AS PASSED BY THE RAJYA SABHA
ON 17TH AUGUST, 2010

Bill No. XXXIX-C of 2008

THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) AMENDMENT BILL, 2010

(As passed by the Rajya Sabha)

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BILL

further to amend the Mines and Minerals (Development and Regulation) Act, 1957.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

Short title and commencement.

1. *(1)* This Act may be called the Mines and Minerals (Development and Regulation) Amendment Act, 2010.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new section 11A.

67 of 1957.

2. In the Mines and Minerals (Development and Regulation) Act, 1957 (hereinafter referred to as the principal Act), after section 11, the following section shall be inserted, namely:—

Procedure in respect of coal or lignite.

'11A. The Central Government may, for the purpose of granting reconnaissance permit, prospecting licence or mining lease in respect of an area containing coal or lignite, select, through auction by competitive bidding on such terms and conditions as may be prescribed, a company engaged in,—

(i) production of iron and steel;

(ii) generation of power;

(iii) washing of coal obtained from a mine; or

(iv) such other end use as the Central Government may, by notification in the Official Gazette, specify,

and the State Government shall grant such reconnaissance permit, prospecting licence or mining lease in respect of coal or lignite to such company as selected through auction by competitive bidding under this section:

Provided that the auction by competitive bidding shall not be applicable to an area containing coal or lignite,—

(a) where such area is considered for allocation to a Government company or corporation for mining or such other specified end use;

(b) where such area is considered for allocation to a company or corporation that has been awarded a power project on the basis of competitive bids for tariff (including Ultra Mega Power Projects).

Explanation.—For the purposes of this section "company" means a company as defined in section 3 of the Companies Act, 1956 and includes a foreign company within the meaning of section 591 of that Act.'. 1 of 1956.

Amendment of section 13.

3. In section 13 of the principal Act, in sub-section *(2)*, after clause *(c)*, the following clause shall be inserted, namely:—

"*(d)* the terms and conditions of auction by competitive bidding for selection of the company under section 11A;".

RAJYA SABHA

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further to amend the Mines and Minerals (Development and Regulation) Act, 1957.

(*As passed by the Rajya Sabha*)

GMGIPMRND—3974RS(S4)—17.08.2010.