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National Mineral Exploration Trust (Amendment) Rules, 2018

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MINISTRY OF MINES

NOTIFICATION

New Delhi, the 7th March, 2018.

G.S.R. 208(E).—In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 9C of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules to amend the National Mineral Exploration Trust Rules, 2015, namely:—

1. (1) These rules may be called the National Mineral Exploration Trust (Amendment) Rules, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the National Mineral Exploration Trust Rules, 2015 (hereinafter referred to as the said rules), in rule 6, for sub-rule (2), the following sub-rule shall be substituted, namely:—
 - “(2) The Fund shall be opened under the Public Account of India which shall be a non-lapsable and non-interest bearing account and shall be administered by the Central Government.
 - (3) The Fund shall comprise of payment of two percent equivalent of royalty payable by the holders of the mining lease or prospective licence-cum-mining lease under sub-section (4) of the section 9C of the Act.
 - (4) The Fund shall be utilized for carrying out the objects and functions as specified in rule 9, including carrying out regional and detailed exploration for minerals under the scheme, namely, ‘Regional and detailed exploration and related activities under Fund’.
3. In the said rules, for rule 7, the following rules shall be substituted, namely:—
 - “7. Contribution to Fund.— (1) The holder of mining lease or prospecting license-cum-mining lease shall, while making payment of royalty to the State Government, pay to the Trust a sum equivalent to two percent of the royalty under sub-section (4) of section 9C of the Act by depositing the same in the Public Account of the State under the Head booked for this purpose.
 - (2) The State Governments shall transfer the amount so collected in the Public Account of the State under sub-rule (1) to the Consolidated Fund of India.
 - (3) The accretions in the Consolidated Fund of India shall be periodically transferred to the Fund by the Central Government, after due appropriation made by Parliament by law, in the financial year.
 - (4) The responsibility of collecting and transferring the amount referred in sub-rule (1) to Consolidated Fund of India and maintaining necessary accounts in this behalf shall be that of the State Government and it shall transfer such receipts to the Consolidated Fund of India as early as possible and in any case, not later than the tenth day of the succeeding month in respect of the amount collected in any particular month.
 - (5) The State Government shall provide information regarding the amount collected under sub-rule (1) and the amount transferred to Consolidated Fund of India under sub-rule (2) to the Indian Bureau of Mines on a monthly basis.
 - (6) The Indian Bureau of Mines shall maintain an updated record of the amount transferred to the Consolidated Fund of India along with a database of royalty payments and provide such information to the Trust on a periodic basis.”.
4. In the said rules, in rule 8, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The bank account of the Trust shall be closed as soon as possible after the publication of this notification and till such closure, the bank account of the Trust shall continue to be operated through the Member-Secretary or any other Member of the Executive Committee or any other officer of the Central Government as may be authorized by the Executive Committee.”.

5. In the said rules, in rule 19, in sub-rule (1), for the words “at the beginning”, the words “before the beginning” shall be substituted.

6. In the said rules, for rule 20, the following rule shall be substituted, namely:—

“20. Annual Budget.- (1) The Member Secretary of the Executive Committee shall, before the beginning of each financial year, cause preparation of an annual budget containing the details of the proposed income and expenditure on activities covered in the annual plan for that particular financial year, including the legal, administrative and other costs and expenditure proposed to be incurred by the Trust together with details of funding requirements in this regard, to be referred as the Annual Budget.

(2) Annual Budget provision shall also be made in the Demands for Grants of Central Government under appropriate Head for incurring expenditure under Fund and equivalent amount thereof shall be met from the Fund.

(3) After due appropriation of fund and receipt of sanction of the Competent Authority, the expenditure under the Fund shall be incurred from the relevant sub-major or minor heads and on the basis of the sanction issued by the Central Government, the Pay and Accounts Office of the Central Government shall make the payment as per the General Financial Rules, 2017.”.

7. In the said rules, for rule 21, the following rule shall be substituted, namely:—

“21. Approval of the Annual Plan and the Annual Budget.- (1) The annual plan and the annual budget shall be laid before the Governing Body for its approval thirty days before the beginning of each financial year.

(2) Any amendment in the annual plan or the annual budget subsequent to the approval of the Governing Body may be done with the approval of the Executive Committee and informed to the Governing Body in its next meeting.”.

8. In the said rules, for rule 24, the following rule shall be substituted, namely:—

“24. Maintenance and Audit of Accounts.- (1) The Pay and Accounts Office in the Central Government shall maintain a broadsheet of accretions to and payment from the Fund and effect reconciliation on monthly basis thereof with the concerned divisions and shall ensure that there are no adverse balances in the Fund at any point of time.

(2) The account of the Trust shall be subject to the audit by the Comptroller and Auditor General of India and also to audit by internal audit wing of the office of the Chief Controller of Accounts, in the Central Government.”.

[F. No. 11/8/2015-M.I]

NIRANJAN KUMAR SINGH, Jt. Secy.

Note : The National Mineral Exploration Trust Rules, 2015 were published in the Gazette of India, Extraordinary, part II, section 3, sub-section (i) vide notification number G.S.R. 632 (E), dated the 14th August, 2015.