

# The Mines and Minerals (Development and Regulation) Removal of Difficulties Order, 2017<sup>1</sup>

Whereas difficulties have arisen in giving effect to the provisions of clause (c) sub-section (2) of Section 10-A of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), insofar as it relates to fulfilment of conditions laid in the letter of intent (by whatever name called) issued by the State Governments within a period of two years from the date of commencement of the said Act.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 24 of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), the Central Government hereby makes the following order to remove the difficulties relating to fulfilment of conditions laid in the letter of intent, namely—

**1. Short title and commencement.**—(1) This order may be called the Mines and Minerals (Development and Regulation) Removal of Difficulties Order, 2017.

(2) It shall come into force on the date of its publication in the Official Gazette.

**2. Environmental Clearance.**—Notwithstanding anything contained in clause (c) of sub-section (2) of Section 10-A of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), it is clarified that where the condition of obtaining environmental clearance has not been complied with by the applicant on or before 11th January, 2017, but all other conditions specified in previous approval or the letter of intent have been fulfilled, the applications shall be considered under that section and mining lease shall be granted by the concerned State Governments in accordance with the notifications issued under the Environment (Protection) Act 1986 (29 of 1986):

Provided that no mining activity shall commence unless and until the applicant obtains environmental clearance as laid down under the Environment (Protection) Act, 1986 and the rules made there under.

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1. Ministry of Mines, Order No. S.O. 27(E), dated January 4, 2017, published in the Gazette of India, Extra., Part II, Section 3(ii), dated 4th January, 2017, p. 2, No. 26