



ABSTRACT

Mines and Minerals – The Mines and Minerals (Development & Regulation) Amendment Act, 2015 – Establishment of District Mineral Foundation – Tamilnadu District Mineral Foundation Rules, 2017 - Notified – Amendment to the notification - Orders – Issued.

INDUSTRIES (MMD.1) DEPARTMENT

G.O.(Ms) No.81

Dated: 14.08.2018

விளம்பி, ஆடித் திங்கள் 29

திருவள்ளூர் ஆண்டு 2049

Read:

- 1) The Mines and Minerals (Development and Regulation) Amendment Act, 2015.
 - 2) G.O.(Ms) No.57, Industries (MMD.1) Department, dated 19.05.2017.
 - 3) Tamil Nadu Government Gazette Extraordinary No.143, dated 19.5.2017.
 - 4) G.O.(Ms) No.90, Industries (MMD.1) Department, dated 27.7.2017.
 - 5) Tamil Nadu Government Gazette Extraordinary No.248, dated 12.7.2017.
 - 6) Orders of the Hon'ble Supreme Court of India, dated 13.10.2017 in W.P.(C) No.989 / 2016 etc., batch cases – Federation of Indian Mineral Industries and others Vs. Union of India.
 - 7) From the Director of Geology and Mining Letter Rc.No. 3946 / LC / 2015, dated 29.6.2018.
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ORDER:

In the Government Order second read above, the Government have notified "The District Mineral Foundation Rules 2017, to establish a Trust in each District of the State and collect District Mineral Foundation Fund from the lessees of major and minor minerals as per the rates specified in the rules with effect from 12.01.2015.

2. In the letter seventh read above, the Director of Geology and Mining has requested for amendments. Accordingly, the following Notification will be published in the Tamil Nadu Government Gazette:-

(p.t.o)

NOTIFICATION

In exercise of the powers conferred by sub-section (4) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu District Mineral Foundation Rules, 2017, namely:-

AMENDMENTS.

In the said Rules,-

(1) In rule 2, after the sub-rule (ii), the following sub-rules shall be inserted, namely:-

“(ii-a) “Affected family” and “Displaced Family” shall have the same meanings assigned to them in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013)”;;

(2) for rule 12, the following rule shall be substituted, namely:-

“12. Operation of the Trust Fund.- The Trust Fund shall be deposited in any Nationalized Bank only in the name of the Trust and all accounts shall be operated under the joint signatures of the Chairperson and Deputy Director or Assistant Director of Geology and Mining. The Trust shall maintain the books of accounts of the Fund”.

(3) in rule 16, after sub-rule (3), the following sub-rules shall be inserted, namely: -

“(4) Notwithstanding anything contained in rules 14, 15 and sub-rules (1), (2) and (3) of this rule, the projects involving costs upto Rs.50 (Fifty) Lakhs in a financial year may be approved and implemented by the Governing Council chaired by the District Collector.

(5) Whenever the total cost of the selected project(s) exceeds Rs.50 (Fifty) lakhs and is upto Rs.100 lakhs in a financial year, the Governing Council, after approval of the project, shall obtain the concurrence from the Director of Geology and Mining before implementing the project.

(6) Whenever the total cost of the selected project(s) exceeds Rs.100 Lakhs in a financial year, the Governing Council, after approval of the project, shall obtain concurrence of the Government, before implementing the project..”;

(4) in rule 18, after sub-rule (1), the following sub-rule shall be substituted, namely:-

"(2) Notwithstanding anything contained in sub-rule (1), the Accountant General (Audit) shall audit the accounts of the Trust annually on completion of each financial year."

(5) in the Appendix, ---

(i) for paragraph 13, the following paragraph shall be substituted, namely:-

"13. Operation of the Trust Fund.- The Trust Fund shall be deposited in any Nationalized Bank only in the name of the Trust and all accounts shall be operated under the joint signatures of the Chairperson and Deputy Director or Assistant Director of Geology and Mining. The Trust shall maintain the books of accounts of the Fund.";

(ii) in para 16, in sub-paragraph(2), the following sub-paragraph shall be substituted, namely:-

"(2) Notwithstanding anything contained in sub-rule (1), the Accountant General (Audit) shall audit the accounts of the Trust annually on completion of each financial year."

(BY ORDER OF THE GOVERNOR)

**K. GNANADESIKAN
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To
The Works Manager,
Government Central Press,
Chennai – 600 079.

The Secretary,
Ministry of Mines,
Government of India,
New Delhi – 110 001.

The Principal Secretary to Prime Minister,
Prime Minister's Office, New Delhi.

The Additional Chief Secretary to Government,
Finance Department, Chennai – 600 009.

The Principal Secretary,
Public Works Department, Chennai – 600 009.

The Secretary to Government,
Law Department, Chennai – 600 009.

The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Chennai - 600 009.

The Director of Geology and Mining,
Guindy, Chennai-600 032.

The Managing Director,
Tamil Nadu Minerals Limited, Chennai - 600 005.

The Principal Chief Conservator of Forests,
Chennai - 600 006.

The Commissioner of Town & Country Planning,
Chennai-600 002.

The Accountant General,
Chennai-9/18/35.

All District Collectors.

All District Forest Officers.

All District Treasury Officers.

Copy to:

Public Works/Law/Finance Departments, Chennai - 600 009.

All Sections in Mines wing, Industries Department, Chennai - 600 009.

Industries (OP.II) Department, Chennai - 600 009.
SF/SC.

// Forwarded / By Order //


14.8.18
SECTION OFFICER

G.2m
14/8/18