

# ATOMIC MINERALS CONCESSION (AMENDMENT) RULES, 2023

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## Introduction

In a recent development, the Ministry of Mines has introduced significant amendments to the Atomic Minerals Concession Rules, 2016. These amendments, effective upon their publication in the Official Gazette, impact mining activities related to atomic minerals and rare earth elements (REE). This article will provide a detailed analysis of the key changes brought about by these amendments and their implications for the mining sector.

### 1. Short Title and Commencement

- The amended rules are known as the “Atomic Minerals Concession (Amendment) Rules, 2023” and are in force from the date of their publication in the Official Gazette.

### 2. Substitution of Rule 37

- Rule 37 of the Atomic Minerals Concession Rules, 2016, has been substituted with a new rule. The revised rule outlines penalties for contravening various provisions, including those related to sub-rules (4) and (6) of rule 4, provisos to sub-rules (1) and (2) of rule 5, rule 7, rule 8, rule 9, rule 10, sub-rule (11) of rule 13, sub-rule (6) of rule 14, sub-rule (2) of rule 15, rule 16, rule 20, rule 21, rule 28, and rule 31.
- The penalty for contravention can include imprisonment for up to two years, a fine of up to rupees five lakhs, or both. In cases of continuing contraventions, an additional fine of up to rupees fifty thousand for every day after the first conviction may be imposed.

### 3. Amendments to Schedule B

- In Schedule B, Part III, a new table replaces serial number III and its related entries. This new table categorizes the type of deposit and principal minerals in stages from G4 to G1 for rare metals and REE occurring in pegmatites, reefs, veins/pipes, and carbonatite and other alkali igneous rocks. The table specifies drilling, pitting, trenching, and sample spacing requirements at different stages of exploration.
- For instance, under “III. Rare metal and REE occurring in pegmatites, reefs, and veins/pipes,” the table outlines exploration activities such as scout drilling, random pitting, trenching, and exploratory open pit or boreholes at varying intervals depending on the stage of exploration.
- Similarly, “IIIA. Rare metal and REE occurring in carbonatite and other alkali igneous rocks” is divided into (i) Tabular Rare metal and REE deposits and (ii) Lenticular Rare metal and REE deposits in the form of veins/lenses, with specific requirements for scout drilling, random pitting, trenching, and borehole grid/sample spacing.

## Conclusion

The Ministry of Mines' amendments to the Atomic Minerals Concession Rules, 2016, introduce stringent penalties for contraventions and provide detailed guidelines for exploration activities related to rare metals and REE in various geological formations. These amendments aim to strengthen regulatory oversight, promote responsible mining practices, and ensure compliance with safety and environmental standards in the mining of atomic minerals.

Mining companies operating in this sector must carefully adhere to these amended rules to avoid legal consequences. These changes underscore the government's commitment to the safe and responsible exploitation of atomic minerals and rare earth elements, vital for various industrial and technological applications.

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## MINISTRY OF MINES

### NOTIFICATION

New Delhi, the 22nd September, 2023

**G.S.R. 682(E).**—In exercise of the powers conferred by section 11B 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 Atomic Minerals Concession Rules, 2016, namely:—

**1. Short title and commencement:**— (1) These rules may be called the Atomic Minerals Concession (Amendment) Rules, 2023.

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

**2.** In the Atomic Minerals Concession Rules, 2016 (hereinafter referred to as the said rules), for rule 37, the following rule shall be substituted, namely:—

“**37. Penalty.**— Whoever contravenes the provisions of sub-rules (4) and (6) of rule 4, second proviso to sub-rule (1) or proviso to sub-rule (2) of rule 5 or rule 7 or rule 8 or rule 9 or rule 10 or sub-rule (11) of rule 13 or sub-rule (6) of rule 14 or sub-rule (2) of rule 15 or rule 16 or rule 20 or rule 21 or rule 28 or rule 31 shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to rupees five lakhs, or with both, and in the case of a continuing contravention, with additional fine which may extend to rupees fifty thousand for every day during which such contravention continues after conviction for the first such contravention.”.

**3.** In the said rules, in Schedule B, in Part III, in the table, for serial number III and the entries relating thereto, the following serial number and entries shall be substituted, namely: —

Type of deposit and Principal Minerals	G4 stage	G3 stage	G2 stage	G1 stage	Re
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<p>“III. Rare metal and REE occurring in pegmatites, reefs and veins/ pipes.</p>	<p>Scout drilling/ random pitting/ trenching as necessity</p>	<p>10 to 25 pits/ trenches per sq.km.  In case of drilling, borehole spacing may per be 40m x 20m or 40m x 40m.</p>	<p>Pitting/Trenching/ preferably at 20m interval.  In case of drilling, borehole spacing may be 20m x 10m or 20m x 20m.</p>	<p>Exploratory open pit or boreholes at 10m x 10m or closer or underground sampling with bulk determination of grades and recovery wherever necessary.</p>
<p>IIIA. Rare metal and REE occurring in carbonatite and other alkali igneous rocks</p>	<p>Scout drilling/ random pitting/ trenching as per necessity</p>	<p>Borehole grid/ sample spacing may be 400m x 200m or closer</p>	<p>Borehole grid/ sample spacing may be 100m or closer</p>	<p>Borehole grid/ sample spacing may be 100m x 100m or closer</p>
<p>(i) Tabular Rare metal and REE deposits</p>	<p>Scout drilling/ random pitting/ trenching as per necessity</p>	<p>Borehole grid/ sample spacing may be 200m x 200m or closer</p>	<p>Borehole grid/ sample spacing may be 100m or closer</p>	<p>Borehole grid/ sample spacing may be 100m x 50m or closer.”.</p>
<p>(ii) Lenticular Rare metal and REE deposits in the form of veins / lenses</p>	<p>Scout drilling/ random pitting/ trenching as per necessity</p>	<p>Borehole grid/ sample spacing may be 200m x 200m or closer</p>	<p>Borehole grid/ sample spacing may be 100m or closer</p>	<p>Borehole grid/ sample spacing may be 100m x 50m or closer.”.</p>

Dr. VEENA KUMARI DERMAL, Jt. Secy.

**Note:-** The principal rules were published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) *vide* number G.S.R. 677(E), dated the 11th July, 2016 and lastly amended *vide* number G.S.R. 134(E), dated the 20<sup>th</sup> February, 2019.