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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 28th March, 2024.

No.MG.15/2024/34 - Standard Operating Procedure for obtaining authorisation of the State Government for inclusion of discovered mineral (other than Coal, Lignite, atomic minerals and minor minerals) in the Prospecting Licence or Mining Lease which is not already specified in the Licence or Lease.

No.MG. 15/2024/23:- Whereas, the ownership of the land as well as of the sub-soil minerals in the State of Meghalaya vest in Tribal individuals or Tribal community;

And Whereas, Chapter IX (containing Rules 26 to 34) of **the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016** (hereinafter referred to as the "Minerals (OAHCEM) Concession Rules, 2016") framed by the Central Government under the Mines and Minerals (Development and Regulation) Act, 1957 provides the procedure for obtaining a Prospecting Licence or Mining Lease in respect of land in which the minerals vest in a person other than the Government;

And Whereas, Prospecting Licence or Mining Lease in respect of minerals other than Coal, Lignite, atomic minerals and minor minerals in the State of Meghalaya are granted and regulated under the said Chapter IX of the Minerals (OAHCEM) Concession Rules, 2016;

And Whereas, the holder of Prospecting Licence or Mining Lease may discover any new mineral which are not specified in their Licence or Lease in association with the primary minerals specified in Licence or Lease during prospecting or mining operations or during processing or beneficiation of primary minerals;

And Whereas, it is in interest of conservation of minerals and encouraging zero-waste mining to facilitate the inclusion of discovered mineral in the Prospecting Licence or the Mining Lease;

And Whereas, it is also noted that many critical minerals which are not sufficiently available in the country are found in small quantities in association with other main minerals. The importance of critical mineral such as Rare Earth Elements, Titanium, Vanadium, Nickel, Gallium, Cadmium, etc. have increased in the economy due to their application in green energy transition, electric mobility, electronics manufacturing, etc. It is in economic interest of the State as well as public interest it is expedient to provide a policy to facilitate mining of critical minerals found in association with other main minerals.

And Whereas, in view of the above, it is necessary to provide Standard Operating Procedure for inclusion of any mineral not already specified in the Prospecting Licence or Mining Lease in the State of Meghalaya.

Now Therefore, the Government of Meghalaya hereby notifies the following '**Standard Operating Procedure**' [hereinafter, referred to as the '**SOP**'] for

obtaining authorisation of the State Government for inclusion of any mineral in the Prospecting Licence or Mining Lease which is not already specified therein:—

CHAPTER-I: APPLICABILITY OF THE SOP

1. The SOP is applicable in case of Prospecting Licence or Mining Lease for minerals **other than** Coal, Lignite, atomic minerals and minor minerals in the State of Meghalaya which are granted and regulated under the said Chapter IX of the Minerals (OAHCEM) Concession Rules, 2016.

CHAPTER-II: PROCEDURE FOR DEEMED AUTHORISATION FOR INCLUSION OF MINERAL IN PROSPECTING LICENCE

2. The licensee shall submit an application to the State Government in quadruplicate in **Form-A** of this SOP reporting the discovery of any mineral not already specified in the Prospecting Licence and for obtaining authorisation of the State Government for inclusion of such discovered mineral in the Prospecting Licence within a period of 60 (sixty) days from the date of such discovery.

A. Application Format and Fee in case of Prospecting Licence

3. The application shall be made in **Form-A** enclosed to this SoP. The application shall be accompanied by a fee of ₹100000/- (Rupees One Lakh) only for every Square kilometre of land applied for.

B. Cover Letter

4. The cover letter of the Application shall contain the following:

(i) A declaration that the application is made after obtaining consent of the land-owner/ licensor for inclusion of the discovered mineral in the Prospecting Licence;

(ii) A declaration to the effect that the application is being made under the provisions of Chapter IX of the Minerals (OAHCEM) Concession Rules, 2016 (As amended up to date);

(iii) A declaration to the effect that the applicant continues to be in compliance of the terms and conditions of the Prospecting Licence and the provisions of Chapter IX of the Minerals (OAHCEM) Concession Rules, 2016 (As amended up to date);

(iv) A declaration to the effect that the application in 'Form-A' along with the respective enclosures have been duly authenticated by the respective Departments of the Government of Meghalaya or a Nodal Officer which may be appointed by the State Government for that purpose;

(v) A declaration to the effect that the English translated version of *documents* submitted In support of the application (If any) are true and correct translations of the respective originals.

D. Deemed Authorisation for Inclusion of Mineral in Prospecting licence

5. Consequent upon submission of application by the licensee in *accordance* with the procedure prescribed In this Chapter of SOP, such newly discovered mineral shall be deemed to have been granted authorisation of the State Government and deemed included in the Prospecting Licence.

E. Other Terms and Conditions

6. The inclusion of newly discovered mineral in the Prospecting Licence shall be subject to the following terms and conditions, namely:—

(i) The period, area and other terms and conditions of the authorisation granted by the State Government under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016 shall remain the same.

(ii) The Licencee shall continue to undertake prospecting operations in accordance with the scheme of prospecting submitted to the Indian Bureau of Mines and in case of requirement of any revision in the scheme, the Licencee shall follow the procedure specified in Mineral Conservation and Development Rules, 2017 for submitting the revised scheme.

(iii) The Licencee shall submit to the State Government a full report of prospecting operations done by him and disclose all information acquired by him in the course of the operations carried out regarding geology and mineral resources of the area.

CHAPTER-III: PROCEDURE FOR AUTHORISATION FOR INCLUSION OF MINERAL IN MINING LEASE

7. The lessee shall submit an application to the State Government in quadruplicate in **Form-B** of this SOP reporting the discovery of any mineral not already specified in the Mining Lease and for obtaining authorisation of the State Government for inclusion of such discovered mineral in the Mining Lease within a period of 60 (sixty) days from the date of such discovery.

A. Application Format and Fee in case of Mining Lease

8. The application shall be made in Form-B enclosed to this SoP. The application shall be accompanied by a fee of ₹5000/- (Rupees Five Thousands) only for every hectare of land applied for..

B. Cover Letter

9. The cover letter of the application shall contain the following:

(i) A declaration that the applicant is made after obtaining consent of the land owner/lessor for inclusion of the discovered minerals in the mining lease;

(ii) A declaration to the effect that the application is being made under the provision of chapter IX of the minerals (OAHCEM) concession Rules, 2016 (as amended up to date);

(iii) A declaration to the effect that the applicant continues to be in compliance of the terms and conditions of the Mining Lease and the provisions of Chapter IX of the Minerals (OAHCEM) Concession Rules, 2016 (As amended up to date);

(iv) A declaration to the effect that the application in 'Form-B' along with the respective enclosures have been duly authenticated by the respective Departments of the Government of Meghalaya or a Nodal Officer which may be appointed by the State Government for that purpose;

(v) A declaration to the effect that the English translated version of documents submitted in support of the application (if any) are true and correct translations of the respective originals.

D. Authorisation for Inclusion of Mineral in Mining Lease

10. The State Government shall, upon satisfying itself of the *bona fides* of the applicant, pass an order, in writing, within a period of ninety (90) days from the date of receiving the application, either rejecting the application or authorising the applicant to include such newly discovered mineral in the Mining Lease.

11. Upon authorisation of the State Government, the land-owner/ lessor and lessee shall execute a supplementary mining lease for inclusion of the such newly discovered mineral in the Mining Lease and shall get it registered in accordance with the law.

12. Certified copy of the supplementary lease deed in duplicate shall be submitted to the State Government within three (3) months of authorisation from the State Government as required under Rule 30 of the Minerals (OAHCEM) Concession Rules, 2016.

E. Other Terms and Conditions

13. The inclusion of newly discovered mineral in the Prospecting Licence shall be subject to the following terms and conditions, namely:—

(i) The period, area and other terms and conditions of the authorisation granted by the State Government under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016 shall remain the same and the lessee shall continue to be in compliance of the said terms and conditions.

(ii) The lessee shall continue to undertake mining operations in accordance with the mining plan approved by the Indian Bureau of Mines and in case of requirement of any revision in the mining plan, the lessee shall follow the procedure specified in

(iii) Name of the holder of Prospecting Licence with complete address and contact number:

(iv) Date of grant and execution of Prospecting Licence:

(v) Date of expiry of the Prospecting Licence:

(vi) Mineral(s) originally specified In the Prospecting Licence:

(vii) Mineral(s) applied to be Included In the Prospecting Licence:

(viii) Brief description regarding discovery of the new mineral(s) to be included in the Prospecting Licence (Quantity, Grade, Primary Ores, etc):

(ix) Particulars of receipted treasury challan attached for the amount referred to at 2 above:

(x) Details of the consent of the land-owner/ grantor of the Prospecting Licence:

(xi) Any other information:

I/we do hereby declare that the particulars furnished above are correct and I/we am/are ready to furnish any other details as may be required by you.

Yours faithfully,

Signature of the Prospecting Licence Holder

Place:

Date :

Enclosures to the Application:**Checklist**

Documents	[✓ or X]	Particulars
1. Copy of the consent of the land-owner/ grantor of the Prospecting Licence for inclusion of newly discovered mineral in the Prospecting Licence		
2. Copy of the order of the State Government for authorisation for grant of Prospecting Licence under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016		
3. Copy of the Prospecting Licence		

To be submitted in Quadruplicate

Received at (Place)

On..... (Date)

Initial of Receiving Officer

GOVERNMENT OF MEGHALAYA

FORM-B

Application for authorisation of the State Government for inclusion newly discovered mineral in the Mining Lease In respect of land In which the minerals vest in a person other than the Government.

(See Chapter IX of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016)

Dated _____ day of _____ month, 20____

To,
The Secretary
Mining and Geology Department
Government of Meghalaya.

1. I/We report that occurrence of [*name of new mineral*] mineral(s) have been discovered in the area covered under the Mining Lease of the lessee on [date] along with the [*name of minerals specified in ML*] minerals already specified in the Prospecting Licence and request that authorisation of the State Government for inclusion of such newly discovered mineral in the Mining Lease under Chapter IX of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (hereinafter, the Minerals (OAHCEM) Concession Rules, 2016) be issued to me/us.

2. A sum of ₹ _____ being the fee in respect of this application has been deposited

vide Treasury Challan No. _____.

3. The required particulars are given below:-

(i) Order No. and date of the authorisation of the State Government for grant of Mining Lease under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016:

(ii) Name of the Land-owner/ Grantor of Mining Lease with complete address and contact number:

(iii) Name of the holder of Mining Lease with complete address and contact number:

(iv) Date of grant and execution of Mining Lease:

(v) Date of expiry of the Mining Lease:

(vi) Minerals(s) originally specified in the Mining Lease :

(vii) Minerals(s) applied to be included in the Mining Lease :

(viii) Brief description regarding discovery of the new minerals(s) to be included in the Mining Lease (Quantity, Grade, Primary Ores, etc.) :

- (ix) Particulars of receipted treasury challan attached for the amount referred to at 2 above :
- (x) Details of the consent of the land-owner / grantor of the Mining Lease :
- (xi) Any other information :

I / we do hereby declare that the particulars furnished above are correct and I / we / am / are ready to furnish any other details as may be required by you.

Yours faithfully,

Signature of the Prospecting Licence Holder

Place :

Date :

Enclosures to the Application :

Checklist

Documents	[✓ or X]	Particulars
1. Copy of the consent of the land-owner / grantor of the Mining Lease for inclusion of newly discovered mineral in the Mining Lease		
2. Copy of the order of the State Government for authorisation for grant of Mining Lease under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016		
3. Copy of the Mining Lease		

Mineral Conservation and Development Rules 2017, for submission and approval of mining plan.

- (iii) The lessee shall continue to be in compliance of condition stipulated under the Environmental Clearance, Forest Clearance, consent to operate and other statutory clearances.
- (iv) The lessee shall pay royalty, payment to District Mineral Foundation Trust and National Mineral Exploration Trust and other statutory payment as applicable on such newly discovered mineral.
- (v) Transportation of minerals has to be in accordance with the Meghalaya Minerals (Prevention of Illegal Mining Transportation and Storage) Rules and as per the provisions and conditions of the approved mining plan.
- (vi) Safety aspect : Safety of mine workers shall be ensured in compliance of the Mines Act, 1952 / the Occupational Safety, Health and Working Conditions Code, 2020.

E. KHARMALKI,
Secretary to the Govt, of Meghalaya,
Mining and Geology Department.

To be submitted In Quadruplicate

Received at (Place)

On (Date)

Initial of Receiving Officer

GOVERNMENT OF MEGHALAYA**FORM – A**

Application for authorisation of the State Government for inclusion newly discovered mineral in the Prospecting Licence in respect of land in which the minerals vest in a person other than the Government.

[See Chapter IX of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016]

Dated _____ day of _____ (month), 2024.

To,

The Secretary
Mining and Geology Department
Government of Meghalaya.

1. I / We report that occurrence of [name of new mineral] mineral(s) have been discovered in the area covered under the Prospecting Licence of the licensee on [date] along with the [name of minerals specified in PL] minerals already specified in the Prospecting Licence and request that authorisation of the State Government for inclusion of such newly discovered mineral in the Prospecting Licence under Chapter IX of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 (hereinafter, the Minerals (OAHCEM) Concession Rules, 2016) be issued to me / us.
2. A sum of ₹ _____ being the fee in respect of this application has been deposited *vide* Treasury Challan No. _____.
3. The required particulars are given below :-
 - (i) Order No. and date of the authorization of the State Government for grant of Prospecting Licence under Rule 27 of the Minerals (OAHCEM) Concession Rules, 2016 :
 - (ii) Name of the Land-owner / Grantor of Prospecting Licence with complete address and contact number :

The 22nd August, 2024.

No.GDC-GENL/DP/139/08/290- In pursuance of the Sections 51,52,53,54 and 69 of the Assam Land and Revenue Regulation, 1986 *read* with Section 3 of the Garo Hills Autonomous District (Land and Revenue) Regulation, 1954, Shri Tengtey R. Marak, Assistant Settlement Officer, Garo Hills Autonomous District Council is hereby invested upon with the revenue powers to exercise within the jurisdiction of the Garo Hills Autonomous District Council.

This shall come into force with immediate effect.

A. R. MARAK,
Chief Executive Member,
Garo Hills Autonomous District Council, Tura.

**BIO-DATA OF SHRI TENGTEY R. MARAK, ASSISTANT SETTLEMENT OFFICER,
LAND ACQUISITION BRANCH, LAND & REVENUE DEPARTMENT,
GARO HILLS AUTONOMOUS DISTRICT COUNCIL TURA.**

Name	Tengtey R. Marak
Designation	Assistant Settlement Officer
Institution	Garo Hills Autonomous District Council
Father's Name	Late Nepolson S. Chisim
Date of Birth	07-03-1973
Educational Qualification	Graduate
Date of Appointment	01-01-1999
Home Address	Matchakolgre, New Tura, West Garo Hills, Meghalaya.

TENGTEY R. MARAK,
Assistant Settlement Officer,
I/c Land Acquisition Branch,
Garo Hills Autonomous District Council, Tura.