

Government of Rajasthan
Mines (Gr.-II) Department

No. : F.14(9)Mines/Gr.II/2015-Pt.-II

Jaipur, dated : 28 FEB 2017

ORDER

The State Government hereby makes the following amendments in the Rajasthan Mineral Policy, 2015, hereinafter referred to as the said policy:-

1. Deletion of clause 6.1.5 - The existing clause 6.1.5 of the said policy shall be deleted.

2. Deletion of clause 6.2(d) - The existing clause 6.2(d) of the said policy shall be deleted.

3. Amendment in clause 6.3.1(i) - For the existing expression "and reduce the limit of 500 meter to 250 meter distance for deemed land status report of forest" of clause 6.3.1(i) of the said policy, the expression "so that land status report from forest department will not be necessary where area to be granted is beyond 500 meter from forest boundary" shall be substituted.

4. Deletion of clause 6.3.1(o) - The existing clause 6.3.1(o) of the said policy shall be deleted.

5. Amendment in clause 7.1.1 - For the existing expression "Mining leases in Government land where departmental prospecting has been done after reserving the area, delineation will be done. Such delineated area/plots shall be granted by way of tender or auction/lottery and otherwise by application. The Government will also explore the possibility of adopting Swiss Challenge Model in allotment of mineral concession", of clause 7.1.1 of the said policy, the expression "Mineral Concessions will be granted through e-auction except:

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in notified scheduled areas (i) for mineral masonry stone, one third of plots shall be kept reserved for the persons belonging to domicile schedule tribe category and remaining two third plots shall be granted by way of e-auction; and (ii) for mineral bajri (river sand), priority shall be given to the registered society of domicile schedule tribe.

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(b) In khatedari land, where depth of deposition of mineral gypsum is limited upto 2 meter, permits will be granted to khatedar for their land improvement." shall be substituted.

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6. Amendment in clause 7.1.2 - For the existing expression "Where occurrences of the mineral have not been proved otherwise, prospecting licence shall be granted. Minerals like Quartz, Feldspar, China Clay, Ochre, Silica Sand, various clays, Dolomite, Gypsum, Kaolin, etc., occur at surface. To restrict the tendency to hold a large area under prospecting licence for a long time and unauthorized excavation of minerals, direct mining leases of these minerals shall be granted. The minimum size for mining lease of these minerals shall be 4.00 hectare. Similarly, minimum size for prospecting licence of these minerals shall be 20.00 hectare." of clause 7.1.2 of the said policy, the expression "Where occurrences of the mineral have not been proved otherwise, prospecting will be done by the department and mining leases shall be granted through e-auction. The minimum size for mining lease of these minerals shall be 4.00 hectare." shall be substituted.

7. Insertion of new clause 7.1.2a - After clause 7.1.2 and before clause 7.1.3, following new clause shall be inserted, namely:-

"7.1.2a Rights of holder of prospecting licence and applicants:

Rights of holder of prospecting licence, letter of intent and sanction of 31 major minerals, declared as minor minerals by the Government of India, to obtain a mining lease shall be protected. Similarly, rights of holder of letter of intent issued through tender and all sanctions, issued under Rajasthan Minor Mineral Concession Rules, 1986, to obtain a mining lease shall also be protected."

8. Amendment in clause 7.1.4 - For the existing expression "the period of existing leases shall be deemed to have been extended up to 50 years from the date of initial grant and the subsequent extension shall be granted for 20 years each subject to condition that total lease period shall not exceed 90 years since initial grant." of clause 7.1.4 of the said policy, the expression "the period of existing leases except bajri (river sand) shall be deemed to have been extended up to a period ending on the 31st March, 2025 with effect from the date of expiry of the period of renewal/extension last made or till the completion of renewal/extension period, if any, or a period of 50 years from the date of first grant of such lease, whichever is later. The period of mining leases for mineral bajri (river sand) shall be 5 years. After expiry of the lease period, new Mining leases shall be granted through e-auction with right of first refusal to the existing lessee." shall be substituted.

9. Deletion of clause 7.1.7 - The existing clause 7.1.7 of the said policy shall be deleted.

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10. Amendment in clause 7.1.10 - For the existing expression "Currently, there is a 2 years lock-in period for transfer of a mining lease and 1 year lock-in period for transfer of a quarry licence. Such restriction will be removed except for mining leases allotted by way of lottery." of the clause 7.1.10 of the said policy, the expression, "Lock-in period for transfer of mineral concession granted other than through auction shall be one year and subsequent transfer shall be allowed subject to condition that at least one year has elapsed since last transfer. Transfer of mineral concession shall be allowed on payment of one time premium which shall vary from two times of dead rent/licence fee to ten times of dead rent/licence fee depending on residual period of mineral concession." shall be substituted.

11. Insertion of new clause 7.1.12a - After clause 7.1.12 and before clause 7.1.13, following new clause shall be inserted, namely:-

"7.1.12a Provisions regarding grant of Mineral Concessions in Khatedari land:

Mineral Concessions in Khatedari land shall be granted through auction with right of first refusal to the concerned Khatedar."

12. Amendment in clause 7.1.13 - The existing expression "adjoining Government/Khatedari land and" of clause 7.1.13 of the said policy shall be deleted.

13. Deletion of clause 7.1.14 - The existing clause 7.1.14 of the said policy shall be deleted.

14. Amendment in clause 7.1.15 - For the existing expression, "the period of a new quarry licence in existing boundaries and the renewal period will be increased to 30 years." of 7.1.15 of the said policy, the expression, "new quarry licence shall be granted for a period of 30 years and the period of existing quarry licences shall be deemed to have been extended up to a period ending on the 31st March, 2025 with effect from the date of expiry of the period of renewal/extension last made or till the completion of renewal/extension period, if any, or a period of 30 years from the date of first grant of such licence, whichever is later. After expiry of the licence period, new Quarry Licence shall be granted through e-auction with right of first refusal to the existing licensee." shall be substituted.

15. Deletion of clause 7.1.16 - The existing clause 7.1.16 of the said policy shall be deleted.

16. Amendment in clause 7.1.18 - For the existing expression "to an applicant who obtains NOC from the Devasthan Department." of clause 7.1.18,

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the expression, "through auction with the consent of Devasthan Department." shall be substituted.

17. Amendment in clause 7.1.19 - For the existing expression "to the applicant who obtains diversion of forest land from MoEF." of clause 7.1.19 of the said policy, the expression, "through auction and the letter of intent (LoI) will be issued subject to condition that the successful bidder shall submit forest diversion from MoEF&CC." shall be substituted.

18. Deletion of clause 7.1.20 - The existing clause 7.1.20 of the said policy shall be deleted.

19. Deletion of clause 7.1.26 - The existing clause 7.1.26 of the said policy shall be deleted.

20. Deletion of clause 7.1.28 - The existing clause 7.1.28 of the said policy shall be deleted.

21. Amendment in clause 7.5.1 - The existing expression "and cost of mineral will be increased from 10 to 15 times of the royalty" of clause 7.5.1 of the said policy shall be deleted.

22. Amendment in clause 7.5.3 - For the existing expression "in the interest of the State, mineral conservation and development except awarding any mineral concession." of clause 7.5.3 of the said policy, the expression "for bringing an appropriate scheme for waiving off any dues or any other amount in larger public interest." shall be substituted.

23. Amendment in clause 7.5.5 - The existing clause 7.5.5(a), (b) and (c) of the said policy shall be deleted.

The amendments in policy shall be effective from the date of issuance of the order.

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(Legal)

Jt. Secretary to the Govt.

Copy forwarded to the following for information and necessary action :

1. Pr. Secretary, HE Governor of Rajasthan, Jaipur
2. Pr. Secretary, Hon'ble Chief Minister, Rajasthan, Jaipur
3. Secretary, Rajasthan Legislative Assembly, Jaipur
4. SA to State Minister, Mines Department, Rajasthan, Jaipur
5. JS to Chief Secretary, Rajasthan, Jaipur
6. PS to Pr. Secretary, Finance Department, Rajasthan, Jaipur
7. PS to Pr. Secretary, Mines & Petroleum Department, Rajasthan, Jaipur
8. Accountant General, Rajasthan, Jaipur
9. Director, State Department of Revenue Intelligence (SDRI), Mitt Bhawan, Jaipur
10. Director, Mines & Geology Department, Rajasthan, Udaipur
11. Guard file.

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Jt. Secretary to the Government

संयुक्त शासन सचिव
आन विभाग
शासन सचिवालय, जयपुर