए.सी.पी.आई.ओ./ACPIO

संलग्न: FTS 16994

श्री. अमित पाढ़े, अनुभाग अधिकारी, केन्द्रीय लोक सूचना अधिकारी, खान मंगलाय
पी.आई. सैल/Pi Cell U.O. No. ई-मिसिल 2(191)/2013-पी.आई. दिनांक/Dated 20.11.2013

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सुनना का अधिकार अधिनियम 2005 प्राधिकार

1) आवेदक का नाम
   बख्तर अभिजंगी मुंडे नवाबी 35-प. विस्मय बुधवार
   दादो, नगर, सोलापूर, नागपुर - 440003 महाराष्ट्र।

2) मुख्य भवन
   091-25830883, 25824443

3) आवेदन की तिथि
   11.11.2013

4) कार्यालय का नाम
   सा. डी. (जी.एस.), बालाकंठ, सरकार संस्थापक, राजस्थान,
   तालाब नं. 110001

5) क्या चाहिए?
   प्रमाण पत्र आदेश, विवरण दस्तावेजों की

6) विवरण आदेश
   विवरण आदेश जिन्होंने बिजली का सप्ली किया जा रहा है,
   विवरण आदेश के माध्यम से आपके लिए विवरण प्रदान किया जा रहा है।

(1) "सुनना का अधिकार अधिनियम 2005 प्राधिकार"

(2) "आवेदन के दिन/शताब्दी/वर्ष"

(3) "डाक प्राप्ति"

(4) "सा. डी. (जी.एस.), बालाकंठ, सरकार संस्थापक, राजस्थान"

(5) "तालाब नं. 110001"

(6) "नागपुर - 440003 महाराष्ट्र।"

(7) "091-25830883, 25824443"

(8) "11.11.2013"

(9) "विवरण आदेश जिन्होंने बिजली का सप्ली किया जा रहा है,
   विवरण आदेश के माध्यम से आपके लिए विवरण प्रदान किया जा रहा है।"
5) अया आवेदन के आयुक्त को 11.11.2013 को लिखे टिप्पणियाँ लिखे गईं।
6) आवेदन की कार्य समाप्त करें।
7) आवेदन के अनुसार रिपोर्ट की जरूरत के लिए उपयुक्त है।
8) आवेदन के लिए रिपोर्ट की ज्ञापन के लिए किया गया।
9) उपलब्ध जानकारी के लिए उपयुक्त है।
10) आवेदन के लिए रिपोर्ट की ज्ञापन के लिए किया गया।

पात्रता
1. आवेदन प्राप्त होने का दिनांक:
2. आवेदकार को वापस भागारी प्राप्त करने के संबंध में अधिक विवरण की हेतु उपलब्ध होने का दिनांक:
(लोक रुचना अधिकारी/सहायक लोक रुचना अधिकारी द्वारा प्राप्तिकृत)

प्राप्तकार के हस्ताक्षर
पदनाम (चार सील)

दिनांक.............
GOVERNMENT OF INDIA
MINISTRY OF MINES

No. 5/17/2010-M.IV

To:
The Controller General,
Indian Bureau of Mines, Indira Bhawan, Civil Lines,
Nagpur - 440 001.

Sub: Proposal for grant of ML for manganese ore and dolomite over an area of 9.037
Hectares in village Bhalapur, District Chhindwara, Madhya Pradesh in favour of M/s
Flax Mineral, Prop - Mohamed Shajid Khan for the period of 30 years

Sir,

view of the comments given by IBM vide their cited letters, the proposal was submitted for
consideration in the Ministry. While considering the same, it was observed by the
competent authority in the Ministry that the procedure applied in the case is not acceptable
in view of the fact that it is not an application coming under Section 11 (1) i.e. transition
from PL to ML as there was no PL for bauxite. Accordingly, the proposal was returned to
the State Government on 17.4.2012.

2. Now the State Government has re-submitted the proposal vide their letter dated
5.12.2012 to the Ministry inter-alia drawing attention towards ministry’s letter No. M-II
(10)/63 dated 16.12.1963, which is reproduced as under-

Preferential mining right extends to minerals not mentioned in PL - Section 11 (1)
of the Mines and Mineral (R&D) Act, 1957 refers only to the land covered by a PL
and not to the mineral for which the PL might be held and the form of PL also
refers only to the area held under the licence and not the minerals, the preferential
right of a licensee to obtain ML is not restricted to the mineral mentioned in the PL.
If in the course of prospecting, the licensee discovers the presence of another
mineral or minerals not specified in the PL and he applied for a ML in respect of
such mineral(s), he is entitled to preference for the grant of ML for such minerals.

3. In view of the foregoing, IBM is requested to have their comments on the above
keeping in view the provisions of MMDR Act, 1957 and the Rules and Guidelines framed
thereunder. It is requested that the comments should cover the following specific points to
enable this Ministry to take a considered view in the matter-

(i) Whether the case merits consideration under Section 11 (1) of the Act keeping
in view the fact that manganese has been included in mining lease although
the same was not in PL stage.

(ii) Whether the letter No. M-II (10)/63 dated 16.12.1963 is still in vogue and its
relevance in the present case?

(iii) Whether the available data would enable preparation of an optimat and
scientific mining plan for the subject area, to let this Ministry take a view on
the proposal in terms of para 4.2 and 4.3 of our guidelines dated 17.4.2009.

Yours faithfully,

(max)

Deputy Secretary to the Government of India

Copy to:-

M/s Flax Mineral, Prop - Mohamed Shajid Khan, Pratap Nagar, Behind Police Line
Takti, 117 Near Masjid, Katol Road, Nagpur - 440013.
INDIAN POSTAL ORDER

To Pay & Account Officer, Ministry of Finance, Govt. of India,
New Delhi

The sum of Rupees Ten Only

Commission Rs. 50.00 Paise

Sender may fill in his name and address here

Balwant A. Kulsite
35, A. Shiyam Kunj, Baroda
Nagar, Bartaman, Nagpur

97E 622625

POSTAL ORDER

 Ashe & Account Officer, Ministry of Finance, Govt. of India, New Delhi.

At the Post Office at New Delhi

Date sent

97E 622625
GOVERNMENT OF INDIA
MINISTRY OF MINES

Dated the 16.12.2013

No. 9/1/2013-MIV

To,
Shri Balvant Antararamjee Kuhetay,
35 A, Shivam Kunj, Bardey Nagar,
Borebaw, Nagpur – 440013.

Sub: - Information sought under RTI Act, 2005.

Sir,

I am directed to refer to your RTI application dated 11.11.2013 on
the subject cited above.

2. It is mentioned at the outset that the application filed by you is hand
written, which is illegible. In future, you are requested to file typed/clear
hand written application to enable us to respond appropriately to your
queries. However, information with regard to the points as gathered from
your above mentioned RTI application is given in the succeeding
paragraphs.

3. It is informed that in respect of the proposal recommended by
Government of Madhya Pradesh for grant of Mining Lease for manganese
ore and dolomite over an area of 9.037 Hects in village Bheelapar, District
Chhindwara, in favour of M/s Flax Mineral, Prop – Mohamed Shajid Khan
for a period of 30 years, the IBM was consulted vide Ministry’s letter No.
5/17/2010-M.IV dated 26.8.2013. The reply of the IBM is awaited. As such,
presently, we have no documents to supply.

4. The Revision Cell of this Ministry vide their communication dated
7.3.2012 has informed that three revision applications had earlier been
received against the above mentioned proposal and the same has already
been disposed (copy of the same is enclosed herewith).

5. If you are not satisfied with the reply / information, you may prefer
an appeal to Shri A.K. Mallik, Under Secretary and Appellate Authority,
Ministry of Mines, Room No. 314 ‘D’ Wing, Shastri Bhavan, New Delhi
within 30 days of receipt of information.

Yours faithfully,

(Amit Choubey)
Section Officer and CPIO

Encl: As mentioned above.

Copy to:-
P1 Cell, Ministry of Mines with reference their U.O. No. E-Misel 2(191)2013-