

F. No. M.VI-16/47/2023-Mines VI
Government of India
Ministry of Mines

Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi-110 001

Dated: 1st December, 2023

NOTICE

Subject: Amendment of the MCR, 2016 for specifying methodology for calculation of Average Sale Price (ASP) for certain critical and strategic minerals, viz., Beryllium, Cadmium, Gallium, Indium, Rhenium, Selenium, Tantalum, Tellurium, Titanium, Tungsten and Vanadium - reg.

Ministry of Mines has recently rationalised the royalty rates and specified methodology for calculation of ASP for various critical and strategic minerals listed in Part D of the First Schedule of the Act such as Glaucosite, Lithium, Molybdenum, Niobium, Platinum Group of Minerals, Potash and Rare Earth Elements. In furtherance of this, the Ministry is considering to rationalise/ specify the methodology for calculation of ASP for remaining critical and strategic minerals, viz., Beryllium, Cadmium, Gallium, Indium, Rhenium, Selenium, Tantalum, Tellurium, Titanium, Tungsten and Vanadium.

2. Geological Survey of India (GSI) and MECL have handed over the exploration report of some of these minerals. Exploration agencies are also engaged in exploration of other critical minerals. In order to auction these blocks, methodology for calculation of Average Sale Price (ASP) of these minerals is required to be specified as ASP forms the basis of determining bid parameters and auction premium.

3. Accordingly, the Ministry of Mines is proposing to prescribe the methodology for calculation of ASP Beryllium, Cadmium, Gallium, Indium, Rhenium, Selenium, Tantalum, Tellurium, Titanium, Tungsten and Vanadium and make consequent amendments in Rule 45 of the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016 (MCR, 2016). With the current proposal, methodology for calculation of ASP for all 24 critical and strategic minerals will be available.

4. In pursuance of the Pre-Legislative Consultation Policy, the draft amendment rules are placed at annexure for inviting the comments/suggestions from the general public, Governments of States and Union Territories, mining industry stake-holders, industry associations, and other persons and entities concerned.

5. The last date for receipt of the comments/suggestions is 31.12.2023.

6. The comments/suggestions may be sent by e-mail in MS-Office Word file to the following ID:

jspolicy-mines@gov.in

The subject of the e-mail should be "Comments/ suggestions on the amendment of the MCR, 2016 for specifying methodology for ASP for certain critical minerals".

7. Alternatively, comments/suggestions may also be sent by post to the following address:

Shri Mustaq Ahmad, Director
Ministry of Mines
Room No. 313,
D-Wing Shastri Bhawan,
Dr Rajendra Prasad Road
New Delhi -110 001

The envelope may kindly be superscribed on the top with:

"Comments/ suggestions on the amendment of the MCR, 2016 for specifying methodology for ASP for certain critical minerals".

Encl.: As above.


(Mustaq Ahmad)
Director
Ph. 011-23383576

Annexure

Draft Notification

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY,
PART-II, SECTION 3, SUB-SECTION (i)]

**MINISTRY OF MINES
NOTIFICATION**

New Delhi, the December, 2023

G.S.R.__(E).— In exercise of the powers conferred by section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016, namely:—

1. Short title and commencement.— (1) These rules may be called the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession (Second Amendment) Rules, 2023.

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

2. In the Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016, in rule 45, —

(i) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) Indian Bureau of Mines shall publish average sale price of Tungsten Trioxide (WO_3) in Indian Rupees on the basis of prices published by the United States Geological Survey (USGS) or other reputed publications for Tungsten concentrate for the latest available calendar year by multiplying such price of Tungsten concentrate with the following, namely:—

(i) average reference rate of Reserve Bank of India for the said calendar year, and

(ii) the conversion factor of 1.54.”;

(ii) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(7) Indian Bureau of Mines shall publish average sale price of Cadmium, Gallium, Indium, Rhenium, Selenium, Tellurium and Titanium in Indian Rupees on the basis of prices published by the United States Geological Survey (USGS) or other reputed publications for the Cadmium metal, Gallium metal, Indium metal, Rhenium metal pellets, Selenium powder, Tellurium metal and Titanium sponge metal, as the case may be, for the latest available calendar year by multiplying such price with average reference rate of Reserve Bank of India for the said calendar year.

(8) Indian Bureau of Mines shall publish average sale price of Beryllium in Indian Rupees on the basis of prices published by the United States Geological Survey (USGS) or other reputed publications for the Beryllium-copper master alloy for the latest available calendar year by multiplying such price with the following, namely:—

(i) average reference rate of Reserve Bank of India for the said calendar year, and

(ii) the conversion factor of 25.

(9) Indian Bureau of Mines shall publish average sale price of Tantalum in Indian Rupees on the basis of prices published by the United States Geological Survey (USGS) or other reputed publications for Tantalite for the latest available calendar year by multiplying such price with the following, namely:—

(i) average reference rate of Reserve Bank of India for the said calendar year, and

(ii) the conversion factor of 1.22.

(10) Indian Bureau of Mines shall publish average sale price of Vanadium Pentoxide in Indian Rupees on the basis of prices published by the United States Geological Survey (USGS) or other reputed publications for the Vanadium Pentoxide for the latest available calendar year by multiplying such price of Vanadium Pentoxide with average reference rate of Reserve Bank of India for the said calendar year.”.

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(Dr. Veena Kumari Dermal)

Joint Secretary

Note:-The Minerals (Other than Atomic and Hydro Carbons Energy Mineral) Concession Rules, 2016 were published in the Gazette of India, Part-II, section 3, sub-section (i) *vide* number G.S.R. 279(E) dated the 4th March, 2016 and lastly amended *vide* number G.S.R. 737(E), dated the 12th October, 2023.