

Regd. A/D

No. 96/118/87-IIR-MINES/2146
Government of Goa,
Directorate of Mines & Geology,
Udyog Bhavan,
Panaji Goa.

Dated:-21/10/2013.

ORDER

WHEREAS, a mining concession with T.C.No. 55/53 was standing in the name of Shri Zacarias Antao in Potrem village of Sanguem Taluka.

AND WHEREAS, the said mining concession was abolished by the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987, and declared as a deemed mining lease under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957.

AND WHEREAS, as per Sub Section (1) of Section 5 of the said Abolition Act, 1957, the period of the lease has expired on 22/11/1987 and the lessee if desired, was required to apply for renewal of the lease on or before 22/11/1988 under Sub Rule (8) of Rule 24-A of the Mineral Concession Rules 1960.

AND WHEREAS, the first renewal Application with regard to this deemed mining lease was filed on time on 21/11/1988. However, since no renewal Order was granted, the lessee continued to operate the said mine on the basis of Sub Rule (9) of Rule 24-A of the Mineral Concession Rules, 1960, which speaks of deemed extension of lease till the State Government passes Order on the renewal Application.

AND WHEREAS, As per Sub Section (1) & (2) of Section 8 of MMDR Act 1957 read with Section 5 of the Goa Daman and Diu Mining Concessions Abolition and Declaration as Mining Leases) Act, 1987 the first renewal period ends on 22/11/2007.

AND WHEREAS, Sub Section 3 of Section 8 of MMDR Act, 1957 empowers the State Government to grant renewal of leases beyond first renewal period, if the State Government forms opinion that such renewal is in the interest of Mineral Development and renewal beyond first renewal period is necessary, in such cases, the State Government can by a


reasonable recorded Order authorize renewal of lease beyond first renewal period up to a maximum period of 20 years, in case of minerals specified in Part C of First Schedule to MMDR Act 1957. Sub Section (3) of Section 8 of MMDR Act, 1957, does not mandate the State Government to give any such reason for rejection of Application for second renewal.

AND WHEREAS as per the office records of Directorate of Mines and Geology and the records of the Forest Department, survey no. 16/0 of Potrem village of Sanguem Taluka forms part of T.C.No. 55/53. This part is not separated from rest of the lease area by any natural boundary or otherwise. Survey No. 16/0 of Potrem village of Sanguem Taluka falls within Netravali Wild Life Sanctuary.

AND WHEREAS, in larger interest of protection of environment, State Government is of the opinion that it may not be necessary to grant further renewal of mining lease bearing T.C.No. 55/53, even if the same is in the interest of mineral development.

As such your application for second renewal dated 10/11/2006, in respect of T.C.No. 55/53 is hereby rejected and the mining lease bearing T.C.No. 55/53 is hereby declared to have been lapsed and determined with effect from 22/11/2007.

The determination of lease shall not absolve the lessee or any person claiming through such lessee from any liability for acts of omission or commission undertaken during operations of such lease in accordance with MMDR Act, 1957 and Rules made there under whether such Acts of omission or commission have been done prior or after 22/11/2007.



(Prasanna A. Acharya)
Director of Mines & Geology/
Jt. Secretary (Mines)
Government of Goa

To,
Shri Roy & Sane Antao,
Legal heirs of late Zacaria Antao,
H. No. 282, Betalbatim,
Salcete Goa.

