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Government of India
Ministry of Steel, Mines and Metals
(Department of Mines & Metals)

New Delhi, the 30th March, 1968
Chaitra 10, 1890.

NOTIFICATION

No. 1(3)/68-MII- 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) (1) These rules may be called the Mineral Concession (Fourth Amendment) Rules, 1968.
- (2) These rules shall come into force on the date of their publication in the official Gazette.
- (2) In the Mineral Concession Rules, 1960-
 - (i) in rule 11, sub-rule (2), for the words "it shall be deemed to have been refused", the words "the licence shall be deemed to have been renewed for a period equal to half the period for which the licence was originally granted" shall be substituted.
 - (ii) in rule 14, in sub-rule (1), for clause (iii), the following clause shall be substituted, namely:

"(iii) with the written approval of the State Government, the licensee may carry away quantities of minerals in excess of twice the limit specified in Schedule III, on payment of royalty for the time being specified in the Second Schedule to the Act, for chemical, metallurgical, ore-dressing and other test purposes".
 - (iii) in rule 22, sub-rule (2) shall be omitted.
 - (iv) in rule 24, after sub-rule (3), the following sub-rules shall be inserted, namely:-

"(4) Where an application for a mining lease for a mineral or minerals not specified in the existing mining lease or mining leases is made for the whole or part of the area held under mining lease by a person other than the lessee, the State Government shall notify this fact to the person who already holds mining leases for another mineral in the land applied for.

(5) (a) If on receipt of the information referred to in sub-rule (4), from the State Government, the lessee applies either for prospecting licence or mining lease for newly discovered mineral or minerals within six months from the date of communication of the information by the State Government, the lessee shall be preferred in respect of such grant.

(b) If the lessee fails to apply for prospecting licence or mining lease within six months, then this fact will be intimated to the applicant by the State Government and the State Government will consider the original application in accordance with the rules.

(6) The period of nine months referred to in sub-rule (1) in respect of applications received under sub-rule (4) shall be counted from the date of communication to the applicant of the information regarding the failure of the lessee to apply for prospecting licence or mining lease within the period of six months mentioned in sub-rule (5).

(v) in rule 27, in sub-rule (1), in clause (c), for the words "the State Government may charge separate dead rent in respect of each mineral", the words "the State Government shall not charge separate dead rent in respect of each mineral" shall be substituted.

(vi) in rule 28,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: -

"(1) An application for the renewal of a mining lease shall be made to the State Government in Form J at least twelve months before the date on which the lease is due to expire through such officer or authority as the State Government may specify in this behalf."

(b) sub-rule (5) shall be omitted.

(vii) in rule 67, for the words "the period of lease shall not exceed twenty years", the words "the periods of lease

for all minerals shall be co-terminus with that for which the first lease was originally granted" shall be substituted.

(viii) in Schedule I,

(1) in Form B, in paragraph 3,

(a) for clauses (xi) and (xii), the following clauses shall be substituted, namely: -

"(xi) Brief description of the area with particular reference to the following:

(a) the situation of the area in respect of natural features such as streams etc.

(b) in the case of village areas, the name of the village and if only a part of the village is applied for, the Khasra number, the area in hectares of each field or part thereof applied for.

N.B.: The areas shall cover whole or recognised part survey numbers.

(c) In case of forest areas, the name of the working circle, the range and the felling series.

(d) For areas where no forest maps or cadestral maps are available, a sketch plan should be submitted on scale showing the area applied for together with boundary, if any, of any other existing mining lease or prospecting licence area if the area applied for has any common point or line with the boundaries of existing prospecting licence or mining lease areas.

(xii): The area applied for should be marked on plans as detailed below: -

(a) In case a cadestral map of the area is available, the area on this map should be marked showing the name of the village, khasra number and area in hectares of each field and part thereof.

N.B. The area applied for shall cover whole survey numbers.

(b) In the case of forest maps, the area should be marked on the map showing the range and felling series.

(c) In case neither cadastral nor forest maps are available, the area should be marked on a sketch plan drawn to scale showing on this plan all important surface and natural features, the dimensions of the lines forming the boundary of the area and the bearing and distance of all corner points from any important, prominent and fixed point or points."

(2) in Form F,-

(a) in Part I, in covenant (2), for clause (d), the following clause shall be substituted, namely:-

"(d) with the written approval of the State Government, the licensee may carry away quantities of minerals in excess of twice the limit specified in Schedule III, on payment of royalty for the time being specified in the Second Schedule to the Act, for chemical, metallurgical, ore-dressing and other test purposes."

(b) in Part IV, after covenant (3), the following covenant shall be inserted, namely:-

"(3-A) If an application for renewal of the prospecting licence made in accordance with the rules is not disposed of by the State Government before the expiry of the licence, the licence shall be deemed to have been renewed for a period equal to half the period for which the licence was originally granted".

(3) in Form I, in paragraph 3, for clauses (xi) and (xii), the following clauses shall be substituted, namely:-

"(xi) Brief description of the area with particular reference to the following:

(a) the situation of the area in respect of natural features such as streams etc.

(b) in the case of village areas, the name of the village and if only a part of the village is applied for, the Khasra number, the area in hectares of each field or part thereof applied for.

(c) In case of forest areas, the name of the working circle, the range and the felling series should be indicated.

(d) For areas where no forest maps or cadastral maps are available, a sketch plan should be submitted on scale showing the area applied for together with boundary, if any, of any other existing mining lease or prospecting licence area if the area applied for has any common point or line with the boundaries of existing prospecting licence or mining lease areas.

(vii) The area applied for should be marked on plans as detailed below: -

(a) in case a cadastral map of the area is available, the area on this map should be marked showing the name of the village, khasra, number and area in hectares of each field and part thereof.

(b) In the case of forest maps, the area should be marked on the map showing the range and felling series.

(c) In case neither cadastral nor forest maps are available, the area should be marked on a sketch plan drawn to scale showing on this plan all important surface and natural features, the dimensions of the lines forming the boundary of the area and the bearing and distance of all corner points from any important, prominent and fixed point or points."

Sd/-

(D.D. Gupta)

Deputy Secretary to the Government of India.