

Haryana Government
Department of Mines and Geology

NOTIFICATION

In exercise of powers conferred by section 9B, sub-section (4) of section 15 and 15A of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the State Government hereby makes the following rules for the interest and benefit of persons and areas affected by mining related operations in the district in the manner as specified in these rules, namely:-

1. Short title, extent and commencement –

- (1) These rules may be called “The Haryana District Mineral Foundation Trust Rules, 2016”.
- (2) They shall extend to whole of the State of Haryana and shall apply to all minerals.
- (3) They shall be deemed to have come into force on the 12th day of January, 2015.

2. Definitions –

- (1) In these rules, unless the context otherwise requires -
 - (i) **"Act"** means the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957);
 - (ii) **"Affected area"** means the area specified in sub rule 1 of rule 21.
 - (iii) **"Affected people"** means the persons specified in sub rule 2 of rule 21.
 - (iv) **"Auditors"** Means the auditor / Chartered Accountant appointed by the trust and include the Principal Accountant General of the State;
 - (v) **"Beneficiaries"** means the area and persons affected by mining related operations undertaken in the area;
 - (vi) **"Chairman"** means the Chairman of the foundation.
 - (vii) **"Contribution"** means the Contribution collected or to be collected from the holders of major or minor mineral concessions in the district at such percentage of contract money/dead rent/royalty as may be prescribed by the Central or State Government, as the case may be;

- (viii) **“Deputy Commissioner”** means the Deputy Commissioner of the district;
 - (ix) **“Directly affected areas”** means the areas specified in clause (a) of sub rule (1) of rule 21.
 - (x) **“Foundation”** means the District Mineral Foundation established by the State Government under sub-section (1) of section 9B;
 - (xi) **“Fund”** means fund of the foundation;
 - (xii) **“Governing Council”** means the council consisting of all the trustees of the District Mineral Foundation Trust;
 - (xiii) **“Managing Committee”** mean the trustees of the District Mineral Foundation Trust except the nominated non official members;
 - (xiv) **“Government”** means Government of Haryana acting through its Administrative Secretary;
 - (xv) **“Holder of Mineral Concession”** means the holder of the mining lease or mining contract or any mineral including minor mineral rights granted under the Act and Rules made thereunder;
 - (xvi) **“Indirectly Affected areas”** means the areas specified in clause (b) of sub-rule(1) of rule 21.
 - (xvii) **“Rules”** means the Haryana District Mineral Foundation Trust Rules, 2016.
 - (xviii) **“Year”** means a financial year commencing from April 1st and ending on March 31st of the following year or part period there of ending on March 31st; and
 - (xix) **“Zila Parishad”** means the Zila Parishad constituted under the Haryana Panchayati Raj Act, 1994 (Act No. 13 of 1994).
- (2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Mines and Minerals (Development and Regulation) Act, 1957.

3. **Objects of the Foundation:-**

The objects of the District Mineral Foundation Trust shall be to work for the interest and benefit of persons and areas affected by mining related operations in the district in the manner as specified in these rules.

4. Constitution of Foundation:-

The District Mineral Foundation Trust constituted for each district of the State, under section 9B of the Act, shall consist of the following trustees namely:-

Sr. No.	Name of the Trustee	Designation of the Trustees in The Governing Council of Trust
1	Deputy Commissioner	Chairperson (Trustee)
2	Additional Deputy Commissioner	Vice-Chairperson (Trustee)
3	All members of Legislative Assembly in the district	Legislators (Trustee)
4	Assistant Mining Engineer/ Mining Officer	Member Secretary (Trustee)
5	Divisional Forest Officer	Member (Trustee)
6	Executive Engineer, PWD (B&R)	Member (Trustee)
7	Executive Engineer, Panchayati Raj	Member (Trustee)
8	Chief Medical Officer of the district	Member (Trustee)
9	Regional Officer, Haryana State pollution Control Board	Member (Trustee)
10	District Education Officer	Member (Trustee)
11	District Social Welfare Officer	Member (Trustee)
	Nominated members (Trustees)	
12	Two Representatives, one from Major mineral and another from Minor Mineral, Concession holders (nominated by the Chairman)	Nominated Trustee
13	One Representatives, from mineral processing Industries (nominated by the Chairman)	Nominated Trustee
14	Two Representatives from the community of affected person of affected areas (nominated by the Chairman)	Nominated Trustee
15	One Representative of mine workers (nominated by the Chairman)	Nominated Trustee
16	Technical mining person working in the district (nominated by the Chairman)	Nominated Trustee
17	Any other officer/ person (nominated by the Government or Chairman)	Nominated Trustee

(5) Terms and conditions of appointment and service of members:-

- (1) Subject to the pleasure of the State Government, the non-official members nominated by the State Government shall hold office for a period of three years.
- (2) Any non-official member may resign his office by writing under his hand addressed to the State Government but shall continue in office until his resignation is accepted.
- (3) The non-official members shall receive allowances to meet the expenses for attending the meetings in accordance with the Annexure-A to the Haryana Civil Services Rules.
- (4) The Ex-Officio members shall continue as members during the period they are holding the post and the designation and shall be deemed to have ceased to be

the members once they cease to hold the office by virtue of which they were so appointed and their successors in office shall be deemed to have been appointed as members in their place with effect from the date of their acquiring such official designation.

- (5) The term of appointment of the non official members shall be for three years with effect from the date of their appointment as members and the nominating authority may thereafter renew their appointment for not more than another term or may nominate other persons in their place. Provided that the term of such nominated members shall in no case exceeds two terms of three years each.
- (6) The Government may at any time remove any of the non official member(s) and may appoint any other person at its sole discretion. The member(s) so removed shall cease to be a member with effect from the date of such removal.
- (7) The Government may at any time increase the number of trustees in any of the categories and for such term as it may deem fit.
- (8) Any vacancy in the non-official members position by virtue of initial appointment not having been done, expiration of term, resignation, removal, disqualification, death or any reasons whatsoever, shall not affect the functions of the Foundation and the Foundation shall function with the reduced membership.
- (9) The trustees shall have the possession of the trust fund which is subjected to the powers and provisions herein declared and contained concerning the same and the trustees shall have the power at any time or times during the tenure as trustee to accept any property from any person or persons by the provisions of any other trust or otherwise to the intent that the same shall be held by or on behalf of the trustees as an accretion to the trust fund.

(6) **Disqualification for membership of office:** - A person shall be disqualified for being appointed as and for being a member if he/she;

- (a) Has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude;
- (b) Is of unsound mind and stands so declared by a Competent Court;
- (c) Is an undischarged insolvent;
- (d) Has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government;
- (e) Has directly or indirectly by himself or as partner, has any private share or private interest in any work done by the order of the Foundation or in any contract or employment with or under or by or on behalf of the Foundation; or
- (f) Is employed as a paid legal practitioner on behalf of the Foundation or accepts employment as legal practitioner against the Foundation: Provided that no person shall be disqualified under clause (e) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisement relating to the affairs of the Foundation is inserted.

(7) Removal of member:-

- (1) The State Government shall remove a member if;
 - (a) He/she becomes subject to any of the disqualifications mentioned in rule 6: Provided that no member shall be removed on the ground that he/she has become subject to the disqualification mentioned in clause (e) of that Rule, unless he/she has been given an opportunity of making his representation against the proposal; or
 - (b) He/she refuses to act or become incapable of acting; or
 - (c) He/she without obtaining leave of absence from the Foundation, absents from three consecutive meetings of the Foundation; Provided that this clause shall not be applicable in case of ex-officio members; or
 - (d) In the opinion of the State Government he/she has so abused his position as to render his/her continuance in office detrimental to the public interest: Provided that no member shall be removed under this clause unless he/she has been given an opportunity of making his/her representation against the proposal.

(8) Powers and functions of the Foundation: - The foundation shall be responsible for;

- (1) Laying down the broad policy framework for the functioning of foundation and review its working from time to time, subject to such directions and guidelines issued by the Government from time to time.
- (2) Drawing up and approving of Annual Action Plan and the Annual Budget for Foundation. The annual Action Plan shall contain the list of schemes and projects with the tentative provisions thereof.

Provided that if for any reason whatsoever, the Foundation does not prepare and accord approval to the Annual Plan and Budget within specified time, the Management Committee shall have Annual Action Plan and the Budget of the Foundation prepared and approve the same. The Budget so prepared and approved shall be deemed to have been duly prepared and approved by the Foundation.

Provided also that while preparing the Annual Plan for the next financial year, the sum total of the past commitment and liabilities spilling over shall be assessed.

Provided further to maintain financial discipline and timely completion of project the sum total of the past commitments and liabilities and the new schemes being proposed shall not in any case exceed three times the expected inflows for the next financial year.

- (3) Approving such other expenditure in furtherance of the objects of the Foundation from the available Fund in accordance with these rules.
 - (4) Approving the recommendations of the Management Committee.
 - (5) Approving the Annual Report and Audited Accounts of the Foundation preferably within 90 days but not exceeding 180 days of the close of the previous year.
- (9) **General Provisions regarding District Mineral Foundation:**
- (1) The developmental and welfare activities to be taken up under the District Mineral Foundation shall be, as far as possible, in the nature of complementing the ongoing schemes or projects being funded by the State as well as Central Government.
 - (2) Activities meant to be taken up under the "polluter pays principle" shall not be taken up under the District Mineral Foundation.
 - (3) Without prejudice to the powers of the Foundation, convergence shall be done with the State and the Districts plans so that the activities taken up by the Foundation supplement the development and welfare activities.
 - (4) An amount not exceeding **5%** of the annual receipts of the Foundation may be utilized for administrative, supervisory and overhead costs of the Foundation.
 - (5) **No permanent or temporary posts shall be created under the District Mineral Foundation without prior approval of the State Government.**
 - (6) Services that need to be procured for efficient functioning of the District Mineral Foundation shall be procured as contract service as per prevailing outsourcing policy of the State Government .
 - (7) If the affected area of a mine in one district also falls in the jurisdiction of another district, such percentage of amount collected from the mine by the Foundation as may be decided by the State Government, shall be transferred to the Foundation of the other district concerned for taking up the activities in such areas:

Provided that a project that is for benefit of the affected area or people, but stretches beyond the geographical boundary of the district shall be taken up under the District Mineral Foundation after obtaining prior approval of the State Government.

- (8) Projects for development of common infrastructure like construction of roads, bridges etc., in excess of limits specified in regard to the priority for fund utilization, on a case to case basis, may also be taken up for projects of importance to the District.

Provided that prior approval of the State Government shall be taken before taking up such works in excess of the limits of fund utilization.

- (9) The District Mineral Foundation shall prepare an Annual Plan and Annual Budget for implementation of the Annual Plan by January of each year for implementation in the forthcoming financial year. Such Plan shall be prepared in consultation with all concerned departments of the State.

(10) Management of the Trust: -

The management of the trust shall vest in a Governing Council which shall consist of all trustees including nominated trustees of the trust. However, the day to day management of the trust shall be managed by a Managing Committee, as specified in Rule 11. The Government may however decide to alter the composition of the Managing Committee at any time. The powers and functions of the Governing Council and of the Managing Committee shall be as contained in these rules.

(11) Managing Committee: -

The day to day management of the Foundation shall be managed by a Managing Committee, which shall consist of all the members of the Foundation except the nominated non-official members. However, the State Government shall have the right to remove, alter or appoint any member of the Managing Committee at its discretion.

(12) Powers and Functions of the Managing Committee: -

The Managing Committee Shall,-

- (1) Exercise due diligence in carrying out its duties for protecting the interest and contribution of the Foundation.
- (2) Ensure timely collection of Contribution Fund from the concerned holders of Mineral concession in accordance with the provisions of the Act and Rules made there under.
- (3) Get the Master Plan or Vision Document for the activities of the Foundation prepared from the specialized agency.

- (4) Assist in the preparation of the Annual Plan and Annual Budget of the Foundation along with the proposed schemes and projects.
- (5) Supervise and ensure the execution of the Annual Plan and the approved Schemes and Projects.
- (6) Accord Sanction to the projects, release and disburse the Foundation fund for the purpose subject to delegation limits.
- (7) Operate the Foundation Fund through Accounts in the name of the Foundation in the Government Scheduled Nationalised Bank with prior approval of the Government.
- (8) Monitor the progress of the utilization of the Fund of the Foundation.
- (9) Place the audited accounts along with an Annual Report before the foundation for its approval within 90 days of close of financial year.
- (10) Do all other things which are necessarily for smooth functioning and management of the Foundation.

(13) Meetings of the Foundation:-

- (1) The Foundation shall meet as often as necessary but at least once every quarter.
- (2) The meeting of Foundation shall be convened as desired by the Chairman.
- (3) The quorum for such meeting shall be one third of the total existing membership.

(14) Meetings of Managing Committee:-

The meeting of the Managing Committee shall be held at least once every quarter.

(15) Decisions of the Foundation:-

- (1) All the decisions by the trustees shall be taken in the meeting of the Governing Council by the majority of the members present and if required, by voting. In case of the tie the Chairperson of the meeting shall have a casting vote. Every meeting of the Governing Council shall be deemed to be a meeting of the trust.
- (2) The Government may issue directions and guidelines from time to time for working of the foundation and foundation shall act in accordance with the same.

(16) Fund of the Foundation:-

- (1) There shall be credited to the said Fund;

- (i) All grants, subventions, donations and gifts made by the Central Government, State Government, any local authority or anybody, whether incorporated or not or any person;
 - (ii) The amount borrowed by the Foundation with prior approval of the State Government;
 - (iii) All other sums received by or on behalf of the Foundation from any source whatsoever;
 - (iv) The Contribution collected or to be collected from the holders of major or minor mineral concessions in the district as per following;
 - (a) In case of major minerals, as prescribed in the Mines and Minerals (Contribution to District Mineral Foundation) Rules, 2015, as amended from time to time; and
 - (b) In case of minor minerals, one third of total amount received under Mines and Mineral Development and Regulation Fund established in accordance with Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 shall be transferred for the purposes and objective of Fund
 - Note:** As per provisions of Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 the lessees and contractors are liable to pay additional amount equal to 10% of dead rent or royalty or contract money, towards the MMDRF and State Government to contribute the 5% of the amount received by it on account of the dead rent or royalty or contract money.
 - (v) Investments and other deposits and the interest accrued thereon and any other income derived therefrom; and
 - (vi) All other properties of the Foundation and the income derived therefrom or appreciation thereof.
- (2) The payment towards trust/fund by the major mineral concession holders as per sub rule 16 (iv) (a) above shall be collected from lessees in the district, in along with applicable dues and be directly deposited in the account of the trust. If any difference amount is accrued at the time of assessment of royalty, the same shall be deposited in the account of trust immediately.

(17) Operation of the Foundation Fund: -

The District Mineral Foundation fund shall be kept in interest bearing account in scheduled commercial Nationalised Bank only in the name of trust, one for each district and account shall be operated under the joint signatures of the two designated authorized

signatories including Member-Secretary. The Foundation shall maintain the books of accounts of this Fund.

(18) Utilization of Funds:-

The fund shall be vested in Foundation and shall be utilised for carrying out the purposes of these rules in the following manner namely:-

- (1) 20% of the fund of the District Mineral Foundation shall be kept aside as endowment for taking care of future expenses after mining activities have ended in the area.
- (2) **High priority areas:-** Out of the balance after reserving 20% of the fund as per sub rule(1), at least 60% of the District Mineral Foundation fund shall be utilised for the following:-
 - (a) Drinking Water Supply- centralized purification systems, water treatment plants, permanent/temporary water distribution network including standalone facilities for drinking water, laying of piped water supply system.
 - (b) Centralized preservation and pollution control measures- effluent treatment plants, prevention of pollution of streams, lakes, ponds, ground water, other water sources in the region, measure for controlling noise, air and dust pollution caused by mining operations and dumps, mine drainage system, mine pollution prevention technologies, and measures for working or abandoned mines, restoration, reclamation and rehabilitation of mined out areas and other air, water and surface pollution control mechanisms required for environment-friendly and sustainable mine development.
 - (c) Health Care- Funds shall be utilised for welfare, improvement and protection of health conditions of local mine workers affected by mining operation related health hazards. Ex-gratia payment to the eligible patients/their legal heirs shall be made. Regular health check up camps shall be held. Group Insurance Scheme for health care shall be implemented for mining affected persons and for this purpose primary/secondary health care facilities in the affected areas and existing health care infrastructure of the local bodies, State and Central Government shall be updated.

Projects and activities mentioned as above shall preferably be carried out either on built operate and transfer basis or on single point contractual services. No temporary or permanent post shall be created for this purpose.

- (d) Education- Construction of school building, additional class rooms, Laboratories, Libraries, Art and Crafts Room, Toilet blocks, Residential hostels for students/teachers in remote areas, sports infrastructure, engagement of teachers/other supporting staff, e-learning setup, other arrangement of transport facilities (bus/van/cycles/rickshaws/etc) shall be taken up and further nutrition related programs shall also be undertaken.
 - (e) Welfare of Women and Child- Special programmes for addressing problems of maternal and child health, malnutrition, infectious diseases, etc shall be taken up.
 - (f) Welfare of aged and disabled persons- Special program for welfare of aged and disabled people shall be undertaken.
 - (g) Skill development- skill development for livelihood support, income generation and economic activities for local eligible persons shall be taken up. This will include training, development of skill development centre, self-employment schemes and support to self help groups and provision of forward and backward linkages for, such self-employment economic activities.
 - (h) Sanitation- Collection, Transportation and Disposal of Waste, Cleaning of public places, provision of proper drainage and sewage treatment plant, provision for disposal of fecal sludge provision of toilets and other related activities shall be undertaken.
- (3) **Other priority areas:-** Out of the balance after reserving 20% as per sub rule (1) and 60% of the funds under sub section (2) remaining amount of the Fund shall be used for the following: -
- (a) Physical infrastructure- for providing roads, bridges, railways and waterways projects.
 - (b) Irrigation- for developing alternate sources of irrigation, adoption of suitable and advanced irrigation techniques.
 - (c) Energy and Watershed Development- for development of alternate sources of energy (including micro-hydel) and rainwater harvesting

system, Development of plantation, orchard, integrated farming and economic forestry and restoration of catchments.

Provided that while using funds as per sub rule (2) and (3) of Rule 18 at least 60% of the District Mineral Foundation Fund shall be spent on the directly affected areas.

Provided further that the percent of funds to be spent on directly affected areas may be changed, with prior approval of the State Government, if the number of persons living in the directly affected areas is less and spending such funds in such area may, in the opinion of the District Mineral Foundation, become wasteful.

(4) The 20% of the Fund kept aside as endowment shall be invested as per the guidelines issued by the State Government from time to time.

(19) Transfer of Funds: -

Transfer of fund to all agencies and beneficiaries shall be into their bank account.

Provided that transfer of funds to agencies of the State Government shall be as per guidelines of the State Government.

(20) Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY):-

The Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) as notified shall be implemented by the District Mineral Foundation of the respective Districts using the funds accruing to the District Mineral Foundation as per the guidelines of the Yojana issued by the Government of India from time to time.

(21) Identification of affected areas and people:-

(1) Affected areas:

(a) Directly affected areas are the areas where direct mining-related operations such as excavation, mining, blasting, beneficiation and waste disposal, overburdened dumps, tailing ponds, transport corridors etc., are located and shall include:

(i) Villages and gram panchayats within which the mines are situated and are operational. Such mining areas may extend to neighbouring village, block or district on even state.

(ii) An area within such radius from a mine or cluster of mines as may be specified by the State Government, irrespective of whether this falls within the district concerned or adjacent district.

(iii) Villages in which families displaced by mines have been resettled or rehabilitated by the project authorities.

(iv) Villages that significantly depend on the mining areas for meeting their economic needs and have usufruct and traditional rights over the project areas, for instance, for grazing, collection of minor forest produce etc.

(b) **Indirectly affected areas** are those areas where local population is adversely affected on account of economic, social and environmental consequences due to mining-related operations. The major negative impacts of mining could be by way of deterioration of water, soil and air quality, reduction in stream flows and depletion of ground water, congestion and pollution due to mining operations, transportation of minerals, increased burden on existing infrastructure and resources.

(c) The **District Mineral Foundation** shall prepare and maintain an updated list of such directly and indirectly affected areas by mining related operations.

(2) Affected people:-

(a) The following shall be considered as directly affected people:

(i) 'Affected family' as defined under Section 3 (c) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(ii) 'Displaced family' as defined under Section 3 (k) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

(iii) Any other as appropriately identified by the concerned Gram Panchyat.

(b) Persons affected by mining shall include people who have legal and occupational rights over the land being mined and also those with usufruct and traditional rights

(c) Affected families shall be identified, as far as possible, in consultation with local/elected representatives of Gram Panchyat or the Urban Local Body as the case may be.

(d) The District Mineral Foundation shall prepare and maintain an updated list of such affected persons or local communities.

(e) The District Mineral Foundation shall prepare and maintain an updated list of such affected people.

(22) Implementation of Works or Contracts: -

- 1) Works or goods or services may be procured by the District Mineral Foundation after following the due procedure as per State Government Policy.
- 2) As far as possible, the works undertaken by the trust shall be executed only through Government Departments, agencies and public sector undertakings normally undertaking such works which will follow the relevant norms and procurement procedures as may be applicable to the Government projects implemented by the organisation while executing or awarding contracts.
- 3) Technical approval and supervision of the work will be looked after by officers competent to do so under the administrative delegation of powers as applicable to the Department concerned.
- 4) In respect of such works which cannot be executed through Government Department, agencies or public sector undertakings, the Executive Committee may award the work to any other competent and sound agencies following a transparent process, after obtaining prior approval of the Board.

(23) Compliance of Transparency: -

The state shall develop a web-portal for **Haryana District Mineral Foundation**.

Each of the DMFs shall host and keep updated the following informations namely: -

- (i) Details of Composition of the District Mineral Foundation
- (ii) List of areas and people affected by mining.
- (iii) Quarterly details of all contribution received from leases and contracts.
- (iv) All meeting agenda, minutes and action taken reports (ATRs) of the District Mineral Foundation.
- (v) Annual Plans and Budget
- (vi) Annual Report of the District Mineral Foundation.
- (vii) Status of ongoing works including description of work, details of beneficiaries, estimated cost, name of implementing agencies, expected date of commencement and completion of work and financial and physical progress up to last quarter.
- (viii) List of beneficiaries made under various welfare programs taken up by the District Mineral Foundation.
- (ix) Voluntary disclosures under Right to Information Act, 2005.

(24) Charging of Expenses:-

The trustees shall be entitled to charge the trust fund with the following expenses namely:-

- (a) All expenses properly incurred in the operation or execution of the trust and for the realization, preservation or benefit of the investments and assets comprising the trust fund and for the protection of the interests of the trust.
- (b) All expenses (including expenses incidental to execution and/or registration of any agreement or other deeds) incurred by the trustees for obtaining the contributions and or any other resources; which may accrue.
- (c) All expenses in connection with any legal proceedings by or against the trustee concerning the affairs of the trust including professional fees and costs of any legal advisor.
- (d) All legal statutory expenses incurred in the operation or execution of the trust including all levies, duties and other charges paid/payable in connection with the affairs of the trust.
- (e) All expenses in connection with the holding of its meetings and other proceedings as per norms of the State Government.
- (f) The operation of the Fund shall be 100% cash less and in no case shall any amount above Rs.5000/- be paid except electronically through RTGS/other valid and legal mode.

(25) Accounts and Audit:-

- (1) The Annual Accounts of the District mineral Foundation shall be prepared within 90 days of the close of the financial year. The accounts of a District Mineral Foundation shall be audited every year by a Chartered Accountant appointed by the District Mineral Foundation.
- (2) After the audit by the Chartered Accountant the accounts shall be audited by the Principal Accountant General (Audit), Haryana.
- (3) Audit at sub rule (1) shall be got completed within 03 months of the close of the financial year and the audit at sub rule (2) shall be got completed within six months of the close of the financial year. Provided that with prior approval of the State Government the completion of audits at sub rules (1) and (2) put together could be extended up to a period of nine months from the close of the financial year.

(26) Annual Report:-

- (1) Every year, within 09 months from the date of closure of the financial year, the Member Secretary of the District Mineral Foundation shall cause to prepare an

Annual Report on its activities for the respective financial year and place it before the District Mineral Foundation. Provided that with prior approval of the State Government, this period of 09 months may be extended by a period of another 03 months.

- (2) The Annual Report shall be submitted to the State Government within 01 month from the date of its approval by the District Mineral Foundation and shall also be hosted on the website of the Foundation.
- (3) The Annual Report of each Foundation shall be laid before the Houses of the State Legislature in its next session following the month in which the Annual Report is received by the State Government.

(27) Administrative arrangements:-

- (1) The State Governments shall provide services of the personnel working under their control for management of the Foundation and for execution of the Annual Plan as may be required for the purpose.
- (2) The Foundation may request the State Government to provide required number of core personnel from its departments/undertakings for providing administrative and technical assistance to the Foundation. Services of such personnel shall continue to remain in their won respective cadres.
- (3) The Foundation may also ask service providers to provide such services as may be needed for smooth functioning of the foundation and may provide for incurring contingent expenditure for its functioning.

(28) Liability of Trustees:-

- (1) The trustees shall not be liable on account of anything done in good faith, bonafide with due diligence. The trustees shall also not be liable or responsible for any banker, broker, custodian or other person in whose hands the same may, in good faith, be deposited or placed nor for the deficiency or insufficiency in the value of any investments of the trust fund nor otherwise for any involuntary loss.
- (2) The trustees and every attorney or agent appointed by the trustees shall be entitled to be indemnified out of the trust fund in respect of all liabilities, losses and expenses incurred in execution of the trust or any of the powers, authorities, and discretion vested in or delegated to them other than those arising out of gross negligence and/or wilful misconduct, provided however,

that, such indemnity shall not in any event exceed the total of the contributions.

(29) Review of the Foundation:-

The following State Level Committee shall review the works undertaken by the Foundation on regular basis.

Sr. No.	Name/Designation of the Officer	Status
1	Principal Secretary to Government of Haryana, Department of Mines & Geology	Chairman
2	Representative of the Finance Department of below the rank of Special Secretary (Finance), Haryana	Member
3	Representative of the Environment Department not below the rank of Director, Environment, Haryana	Member
4	Representative of the Forest Department not below the rank of Addl. PCCF, Haryana	Member
5	Representative of the Health Department not below the rank of Special Secretary/Health or the Director General, Haryana	Member
6	Representative of Panchayat & Development Department not below the rank of Special Secretary or the Director, Panchyat & Development, Haryana	Member
7	Engineer-in-Chief (PWD)B&R Haryana	
8	Engineer-in-Chief (PWD) Public Health	
9	Director, Mines and Geology, Haryana	Member Secretary
10	State Mining Engineer, Mines and Geology Department, Haryana	Member
11	Any other officers/s of other concerned departments and/or representatives of the Mineral Concession holders of the area concerned as may be decided by the Committee or the Chairman	Special Invitee

(30) Powers of the State Government:-

- (1) In the interest of convergence with the State Plans, District Plans and the Fund of the Mines & Geology Department namely, the Mines and Mineral, Development, Restoration and Rehabilitation Fund and such other matters as deemed fit, the State Government shall have powers to issue guidelines and directions to the District Mineral Foundation.
- (2) The District Mineral Foundation shall abide by such guidelines or directions of the State Government.

(31) Delegation of Powers:

The State Government may, by notification in the official gazette, direct that any power exercisable by it under these rules may, in relation to such matters and subject to

such conditions, if any, as may be specified in the notification be exercisable also by such officer or authority subordinate to the State Government.

(32) Removal of difficulty:-

(1) If any difficulty arises giving effect to the provisions of the State Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of the said rules, as appear to it to be necessary or expedient for removing the difficulty.

Provided that no such order shall be made under this rule after the expiry of a period of three years from the commencement of the said rules.

(33) Remuneration:-

The trustees shall not be entitled to any remuneration for their service.

A.K.Singh
Principal Secretary to Government Haryana
Mines and Geology Department