

BY SPEED POST

**भारतीय खान ब्यूरो/GOVERNMENT OF INDIA
[कु एंकी; / MINISTRY OF MINES
भारतीय खान ब्यूरो/INDIAN BUREAU OF MINES**

No.T-45014/CGBM/91-98

Nagpur dated 23.02.2011

CIRCULAR

Subject: - Mineral Conservation and Development (Amendment) Rules 2011.- Procedure for Implementation of Rule 45.

Vide G.S.R. 75(E) dated 9th February 2011, published in the Part-II, Section-3, Sub-Section (i) of the Gazette of India, the Mineral Conservation and Development (Amendment) Rules 2011 have been notified. The notification is also available on the website of the Ministry of Mines at 'www.mines.nic.in'. Through this notification major changes have been made in Rule 45 of Mineral Conservation and Development Rule 1988. The important changes which are relevant to IBM are summarized below:

1. The owner, agent, mining engineer or manager of every mine, or any person or company engaged in trading or storage or end-use or export of minerals mined in the country, is required to be registered with the Indian Bureau of Mines in Form 'M' within a month (viz. upto 8th March 2011) and the registration number so allotted by the Indian Bureau of Mines is required to be used for all purposes of reporting and correspondence connected therewith. This application is required to be filed through the respective Regional Office of Indian Bureau of Mines under whose jurisdiction the State or Union Territory in which the mining or prospecting or reconnaissance operations, or trading or storage or end use or export of minerals is being undertaken.
2. The IBM is required to maintain a register giving details of the owner, agent, mining engineer or manager of every mine, or any person or company engaged in trading or storage or end-use or export of minerals, as the case may be, as registered under the provisions of these rules, and to make available this register to the general public for inspection on demand, and also to be posted on the website of the Indian Bureau of Mines.
3. The owner, agent, mining engineer or manager of every mine is required to submit the Monthly and Annual Returns in prescribed form only to the Regional Controller of Mines. The returns are not required to be submitted to the Controller of Mines and the Controller General, IBM. In respect of Monthly Returns the time limit for submission has been reduced from 15th to 10th of every month in respect of preceding month.

4. Any person or company engaged in trading or storage or end-use or export of minerals, is required to submit to IBM and concerned State Government, (i) a monthly return before the 10th of every month in Form 'N'; and (ii) an annual return before the 1st July each year for the preceding financial year in the Form 'O'.
5. In case the owner, agent, mining engineer or manager of mine fails to submit a return within the date specified or has submitted incomplete or wrong or false information in monthly or special or annual returns the Regional Controller of Mines can (a) order suspension of all mining operations in the mine and can revoke the order of suspension only after ensuring proper compliance; (b) take action to initiate prosecution under these rules; and (c) recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining.
6. In case of non-compliance of rules on the part of person or company engaged in trading or storage or end-use or export of minerals the concerned State Government, has to take appropriate action as indicated in Rule 45(7)(ii).
7. The criteria for calculation of ex-Mine price of minerals and sale price of minerals has been enumerated in detail.
8. If more than one mineral is produced from the same mine, return is required to be submitted in specified forms for each mineral separately.
9. Monthly Returns Form F-1 to F-8 and Annual Returns Forms H-1 to H-8 have been modified.

In order to implement the amended Rule 45 of Mineral Conservation and Development Rules 1988 the Controller General, IBM has directed to adopt the following practice:

1. Form 'M' for online submission of application to IBM for registration for undertaking mining or prospecting or reconnaissance operations, or trading or storage or end use or export of minerals is being developed by the NIC. Till implementation of online submission of Form 'M', any application received for registration by the Regional Office may be entertained.
2. The IBM is in the process of developing system for online submission of Monthly and Annual Returns. Till implementation of such system, the Regional Office will receive all Monthly and Annual Returns in hard copy from the owner, agent, mining engineer or manager of every mine or from person or company engaged in trading or storage or end-use or export of minerals. The Regional office will make copy of all Monthly and Annual Returns received by them till prescribed date and shall send the **Original** Monthly/Annual Returns to the Deputy Director General (Stat), Mining & Mineral Statistics Division, IBM, Nagpur by Speed post immediately after due date. The Forwarding letter of Regional Office to Dy. DG (Stat) for

- submission of original return shall indicate (i) Serial number (ii) Name of the mine (iii) Mine Code (iv) Mineral (v) Mining Lease Area (vi) District and State.
3. Any subsequent returns received by the Regional Office shall also be submitted to the Deputy Director General (Stat) forthwith.
 4. Regional Office shall ensure submission of Monthly and Annual Returns by all the owner, agent, mining engineer or manager of every mine falling under their jurisdiction. Appropriate legal action may be initiated by the Regional Office for non-compliance of the Rules.
 5. This practice will be in vogue till further directives are issued in this regard.

These issues with the approval of Controller General, IBM.

Sd/- (23/02/2011)

(Y.G.KALE)

Regional Controller of Mines Indian
Bureau of Mines

To,

Office of the Chief Controller of Mines/Office of the Director (Ore Dressing)/
Deputy Director General (Stat)/ Controller of Mines (TMP)/ Chief Mining
Geologist/ Chief Mineral Economist/ Controller of Mines (P&C)/Director
(Training), IBM, Nagpur

The Controllers of Mines/OIC, NZ/SZ/CZ, Indian Bureau of Mines
Ajmer/Bangalore/Nagpur

The Regional Controller of Mines/OIC, Indian Bureau of Mines,
Ajmer/Bangalore/Bhubaneshwar/Chennai/Dehradun/Goa/Guwahati/
Hyderabad/Jabalpur/Kolkata/Nagpur/Nellore/Ranchi/Udaipur