

**Figure 3**  
**INDIAN MINING LEGISLATION AT A GLANCE**

- I. **Mines and Minerals (Regulation and Development) Act, 1957, amended 1994**
- Defines Centre/State responsibilities, including Geological Survey of India
    - Coal, atomic minerals and 11 others in federal jurisdiction
    - Minor minerals under State authority
    - Management of all prospecting licenses and mining leases by the States
    - Central responsibility for mineral development and mineral conservation; joint Centre/State administration
  - Enables rules for Prospecting Licenses and Mining Leases
    - Indian-registered companies under the Companies Act
    - twenty-five square kilometre cap on prospecting licenses
    - three years for prospecting licence: 30 years for lease
    - premature termination of leases/licenses by the Central government in the interest of mineral development, safety, or environmental protection
  - Specifies royalties payable to State governments
  - Establishes Offenses and Penalties
    - Liability of Directors
- 1a. **Mineral Concession Rules, 1960, amended 1994**
- Specifies conditions and procedures for obtaining prospecting licenses and mining leases, including forms to be used and information to be provided

*Prospecting Licenses*

- nominal application fees
- safety/security of property
- State government information requirements
- reforestation of two times the number of trees destroyed
- employment of Indian nationals, except with Central gov't approval possible compensation of private holders of surface rights

*Mining Leases*

- submission of Mining Plan for approval by Indian Bureau of Mines
- mining method(s), geology, impact on environment and mitigation measures
- government information requirements
- small yearly 'dead rent' fees
- employment of Indian nationals, and especially displaced persons, except with Central gov't approval
- operations to commence within one year of the start of the lease
- "pre-emption" of minerals by State gov't on payment of fair market price
- safety/security of the property
- adherence to Mineral Conservation and Development Rules, 1988
- replanting of at least two times the number of trees destroyed