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**LAW DEPARTMENT**  
**NOTIFICATION**

The 1st October, 2011

No. 9632-Legis.-1/11/L.— The following Acts of Parliament which are assented by the President on the 8th September, 2010 and published by the Government of India, Ministry of Law & Justice (Legislative Department) in the Gazette of India, Extraordinary, Part-II, Section-I, dated the 9th September, 2010 are hereby republished for general information.

By Order of the Governor

D. DASH

Principal Secretary to Government

**ACT NO. 34 OF 2010**  
**ASSENTED TO ON 8TH SEPTEMBER, 2010**  
**THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) AMENDMENT**  
**ACT, 2010**

AN

ACT

*Further to amend the Mines and Minerals (Development and Regulation)  
Act, 1957.*

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Mines and Minerals (Development and Regulation) Amendment Act, 2010.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

67 of 1957.

2. In the Mines and Minerals (Development and Regulation) Act, 1957 (hereinafter referred to as the principal Act), after Section 11, the following section shall be inserted, namely:—

Insertion of new Section 11 A.

11A. The Central Government may, for the purpose of granting reconnaissance permit, prospecting licence or mining lease in respect of an area containing coal or lignite, select, through auction by competitive bidding on such terms and conditions as may be prescribed, a company engaged in,—

Procedure in respect of coal or lignite.

- (i) Production of Iron and Steel;
- (ii) Generation of power;
- (iii) Washing of Coal obtained from a mine; or
- (iv) Such other end use as the Central Government

may, by notification in the Official Gazette, specify, and the State Government shall grant such reconnaissance permit, prospecting licence or mining lease in respect of coal or lignite to such company as selected through auction by competitive bidding under this section:

Provided that the auction by competitive bidding shall not be applicable to an area containing coal or lignite,—

(a) where such area is considered for allocation to a Government company or corporation for mining or such other specified end use;

(b) where such area is considered for allocation to a company or corporation that has been awarded a power project on the basis of competitive bids for tariff (including Ultra Mega Power Projects).

*Explanation.*— For the purposes of this section, “company” means a company as defined in Section 3 of the Companies Act, 1956 and includes a foreign company within the meaning of Section 591 of that Act.’

1 of 1956.

Amendment of Section 13.

**3.** In Section 13 of the principal Act, in sub-section (2), after Clause (c), the following Clause shall be inserted, namely:—

“(d) the terms and conditions of auction by competitive bidding for selection of the company under section 11 A;”.

**ACT NO. 35 OF 2010**  
**ASSENTED TO ON 8TH SEPTEMBER, 2010**  
**THE ESSENTIAL COMMODITIES (AMENDMENT ) ACT, 2010**  
 AN  
 ACT

*Further to amend the Essential Commodities Act, 1955.*

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. This Act may be called the Essential Commodities (Amendment) Act, 2010. Short title.

2. In Section 3 of the Essential Commodities Act, 1955, in sub-section (3 C), the Explanation shall be numbered as *Explanation I*, and Amendment of Section 3 of Act 10 of 1955.  
 5 after *Explanation I* as so numbered, the following *Explanation* shall be inserted and shall be deemed to have been inserted, with effect from the 1st day of October, 2009, namely:—

*‘Explanation II.—* For the removal of doubts, it is hereby declared that the expressions “fair and remunerative price” referred to in Clause (a), “manufacturing cost of sugar” referred to in Clause (b) and “reasonable return on the capital employed” referred to in Clause (d), of this sub-section do not include the price paid or payable under any order or any enactment of any State Government and any price agreed to between the producer and the grower or a sugarcane growers’ co-operative society.’.