New Delhi the dated 27th June, 2016

To

The Secretary

(In charge of Mining and Geology),

State Governments of Andhra Pradesh, Chhattisgarh, Jharkhand, Gujarat, Goa, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Telangana, Tamil Nadu,

Sub: Constitution of Committee of State level having Director of State DGM, RCOM of Indian Bureau of Mines and Deputy DG of GSI to scrutinize mineral concession proposals.

Sir,

As you are aware that Mines and Minerals (Development and Regulation) Amendment Act, 2015 (Amendment Act) has been notified on 27.3.2015. The Amendment Act came into force w.e.f. 12.1.2015. Section 10A (1) of the Amendment Act provides that all applications for grant of mineral concessions became ineligible on 12.1.2015 except those which were saved under section 10A (2). Section 10A (2) (b) of the Amendment Act clearly states that 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. Decision on these saved proposals to be taken at the earliest by this Ministry.

2. The Ministry of Mines has been emphasizing the need for expeditious processing and disposal of mineral concession proposals sent by the State Government for seeking previous approval of the Central Government under the proviso of amended Section 10A (2) of the MMDR Act.

3. It is, however, seen that in a large number of cases, the information/documents submitted along with the proposals are insufficient, which makes it difficult for the Ministry to process such proposals in accordance with the provisions of the Act and the rules and guidelines framed thereunder. In all such cases, necessary information/clarification/documents are sought from the State Governments and then technical comments on evidence of mineral contents & compliance of conditions stipulated under Section 10A (2)(b) (i) to (iv) are sought from the concerned organization viz. IBM or GSI or both, which leads to delay in finalizing the said proposals.
4. For avoiding this delay, it has been decided by this Ministry that a Committee should be constituted for each State having member of Director of State DGM, RCOM of IBM and Deputy DG of GSI to thoroughly scrutinize the saved proposals before sending to Ministry of Mines. Further, the existing proposals in Ministry of Mines, which have been referred back to the State Government or IBM for want of any further clarifications, associated with more than one agency, may also be referred to the Committee, which will take considered view and reply within one month to the Ministry.

5. In view of the above, all State Governments are requested to constitute a Committee at State level and nominate the members as mentioned at para 3 above, at the earliest with intimation to this Ministry.

Yours faithfully,

27-6-2016
(Prithul Kumar)
Director
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Email-prithul.kumar@nic.in

Copy to:

(i) The Controller General, Indian Bureau of Mines, Indira, Civil Lines, Nagpur-440001 with the request to nominate RCOM of Indian Bureau of Mines in each State.

(ii) The Director General, Geological Survey of India, 27, J.N. Mehru Marg, Kolkatta with the request to nominate DG of GSI in each State.

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