

Relevant Provisions of The Mines and Minerals (Development and Regulation) Act, 1957

Composite licence	<ul style="list-style-type: none"> • the prospecting licence-cum-mining lease • which is a two stage concession • granted for the purpose of undertaking • prospecting operations followed by mining operations • in a seamless manner 	Section 3(a)
Dispatch	<ul style="list-style-type: none"> • removal of minerals/ mineral products • from the leased area and • includes the consumption of minerals and mineral products within such leased area 	Section 3(aa)
Leased area	<ul style="list-style-type: none"> • area specified in the mining lease • within which the mining operations can be undertaken and • includes the non- mineralized area 	Section 3(ac)
Minerals	<ul style="list-style-type: none"> • includes all minerals • except minerals oils 	Section 3(ad)
Minerals concession	<ul style="list-style-type: none"> • either a reconnaissance permit/ prospecting licence/ mining lease/ composite licence or • a combination of any of these 	Section 3(ae)
Mineral oils	<ul style="list-style-type: none"> • includes natural gas and petroleum 	Section 3(b)
Mining lease	<ul style="list-style-type: none"> • lease granted for the purpose of undertaking mining operations, and • includes a sub-lease granted for such purpose 	Section 3(c)
Mining operations	<ul style="list-style-type: none"> • any operations undertaken • for the purpose of winning (getting/ extracting) any mineral 	Section 3(d)
Minor minerals	<ul style="list-style-type: none"> • building stones/ gravel/ ordinary clay/ ordinary sand • other than sand used for prescribed purposes 	Section 3(e)
Notified minerals	<ul style="list-style-type: none"> • any mineral specified in the Fourth Schedule 	Section 3(ea)

Production	<ul style="list-style-type: none"> winning or raising of mineral within the leased area for the purpose of processing or dispatch 	Section 3(fa)
Prospecting licence	<ul style="list-style-type: none"> licence granted for the purpose of undertaking prospecting operations 	Section 3(g)
Prospecting operations	<ul style="list-style-type: none"> any operations undertaken for the purpose of exploring/ locating/ proving mineral deposit 	Section 3(h)
Reconnaissance operations	<ul style="list-style-type: none"> any operations undertaken for preliminary prospecting of a mineral through regional/ aerial/ geophysical/ geochemical surveys/ geological mapping does not include pitting/ trenching/ drilling or sub-surface excavation except drilling of boreholes on a grid specified from time to time by the Central Government 	Section 3(ha)
Reconnaissance permit	<ul style="list-style-type: none"> permit granted for the purpose of undertaking reconnaissance operations 	Section 3(hb)
Special Court	<ul style="list-style-type: none"> Court of Session designated as Special Court under sub-section (1) of section 30B 	Section 3(hc)
“Mine” and “Owner”	<ul style="list-style-type: none"> expressions, “mine” and “owner”, have the meaning assigned to them in the Mines Act, 1952 	Section 3(i)
Mine	<p>any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes—</p> <ul style="list-style-type: none"> all borings, bore holes, oil wells and accessory crude conditioning plants, including the pipe conveying mineral oil within the oilfields; all shafts, in or adjacent to and belonging to a mine, whether in the course of being sunk or not; all levels and inclined planes in the course of being driven; all open cast workings; all conveyors or aerial rope ways provided for the bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom; 	Section 2(j) the Mines Act, 1952

	<ul style="list-style-type: none"> • all adits, levels, planes, machinery, works, railways, tramways and sidings in or adjacent to and belonging to a mine; • all protective works being carried out in or adjacent to a mine; • all workshops and stores situated within the precincts of a mine and under the same management and used primarily for the purposes connected with that mine or a number of mines under the same management; • all power stations, transformer sub-stations, convertor stations, rectifier stations and accumulator storage stations for supplying electricity solely or mainly for the purpose of working the mine or a number of mines under the same management; • any premises for the time being used for depositing sand or other material for use in a mine or for depositing refuse from a mine or in which any operations in connection with such sand, refuse or other material is being carried on, being premises exclusively occupied by the owner of the mine; • any premises in or adjacent to and belonging to a mine on which any process ancillary to the getting, dressing or preparation for sale of minerals or of coke is being carried on; 	
Prospecting/Mining Operations to be under licence/lease	<p>No person shall undertake any:-</p> <ul style="list-style-type: none"> • reconnaissance operations without reconnaissance permit • prospecting operations without prospecting licence • mining operations without mining lease 	Section 4(1)
Transportation/Storage as per Act/Rules	<ul style="list-style-type: none"> • No person shall • transport or store • any mineral • otherwise than in accordance with the provisions of this Act/Rules 	Section 4(1A)
Penalties	<ul style="list-style-type: none"> • Reconnaissance/ prospecting/ mining operations without permit/ licence/ lease, respectively • Transportation/Storage in violation of Act/Rules • Punishment - imprisonment for a term which may extend to 5 years and with 	Section 21(1)

	fine which may extend to 5 lakh rupees per hectare of the area	
Contravention of Rules	<ul style="list-style-type: none"> • Any rule may provide that • any contravention thereof • shall be punishable with • imprisonment for a term which may extend to 2 years or with fine which may extend to 5 lakh rupees, or with both, and • in the case of a continuing contravention, with additional fine which may extend to 50,000/- rupees for every day during which such contravention continues after conviction for the first such contravention. 	Section 21(2)
Trespasser eviction	<ul style="list-style-type: none"> • Where any person trespasses into any land without reconnaissance permit / prospecting licence/ mining lease • State Government/ authorised authority • may serve such trespasser an order of eviction and • may, if necessary, obtain the help of the police to evict the trespasser from the land 	Section 21(3)
Seizure of tool/ equipment/ vehicle/ any other thing used for unauthorised raising/ transporting any mineral from any land	<ul style="list-style-type: none"> • Whenever any person raises, transports • without any lawful authority • any mineral from any land, and • for that purpose • uses any tool, equipment, vehicle or any other thing • such mineral tool, equipment, vehicle or any other thing • shall be liable to be seized • by an officer or authority specially empowered in this behalf 	Section 21(4)
Confiscation of seized tool/ equipment/ vehicle/ any other thing	<ul style="list-style-type: none"> • Any mineral/ tool/ equipment/ vehicle/ any other thing seized • shall be liable to be confiscated • by an order of the court competent to take cognizance of the offence and • shall be disposed of in accordance with the directions of such court 	Section 21(4A)
	<ul style="list-style-type: none"> • State Government may recover 	

Recovery of illegally raised mineral or its price	<ul style="list-style-type: none"> • from the person who raises any mineral from any land • without any lawful authority • the mineral so raised, or • price of such mineral if has already been disposed of, and • may also recover from such person, rent/ royalty/ tax for the period during which the land was occupied by such person without any lawful authority 	Section 21(5)
Offence shall be cognizable	<ul style="list-style-type: none"> • Notwithstanding anything contained in the Code of Criminal Procedure, 1973 • an offence under sub-section (1) of section 21 shall be cognizable 	Section 21(6)
Cognizance of offences	<ul style="list-style-type: none"> • No court shall take cognizance of any offence punishable under this Act or any rules made thereunder • except upon complaint • in writing • made by a person authorised in this behalf • by the Central Government or the State Government 	Section 22
Compounding of offences	<ul style="list-style-type: none"> • Any offence punishable under this Act or any rule made thereunder • may, either before or after the institution of the prosecution • be compounded by the person authorised under section 22 to make a complaint to the court with respect to that offence • on payment to that person, for credit to the Government • of such sum as that person may specify • in the case of an offence punishable with fine only, such sum shall not exceed the maximum amount of fine which may be imposed for that offence • upon compounding • no proceeding or further proceeding • shall be taken against the offender in respect of the offence so compounded, and • the offender, if in custody, shall be released forthwith 	Section 23A
	<ul style="list-style-type: none"> • The State Government may 	

Constitution of Special Courts	<ul style="list-style-type: none"> • for the purposes of providing speedy trial of offences for contravention of the provisions of sub-section (1) or sub-section (1A) of section 4 • constitute • by notification • as many Special Courts as may be necessary for such area or areas, as may be specified in the notification 	Section 30B(1)
Constitution of Special Court	<ul style="list-style-type: none"> • Special Court shall consist of a Judge • who shall be appointed by the State Government with the concurrence of the High Court 	Section 30B(2)
Qualification of judge of a Special Court	<ul style="list-style-type: none"> • A person shall not be qualified for appointment as a judge of a Special Court • unless he is or has been • a District and Sessions Judge 	Section 30B(3)
Appeal	<ul style="list-style-type: none"> • Any person aggrieved by the order of the Special Court • may prefer an appeal • to the High Court • within a period of sixty days from the date of such order 	Section 30B(4)
Special Courts to have powers of Court of Session	<ul style="list-style-type: none"> • Save as otherwise provided in this Act • the Code of Criminal Procedure, 1973 • shall apply to the proceedings before the Special Court and • for the purpose of the provisions of this Act • the Special Court shall be deemed to be a Court of Session and • shall have all powers of a Court of Session and • the person conducting a prosecution before the Special Court shall be deemed to be a public prosecutor 	Section 30C
THE FIRST SCHEDULE	SPECIFIED MINERALS PART A Hydro carbons/energy minerals PART B Atomic minerals	

	PART C Metallic and non-metallic minerals
SECOND SCHEDULE	RATES OF ROYALTY IN RESPECT OF MINERALS
THIRD SCHEDULE	Rates of Dead Rent
THE FOURTH SCHEDULE	Notified Minerals 1. Bauxite. 2. Iron ore. 3. Limestone. 4. Manganese ore.
THE FIFTH SCHEDULE	Additional amount on grant or extension of mining lease
THE SIXTH SCHEDULE	(i) For non-auctioned captive mines (other than coal and lignite): (ii) For auctioned captive mines (other than coal and lignite): (iii) For coal and lignite:

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