

No. 16/106/2015-M.VI
Government of India
Ministry of Mines

Shastri Bhavan, New Delhi
Dated the, 12th July, 2017

To

1. The Secretary
In Charge of Mining and Geology
All State Governments
2. The Controller General
Indian Bureau of Mines
Indira Bhavan, Civil Lines
Nagpur (Maharashtra)

Subject: - Authorising IBM for according approval of mining plans for minor minerals
– issue of clarification regarding

Sir,

The Ministry of Mines has notified 31 minerals as “minor minerals”, which has been published in the official gazette vide notification No. GSR 423 (E) dated 10.02.2015. Some of the State Governments during the year 2015 had approached the Ministry regarding problem faced by them to approve the mining plans of newly notified 31 minor minerals.

2. To resolve the above said problem, as a transitory provision only for a period of two years (w.e.f. 27.07.2015 to 26.07.2017), the Ministry vide its letter dated 27.07.2015 had authorized Indian Bureau of Mines (**IBM**) to (i) approve the mining plans / scheme of mining; (ii) modify mining plan/scheme of mining, for minerals notified as “minor minerals” on or after 10th February, 2015. A copy of the said letter is enclosed herewith.

3. Government of Madhya Pradesh and other State Governments have sought the guidance of the Ministry of Mines on the process of approving the mining plan in cases where both the major and minor minerals co-exist in a lease hold area. The matter has been considered in the Ministry of Mines and it has been decided that IBM would approve the mining plans of leases wherein minor minerals co-exist with the major minerals.

4. In view of the above, IBM is hereby authorized to approve mining plans of mining leases wherein minor minerals co-exist with the major mineral until further orders.

5. IBM shall also continue to approve the mining plans of mining leases of newly notified 31 minor minerals for a further period two years up to 25.05.2019.

6. This issues with the approval of Hon’ble Minister of Mines.

Yours faithfully,



(P. Vinay Kumar)

Under Secretary to the Govt. of India

011-23384070

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Encl:- As above

Copy to:-

S. No. - 2 (I)
No.16/106/2015-M.VI
Government of India
Ministry of Mines

(16)

New Delhi, Shastri Bhawan
Dated the 27th July, 2015

To
Principal Secretaries i/c of Mines Department
All State Governments/UTs


**Subject: Authorising IBM for according approval of mining plans for minor minerals -
issue of clarification regarding**

Sir,

The Ministry of Mines has notified 31 minerals as "minor minerals" vide notification no GSR 423 (E) dated 10.2.2015.

- 2) Some states have approached the Central Government stating that they do not have the man power with required knowledge for scrutinizing and approving the mining plans in respect of these minerals and have requested for issue of orders authorising the officials of IBM for approval of Mining Plans/Scheme of Mining in respect of these minor minerals.
- 3) There is no provision in the MMDR Act or the rules whereby the Central Govt (through the IBM) can accord approval for mining plans of minor minerals as the statutory provisions with regard to requiring an approved mining plan for mining operations are contained in the MCR, 1960 which has been framed under section 13 of MMDR Act; and provisions of sections 5-13 of the MMDR Act do not apply to minor minerals.
- 4) Powers of regulation of grant of concessions for minor minerals and for purposes connected therewith have been delegated to the State Governments as per section 15 of the MMDR Act, whereby State Governments have framed their own minor mineral concession rules.
- 5) State governments which are facing a problem in this regard may have their respective minor mineral concession rules, framed under section 15 of the MMDR Act, modified to the extent of including a provision authorising IBM to (i) approve mining plans / scheme of mining; (ii) modify mining plan / scheme of mining, for minerals notified as "minor minerals" on or after 10th February, 2015.
- 6) It may kindly be ensured that this would be a transitory provision only for a period of two years (i.e., till two years from the date of issue of this letter) in which time the state governments should build up the capacity of their respective DMGs for approving mining plans for all minerals notified as 'minor minerals'.
- 7) In this regard IBM has been authorised only to the extent of approving the mining plans / scheme of mining; (ii) modify mining plan / scheme of mining, for minerals notified as "minor minerals" on or after 10th February, 2015.

Yours faithfully,


(Prithul Kumar)
Director


Telefax No: 23070260

o/c

(17)

Copy to:

Controller General, IBM with reference to IBM's letter No.N-11013/3/MP/90-CCOM-Vol.-VII-PF dated 22.6.2015 issued by Shri Parag M Tadlimbekar, Sr Mining Geologist, with the request to issue directions to all the concerned officers in IBM to: (i) approve the mining plans / scheme of mining; (ii) modify mining plan / scheme of mining, for minerals notified as "minor minerals" on or after 10th February, 2015 in respect of those states which have modified their minor mineral concession rules, framed under section 15 of the MMDR Act, 1957 subject to the conditions mentioned in para 5 and 6 above.

 27.9.2015

(Prithu Kumar)
Director

b/c

Issued through
P.B. NO. 2

RS
28/7/2015.