

**GOVERNMENT OF JHARKHAND**  
**DEPARTMENT OF MINES & GEOLOGY**

Letter No. \_\_\_\_\_

/M, Ranchi, dated -----

**ORDER**

Whereas **M/s General Produce Company** held a mining lease over an area of **163.90 Ha.** in Mauza **Ghatkuri Noamundi** of Singhbhum (West) District for minerals Iron ore and no mining operation has been done by the lessee since date of the grant of the lease date 12.01.1968/01.11.1965 and it was rejected vide Government Order no. 583/M, dated-15.03.1984 but pursuant to the order passed by Hon'ble Patna High Court, Ranchi Bench dated 14.05.1984 in C.W.J.C No.-569 of 1984(R), the lessee has filed a representation which was under consideration by the State Government;

And whereas the First Renewal application dated 29.12.1983 and Second Renewal application dated 31.12.2003 made by the lessee remained pending in terms with order of Hon'ble High Court;

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 31<sup>st</sup> 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 General Produce Company** had complied with the terms and conditions of the lease and lessee made applications on 29.06.2015 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 following valid statutory Clearances :-
- (i) Environment Clearance by MoEF , GoI;;
  - (ii) Forest Clearance by MoEF , GoI;
  - (iii) Consent to Operate issued by Jharkhand State Pollution Control Board.
  - (iv) 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 of MCR, 1960;
- (d) the lessee has violated the terms and condition of the lease deed as mentioned in Paragraphs 2, 3 of part VII of form K (Lease Deed);
- (e) 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 12.01.1960 which expired on 11.01.1980. The renewal application for the mining lease was filed on 29.12.1983, which automatically became deemed refused on 12.01.1981 in the light of the then prevalent Rule 24A(3) & 24A(5) of Mineral Concession Rules, 1960 but the lessee continued its possession without valid renewal.
  - (ii) The lessee possess 3.10 Ha. area beyond the sanctioned mining lease.

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;