

**GOVERNMENT OF INDIA  
MINES  
LOK SABHA**

UNSTARRED QUESTION NO:3397  
ANSWERED ON:10.08.2015  
MMDR Amendment Bill, 2015  
Tadas Shri Ramdas Chandrabhanji

**Will the Minister of MINES be pleased to state:**

- (a) whether section 12A(6) of Mines and Minerals (Development and Regulation) Amendment Bill, 2015 will be applicable to cases of transfer of mineral concessions both prospecting and licences which are allotted to company prior to compulsory auction route;
- (b) if so, the details thereof;
- (c) whether the provision providing for merger/demerger and amalgamation under the company Act 2013 is in contravention to it; and
- (d) if so, the specific proposals of the Government to address the issues relating to transfer of mineral concessions rising out of merger/demerger/amalgamation allocated prior to introduction of the auction process?

**Answer**

(a) & (b): Yes Madam. Section 12A (6) of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 which came into effect from 12.01.2015 stipulates that the transfer of mineral concessions shall be allowed only for concessions which are granted through auction. However, the matter is being referred to the Department of Legal Affairs for seeking clarification.

(c) & (d): The merger/demerger and amalgamation under the Company Act, 2013 takes place between the companies. The Mines and Minerals (Development and Regulation) Act, 1957 regulates the transferability of mineral concessions. Therefore, the provision providing for merger/demerger and amalgamation under the Company Act, 2013 is not in contravention to Section 12A (6) of the Mines and Minerals (Development and Regulation) Amendment Act, 2015.

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