

No.7/59/2010-M.IV
Government of India
Ministry of Mines

New Delhi, the 29th July, 2010

To

The Secretary
(In charge of Mining and Geology),
All State Governments/UT Administrations

Subject: Guidelines regarding speedy processing of mineral concessions and return of mineral concession proposals where information/clarification from the State Governments is not received timely.

Sir,

The Ministry of Mines has been emphasizing the need for expeditious processing and disposal of mineral concession proposals sent by the State Governments seeking prior approval of the Central Government under the MMDR Act, 1957.

2. It is, however, seen that in a large number of cases, the information/documents submitted along with the proposals are insufficient, which makes it difficult for the Ministry to process such proposals in accordance with the provisions of the Act and the rules and guidelines framed thereunder. In all such cases, necessary information/clarifications/documents are sought from the State Governments. Copy is endorsed to the applicant (in case there is no adverse interest) to enable faster processing and obtaining of information. The status is also given in a web-based application on the Ministry's website, to enable easy monitoring. The Ministry has been, from time to time, sending list of cases pending with the State Governments with the request to expedite their comments/reply. This matter is also regularly reviewed in the various meetings held in the Ministry with the State Secretaries including the meetings of the Central Empowered Committee. While in several cases, responses are received and cases finalized on that basis, it is also noticed that in many cases despite lapse of many months no response is received, and the matter remains pending with no conclusion in sight.

3. All aspects of the matter have been considered by the Ministry, and it has been decided that the mineral concession proposals in which clarifications/information/documents have been sought by the Ministry from the State Governments, and **where there has been no response from the State Governments within a period of six months, will be returned to the State Governments, and will be treated as closed in the Ministry.** If the State Governments later resubmit such proposals along with the requisite information/documents (and complying with the provisions of the Act/Rules/Guidelines applicable at the time), they will be treated as fresh cases.

4. All State Governments are requested to please note the above decision for information and guidance. To ensure effective response, it is suggested that:

(i) State Governments ensure that all proposals conform to the provisions not only of the Act and Rules, but also of the guidelines thereunder (in particular guidelines dated 24.6.09, 25.9.09, 9.2.2010 and 3.6.2010);

(ii) A monitoring mechanism is instituted under the chairmanship of the Secretary in charge of the Department of Mines in the State to review each month list of cases pending for clarification based on the information system developed in the State and supported by the data made available on the Ministry's website and list of pending cases sent by the Ministry; and

(iii) Where response within six months' time has been difficult due to coordination problems within departments of the State Government, the matter should be taken to the State Level Coordination Committee for a resolution of the issue and devising appropriate State level procedures.

5. Please inform us of the action being taken with regard to the suggestions at para 4 above. The matter will also be discussed in the next meeting of the Central Empowered-cum-Coordination Committee.

Yours faithfully.


(G. Srinivas)
Director