

No. 1/24/2009-RC-I
GOVERNMENT OF INDIA
MINISTRY OF MINES

Dated 8th March 2010

ORDER

Sub: Delegation under Section 30 of MMDR Act 1957

The undersigned is directed to refer to Order of even number dated 16th December 2009 and to say that the matter has been further considered and with a view to streamline procedures, it has been decided to suitably modify Para 4 of the guidelines dated 16.12.2009. Para 4 will read as under with immediate effect:

"4. Accordingly the powers of the Central Government under Section 30 of the MMDR Act, 1957 shall be exercised by the Officer specified in Schedule A of the Order in the following manner:

- (i) Based on the records of the case as specified in Rule 55(3) of Mineral Concession Rules, 1960, the Officer concerned shall record his opinion. If the Officer concerned perceives a need to conduct an oral hearing, he will proceed accordingly before recording his opinion. Similarly, if any party to the Revision Application requests for oral hearing, the Officer concerned will take a decision whether to conduct an oral hearing or not and then proceed accordingly. Oral hearing, if held, must be brief and to the point.*
- (ii) In case on the basis of the records of the case it appears to the Officer that an intricate point of law is involved on which he is unable to form an opinion, he shall formulate that point and refer it to the Dept of Legal Affairs for an opinion. The Officer shall finalize the opinion having regard to the observations or views of the Dept of Legal Affairs, if any.*
- (iii) In cases not involving accord of prior approval of the Minister of Mines under Section 5(1) or Section 11 of the MMDR Act, the Officer shall obtain the approval of the Additional/Special Secretary to his opinion and issue an order accordingly.*

(iv) All cases involving prior approval having been accorded by the Minister of Mines under Section 5(1) or Section 11 of the MMDR Act shall be submitted by the Officer concerned through the Additional Secretary/Special Secretary (Mines) to the Minister of Mines for approval before the issue of the Order."

2. Annexure A and Annexure B mentioned in the Order dated 16.12.2009 shall be accordingly substituted by Annexure A and Annexure B attached herewith.

3. This issues with the approval of Minister of Mines.

Bhupal Nanda
(Bhupal Nanda)
Director

To

All Revision Authorities

Copy to:

- (1) PS to Hon'ble Minister of Mines
- (2) Sr PPS to Secretary (Mines)
- (3) PPS to Special Secretary (Mines)
- (4) TD (NIC) for placing it on Mines Website.

ANNEXURE-A

**Name of the Officers nominated for disposing of the Revision Applications under
Section 30 of the MMDR Act, 1957**

1. Smt. Ajita Bajpai Pande, Joint Secretary (M&R)
2. Shri Sundeep K. Nayak, Joint Secretary (M)
3. Shri Suresh Kishnani, Director
4. Shri Bhupal Nanda, Director
5. Shri R.K. Malhotra, Deputy Secretary
6. Shri Gaurav Kumar, Deputy Secretary (Except prior approval cases)

ANNEXURE-B

Name of Officer _____

Name of State _____

Report for the Month, _____, 20__

Sl. No.	Status Report for the Months	Opening Balance	Addition during the month	Disposal during the month	Closing Balance	Final Disposal
1.	Pending for admission					
2.	Pending for comments of State Government and impleaded parties					
3.	Pending for counter comments of revision applicant					
4.	For oral hearing (optional at discretion of officers empowered to hear the case)					
5.	Pending for opinion of Officer					
6.	Opinion					
7.	Pending approval of AS/SS				₹	
8.	Pending approval of MoM					

Note:-

1. No of cases rejected at admission stage/inlimine will be shown in final disposal columns against S.No.1, and only admitted cases will be carried over to 'Addition during month' in S.No.2.
2. Closing Balance of each month will be opening Balance of next month.
3. 'Disposal during the month' for case status in any row will become 'Addition during the month' in the row below.