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DEPARTMENT OF STEEL & MINES

NOTIFICATION

The 21st May, 2018

S.R.O.No.178/2018 — In exercise of the powers conferred by sub-section (1) of Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the State Government do hereby make the following rules further to amend the Odisha Minor Mineral Concession Rules, 2016, namely:—

1. Short title and commencement:— (1) These rules may be called the Odisha Minor Mineral Concession (Amendment) Rules, 2018.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Minor Mineral Concession Rules, 2016, (hereinafter referred to as the said rules), in rule 8, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(3A) Any holder of a lease granted, where mineral is required for captive use, shall have the right of first refusal at the time of auction held for such lease.”

3. In the said rules, after rule 8, following rule shall be inserted, namely:—

“8A. Special provisions for lessees of decorative stones.— Notwithstanding anything contained in these rules, any holder of the mining lease for decorative stone granted before the date of commencement of Odisha Minor Mineral Concession Rules, 2016 shall be entitled for extension of lease period up to a period ending on 31st March, 2020 with effect from the date of expiry of the period of lease or of renewal last made or till completion of renewal period, if any, or a period of thirty years from the date of grant of such mining lease with the same terms and conditions, whichever is later, subject to the condition that the terms and conditions of the lease have been

complied with and the lessee has set up an industry in the State based on the decorative stone extracted from the said lease hold area:

Provided that the provisions of this rule shall not apply to a mining lease for which renewal has been refused or which has been determined or cancelled”.

4. In the said rules, in rule 9, for sub-rule-(2), the following sub-rule shall be substituted, namely:—

“(2) The selection of persons for grant of prospecting License-*cum*-Mining Lease shall be made through auction by a method of competitive bidding”.

5. In the said rules, in rule 10, sub-rule-(2) shall be omitted.

6. In the said rules, in rule 16, sub-rule (2) shall be omitted.

7. In the said rules, in rule 22, under sub-rule(2) the following proviso shall be inserted, namely:—

“Provided that if during the currency of a mining lease for major mineral any of such minerals, is declared as Minor Mineral, the mining plan for the minor mineral in the said lease may also be approved by the authority competent to approve the mining plan for the major mineral concerned”.

8. In the said rules, in rule 26.—

(a) in sub-rule(9) for the expressions “cancelled” and “cancellation”, the expressions “lapsed” and “lapsing”, respectively, shall be substituted ;
and

(b) after sub-rule(9), the following sub-rule shall be inserted, namely:—

“(9-a) Every application under sub-rule(9) shall be accompanied with a fee of rupees ten thousand”.

9. In the said rules, in rule 26, after sub-rule(39), the following sub-rule shall be inserted, namely:—

“(39A)- The holder of a mining lease shall complete the detailed exploration (G1 level) and prepare a detailed feasibility report conforming to United Nations Framework Classification of Mineral Reserves and Resources

(UNFC) guidelines over the entire lease area within a period of three years from the date of commencement of such mining lease”.

10. In the said rules, in rule42, for the expression “rupees fifty thousand for a prospecting license-*cum*-mining lease, fifty thousand for mining lease”, the expression “rupees one lakh for a prospecting license-*cum*-mining lease, rupees two lakh for mining lease” shall be substituted.

11. In the said rules, in rule51, in sub-rule(1), in clause (ii), the expressions “or Revenue Inspector” and “or Assistant Mining Officer or Chief Surveyor or Senior Surveyor” shall be inserted respectively after the expression “Tahasildar” and “Mining Officer”.

12. In the said rules, after rule 67, the following rule shall be inserted, namely:—

“68. Special provisions relating to atomic minerals as specified in Part-B of the First Schedule to the Act.- Notwithstanding anything contained in these Rules, the prospecting or mining operations shall also be subject to the following conditions, namely:—

- (a) If the holder of the prospecting license-*cum*-mining lease or mining lease, as the case may be, discovers any atomic minerals in the area granted, the discovery of such minerals shall be reported to the Director, Atomic Minerals Directorate for Exploration and Research , Hyderabad and also to the concerned Competent Authority, within thirty days from the date of discovery of such minerals;
- (b) The licensee or the lessee, as the case may be, shall not win and dispose of such atomic minerals and the same shall be dealt within the manner prescribed in the Rules made under section 11B;
- (c) The quantities of atomic minerals recovered incidental to such prospecting or mining operations shall be collected and stacked separately and a report to that effect shall be sent to the Director, Atomic Minerals Directorate for Exploration and Research, Hyderabad and also to the concerned Competent Authority, every three months for further action by such licensee or the lessee, as the case may be, or in such manner as may be directed by the Atomic Minerals Directorate for Exploration and Research.”

13. In the said rules, Form-A shall be omitted.

14. In the said rules, in Form-D the figures “16(2)” appearing after the words and figures “See rule 9(7)” shall be omitted.

15. In the said rules, in Form-E , in part VI, after clause 5, following clauses shall be inserted, namely:—

- “ 6. The lessee shall, in addition to the rents and royalties, also pay the contributions to the District Mineral Foundation and the Environment Management Funds at the rates specified in the Rules.
7. The lessee shall also pay the additional charges at the rate of _____ per cent of the sale price of the minerals being the amount of additional charge bid by him in the auction.”

16. In the said rules, in Form-N, in part-VI, after clause 5, following clauses shall be inserted, namely:—

- “6. The lessee shall, in addition to the rents and royalties, also pay the contributions to the District Mineral Foundation and the Environment Management Funds at the rates specified in the Rules.
7. The lessee shall also pay the additional charge at the rate of Rs._____per cubic meter.
8. The minimum guaranteed quantity for the quarry lease shall be _____cum per annum.”

[No. 3994–IV(MM)SM-18/2017/SM.]

By Order of the Governor

R.K. SHARMA
Principal Secretary to Government