

No.131-ICE/O/MIN/GEN-MIS/01/2018

Dated Kolkata the 22nd February, 2018

ORDER

Whereas, the State Government has established District Mineral Foundation (DMF) for each mineral bearing district of the State of West Bengal with a Governing Council and Managing Committee vide Notification No 439-CI/O/MIN/GEN-MIS/16/2016 (Pt.) dated 01/08/2016 and has prescribed the rate of contributions to DMF vide notification No 596-CI/O/MIN/GEN-MIS/16/2016 (Pt.) dated 22/09/2016,

And whereas, the Hon'ble Supreme Court in its order dated 13/10/2017 quashed the effective date of DMF as 12/01/2015 in the Transferred Case (Civil) No.43 of 2016 in the matter of Federation of Indian Mineral Industries and ors. -vs- Union of India & Anr. and directed, inter alia, the following:

- a) To collect contribution to DMF in case of coal, lignite and sand for stowing with effect from 20/10/2015 or the date on which DMF was established by the concerned State Government, whichever is later.
- b) To collect contribution to DMF in case of minerals other than coal, lignite and sand for stowing with effect from 17/09/2015.
- c) And in case the contribution has been collected from any prior to dates referred above has to be adjusted.

And whereas in our State the DMFs in the districts have been constituted vide Notification No.439-CI/O/MIN/GEN-MIS/16/2016 (Pt.) dated 01/08/2016.

Hence, after careful consideration of the above, it is, therefore, ordered that (i) All District Mineral Foundation Authorities shall collect contributions to DMF with effect from the revised date of 01/08/2016, the date on which DMF was established by the State Government, from all kind of lessees; and ii) In case any amount has been collected prior to 01/08/2016, the same amount would be adjusted with the deferred dues payable by the respective mining lease holder.

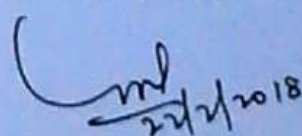
By order of the Governor,

Sd/-
Joint Secretary
to the Government of West Bengal

No.131/1(5)-ICE/O/MIN/GEN-MIS/01/2018

Dated Kolkata the 22nd February, 2018

1. The District Magistrate & Chairperson, Governing Council and Managing Committee of DMF (All districts);
2. The Additional District Magistrate & District Land & Land Reforms Officers & Member Convenor, Governing Council and Managing Committee of DMF (All districts);
3. The Director, Directorate of Mines & Minerals, WB, 4, Abanindranath Tagore Sarani, Kolkata-16;
4. The Chief Mining Officer/Mining Officer-in Charge
5. Guard File


Joint Secretary to the
Government of West Bengal