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5 JUN 2013

No. 37-GOI-HII(3)-2013/ 9947

CHANDIGARH ADMINISTRATION
HOME DEPARTMENT

Chandigarh, Dated the 29/5/13

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DP/Medical College

To :

All Administrative Secretaries/
Head of Department /
Boards / Corporations,
Chandigarh Administration.

Subject:

Supplementary Checklists as may be required in pursuance of
Ministry of Mines letter No. 2/4/2012-M.IV dated 11.02.2013-reg.

Sir/Madam,

I am directed to refer to this Administration letter No. 37-GOI-HII(3)-2013/3626, dated 28.02.2013 on the subject noted above and to forward herewith a copy of letter No. 2/4/2012-M.IV, dated 18.04.2013, received from Sh. Adhir Kumar Mallik, Under Secretary to the Govt. of India, Ministry of Mines, New Delhi for taking necessary action.

Yours faithfully,


Superintendent Home II,
For Home Secretary,
Chandigarh Administration.

Encl: As above

GOVERNMENT MEDICAL COLLEGE & HOSPITAL, CHANDIGARH

(Hospital Building), Sector 32-B, Chandigarh-160030 (Ph:0172-2665253-59, Fax: 0172-2609360)

ESTABLISHMENT BRANCH-IV

Endst. No. GMCH-E-IV-EA-1(24/3)-2013/

21312-

Dated, Chandigarh the

12 JUN 2013

A copy is forwarded to the Computer Programmer, GMCH-32, Chandigarh with a request to e-mail the same to Office Superintendents / Estt.-I, II, III, HA-I & HA-II, GMCH - 32, Chandigarh for information and necessary action at their end:-

Asnc 14.6.13
Office Superintendent, Est. IV

12

SI 3087
Dated 30.4.13

No. 2/4/2012-M.IV
Government of India
Ministry of Mines

Home II Branch
No. 181 (401)
Date 3/5/13

No. PA/JSFI 3087
Dated 02/5/13
New Delhi, the 18th April, 2013

To
The Secretary
In charge of Mining and Geology,
All State Governments
(As per list enclosed)

Subject: Supplementary checklists as may be required in pursuance of Ministry of Mines letter No. 2/4/2012-M.IV dated 11.2.2013 – reg.

Sir/Madam,

I am directed to invite a reference to this Ministry's letter No. 2/4/2012-M.IV dated 11th February, 2013 prescribing modified checklists for forwarding mineral concession proposals [copy already forwarded to you and also available on the Ministry's website [(www.mines.nic.in)].

2. You would have realized that the checklists circulated vide letter mentioned above include a few more points of enquiry/checks and need to be signed by a Joint Secretary level of the State Government. It had also been informed at Para 5 of the above letter that "in respect of proposals which are under process and where any query has been raised by the Central Govt. to the State Government, the State Government shall also submit supplementary checklist covering all additional points prescribed vide para 3 of this letter along with information for fulfillment of query".

3. Accordingly, in cases referred to as per Para 2 above, the supplementary checklists for Mining Lease(ML)/ Prospecting License(PL)/ Reconnaissance Permit(RP) which essentially bridges the gap between the old checklists and the new checklists forwarded vide letter of even number dated 11th February 2013 are enclosed. The same may be sent for cases as per Para 2 above along with reply to the specific query raised by the Central Government. You may take action accordingly.

Yours faithfully,


(Adhir Kumar Mallik)

Under Secretary to the Government of India
Telephone No: 23384743

Encls: As above.

Copy with enclosure to:-

- (i) Director in charge of Department of Mines and Minerals (all State Govt.)
- (ii) All Officers, Ministry of Mines Shastri Bhawan, New Delhi
- (iii) Controller General, IBM Nagpur
- (iv) NIC for uploading on the website of the Ministry of Mines.

SUPPLEMENTARY CHECKLIST FOR ML

Additional points included in the Checklist for Mining leases(ML) as prescribed vide Annexure –I to Ministry of Mines' letter no. 2/4/2012-M.IV dated 11.2.2013

S.No.	Items	Response of State Government
2(d)	Whether acknowledgement of receipt of the application given to all the applicants as provided in Section 10(2) of the MMDR Act, 1957.	
3	Whether the subject area falls in the Fifth Schedule area of the State and if so, whether the proposal is compliant to relevant Central legislations, State laws/rules/regulations, court cases, etc.	
4(b)	In case of grant of preference under Section 11(1) of the MMDR Act, 1957, whether the applicant has filed application within prescribed time. (In case the State Govt. has accorded relaxation of the time limit prescribed under proviso (d) of Section 11(1) of the Act, a copy of the speaking order passed by the State Govt. in this regard to be enclosed.)	
8 (c)	Whether comparative statement of the merits in terms of parameters laid down in Section 11 (3) (<i>as per Appendix to this check-list</i>) duly notified is attached.	
9(b)	In case of non-notified area, evaluation on the terms of 'special reasons' under Section 11(5), as per public policy notified by the State Govt. or as per guidelines on the subject issued by the Ministry of Mines vide letter No.,7/106/2009-M.IV dated 9 th February, 2010; also to be included. Comparative chart to indicate in chronological order the dates of applications of each applicant.	
13 (g)	Whether the speaking order has been communicated (<i>at least in brief</i>) to all the applicants or put on public domain (web-site or notice board etc). A copy of the speaking order to be attached along with the proposal.	
15 (b)	In case of reservation for State Agencies whether State Government is incorporating conditions under Rule 27(3) of MCR 1960 as follow: i) Mining operations will be undertaken through a Govt. company or corporation owned or controlled by Central Govt. or State Govt. ii) Any JV to whom the ML is proposed to be given subsequently by transfer under Rule 37 of MCR will conform to the principles of the reservation i.e the ownership or control of the company lies with	

	the State Govt. iii) The process of selection of JV partner will be in accordance with the provisions of Section 11(3) of the MMDR Act 1957.	
16(a)	Whether ML is being recommended in favour of a unit for captive use <i>(if yes, then complete details of annual capacity, requirement, financial worthiness and technical strength of the company to be indicated in a separate sheet).</i>	
16(b)	Whether ML is being recommended in favour of applicant for other than captive use <i>(if yes, then complete details of the financial and technical worthiness of the applicant may be indicated)</i>	
17	Whether any special conditions under Rule 27(3) over and above the conditions prescribed in MCR, 1960; as per publically declared State policy, is/are proposed to be imposed in the mining lease. If so, reasons/justification therefor may be given.	

Certified that:

- (i) the information given above is correct and is based on official records;
- (ii) the selection and recommendation in favour of the applicant has been made in a fair, transparent and non-arbitrary manner based on equality of opportunities to all applicants; and the proposal is in compliance with the provisions of the MMDR Act, and Rules and guidelines framed thereunder
- (iii) The proposal has been recommended keeping in view the safeguards provided in the MMDR Act, 1957 and MCR 1960.

Signature _____
(with official stamp)

Name _____

Designation _____

(The check-list and the declaration/certificate shall be signed by an officer not below the rank of a Joint Secretary to the State Govt.)

Date:

Place:

(INCOMPLETE OR UNSIGNED CHECKLIST WOULD NOT BE CONSIDERED VALID)

Appendix to Annex-I of letter No. 2/4/2012- M.IV dated 11.2.2013

(Referred to at S.No.8(c) of the CHECK LIST FOR MINING LEASES (ML))

- a) any special knowledge of, or experience in, mining operations, possessed by the applicant;
- (b) the financial resources of the applicant;
- (c) the nature and quality of the technical staff employed or to be employed by the applicant;
- (d) the investment which the applicant proposes to make in the mines and in the industry based on the minerals;
- (e) the end use of the mineral.

SUPPLEMENTARY CHECKLIST FOR PL

Additional points included in the Checklist for Prospecting Licence(PL) as prescribed vide Annexure -II to Ministry of Mines' letter no. 2/4/2012-M.IV dated 11.2.2013

S.No.	Items	Response of State Government
2(d)	Whether acknowledgement of receipt of the application given to all the applicants as provided in Section 10(2) of the MMDR Act, 1957.	
3	Whether the subject area falls in the Fifth Schedule area of the State and if so, whether the proposal is compliant to relevant Central legislations, State laws/rules/regulations, court cases, etc.	
4(b)	In case of grant of preference under Section 11(1) of the MMDR Act, 1957, whether the applicant has filed application within prescribed time. (In case the State Govt. has accorded relaxation of the time limit prescribed under proviso (d) of Section 11(1) of the Act, a copy of the speaking order passed by the State Govt. in this regard to be enclosed.)	
8(c)	Whether comparative statement of the merits in terms of parameters laid down in Section 11 (3) (<i>as per Appendix to this check-list</i>) duly notified is attached.	
9(b)	In case of non-notified area, evaluation on the terms of 'special reasons' under Section 11(5), as per public policy notified by the State Govt. or as per guidelines on the subject issued by the Ministry of Mines vide letter No., 7/106/2009-M.IV dated 9 th February, 2010; also to be included. Comparative chart to indicate in chronological order the dates of applications of each applicant.	
13(g)	Whether the speaking order has been communicated (<i>at least in brief</i>) to all the applicants or put on public domain (web-site or notice board etc). A copy of the speaking order to be attached alongwith the proposal.	
15 (b)	In case of reservation for State Agencies whether State Government is incorporating conditions under Rule 14(3) of MCR 1960 as follows: (i) Prospecting operations will be undertaken through a Govt. company or corporation owned or controlled by Central Govt. or State Govt. (ii) Any JV to whom the PL is proposed to be given subsequently by transfer under Rule 37 of MCR will conform to the principles of the reservation i.e the	

	ownership or control of the company lies with the State Govt. (iii) The process of selection of JV partner will be in accordance with the provisions of Section 11(3) of the MMDR Act 1957.	
16(a)	Whether PL is being recommended in favour of a unit for captive use <i>(if yes, then complete details of annual capacity, requirement, financial worthiness and technical strength of the company to be indicated in a separate sheet).</i>	
16(b)	Whether PL is being recommended in favour of applicant for other than captive use <i>(if yes then complete details of the financial and technical worthiness of the applicant may be indicated)</i>	
17	Whether any special conditions under Rule 14(3) over and above the conditions prescribed in MCR, 1960; as per publically declared State policy, is/are proposed to be imposed in the prospecting licence. If so, reasons/justification therefor may be given.	

Certified that:

- (i) the information given above is correct and is based on official records;
- (ii) the selection and recommendation in favour of the applicant has been made in a fair, transparent and non-arbitrary manner based on equality of opportunities to all applicants; and the proposal is in compliance with the provisions of the MMDR Act, and Rules and guidelines framed thereunder
- (iii) The proposal has been recommended keeping in view the safeguards provided in the MMDR Act, 1957 and MCR 1960.

Signature _____
(with official stamp)

Name _____

Designation _____

(The check-list and the declaration/certificate shall be signed by an officer not below the rank of a Joint Secretary to the State Govt.)

Date:

Place:

(INCOMPLETE OR UNSIGNED CHECKLIST WOULD NOT BE CONSIDERED VALID)

Appendix to Annex-II of letter No. 2/4/2012- M.IV dated 11.2.2013

(Referred to at S.No.8(c) of the CHECK LIST FOR PROSPECTING LICENCES (PL))

- a) any special knowledge of, or experience in,
mining operations, possessed by the applicant;
- (b) the financial resources of the applicant;
- (c) the nature and quality of the technical staff employed or to be employed
by the applicant;
- (d) the investment which the applicant proposes to make in the mines and in
the industry based on the minerals;
- (e) the end use of the mineral.

SUPPLEMENTARY CHECKLIST FOR RP

Additional points included in the Checklist for Reconnaissance Permit(RP) as prescribed vide Annexure –III to Ministry of Mines' letter no. 2/4/2012-M.IV dated 11.2.2013

S.No	Items	Response of State Government
2(b)	Whether acknowledgement of receipt of the application given to all the applicants as provided in Section 10(2) of the MMDR Act, 1957.	
3	Whether the subject area falls in the Fifth Schedule area of the State and if so, whether the proposal is compliant to relevant Central legislations, State laws/rules/regulations, court cases, etc.	
8(c)	Whether comparative statement of the merits in terms of parameters laid down in Section 11(3) <i>(as per Appendix to this check-list)</i> duly notified is attached.	
9(b)	In case of non-notified area, evaluation on the terms of 'special reasons' under Section 11(5), as per public policy notified by the State Govt. or as per guidelines on the subject issued by the Ministry of Mines vide letter No., 7/106/2009-M.IV dated 9 th February, 2010; also to be included. Comparative chart to indicate in chronological order the dates of applications of each applicant.	
12(g)	Whether the speaking order has been communicated <i>(at least in brief)</i> to all the applicants or put on public domain (web-site or notice board etc). A copy of the speaking order to be attached alongwith the proposal.	
14(b)	In case of reservation for State Agencies whether State Government is incorporating conditions under Rule 7(3) of MCR 1960 as follows: (i) Mining operations will be undertaken through a Govt. company or corporation owned or controlled by Central Govt. or State Govt. (ii) Any JV to whom the ML is proposed to be given subsequently by transfer under Rule 37 of MCR will conform to the principles of the reservation i.e the ownership or control of the company lies with the State Govt.	

	(iii) The process of selection of JV partner will be in accordance with the provisions of Section 11(3) of the MMDR Act 1957.	
15	Whether any special conditions under Rule 7(3) over and above the conditions prescribed in MCR, 1960; as per publically declared State policy, is/are proposed to be imposed in the reconnaissance permit. If so, reasons/justification therefor may be given.	

Certified that:

- (i) the information given above is correct and is based on official records;
- (ii) the selection and recommendation in favour of the applicant has been made in a fair, transparent and non-arbitrary manner based on equality of opportunities to all applicants; and the proposal is in compliance with the provisions of the MMDR Act, and Rules and guidelines framed thereunder
- (iii) The proposal has been recommended keeping in view the safeguards provided in the MMDR Act, 1957 and MCR 1960.

Signature _____
(with official stamp)

Name _____
Designation _____

(The check-list and the declaration/certificate shall be signed by an officer not below the rank of a Joint Secretary to the State Govt.)

Date:

Place:

(INCOMPLETE OR UNSIGNED CHECKLIST WOULD NOT BE CONSIDERED VALID)

Appendix to Annex-III of letter No. 2/4/2012- M.IV dated 11.2.2013
(Referred to at S.No.8(c) of the CHECK LIST FOR RECONNAISSANCE PERMIT
(RP))

- a) any special knowledge of, or experience in, mining operations, possessed by the applicant;
- (b) the financial resources of the applicant;
- (c) the nature and quality of the technical staff employed or to be employed by the applicant;
- (d) the investment which the applicant proposes to make in the mines and in the industry based on the minerals;
- (e) the end use of the mineral.