Estates Partition Act, 1897

Section 11 - Subsisting leases of mines and minerals –

1) Notwithstanding anything containedin this Act, where immediately before the date of vesting of the estate there is subsisting lease ofmines or minerals comprised in the estate or any part thereof, the whole or that part of the estatecomprised in such lease shall, with effect from the date of vesting, be deemed to have been leasedby the State Government to the holder of the said subsisting lease for the remainder of the term ofthe lease, and such holder shall be entitled to retain possession of the lease-hold property. (2) The terms and conditions of the said lease shall mutatis mutandis be the same as theterms and conditions of the subsisting lease referred to in sub-section (1), but with the additionalcondition that, if in the opinion of the State Government the holder of the lease had not, beforethe date of the commencement of this Act, done any prospecting or developing work, the StateGovernment shall be entitled at any time before the expiry of one year from the said date toterminate the lease by giving three months notice in writing : Provided that nothing in this sub-section shall be deemed to prevent any modificationsbeing made in the terms and conditions of the said lease in accordance with the provisions of anyCentral Act for the time being in force regulating the modification of existing mining lease. (3) The holder of any such lease of mines and minerals as is referred to in sub-section (1)shall not be entitled to claim any damages from the out going Intermediary on the ground that theterms of the lease executed by such Intermediary in respect of the said mines and minerals havebecome incapable of fulfillment by the operation of this Act.