Chronology of status of validity of Mining lease:

The Coking Coal Mines (Nationalization) Act, 1972 dated 17th August 1972: The right, title & interest of the owners in relation to the coking coal mines specified in the First Schedule shall stand transferred to, and shall vest absolutely in, the Central Government, free from all in cumbrances.

The Coal India (Regulation of transfers & Validation) Act 2000 dated 8th December 2000: A subsidiary company which was operating, or was in control of, any coal mine, coking coal mine, or coke oven plant which was vested in the Coal India or any other subsidiary company immediately before the commencement of this Act, shall be deemed to have been vested with the land or rights in or over such land or the right, title and interest in relation to such coal mine, coking coal mine or coke oven plant and such vesting shall be deemed to have been valid and effective at all material times as if a direction had been made by the Central Government under sub-section (1) of section 3 and accordingly no suit or other proceeding shall be instituted, maintained or continued in any court on the ground that such subsidiary company was not competent to operate or control such coal mine, coking coal mine or coke oven plant



Mineral Concession (Amendment) Rules, 2021 dated 1st October 2021: All subsisting mining leases vested or granted to Government Company or corporation before commencement of Mineral Concession (Amendment) Rules 2021 for Coal or lignite shall be deemed to have been granted for fifty years or till 31st March 2030, whichever is later





असाधारण

EXTRAORDINARY

भाग П--खण्ड 1

PART II-Section 1

प्राधिकार से प्रकारित

PUBLISHED BY AUTHORITY

सं > 44] No. 44] नई दिल्ली, वृहस्पतिवार, ग्रगस्त 17, 1972/श्रावरा 26, 1894

NEW DELHI, THURSDAY, AUGUST 17, 1972/SRAVANA 26, 1894

इस भाग में भिन्न पूछ संख्या दी जाती हैं जिससे कि यह अलग संकहन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 17th August 1972/Sravana 26, 1894 (Saka)

The following Act of Parliament received the assent of the President on the 17th August, 1972, and is hereby published for general information:—

THE COKING COAL MINES (NATIONALISATION) ACT, 1972

No. 36 of 1972

[17th August, 1972.]

An Act to provide for the acquisition and transfer of the right, title and interest of the owners of the coking coal mines specified in the First Schedule, and the right, title and interest of the owners of such coke oven plants as are in or about the said coking coal mines with a view to reorganising and reconstructing such mines and plants for the purpose of protecting, conserving and promoting scientific development of the resources of coking coal needed to meet the growing requirements of the iron and steel industry and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Coking Coal Mines (Nationalisation) Act, 1972.

(2) The provisions of sections 30 and 31 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of May, 1972.

Short tille and commencement.



Declaration as to the policy of the State. 2. It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified in clause (b) of article 39 of the Constitution.

Explanation.—in this section, "State" has the same meaning as in article 12 of the Constitution.

Definitions.

- 3. In this Act, unless the context otherwise requires,-
 - (a) "appointed day" means the 1st day of May, 1972;
- (b) "coke oven plant" means the plant and equipment with which the manufacture of hard coke has been, or is being, carried on, and includes—
 - (i) all lands, buildings, works, machinery and equipment, vehicles, railways, tramways and sidings, belonging to, or in, the coke oven plant,
 - (ii) all workshops belonging to the coke oven plant, including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand,
 - (iii) all coke in stock or under production, and other stores, stocks and instruments, belonging to the coke oven plant,
 - (iv) all power stations belonging to the coke oven plant or operated for supplying electricity for the purpose of working the coke oven plant or a number of coke oven plants,
 - (v) all lands, buildings and equipment belonging to the coke oven plant where the washing of coal is carried on,
 - (vi) all other fixed assets, movable or immovable, and current assets belonging to a coke oven plant, whether within its premises or outside.

Explanation.—"Current assets" do not include dues from sundry debtors, loans and advances to other parties and investments, not being investments in the coke oven plant;

- (c) "coking coal mine" means a coal mine in which there exists or more seams of coking coal, whether exclusively or in addition any seam of other coal:
- (d) "company" means a company as defined in section 3 of the Companies Act, 1956, and includes a foreign company within the 1 of 1956 meaning of section 591 of that Act;
- (e) "Commissioner" means the Commissioner of Payments appointed under section 20;
- (f) "Custodian" means the Custodian appointed under sub-section (2) of section 14, to take over, or carry on, the management of a coking coal mine or coke oven plant;

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- (g) "date of assent" means the date on which assent is given by the President to this Act;
- (h) "Government company" has the meaning assigned to it by section 617 of the Companies Act, 1956;
 - (i) "managing contractor" means the person, or body of persons, who, with the previous Consent in writing of the State Government, has entered into an arangement, contract or understanding, with the owner of a coking coal mine or coke oven plant under which the operations of the coking coal mine or coke oven plant are substantially controlled by such person or body of persons;
 - (j) "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes—
 - (i) all borings and bore holes:
 - (ii) all shafts adjacent to, and belonging to, or in, a mine, whether in the course of being sunk or not;
 - (iii) all levels and inclined planes in the course of being driven;
 - (iv) all open cast working;
 - (v) all conveyors or aerial ropeways provided for bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom;
 - (vi) all lands, buildings, works, adits, levels, planes, machnery and equipment, vehicles, railways, tramways and sidings belonging to, or in, or about, a mine;
 - (vii) all workshops belonging to, or in, a mine, including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshop stand;
 - (viii) all coal in stock or in transit or under production and other stores, stocks and instruments belonging to, or in, a mine;
 - (ix) all power stations belonging to, or in, a mine or operated for supplying electricity for the purpose of working the mine or a number of mines;
 - (x) all lands, buildings and equipment belonging to, or in, a mine where the washing of coal or manufacture of coke is carried on;
 - (xi) all other fixed assets, movable or immovable, and current assets, belonging to a mine, whether within its premises or outside.

Explanation.—"Current assets" do not include dues fron sundry debtors, loans an dadvances to other parties and investments, not being investments in the coking coal mine;

परियोजना पदाधिकारी
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(k) "Mineral Concession Rules" means the rules, for the time being in force, made under the Mines and Minerals (Regulation and Development) Act, 1957;

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- (l) "mining company" means a company owning a coking coal mine, and in relation to a foreign company within the meaning of section 591 of the Companies Act, 1956, the undertaking of that company in India;
- (m) "notification" means a notification published in the Official Gazette;
 - (n) "owner",—
 - (i) when used in relation to a mine, has the meaning assigned to it in the Mines Act, 1952,

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- (ii) when used in relation to a coke oven plant, means any person who is the immediate proprietor or lessee or occupier of the coke oven plant or any part thereof or is a contractor for the working of the coke oven plant or any part thereof;
- (o) "prescribed" means prescribed by rules made under this Act;
- (p) "scheduled bank" means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934;

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- (q) "specified date" means such date as the Central Government may, for the purpose of any provision of this Act, by notification, specify; and different dates may be specified for different provisions of this Act;
- (r) words and expressions used herein and not defined but defined in the Coal Mines (Conservation, Safety and Development) Act, 12 of 1952. 1952, have the meanings, respectively, assigned to them in that Act;
- (s) words and expressions used herein and not defined in this Act or in the Coal Mines (Conservation, Safety and Development). Act, 1952, but defined in the Mines Act, 1952, shall have the meanings, respectively, assigned to them in the Mines Act, 1952.

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CHAPTER II

Acquisition of the rights of owners of coking coal mines and coke oven plants

Acquisition of right in coking coal mines.

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4. (1) On the appointed day, the right, title and interest of the owners in relation to the coking coal mines specified in the First Schedule shall stand transferred to, and shall vest absolutely in, the Central Government, free from all incumbrances.

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5. On the appointed day, the right, title and interest of the owners of each of the coke oven plants specified in the Second Schedule, being the rights of coke oven plants which are situated in or about the coking coal mines of coke specified in the First Schedule, shall stand transferred to, and shall vest own absolutely in, the Central Government, free from all incumbrances.

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6. (1) Where the rights of an owner under any mining lease granted, Central or deemed to have been granted, in relation to a coking coal mine, by a State Government or any other person, vest in the Central Government be the under section 4, the Central Government shall, on and from the date of of the such vesting, be deemed to have become the lessee of the State Govern- state ment or such other person, as the case may be, in relation to such coking ment. coal mine, as if a mining lease in relation to such coking coal mine had been granted to the Central Government under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted by the State Government or such other person under those Rules and, thtreupon, all the rights under such mining lease, including surface, underground and other rights granted to the lessee shall be deemed to have been transferred to, and vested in, the Central Government.

- (2) On the expiry of the term of any lease, referred to in sub-section (1), such lease shall, if so desired by the Central Government be renewed, on the same terms and conditions on which the lease was held on the ap. pointed day, by the lessor for the maximum period for which such lease can be renewed under the Mineral Concession Rules.
- 7. (1) Notwithstanding anything contained in sections 4 to 6 (both Power of inclusive), the Central Government may, if it is satisfied that a Govern-Government company is willing to comply, or has complied, with such terms ment to and conditions as that Government may think fit to impose, direct, by an ves order in writing, that the right, title and interest of an owner in relation in a to a coking coal mine or coke oven plant referred to, respectively, in Governsection 4 or section 5 shall, instead of continuing to vest in the Central ment Government, vest in the Government company either on the date of publication of the direction or on such earlier or later date (not being a date earlier than the appointed day), as may be specified in the direction.

company

- (2) Where the right, title and interest of an owner in relation to a coking coal mine or coke oven plant vest in a Government company under sub-section (1), the Government company shall, on and from the date of such vesting, be deemed to have become-
 - (a) the lessee in relation to such coking coal raine as if a mining lease in relation to such coking coal mine had been granted to the Government company under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted under those Rules;
 - (b) the owner of the coke oven plant,

and all the rights and liabilities of the Central Government in relation to such coking coal mine or coke oven plant shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, rest pectively, of the Government company.

pany.

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CHAPTER III

PAYMENT OF AMOUNT

10. The owner of every coking coal mine or group of coking coal mines Payment specified in the second column of the First Schedule, shall be given by of amount to owners the Central Government, in cash and in the manner specified in section of coking 21, for vesting in it, under section 4, the right, title and interest of the mines. owner in relation to such coking coal mine or group of coking coal mine; an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

11. The owner of every coke oven plant specified in the second column Payment of the Second Schedule, shall be given by the Central Government, in of amount to owners cash and in the manner specified in section 21, for vesting in it, under of coke section 5, the right, title and interest of the owner in relation to such plants. coke oven plant, an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

12. (1) In consideration of the retrospective operation of the provisions of section 4 and section 5, there shall be given by the Central Goternment, in cash, to the owner of every coking coal mine specified in the First Schedule or the owner of every coke oven plant specified in the Second Schedule, an amount equal to the amount which would have been, but for the provisions of the said section 4 or section 5, as the case may be, payable to such owner under the Coking Coal Mines (Emergency 64 of 1971. Provisions) Act, 1971, for the period commencing on the 1st day of May, 1972, and ending on the date of assent.

- (2) In addition to the amount specified in sub-section (1), there shall be given by the Central Government, in cash, to the owner of every coking coal mine specified in the First Schedule and the owner of every coke oven plant specified in the Second Schedule, simple interest at the rate of four per cent. per annum on the amount specified against such owner in the corresponding entry in the fifth column of the First Schedule for the Second Schedule, as the case may be, for the period commencing on the date of assent and ending on the date of payment of such amount to the Commissioner.
- (3) The amounts referred to in sub-section (1) and sub-section (2) shall be in addition to the amount specified in the First Schedule or the Second Schedule, as the case may be.
- 13. (1) Where, in pursuance of any decree, order or injunction made Income by a court, the Central Government or the Custodian appointed under derived by 64 of 1971. the Coking Coal Mines (Emergency Provisions) Act, 1971, was prevented of coking from taking over the management of any coking coal mine or coke oven coal mines plant, the owner of such coking coal mine or coke oven plant shall render, oven within sixty days from the date of assent, to the Central Government or plants after the the Government company, as the case may be, accounts, in relation to appointed the period commencing on the appointed day and ending on the date of day to be assent, with regard to the-
 - (a) assets or stores of the coking coal mine or coke oven plant Government acquired or sold by him during the said period:

and coke refunded to the Central

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- (b) coal or coke sold or despatched during the said period;
- (c) income derived by him from the coking coal mine or coke oven plant during the said period.
- (2) If, on examination of the accounts referred to in sub-section (1), any income is found to have been derived by the owner from the coking coal mine or coke oven plant during the period referred to in that subsection, such income shall be set off against the amount specified in the First Schedule or the Second Schedule, as the case may be, against the name of such owner, and the balance of such amount shall be paid to
- (3) If no account is rendered by the owner of a coking coal mine or coke oven plant within the period referred to in sub-section (1) or if the Central Government or the Government company has any reason to believe that the account rendered by such owner is incorrect or false in material particulars, the Central Government or the Government company may refer the matter to the Commissioner and thereupon the Commissioner shall determine the income derived by the owner from the coking coal mine or coke oven plant during the period referred to in sub-section (1), and set off such income against the amount specified in the First Schedule or the Second Schedule, as the case may be, against the name of such owner and pay the balance to such owner.

CHAPTER IV

MANAGEMENT, ETC., OF COKING COAL MINES AND COKE OVEN PLANTS

Management, etc., of coking and coke oven plants.

- 14. (1) The general superintendence, direction, control and management of the affairs and business of a coking coal mine or coke oven plant, the right, title and interest of an owner in relation to which have vested coal mines in the Central Government under section 4 or section 5, as the case may be, shall,—
 - (a) in the case of a coking coal mine or coke oven plant, in relation to which a direction has been made by the Central Government under sub-section (1) of section 7, vest in the Government company specified in such direction, or
 - (b) in the case of a coking coal mine or coke oven plant, in relation to which no such direction has been made by the Central Government, vest in one or more Custodians appointed by the Central Government under sub-section (2),

and thereupon the Government company so specified or the Custodian so appointed, as the case may be, shall be entitled to exercise all such powers and do all such things as the owner of the coking coal mine or coke oven plant is authorised to exercise and do.

- (2) The Central Government may appoint an individual or a Government company as the Custodian of a coking coal mine or coke oven plant in relation to which no direction has been made by it under sub-section (1) of section 7.
- 15. (1) On the vesting of the management of a coking coal mine or coke oven plant in a Government company or on the appointment of a Custodian, all persons in charge of the management of such coking coal mine or coke oven plant immediately before such vesting or appointment, shall be bound to deliver to the Government company or Custodian, as the case may be, all assets, books of account, registers or other documents in their custody relating to the coking coal mine or coke oven plant, and any contract, whether overess or inullad mentaling for the रियोजना पदाधिकार

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persons incharge of management of coking coal mines or coke oven plants to deliver all assets,

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management of the coking coal mine or coke oven plant made before the appointed day between such persons and the owners of such coking coal mine or coke oven plant, shall be deemed to have terminated on the date on which the management of the coking coal mine or coke oven plant vests in the Government company or the Custodian so appointed.

- (2) The Central Government may issue such directions as it may deem desirable in the circumstances of the case to the Government company or Custodian as to its or his powers and duties and the Government company or Custodian may, also if it or he so desires, apply to the Central Government at any time for instructions as to the manner in which the management of the coking coal mine or coke oven plant shall be conducted by it or him or in relation to any other matter arising in the course of such management.
- (3) The Custodian shall receive from the funds of the coking coal mine or coke oven plant, as the case may be, in relation to which he or it is the Custodian, such remuneration as the Central Government may fix and shall hold office during the pleasure of the Central Government.

16. The Custodian of every coking coal mine or coke oven plant shall Accounts maintain the accounts of such mine or plant in such manner and under such conditions as may be prescribed.

CHAPTER V

PROVISIONS RELATING TO EMPLOYEES OF COKING COAL MINES AND COKE OVEN PLANTS

17. (1) Every person who is a workman within the meaning of the Employ-14 of 1947. Industrial Disputes Act. 1947, and has been, immediately before the ap-ment of pointed day, in the employment of a coking coal mine or coke oven plant. employees shall become on and from the appointed day, an employee of the Central to continue. Government, or, as the case may be, of the Government company in which the right, title and interest of such mine or plant have vested under this Act, and shall hold office or service in the coking coal mine or coke oven plant, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in relation to such coking coal mine or coke oven plant had not been transferred to, and vested in, the Central Government or Government company, as the case may be, and continue to do so unless and until his employment in such coking coal mine or coke oven plant is duly terminated or until his remuneration, terms and conditions of employment are duly altered, by the Central Government, or the Government company.

- (2) The Central Government or the Government company in which the right, title and interest in relation to a coking coal mine or coke oven plant have vested, may employ, on mutually acceptable tern's and conditions, any person who is not a workman within the meaning of the Industrial Disputes Act, 1947, and who has been, immediately before the appointed day, in the employment of a coling coal mine or coker oven plant, and on such employment the said person shall become an employee of the Central Government or the Government company, as the case may
- (3) Save as otherwise provided in sub-sections (1) and (2), the services of every person employed by the owner or occupier of a coking coal mine or coke oven plant before the appointed day shall stand terminated on and from the specified date,

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- (4) Notwithstanding anything contained in the Industrial Disputes
 Act, 1917, or in any other law for the time being in force, the transfer 14 of
 of the services of any officer or other employee from a coking coal mine
 or coke oven plant to any other coking coal mine or coke oven plant shall
 not entitle such officer or other employee to any compensation under this
 Act or any other law for the time being in force and no such claim shall
 be entertained by any court, tribunal or other authority.
- (5) Where, under the terms of any contract of service or otherwise, any person whose service becomes terminated, or whose service becomes transferred to the Central Government or a Government company by reason of the provisions of this Act, is entitled to any payment by way of gratuity or retirement benefit or for any leave not availed of, or any other benefits, such person may enforce his claim against the owner of the coking coal mine or coke oven plant, as the case may be, but not against the Central Government or the Government company.

Provident fund.

- 18. (1) Where a coking coal mine or coke oven plant has established a provident fund for the benefit of its employees, the monies relatable to the employees, whose services have become transferred, by or under this Act, to the Central Government or a Government company, shall, out of the monies standing, on the appointed day, to the credit of such provident fund, stand transferred to, and vest in, the Central Government or the Government company, as the case may be.
- (2) The monies which stand transferred, under sub-section (1), to the Central Government or a Government company shall be dealt with by that Government or company, as the case may be, in such manner as may be prescribed.

Superannuation, welfare and other funds.

19. Where a superannuation, welfare or other fund has been established for the benefit of the employees whose services stand transferred to the Central Government or a Government company, the coking coal mine or coke oven plant, by which such employees were employed, shall distribute the amount due to each such employee as if the employee had superannuated, or his services with the coking coal mine or coke oven plant had terminated, on the day immediately preceding the specified date.

CHAPTER VI

COMMISSIONER OF PAYMENTS

Commissioner of Payments to be appointed.

- 20. (1) For the purpose of disbursing the amounts payable to the owner of each coking coal mine or coke oven plant, the Central Government shall appoint such person as it may think fit to be the Commissioner of Payments.
- (2) The Central Government may appoint such other persons as it may think fit to assist the Commissioner.
- (3) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of India.

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21. (1) The Central Government shall, within thirty days from the Payment specified date, pay, in cash, to the Commissioner, for payment to the Central owner of a coking coal mine or coke oven plant, a sum equal to the sum Governspecified against the coking coal mine or coke oven plant, as the case the Commay be, in the First Schedule or the Second Schedule together with the missioner. amount and interest, if any, referred to in section 12.

- (2) In addition to the sum referred to in sub-section (1), the central Government shall pay, in cash, to the Commissioner, such amount as may become due to the owner of a coking coal mine or coke oven plant in relation to the period during which the management of the coking coal mine or coke oven plant remained vested in the Central Government.
- (3) The Commissioner shall open and operate an account in a scheduled bank in respect of each coking coal mine or coke oven plant.
- (4) Every amount paid to the Commissioner shall be deposited to the credit of the account, referred to in sub-section (3), of the coking coal mine or coke oven plant to which the payment relates.
- (5) Interest accruing on the amount standing to the credit of the account referred to in sub-section (3) shall enure to the benefit of the owner of the coking coal mine or coke oven plant, as the case may be.
- (6) References in this section to the owner of a coking coal mine shall, in relation to a group of coking coal mines specified in the First Schedule, be construed as references to the owner of that group of coking coal
- 22. (1) The Central Government or the Government company, as the Statecase may be, shall cause the books in relation to each coking coal mine ment of or coke oven plant, the management of which has vested in it under the in rela-64 of 1971. Coking Coal Mines (Emergency Provisions) Act, 1971, to be closed and tion to the period balanced as on the 30th day of April, 1972, and shall cause a statement of of manage accounts, as on that day, to be prepared, within such time, in such form ment by the Cenand in such manner as may be prescribed, in relation to each such mine tral Gov or plant in respect of the transactions effected by it during the period ernment, for which the management of such coking coal mine or coke oven plant remained vested in it:

Provided that where two or more coking coal mines or coke oven plants were owned, before the commencement of this Act, by the same owner, a consolidated statement of accounts may be prepared for all the coking coal mines or coke oven plants owned by such owner,

- (2) All amounts received by the Central Government or the Government company after the closure of such accounts shall, where such amounts relate to transactions effected before the appointed day be included in the said statement of accounts in respect of the coking coal mine or coke oven plant to which the said receipt relates.
- (3) The Central Government or the Government company in which the right, title and interest of the coking coal mine or coke over plant stands vested shall be entitled to receive, up to the specified date to the exclusion of all other persons, any money, due to the coking coal mane or

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coke oven plant, as the case may be, realised after appointed day notwithstanding that the realisations pertain to a period prior to the appointed day:

Provided that where such realisations have not been included in the statement of accounts as on the 30th day of April, 1972, a supplementary statement of accounts shall be prepared and furnished, at such intervals as may be prescribed, by the Central Government or the Government company to the owner of the coking coal mine or the coke oven plant, as the case may be.

(4) The liabilities of the coking coal mine or the coke oven plant (not being liabilities arising out of advances made by the Central Government or Government company), which could not be discharged by the appointed day, may be discharged by the Central Government or the Government company up to the specified date, and every payment made for the settlement with the owner shall be included in the statement of accounts as on the 30th day of April, 1972, indicating therein the period in relation to which the payments were made:

Provided that the liabilities in relation to the period prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of the owner of the coking coal mine or the coke oven plant, as the case may be.

(5) A copy of each statement of accounts prepared under this section shall be delivered by the Central Government or the Government company, as the case may be, to the Commissioner and also to the owner:

Provided that where the number of owners is more than one only one copy of the statement of accounts shall be given to the owners for the benefit of all of them.

- (6) The statement of accounts prepared under this section shall be audited by a person who is qualified to be appointed as an auditor of a company under section 226 of the Companies Act, 1956, and the auditor 1 of 1956. so appointed shall receive, from the funds of the coking coal raine or coke oven plant, as the case may be, such remuneration as the Central Government may fix.
- (7) The audit of the statement of accounts shall be conducted in such manner as the Central Government may direct.

Claims to be made to the commissioner. 23. (1) Every person having a claim against the owner of a coking coal mine or coke oven plant shall prefer such claim before the Commissioner within thirty days from the specified date:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may, on the expiry of the said period of thirty days, entertain the claim within a further period of thirty days, but not thereafter.

(2) Notwithstanding anything contained in any other law for the time being in force, there shall be paid in priority to all other unsecured debts, not being the amounts advanced by the Central Government or

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- (a) all wages or and a finelading wages population to be piece work and salary cannel wholly or to part by may of on which star) of any employee, to the set of a little remise a continuous factor of the second cent mine or coke over that, as the case may but it is a safety adding payable to any word of a under any provisions of Comptential of the Industrial Disputes Act, 1941;
- (4) all america and , it is not be constructed to a differ the tactve months near teless the appointed day, water the A Mines Provident Pund, rose ty decision and Longs Let area Cold as any other harmon and the former;
- (c) all amounts, a server of only sample of the Silver respect of the death of the south of the major. call mine or coke over part trains such mine or , but out the And, rights capable of being a managed to und access and being the
- (d) all sums due to any amployee from a protession that all the Junel or granticy fund of the policy fund established at the section of the employees of the labor; that mine or cake case that the
- (e) all surer due to the Pante Government of receipt, r點 deal cent, as the country for
- (i) The debis quarant is the said shak this is a full of then helves and be paid at full, the sollie shrett are the discrete the then by which care the relief of the in equal preparation has high
- (1) The Commission of the contain date on or information on the contains of th benefit of the disburs of the of, he the Commissioner.
- (f) I'vi less that given by advertisement have home of the daily never principle the entropy and early and early the control of the entropy in the entropy of the control of the entropy of th au die Communication i en , e e e e and comorbit to a the chairman. , Linchia disf sa ng galihin Tian n
- (6) Every claiment the least of all the proof of the call while Could refined by the Company of the Lagrangian for the second of the Second
- (") The Commission of their of a such layers of the ending the opinion, be necessary and after giving the owner of the ecking coalchine or ooks even plant, as the ease may be, an apportunity of relative the status and artic plating the maintains a commencial acquired by the thin turns, to written about ar expect the clumb, to written about ar expect the clumb in white are to part.

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- (8) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions including the place or places at which he will hold his sittings and shall, for the purpose of making any investigation under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:—
 - (a) the summoning and enforcing the attendance of any witness and examining him on oath;
 - (b) the discovery and production of any document or other material object producible as evidence;
 - (c) the reception of evidence on affidavits;
 - (d) the issuing of any commission for the examination of witnesses.
- (9) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the 45 of 1860. Indian Penal Code and the Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXXV of the CODE of Criminal Procedure, 1898.
- (10) A claimant who is dissatisfied with the decision of the Commissioner may prefer an appeal against the decision, to the principal civil court of original jurisdiction within the local limits of whose furisdiction the coking coal mine or coke oven plant, as the case may be, is situated.

Disbursement of money by the Commissioner. 24. Where the total amount of the claim admitted by the Commissioner does not exceed the total amount of the money credited to the account of a coking coal mine or coke oven plant, every such admitted claim shall rank equally among themselves and be paid in full, and the balance, if any, shall be paid to the owner, but where such amount is insufficient to meet in full the total amount of the admitted claims, every such claim shall abate in equal proportions and be paid accordingly.

Amounts advanced by the Central Government how to be recovered.

25. Every amount advanced by the Central Government or the Custodian, as the case may be, for the management of a coking coal mine or coke oven plant shall be recovered from the income derived by such coking coal mine or coke oven plant in respect of the period during which the management of such mine or plant remained vested in the Central Government:

Provided that where such income is insufficient to meet in full the total amount of the advances made by the Central Government or the Custodian for the management of the coking coal mine or coke oven plant, the Central Government may make a claim to the Commissioner for the deficiency of the amount so advanced and the claim in respect of such deficiency shall have priority over the claims of all other unsecured creditors of the coking coal mine or coke oven plant.

Explanation.—In this section, "Custodian" means the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971. 64 of 1971.

Disputes how to be dealt with.

26. (1) In the event of there being a doubt or dispute as to the right of a person to receive the whole or any part of the amount referred to in sections 10, 11 and 12, the Commissioner shall refer the matter to the court for a decision, and shall make the disbursements in accordance with the decision of the court.



(2) In relation to a coking coal mine or coke oven plant, the operations of which were, immediately before the 17th day of October, 1971 under the control of a managing contractor, the amount specified in the First Schedule against such coking coal mine or in the Second Schedule against such coke oven plant shall be apportioned between the owner of the coking coal mine or coke oven plant and such managing contractor in such proportions as may be agreed upon by or between the owner and such managing contractor, and in the event of there being no such agreement, in such proportions as may be determined by the court.

Explanation.—In this section, "court", in relation to a coking coal mine or coke oven plant, means the principal civil court of original jurisdiction within the local limits of whose jurisdiction the coking coal mine or coke oven plant is situated.

27. Any money paid to the Commissioner which remains undisbursed Undisbursor unclaimed after such payment for a period of three years shall be ed or transferred by the Commissioner to the general revenue account of the amounts Central Government; but a claim to any money so transferred may be depoited preferred to the Central Government by the person entitled to such pay- to the ment and shall be dealt with as if such transfer had not been made, the reverue order, if any, for payment of the claim being treated as an order for the account. refund of revenue.

CHAPTER VII

MISCELLANEOUS

28. The provisions of this Act shall have effect notwithstanding any- Effect of thing inconsistent therewith contained in any other law for the time other being in force or in any instrument having effect by virtue of any law laws. other than this Act, or in any decree or order of any court, tribunal or other authority.

29. (1) Every contract entered into by the owner or occupier of any Contracts coking coal mine or coke oven plant for any service, sale or supply before have the appointed day shall, on and from the expiry of one hundred and effect twenty days from the date of assent, cease to have effect unless such con- rat fled tract is, before the expiry of that period, ratified, in writing, by the by the Central Government and in ratifying such contract the Central Govern- Government may make such alterations or modifications therein as it may think me it

Provided that the Central Government shall not omit to ratify a contract unless it is satisfied that such contract is unduly onerous or has been entered into in bad faith or is detrimental to the interests of the coking coal mine or coke oven plant.

(2) The Central Government shall not omit to ratify a contract or make any alteration or modification therein except after giving to the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for refusal to ratify the contract.

परियोजना पदाधिकारी Project Officer कुईयाँ कोलियरी Kuya Colliery

Penaltics.

30. Any person who,-

- (a) having in his possession, custody or control of any property forming part of the undertaking of any coking coal mine or coke even plant referred to in the First Schedule or the Second Schedule, as the case may be, wrongfully withholds such property from the Central Government, or Government company, or
- (b) wrongfully obtains possession of, or retains, any property forming part of the undertaking of any coking coal mine or coke oven plant referred to in the First Schedule or the Second Schedule, as the case may be, or wilfully withholds or fails to furnish to the Central Government or any person specified by that Government, any document relating to such coking coal mine or coke oven plant, which may be in his possession, custody or control, or fails to deliver to the Custodian any assets, books of account, registers or other documents in his custody relating to the coking coal mine or coke oven plant in respect of which a Custodian has been appointed, or
- (c) wrongfully removes or destroys any property of any coking coal mine or coke oven plant or prefers any claim under this Act in relation to such mine or plant, which he knows or has reasonable cause to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies. 31. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due disgence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed with the consent or connivarce of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punishd accordingly.

Explanation .- For the purposes of this section,-

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
 - (b) "director", in relation to a firm, means a partner in the firm.



32. No proceeding for the winding up of a mining company, the right, Mining title and interest in relation to the coking coal mine or coke oven plant companies owned by which have vested in the Central Government or in a Govern-betwound ment company under this Act or for the appointment of a receiver in respect of such business, shall lie in any court except with the consent of the Central Government.

33. (1) The Central Government may, by nitification, direct that all Delegation or any of the powers exercisable by it under this Act may also be exercised by any person or persons as may be specified in the notification

- (2) Whenever any delegation of power is made under sub-section (1), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.
- 34. (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) the manner in which the coking coal mines or coke oven plants shall be managed by a Government company or a Custodian;
 - (b) the manner in which provident fund monics referred to in section 18 shall be dealt with:
 - (c) the form and manner in which the statement of accounts referred to in section 22 shall be prepared;
 - (d) any other matter in relation to which such rule is required to be, or may be, made.
- (3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

35. If any difficulty arises in giving effect to the provisions of this Act, Power to the Central Government may, by order, not inconsistent with the providifficulsions of this Act, remove the difficulty:

ties.

Provided that no such order shall be made after the expiry of a period of two years from the date of assent.

- 36. Nothing in this Act shall apply to any coking coal mine-
 - (a) owned or managed by a Government company or corporation mines to owned or controlled by Government:
 - (b) owned or managed by a company engaged in the production shall not of iron or steel:

Provided that this section shall not extend to such mine or part thereof which, in the opinion of the Central Government, is in excess of the requirements for the production of iron and steel by that company,

परियोजना प्रवाधिकारी Project Officer कुईयॉ कोलियरी Kuya Colliery

Coking coal

which the Act apply. 1

THE FIRST SCHEDULE

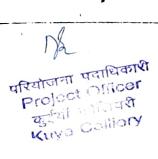
(See sections 4 and 10)

St. No.	Name of the m	ine		Location of the mine	Nune and address of the owners of the mine	Amount (in rupees)
1	2			3	4 3	5
1	Dhori (EB-1)			Post office Bermo, District Hazaribagh.	Ownership under dispute.	6,77,500
2	Kalyani Selected Kar	rgali (1	EB-2)	Post Office Pichri, District Hazaribagh.	Gouri Shanker and Others, Post Office Berino, Hazaribagh.	7,19,000
.3	Khas Dhori (EB-3)			Post Office, Pichri, District Hazaribagh.	Khas Dhori Colliery Company, Post Office Katrasgarh, Dhan- bad.	4,07,000
4	Pipradih (EB-4) .			Post Office, Gomiabagi District Hazaribagh.	h Pacific Coal Company, Post Office Gomia, District Hazaribagh.	14,13,500
5	Pichri (EB-5)	٠		Post Office Pichri, District Hazaribagh.	Pichri Colliery Company Private Limited, Post Office Bermo, Hazaribagh.	3,21,800
6	Selected Dhori (EB-6	5) .	:	Post Office Bermo, District Hazaribagh.	Selected Dhori Colliery, Post Office Katrasgarh, Dhanbad.	7,43,500
7	Turiyo (EB-7) .			Post Office Turiyo, District Hazaribagh.	Bhubaneswar Singh and Shiv- dayal Rathi Post Office, Jharia, Dhanbad.	5,74,000
8	Tarmi (EB-8) .			Post Office Turiyo, District Hazaribagh.	Tarni Colliery Company, In- dustrial Bank Building, Post Office Jharia, Dhanbad.	8,30,500
9	Albion (J-1)			Post Office Karmatand	E/	4,02,(10
10	Bokaro Jharia (J-3)	•		Post Office Karmatand	Messrs. Agarwalla Brothers, Post Office Karmatand, Dhan- bud,	4,64,0000
ſŢ	North Damuda (J-3)	•	•	Post Office Nudkhurkee	Hazaribagh Coal Syndicate Private Limited, Post Office, Jharia, Dhanbad.	8,39,300
12	Kessurgarh (J-4) .		٠	Post Office Nudkhurkee	and the second s	27,50,000
13	Madhuband (J-5) .		•	Post Office Nudkhurkee	E Company	
14	Kankanee (J-67) .			Post Office Bansjora		
15	Pootkee (J-69)			Post Office Kusunda		
16	Amlabad (J-188)			Post Office Bhowrah	Oriental Coal Company Limited	1,,)7,59.500
17	Bhowrah North (J-18	89).)		Calcutta-r.	ĺ
13	Bhowrah South (J-19	o) .	}	Post Office Bhowrah	F. (1)	
19	Məhafbani (J-191)		ا			
20	Begunia (R-6)			Post Office Barakar, District Burdwan.		,
21	Khas Benedih (J-6)			Post Office Nawagarh	K. C. Mukherjee and Others, Post Office Hirapur, Dhan- bad,	2,88,000
22	Benedih (J-7)	•	• ,	Post Office Nudkhurkee	Benedih Coal Concern, Post Office Katras, Dhanbad.	3,03,000

12

परियोजना पदाधिकारी Project Officer कुईयों कोलियरी Kuya CollierY

St. No.	Name of the mine	Logation of the mine	Name and address of the owners of the mine	Amount (in rupeer,)
	2	3	4	5
23	Khas Ganeshpur (J-8) .	. Post Office Nawagarh	Khas Ganeshpur Coal Mines Limited, 135, Canning Street, Culcutta.	37,500
24	Ganeshpur (1-9)	. Post Office Nawagarh]	Ganeshrur Coal Company Private Limited, Post Office Ganeshpur, Dhanbad.	37,500
25	Ashakuti Phularitand (J-10)	. Post Office Kharkharee	Ashakuti Coal Company Limited, 1/1, Rowland Road, Calcutta—20.	18,19,000
26	Mohanpur (J-11)	Post Office Kharkharce	Shrimati Parbati Devi, Post Office Kharkharce, Dhanbad.	2 5,000
27	New Bansjora (J-12)	. Post Office Kharkharee	S. K. Sahana and Sons Private Limited, Post Office Khar-kharee, Dhanbad.	1,49,000
28	Khas Bhurangya (J-13)	. Post Office Mohuda	Khas Bhurangya Coal Company, Post Office Jharia, Dhanbad.	5,000
29	Rancedih/Pipratand (J-14)	• Post Office Mohuda	Shri K. L. Sablok, C/o Motors, Post Office Dhanbad.	35,660
30	East Mucheraidih (J-15)	Post Office Mohuda	East Mucheraidih Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
31	New Huntodih (J-16)	Post Office Mohuda	New Huntedih Coal Company Limited, 178, Mahatma Gandhi Road, Calcutta-I.	21,300
32	Bhatdee (J-19)	• Post Office Mohuda	Bengal Bhatdee Coal Company Umited, 1.1, Netaji Subhas Road, Calcutta.	19,60,800
33	Kharkharee (J-20)	. Post Office Kharkharee	Bharat Mining Corporation Limited, 91, Stephen House Dalhousie Square East. Calcutta-1.	
34	New Sinidih (J-21) .	. Post Office Kharkharce	Messrs. Bamandina Coal [Com- piny Limited, 3, Synagogue Sirect, Calcutta-1.	39,500
35	Dharmaband (J-22)	. Post Office Katrasgarh	II Barat and M.C. Baraty Fost Office Katrasgarh, Dhan- tad.	16,300
30	New Dharmaband (J-23)	. Post Oilice Malkera	Sethia Mining and Manufectur- ing Company Limited, 4, Bakul Bagan Road, Calcutta.	
37	Sinidih (J-25)	. Post Office Katrasgarh	Simidih Colliery Concern Privated Limited, Post Office Katrasgark Dhanbad.	5,13,500
35	Tundoo Khas (J-26) .	. Post Office Tundoo	J. P. Lala & Sons Collicries Pri- vate Limited, Post Box No. 76, Dhanbad.	4,79,000
39	Bilbera (J-37)	. Post Office Katrasgarh	B. N. Mondal and Company, 22 Canning Street, Calcutta.	13,93,500
10	Jealgora Govindpur (J-28)	Post Office Sonarchh	Jealgyra Govindpur Collicty Company Limited, Post Office Sonardih, Dhanbad.	
4 I	South Govindpur (J-29)	Post Office Katrasgarhe.	II. I. Pathak, Post Office Kauus garb, Dhanbad.	4,22,500[
.42	Diamond Tettuliya (J-30)	Post Office Sonurdih	Bihar Collieries Limited, District Dhambad,	15,000
43	Central Tetturya (J-31)	Post Office Malkera	Sri Tarapada Lodha & Other Post Office Katrasgath, Distric Dhanbad,	



350	T	HE GAZETTE OF IN	DIA EXTRAORDINARY	[PART II-
SI. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
44	New Tentulia (J-32)	Post Office Malkera	Centulia Khas Colliery Company Limited, 25, Barbourne Road, Calutta.	16,86,500
45	Central Kooridih Sonardih (J-33)	Post Office Katrasgarh	Central Kooridih Colliery Com- pany, Post Office Katrasgarh, Dhanbad.	12,23,566
46	New Gobindpur (J-34)	Post Office Sonardih	New Gobindpur Coal Company Limited, 33, Canning Street, Calcutta-1.	13,92,000
47	Khas Mehtadih (J-35)	Post Office Katrasgarh	Messrs. Khas Mehtadih Collery Company, Post Office Karras- garh, Dhanbad.	13,80,000
48	Agardi (J-36)	Post Office Karrasgarh	Agardih Colliery Company, Post Office Katrasgarh, District Dhanbad.	3,78,8cc
49 50	Katras Choitodih (J-37). Mudidih (J-62)	Post Office Katrasgarh	Burrakar Coal Company L mi- ted, Chartered Bank Bulk ing, Calcutta-x.	1,68,56,000
51	Badruchuk (J-63)	Post Office Sijua		
52	Loyabad (J-68)	Post Office Bansjora		
53	Lakurka (J-38)	Post Office Katrasgarh	Lakurka Coal Company Limited, 3, Synagogue Street, Calcutta.	7,27,00.0
54 55	Koiludih (Ĵ-39) East Katras (Ĵ-4f)	Post Office Katrasgarh	Messrs. East Katras Colliery Company Private Limited, Post Office Katrasgarh, Dhanbad.	20,08,000
56	Khas Govindpur (J-40)	Post Office Katagarh	Khas Govindpur Coal Company' Private Limited, Post Office Katrasgarh, Dhanbad,	2,65,000
57 58	East Salanpur (J-42) Joint Salampur (J-43)	Post Office Katrasgarh	East Salanpur Colliery Company, Post Office, Katrasgarh, Dhan- bad.	2,97 <u>,5</u> ca
59	Khas Salanpur (J-44)		*	
60	North Salanpur (J-45)	Post Office Katrasgarh	Sahai Brothers (Receiver H. S., Sahai), Post Office Katrasgarh, Dhanabad.	1,00,000
61.	Selected Salanpur (J-46)	. Post Office Katrasgarh	Central S-lanpur Collery Com- pany, Post Office Katrasgarh Dhanbad.	5,000
62	Central Salanpur (J-47)	. Post Office Kathegarh	Central Salanpur Coal Concern, Post Office Katrasgarh, Dhan- bad.	1,84,500
63	Lakurka Khas (J-48)	Post Office Katrasgath	Bharat's Debutter Estate, Post Office Katrasgarh, Dhaphad.	1,96,800
6.		Post Office Katrasga h	M/s. New Lakurka Colliery Com- pany and Shrimati Sarojini Devi, Port Office, Katrasgarh Dhanbad.	4,14,500 i
60	5 National Angurpathyn (J-51)	Post Office Katrasgam	National Coal Company Private Limited, 48/1, Rami Tarun Bose Lane, Calcutta-6.	2,89,000
6	7 Union Angarpathra (J ² 52)	Post Office Sijua	Union Coal Company Limited 135, Hiplabi Rash Behari Bast Road, Colcutta-1.	l, 4,51,000
J6	S Gaslitam (J-53)	Post Office Sijua	New Manbhun Coul Company (38, Biplabi Rah Bekari Bas Road, Calcutta)	12,42,000
\ 6	9 T Ramkanali (J-54)	Post Office Katrasga		4,70,000 s-



l. V.	Name of the mine	Location of the mine		n rupces)
	3	3	4	5
70 Trip	unait (J-55)			
71 Kan	ta Pahari (J -56)			41
72 Kha	s Angarpathra (J-57)	Now Office Patrospork	East Angarpathra Colliery Com-	16,20,600
73 Jhar	ia Khas (J-58)	Post Office Katrasgarh	pany Limited, Post Office Ka- trasgarh, Dhanbad.	
74 East	Angarpathra (J-59)		trasga: 11, Difaithao.	5
75 Mal	habir Angarpathra (J-60)			41
76 Dia	mond Angarpathra (J-61)	Post Office Katrasgarh	Diamond Angarpathra Colliery Company, Post Office Katras- garh, Dhanbad.	5,000
77 Jog	ta (J-64)]	Post Office Sijua	Jogta Coal Company Limited, Post Office Sijua, Dhanoad.	6,32,000
78 Sen	dra (J-65)	Post Office Bansjora	Messrs. Hind Shippers Limited, 135, Biplabi Rash Behari Basu Road, Calcutta—1.	9,99,0000
	dra Bunsjora-Gopal Gara	ria 🥇		
	J-66)	Post Office Bansjora	Messrs. Sendra Bansjora Co-	18,29,000
	rth Ekra (J-78) raria (J-79)		iliery Company Private Limited, x35, Canning Street, Calcutta—1.	
S2 Go	palichuck (West) (J-70)	ì	Central Kirkend Coal Company	6,94,030
	ntral Kirkend (J-71)	Post Office Kusunda	Limited, 91, Stephen House, Dalhousie Square East, Calcutta—1.	
84 Me	otiram's Kirkend (J-72)	Post Office Kusunda	Moricam Roshaoial Coal Com- pany Private Limited, Dhanad.	43,800
85 KI	nas Kirkend (J-73)	Post Office Kusunda	Phuramal Agrwal, Post Office Dhansar, Dhanbad.	18,30
/	irkend (J-74)	Post Office Kusunda	New Marine Coal Company (Dengal) Limited, 111, Chitta- rahjan Avenue, Calcutta.	16,24,00
,	ew Marine (J-75) ansdeopur (J-77)	Post Office Kastlinda	New Bansdeopur Coal Company Limited, 26-B, Netaji Subhas Road, Calcutta.	4,44,50
89 C	entral Gararia (J-80)	Post Office Bansjora	Central Gararia Colliery Com- pany Private Limited, Post Office Bansjora, Dhanbad.	58,80
90 G	iraria (J-SI)	Post Office Bansjora	Tikmani and Company, Post Office Bansjora, Dhanbad.	1,34,00
91 C	hhota Bowa (J-82)	Post Office Bansjora	Chhota Bowa Collisty Company Limited, Post Office Bansjora, Dhanbad	3,27,50
92 N	iurulidih (J-17)	Post Office Mohuda		AST.
-	Vest Bhuggatdin (J-95)	Post Office] haria	Kalyanji Mavji and Company, 14. Netaji Subhas Road,	21,33,60
, ,	ndustry (J-96)	Post Office Dhansar	Calcutta—1.	*1
95 V	vest Ena (J-97)	Post Office Dhansar	J	3
		(-18) Post Office Mohuda	Bengal Coal Company Limited,	49,49,0
•	manch (13-3)	Post Office Chirkund District Dhanbad.	la, } 8, Clive Row, Calcutte—1	15
, ç . N	Maheshpur (J-24)	Post Office Katrasgar	h Messrs. Sahu Minerals and Pro-	29,68,0
99 1	kra Khas (J-76)	Post Office Kusunda	j raj Roa.l, Jaipur.	
100	Busseriya (J-83) Busseriya North	Post Office Kusunda	Busseriya Coal Company (Private) Limited, 13, Radhu Bazar Lane, Calcutta—1.	4,29,5

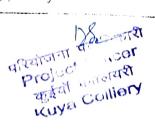
परियोजना पदाधिकारी Project Obleer सुईयों जोदेग्यरी Kuya Colliary

1

SI. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	(in rupces)
ı	2	3	4 %	5
102	East Extra (J-84)	Post Office Bansjora	East I.kra Coal Compnay, C/o K. Worah, Jora Bangalow, Dhanbad.	, 11,360
103	North Busscriya (J-86)	Post Office Bansjora	North Busseriya Collicry Cont- pany, Post Office Bansjora, Dhanbad.	1,75,360
104	Surendta East Loyabad (J-87)	Post Office Kirkend	Surendra East Loyabad Colliery, Compnay, Post Office Jharia, Dhanbad.	1,24,500
105	Gondudih (J-88)	Post Office Kusunda	Central Aikusa Colliery Company, Post Office Kusunda, Dhanbad.	3,57,000
106	Dhariajoba (J-89)	Post Office Kirkend	M/s. II. D. Agarwalla & Sons,	13,65,500
107	West Godhur (J-90)	Post Office Kusunda	Post Office Jharia, Bihar.	
8c1	Godhur (J-91)	Post Office Kusunda	Godfair Colliery Compnay, Post Office Kusunda, Dhanbadi	33,07,666
109	Pure Kustore (J-92)	Post Office Kusunda	Pure Kustore Colliery Compnay, Post Office Kusunda, Dhag- bad.	19,27,500
110	Nayadee Kusunda (J-93)	Post Office Kusuhda	Kusunda Nayadee Colliery Company (Private) Limited, Post Office Kusunda Dhanbad,	27,42,666
111	Kusunda (J-94)	Post Office Kusunda	Not available.	5,000
112	Kendwadih (J-98)	Post Office Kusunda]	•
113	South Bulliary (J-101)	Post Office Kusunda	Ray In lie Cool Compress I of	Fra 28 500
114	Jealgora (J-184)	Post Office Jealgora	East India Coal Compnay Ltd., Post Office Jealgora, Dhanbad.	[93,28,500
115	Bararce Joyarampur (J-168)	}	10	f. •
116	Bararce (J-185)	}		(
117	Balihari C.T.C. (J-99)	Post Office Kusunda	Not available.	22,500
118	Kutchi Balihari (J-100)	Post Office Kusunda	Balihari Colliery Compnay Limit- ted, 14, Netaji Subhas Rogel, Calcutta-1.	6,53,000
119	Bhagaband (J-102)	Post Office Bhagaband	The Borrea Coal Compnay Limited, Chartered Bank Building, Calcutta-1.	32,58,000
120	Gonshadih (J-104)]	Post Office Kusunda	Sti Diswanath Roy, Kesha mud House, Post Office Katrassach, Dhanbad.	12,90,500
121	Kendwadih (J-103)		Pr 1	
122	Bhurgoria (J-109)	Post Office Bhaga	Equitable Coal Company Limi-	98,800
123	Hurriladilı (J-110)		ted, 1/2-Lord Sinha Load, Calcutta-16.	
124	Alkusa South (J-105)	Post Office Kustore		,
125	Kustore (J-106) [Post Office Kustore	Rancegunge Coal Association Limited, 3A, Chowringhee	91,95,000
126	Burragarh (J-107)	Does! Office ! Hearing	Place, Calcutta-13.	
127	Pure Burragarh (J-108)	PostiOffice[Jharia	J	
128	Simlabahal (J-111)	Post Office Jharia	Shri P. Roy, Director and nom- nated owner, Bhalgors Coal Compnay, 3, Synagogue Street, Calcutta.	4,93,600



NI. No.	Name of the mine	Location of the min	e Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
(5)	Bhugga(dih (J- 112)	Post Office Dhansar	Bengal Nagpur Goal Compnay, 5. Synagogue Street, Calcutta—1.	6,47,000
130	Ena (I-113)	Post Office Disassar	North West Coal Compnay Limited, 5, Synagogue Street, Calcutta, 11.	9,77,500
131	East Bhalgora (I-114) Khas Jharia (J-115))	2	,
133	East Ena (J-116)	1	5	1
136	iast Bhuggaidth (J-117) Selected Khas Jharia (J-118) Selected Jharia (J-119) elected Model Jharia (J-121)	Post Office Jharia	Fast Bluggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.	17,08,000
138 1	Bhalgora (I-120)	Роз: Оже Jharia	Bhalgora Coal Company Linu- ted, 3, Synagogue Street, Calcutta-1.	4,86,000
130 1	lew Khas Jharia (J-122))	1	
140 1	ularibad (J-127)	Post Office Jharia	Fularibad Colliery Company,	15,000
141 5	Sonalibad (J-138)]	Post Office Jharia, Dhanbad.	15,000
1.12 R	ajapur (J-125)	Post Office Jharia	Raiapur Colliery Company Limited, Post Office Jharra, Dhanbad.	2.39,000
	has Bhuggatdih (J-126)	Post Office Jharia	Khas Bhuggatdih Colliery Cara- pany, Post Office Jharia. Dhanbad.	2,67,000
	ew Pare Jharia (J-124)	Post Office J'utria	D.D. Thacker and Sons, Dhankad.	
1.15 P	ire Jharia (J-127)		D.D. Thacker and Sons, Dhanead.	10,000
146 K	. P. Dobari (J-128)	Post Office Jharia	K. P. Dobari, Post Office Jharia.	54,300
	odel Jharia (J-129)	Post Office Jinaria	J. K. Banerice and Others, Port Boy No. 46. Hirapur, District Dhanbad.	1,45,800
149 Ea	st Pure Jharia (J-130)	Post Office Ibaria	Owner not known.	5,000
	obar (J-131)	Post Office Jhavia	R. N. Bagchi and Brothers, 5, 8, Middle Row. Calcutta.	3,42,300
151 Eu	st Model Jharia (J-132)	Post Office Iliaria	Not available.	5,000
152 Go	Hen Jharja (J-134)	Post Office Jharia	Khora Ramji. Post Office Jhar a. Dhanbad.	5,000
	ehpur (J-135)	Post Office Juaria	G.K. Dossa and Company, Pour Office Jharia, Dhanbad.	5.000
	e Durgapur (J-136)	Post Office Jharia	Pure Durgapur Colliery Com- pany Private Limited, Post Office Jharia, Dhanbad.	5,000
155 Kh	as Jharia (J-137)	Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanlad.	5,000
	thoodih (J-139)	Ppst Office Jharia	S. R. Banerjee and Sons, 2056 Office Tharia, Dhanbad.	27,52,000
57 East	Jharia (J-140)	Post Office Jharia	Not available,	5,000
	2. Kniama (f-141) sma (f-142)		Jayantilal Keshavji Bale, Dave House, Joraphatak, Post Office Dhansar, Dhanbad,	96,800



354		THE GAZETTE OF IN	NDIA EXTRAORDINARY	IPART II-
SI.	Name of the mine	Location of the mine	Name and address of the owners of the mane	(in rupces)
	3	3		5/
	North Kujama (J-143)	Pou Office Tharia	Ganji Dossa and Company, Post Office Tharia, Dhanbad.	63,500
161 162 163	Central Kujama (J-144) Nanji Kujama (J-145) Pandebera (J-146)	Post Office Jharia	Central Kuiama Coal Concern, Post Office Jharia, Dhanbad.	5,26,000
165 164	Pure Kujama (J-147) Kujama Pandebera (J-148)			
166	South Kujama (J-149)	Post Office Juaria	Bagdigi Kujama Collieries Com- pany (1946) Limited, Post Office Jharia, Dhanbad.	25,84,000
167	Goluckdih (J-150)	Post Office Jharia	Goluckdih Colliery Company, 22, Burtolla Street, Calcutta.	13,96000
168 169	South Goluckdih (J-151) Central Jharia (J-152)	Post Office Jharia	Messrs. Khimji Dossa and Sons, Post Office Iharia, Dhanbad. and	8,78,<00
170	Indian Jharin (J-153)		South Goluckdih Coal Com- pany, Post Office Jharia, Dan- bad.	
171	Lower Upper Jharia (J-154)	Post Office Jharia	Khimji Dossa & Sons, Post Office Jharia, Dhanbad.	1,33,300
172	Central Tisra (J-155)	Post Office Jharia	Shri K. D. Singh, Post Office Jharia, Post Box No. 111, Dhanbad.	2,71,000
173	Tisra (D.D.) (J-156)	Post Office Jharia	Office, Jharia, Dhanbad.	2,72,800
174	Tisca(Diamond) (J-157)	Post Office Jharia	The Diamind Coal Compnay Limited, Post Office Jharia. Dhanbad.	2,56.000
175	Tisra (A.G.) (J-158)	Post Office Jharia	Amarsing Gowamal & Sons, Post Box No. 47, Jharia, Dhanbad.	3,38,500
176	Sree Commercial (J-159)	Post Office South Tisra	Bengal Jharia Colliery Company Private Limited, Post Office South Tisra, Dhanbad.	8,50,000
177	Bengal Jharia (J-160)			
178	East India (J-161)	Post Office Libes Issue	- Khas Joyrampur Colliery Com-	31,51,000
179 180	Khas Joyrampur (J-163) Lower Joyrampur (J-165)	gora,	pany, Post Office Khas Jeena- gora, Dhanbad.	31,31,011
181	Pure Joyrampur (J-169) South Tista (J-162)	Post Office Tisrh	South Tisra Collicry Company Private Limited, Post Office	6,68,000
183	Kalithan Jeenagora (J-164)	Post Office Khas Icena- gora,	Jharia, Dhanhad. K.B. Scal and Sons. 28, Raja K. L. Gpswami Street, Post Office Serampur. District	4,42,500
184	Kalithan Suratand (I-175)	Post Office Jharia	Hooghly (West Bengal).	
135	New Jeenagora (J-166)	7		
186	Central Jeenagora (1-167)	Post Office Khas Jeen	a- Khas Jeenagora Colliery Limited	8,99.000
187 188 189	North Bararce Jeenagora (J-176 Khas Jeenagora (J-171) Sri Jeenagora (J-173)		135, Biplabi Rash Bihari Basu Road, Calcutta-1.	3
190	E 18t Bi rarce (J-172)	Post Office Khas Jeena- gora,	Icenagora East Bararco Colliery Company, Post Office Khas Icenagora, Dhanbad.	3,05,500
	New Suratand (I-174)	Post Office Tharia	Not available.	5,000

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Post Office Iharia

Not available.

5,000

191 New Surarand (J-174)

1.	1] THE GAZETTE	the second of the second districts and the second districts of the second secon		35
lo.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (nitupees
	2	3	4	. 15
102	Nihuri Patra (J-176)	. Post Office Illatia	Niluci Patra Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
193	North Burrakar Suratand (J-1	77)]		4
10%	North Burrakar Lodna(J-178) Lodna (J-179)	Post Office Tharia	The New Standard Coal Company (Private) Limited, 27, Palace Court, 1, Kyd. Street, Calcutta-16.	1,12,500
96	Standard (J-180)	. Post Office Bhaga	Standard Coal Company, Post Office Bhaga, Dhanbad.	24,8 66
97 98 04	Lodna (J181)	Post Office Jharia Post Office Jharia	Lodna Colliery Company (1920) Limited, 6, Lyons Range, Calcutta.	81,80,000
2-3	Bhulanbararee (J-186) .	, Post Office Patherdin	Bhulanbararee Coal Company, 4, Clive, Row, Calcutta-1.	15,13,300
2:	Lachmi(J-187)	, Post Office Patherdih	Lachmi Coal Company,31 Mullick Street, Calcutta.	76,500
22	Central Bhowrah (J-192)	. Post Office Bhowrah	Central Bhowrah Coal Company, Post Office Jharia, Dhanbad.	0,000
3	Sitanala (J-193)	Post Office Bhojudih	Mohatta Brothers, 19 ,British Indian Street, Calcutta-1.	6,366
4 l	East Bhowra (J-194) .	Post Office Pather-lih	Shrimati Jyotana Devi, Post Office Sitarampur, District Burdwan.	3.41,000
5 I	East Sowardth (J-195)	Post Office Patherdih	J.N. Supakar Brothers and Com- pany, Post Office Patherdin, Dhanbad.	,000
í F	Patherdih (J-196)	Post Office Patherdih	Patherdih Sudamdih Colliery (Private) Limited, Post Office Patherdih, Dhanbad.	55,500
, N	New Sudamdih (J-197)	Post Office Patherdin	New Sudamdih Colliery Com- pany, Post Office Patherdih, Dhanbad.	1,97,000
S	elected Patherdih (J-198) .	Post Office Patherdih	Selected Patherdih Coal Company Limited, 12, Tarachand Dutta Street, Calcutta-1.	13,000
N	(ew Chasnalla (J-199)	Post Office Jharia	New Chasnalla Coal Concern, Post Office Jharia, Dhanbad.	\$.000
Pu	are Chasnalla (J-200)	Post Office Patherdih	Pure Chasnalla Colliery Company 192, Cross Street, Calcutta-7.	49,866
Ju	inkundar (R-1) ,	Post Office Chirk-inda, District Dhanbad.	D. Mondal and Company Limited, Post Office Dishergath, Dis- trict Burdwan, West Bengal.	1,56,660
La	nikdih Deep (R-2)	Post Office Chirkunda, District Dhanbad.	Katras-Jharia Coal Company Limited, 8, Clive Row, Cal- cutta-1.	16,33,000
	etoria (R-4) etoria West (R-5)	Post Office Kulti, District Burdwan.	New Birbhoom Coal Company Limited, 8, Clive Row, Calcutta-1.	2333,300

Note:—The number specified, in brackets, against the name specified in the second column indicates the corresponding serial number of the coking coal mine in the First Schedule to the Coking Coal Mines Emergency Provisions). Act, 1971 (64 of 1971). The abbreviations "EB" stand for "East Bokaro Coalfield", "J" stands for Jharia Coalfield; and "R" stand for "Rancegunge Coalfield."



SI. No.	Name of the mine	Location of the min	e Name and address of the owners of the mine	Amount (in rupces)
	2	3	4	5
103	Niluri Patra (J-176)	. Post Office Jharia	Niluri Patra Coal Company Limi- ted, Post Office Jharia, Dhanbad.	5,000
10	North Burrakar Suratand (J-1)	77)]		81
144	North Burrakar Lodna(J-178)	Post Office Iharia	The New Standard Coal Company	t,12,500
195	Lodna (J-179)		(Private) Limited, 27, Palace Court, 1, Kyd. Street, Calcutta-16.	rd .
195	Standard (J-t80)	. Post Office Bhaga	Standard Coal Company, Post Office Bhaga, Dhanbad.	24,8 cc
197	Lodna (J181) }	Post Office Theria	Lodna Collicry Company (1920) Limited, 6, Lyons Range,	81,86,000
198	Madhuban Lodna (J-182)	Post Office Iliaria	Calcutta.	40
100	Begdigi (J-183)			<u> </u>
203	Bhulanbararec (J-186) .	. Post Office Patherdih	Bhulanbararee Coal Company, 4, Clive, Row, Calcutta-1.	15.13,300
201	Lachmi(J-187)	. Post Office Patherdih	Lachmi Coal Company,31 Mullick Street, Calcutta.	76,500
201	Central Bhowrah (J-192)	. Post Office Bhowrah	Central Bhov/rah Coal Company, Post Office Jharia, Dhanbad.	a ,ccc
223	Sitanala (J-193)	Post Office Bhojudili	Mohatta Brothers, 19 ,British Indian Street, Calcutta-1.	6,366
221	East Bhowra (J-194)	Post Office Patherdih	Shrimati Jyotsna Devi, Post Office Sitarampur, District Burdwan.	3,4),000
2 05	East Sowardth (J-195)	Post Office Patherdih	J.N. Supakar Brothers and Com- pany, Post Office Patherdih, Dhanbad.	.,000
295	Parherdih (J-196)	Post Office Patherdih	Patherdih Sudamdih Colliery (Private) Limited, Post Office Patherdih, 1)hanbad.	5 i,5aa
207	New Sudamdih (J-197)	Post Office Patherdih	New Sudamdih Colliery Com- pany, Post Office Patherdih, Dhanbad.	1.9 .000
2 13	Selected Patherdih (J-198) .	Post Office Patherdih	Selected Patherdih Coal Company Limited, 12, Tarachand Dutta Street, Calcutta-1.	13,000
و ت 2	New Chasnalla (J-199)	Post Office Jharia	New Chasnalla Coal Concern, Post Office Jharia, Dhanbad.	5,000
213	Pure Chasnalla (J-200)	Post Office Patherdih	Pure Chasnalla Colliery Company 192, Cross Street, Calcutta-7.	49. °CC
311	Junkundar (R-r)	Post Office Chirkunda, District Dhanbarl,	D. Mondal and Company Limited, Post Office Dishergarh, Dis- trict Burdwan, West Bengal,	1,56, 100
:12	Laikdih Deep (R-2)	Post Office Chirkunda, District Dhanbad.	Katras-Jharia Coal Company Limited, 8, Clive Row, Cal- cutta-1,	16,53,, 00
	Victoria (R-4) Victoria West (R-5)	Post Office Kulti, District Burdwan.	New Birbhoom Coal Company Limited, 8, Clive Row, Calcutta-1.	23,33,500

Note:—The number specified, in brackets, against the name specified in the second column indicates after corresponding serial number of the coking coal mine in the First Schedule to the Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971). The abbreviations "EB" stand for "East Bokard Coalfield", "J" stands for Jharia Coalfield; and "R" stand for "Rancegunge Coalfield."

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परियोजना पदाधिकारा Project Officer कुईयाँ कोलियरी Kuya Colliery

THE SECOND SCHEDULE

(See sections 5 and 11)

 No.	Name of the coke oven plant	Location of the coke oven plant	Name and address of the owners of the coke oven plant	(in rupees)
1	2	3	4	5 19
1.	Bararee Coke Plant	South Balliary-Kendwa- dih Colliery, Post Offi Kusunda, District Dhanbad.	Bararce Coke Cempany Limited, ce 4, Clive Row, Calcutte—1.	21,42.000
2.	Bhowra Coke Plant	Bhowra South Colliery, Post Office Bhowra, District Dhanbad.	Messrs. Bhowra Coke Compeny, Battachary's House Lubi Cir- cular Road, Dhanbad.	11,76,500
3.	Bhulanbararee	Bhulanbararee Colliery, Post Office Patherdih, District Dhanbad.	Bararce Coke Company Limited, 4, Civil Row, Calcutta-1.	2,03,500
4.	Central Bhowra	Central Bhowra Colliery Post Office Bhowra, District Dhanbad.	, Central Bhowra Coal Company (Private) Limited. Post Office Jharia; and G.D. Kumar and Sons, Bastacolla, Post Office Dhansar, Dhanbad.	2,98, ८६ ६
5.	Central Kooridih	Central Kooridih-Sonar- dih Colliery, Post Office Katrasgarh, Dhanbad.	Shivram Singh and Company (Private) Limited, Post Office Katrasgarh, District Dhanbad.	1,50,000
6.	Junkundar Valley Beehive Coke Plant.	Junkundar Colliery, Pos Office Chirkunda, District Dhanbad.	t D. Mondal and CompanyLimited Panchayat Road, Post Office Chirkunda, District Dhanbad.	7,68,860
7-	New Gobindpur	New Gobindpur Collier Post Office Sonardih, District Dhanbad.	y, Ghosh's Estate Private Limited, 33, Canning Street, Calcutta-1.	1,12,500
8.	New Standard Loda	New Standard Lodna Colliery, Post Office Jharia, District Dhan- bad.	Messrs. Singh Sachdeva, , Post Office Dhansar, Dhanbad.	1,05,000
9.	New Sudamdih	New Sudamdih Colliery, Post Office Patherdih, District Dhanbad.		3, 2 1, C
16.	. North Kujama	North Kujama Colliery Post Office Jharia, District Dhanbad.	, Beehive Hard Coke Manufacturing Company, Chowra Construction Company Private Limited, 111, Central Avenue, Calcutta.	2,57,50
rt.	Ramkanaly	Ramkanaly Colliery, Post Office Katrasgarl District Dhanbad.	Bijali Kanti Roy, Keshalpur House n, Post Office, Katrasgarh, Dhan- bad and M. C. Coal Company, Post Office Jharia, Dhanbad.	, 2,02,0¢
12.	Union Angarpathra	Union Angarpathra Colliery, Post Office Katrasgarh, District Dhanbad.	Satyadeo Singh Coal Company (Private) Limited, 138, Biplabi Rash Bihari Basu Road, Calcutta—1.	1,84,00

K. K. SUNDARAM,

Joint Secy. to the Govt. of India.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELIH AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI. 1972





कसाघारण EXTRAORDINARY गाग 2 — खण्ड 1 PART II — Section 1 प्राधिकार से प्रकासित

PUBLISHED BY AUTHORITY

₹ 59]

नई दिल्ली, शुक्रवार, दिसम्बर ८, २००० / अग्रहायण 17, 1922

No. 591

NEW DELHI, FRIDAY, DECEMBER 8, 2000 / AGRAHAYANA 17, 1922

इस भाग में भित्र पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा संके Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Législative Department)

New Delhi, the 8th December, 2000/Agrahayana 17, 1922 (Saka)

The following Act of Parliament received the assent of the President on the 8th December, 2000, and is hereby published for general information:—

THE COAL INDIA (REGULATION OF TRANSFERS AND VALIDATION) ACT, 2000

No. 45 of 2000

[8th December 2000]

Definitions.

An Act, to empower the Central Government to direct the transfer of the land, or of the rights in or over land or of the right, fitle and interest in relation to a coal mine, coking coal mine or coke oven plant, vested in the Coal India Limited or in a subsidiary company to any subsidiary company of Coal India Limited or any other subsidiary company and to validate certain transfers of such land or rights.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows

- 1. This Act may be called the Coal India (Regulation of Transfers and Validation)
 Act, 2000.
 - 2. In this Act, unless the context otherwise requires,-

(a) "Coal India" means the Coal India Limited, a Government company incorporated under the Companies Act, 1956 having its registered office at Calculta and includes its predecessor Government company, namely, the Coal Mines Authority Limited:

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परियोजना पदाधिकारी Project Officer कुईयॉ कोलियरी Kuya Colliery

l of 1956.

- (b) "subsidiary company" means the following subsidiary companies of Coal India, namely:—
 - (i) the Central Coal Fields Limited, Ranchi and includes its pre-ecessor Government company, namely, the National Coal Development Comporation Limited. Ranchi:
 - (ii) the Bharat Coking Coal Limited, Dhanbad;
 - (iii) the Western Coal Fields Limited, Nagpur,
 - (iv) the Eastern Coal Fields Limited, Sanctoria;
 - (v) the Central Mine Planning and Design Institute Limited, Renchi;
 - (vi) the South-Eastern Coal Fields Limited, Bilaspur;
 - (vii) the Northern Coal Fields Limited, Singrauli;
 - (viii) the Mahanadi Coal Fields Limited, Sambalpur.

and includes such other subsidiary company of Coal India as may be incorporated under the Companies Act, 1956 from time to time;

1 of 1956.

(c) words and expressions used herein and not defined but defined in the Coking Coal Mines (Nationalisation) Act, 1972 or the Coal Mines (Nationalisation) Act, 1973, shall have the meanings, respectively, assigned to them in those Acts.

36 of 1972. 26 of 1973.

07

67 of 1957.

100

Power of Central Government to direct transfer of land, rights, title or interest.

- 3. (1) Notwithstanding anything contained in any other law for the time tring in force, the Central Government may, if it is satisfied that a subsidiary company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification in the Official Gazette, that the land or rights in or over such land or the right, title and interest in relation to a coal mine, coking could mine or a coke oven plant vested in the Coal India shall, instead of continuing to vest in the Coal India, vest in that stibsidiary company or, where such land or right, title or interest vests in a subsidiary company, in another subsidiary company.
- (2) Where the land or rights in or over such land or the right, title and interest in relation to a coal mine, coking coal mine or a coke oven plant vest in a subsidiary company under sub-section (1), such subsidiary company shall, on and from the date of such vesting, be deemed to have become the lessee in relation to such coal mine or coking coal mine as if a fresh mining lease in relation to such coal mine or coking coal mine had becauganted to it under the Mineral Concession Rules, 1960 made under section 13 of the Mineral Minerals (Development and Regulation) Act. 1957 for the maximum period for which such lease could have been granted under those rules, and all the rights and liabilities of Coal India or, as the case may be, the subsidiary company in relation to such coal rulne or coking coal trine shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of subsidiary company first-mentioned.

Validation of certain transfers. 4. A subsidiary company which was operating, or was in control of, any crul mine coking coal mine, or coke oven plant which was vested in the Coal India or say, other subsidiary company immediately before the commencement of this Act, shall be defined to have been vested with the land or rights in or over such land or the right, title and indicest in relation to such coal mine, coking coal mine or coke oven plant and such vesting thall be deemed to have been valid and effective at all material times as if a direction had been made by the Central Government under sub-section (1) of section 3 and accordingly no

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परियोजना पदाधिकारी
Project Officer
कुईयों कोलियरी
Kuya Colliery

suit or other proceeding shall be instituted, maintained or continued in any doubt on the ground that such subsidiary company was not competent to operate or control such coel mine, coking coal mine or coke oven plant.

SUBHASH & JAIN, Secy. to the Govi. of India.

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परियोजना पदाधिकारी Project Officer कुईयों कोलियरी Kuya Colliery



COAL INDIA LIMITED

(A Muharatna Company)
Legal Department
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Regd. Office: 10 Netan Surpas (Rond, Kolkata 700 00) CIN-L23109WB1973GO107 8:44

Date: 19.08 1015

Ref. No. CIL: Legal: 1161

The HOD (Legal)
ECL / BCCL / CCL / SECL / MCL /
NCL / WCL / CMPDIL

General Manager N.E.C., CIL

Dear Sirs.

Sub: Opinion of Sri Kaushik Chanda, Additional Solicitor
General for India on the issue of Renewal of Mining Teases
which had been in the control of Coal India subsidiaries by
virtue of the Coal Mines Nationalisation Acts 1972/1973

BCCL was being goaded by the Government of Jharkhand since long for getting the mining leases, that had come to its control since nationalisation, renewed according to the provisions of Mineral Concessional Rules, 1960 since, according to the said State Government, the vested leases stood expired with the expiry of 30 years from the dates) of Nationalisation.

BCCL referred the issue to CIL for ascertaining the legal position. The matter was deliberated upon at different levels. Finally, the matter was referred to Sri Kaushik Chanda, Additional Solicitor General for Includior legal opinion.

The above named learned Solicitor General by his opinion dated 23rd July 2015 has clarified that the aforesaid leases supposed to have expired in 2002 (Coking Coal Mining Leases) and 2003 (Non-Coking C

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परियोजना पदानिकार्य Project Court कुईयॉ कोलियर्स Kuya Colliery

कौशिक चन्दा Kausik Chanda



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been granted under Section 4 of the Coal India (Regulation of Transfer and Validation) Act, 2000?

4. Generally as to the case.

The backdrop of the case in short may be summarised as follows:

The Mines and Minerals (Development & Regulations) Act. 1957 was enacted to provide for the development and regulations of mines and numerals under the control of the Union.

As per Section 8 of the said Act mining lease could be granted for a maximum period of 30 years.

By virtue of the Coking Coal Mines (Nationalisation Act. 1972) and the Coal Mines (Nationalisation Act. 1973) the coal mines industries were taken over from the private coal names owners and the same stood vested in Central Government.

Subsequently Central Covernment by different notifications directed vesting of all rights in the existing mining leases in favour of Coal Mine Authority Limited which was subsequently renamed as Coal India Limited

Coal India I imited used to carry out the mining activities through its subsidiary companies located in the different states. Bharat coking Coal Limited is subsidiary company of Coal India I td.

परियोजिना पदाधिकार्थ Project Officer कुईयों कोलियरी Kuya Colliery के शिकाह्न्टा Kaasak **h**ando



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OPINION

Ex-parte: Coal India Limited

Re. Opinion on renewal of mining leases by Bharag Coking Coal Limited vested with it through Coal India Limited by virtue of the Coking Coal Mines (Nationalization) Act, 1972 and the Coal Mines (Nationalization) Act, 1973.

The flowing questions have been formulated by the querist for answer.

Qu**∉**ons

- Whether CIL and/or its subsidiary BCCL having not yet obtained are renewal of lease and/or fresh lease is mining without authority of lease or legal sanction?
- Whether Section 4 of the Coal India (Regulation of Transfer and Validation) Act, 2000 has granted fresh leases in favour of CIL and its subsidiary BCCI for the maximum period for which fresh lease could have been granted under the Rule of 1960 re. till 7th December 2020?
- Whether authorization under Section 31 of the Mines and Miner (Development and Regulation) Act, 1957 is required if fresh lease him.



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परियोजिना पदाधिकार्थ Project Officer कुईयों कोलियरी Kuya Colliery कौशिक अन्तर CKanak Chamba



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As the maximum lease period was 30 years, the mining leases under the continuous Coal India I imited and its subsidiaries in respect of coking coal was due to expire in 2007 and in case of non coking coal it was due to expire in the coal it was due to expire in th

The BCCL applied for the renewal of lease in terms of the Minutes. Corcessional Rules. 1960 only in the year 2005. Series of correspondence water made with the concerned authorities for such renewal but as on date the state.

In the meantrine, the Coal India (Regulation of Transferred Validation), April 2000 (hereinafter referred to as the "said act") came into operation with the from December 68, 2000.

The answers to the queries raised require to be traced out from the important he said act

Section 3 & 4 of the said Act is set out hereunder:

being in force, the Central Government may it it is satisfied along subsidiary company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose all ect. by notification in the Official Gazette, that the land or rights in or exert such land or the right, title and interest in relation to al coal mine; coaling coal mine or a coke oven plant vested in the Cool India shall, instead of



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where such land or right, title or interest vests in a subsidiary company or, where such land or right, title or interest vests in a subsidiary company to complete subsidiary company.

micrest in relation to a coal mine, coking coal mine or a coke oven plant vest in a subsidiary company under sub-section (1), such subsidiary company under sub-section (1), such subsidiary company under sub-section (1), such subsidiary company shall, on and from the date of such vesting be deemed to have been granted to it under the Mineral Concession Rules, 1960 made under section 13 of the Mines and Minerals (Development and Regulation) has for the maximum period for which such lease could have been granted under those rules and all the rights and liabilities of Coal Initia or, as the case may be, the subsidiary company in relation to such coal mine at a ching coal mine shall; or and from the date of such vesting, deemed to have become the rights and liabilities, respectively. Sof

A subsidiary company which was operating, or was in control of any coal mine, coking coal mine, or coke oven plant which was vest did the Coal India or any other subsidiary company immediately before the commencement of this Act, shall be deemed to have been vested with me land or rights in or over such land or the right, title and interest in relation to such coal mine, coking coal mine or coke oven plant and significant or such coal mine, coking coal mine or coke oven plant and significant.

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noncess shall be deemed to have been valid and effective at all material himselfs to a direction had been made by the Central Government addersals to the continued to suit or other proceeding shall be instituted, maintained or continued in any court on the grand that each subsidiary company was not competent to operate or continued with each mine, coking coal name or coke over plant.

The above aid two sections are incorporated with two tolds object -

to In composer Central Government to a fresh transfer rights/interest in that to a Coal Mine to a subsidiary company by notification in Child trazelle [Section 3(1)] and

deeming provision in favour of a subsidiary company which was operating war in control of any Coal Mine vested in Coal India before the commencer of the said act (Section 4).

Section 3(2) of the said Act deals with the period of lease which says that and from the date of vesting the subsidiary company shall be deemed to us become lessee as if a fresh mining lease has been granted to it under Mineral concession Rules, 1960 for a maximum period. It may be reiterated that in the present case the said maximum period is 30 years by virtue of Section Minerals (Development & Regulations) Act, 1957



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the softperiod as mentioned in Section 3(3) of the said Act is also applicable to a coop ered under Section 4 of the said Act

the Book being a subsidiary company which was operating and in control of co. I Min. s before the commencement of the said activisate be covered under Section 1 of the said Act.

Therefore BuCL, by virtue of the Section 4 of the said Act read with Section . Lib said Act shall be deemed to have been granted a fresh lease for a took of the years from the date of commencement of the said Act Le De cuiber 8, 2000.

he stow of the aforesaid the application for renewal of lease made by the BCCL in the year 2005 and the steps taken in furtherance thereafter becomes inconsequential as the tenure of the lease has further been automatically syended by operation of the said act

In the of the discussion while aforesaid, my answers are as follows:

Question No.1 is answered in negative.

Question No.2 is answered in affirmative.

Question No 3 is answered in negative

Dated 23th July, 2015

(Kausik Chanda) Additional Solicitor General of India

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परियोजना पदाधित्रमध Project Office कुईयाँ कोलियरी Kuya Colliery

 उत्पादन-शून्य उत्पादन में घटने बढ़ने का का 	रण दें, यदि कोई हो, वर्ष के दौरान पिछले वर्ष की तुलना में ।
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7. पूर्व खान मूल्य वार श्रेणी में घटने बढ़ने का क	कारण दें, यदि कोई हो, वर्ष के दौरान पिछले वर्ष की तुलना में ।
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	गतनामः स्वामी (स्विक्तर्य (कान कंकीनिका (प्रानंशकः)

[फा. सं. 12012/2/2021-पी एस 1]

बी.पी. पति, संयुक्त सचिव

टिप्पणी: मूल नियम दिनांक 23 नवंबर, 1960 की संख्या जी.एस.आर. 1398 के माध्यम से भारत के राजपत्र, भाग II, खंड 3, उप-खंड (i) में प्रकाशित किए थे और दिनांक 29 मई, 2020 की संख्या जी.एस.आर. 331(अ) के जरिए अंतिम बार संशोधित किए गए थे।

स्पष्टीकारक ज्ञापन :

केन्द्रीय सरकार, खान और खनिज (विकास और विनियमन) संशोधन अधिनियम, 2021 (2021 का 16) के माध्यम से अंतःस्थापित खान और खनिज (विकास और विनियमन) अधिनियम, 1957 की धारा 8 की उपधारा (4) को तदनुसार विद्यमान खान के पट्टों की अविध को विहित करने के लिए सरकारी कंपनी या निगम के मामलों में खान के पट्टों की अविध को विस्तार करने के लिए सशक्त करती है, विद्यमान पट्टों की अविध को नियम 24ग की उपधारा (2) में विहित किया गया है और खान के पट्टों के नवीकरण के लिए लंबित आवेदनों को नियम 24ग के उपनियम (5) में खान के पट्टों की अविध के विस्तार के लिए किया गया आवेदन समझा जाएगा। यह प्रमाणित किया जाता है कि किसी भी व्यक्ति पर इन नियमों के माध्यम से भूतलक्षी प्रभाव देने से प्रतिकूल प्रभाव नहीं पड़ेगा।

MINISTRY OF COAL NOTIFICATION

New Delhi, the 1st October, 2021

- G.S.R. 717(E).—In exercise of powers conferred by Section 13 of the Mines and Minerals Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Concession Rules, 1960, namely:-
 - 1. Short title and commencement.—(1) These rules may be called the Mineral Concession (Amendment) Rules, 2021.
 - (2) Save as otherwise provided in these rules they shall come into force on the date of their publication in Gazette of India.
- 2. In the Mineral Concession Rules, 1960, (hereinafter referred to as the principal rules), in rule 2, in subrule (1), after clause (vii), the following clause shall be inserted, namely:-
- '(viia) "run-of-mine" means the raw, unprocessed or uncrushed material in its natural state obtained after blasting, digging, cutting or scraping from the mineralised zone of a lease area;'.

पियोजना पदाधिकारा परियोजना पदाधिकारा Project Officer खुईयाँ कोलियरी Kuya Colliery

- 3. In the principal rules, after rule 24B the following rule shall be inserted, namely:-
- "24C. Period of mining lease granted to Government companies or corporations.—
 - (1) All mining leases granted on or after the commencement of the Mineral Concession (Amendment) Rules, 2021 to a Government company or corporation for coal or lignite shall be for a period of fifty years.
 - (2) All subsisting mining leases vested or granted to a Government company or confidation before commencement of the Mineral Concession (Amendment) Rules, 2021 for coal or figure shall be deemed to have been granted for fifty years or till 31st March 2030, whichever is later.
 - (3) The State Government, upon an application made to it in this behalf by the Government company or corporation at least three months prior to the expiry of the mining lease, shall extend the period of the mining lease for a further period of twenty years at a time:
 - Provided that the State Government may condone the delay in application for extension made after the prescribed time limit:
 - Provided further that no extension of period of mining lease shall be granted to a Government company or corporation that has been selected through auction.
 - (4) If an application for extension of mining lease made within the time mentioned in sub-rule (3) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended till the State Government passes an order on the same.
 - (5) All applications made by a Government company or corporation for renewal of mining lease which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) 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 subrule (3).".
- 4. In the principal rules, after rule 27, the following rule shall be inserted, namely:-
- "27A. Manner of sale of coal or lignite by the lessee of a captive mine.— (1)Any lessee may, where coal or lignite is used for captive purpose, sell coal or lignite up to such per cent. of the total coal or lignite produced in a financial year, as allowed under sub-section (5) of section 8, after meeting the requirement of the end use plant linked with the mine.

Explanation 1.- For the purpose of this rule it is clarified that the requirement of the end use plant linked with the mine for a financial year shall be the actual quantity of coal or lignite consumed in the said plant in that financial year or a part thereof.

Explanation 2.- For the purpose of this rule, quantity of coal or lignite produced, sold, utilised in linked end-use plant and the payment of additional amount on the quantity sold shall be assessed on run-of-mine basis.

Explanation 3.-Sale of any tailings, rejects or middlings shall not be restricted by this rule.

- (2) For the quantity of coal or lignite sold in accordance with sub-section (5) of section 8, the lessee shall pay to the State Government, at the time of payment of royalty, an additional amount as specified in the Sixth Schedule of the Act, which shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment or payment specified in the tender document or the auction premium, wherever applicable.
- (3) Within one month of the end of a financial year, for sale made in the previous financial year, the lessee shall submit to the Nominated Authority, Ministry of Coal, Coal Controller's Organisation and to the State Government, a self-declaration in Form R.
- (4) Sale of coal shall not be allowed from the coal mines allotted to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects)."

Explanation.-For the purpose of this rule, it is clarified that the provision for sale of coal or lignite as prescribed in this rule shall not affect the eligibility conditions and efficiency parameters prescribed in the respective agreements entered into by the lessee with the Central Government.



- 5. In the principal rules, for rule 28, the following rule shall be substituted, namely:-
- "28. Lapsing of Leases.— (1) Where production and dispatch has not commenced within a period of two years from the date of execution of the mining lease or is discontinued for a continuous period of two years after commencement of production or dispatch, the mining lease shall lapse on the expiry of the period of two years from the date of execution of the lease or as the case may be, discontinuance of the production and dispatch.
- (2) The lapsing of the mining lease shall be recorded through an order issued by the State Government and shall also be communicated to the lessee.
- (3) Where a lessee is unable to commence the production and dispatch within a period of two years from the date of execution of the mining lease or discontinuation of production and dispatch for reasons beyond his control, he may submit an application to the State Government, requesting for an extension of such period of two years by a further period not exceeding one year, explaining the reasons for the same, at least three months before the expiry of such period of two years:

Provided where the lessee has failed to make the application within the time stipulated above, the lease shall lapse on expiry of the period of two years.

- (4) Application made under sub-rule (3) shall specify—
 - (a) the reasons on account of which it will not be possible for the lessee to undertake mining operations or continue production and dispatch;
 - (b) the manner in which such reasons are beyond the control of the lessee;
 - (c) the steps that have been taken by the lessee to mitigate the impact of such reasons; and
 - (d) the period of extension sought.
- (5) Every application under sub-rule (3) shall be accompanied by a fee of two hundred rupees.
- (6) The State Government shall, after examining the application, pass an order, within a period of three months from the date of receipt of the application made under sub-rule (3) or the date on which the mining lease would have otherwise lapsed, whichever is earlier, either granting or rejecting such request:

Provided that such mining lease shall lapse on failure to undertake production and dispatch or inability to continue production and dispatch within the extended period of one year:

Provided further that such extension shall not be granted for more than once during the entire period of lease.

- (7) The State Government shall communicate to the Coal Controller's Organisation, Nominated Authority and Ministry of Coal the order recorded under sub-rule (2) or issued under sub-rule (6) within fifteen days of recording or issuing of such order.".
- 6. In the principal rules, rule 28A shall be omitted.
- 7. In the principal rules, for rule 64B, the following rule shall be substituted, namely:-
- "64B. Charging and instance of payment of royalty in case of minerals subjected to processing.— The royalty shall be charged on run-of-mine coal or lignite irrespective of its processing within or outside the leased area:

Provided that the royalty shall be payable at the time of dispatch from or consumption within the leased area.".

- 8. In the principal rules, rule 64C shall be omitted.
- 9. In the principal rules, in Schedule I, after Form Q, the following Form shall be inserted, namely:-

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"Form R

(Rule 27A (3))

Self-declaration

For the financial year 1stApril 20 _____ to 31stMarch 20 _____ ANNUAL RETURN

To

- (i) The Nominated Authority Ministry of Coal Shastri Bhawan, New Delhi
- (ii) The Coal Controller
 Office of the Coal Controller's Organisation
 1, Council House Street,
 Lal Dighi, BBD Bagh
 Kolkata, West Bengal-700001
- (iii) State Government

(PRODUCTION, DISPATCHES AND STOCKS OF COAL/LIGNITE)

(Unit of Quantity in Tonnes)

1. Details of Mine:

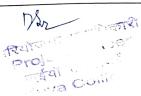
(a)	Registration number allotted by Indian Bureau of Mines (to give registration number of the Lessee-Owner)	
	Mine Code (allotted by Indian Bureau of Mines)	
(c)	Name of the Mineral (Coal OR Lignite):	
(d)	Name of Mine	

2. Location of the Mine:

Village	
Post Office	
Tahsil-Taluk	
District	
State	
PIN Code	
	E-mail:
Fax No:	Mobile:
Phone No:	Widdle.

3. Name and address of Lessee-Owner (along with fax no. and e-mail):

(a)	Name of Lessee-Owner	
(b)	Address	
(c)	District	
(d)	State	
(e)	PIN Code	



(f)	Fax No.:	E-mail:
(g)	Phone No:	Mobile:
(h)	Registered Office of the Lessee	
(i)	Director in-charge	
(j)	Agent:	
(k)	Manager:	

4. Yearly Grade-wise Production, EUP Requirement, EUP Utilisation, Sale etc.

Lignite/ Grades of coal	Opening stock at pit-head (Carried Forward)	Production	EUP Requirement	EUP Utilisation	Quantity Sold	Closing stock at pit-head
Grand Total:						

5. Sales- Dispatches effected for Domestic Purposes and for Exports:

Lignite/Grade		For Domestic Purposes				For export			
of coal	(Indicate whether Domestic Sale or Domestic Transfer or Captive consumption or Export)	Registration number/ GSTN of the buyer/ consignee ##	÷	Quantity	Sale value (₹)	Country	Quantity	F.O.B Value (₹)	
Grand Total:									

To indicate separately if more than one buyer.

NOTE: - Mine owners are required to substantiate domestic sale value- FOB value for each grade of coal or lignite quoted above with copy of invoices (not to be submitted with the return; to be produced whenever required).

6. Give reasons for increase-decrease in production-nil production, if any, during the year compared to the previous year.

a)	•	
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b)

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· 1000 100 1000						Control of the Contro	-				
7. Give compared to		increase-decrease s year.	in grade	wise	ex-mine	price,	if	япу,	during	the	year
a)											
b)											
Place:					Signatu	ıre					
Date					Name i	n Full					
			Desig	nation	: Owner/A	gent/M	linir	ig En	gineer/N	⁄Iana	ger".
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BHABANI PRASAD PATI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 1398, dated the 23thNovember, 1960 and lastly amended vide number G.S.R 331(E) dated the 29th May, 2020.

Explanatory Memorandum

Sub-section (4) of Section 8 of the Mines and Minerals (Development and Regulation) Act, 1957inserted through the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) empowers the Central Government to prescribe the period of existing mining leases and to extend the period of mining leases in case of Government companies or corporations. Accordingly, the period of existing mining leases has been prescribed in sub-rule (2) of rule 24C and the pending applications for renewal of mining leases shall be deemed to be applications for extension of period of mining lease in sub-rule (5) of rule 24C. It is certified that no person is being adversely affected by granting retrospective effect through these rules.

Kuya Kuya