

GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 27707/Leg.C3/2019/Law.

Dated, Thiruvananthapuram, 14th November, 2021

29th Thulam, 1197

23rd Karthika, 1943.

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Minerals (Vesting of Rights) Act, 2021 (24 of 2021).

By order of the Governor,

V. HARI NAIR,

Law Secretary.



[Translation in English of “2021-ലെ കേരള ധാതുക്കൾ (അവകാശങ്ങൾ) നിയമം” published under the authority of the Governor.]

ACT 24 OF 2021
THE KERALA MINERALS (VESTING OF RIGHTS)
ACT, 2021

An act to vest in the Government the rights of the minerals in the soil and subsoil of the land in the State excluding the land comes under the purview of Travancore Proclamation dated 14th day of June, 1881 and Cochin Proclamation of 1905.

Preamble.—WHEREAS, it is expedient to vest in the Government the rights of the minerals in the soil and subsoil of the land in the State excluding the land comes under the purview of Travancore Proclamation dated 14th day of June, 1881 and Cochin Proclamation of 1905;

BE it enacted in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Minerals (Vesting of Rights) Act, 2021.

(2) It shall be deemed to have come into force on the 30th day of December, 2019.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Government” means the Government of Kerala;

(b) “minerals” means minerals and minor-minerals as defined in clause (ad) and clause (e) respectively, of section 3 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957);

(c) “prescribed” means prescribed by rules made under this Act;

(d) “State” means the State of Kerala.

3. *Vesting of minerals.*—Notwithstanding anything contained in any other law or in any judgment or decree or order of any court or proclamation, all rights in the minerals in the soil and subsoil of all lands of whatsoever ownership or tenure shall stand vested in and shall be subject to the control of the Government from the date of commencement of this Act.



4. *Manner of vesting.*—The manner of vesting of the rights of the minerals in the soil and subsoil of the land in the State excluding the land comes under the purview of Travancore Proclamation dated 14th day of June, 1881 and Cochin Proclamation of 1905 shall be in the same manner as is vested in the State in the Travancore and Cochin areas mentioned above.

5. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

6. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly.

7. *Repeal and saving.*—(1) The Kerala Minerals (Vesting of Rights) Ordinance, 2021 (124 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under this Act.

