

GOVERNMENT OF JHARKHAND
DEPARTMENT OF MINES & GEOLOGY

Letter No. _____

/M, Ranchi, dated -----

ORDER

Whereas **M/s Rameshwar Jute Mills** held a mining lease over an area of **640.00 Acre** in Mauza **Baraiburu, Tatiba** of Singhbhum (West) District for minerals Iron ore and Manganese;

And whereas the First renewal application dated-29.04.1985 & Second Renewal application dated 09.05.1995 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 Rameshwar Jute Mills** had complied with the terms and conditions of

the lease and lessee made applications on 30.06.2015 and 20.08.2015 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 by Ministry of Environment and Forest, GoI (only on 23.233 Ha);
 - (iii)** 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- 13(1) of MCDR, 1988;
- (d)** the lessee has violated Rule- 28/28A and Rule 37 of MCR, 1960;
- (e)** the lessee has violated the terms and condition of the lease deed as mentioned in Paragraphs 2, 11C and 18 of part VII of form K (Lease Deed);
- (f)** a complaint case is pending before the court of Chief Judicial Megistrate, Chaibasa against violation committed under Environmental Laws;
- (g)** Violation observed by the Justice M.B Shah Commission on the aforementioned lease is as follows :-
 - (i)** The period of the mining lease for 20 years from 05.03.1966 expired on 04.03.1986. The renewal application for the mining lease was filed on 24.04.1985 which automatically became deemed refused on 05.03.1987 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 delayed in obtaining Environmental Clearance Certificate.
 - (iii)** The lessee carried out mining operation on 1.01 Ha. area beyond the sanctioned mining lease.
 - (iv)** The lessee has extracted mineral in excess of permissible EC limit.

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