

भारत सरकार/ Government of India
खान मंत्रालय/ Ministry of Mines
भारतीय खान ब्यूरो/ Indian Bureau of Mines
मुख्य खान नियंत्रक का कार्यालय/ Office of the Chief Controller of Mines

No.: O-11011(9)/1/2023-CCOM-MDR-IBM_HQ

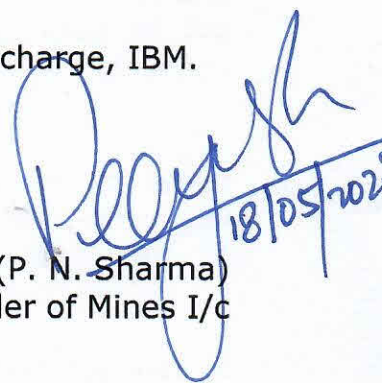
Nagpur dated: 18.05.2023

CORRIGENDUM

Subject: Disposal of applications under Rule 12(1)(k) of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (MCR'2016)-regarding.

This has the reference of O. M. dated 20.03.2023 issued on the subject cited above. In this regard, in the 3rd line in para 5, 6th line in para 6 and 5th line in para 7; the phrase "mineral other minor mineral" may be read as "mineral other **than** minor mineral". Further, in the quoted part in para 4, the phrase "overburden or waste work" may be read as "overburden or waste **rock**". Revised O.M. is attached herewith as Annexure-I for reference.

This is issued with the approval of Controller General In-charge, IBM.

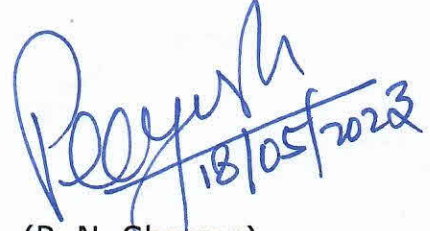

(P. N. Sharma)
Chief Controller of Mines I/c

To,

The Controller of Mines, IBM
(North Zone/Central Zone/Eastern Zone/South Zone)
Udaipur/ Nagpur/ Kolkata/ Bangalore

Copy for information to: -

1. Dr. Veena Kumari D., Joint Secretary to the Govt. of India, Ministry of Mines, Shastri Bhawan, New Delhi.
2. Principal Secretaries / Secretaries of all State Government.
3. Director of Mines and Geology of all State Government.
4. The Regional Controller of Mines/ Deputy Controller of Mines & OIC, IBM (Ajmer/ Bangalore/ Bhubaneswar/ Chennai/ Dehradun/ Gandhinagar/ Goa/ Guwahati/Hyderabad/ Jabalpur/ Nagpur/ Raipur/ Ranchi)
5. The Technical Secretary, IBM, Nagpur.



(P. N. Sharma)
Chief Controller of Mines I/c

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No.: O-11011(9)/1/2023-CCOM-MDR-IBM_HQ Nagpur dated: 18.05.2023

OFFICE MEMORANDUM

Subject: Disposal of applications under Rule 12(1)(k) of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (MCR'2016)-regarding.

Indian Bureau of Mines (herein after referred to as IBM) is vested with the responsibility to provide consultation to the concerned State Government(s) for the matters as prescribed under Rule 12 (1)(k) of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (as amended up to 02.11.2021). Vide order dated 22.03.2022, Controller General, IBM has delegated the power for disposal of applications referred to IBM under Rule 12(1)(k) by the concerned State Government shall be disposed by Controller of Mines or OIC (as the case may be), posted in the zonal office of IBM; for mines falling within their jurisdiction.

2. Further, revised guidelines were also issued in this regard for the cases of major mineral proposed to be used as minor mineral as well as for the cases of overburden or the waste rock or the mineral below the threshold value, which is generated during the course of mining or beneficiation of the mineral; or any minor mineral extracted along with the mineral for which lease is granted as per the amended Rule 12(1)(k) of MCR'2016.

3. The second proviso introduced in Rule 12(1)(k) vide amendment dated 02.11.2021 allows disposal of overburden or waste rock or mineral below threshold value. However, the proviso is silent on intended use of overburden or waste rock or mineral below threshold value.

4. Therefore, the following column will be inserted in the format of application at Annexure- III of guidelines:-

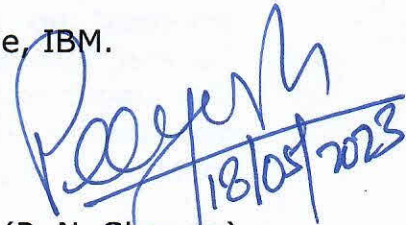
"7A Intended use of overburden or waste rock or mineral below Threshold value"

5. There may be cases where the lessee proposes to dispose mineral below threshold value but the intended use may be for any of the purpose by reason of which use it can be called a mineral other **than** minor mineral. However, in such cases, it will cause serious loss of revenue to the State Governments.

6. Therefore, it has been decided with the approval of competent authority that during examination and disposal of all applications under Rule 12(1)(k) of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, Controller of Mines **shall not agree** to disposal of mineral below threshold value, if the intended use is for any of the purpose by reason of which use it can be called a mineral other **than** minor mineral. Because, if the intended use is as a mineral other than minor mineral, then instead of seeking permission under Rule 12(1)(k), the lessee should produce and dispatch such mineral in normal course of mining and reflect the same in mining plan as well as monthly and annual returns.

7. For sake of abundance of caution, in case the lessee applies to dispose mineral below threshold value and mentions its use as a minor mineral, an undertaking may be taken from the lessee that the lessee or the person to whom such mineral is disposed, shall not use it for any of the purpose by reason of which use it can be called a mineral other **than** minor mineral.

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(P. N. Sharma)
Chief Controller of Mines I/c

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