749. SHRI N. GOKULAKRISHNAN:

Will the Minister of MINES be pleased to state:

(a) whether it is a fact that the Mines and Minerals Act, 1957 is standing as impediment and bars transfer of captive mines in the event a company acquires another company which has mines;

(b) if so, whether amendment provisions relating to transfer to facilitate ease of doing business is required;

(c) if so, whether the Ministry would bring this amendment in the current session of Parliament; and

(d) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE FOR MINES AND STEEL (SHRI VISHNU DEO SAI)

(a): Section 12A, inserted through the Mines and Mineral (Development and Regulation) Amendment Act, 2015 allows transferability of mineral concessions for only those granted through auction. As such, transfer of leases including captive leases granted prior to 12.01.2015 is not permitted.

(b) to (d): With a view to facilitate ease of doing business for companies dependent on supply of mineral ore from captive leases as also for facilitating banks and financial institutions to liquidate stressed assets where a company or its captive mining lease is mortgaged, the Government is considering to amend the Mines and Minerals (Development and Regulation) Act, 1957, in order to allow transferability of captive mining leases not granted through auction.

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