

GOVERNMENT OF JHARKHAND
DEPARTMENT OF MINES & GEOLOGY

Letter No. _____

/M, Ranchi, dated -----

ORDER

Whereas **M/s Sri Ram Minerals Co.** held a mining lease over an area of **265.878 Ha.** in Mauza **Barajamda, Khasjamda** of Singhbhum (West) District for minerals Iron ore and Manganese and Second renewal was granted for 20 years from 18.01.1972 to 17.01.1992;

And whereas the Third Renewal application dated 07.01.1991 & Fourth renewal application dated 23.12.2010 made by the lessee remained pending for want of Statutory Clearances;

And Whereas the Mines & Minerals (Development & Regulation) Act, 1957 was amended by the Mines & Minerals (Development & Regulation) Amendment Act, 2015 with effect from 12.01.2015;

And whereas Section 8A(6) inserted into the Mines & Minerals (Development & Regulation) Act, 1957 by the Mines & Minerals (Development & Regulation) Amendment Act, 2015 reads as follows ;

“8A(6) Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Mineral (Development and Regulation) Amendment Ordinance, 2015, where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended upto a period ending on 31st March, 2020 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.”

And whereas Section 8A(9) inserted into the Mines & Minerals (Development & Regulation) Act, 1957 by the Mines & Minerals (Development & Regulation) Amendment Act, 2015 reads as follows ;

“8A(9) The provisions of this section, notwithstanding anything contained therein, shall not apply to a mining lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, for which renewal has been rejected, or which has been determined, or lapsed. ”

And whereas for granting extension of leases by virtue of the provisions of the aforesaid newly inserted Section 8A(6), it was to be examined whether the lessee **M/s Sri Ram Minerals Co.** had complied with the terms and conditions of

the lease and lessee made applications on 26.06.2015 and 19.08.2015 for grant of extension of the lease;

And whereas the State Government constituted a High Power Committee under the Chairmanship of Development Commissioner-cum-Additional Chief Secretary to examine whether the lessee had complied with the terms and conditions of the lease;

And,Whereas it was reported that the lessee had violated the terms & conditions of the lease in the following manner:

- (a)** the lessee has not submitted/delayed following valid statutory Clearances :-
 - (i)** Forest Clearance (Only on 18.69 Ha) by Ministry of Environment and Forest, GoI;
 - (iii)** Upto date Royalty Clearance Certificate.
- (b)** the lessee has violated Ministry of Mines' letter No. F.No.10/75/2008-MV issued under Rule 27(3) of MCR, 1960 regarding mineral exploration, and
- (c)** the lessee has violated Rule- 28/28A and Rule-37 of MCR, 1960
- (d)** the lessee has violated the terms and condition of the lease deed as mentioned in Paragraphs 2 and 11C of part VII of form K (Lease Deed);
- (e)** A complained case is pending before the court of CJM for violation of environment (Protection) Act.
- (f)** Violation observed by the Justice M.B Shah Commission on the aforementioned lease is as follows :-
 - (i)** The period of the mining lease was for 20 years from 15.01.1972 which expired on 14.01.1992. The renewal application for the mining lease was filed on 07.01.1991 which automatically became deemed refused on 15.01.1993 in the light of the then prevalent Rule 24A(3) & 24A(5) of Mineral Concession Rules, 1960 but the lessee continued its mining operation without valid renewal.
 - (ii)** The lessee has produced and despached mineral beyond the limit provided in Environmental Clearance Certificate.
 - (iii)** The lessee carried out mining operation on 23.53 Ha. area beyond the sanctioned mining lease.
 - (iv)** The lessee has obtained delayed Environmental Clearance Certificate.

And whereas the aforesaid violations of the terms & conditions of the lease were conveyed to the lessee by the aforesaid Committee;

And Whereas the Committee gave the lessee a reasonable opportunity to show cause and of being personally heard, which the lessee availed;