

GOVERNMENT OF INDIA
MINISTRY OF MINES AND FUEL

.....

New Delhi, the 30th April, 1963
10th Vaisakha, 1885

NOTIFICATION

No. MII-152(58)/61 - In exercise of the powers conferred by section 13 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Concession Rules, 1960, namely:-

1. These rules may be called the Mineral Concession (Second Amendment) Rules, 1963.

2. In the Mineral Concession Rules, 1960 -

(i) the existing rule 4 shall be lettered as 4A, and before the rule as so lettered the following rule shall be inserted, namely:-

"4. Application for Certificate of Approval and its renewal.

(1) An application for a certificate of approval shall be made to the State Government in Form A-1 through such officer or authority as the State Government may specify in this behalf.

(2) Every such application shall be accompanied by a fee of five hundred rupees.

(3) An application for renewal of a certificate of approval shall be made to the State Government in Form A-2 through such officer or authority as the State Government may specify in this behalf.

(4) Every such application shall be accompanied by a fee of two hundred and fifty rupees."

(ii) to sub-rule (2) of rule 37, the following further proviso shall be added, namely:-

"Provided further that the lessee shall not charge or accept from the transferee any premium in addition to the sum spent by him, in obtaining the lease, and for conducting all or any of the operations referred to in rule 30 in or over the land leased to him.";

(iii) for sub-rule (1) of rule 52, the following shall be substituted, namely:-

"(1) If the holder of a prospecting licence or a mining lease or his transferee or assignee fails, without sufficient cause, to furnish

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the documents or information, or returns referred to in rule 46, rule 47, rule 48, or rule 51, or acts in any manner in contravention of rule 49 or rule 50, he shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to one thousand rupees or with both.";

- (iv) rule 62 shall be re-numbered as sub-rule (1) thereof, and after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted, namely:-

"(2) If the holder of a certificate of approval, or prospecting licence or mining lease fails, without sufficient cause, to furnish the information referred to in sub-rule (1), the State Government may determine the certificate of approval or the prospecting licence or the mining lease, as the case may be:

Provided that no such order shall be made without giving the holder of the certificate of approval or the licensee or the lessee, as the case may be, a reasonable opportunity of stating his case.";

- (v) In Schedule I -

- (a) after item 1 and the entries relating thereto, the following shall be inserted, namely:-

- | | |
|--|-----------|
| "1(a). Application for Certificate of Approval | Form A-1 |
| 1(b). Application for renewal of Certificate of Approval | Form A-2" |

- (b) after Form A, the Forms specified in the Schedule to these rules shall be inserted.

- (c) in Form B, for the abbreviation "N.B", the word and number "Note 1" shall be substituted and after the entry relating to that note 1, the following shall be added at the end, namely:-

"2. The application should relate to one compact area only.

3. Such large-size map, as may be available, should be attached for proper demarcation of the area, specially when the area applied for is 40 hectares or less."

- (d) in Form I, for the abbreviation "N.B", the word and number "Note 1" shall be substituted and after the entry relating to that Note 1, the following shall be added at the end, namely:-

- "2. The application should relate to one compact area only, except when the application for mining lease is for an area already held under prospecting licence by the applicant.
 3. Such large-size map, as may be available, should be attached for proper demarcation of the area, specially when the area applied for is 40 hectares or less."
- (vi) for the figure and word "5 tonnes" in the third column against the entry "Class 11", in Schedule III, the figures and words "50 tonnes and any additional quantity, subject to the approval of the State Government, on payment of royalty" shall be substituted.

Sd/-

(H.S. Sahni)

Under Secy. to the Govt. of India.

Tel.No. 35746.

SCHEDULE

"Form A-1
To be submitted in duplicate

Received at
(Place) on
(Date).
Initial of
Receiving Officer

GOVERNMENT OF

Application for Certificate of Approval
(See rule 4(1))

Dated day of 196

To

Through

Sir,

I/We request that a Certificate of Approval under the Mineral Concession Rules, 1960, be granted to enable me/us to acquire Prospecting Licence/s and Mining Lease/s under the said Rules.

2. The fee of Rs.500 payable for the grant of Certificate of Approval has been paid in the manner prescribed by the State Government in their Notification No. dated Treasury receipt No. dated is enclosed in original.

3. The required particulars are given below:-

- (i) Name of the applicant with complete address.
- (ii) Is the applicant a private individual/private company/public company, firm or association?
- (iii) In case applicant is:
 - (a) an individual, his nationality,
 - (b) a private company, the nationality of all members of the company along with place of registration,
 - (c) a public company, the nationality of directors, the percentage of share capital held by Indian nationals along with place of incorporation.
 - (d) a firm or association, the nationality of all the partners of the firm or members of the association.
- (iv) Does the applicant hold a certificate of approval or has ever held a certificate of approval for the State or any other State? If so, give particulars of such certificate(s).
- (v) Does the applicant hold any prospecting licences or mining leases in the State or any other State? If so, give their particulars.

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(vi) any other details which the applicant wishes to

(vi) Any other details which the applicant wishes to furnish.

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details as may be required by you.

Yours faithfully,

Place.....

Dated.....

Signature and designation of the Applicant.

Form A-2
To be submitted in duplicate

Received at
(Place) on
(Date).
Initial of
Receiving Officer

GOVERNMENT OF

Application for Renewal of Certificate of Approval

Dated day of 196

To

Through

Sir,

I/We request for renewal of my/our Certificate of Approval under the Mineral Concession Rules, 1960.

2. The fee of Rs. 250 payable for the renewal of Certificate of Approval has been paid in the manner prescribed by the State Government in their Notification No. dated Treasury Receipt No. dated is attached in original.

3. The required particulars are given below:-

- (i) Name of the applicant with complete address.
- (ii) Is the applicant a private individual/private company/public company, firm or association?
- (iii) In case applicant is:
 - (a) an individual, his nationality,
 - (b) a private company, the nationality of all members of the company along with place of registration,

- (c) a public company, the nationality of directors, the percentage of share capital held by Indian nationals along with place of incorporation,
 - (d) firm or association, the nationality of all the partners of the firm or members of the association.
- (iv) (a) Particulars of the Certificate of Approval of which renewal is desired.
- (b) Details of previous renewal/renewals granted, if any.
- (v) Reasons in details for asking for renewal of Certificate of Approval.
- (vi) Any other details which the applicant wishes to furnish.

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details as may be required by you.

Yours faithfully,

Place

Dated

Signature and designation of the Applicant."