भारत का राजपत्र

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भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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सारणि: 927(अ)—केंद्रीय सरकार, खान और खिनज (विकास और विनियम) अधिनियम, 1957
(1957 का 67) की धारा 13 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्—

1. संक्षिप्त नाम और प्रारंभी—(1) इन नियमों का संक्षिप्त नाम खिनज (सरकारी कंपनी द्वारा खनन) नियम, 2015 है।
(2) ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएँ—(1) इन नियमों में, जब तक कि संदर्भ में अन्य अपेक्षित न हो,-

(क) "अधिनियम" से खान और खिनज (विकास और विनियम) अधिनियम, 1957 (1957 का 67) अभिप्रेत है;
(ख) "सरकारी कंपनी" से कंपनी अधिनियम, 2013 (2013 का 18) की धारा 2 की उपधारा (45) में यथा परिभाषित कोई कंपनी अभिप्रेत है; और
(ग) "खिनज" से धारा 3 के खंड (ड.) में परिभाषित से अन्यथा खनिज और अधिनियम की पहली अंशहीनी के भाग क और भाग ख में विनिर्दिष्ट खनिज अभिप्रेत है।

(2) अधिक और पद, जो इन नियमों में परिभाषित नहीं किए गए हैं, परंतु अधिनियम में परिभाषित किए गए हैं, के बाहर अर्थ होंगे जो उनके अधिनियम में हैं।

3. 12 जनवरी, 2015 से पूर्व सरकारी कंपनियों या निम्नांकित खनन पट्टे की अवधि—(1) खान और खिनज (विकास और विनियम) संशोधन अधिनियम, 2015 (2015 का 10) के प्रारंभ की तारीख अर्थात् 12 जनवरी, 2015 से पूर्व किसी सरकारी कंपनी या निम्नांकित खनन पट्टों के लिए सभी खनन पट्टे पत्ता रेख की अवधि के लिए प्रदत्त किए गए समय जाएँगे।
(2) The Government of India in the Ministry of Mines, having regard to the need for the efficient management of the country’s mineral resources, for public welfare and to the progress of the country, hereby makes the following rules, namely:

1. Short title and commencement.—(1) These rules may be called the Mineral (Mining by Government Company) Rules, 2015.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957);
(b) “Government company” means a company as defined in sub-section (45) of section 2 of the Companies Act, 2013 (18 of 2013); and

c) “minerals” means minerals other than those defined as minor minerals under clause (e) of section 3 and minerals specified in Part A and Part B of the First Schedule to the Act.

(2) Words and expressions used and not defined in these rules, but defined in the Act shall have the same meanings as assigned to them in the Act.

3. Period of mining lease granted to Government companies or corporations before 12th January, 2015.—(1) All mining leases for minerals granted to a Government company or corporation before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), namely, the 12th January, 2015 shall be deemed to have been granted for a period of fifty years.

(2) The State Government, upon an application made to it in this behalf by the Government company or corporation at least twelve months prior to the expiry of the mining lease, may, for reasons to be recorded in writing, extend the period of the mining lease for further periods of upto twenty years at a time.

(3) Subject to sub-rule (1), all applications made by a Government company or corporation for renewal of mining leases and which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015) shall be deemed to be applications for extension of the period of the mining lease and shall be disposed of in accordance with the provisions of sub-rule (2).

4. Period of mining lease granted to Government companies or corporations on or after 12th January, 2015.—(1) All mining leases granted to a Government company or corporation for minerals shall be for a period of fifty years.

(2) A mining lease granted to a Government company or corporation in accordance with the provisions of section 10B and section 11 of the Act shall expire at the end of the period of fifty years and shall not be extended.

(3) The State Government, upon an application made to it in this behalf by the Government company or corporation granted a mining lease in accordance with the provisions of sub-sections (2A) and (2B) of section 17A of the Act, at least twelve months prior to the expiry of the mining lease, may, for reasons to be recorded in writing, extend the period of the mining lease for further periods of up to twenty years at a time.

5. Payments by a Government company or corporation under sub-section (2C) of section 17A of the Act.—(1) A Government company or corporation or a joint venture, granted a mining lease in accordance with the provisions of sub-sections (2A) and (2B) of section 17A of the Act, shall pay an amount equivalent to a percentage of the royalty paid in terms of the Second Schedule to the Act, as notified by the Central Government in each case.

(2) A Government company or corporation shall make payments to the State Government as specified under sub-rule (1).

(3) A Government company or corporation shall also pay such other amounts as may be required under any law for the time being in force to the concerned authorities, including,-

(i) royalty or dead rent to the State Government;

(ii) payment to the National Mineral Exploration Trust; and

(iii) payment to the District Mineral Foundation.

[F. No. 1/13/2015-M.VI]

R. SRIDHARAN, Addl. Secy.