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उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा
अधिसूचनाएं।

Mines & Petroleum (Gr.-II) Department

Notification

Jaipur, June 12, 2025

S.O.09 .-In exercise of the 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, namely:-

1. Short title, extent and commencement.- (1) These rules may be called the Rajasthan District Mineral Foundation Trust Rules, 2025.

(2) They shall extent to whole of the State of Rajasthan and shall apply to all minerals.

(3) They shall come into force from the date of their publication in the Official Gazette.

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) “Beneficiaries” means the area and persons affected by mining related operations undertaken in the area and includes the eligible patients and their legal heirs for ex-gratia payments under provision of the Pneumoconiosis Policy, 2019 of the State;
- (iii) “Contribution” means the contribution to be collected from the holder of major or minor mineral concession in the district as may be prescribed by the Central or State Government, as the case may be;
- (iv) “District Magistrate” means the District Magistrate of the District;
- (v) “Governing Council” means the council consisting of all the trustees of the District Mineral Foundation Trust;
- (vi) “Government” means Government of Rajasthan;
- (vii) “Trust” means the District Mineral Foundation Trust established by the State Government under sub-section (1) of section 9B of the Act; and
- (viii) “Year” means a financial year commencing from April 1st and ending March 31st of the following year or part period thereof ending on March 31st.

(2) Word 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. Office of the trust.- The office of trust shall be located in the office of District Magistrate of the district concern.

4. Object of the trust.- The object 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.

5. Appointment and declaration.- (1) 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:-

S. No.	Name	Designation of Trustees in the trust
1	2	3
1.	District Magistrate	Chairperson (Trustee)
2.	Member of Rajya Sabha from the State, in the district selected by him/her	Member (Trustee)
3.	All Member of the Parliament representing the area of the District	Member (Trustee)
4.	All Member of Legislative Assembly representing the area of the district	Member (Trustee)
5.	Chief Executive Officer, Zila Parishad	Member Secretary (Trustee)
6.	All Mining Engineer/Assistant Mining Engineer posted in the district	Member (Trustee)
7.	Deputy Conservator of Forest	Member (Trustee)
8.	Superintending Engineer, Water Resources Department	Member (Trustee)
9.	Superintending Engineer, Public Health and Engineering Department	Member (Trustee)
10.	Treasury Officer	Member (Trustee)
11.	Superintending Engineer/Executive Engineer, Public Works Department	Member (Trustee)
12.	Medical Officer nominated by the Chief Medical and Health Officer of the district	Member (Trustee)
13.	Representative of the Rajasthan State Pollution Control Board	Member (Trustee)
14.	District Social Welfare Officer	Member

		(Trustee)
15.	Deputy Director, Agriculture	Member (Trustee)
16.	District Education Officer (Elementary)	Member (Trustee)
17.	District Education Officer (Secondary)	Member (Trustee)
18.	Representative of the Tribal Area Development Department	Member (Trustee)
19.	District Labour Welfare Officer	Member (Trustee)
20.	Deputy Director, Integrated Child Development Scheme	Member (Trustee)
21.	Director/Joint Director, Animal Husbandry	Member (Trustee)
22.	District Programme Manager (Rajivika)	Member (Trustee)
23.	District Employment Officer	Member (Trustee)
24.	President of Mines Owner Associations upto five, working in the district	Nominated (Trustee)
25.	Communities representatives from areas affected by the mining operations upto three	Nominated (Trustee)
26.	Representative of mines workers upto two	Nominated (Trustee)
27.	Representative of NGO working in the field of mining in the district	Nominated (Trustee)
28.	Technical Mining person working in the district	Nominated (Trustee)
29.	One non-official person from each assembly constituency of the district	Nominated (Trustee)
30.	Any other officer/person nominated by the Government	Nominated (Trustee)

(2) The nominated trustees of the trust shall be nominated by the Government on the recommendation of the District Magistrate:

Provided that community representative from areas affected by mining operations shall be nominated by the Government on the recommendation of the District Magistrate made on the basis of recommendation of the respective Gram Sabha.

(3) The trustees appointed by official designation shall continue as trustees during the period which they are holding the post and would be deemed to have ceased to be the trustees 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 trustees in their place with effect from the date of their acquiring such post.

(4) The term of appointment for the nominated trustees shall be for three years with effect from the date of their nomination as trustees and the Government may renominate for another term or may nominate other persons in their place:

Provided that the term of such nominated trustees shall not exceed two terms of three years each.

(5) 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.

(6) The Government may at any time remove any trustee and may appoint any other person as the nominated trustee at its sole discretion. The trustee so removed by the Government shall cease to be a trustee with effect from the date of such removal.

(7) The trustees shall have the possession of the trust fund which utilized as per the provisions of these rules and the trustee shall have the power at any times and time during the tenure as trustee to accept any property from any person or persons.

6. Management of the trust.— (1) The management of the trust shall vest in a Governing Council, which shall consist of all trustees including nominated trustees of the trust.

(2) The day to day management of the trust shall be managed by a Managing Committee constituted under rule 10.

7. Decisions of the trust.— (1) All decisions of the trust shall be taken in the meeting of the Governing Council and every meeting of the Governing Council shall be deemed to be a meeting of the trust.

(2) All decisions of the Governing Council shall be taken by the majority of the members present and in case of tie, the Chairperson of the meeting shall have a casting vote.

(3) Trustees, Governing Council and the Managing Committee shall act in accordance with the directions, guidelines etc. issued by the Government, from time to time.

8. Powers and functions of the Governing Council.— (1) The Governing Council shall,-

- (i) lay down the broad policy framework for functioning of the trust and review it's working, from time to time;
- (ii) draw up and approve the five years perspective plan, annual action plan and the annual budget for the trust;
- (iii) approve such other expenditure, in furtherance of the objects of the trust from the available trust fund in such manner as may be specified by the Government, from time to time;
- (iv) approve the recommendation of the Managing Committee;
- (v) distribute monetary benefits to persons or families affected by mining related operations in the district; and
- (vi) award for three innovative works taken up under the trust every year, on the basis of parameters decided by the Government.

(2) The annual action plan shall be prepared and approved by the Governing Council at least one month before commencement of the year:

Provided that if annual plan and budget is not prepared and approved within the specified time, the Chairperson shall have the power to prepare and approve the same. The annual plan and budget so prepared and approved shall be deemed to have been duly prepared and approved by the Governing Council.

(3) The annual action plan shall contain the list of schemes and projects with the tentative provisions thereof.

9. Meetings of the Governing Council.— (1) The Governing Council shall meet as often as necessary but at least twice in a year.

(2) The meeting of the Governing Council shall be convened by the Chairperson.

(3) The quorum of such meeting shall be one third of the total member.

10. Managing Committee.— (1) The affairs of the trust shall be managed by a Managing Committee consisting of,-

S No.	Name	Designation in the Managing Committee
1	2	3
1.	District Magistrate	Chairperson
2.	Chief Executive Officer, Zila Parishad	Member Secretary
3.	All Mining Engineer/Assistant Mining Engineer posted in the district	Member
4.	Deputy Conservator of Forest	Member
5.	Superintending Engineer, Water Resources Department	Member
6.	Superintending Engineer, Public Health and Engineering Department	Member
7.	Treasury Officer	Member
8.	Superintending Engineer/Executive Engineer, Public Works Department	Member
9.	Medical Officer nominated by the Chief Medical and Health Officer of the district	Member
10.	Representative of the Rajasthan State Pollution Control Board	Member
11.	District Social Welfare Officer	Member
12.	Deputy Director, Agriculture	Member
13.	District Education Officer (Elementary)	Member
14.	District Education Officer (Secondary)	Member
15.	Representative of the Tribal Area Development Department	Member
16.	District Labour Welfare Officer	Member
17.	Deputy Director, Integrated Child Development Scheme	Member
18.	Director/Joint Director, Animal Husbandry	Member

19.	District Programme Manager (Rajivika)	Member
20.	District Employment Officer	Member
21.	Any other officer/person nominated by the Government	Member

(2) The meeting of the Managing Committee shall be held at least once in each quarter and it shall be convened as decided by the Chairperson of the Managing Committee.

11. Powers and functions of the Managing Committee.- The Managing Committee shall,-

- (i) exercise the powers in due diligence manner for protecting the interests of the trust;
- (ii) ensure timely collection of trust fund;
- (iii) prepare the master plan/vision document for the activities of the trust;
- (iv) assist in the preparation of the five years perspective plan, disaggregated into annual action plan for five years/annual budget of the trust alongwith the proposed schemes and projects;
- (v) supervise and ensure the execution of five years perspective plan, annual action plan, approved schemes and projects;
- (vi) accord sanction to the projects, release and disburse the trust fund for the purpose;
- (vii) operate the trust fund in a diligent manner and to open an interest bearing PD account in the name of the trust and operate such account;
- (viii) monitor the progress of utilization of trust funds;
- (ix) place the audited accounts alongwith an annual report before the Governing Council for its approval within sixty days of closure of financial year;
- (x) do all other things which are necessary for smooth functioning and management of the trust; and
- (xi) lay down the procedure for the functioning of the trust.

12. Trust fund.- (1) The District Mineral Foundation Trust fund shall include the following, namely:-

- (i) the initial settlement of Rs. 1,000/- (rupees one thousand only) made by the Government for the trust, which came into force from the commencement of the Rajasthan District Mineral Foundation Trust Rules, 2025;
- (ii) any grant, contribution or other moneys received from the Government or from any other agency, institution or person;
- (iii) every mineral concession holder shall pay contribution to the trust fund in respect of any mineral removed by him from and/or consumed within the area allotted/permited to him as follows:-
 - (a) in case of major minerals, as specified 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, ten percent of the royalty (with any fraction rounded off to higher integer) paid in terms of the second schedule to the Rajasthan Minor Minerals Concession Rules, 2017, as amended from time to time:

Provided that in case of removal of overburden used in M-Sand Unit as per the provisions of sub-rule (1A) of rule 52 of the Rajasthan Minor Mineral Concession Rules, 2017, the contribution to the trust fund shall not be payable;

- (iv) interest accrued on deposits and other income derived therefrom; and
- (v) all other properties of the trust and the income derived therefrom or appreciation thereof.

(2) The payment to the trust fund shall be collected in advance alongwith royalty under separate sub-head and deposited in the account of the trust and if any difference amount is accrued at the time of assessment of royalty, same shall be deposited in the account of the trust immediately.

(3) In districts where excess royalty collection contracts/royalty collection contracts are awarded, the contribution to the trust fund shall be recovered through such contractors. In such cases, the monthly installment of contribution to the trust fund shall be deposited by the said contractors in the account of the trust.

(4) Where a mining lease falls in more than one district, the contribution to the trust fund shall be deposited in the account which is operated by the Mining Engineer/ Assistant Mining Engineer in whose office the assessment of royalty is made. However, the total amount so received shall be proportionally allocated on the basis of area falling in each district.

(5) The Mining Engineer/Assistant Mining Engineer concerned shall be responsible for collection, reconciliation and cross verification of contribution to the trust fund.

(6) The Mining Engineer/Assistant Mining Engineer shall send periodic information to the Additional Director (Administration), Directorate, Mines and Geology, who shall be Nodal Officer for proper maintenance of receipts and disbursement.

13. Payment of interest.- If any mineral concession holder or contractor of excess royalty collection contract/royalty collection contract fails to pay the contribution to the fund as specified in the sub-rule (1) of rule 12, he shall be liable to pay interest,-

- (i) in case of major minerals, as specified in the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, as amended from time to time; and
- (ii) in case of minor minerals, as specified in the Rajasthan Minor Mineral Concession Rules, 2017, as amended from time to time.

14. Operation of the trust fund.- (1) The trust fund shall be kept in interest bearing unified PD account opened in the name of the trust in the treasury and account shall be operated under the joint signatures of the Chairperson and Treasury Officer or any authorized member of the Managing Committee.

(2) The Managing Committee shall maintain the books of account of such funds.

15. Scope of the District Mineral Foundation Trust.- (1) The Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) and other welfare schemes of the State or Central Government shall be implemented by the trust of the respective districts using the fund accruing to the trust.

(2) The overall objective of the PMKKKY and other welfare schemes of the State and Central Government shall be,-

- (i) to implement various developmental and welfare projects/programs in mining affected areas, and these projects/programs shall be complementing the existing ongoing schemes/projects of State and Central Government;
- (ii) to minimize/mitigate the adverse impacts, during and after mining on the environment, health and socio-economics of people in mining districts; and
- (iii) to ensure long-term sustainable livelihood for the affected people in mining areas.

(3) Directly affected areas and people to be covered under the PMKKKY and other welfare schemes of the State and Central Government shall include,-

- (i) villages and gram panchayats or urban local bodies within which mines are situated and are operational. Such mining areas may extend to neighboring village/town, block or district or even State;
- (ii) an area within radius of fifteen kilometers from a mine or cluster of mines:
Provided that where part of a revenue village falls in the radius of fifteen kilometers, the entire area of revenue village shall be considered as affected area;
- (iii) villages/wards in which families displaced by mines have been resettled/rehabilitated by the project authorities; and
- (iv) villages/wards 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. should be considered as directly affected areas.

(4) Indirectly affected areas and people to be covered under the PMKKKY and other welfare schemes of the State and Central Government shall include,-

- (i) 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; and
- (ii) an area beyond the directly affected area and within radius of twenty five kilometer from a mine or cluster of mines, irrespective of whether this falls within the district concerned or adjacent district:

Provided that where part of a revenue village falls in the radius of twenty five kilometers, the entire area of revenue village shall be considered as affected area.

(5) The trust shall prepare and maintain an updated list of directly and indirectly affected areas within three months of commencement of these rules. The list of such affected areas shall be updated every six months by the trust.

(6) Notwithstanding anything contained in these rules, directly or indirectly affected area may be extended beyond radius of fifteen kilometers or twenty five kilometers, respectively, from a mine or cluster of mines, but within the boundary of district, with reasons to be recorded in writing and after approval from concern Divisional Commissioner:

Provided that the expenditure in the above extended area shall not exceed more than ten percent of total expenditure in directly affected and indirectly affected area.

(7) The following shall include directly affected persons:

- (i) 'affected family' as defined under clause (c) of section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;
- (ii) 'displaced family' as defined under clause (k) of section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;
- (iii) any other person as appropriately identified by the concerned Gram Sabha/Urban Local Body from directly or indirectly affected area; and
- (iv) people who have legal and occupational rights over the land being mined, those with usufruct and traditional rights, and those whose livelihoods have been affected due to mining.

(8) Affected families shall be identified, as far as possible, in consultation with local/elected representatives of Gram Sabha/Urban Local Body in directly or indirectly affected area.

(9) The trust shall prepare and maintain an updated list of such affected persons/local communities, including the eligible patients and their legal heirs under the provisions of the Pneumoconiosis Policy, 2019 of the State. The list shall be updated every year.

16. Utilization of the trust fund.- (1) At least seventy percent of the trust fund shall be utilized under the following high priority sectors:-

(i) 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;

(ii) Environment 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 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 mining areas and other air, water and surface pollution control mechanisms required for environment friendly and sustainable mine development, technical infrastructure to curb illegal mining/transportation for preservation of environment and pollution control measures. Identification of mineral-specific pollutants and their hazard potential may be done by involving reputed educational institutes/research institutions, identification of the hazards, setting up air quality monitors and displays, and undertaking measures for the implementation of the recommendations of the research;

(iii) Health care:

(a) focus shall be on people whose health is affected due to mining, creation of primary/secondary health care facilities in the affected areas, provision of necessary staffing (doctors/paramedical/support staff), equipment and supplies required for making such facilities effective;

- (b) effort shall be to supplement and work in convergence with the existing health care infrastructure of the local bodies, State and Central Government. The expertise available with the National Institute of Miners' Health may also be drawn upon to design special infrastructure needed to take care of mining related illnesses and diseases, mobile healthcare units in the mining affected areas. Group insurance scheme for health care may be implemented for mining affected persons; and
- (c) funds may be utilized 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 under the provisions of the Pneumoconiosis Policy, 2019 of the State, regular health check-up camps, awareness camps, and occupational health surveillance programmes:

Provided that projects and activities mentioned in above clause (i), (ii) and (iii) shall be carried out either on build operate and transfer basis or on single point contractual services and no temporary or permanent post shall be created for this purpose;

(iv) Education:

construction of school/college/vocational training institute buildings, additional class rooms, laboratories, libraries, art and crafts rooms, toilet blocks, drinking water provisions, residential schools, residential hostels for students of affected areas and 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.) and nutrition related programs. Financial support to students of affected areas for pursuing education in government/government aided institutions of higher education;

(v) Welfare of women and children:

special programmes for addressing problems of maternal and child health, malnutrition, infectious diseases, etc.;

(vi) Welfare of aged and differently abled people:

special program and medical support for welfare of aged and differently abled people and financial assistance to the District Disability Rehabilitation Centers;

(vii) Skill development and livelihood generation:

skill development for livelihood support, income generation and economic activities for local eligible persons. The projects/ schemes may include training, training kits, development of skill development center, incubation center, self-employment schemes, support to Self Help Groups and provision of forward and backward linkages for such self-employment economic activities, works to improve and showcase the arts and crafts of the affected people and areas, collection and processing of minor forest produce;

(viii) 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;

(ix) Housing:

provision of pucca housing for mining affected people not covered under the Central or State schemes;

(x) Agriculture:

activities related to agriculture, horticulture and agro forestry. Assistance to farmers through trainings, support to Farmers Producer Organizations/collectives/cooperatives, support for setting up of food processing units, storage including cold storage, marketing facilities like market yards etc., plantation, processing of medicinal herbs; and

(xi) Animal husbandry:

promotion of livestock, poultry, piggery, fishery, feed and fodder development and supporting innovation in animal husbandry, Farmers Producer Organizations, Self Help Groups, Farmer Cooperative Organisations.

(2) Upto thirty percent of the trust fund shall be utilized under following other priority sectors:-

(i) Physical infrastructure:

providing required physical infrastructure viz. roads, bridges, railways and waterways projects;

(ii) Irrigation:

developing alternate sources of irrigation including check dams and diversion weirs, adoption of suitable and advanced irrigation techniques, assistance for micro irrigation facilities including drip irrigation, assistance for bore wells and pump energization;

(iii) Energy and watershed development:

development of alternate sources of energy (including micro-hydel, decentralized solar or other renewable sources) and rainwater harvesting system. Development of orchards, integrated farming and agroforestry and restoration of catchments; and

(iv) any other measures for enhancing environmental quality in the mining affected district.

(3) Notwithstanding anything contained in these rules, the Government may notify any other sectors as high priority sectors and other priority sectors, from time to time.

(4) Special provisions for scheduled areas:

(i) The process to be adopted for utilization of funds in the scheduled areas shall be guided by the provisions contained in Article 244 read with Schedule-V to the Constitution relating to administration of the Scheduled Areas and Tribal Areas and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; and

(ii) In respect of villages affected by mining situated within the scheduled areas:

(a) approval of the Gram Sabha shall be required for all plans, programs and projects to be taken up and identification of beneficiaries under these rules; and

- (b) report on the works undertaken under trust in the respective village shall be furnished to the Gram Sabha after completion of every financial year.

17. General guidelines.— (1) The developmental and welfare activities to be taken up under these rules shall, as far as possible, be in the nature of complementing the ongoing schemes/projects being funded by the State as well as Central Government. Activities meant to be taken up under the ‘polluter pays principle’ shall not be taken up by the trust under any schemes. It shall focus on convergence with ongoing Central and State schemes for achieving the Sustainable Development Goals in mining affected areas. Trust shall give priority to achieving targets under Aspirational Districts Programme and Aspirational Blocks Programme.

(2) The trust with annual collection in the excess of rupees fifty crores may set up a Project Management Unit (PMU) for planning, technical, accounting and monitoring support. The cost of such PMU shall be met from administrative expenses. The PMU may engage required qualified manpower on contractual basis. Engagement of personnel for projects under the trust shall be purely contractual for a limited period only.

(3) The districts having annual collection of rupees ten crores or more shall maintain an endowment fund for future recurring expenses. A reasonable sum not exceeding ten percent of the annual receipts shall be deposited in endowment fund for providing sustainable livelihood. The endowment fund may be invested in government securities/bonds and fixed deposit receipts of nationalized/ scheduled banks and other instruments as are permitted by the Government. The endowment fund shall be used for creating and sustaining livelihoods in areas where mining activity has stopped due to any reason including exhaustion of mineral.

(4) A project that is for benefit of the affected area/people, but stretches beyond the geographical boundary of the district shall be taken up under the trust after obtaining prior approval of the Government.

(5) Works/goods shall be procured by the trust after following due procedure prescribed by the Governments for such procurements. The procurement of goods and services shall be as per the provisions of the Rajasthan Transparency in Public Procurement Act, 2012 and rules made thereunder. The execution of work shall be as per the provisions of accounting rules of respective executive agencies or any specific rules made by the Government in this regard.

(6) The trust shall maintain a district level unified PD account in the treasury to keep its funds. All receipts shall be credited to this account. The executing agencies shall be designated as implementing agencies under such unified PD account and financial limit shall be allowed to them as per the administrative and financial sanction issued as per approval. In the case of individual beneficiary or cases of direct benefit transfer duly approved by Governing Council or cases of hiring services by the trust, these shall be paid directly to respective bank accounts as per the due procedure. The Nodal Officer shall also mandatorily reconcile the receipt, expenditure and balance of the unified PD account on daily basis from treasury data.

(7) The trust may utilize trust fund for its operation and administration in following manner:-

- (i) an amount not exceeding five percent of the annual receipts of the trust may be utilized for administrative, supervisory and overhead costs of the trust; and
- (ii) no temporary/permanent posts shall be created under the trust. Any creation of temporary/permanent posts and purchase of vehicles by the trust shall require prior approval of the Government. However, minimum required staff shall be engaged on contractual basis.

18. Five years perspective planning and yearly action plan.- (1) In every district a baseline survey shall be conducted through academic institutions/renowned organisations/agencies for perspective plan formulation. Gram Sabha/Local Bodies may aid in preparation of need assessment reports. The trust should preferably use the baseline survey undertaken by any concerning Department, if available. The reference and major findings of the surveys shall be included in the perspective plans for the district.

(2) Based on the findings and gaps as identified through the baseline survey or any such survey/assessment, the trust shall prepare a strategy for five years and the same shall be included in the perspective plan.

(3) The five year perspective plan shall be prepared taking into account current balance available and likely accrual to the trust over a period of five years.

(4) The five years perspective plan shall be disaggregated into year-wise action plans.

(5) The five years perspective plan shall have separate sections on all priority sectors like drinking water, health, education, welfare of women and children, etc. and other sectors like roads, irrigation etc..

(6) The five years perspective plan shall be approved by the Governing Council and displayed on the website of the trust.

(7) The annual plans of the trust to be approved by the Governing Council each year shall be based upon the five years perspective plan and success achieved in fulfilling its targets in earlier years:

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

(8) The annual plans may include some other works and expenditures considered urgent in nature although not included in the perspective plan to a maximum extent of ten percent of the annual plan.

(9) The Government may empanel renowned organisation/agencies/universities for conducting the baseline surveys and preparing five years perspective plans.

19. Agencies to be engaged for execution of the proposal.- (1) The trust may engage any agency of the Government and assign any specific proposal/project to be carried out through such agency.

(2) The trust may also empanel qualified agencies e.g. Non-Government Organization who are working in the field. However, as far as possible, priority shall be given to agency of the Government working in the same field.

20. Charging of expenses.- The trustees shall be entitled to charge the following expenses from the trust fund, namely:-

- (i) all expenses 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;
- (ii) all expenses (including expenses incidental to execution and/or registration of any agreement or other deeds) incurred by trustees for obtaining the contributions and or any other resources, which may accrue;

- (iii) 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;
- (iv) all legal and 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;
- (v) all expenses in connection with the holding of its meetings and other proceedings as per the norms of the Government; and
- (vi) the trustees shall not be entitled to any remuneration for their services.

21. Restriction on transfer of fund.— (1) The provisions of section 9B of the Act shall be strictly adhered to in respect of utilization of fund by the trust.

(2) No fund shall be transferred in any manner from the trust to the State exchequer or State level fund or Chief Minister's Relief Fund or any other funds or schemes.

(3) No sanction or approval of any expenditure out of the trust fund shall be done at the State level by the Government or any State level agency.

(4) No fund shall be spent outside directly or indirectly affected areas within a district or for other than affected people as defined in these rules.

(5) No fund shall be transferred in any manner from one district to another district except as mentioned in sub-rule (4) of rule 12.

(6) The approval of expenditure of funds from trust lies solely with the Governing Council of the trust. The Government and State level Committee shall not have overarching authority on sanction of projects, approval of fund/expenditure and their function shall be limited to monitoring and effective implementation of projects sanctioned under these rules.

22. State Level Monitoring Committee.— (1) There shall be a State Level Monitoring Committee, for monitoring performance of trust and compliance of transparency norms, audit and annual report of trust, consisting of the following:-

S.No.	Name	Designation
1	2	3
1.	Chief Secretary	Chairperson
2.	Secretary to the Government incharge of Mines and petroleum Department	Vice-Chairperson
3.	Representative of Ministry of Mines Government of India	Member
4.	Secretary to the Government incharge of Finance Department	Member
5.	Secretary to the Government incharge of Forest Department	Member
6.	Secretary to the Government incharge of Public Works Department	Member
7.	Secretary to the Government incharge of Water Resource Department	Member
8.	Secretary to the Government incharge of Public Health and Engineering Department	Member
9.	Secretary to the Government incharge of Social Justice and	Member

	Empowerment Department	
10.	Secretary to the Government incharge of Medical and Health Department	Member
11.	Secretary to the Government incharge of Technical and Higher Education Department	Member
12.	Secretary to the Government incharge of Elementary Education Department	Member
13.	Secretary to the Government incharge of Planning Department	Member
14.	Director, Mines and Geology Department	Member
15.	any other officer invited by the Chairperson	Member

(2) For monitoring the activities of the trusts, there shall be a cell to be called “State Level Nodal DMF Cell” in the Directorate, Mines and Geology. The State Level Nodal DMF Cell shall act as the secretariat of the State Level Monitoring Committee.

(3) The State Level Monitoring Committee shall monitor performance of trusts and compliance of transparency norms, audit and annual report of trusts.

(4) The State Level Monitoring Committee shall meet at least twice in a year.

23. Annual report.- (1) Every year, within three months from the date of closure of the financial year, the trust shall cause to prepare an annual report on its activities for the respective financial year and place it before the trust.

(2) The annual report shall be submitted to the Government within one month from the date of its approval by the trust and shall also be hosted on the website of the trust.

(3) The annual report of each trust shall be laid before the State Legislative Assembly.

24. Accounts and audit.- (1) The Managing Committee shall maintain and/or cause to be maintained proper books of accounts, documents and records with respect to the trust fund to give a true and fair picture of the affairs of the trust. Books of accounts shall be maintained as per provisions of General Finance & Accounting rules (GF&AR) or any specific rules made by the Government in this regard.

(2) The accounts of the trust shall be audited by the Comptroller and Auditor General (CAG) as per schedule decided by CAG.

(3) The accounts of the trust shall be audited every year by a chartered accountant appointed by the trust from the list of approved auditors notified by the Accountant General of the State, in the meeting of the Governing Council, on such terms and conditions as decided by the trust. The auditors may be removed and replaced by the trust with the consultation of the Accountant General. The audit report thereof shall be placed in the public domain alongwith the annual report.

(4) Notwithstanding anything contained in sub-rule (3), the Government may appoint an auditor or auditors or may request the Accountant General of the State for audit of a particular year or period on such terms as the Government may so decide.

25. Transparency and accountability.- (1) Every trust shall prepare and maintain a website/or a specific section on the website of the District Administration on which, inter-alia, the following information shall be hosted and kept updated:-

- (i) details of composition of the Governing Council and Managing Committee of the trust;
- (ii) list of areas and people affected by mining;
- (iii) quarterly details of all contributions received from mineral concession holders/ contractors and others;
- (iv) all meeting agenda, minutes and action taken reports of the trust;
- (v) five years perspective plan, details of investment of endowment fund, annual plans and budget, work orders and annual report within thirty days of issuance of the document;
- (vi) online status of ongoing works - implementation status/progress of all the projects/ programs being undertaken under these rules shall be made available on the website, including description of work, details of beneficiaries, estimated cost, name of implementing agencies, expected date of commencement and completion of work, financial and physical progress upto the previous quarter etc;
- (vii) list of beneficiaries under various welfare programs; and
- (viii) voluntary disclosures under the Right to Information Act, 2005.

(2) The trust shall display a description of the project and amount sanctioned on a notice board at the project site.

(3) Information, Education and Communication activities to create awareness regarding schemes implemented under these rules shall be communicated by the trust through social media, films, videos etc..

(4) The trust shall share information pertaining to performance of the trust including deposit of funds and implementation of works to the Government, from time to time.

26. Administrative arrangement.— (1) The Government shall provide service of personnel working in the office of the Chief Executive Officer, Zila Parishad for management of the trust and for execution of the annual plan as may be required.

(2) The trust may request the Government to provide a required number of core personnel from its departments or from regular employees of such other cadre, for providing administrative and technical assistance to the trust. Service of such personnel shall continue to remain in their own respective cadres.

(3) The trust may also ask service providers to provide such services as may be needed for smooth functioning of the trust and may provide for incurring contingent expenditure for its functioning.

27. Protection of action taken in good faith.— (1) The trustees shall not be liable on account of anything done in good faith, 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 investment 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 expense 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 willful misconduct, provided, however, that, such indemnity shall not in any event exceed the total of the contribution.

28. Prohibition.- The Government may prohibit any class of works or activities which may not be beneficial for fulfillment of objectives of the trust.

29. Power of Government to issue directions or guidelines.- The Government may issue such directions and instructions/guidelines, from time to time, as it deems fit for effective implementation of these rules and such directions and instructions/guidelines shall be complied with by all trusts.

30. Grievance redressal.- (1) The trust shall devise and implement a grievance redressal mechanism so that each grievance is redressed, and a suitable reply is given to the complainant within thirty days of making a complaint to the District Magistrate or any other officer as may be authorised.

(2) The Government may, on receipt of any complaint/public grievance shall ensure each grievance is redressed by the trust and a suitable reply is given to the complainant within the stipulated time frame.

31. Compliance mechanism.- In case, a trust,-

- (i) fails to maintain an endowment fund as per sub-rule (3) of rule 17;
- (ii) transfers any fund in violation of rule 21;
- (iii) fails to prepare and publish annual report as per rule 23;
- (iv) fails to get the accounts audited as per rule 24;
- (v) fails to comply with any provisions of the rule 25; and
- (vi) fails to follow directions of Government in rule 29,

the Government may,-

- (i) suspend the sanction of any or all new works or execution of any or all of already sanctioned works, and/or suspend the release of funds for any or all the works by the bank/s where trust fund is deposited or the bank account of the executing agencies where funds have been transferred from trust; and
- (ii) after being satisfied that necessary corrective measures have been taken, withdraw such suspension.

32. Repeal and savings.- The Rajasthan District Mineral Foundation Trust, 2016 are hereby repealed:

Provided that anything done or any action taken under the provisions of the rules so repealed shall be deemed to have been done or taken under the provisions of these rules.

[No. F.18(5)Mines/Gr. II/2024]
By order of the Governor,

Ashu Chaudhary,
Jt. Secretary to the Government.