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Uttar Pradesh Minor Minerals (Concession) Rules, 2021

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Uttar Pradesh Shasan

Bhutatva Evam Khanikarm Anubhag

In pursuance of the Provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of following English translation of notification no. 1157/86-2021-

03(Sa)/2021 dated 29 October, 2021.

Notification

No. 1157/86-2021-03(Sa)/2021

Dated : Lucknow 29, October, 2021

In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Act no. 67 of 1957), read with section 21 of the General Clauses Act, 1897 and in supersession of the Uttar Pradesh Minor Minerals (Concession) Rules, 1963, the Governor is pleased to make the following rules with a view to regulating the concession of minor minerals and other purposes connected therewith.

THE UTTAR PRADESH MINOR MINERALS (CONCESSION) RULES, 2021

CHAPTER-1

Preliminary

Short title,
extent,
commencement
and application

1.(1) These rules may be called the **Uttar Pradesh Minor Minerals (Concession) Rules, 2021.**

(2) They shall extend to the whole of Uttar Pradesh.

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

(4) They shall apply to all the minor minerals available in the State.

Definitions

2. (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (Act No. 67 of 1957);

(b) "Captive mines" shall mean the mining lease where more than 50 percent of the entire quantity of mineral extracted from the lease is used in an industry owned by the lessee;

(c) "Committee" means the Committee, consisting of the District Officer as Chairman and the representatives of the Director and the Divisional Forest Officer as members, constituted by the State Government by Notification No. 4343/18-12-90-601/87, dated August 29, 1990, whom the State Government has delegated its power under rule 71 in respect of reserve forest areas;

(d) "Director" means the Director of Geology and Mining, Uttar Pradesh;

- (e) "District Officer" means the Collector or Deputy Commissioner of the district in which the land is situated;
- (f) "Form" means a form set out in the Third Schedule to these rules;
- (g) "In situ rock deposit" means the mineral found in the form of rock and not displaced from the place of its origin;
- (h) "Mine" and "Owner" shall have the meanings respectively assigned to them in the Mines Act, 1952 (Act No. 35 of 1952);
- (i) "Mining operations" means any operations undertaken for the purpose of winning any minor mineral;
- (j) "Mining permit" means a permit granted under these rules to extract a specified quantity of minor mineral within the period stipulated in the permit;
- (k) "Minor minerals" means building stones, gravel, ordinary clay or, *ordinary earth*, ordinary sand other than sand used for prescribed purposes, **sand-bajri- boulders in mixed state found in river bed (RBM)** and any other mineral which the Central Government has declared from time to time or may declare, by notification in the official Gazette, to be a minor mineral, under clause (e) of section 3 of the Mines and Minerals (Development and Regulation) Act, 1957 (Act No. 67 of 1957);
- (l) **"M- sand" means manufactured sand produced by crushing of in-situ-rock /overburden;"**
- (m) "Pits mouth value" means the sale price of the minor mineral at the pit head or at the point of production;
- (n) "Railway" and "Railway Administration" shall have the meanings respectively assigned to them in the Indian Railways Act, 1890 (Act NO.9 of 1890);
- (o) "Schedule" means a Schedule appended to these rules;
- (p) "State" and "State Government" respectively mean the State of Uttar Pradesh and Government of Uttar Pradesh.

(2) **Words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them under the Act.**

3. (1) No person shall undertake any mining operations in any area within the State of any minor mineral to which these rules are applicable except under and in accordance with the terms and conditions of a mining lease or mining permit granted under these rules:

Provided that nothing shall affect any operations undertaken in accordance with the terms and conditions of mining lease or permit duly granted before the commencement of these rules.

Explanation:- For the purposes of this rule manual digging or manual extraction of ordinary clay, ordinary earth for making bricks and pottery shall not be treated as mining operations:

Provided that pit created by such digging or extraction should not be deeper than two meters.

- (2) No mining lease or mining permit shall be granted otherwise than in accordance with the provisions of these rules.

CHAPTER II GRANT OF MINING LEASE

4. No mining lease shall be granted to any person who is not an Indian national.

Explanation:- For the purpose of this rule a person shall be deemed to be an Indian national,-

- (a) in the case of a public company as defined in *the Companies Act, 2013(Act no. 18 of 2013)*, only if a majority of the directors of the company are citizens of India and not less than fifty-one percent of the share capital thereof is held by persons who are either citizens of India, or Companies as defined in *the Companies Act, 2013(Act no. 18 of 2013)*;
- (b) in the case of a private company as defined in *the Companies Act, 2013* only if all the members of the company are citizens of India(*Act no. 18 of 2013*);

Application for
grant of mining
lease

(c) in the case of firm or other association of individuals, only if all the partners of the firm or members of the association are citizens of India; and

(d) in the case of an individual, only if he is a citizen of India.

5. (1) An Application in form MM-1 for grant of a mining lease shall be addressed to the State Government.

(2) The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorized in this behalf by the State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place, time and date of receipt. One copy shall be returned immediately to the person presenting the application.

(3) The application referred to in sub-rule (1) shall be entered in a register of mining lease application in form MM-2.

6. (1) Every application for grant of mining lease shall be accompanied by,-

(a) a **non refundable** fee of five thousand rupees,

(b) a deposit of ten thousand rupees for meeting the preliminary expenses, other than those specified in rule 17;

(c) four copies of the cadastral survey map **with coordinates** on which the area applied for is clearly marked and in case such area is not covered by cadastral survey, four copies of topographical survey map on a scale of at least 4" = 1 mile, on which the area applied for is accurately marked;

(d) a certificate, issued by District Officer or by such officer as may be authorised by the District Officer **not below the rank of the Mines Inspector** in this behalf, showing that no mining dues are outstanding against the applicant:

Provided that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the State Government, stating that he does not hold or had not held any mining lease or any other mineral concession in the territory of the State;

(e) a certificate of caste and residence of the applicant, where the application is for mining lease of sand or morrum or bajri or boulder or any of these in mixed state;

(f) a character certificate given by the District Officer of the District, where the applicant permanently resides.

(2) If the application is not complete in any respect or is not accompanied by the fee, deposit or the documents mentioned in sub-rule (1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice, require the applicant to complete the application in all respects or, to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.

Enquiry and
reports

7. The District officer shall, unless he is authorised to grant the mining lease cause an enquiry to be made into all relevant matter and, within two months from the date of receipt of application of mining lease, forward two copies of the application alongwith his report to the State Government or to such other authority as the State Government may authorize in this behalf.

Disposal of
Application

8. The State Government or the authority authorised by it in this behalf may approve or reject, subject to the provisions of these rules and after making such further enquiry as it may consider necessary, refuse or grant the application for grant of the mining lease for the whole or part of the area applied for and for such period as it may consider proper:

Provided that where an application for grant of mining lease is refused or the area is reduced, reasons therefore shall be recorded and communicated to the applicant.

Preferential
right of
certain
persons

9. (1) Where the availability of area/areas are declared by the District Officer for grant of mining lease under the provisions of rule 74, all the applications received during the period specified in such declaration shall be deemed to be received on the same day and shall be considered simultaneously **according to the procedure laid down by**

the State Government.

- (2) Notwithstanding anything contained in sub-rule (1) leases for one third of the mining areas of Naxal affected villages, as declared by the State Government by general order, may be granted to the Self Assistance groups containing the members of the local residents where such leases are situated and such one third areas shall be marked for the purpose by the District Officer of the district, after seeking such approval from the Government:

Provided that those Self Assistance groups will be entitled for getting preference under this sub-rule in which one third members belong to Schedule Caste/Schedule Tribe/members of the Castes traditionally engaged in sand mining such as Mallah, Kewat, etc. and are resident of the same village, where the lease areas are situated.

Extent of area
for which a
mining lease
may be
granted

- 10.(1) Minimum area for grant of a mining lease for sand or morrum or bajri or boulder or any of these in mixed state exclusively found in river bed shall ordinarily be five hectares and mineral found in the form of rock and not displaced from the place of its origin and other minor minerals shall be one hectare:

Provided that in case of non availability of such extent of area, this sub rule shall not apply.

- (2) No mining lease shall be granted in respect of any area which is not compact and contiguous or otherwise not suitable to scientific development:

Provided that in respect of small deposits not suitable to scientific mining in isolated patches, a Mining lease may be granted for a cluster of such deposits without any division.

- (3) No person shall acquire in respect of any minor mineral, except sand or morrum or bajri or boulder or any of these in mixed state exclusively found in river-bed, exceeding three mining leases, covering a total area of more than 25 Hectares:

Provided that mining leases in respect of sand or morrum or bajri or boulder or any of these in mixed state, exclusively found in the riverbed exceeding two in number or total fifty Hectares in area shall not be granted in favour of any person in the State of Uttar Pradesh:

Provided further that if the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may for reasons to be recorded in writing permit any person to acquire one or more mining leases covering an area in excess of the limits mentioned above.

Explanation: For the purposes of these rules, a person acquiring by or in the name of another person a mining lease which is intended for himself shall be deemed to be acquiring it himself

Length and
breadth of the
area to be
leased

11. The length of an area under a mining lease shall ordinarily not exceed four times its breadth.

Period of
Mining lease

12. (1) Except as provided in sub-rule(2), a mining lease in respect of sand or morrum or bajri or boulder or any of these in mixed state exclusively found in the river bed shall be granted for a maximum period of five years and in respect of other minor minerals for a period not less than five years and not more than ten years.

- (2) If the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may for reasons to be recorded in writing grant a mining lease of minor minerals, except the minerals exclusively found in the river bed, for any period exceeding 10 years but not exceeding 15 years.

Security deposit

13. An application for a mining lease shall, before the deed referred to in rule 14 is executed and in such manner as the State Government may by order specify deposit as security, for the due observance of the terms and conditions of the lease, a sum equal to twenty five percent of the annual dead rent or annual lease amount of the leased area subject to the minimum of Rs. 10,000.00 (Rupees ten thousand). No interest shall be payable on such security deposit.

Lease deed to
be executed
within three

- 14.(1) Where an order has been made for the grant of mining lease other than a mining lease for sand or morrum or bajri or boulder or any of these in mixed state a lease deed in Form MM-3 or in a form as near thereto as the circumstances of each case may require, shall be executed within three months of the communication of the said order or within such further period as the State Government may allow, in this behalf. If no such deed is executed within the aforesaid period due to any default on the part of the applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government.
- (2) The date of commencement of a mining lease referred to in sub rule(1) shall be the date on which the deed is executed under the said sub-rule.
- (3) Where an order has been made for the grant of a mining lease for sand or morrum or bajri or boulder or any of these in mixed state, twenty five percent of the annual lease amount shall be deposited within seven days of the order or within such further period as may be allowed by the District Officer not exceeding seven days and a lease deed in form MM-3 or in a Form as near there-to-as the circumstances of each case may require, shall be executed within one month of the communication of the said order or within such further period as the State Government may allow in this behalf. The lease amount shall in respect of sand or morrum be determined on the basis of the average of the amount received during the last three years from that area or the amount received in the preceding year from such area which ever is higher and in respect of sand, bajri, and boulder or any of these in mixed state be determined on the basis of the highest amount received during the last three years. If no lease amount is deposited or no lease deed is executed within the aforesaid period due to any default on the part of applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government.
- (4) The date of commencement of mining lease referred to in sub-rule(3) shall be the date on which the deed is executed under the said sub-rule or the date of actual commencement of mining operation which ever is earlier.
- (5) In case a lease referred to in sub-rule (3) is granted during the period of an year mentioned in column I of the schedule below, the annual lease amount shall be deposited in respect of the first and subsequent years of the period of lease, in the instalments of such percentage of the annual lease amount and before such dates as are mentioned against each in the respective columns thereof namely:-

Schedule of Deposit

Period During which lease is Granted I	Percentage of lease amount deposited under subrule (3) II	Instalments in the first Year III			Instalments in the Subsequent years IV		
		1st	2nd	3rd	1st	2nd	3rd
January to March	25%	25% July, 1	25% Oct., 1	25% Jan., 1	50% April, 1	25% Oct., 1	25% Jan. 1
April to June	25%	25% Oct., 1	50% Jan., 1	-	25% Oct., 1	25% Jan., 1	50% April, 1
July to September	25%	25% Jan., 1	50% April, 1	-	25% Oct., 1	25% Jan., 1	50% April, 1
October to December	25%	50% April, 1	25% July, 1	-	25% Oct., 1	25% Jan., 1	50% April, 1

Refund of fee

- 15.(1) Where an application for grant of a mining lease is refused, the fee paid by the applicant under clause (a) of sub-rule (1) of rule 6 shall **not** be refunded to him.
- (2) Where the whole or part of the amount deposited under clause (b) of sub-rule (1) of rule 6 has not been expended for the purposes specified in the said clause, it shall be refunded to the applicant:

Provided that in case the amount to be expended for the purposes specified in the said clause (b) is more than the amount deposited under that clause, that applicant shall have to deposit the extra amount as may be determined by the State Government.

Restriction on
determination of
mining lease

16. No lessee shall determine a mining lease except after giving a notice in writing of not less than six months to the State Government.

Survey of the
area leased

- 17.(1) When a mining lease is granted, arrangement shall be made by the Director for survey and demarcation of the area granted under the lease for which lessees shall be charged at the following rates:

(a) in the plains

(i) for areas up to 10 hectares Rs. 5,000.00

(ii) for areas beyond 10 hectares at the rate of Rs. 500.00 per hectare subject to the minimum of Rs. 6,000.00

(b) in the hills

(i) for areas up to 10 hectares Rs. 8,000.00

(ii) for areas beyond 10 hectares at the rate of Rs. 800.00 per hectare subject to the minimum of Rs. 10,000.00

(2) The lessee shall, after the lease is granted to him, pay the demarcation charges through treasury challan and submit a map of the area granted under the lease, certified by the District Officer, to the concerned Mines Officer or to such other officer as may be authorised by the Director in this behalf. The Mines Officer or the officer so authorised shall, on receipt of the certified map and upon being satisfied that demarcation charges have been duly deposited, within fifteen days from the date of such receipt, survey and demarcate the area taking as reference atleast two fixed points on the map and denoting the geo-coordinates of all the boundary pillars of the demarcated lease area.

(3) The Mines Officer or the officer so authorised may, for the purpose of survey and demarcation of the area, take the help of such officer of the revenue and forest department of the district as he may consider necessary.

(4) If any dispute arises in respect of demarcation of the area, the matter shall be referred to the Director, who shall, after giving the parties a reasonable opportunity of being heard, decide the matter.

(5) The decision of the Director under sub-rule (4) shall be final.

Boundaries
below the surface

18. The boundaries of the area covered by a mining lease shall run vertically downwards below the surface towards the centre of the earth,-

Transfer of
lease

- 19.(1) A lessee shall not, -

(a) assign, sublet, mortgage or in any other manner transfer the mining lease or any right, title or interest therein; or

(b) enter into or make any arrangement, contract or understanding whereby the lessee may be directly or indirectly financed to a substantial extent or may be substantially controlled in mining operations by any person or body of persons other than himself:

Provided that a lessee may, with the prior approval of the State Government and subject to such conditions and restrictions as may be imposed by it, mortgage to a finance corporation owned and controlled by the State Government or to a scheduled Bank as defined in clause (a) of section 2 of the Reserve Bank of India Act, 1934 or a Bank specified in Column of the First Schedule to the Banking Companies (Acquisition and transfer of undertaking) Act 1970; or, assign to any other person a mining lease or any right, title or interest therein.

(2) The State Government, may by an order in writing, determine any lease at any time if the lessee has, in the opinion of the State Government assigned, sublet, mortgaged or in any other manner transferred the mining lease or any right, title or interest therein or entered into or made any arrangement, contract or understanding without

its prior approval or has committed breach of any condition or restriction specified by the State Government in this behalf:

Provided that no such order shall be made without giving the lessee a reasonable opportunity of stating his case.

Registers

20. The following registers shall be maintained in the office of the District Officer:

- (1) a register of applications for mining leases in Form MM-2, and
- (2) a register of mining leases in Form MM-4.

CHAPTER-III

PAYMENT OF ROYALTY AND DEADRENT

Royalty

21. (1) The holder of a mining lease granted on or after the commencement of these rules shall pay royalty in respect of any mineral removed by him from the lease area at the rates for the time being specified in the First Schedule to these rules.

- (2) Notwithstanding anything to the contrary contained in rule 3, royalty should be payable by concerned brick kiln owner or *user* of ordinary clay or ordinary earth at the rate, for the time being, specified in First Schedule to these rules:

Provided that the State Government shall take fees to be known as Regulating Fees from brick kiln owners in respect of district categorized, on the basis of paya's at such rates as may be notified from time to time by it.

- (3) The State Government may, by notification in the Gazette, amend the First Schedule so as to include therein or exclude there from or enhance or reduce the rate of royalty in respect of any mineral with effect from such date as may be specified in the notification:

Provided that the State Government shall not enhance the rate of royalty in respect of any mineral for more than once during any period of three years and shall not fix the royalty at the rate of more than 20 percent of the pit's mouth value.

- (4) Where the royalty is to be charged on the pit's mouth value of the mineral, the State Government may assess such value at the time of the grant of the lease and the rate of royalty will be mentioned in the lease deed. It shall be open to the State Government to re assess not more than once in a year the pit's mouth value if it considers that an enhancement is necessary.

- (5) Regulating Fees may be determined by the State Government from time to time on minerals entering the State from other States.

Dead Rent

22. The holder of a mining lease shall, during the terms of the lease, pay advance, in instalments for every year of the lease, such amount as dead rent at the rates mentioned in the Second Schedule to these rules, as may be specified in the lease deed by the State Government, and if the terms of lease permit the working of more than one mineral in the same area, the said dead rent shall be paid separately for each such minerals:

Provided that the lessee shall in respect of each mineral, pay the dead rent or the royalty, whichever is higher in amount and not the both.

CHAPTER-IV

AUCTION LEASE

Declaration of
area for e-
tender/e-auction
/e-tender -cum-e-
auction lease

23. (1) The State Government may by general or special order declare the area or areas with geo-coordinates which may be leased out by e-tender/ e-auction /e-tender -cum-e-auction.

- (2) Subject to direction issued by the State Government from time to time in this behalf-

- (a) The area or areas for mining leases in respect of sand or morrum or bajri or boulder or any of these in mixed state exclusively found in the river-bed shall be leased out only by e-tender or e-auction or e-tender-cum-e-auction for a maximum period of five years at a time:

Provided that, if for any reason, it is not possible to settle the river bed mining areas for the long term, the areas may be settled through short term mining permit. Short term permit will be granted for a maximum period of six months by e-tender/e-auction, under terms and conditions laid down by the State Government from time to time:

Provided further that in case of grant of mining permit, the permit holder shall make payment of all due amount in advance.

- (b) New area of natural rocks of building stones and earlier leased area/areas, which has/have been treated as redeemed after expiration of period of lease and will not be renewed, may be leased for a maximum period of twenty years only through the process of e-tender/e-auction/e-tender cum e-auction:

Provided that the earlier lease-holder of the concerned lease area, whose lease had been determined recently, has to be accommodated an opportunity to offer bid of higher amount than the highest bid shorted out for the concerned lease, within one working-day after the finalization of the entire process of e-tender/e-auction/e-tender cum e-auction and before issuance of Letter of Intent, before the District Magistrate having territorial jurisdiction over the concerned lease area, however with conditions that:-

- I) the character of the earlier lease-holder bears good conduct;
- II) he has abided fairly all the norms during the course of the entire lease period;
- III) he has no any due amount concerning mineral/mining;
- IV) his name is not mentioned inter alia black list;
- V) he has been a lease- holder of the concerned area or more than that area and has produced certified document/s concerning the same;
- VI) he has participated for bid as per the prescribed process/procedures through e-tender/e-auction/e-tender cum e-auction with the required proper document/s concerning the e-tender/e-auction/e-tender cum e-auction:

Provided that the lease holder of more than 02 hectare area will have to install stone crusher within two years from execution of lease deed.

- (c) Naturally available rock type such mineral deposit which had been defined earlier as major mineral and that has been declared minor mineral, vide Notification No. S.O.423(E) Dated 10.02.2015 issued by the Government of India and new mining area containing embedded Granites (sized dimensional) shall be leased out as prospecting license cum mining lease for the maximum period of thirty two (32) years in one term through the proper process of e-tender/e-auction/e-tender cum e-auction, however out of the above mentioned period of thirty two years, two years period will be reserved for prospecting works and on being proved availability of mineral the lease period shall be for maximum thirty (30) years.

If any area has remained on lease since before or availability of mineral has already been approved within the concerned area then in such cases the mining lease will be approved directly for a maximum period of thirty years :

Provided that the earlier lease-holder of the concerned lease area whose lease had terminated recently has to be accommodated an opportunity to offer bid of higher amount than the highest bid shorted out for the concerned lease, within one working-day after the finalization of the entire process of e-tender/e-auction/e-tender cum e-auction and before issuance of Letter of Intent, before the District Magistrate having territorial jurisdiction over the concerned lease area however with conditions that:-

- I) the character of the earlier lease-holder bears good conduct;
- II) he has abided fairly all the norms during the course of the entire lease period;
- III) he has no any due amount concerning mineral/mining;
- IV) his name is not mentioned inter alia black list;
- V) he has been a lease – holder of the concerned area or more than that area and has produced certified document/s concerning the same;
- VI) he has participated for bid as per the prescribed process/procedures through e-tender/e-auction/e-tender cum e-auction with the required

proper document/s concerning the e-tender/e-auction/e-tender cum e-auction.

- (d) Naturally available in-situ-rock type mineral found in private land of minimum area one hectare shall be leased out for a maximum period of ten years through e-tender/e-auction/e-tender cum e-auction:

Provided that in respective mine area the District Officer after confirming the availability of mineral, suitability of area, certificate of land ownership, land owner's affidavit for consent, shall process e-tender/e-auction /e-tender cum e-auction after determination of quantity and period not exceeding ten years. The land owner/ owners after completion of e-auction process of the area will take cognizance of the highest bid and within seven working days get an opportunity to present an offer higher than the highest bid before the District Officer having territorial jurisdiction over the concerned area. If this right of first refusal is not exercised by the land owner/owners, the lease will be approved in favour of the highest bidder and the land owner/owners will have the right to receive a compensation equal to the amount as decided by the State Government from time to time, which will be in addition to the amount payable to the State Government. Payment to land owner/owners will be mandatory along with the payment to the State Government.

- (e) Private land situated in the river bed of area minimum one hectare in which sand or morrum or bajri or boulder or any of these in mixed state is available shall be leased out for the maximum period of six months through e-tender/e-auction/e-tender cum e-auction:

Provided that in respective mine area the District Officer after confirming the availability of mineral, suitability of area, certificate of land ownership, land owner's affidavit for consent, shall process e-tender/ e-auction/e-tender cum e-auction after determination of quantity and period not exceeding six months. The land owner/ owners after completion of e-auction process of the area will take cognizance of the highest bid and within seven working days get an opportunity to present an offer higher than the highest bid before the District Officer having territorial jurisdiction over the concerned area. If this right of first refusal is not exercised by the land owner/owners, the lease will be approved in favour of the highest bidder and the land owner/owners will have the right to receive a compensation equal to the amount as decided by the State Government from time to time, which will be in addition to the amount payable to the State Government. Payment to land owner/owners will be mandatory along with the payment to the State Government.

- (3) On the declaration of the area under sub-rule (1) the provisions of chapters II, III, VI and IX except rules 10, 17 and 95 shall not apply to the area or areas in respect of which the declaration has been issued. Such area or areas may be leased out according to the procedure described in this chapter.
- (4) The District Officer shall get the area or areas declared under sub-rule (1), evaluated for quality and quantity of mineral for fixing minimum bid or offer by the Director, Geology and Mining, Uttar Pradesh or by an officer authorised by him before the date fixed for e-tender/e-auction /e-tender-cum-e-auction.

Withdrawal of area
from e-auction or e-
tender or e-auction-
Cum-e-tender

24. The State Government may by declaration withdraw any area or areas declared under sub-rule (1) of rule 23 or part thereof from any system of lease referred to therein and from the date of withdrawal specified in the declaration which shall not be the date during the subsistence of a lease granted under this chapter, the provision of chapter II, III, VI and IX of these rules shall become applicable to such area or areas.

-Register of area or areas declared for for e-tender/ e-auction /e-tender -cum-e-auction lease

*Restriction on grant of lease

25. The District Officer shall cause to be maintained a register of areas declared under sub-rule (1) of rule 23 in Form MM-5.

26. No person shall be allowed to bid or take part in *e-tender/e-auction/e-tender cum e-auction* for a lease-

- (a) who is not an Indian National;
- (b) against whom mining dues are outstanding;
- (c) who has not obtained a character certificate from the District Magistrate or State Government or the Officer of the District duly authorized by it where he permanently resides, issued on the basis of concerned police verification;
- (d) who has not produced his Aadhar Card;
- (e) whose name has been mentioned in the Black List;
- (f) in the cases of Firm/Company, which has not produced/furnished its PAN No. and G.S.T. Registration Certificate;
- (g) who has not submitted solvency certificate or solvency certificate with bank guarantee, of worth not less than 25% of the bid amount.,

27.(1) Where the granting of lease of *e-tender/e-auction/e-tender cum e-auction* is expedient, the District Officer or Committee, as the case may be, shall fix the date, time and web portal determined by the State Government for *e-tender/e-auction/e-tender cum e-auction*, the procedure of which shall be such as may be determined by the State Government from time to time.

(2) Lease through *e-tender/e-auction/e-tender cum e-auction* shall be granted in the following manner:-

- (a) the Committee authorized by the District Officer or the State Government shall publish public notice at least thirty days earlier to the concerned *e-tender/e-auction/e-tender cum e-auction* mentioning inter alia Date, Time and Web-portal determined by the State Government for such *e-tender/e-auction/e-tender cum e-auction*:

Provided that where *e-tender/e-auction/e-tender cum e-auction*, has not been completed due to any reason, whatsoever, such *e-tender/e-auction/e-tender cum e-auction* may be completed again after giving short term notice of not less than seven days;

- (b) the public notice of *e-tender/e-auction/e-tender cum e-auction* shall be published in the manner given below :-
 - i. copies of the notice shall be displayed/pasted at the notice board of the office of the District Magistrate;
 - ii. copy of the notice shall be displayed on the web portal or website determined by the State Government;
 - iii. the notice shall be published in at least two national newspapers having circulation in the District for the information of general public; and
 - iv. In such other manner as may be directed by the State Government from time to time;
- (c) the District Magistrate may appoint an officer subordinate to him not below the rank of Additional District Magistrate, as presiding officer, for the purpose of *e-tender/e-auction/e-tender cum e-auction*;
- (d) the details of area or areas and terms and conditions of the lease for *e-tender/e-auction/e-tender cum e-auction* shall be mentioned in the notice to be issued;
- (e) any person, who might be interested in participation with the proceedings concerning *e-tender/e-auction/e-tender cum e-auction*, will deposit rupees fifteen thousand as fee which shall be non-refundable as prescribed and provided by the State Government;
- (f) every bidder/tenderer desiring to participate in *e-tender/e-auction/e-tender cum e-auction* shall deposit such amount as earnest money as specified in the notice;
- (g) the earnest money deposited by the bidders/tenderers will be returned to them except the successful bidder/tenderer.

Procedure for approval/grant of Lease by e-tender/e-auction/e-tender-cum-e-auction

Grant of
lease

- (3) Upon grant of lease, the lease holder of river bed minerals such as sand, morrum, bajri, boulder shall make payment of such amount as mentioned in the Fifth Schedule and the lease holder of other minerals shall make payment of such amount as mentioned in the Fourth Schedule.
- 28.(1) The District Officer or the Committee, as the case may be, shall in the case of e-tender accept the highest offer, in the case of e-auction accept the highest bid and in the case of e-auction-cum-e-tender accept the bid or offer whichever is highest.
- (2) The District Officer shall declare the highest bid/offer of concerned e-tender/e-auction/e-tender-cum-e-auction and a letter of intent shall be issued to the person whose bid or offer is accepted which shall include,-
- (i) the successful bidder shall immediately deposit twenty-five percent of the amount of bid as security for execution of the lease deed and due observance of the terms and conditions of the lease and an equal amount as first installment of royalty within two working days. The amount of earnest money will be adjusted into the first installment amount;
 - (ii) the amount payable for the first year will be determined by multiplying mineral quantity mentioned in the environment clearance certificate with the rate obtained in the e-tender/e-auction;
 - (iii) for the subsequent years the amount payable will be increased at the rate of ten percent on the preceding year's payable amount, except in case of in-situ rocks:

Provided that for in-situ rocks minerals the amount payable for the first ten years shall be the bid rate or the royalty rate specified in the rules from time to time, whichever is higher:

Provided further that amount payable will be increased by twenty- five percent in every 10 years but in subsequent years the amount payable will not be less than the royalty rate specified in the rules;

- (iv) The amount of e-tender/e-auction shall be determined for river bed mineral such as sand, morrum, bajri boulder as mentioned in the Fifth Schedule and for other mineral as mentioned in the Fourth Schedule;
 - (v) Demarcation of an area granted under lease shall be done in accordance with the provisions of rule-17 and boundary-pillars shall be fixed in accordance with rule 36 and maintenance thereof shall be done in accordance with the said rule;
 - (vi) The conditions of lease shall be mentioned.
- (3) If any bid or offer in e-tender/e-auction/e-tender-cum-e-auction is not satisfactory in the opinion of the District Magistrate, he may reject all the bids and offers in e-tender/e-auction/e-tender-cum-e-auction and order for fresh e-auction or e-tender or e-tender cum e-auction after recording reasons therefore.
- 29.(1) The successful bidder/tenderer after receiving letter of intent of concerned e-tender/e-auction/e-tender cum e-auction shall produce, approved Mining Plan and clean Environment Certificate prescribed as per rule, and a lease deed concerning the same will be executed in form MM-6 or in similar format. The registration of the said executed lease deed will be registered within three month period. The period of lease will be counted from the date of execution of the concerned lease deed. If due to fault on the part of lease holder, registration of said executed lease deed is not registered within three months, then the said lease deed will be treated as null and void and the amount of security will be seized by the District Magistrate.
- (2) A copy of the lease deed together with the map of the area shall be sent by the District Officer or the Committee, as the case may be, to the Director within fifteen days from the date of execution thereof.
30. Lease holder, on the intended day of surrender, shall submit an amount **equivalent to twenty-five percent of the annual instalment of that year which may be adjusted against the security deposit** and apply for surrender along with the following documents :-

Execution of
lease deed

Surrender of
Mining
Lease

(a) no objection for transfer of Environment Clearance Certificate obtained for the concerned lease area in favour of the State Government or subsequent proponent. certificate of money deposited for difference between quantity mentioned in Environment Clearance Certificate and mined out quantity or in case of no difference, a Certificate in this regard for the concerned lease issued by Senior Mines Officer/Mines Officer/Mines Inspector.

In accordance with the above, lease holder will be prohibited from carrying out mining activities from the date of application for surrender of lease and the area will be deemed to be vacant.

Register of lease

31. A register of mining lease shall be maintained in the office of the District Officer in Form MM-7 and a copy thereof shall be sent by the District Officer to the Director, Geology and Mining, Uttar Pradesh.

CHAPTER - V

CONDITIONS OF A MINING LEASE

Conditions mentioned in this chapter to apply to all leases

32. Every mining lease shall be subject to the conditions mentioned in this chapter which shall be deemed to be incorporated in every mining lease granted under these rules.

Discovery of other minerals

- 33.(1) The lessee shall report to the State Government the discovery in the leased area of any mineral not specified in the lease, within thirty days of such discovery.
(2) If any mineral not specified in the lease is discovered in the leased area the lessee shall not win and dispose of such mineral unless a separate lease is obtained therefore.

Foreign national not to be employed

34. Except with the prior approval of the State Government, the lessee shall not employ in connection with the mining operations any person who is not an Indian national.

Mining operations to commence within six months

- 35.(1) The 'Selected Applicant' before the execution of mining lease deed under the provision of chapter II, IV and IX or issuing a mining permit under chapter VI of these rules, shall get prepared a mining plan by the person, recognized and registered by the Director, having the qualification and experience namely:-
(i) a degree in Mining Engineering or post-graduate degree in Geology granted by University established or incorporated by or under Central Act or a Provincial Act or a State Act, including any institution recognized by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956; and
(ii) professional experience of five years of working in a supervisory capacity in the field of mining after obtaining the degree.
(2) The selected applicant shall, within one month of issuance of letter of intent, submit the mining plan for approval to the Officer authorized by notification in this behalf by the State Government, who may within thirty days from the date of receipt of mining plan approve, modify or reject it positively. The project proponent shall, within one month of approval of mining plan, submit the application for grant of Environment Clearance to the competent authority.
(3) The mining plan once approved shall be valid for entire duration of the mining lease/permit or for five years whichever is earlier. If the lease period is more than five years, then in that case the lease holder will resubmit mining plan before the Officer authorized by notification in this behalf by the State Government:

Provided that in case of premature termination or surrender of any mining lease/permit the approved mine plan shall be deemed transferred to the legal person in favour of whom such lease/permit is subsequently settled.

- (4) Mining operations shall in respect of all minor mineral be undertaken in accordance with the mining plan, detailing yearly development schemes, aspect of reclamation and rehabilitation of mined out areas including progressive mine closure scheme duly approved by the Officer authorized by notification in this behalf by the State Government:

Provided that the lessee shall start the mining operation after obtaining environmental clearance if required under the provisions of Environment Impact

Assessment Notification, dated September 14, 2006 issued by the Ministry of Environment, Forest and climate change, Government of India as amended from time to time. During the process of grant of Environment clearance, the proponent shall be bound to complete all desired formalities to resolve the objections raised by the competent authority within the required time frame:

Provided further that an application seeking prior environmental clearance in all cases shall be made by the project proponent or end-user agency as the case may be, in as provided in Paragraph 06 of the Environment Impact Assessment Notification, dated September 14, 2006 as Amended from time to time.

- (5) The mining lease deed will be executed only after approval of mining plan by the officer authorized by notification in this behalf by the State Government *and within one month from the date of issuance of environment clearance certificate in favour of the proponent*. Mining operation shall commence, immediately for the lessee of river bed mineral, within 03 (three) months from the date of the execution of the lease deed by the lessee of other minor minerals and the lessee shall thereafter conduct such operations without deliberate intermission in a proper, skillful in work-man like manner:

Provided that even after termination of lease/permit by the Government in accordance with law or in any legal proceeding or is surrendered by the lease/permit holder the environmental clearance granted in favour of such lessee /permit holder may be transferred to the legal person in favour of whom such lease/permit is settled within the lease validity period.

- (6) Financial assurance has to be furnished by every lease holder. The amount of financial assurance shall be rupees Twenty five thousand for in-situ-rock deposit and rupees Fifteen thousand for sand or morrum or bajri or boulder or any of these in mixed state exclusively found in the river bed mines per acres of the mining lease area put to use for mining and allied activities. However, the minimum amount of financial assurance to be furnished in any of the forms referred to in sub-rule (7) shall be Rupees Two Lacs for each category of mines be respective of area:

Provided that a lease holder shall be required to enhance the amount of financial assurance with the increase in the area of mining and allied activities:

Provided further that where a leaseholder undertakes reclamation and rehabilitation measures as part of the progressive closure of mine, the amount so spent shall be reckoned as sum of the financial assurance already spent by the leaseholder and the total amount of financial assurance, to be furnished by the lessee, shall be reduced to that extent.

- (7) The Financial assurance shall be submitted by the lessee before the execution of lease deed in one of the following forms to the District officer or the officer authorised by the State Government in this behalf, as the case may be, or any amendment to it :-
- (a) letter of Credit from any Scheduled Bank;
 - (b) performance or surety bond;
 - (c) any other form of security or any other guarantees acceptable to the competent authority.
- (8) Release of Financial assurance shall be effective upon the notice given by the lessee for the satisfactory compliance of the provisions contained in the mine closure scheme and certified by the District Officer or the Officer authorised by the State Government in this behalf, as the case may be.
- (9) If the district Officer or the Officer authorised by the State Government in this behalf, has reasonable grounds for believing that the protective, reclamation and rehabilitation measures as envisaged in the approved 'mine closure scheme' as given in mining plan in respect of which financial assurance was given has not been or will not be carried out in accordance with the 'mine closure scheme' either fully or partially, the District Officer or the Officer authorized by the State Government in this behalf shall give the lessee a written notice of his intention to issue the orders

for forfeiting the sum assured at least thirty days prior to the date of the order to be issued.

(10) Within the thirty days of the receipt of notice referred in sub-rule (9), if no satisfactory reply has been received in writing from the lessee, the District Officer or the Officer authorised by the State Government in this behalf, as the case may be, shall pass an order for forfeiting the surety amount and a copy of such order shall be endorsed to the State Government.

(11) Upon the issuance or order by the District Officer or the officer authorised by the State Government in this behalf, the State Government may realise any letter of credit or bond or any other surety, guarantee provided or obtained as financial assurance for the purpose of performance of protective reclamation, rehabilitation measures and shall carry out those measures, or appoint an agent to do so.

Explanation: For the purpose of this rule mining operations shall include the erection of machinery, use of machine laying of a tramway or construction of road in connection with the working of the mines.

Demarcation of leased area, erection of boundary marks, determination of coordinates and their maintenance

36. (1) At the time of the survey and demarcation of the area granted under the lease the coordinates will be marked on the demarcating map of the concerned mining lease area and earlier to the execution of lease deed, lessee at his own expense, erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the lease deed.

(2) The mining lease holder whose mining lease area is more than five hectare, will construct, at his own expenses, check post/gate for observations of the vehicles transportation with accommodations/installation of four C.C.T.V. cameras capable of recording visuals at the 360 degree angle. The lease holder will also keep Radio Frequency Identification (R.F.I.D.). Scanner at the said check post/gate to facilitate read and save data of bar code scribed over e-form M.M.-11 issued against each and every vehicles used for transportation in the concerned mining leased area and will care properly and maintain in working condition at all point of time. The lease holder shall preserve the entire recordings done by the said C.C.T.V. cameras and R.F.I.D. Scanners at least for the thirty days and will produce the said recordings before the authorized officer as provided under the provisions of rule 67.

Maintenance of correct accounts of minerals

37. The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained and dispatched from the mine, giving mode of transport, registration number of vehicle, person incharge of vehicle or animal and nature and quantity of minerals carried, the prices and all other particulars of all sales of mineral, the number and nationality of persons employed therein, and complete plans of the mine and shall allow any officer authorised by the Central or the State Government in this behalf to examine at any time any accounts, plans and records maintained by him and shall furnish to the Central or the State Government or any officer authorised by either in this behalf, may require.

Maintenance of record of trenches, pits, etc

38. The lessee shall keep accurate records of all trenches, pits and drilling made by him in the course of mining operations carried on by him under the lease and shall allow any officer authorised by the Central or the State Government to inspect the same. Such records shall contains the following particulars, namely:-

- (a) the sub-soil and strata through which such trenches, pits or drilling pass;
- (b) any mineral encountered;
- (c) such other particulars as the Central or the State Government may, from time to time, require.

Lessee to strengthen, support, etc.

39. The lessee shall strengthen and support to the satisfaction of the Railway Administration concerned or the State Government, as case may be, any part of the mine which in the opinion of such administration or Government requires such strengthening or support for the safety of any railway, reservoir, canal, road or any other public works or buildings.

Right of pre-emption

40.(1) The State Government shall at all times have the right of pre-emption of the minerals or products of minerals won from the land in respect of which the lease has

been granted, the price to be paid being the fair market price prevailing at the time of pre-emption.

- (2) In order to assist in arriving at the said price the lessee shall, if so required furnish to the State Government for its confidential information, the description and prices of such minerals or products thereof sold to other customers and of charters entered in to of freight for carriage of the same.

Liberties,
powers and
privileges of the
lessee

41. Subject to the restrictions and conditions mentioned in rule 42 and the directions issued from time to time, by the Ministry of Environment, Forest and Climate Change of Government of India, a person holding a mining lease under these rules may have the liberty, power and privilege which are as under,-
- (a) to enter upon the lands mentioned in the lease and to search for mine, bore, dig, drill or win, work, dress, process, convert, carry away and dispose of the mineral for which the lease is held;
 - (b) to make in the said lands any pits, shafts, inclines, levels, waterways or other works;
 - (c) The lessee may quarry with the help of machine except in the stream of water, and may also use machine for loading and unloading as per the condition specified in the Environmental Clearance certificate. With prior approval from the District Officer the lessee may erect and construct on the land any machinery, plant, dressing, floors, furnaces, brick kiln, workshop, storehouse and other buildings of like nature;
 - (d) to make any roads and other ways over the said lands and use and pass over the same;
 - (e) to quarry and get stone gravel and other building and road materials and clay and to use the same and to manufacture such clay into bricks or tiles and to use such bricks or tiles but not to sell any such materials, bricks or tiles;
 - (f) to use a sufficient part of the surface of the said lands for the purpose of storing or depositing any produce of the mines or works carried on and any tools, equipment, earth and materials and substances dug or raised; and
 - (g) subject to the existing rights of others and save as provided in clause (d) or rule 42 to clear undergrowth and brushwood and to fell and utilize any tress or timber standing or found on the said lands, provided that the lessee may be asked by the District Officer to pay for any trees or timber felled and utilized by him at the rates to be determined, having regard to their market value, by the District Officer;
 - (h) in the event of disruption of mining operation in the lease area owing to any special circumstances, the District Officer with the prior approval of the State Government shall adjust the amount equivalent to the instalment payable during the disrupted period, online against the forthcoming instalment.

Restrictions and
conditions as to
exercise of the
liberties,
powers and
privileges of:

42. The holder of a lease shall exercise the liberties, power and privileges mentioned in rule 41 subject to the following restrictions and conditions:-
- (a) nothing shall be erected or setup and no surface operations shall be carried on,-
 - (1) in or upon any public pleasure ground, burning or burial ground, or any place held (sacred) by class of persons, or house or village site, public road and or other place which may be declared by the District Officer as public place, and
 - (2) in such a manner as to injure or prejudicially affect any building work, property or rights of other persons;
 - (b) no land shall be used for surface operations by persons, which is already occupied by persons, other than the State Government, for works or purposes not included in the lease;
 - (c) no right of way, well or tank shall be interfered with;
 - (d) no entry shall be made on any reserved, protected or vested forest without the previous sanction in writing of the Divisional Forest Officer nor shall any trees or timber be felled, cut or used without obtaining the sanction in writing of that

Officer nor otherwise than in accordance with such conditions as the State Government may impose in this behalf;

- (e) no mining operation shall be carried on at or to any point within a distance 50 metres from any railway line except with the previous written permission of the Railway Administration concern, or from any reservoir, canal or other public works, such as public roads and buildings or inhabited site except with the previous written permission of the District Officer or any other officer authorised by the State Government in this behalf and otherwise than in accordance with such instructions and conditions either general or special, which may be attached to such permission. The said distance of 50 metres shall be measured in case of railway, reservoir, canal or road horizontally from the outer toe of the bank or the outer edge of the cutting, as the case may be, and in case of a building horizontally from plinth thereof:

Provided that the distance in the case of a village road shall be 10 metres from the outer edge of the cutting; and

Explanation: For the purpose of this sub-rule, the expression 'public road', shall mean a road which has been constructed after being artificially surfaced as distinct from a track resulting from repeated use, and 'village road' will include any track shown in the revenue record as village road;

- (f) the existing and future holders of Government lease or permit in respect of any land which is comprised in or adjoins or is reached by the land held by the lease shall be allowed reasonable facilities of the access thereto. In case any loss or damage is caused by such lease or permit-holders by exercise of this liberty a fair compensation (as may be mutually agreed upon or in the event of disagreement as may be decided by the State Government) shall be payable there for by such lease or permit-holder to the lessee;
- (g) the lessee is bound to keep vigilance for not polluting the environment of the lease-hold area and nearby area in connection with mining operation and also maintain ecological balance of the area. If at any time it is found that the mining operation are leading to environment pollution or imbalance of ecology, then after giving an opportunity of being heard, the lease may be prematurely terminated;
- (h) (1) The lessee shall not do any mining operation beyond the depth of three meters or water level whichever is less in the river bed and no mining shall be carried out in the safety zone so worked out by the District Officer:

Provided that no mining shall be carried out into the water stream with the help of suction machine or the lifter etc.

- (2) Lessee/permit holder will display the rate of sale price at the place where e MM-11/MM-11 is issued:

Provided that if in the opinion of the State Government the maximum rate of sale price is to be fixed, it may be directed to the concession holder.

- (i) the lessee shall be bound to undertake the loading of minerals in his approved lease area in accordance with the norms laid down by the Government of India.

43. The lessee shall guarantee the payment and pay such reasonable compensation as may be assessed by the State Government for all damage, injury or disturbance which may be done by him in exercise of the powers granted by the lease and shall indemnify and keep indemnified fully and completely the State Government from and against all claims, suits and demands which may be made or brought by any person or persons in respect of any such damage injury or disturbance and all costs and expenses in connection therewith.

44. The lessee shall during the subsistence of the lease sufficiently secure and keep open with timber or other durable means all pits, shafts and working that may be made or used in the land and make and maintain sufficient fences to the satisfaction of the State Government, round every such pit, shaft or working, whether the same is abandoned or not, and shall during the same period, keep all working in the land,

Lessee to indemnify Government against all claims

Lessee to secure and keep in good condition pits shafts, etc.

except such as may be abandoned, accessible and free from water and foul air, as far as possible.

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| Lessee to allow inspection of working: | 45. | The lessee shall allow any officer authorised by the Central Government or the State Government in that behalf to enter upon the premises including any building, excavation or land comprised in the lease for the purpose of inspecting, examining, surveying and making plans thereof, sampling and collecting any data and the lessee shall with suitable person in his employ and acquainted with the mines and work, properly assist, such officer and his agents, servants and workmen in conducting every such inspection, and shall afford and furnish to them all facilities information, etc. connected with the working of the mines, which they may reasonably require, and shall also confirm to and observe all orders and regulations, which the Central Government or the State Government, as a result of such inspection or otherwise, may from time to time see fit to make. |
| Lessee to report accident: | 46. | The lessee shall without delay, send to the District Officer a report of any accident, causing death or serious bodily injury or serious injury to property, or seriously affecting or endangering life or property, which may occur in the course or any operations under the lease. |
| Lessee shall deposit any additional amount necessary: | 47. | Whenever the security deposit or any part thereof or any further sum deposited with the State Government in replenishment thereof is forfeited or applied by the State Government pursuant to the power given by these rules, the lessee shall deposit with the State Government such further sum as may be necessary to make good, the deficiency caused by such forfeiture or application. |
| Recovery of expenses incurred by the Government: | 48. | If any of the works or matters which, in accordance with these rules, are to be carried out or performed by the lessee be not so carried out or performed within the time specified in that behalf, the State Government may cause the same to be carried out or performed and the lessee shall pay to the State Government on demand all expenses incurred by the State Government in connection therewith. The decision of the State Government as to such expenses shall be final. |
| Refund of security deposits: | 49. | After the determination of a mining lease the amount of the security lying in deposit with the State Government and not required to be applied to any of the purposes mentioned in these rules shall be refunded to the lessee ordinarily within a period of six months from the date of the determination of the lease. |

CHAPTER-VI MINING PERMIT

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| Restrictions on grant of mining permit: | 50. | No mining permit shall be granted to a person who is not an Indian national and for a period of more than six months. |
| Application for grant of mining permit: | 51. | <p>An application for the grant of a mining permit shall be submitted in form MM-8, in triplicate, to the District Officer or to such other authority who may be authorised by the State Government to grant such permit. It shall be accompanied by,-</p> <ul style="list-style-type: none"> (i) a <i>non refundable</i> fee of Rs. 2,000, and (ii) two copies of a cadastral survey map or in case of area not covered by such survey two copies of a topographical survey map, on a scale of at least 4" = 1 mile, on which the area applied for is clearly marked. (iii) a character certificate given by the District Magistrate of the district, where the applicant permanently resides. (iv) an earnest money in the form of Bank draft, payable in favour of District Officer to the concerned District, equivalent to amount of ten percent of the amount of royalty due on minerals proposed to be mining at the rate prescribed in the second schedule of this rule: |

Provided that when mining permit is granted earnest money to be adjusted in the amount of royalty and in other hand if the application of mining permit is rejected the amount of earnest money is returned to the applicant hence forth:

Provided further that if the applicant fail to deposit the amount of royalty within the granted period or fail to execute the mining permit, then the amount of earnest money is forfeited in the favour of State Government.

Procedure for
Grant of Mining
Permit on
Agricultural Land:

- 52 (1) Notwithstanding anything contained in rule 74, **the bhumidhar of agricultural land may apply for grant of mining permit for removal of sand or morrum or Bajri or Boulder or any of these in mixed state deposited on his land** in Form MM-8, in triplicate to the District Officer, accompanied by a **non refundable** fee of Rs. 2,000/- (Rupees two thousand) Only, and two copies of a cadastral Survey map on which the area, applied for, is clearly marked. **The District Officer shall cause an enquiry, if deemed necessary, through Revenue and Geology & Mining Departments regarding the title of the land and availability of minor mineral on the applied area.**
- (2) In the light of the report submitted by the concerned Officer, the District Officer, may grant the mining permit for a period not exceeding three months in favour of the bhumidhar, after realizing double the amount of royalty in advance.
- (3) Except above mentioned provisions, the other provisions of these rules will apply mutatis mutandis to the mining permit granted under this rule.

Procedure for
grant of permit for
mineral found in
the process of
construction of
Building/Develop
ment Projects

- 53(1) Notwithstanding anything contained in these rules, where any mineral found in the process of construction of any building or a development project has to be extracted in the process of execution of such project, the same shall be disposed off or consumed on a permit issued by the District Magistrate.
- (2) Upon receipt of the application, the District Magistrate may accept or reject the same within one month after site inspection and assessment of the available mineral by the District **Senior Mines Officer/Mines Officer/Mines Inspector.**
- (3) The said permit may be granted upon payment of the royalty applicable as prescribed in Schedule-1 to **these rules.**

Provided that non commercial private residential buildings shall be exempted from the above:

Provided further that if the application is not disposed off within the said period, the permit shall be deemed to have been issued upon payment of the amount of royalty of the assessed quantity.

Disposal of
application

54. The officer authorised to grant the permit may after making such enquiries as may be deemed necessary, refuse to grant the permit or by an order grant it for the whole or a part of the area applied for and subject to such terms and conditions as the said officer may consider necessary:

Provided that an application for the grant of mining permit for such area which is already held under a lease or mining permit shall be deemed to be premature and shall be refused and the application fee thereon if paid shall be refunded.

Deposit of
royalty

- 55.(1) When an order granting a mining permit has been made under rule 54, the applicant shall, within fifteen days of the communication of the order, deposit the royalty for the total quantity of the mineral permitted in the said order at the rate of the time being specified in the first Schedule to these rules and, if the holder of the permit, due to any reason attributable on his part, could not remove the mineral within the permitted time, any amount deposited as royalty shall not be refunded.
- (2) If the applicant fails to deposit the royalty within the period mentioned in sub rule (1) or within such further period, as may be allowed by the officer granting the permit, the order granting the permit shall stand revoked and the fee mentioned in clause (1) of the rule 51 shall be forfeited to the State Government.

Issue of mining
permit

56. A mining permit in form MM-10 with such additional terms and conditions subject to which the order is made under rule 54 shall be issued to the applicant within fifteen days of the deposit of the royalty in accordance with sub-rule (1) of rule 55 and the permit so issued shall be valid until the date of expiry of the period specified in the permit or till such date when the permitted quantity of the mineral is removed, whichever is earlier.

Register of
mining
permits

57. A register of all applications for mining permits, with details of permits issued, shall be maintained in Form MM-9, in the office of District Officer or the officer authorised to grant mining permits.

CHAPTER VII

CONTRAVENTIONS, OFFENCES AND PENALTIES

Penalty for
unauthorized
mining

58. Whoever contravenes the provisions of rule 3 shall on conviction be punishable with imprisonment of either description for a term which may extend up to five years or with fine which shall not be less than of 2 lacs rupees per hectare and which may extend to five Lacs rupees per hectare of the area, or with both.

Consequences
of non-payment
of royalty rent
or other dues

- 59.(1) The State Government or any officer authorised by it in this behalf may terminate the mining lease after serving a notice on the lessee to pay within thirty days of the receipt of the notice any amount due or dead rent under the lease including the royalty due to the State Government if it was not paid within fifteen days next after the date fixed for such payment. This right shall be in addition to and without prejudice to the right of the State Government to realise such dues from the lessee as arrears of land revenue.

- (2) Without prejudice to the provisions of these rules, simple interest at the rate of 18 percent per annum may be charged on any rent, royalty, demarcation fee and any other dues under these rules, due to the State Government after the expiry of the period of notice under sub-rule (1):

Provided that the District Magistrate, after adjusting the security money against the total amount due, shall issue recovery certificate for recovery of the outstanding amount.

Consequences of
contravention of
certain conditions

- 60.(1) The proponent who has received letter of intent however has not produced mining plan or has not applied for grant of Environment Clearance within the stipulated period of one month as per the provisions mentioned in rule-35 shall be liable for penalty of Rs. Ten thousand per day. On failure to deposit the amount of penalty, the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease. *In case the proponent fails to execute the lease deed within one month of obtaining environment clearance certificate, the District Magistrate shall, subsequent to cancelling the letter of intent, forfeit the first installment and security money deposited by the proponent in favour of the State Government.*

- (2) The lessee who does mining works contravening the terms and conditions mentioned in the approved mining plan and clean environment certificate issued as per the provisions provided under rule-35, then he will be liable for penalty at the rate of Rs. 50,000/- per occasion of default that shall be recovered by the District Magistrate.

- (3) If the lease holder disobeys the provisions of rule-36 then penalty at the rate of rupees twenty five thousand per day for each and every default shall be levied by the concerned District Magistrate. In case of default on deposit of such levied penalty the concerned District Magistrate will deduct the said amount from the amount of security deposited against the said mining lease.

- (4) According to the provisions provided under rule 42(h) mining work through suction machine/lifter into the water stream will be prohibited. If any lessee is found contravening the provisions of the said rule then he will be liable for penalty at the rate of Rs. five lakh per occasion of contravening act, which will be recovered on the order of District Magistrate or Director. On failure to deposit of the above mentioned amount of penalty the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease.

- (5) Any lessee holding a mining lease who commits a breach of any of the conditions provided in rule 45 shall be liable for levy/penalty of Rs. fifty thousand. On failure to deposit the said amount of penalty the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease.

- (6) Where the lease holder fails to confirm to the prescribed loading norms, penalty of Rs. 25,000.00 per occasion of default shall be imposed by the District Magistrate.

Upon failure to deposit the said penalty, the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease.

- (7) Where the proponent fails to complete all desired formalities for obtaining Environment Clearance as required by the competent authority within the stipulated time frame, the District Officer may cancel the letter of intent issued in his favour.

Consequences of contravention of rules and conditions of lease generally

61. (1) In case of any breach or contravention by a lessee of any of these rules or conditions and covenants contained or deemed to be contained in the lease except those relating to payment of royalty, rent or other sums due to the State Government, the State Government may, after giving the lessee a reasonable opportunity to state his case, terminate the lease. The right shall be in addition to and without prejudice to the provisions of rule 60
- (2) If a lease is terminated under sub-rule(1) or rule 59, the lessee may be black listed by the District Officer for such period, not exceeding two years, as he may consider proper which shall be uploaded on the website of the department and during the said period no mineral concession under these rules shall be granted to him. An entry in this regard shall be made in the remarks column of the registers of mining lease or the auction lease, as the case may be.
- (3) If any person other than the mining lease holder or entity held is convicted for the charge of illegal mining/transportation, then beside the penalty/ punishment, name of such person or entity will be listed into the black-list by the State Government and will be uploaded and displayed on the website of the department and no mining lease under these rules shall be granted within such period in favour of the said person or entity.

CHAPTER VIII MISCELLANEOUS

Power to rectify apparent mistakes

62. Any clerical or arithmetical mistake in any order passed under these rules by the State Government or any other competent authority or officer may be corrected by the State Government, authority or officer, as the case may be;

Provided that no order prejudicial to any person shall be passed unless he has been given a reasonable opportunity for stating his case.

Registers to be open to inspection

- 63.(1) All registers prescribed to be maintained by these rules shall be open to inspection on payment of a fee of twenty rupees for an entry.
- (2) Certified copy of an entry of the registers referred to in sub-rule (1) and the orders passed by the District Officer on any application may be obtained by any person on payment of a fee of -
- (a) Rs. 100.00 for obtaining the copy within seven days, and
- (b) Rs. 200.00 for obtaining the copy within twenty four hours.

Explanation I: 'An entry' means all entries in respect of one permit or mining lease or auction lease, as the case may be.

Explanation II: The fee shall be paid in the manner prescribed under rule 65 and the treasury challan shall be accompanied with the application for inspection or for certified copies, as the case may be.

Change of name, nationality etc.

- 64.(1) An applicant for or the holder of a mining lease shall intimate to the State Government within sixty days any change that may take place in his name, nationality or other particulars mentioned in the relevant Forms.
- (2) In the case of the death of an applicant / leaseholder, application of the mining lease /executed mining lease will be considered in favour of his legal heir. In this regard, after proper examination, order will be issued by the District Magistrate.

Mode of payment of fees and deposit

65. Any amount payable under these rules shall be paid in such manner as the State Government may specify in this behalf

Facilities for training of students

- 66.(1) Every *owner*, agent or manager of a mine shall permit students of mining and geological institutions approved by the State Government to acquire practical training of the mines and plants operated by them and provide all necessary facilities required for the training of such students.

Power of
assessment, entry
and inspection

(2) Applications for training from students of institution teaching mining or Geology should be forwarded to the owner, agent or manager of a mine through the Principal or Head of the institutions. Cases of refusal to provide facilities for practical training by any owner, agent or manager of a mine should be referred to the Director.

67.(1) For the purpose of assessment of royalty and for ascertaining the position of the working, actual or prospective, of any mine or abandoned mine or for any purposes connected with these rules, the District Officer or the officer of the Directorate of Geology and Mining, Uttar Pradesh, not below the rank of Mines Inspector appointed for such purposes by the Director or any other officer authorised in this behalf by the State Government by general or special order may,-

- (a) enter and inspect any mine;
- (b) survey and take measurement in any such mine;
- (c) weigh, measure or take measurement of the stock of mineral laying at any mine;
- (d) examine any document, book, register or record in the possession or power of any person having the control of, or connected with any mine and place marks of identifications thereon and take extracts from or make copies of such document, book, register or records;
- (e) summon or order the production of any such document, book, register or record as is referred to in clause (d);
- (f) summon or examine any person having the control of, or connected with any mine; and
- (g) call for such information or return as may be considered necessary.

(2) Every person authorised by the State Government under sub-rule (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (Act no. 45 of 1860) and every person to whom an order or summons is issued by virtue of power conferred by clause (e) or clause (f) of the said sub-rule shall be legally bound to comply with such order or summons, as the case may be.

No restriction etc.
to be imposed by
owner of land on
mining operation
except demand of
compensation

68.(1) No person, who has right in any capacity on the land covered by a mining lease or mining permit, shall be entitled to impose any prohibition or restriction on the mining operations by the holder of such lease or permit of such land or to demand any sum by way of premium or royalty for the removal of minor mineral:

Provided that such person shall be entitled to get annual compensation from the said holder of mining lease or permit for the use of surface of the land for mining operations, as may be agreed upon between them.

(2) Where the holder of a mining lease or permit and the owner of the surface of the land could not agree upon the amount of annual compensation and a dispute arises in respect thereof, it shall be determined by the District Officer in such manner that,-

- (a) in the case of agricultural land, the amount of annual compensation shall be worked out on the basis of the average annual net income from the cultivation of similar land for the past three years; and
- (b) In the case of non-agricultural land, the amount of annual compensation shall be worked out on the basis of average annual letting value of similar land for the previous three years.

Relaxation of
rules in
special cases

69. The State Government may, if it is of opinion that in the interest of mineral development it is necessary so to do, by order in writing and for reasons to be recorded, authorise in any case the grant of any mining lease or the working of any mine for the purpose of winning any mineral on terms and conditions different from those laid down in these rules.

Power of State
Government to
reserve mines

70.(1) Notwithstanding anything to the contrary contained in these rules, the State Government may, by a written order, reserve any area to a Government organization or any person/company in the interest of industrial promotion, for mining operation subject to such terms and conditions as may be specified in the said order.

(2) Upon such reservation, mining lease or mining permit as the case may be for the area so reserved, shall be granted to the Government organization or any

person/company in the interest of industrial promotion, in whose favour the reservation has been made subject to such terms and conditions as may be decided by the State Government.

(3) The mining lease for a period not exceeding ten years may be granted under this rule, as may be decided by the State Government.

(4) The Lessee, to whom a lease has been granted under this rule, shall pay to the Government all amount payable by a lessee under these rules and such additional charges as may be decided by the State Government from time to time.

Explanation:- For the purposes of this rule, "Government organization" shall mean a Government department or corporation established under any Central or State Act or a Government company within the meaning of clause (45) of section-2 of the Companies Act, 2013 and includes State authorities or organization controlled substantially by Central or State Government.

Royalty or dead
rent may be
collected
through a
contractor

71.(1) The Government may arrange to collect the royalty or dead rent from the holders of mining leases through a contractor, and such holders when directed by the State Government to do so, shall pay the royalty or dead rent to such contractors at the rates specified in their lease during such period as may be directed.

(2) The consequences of non-payment to the contractor of royalty or dead rent, as the case may be, by the holders of mining leases shall be the same as on default of payment to the State Government, and the State Government shall in that case, have all the powers for the recovery of the arrears from the lessee and in respect of determination of the lease as provided in these rules.

(3) The State Government may enter into agreement with any person who is considered suitable, whether by holding an auction or by inviting tenders or in any other manner to collect royalty or dead rent of the holders of mining leases in a specified area during a period not exceeding three years on such terms and conditions as are considered suitable.

Restriction on
transport of the
minerals

72.(1) The holder of a mining lease or permit or a person authorised by him in this behalf shall issue a pass in Form MM-11 or Form e-MM-11 prepared through electronic process to every person carrying, a consignment of minor mineral by a vehicle, animal or any other mode of transport, the State Government may, through the District Officer, make arrangements for the supply of printed MM-11 Form books on payment basis.

(2) No person shall carry, within the State a minor mineral by a vehicle, animal or any other mode of transport, without carrying a pass in Form MM-11/ Form e-MM-11 issued under sub rule (1), valid transit pass issued under rule 7(3) of Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and storage) Rules, 2018 or similar valid transit pass issued by any other State:

Provided that if the State Government enters into an agreement to collect the Royalty through contractor, receipt of royalty or zero receipt as the case may be shall be issued by such contractor and in such cases carrying out such receipt with Form MM-11/ form e-MM-11 will be mandatory for transportation.

Provided further that the transportation of the mineral will be valid only after the State Government has determined the regulation fees imposed from time to time on the mineral coming from other State.

(3) Every person carrying any minor mineral shall, on demand by any officer authorised under Rule 67 or such officer as may be authorised by the State Government in this behalf, show the said pass to such officer and allow him verify the correctness of the particulars of the pass with references to the quantity of the Minor Mineral.

(4) The State Government may establish a check post for any area included in any mining lease or permit and when a check post is so established public notice shall be given to this fact by publication in the Gazette and in such other manner as may be considered suitable by the State Government.

(5) No person shall transport a minor mineral for which these rules apply from such area without first presenting the mineral at the check post established for that area for verification of the weight or measurement of the mineral.

- (6) Any person found to have contravened any provision of this rule then the District Magistrate will recover penalty of Rs. 25, 000/- (twenty five thousands) **alongwith** the price of such minor mineral including royalty **and any such penalty for violation of environmental norms, as prescribed by the State Government from time to time.** After deposit of the entire amount mentioned above the vehicle etc including minor mineral will be released.

Delegation

73. The State Government may, by notification in the 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 as may be specified in the notification.

Availability of
area for regrant
on mining lease
to be notified

74. (1) If any area, which was held under a mining lease under chapter-II or reserved under section 17-A of the Act, becomes available for regrant on mining lease, the District Officer shall notify the availability of the area through a notice inviting for applications for grant of mining lease specifying a date, which shall not be earlier than thirty days from the date of notice and giving description of such area and a copy of such notice shall be displayed on the notice board of his office and shall also be sent to the Tehsildar of such area and the Director.

- (2) The applications for grant of mining lease under sub-rule (1) shall be received within seven working days from the date specified in the notice referred to in the said sub-rule, if, however, the number of applications received for any area is less than three, the District Officer may further extend the period for seven more working days and if even thereafter, the number of applications remain less than three, the District Officer shall notify the availability of the area a fresh in accordance with the said sub-rule.

- (3) An application for grant of mining lease for such area, which is already held under a lease or notified under sub-rule (1) or rule 23 or reserved under section-17A of the Act and whose availability has not been notified under sub-rule (1) shall be deemed to be premature and shall not be considered and the application fee thereon if paid shall be refunded.

Returns

75. (1) The holder of a mineral concession under these rules, shall submit quarterly return in respect of the preceding quarter in Form MM-12 to the District Officer and to the Regional office of the Director, in the second week of July, October, January and April every year.

- (2) Whenever any holder of mineral concession fails to submit the return within the time specified in sub-rule (1) he shall be liable to a penalty of Rs. 2,000.00.

Cognizance of
offences

- 76 (1) No court shall take cognizance of any offence punishable under these rules except on a complaint in writing of the fact constituting such offence by the District Officer or by any officer authorised by him in this behalf.

- (2) No court inferior to that of a Magistrate of the First Class, shall try any offence under these rules.

Compounding
of offence

- 77 (1) Any offence punishable under these rules may, either before or after the institution of the prosecution be compounded by the District Officer or by such officer as the State Government may by general or special order authorise in this behalf on payment to the State Government of such sum as such officer may specify:

Provided that in the case of an offence punishable with fine only, no such sum shall exceed the maximum amount of fine, which may be imposed for that offence.

- (2) Where an offence is compounded under sub-rule (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded and the offender if in custody **shall be released forthwith along with the seized vehicle, equipment or mineral if any after deposition of cost of mineral along with the compounding fee :**

Provided that where the application for compounding has not been received within 3 working days, the officer concerned shall file a complaint in writing before the competent court.

(3) The officer compounding the offence under sub-rule (1) shall maintain a register showing the following details:

- (a) serial number (by financial year),
- (b) name and address of the offender,
- (c) date and details of offence,
- (d) sum of compounding amount and date of its payment,
- (e) signature of the officer with date and seal.

Assistance of
Police

78. The Officer referred to in rule 67 may request for the help of the local police for lawful exercise of his powers under these rules and the local Police shall render all possible assistance, as may be necessary to enable the officer to exercise the powers under these rules.

Appeal

79. An appeal against an order passed under these rules by the District officer or the Committee shall lie to the Divisional Commissioner within a period of sixty days from the date of communication of such order to the party aggrieved.

Revision

80. The State Government may, either *suo moto* at any time or on an application made within ninety days from the date of communication of the order, call for the examine the record relating to any order passed or proceeding taken by the District Officer, Committee, Director or the Divisional Commissioner under these rules and pass such orders as it may think fit.

Fees:

81. The appeal under rule 79 or an application under rule 80 shall be presented in form MM-13 in duplicate and be accompanied with a treasury receipt showing that a fee of twenty five hundred rupees has been paid in Government treasury to the credit of the State Government under the head specified under rule 65.

CHAPTER- IX

GRANT OF PROSPECTING LICENSE OR MINING LEASE FOR DIASPORE, PYROPHYLITE, FELDSPAR, CALCITE, SILICA SAND, CHINA CLAY, QUARTZ, etc.

82. The provisions of this chapter shall be applicable for diaspore, pyrophyllite, dolomite, feldspar, calcite silica sand, china clay, quartz and any other minerals notified by the Government of India, by notification no.S.O. 423(E), dated 10-02-2015 as a minor mineral.

83. The provision of chapter II, IV and VI shall not be applicable to the lease granted under this chapter.

Restriction on the
grant of
prospecting
license or mining
lease

84. No mining lease or prospecting license shall be granted to any person who is not an Indian National.

Explanation - For the purpose of this rule a person shall be deemed to be an Indian National,-

(a) in the case of a public company as defined in the Companies Act, 2013, (Act no. 18 of 2013) only if a majority of the directors of the company are citizens of India and not less than fifty-one percent the share capital thereof is held by persons who are either citizens of India, or Companies as defined in the Companies Act, 2013(Act no. 18 of 2013);

(b) in the case of a private company as defined in the companies Act, 2013 (Act no. 18 of 2013), only if all the members of the company are citizens of India;

(c) in the case of firm or other association of individuals, only if all the partners of the firm or members of the association are citizens of India; and

(d) in the case of an individual, only if he is a citizen of India :

Provided that no mining lease shall be granted unless it is being satisfied that there is evidence to show that the area for which the mining lease is applied for has been prospected earlier or existence of the mineral therein has been otherwise established .

Application for
grant of prospecting
license
Application for
grant of prospecting
license

85. (1)An application in the form MM-15 for grant of prospecting license shall be addressed to the State Government .

Application for grant
of mining lease

(2) The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorised in this behalf by the State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place, time and date of receipt. One copy shall be returned immediately to the person presenting the application.

(3) The application referred to in sub-rule (1) shall be entered in a register of prospecting license application in form MM-19.

86. (1) An application in form MM-16 for grant of a mining lease shall be addressed to the State Government.

(2) The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorised in this behalf by the State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place, time and date of receipt. One copy shall be returned immediately to the person presenting the application.

(3) The application referred to in sub-rule (1) shall be entered in a register of mining lease application in form MM-17.

Application fee and
deposit for grant of
prospecting license

87. (1) Every application for grant of prospecting license shall be accompanied by,-
(a) a non refundable fee of ten thousand rupees, other than those specified in rule 102;

(b) four copies of the toposheet map on a scale of 1: 50000 which shows coordinates and corresponding cadastral survey map on which the area applied for is clearly marked or four copies of topographical survey map on a scale of at least 4"=1 mile, on which the area applied for is accurately marked;

(c) a certificate, issued by District Officer or by such officer as may be authorised by the District Officer in this behalf, showing that no mining dues are outstanding against the applicant :

Provided that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the state Government, stating that he does not hold or had not held any mining lease of any other mineral concession in the territory of the state;

(d) a certificate of residence of the applicant;

(e) a character certificate given by the District officer of the district, where the applicant permanently resides.

(2) If the application is not complete in any respect or is not accompanied by the fee deposit or the documents mentioned in sub rule(1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice require the applicant to complete the application in all respects or, to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.

Application fee and
deposit for grant of
mining lease

88. (1) Every application for grant of mining lease shall be accompanied by,-
(a) a non-refundable fee of twenty five thousand rupees, other than those specified in rule 100; and

(b) four copies of the topographical survey map on a scale of 1: 50000 with coordinate and corresponding cadastral survey map on which the area applied for is clearly marked or four copies of topographical survey map on a scale of at least 4"=1 mile, on which the area applied for is accurately marked;

(c) a certificate, issued by District officer or by such officer as may be authorised by the District officer in this behalf, showing that no mining dues are outstanding against the applicant :

Provided that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the State Government, stating that he does not hold or had not held any mining lease or any other mineral concession in the territory of the state;

(a) certificate of residence of the applicant;

(b) a character certificate given by the District officer of the district, where the

applicant permanently resides;
(c) solvency certificate.

(2) If the application is not complete in any respect or is not accompanied by the fee, deposit or the documents mentioned in sub-rule (1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice require the applicant to complete the application in all respects or to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.

Enquiry and
reports

89. The District Officer shall, unless he is authorised to grant the mining lease or grant prospecting licence cause an enquiry through *Senior Mines Officer* / Mines Officer / Mines Inspector of the concerned district to be made into all relevant and technical matters and, within two months from the date of receipt of application of mining lease, forward two copies of the application alongwith his report to the State Government or to such other authority as the State Government may authorise in this behalf.

Disposal of
application

90. The State Government or the authority authorised by it in this behalf may, subject to the provisions of these rules and after making such further enquiry as it may consider necessary in case of application for grant of a mining lease or prospecting licence, refuse or grant the mining lease for the whole or part of the area applied for and for such period as it may consider proper:

Provided that where an application for grant of a mining lease or grant of prospecting licence is refused or the area is reduced, reasons thereof shall be recorded and communicated to the applicant :

Provided further that if the application for the grant of mining lease or prospecting licence is not disposed off within 12 months from the date of receipt, it shall be deemed to be refused.

Preferential right
for prospecting
licence or mining
lease where area
has been declared
under rule 105

91. (1) Where the availability of area/areas are declared by the District Officer for grant of prospecting licence or mining lease under the provisions of rule 105, all the applications received during the period specified in such declaration shall be deemed to be received on the same day and shall be considered simultaneously after taking into consideration matters specified in sub-rule (2) and shall grant the mining lease to such one of the applicants as he/she may deem fit.

(2) The matters referred to in sub-rule (1) are -

- (a) any special knowledge or experience possessed by the applicant;
- (b) an intent to establish any value addition or processing or manufacturing unit;
- (c) the financial resources of the applicant;
- (d) the nature and quality of the technical staff employed or to be employed by the applicant;
- (e) the conduct of the applicant in carrying out mining operations on the basis of any previous lease or permit and complying with conditions of such lease or permit of the provisions of any law in connection there with; and
- (f) such other matters, as may be considered necessary by the State Government.

(3) Notwithstanding anything contained in sub-rules (1) and (2) leases for one third of the mining areas of Naxal affected villages as declared by the State Government by general order may be granted to the Self Assistance groups containing the members of the local residents where such leases are situated and such one third areas shall be marked for the purpose by the District officer of the district, after seeking such approval from the State Government:

Provided that those Self Assistance groups will be entitled for getting preference under sub-rule (3) in which one third members belong to Scheduled Caste/ Scheduled Tribe/members of the caste traditionally engaged in sand mining such as Mallah, Kewat, etc. and are resident of the same village, where the lease areas are situated.

Preferential right for prospecting licence where area is not declared for grant under rule 105

Preferential right for mining lease where prospecting licence has been granted in respect of any land

Extent of area for which a mining lease or prospecting licence may be granted

Length and breadth of the area to be leased

Period of mining lease and prospecting licence

Security deposit

Every prospecting licence granted under these rules be subject to the following condition

Condition of prospecting licence

92. (1) An application which has been received earlier shall have preference over subsequent application .
(2) If the application is received on same day , the preference shall be decided on following matter :
(a) any special knowledge or experience in prospecting operation and the nature and quality of technical staff employed or to be employed by the applicant ;
(b) such other matters as may be considered necessary by the State Government.
93. Where a prospecting licence has been granted in respect of any land, the licensee shall have a preferential right for obtaining a mining lease in respect of that land over any other person if the State Government is satisfied that the licensee has,-
(a) undertaken prospecting operations to establish mineral resources;
(b) not committed any breach of the terms and conditions of the prospecting licence.
94. (1) Minimum area for grant of a prospecting licence or mining lease for minerals mentioned in chapter IX shall be five hectare.
(2) No mining lease shall be granted in respect of any area which is not compact and contiguous or otherwise not suitable to scientific development :
Provided that in respect of small deposits not suitable to scientific mining in isolated patches a mining lease may be granted for a cluster of such deposits without any division.
(3) No person shall acquire in respect of minor mineral mentioned in this chapter more than three mining lease, covering a total area of four hundred hectare .
(4) No person shall acquire one or more prospecting licence , covering a total area of five hundred hectare :
Provided that if the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may for reasons to be recorded in writing permit any person to acquire one or more mining leases covering an area in excess of the limits mentioned in this rule .
Explanation: For the purposes of these rules, a person acquiring by or in the name of another person a mining lease which is intended for himself shall be deemed to be acquiring, it himself.
95. The length of an area under a mining lease shall ordinarily not exceed four times its breadth.
96. (1) A mining lease in respect of minerals shall be granted for a period not less than twenty years and not more than thirty years.
(2) Prospecting licence shall be granted for a fixed period of two years .
97. (1) An applicant for a mining lease shall, before the deed referred to in rule 100 is executed and in such manner as the State Government may by order specify deposit as security, for the due observance of the terms and conditions of the lease, a sum equal to twenty five percent of the annual deadrent of the leased area subject to the minimum of Rs. 50,000.00 (fifty thousand rupees) and no interest shall be payable on such security deposit.
(2) The security deposit for prospecting licence shall be Rs. 25,000.00 (twenty five thousand rupees) and no interest shall be payable on such security deposit.
98. Where an order has been made for grant of prospecting licence , the deed in Form MM-3(A) shall be executed within 3 months and the date of commencement of prospecting licence shall be effective from the date of execution or within such further period as the District officer or the Committee, as the case may be, allow in this behalf.
99. Every prospecting licence granted under these rules be subject to the following condition :-
(1) The licensee shall pay a prospecting fee of Rupees 100.00 per hectare of land covered by license for each year or part thereof for which the license is granted subject to minimum of Rupees 5000.00, which can be changed from time to time by the State Government.

- (2) The licensee may win and carry for purposes other than commercial purposes—
(a) thirty cubic meter of such mineral without any payment ;
(b) hundred cubic meter of such mineral on payment of royalty :
Provided that if any quantity in excess of the quantities mentioned above is won and carried away, the State Government may recover the cost of the excess quantity of minerals mentioned in clause(b) above, won and carried away .
- (3) With the written approval of the State Government, the licensee may carry away quantities of minerals in excess of the limits specified in sub-rule (2) .
- (4) Save in the case of land in respect of which the licensee is granted a mining lease , the licensee shall , within ninety days from the date of determination of the licence or the date of **abandonment of the** prospecting operations , whichever is earlier , securely plug all bores and fill up or fence all excavations .
- (5) The licensee shall report to the State Government the discovery-of any mineral not specified in the licence within sixty days from the date of such discovery .
- (6) The licensee shall not transfer his licence except with the previous sanction of the State Government.
- (7) The licensee shall restore , to the extent possible , other flora destroyed by prospecting operation .
- (8) The licensee shall pay to the occupier of surface of land such compensation as may become payable under these rules .
- (9) The State Government may impose such further conditions as may be considered necessary in the interest of mineral development .
- (10) In case of breach of any condition imposed on any holder of prospecting licence under these rules , the State Government may , by order in writing , cancel the licence and / or forfeit the security amount deposited by the licensee under rule 97(2) after giving opportunity of hearing .
- (11) Any security deposit made under rule 97(2) , if not forfeited under these rules , shall be refunded to the applicant after expiry of the licence.
- (12) Every licensee shall maintain account of all expenses incurred by him on prospecting operations and also the quantity and other particulars of all minerals obtained during such operations and their dispatch thereof.
- (13) The licensee shall, after the survey and demarcation of the area granted under the licence and before executing the licence deed, at his own expense, erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the licence deed.
- (14) The licensee shall pay such reasonable compensation as may be assessed by the State Government if any damage, injury or disturbance occurs by any action of the licensee.
- (15) The licensee shall allow any officer authorised under rule 67 or by the Central Government or the State Government in that behalf to enter upon the premises including any building, excavation or land comprised in the lease for the purpose of inspecting, examining, surveying and making plans there of, sampling and collecting any data and the licensee shall with suitable person in his employment and acquainted with the mines and work, properly assist, such officer and his agents, servants and workmen in conducting every such inspection, and shall afford and furnish to them all facilities information, etc..connected with the working of the mines, which they may reasonably require, and shall also conform to and observe all orders and regulations, which the Central Government or the State Government, as a result of such inspection or otherwise, may from time to time deem fit to make.
- (16) The licensee shall without delay, send to the District officer a report of any accident, causing death or serious bodily injury or serious injury to property, or seriously affecting or endangering life or property, which may occur in the course or any operations under the licence.

Mining Lease deed
to be executed
within six month

Restriction on
determination of
mining lease

Survey of the area
licenced or leased

Boundaries below
the surface


Registers

Availability of area
for regrant on
prospecting licence
or mining lease, to
be notified

100. (1) Where an order has been made for the grant of mining lease, a lease deed in Form MM-3(A) or in a form as near thereto as the circumstances of each case may require, shall be executed within six months of the communication of the said order or within such -further period as the State Government may allow, in this behalf. If no such deed is executed within the aforesaid period due to any default on the part of the applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government.
- (2) The date of commencement of a mining lease referred to in sub-rule (1) shall be the date on which the deed is executed under the said sub-rule.
101. No lessee shall determine a mining lease except after giving a notice in writing of not less than six months to the State Government.
102. (1) When a mining lease or prospecting licence is granted, arrangement shall be made by the Director for survey and demarcation of the area granted under the lease or licence for which lessees/ licensees shall be charged at the following rates:-
- (A) For mining leases :- (i) for areas upto 10 hectares Rs. 10, 000.00
(ii) for areas beyond 10 hectares at the rate of Rs. 500.00 per hectare subject to the minimum of Rs. 15,000.00
- (B) For prospecting licence (i) for areas upto 10 hectares Rs. 5,000.00
(ii) for areas beyond 10 hectares at the rate of Rs. 250.00 per hectare subject to the minimum of Rs. 10,000.00
- (2) The lessee or licensee shall, after the lease or licence is granted to him , pay the demarcation charges through treasury challan and submit a map of the area granted under the lease or licence, certified by the District Officer, to the concerned **Senior Mines Officer/Mines Officer /Mines Inspector** or to such other officer as may be authorised by the Director in this behalf the **Senior Mines Officer/Mines Officer /Mines Inspector** or the officer so authorised shall, on receipt of the certified map and satisfying that demarcation charges have been deposited, survey and demarcate the area within thirty days from the date of such receipt.
- (3) The **Senior Mines Officer/Mines Officer /Mines Inspector** or the officer so authorised may, for the purpose of survey and demarcation of the area, take the help of such officer of the revenue and forest department of the district as he may consider necessary.
- (4) If any dispute arises in respect of demarcation of the area, the matter shall be referred to the Director, who shall, after giving the parties a reasonable opportunity of being heard, decide the matter.
- (5) The decision of the Director under sub-rule (4) shall be final.
- 103 The boundaries of the area covered by a mining lease shall run vertically downwards below the surface towards the centre of the earth.
- 104 The following registers shall be maintained in the office of the District-office-
- (a) a register of applications for mining leases in Form MM-17, and
- (b) a register of mining leases in Form MM-18,
- (c) a register of applications for prospecting licence in Form MM-19, and
- (d) a register of prospecting licence in Form MM-20.
- 105 (1) If any area, which was held under a mining lease under Chapter - IX or under **Mineral Concession Rules, 2016** or reserved under section 17- A of the MMDR Act., becomes available for regrant on prospecting licence or mining, lease, the District officer shall notify the availability of the area through a notice inviting applications for grant of prospecting license or mining lease specifying a date, which shall not be earlier than thirty days from the date of notice and giving description of such area and a copy of such notice shall be displayed on the notice board of his office and shall also be sent to the Tehsildar of such area and the Director.

- (2) The applications for grant of prospecting licence or mining lease under sub-rule (1) shall be received within seven working days from the date specified in the notice referred to in the said sub-rule, if, however, the number of applications received for any area is less than three, the District officer may further extend the period for seven more working days and if even thereafter, the number of applications remain less than three, the District Officer shall notify the availability of this area a fresh in accordance with the said sub -rule.
- (3) An application for grant of prospecting licence or mining lease for such area which is already held under a lease or notified under sub-rule (1) of rule 23 or reserved under section 17-A of the Act and whose availability has not been notified under sub-rule (1) shall be deemed to be premature and shall not be considered.

By Order,

(Dr.  Roshan Jacob)
Sachiv.

FIRST SCHEDULE
Rate of Royalty (rule-21)

Sl. no.	Minerals	Rate of Royalty
1	Limestone	Rs. 150.00 per tonne or Rs. 275.00 per cubic meter
2	Marble or Marble chips (Sangmermer)	Rs. 206.00 per tonne or Rs. 405.00 per cubic meter
3	Brick earth	Nil
4	Building Stone	
	(i) Granite (Sized dimensional stone)	
	(a) 1 meter or above size	Rs. 5000.00 per cubic meter
	(b) below 1 meter size	Rs. 3000.00 per cubic meter
	(ii) Sized dimensional stone including slabs and ashlar (sand stone, quartzite)	Rs. 650.00 per cubic meter
	(iii) Millstone and Hand Chakis (Sand stone, Quartzite)	Rs. 600.00 per cubic meter
	(iv) Khandas and Boulders	
	(a) Granite and Dolostone sized up to 25cm. x 25cm. x 25cm	Rs. 125.00 per cubic meter
	(b) Sand stone and Quartzite sized up to 25cm. x 25cm. x 25cm	Rs. 100.00 per cubic meter
	(v) Ballast (Gitti)	
	(a) Granite and Dolostone	Rs. 160.00 per cubic meter
	(b) Sand Stone/Quartzite	Rs. 110.00 per cubic meter
	(c) Stone Dust	Rs. 100.00 per cubic meter
5.	Morrum	
	(a) available in the river bed	Rs. 150.00 per cubic meter
	(b) red morrum deposit due to erosion of hills	Rs. 75.00 per cubic meter
6.	Ordinary sand (Other than sand used for prescribed purposes)	
	(a) First category (found in districts mentioned in schedule second)	Rs. 65.00 per cubic meter
	(b) Second category (found in districts mentioned in schedule second)	Rs. 55.00 per cubic meter
7.	Bajri (Single)	Rs. 110.00 per cubic meter
8.	Ordinary Clay or Ordinary earth	Nil
9.	Pyrophyllite	Rs. 300.00 per tonne
10.	Diaspore	Rs. 500.00 per tonne
11.	Silica Sand	Rs. 100.00 per tonne
12.	China Clay	12% of Pit mouth value
13.	Calcite	12% of Pit mouth value
14.	Quartz	Rs. 100 per tonne
15.	Any other minor mineral for which the rate of royalty not specified	10% of Pit mouth value.

Second Schedule
Rate of dead rent (Rule-22)

Name of Minor Mineral		Name of Districts/River	Rate of dead rent per acre per annum
1		2	3
1-	Marble and Marble Chips	Sonbhadra and other districts if any	Rs. 40000.00
2-	Limestone	Sonbhadra and other districts if any	Rs. 40000.00
3-	Building Stone		
	(A) Sandstone and Quartzite	Lalitpur, Banda, Mirzapur, Sonbhadra, Prayagraj, Mathura and other district if any	Rs. 65,000.00
	(B) Granite Dolostone	Jhansi, Lalitpur, Hamirpur, Mahoba, Banda, Jalaun, Sonbhadra and other district if any	Rs. 1,20,000.00
4-	Such Building Stone, Ballast, Bajri and ordinary Sand as are found in mixed form in the river bed	Bijnor, Saharanpur, Bahraich, Lakhimpur Kheri, Balrampur and other districts if any	Rs. 90000.0 (Boulder) Rs. 90000.00 (Bajri) Rs. 40000.00 (ordinary Sand) The separate rate will be charged on each minerals.
5-	Morrum (1) River bed	Hamirpur, Mahoba, Jhansi, Banda, Chitrakoot, Jalaun, Lalitpur, Kaushambi (Yamuna), Fatehpur, Sonbhadra and other districts if any	Rs. 90,000.00
	(2) Red Morrum deposited due to erosion of hills	All districts where available	Rs. 24,000.00
6-	Ordinary Sand Category-I	Prayagraj (Yamuna), Mirzapur, Firozabad, Agra, Meerut, Mau, Ghaziabad, Bagpat, Gautam Buddha Nagar, Varanasi, Gorakhpur, Chandouli, Sant Ravidas Nagar, Azamgarh, Kanpur Nagar, Bijnor, Unnao, Etawah, Auraiya, Balia, Ayodhya, Bulandshahr, Muzaffarnagar, Ambedkar Nagar, Deoria, Kushinagar, Basti, Sant Kabir Nagar, Gonda, Maharajganj, Siddharth Nagar, Balrampur, Ghazipur, Bahraich, Shravasti, Barabanki, Saharanpur, Shamli, Hapur, Kasganj, Sambhal, Amroha, Kanpur Dehat,	Rs. 50,000.00
7-	Ordinary Sand Category - II	Shahjahanpur, Mathura, Moradabad, Badaun, Rampur, Lucknow, Aligarh, Hardoi, Rae Bareilly, Fatehpur (Ganga), Kaushambi (Ganga), Prayagraj (Ganga), Pratapgarh, Etah, Bareilly, Sultanpur, Sitapur, Farukhabad, Kannauj, Pilibhit, Mainpuri, Hathras, Jaunpur, Lakhimpur Khiri, Amethi	Rs. 30,000.00
8-	Ordinary clay or ordinary earth	In all districts where available	Rs. 10,000.00
9-	Pyrophyllite, Diaspore, Silica sand, China clay, Calcite and other Minor Minerals	In all districts where available	Rs. 20,000.00

तृतीय अनुसूची
THIRD SCHEDULE

प्रपत्र एम.एम.-1

खनन पट्टे के लिए प्रार्थना पत्र (नियम-5)

(चार प्रतियों में प्रस्तुत किया जायेगा)

दिनांक.....19.....

(समय)..... बजे

(स्थान).....

(दिनांक).....को प्राप्त हुआ। सभी प्रकार से पूर्ण/अपूर्ण

(पाने वाले अधिकारी का हस्ताक्षर)

प्रार्थना पत्र सभी प्रकार सेको पूर्ण किया गया।

(पाने वाले अधिकारी का हस्ताक्षर)

सेवा में,

.....
.....
.....

महोदय,

मै/हम निवेदन करता हूँ/करते हैं कि मुझे/हमें उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के अधीन खनन पट्टा दिया जाय।

2. उक्त नियमावली में नियम 6 के उपनियम (1) के अधीन इस प्रार्थना पत्र के सम्बन्ध में देय शुल्क और प्रारम्भिक व्यय का क्रमशःरुपया और.....रुपया जमा कर दिया गया है।

3. अपेक्षित विवरण नीचे दिये गये हैं :-

(एक) प्रार्थी का नाम और पूरा पता।

(दो) क्या प्रार्थी गैर-सरकारी व्यक्ति / निजी कम्पनी / सार्वजनिक कम्पनी / फर्म का निकाय है।

(तीन) यदि प्रार्थी :-

(क) व्यक्ति विशेष है तो उसकी राष्ट्रिकता।

(ख) निजी कम्पनी है तो कम्पनी के सभी सदस्यों की राष्ट्रिकता और उसके निबंधन (रजिस्ट्रेशन) का स्थान

(ग) सार्वजनिक कम्पनी है तो निदेशकों की राष्ट्रिकता, भारतीय राष्ट्रिकों द्वारा धृत अंशपूँजी का प्रतिशत तथा उसके निगमन का स्थान।

(घ) फर्म या निकाय है तो फर्म के सभी भागीदारों या निकाय के सभी सदस्यों की राष्ट्रिकता

210 (ङ) बालू या मौरम या बजरी या बोल्टर या इनमें से कोई मिली-जुली अवस्था में हो, प्रार्थना कर्ता है तो निर्धारित प्रपत्र पर जाति एवं निवास प्रमाण पत्र संलग्न किया जाना चाहिए।

(चार) प्रार्थी का व्यवसाय या कारोबार.....

(पाँच) खनिज जिसे/जिन्हें प्रार्थी खनन करना चाहता है.....

(छः) अवधि, जिसके लिए खनन पट्टा अपेक्षित है.....

(सात) उस क्षेत्र का ब्योरा, जिसके सम्बन्ध में खनन पट्टा अपेक्षित है :-

जिला	तहसील	परगना	ग्राम	खसरा संख्या	क्षेत्रफल	क्या रिक्त है / किसी के द्वारा धृत है और यदि धृत है तो उसका ब्योरा
1	2	3	4	5	6	7

(आठ) निम्नलिखित के सम्बन्ध में विशेष उल्लेख के साथ क्षेत्र का संक्षिप्त विवरण :-

- (क) प्राकृतिक आकृतियाँ, ऐसे श्रोत आदि के उल्लेख के साथ क्षेत्र की स्थिति।
- (ख) वन क्षेत्रों की दशा में, कार्यवृत्त (वर्किंग सर्किल) का नाम, धन (रजि) और पातन श्रेणी (फेलिंग सीरीज); यदि कोई हो, वन में ज्ञात और सीमांकित क्षेत्रों के सम्बन्ध में क्षेत्र का विवरण तथा विस्तार (लगभग)।
- (ग) भू-कर सर्वेक्षण (कैडेस्ट्रल सर्वे) के अन्तर्गत न आने वाली क्षेत्र की दशा में, धरातल मानचित्र (टोपो मैप) में निश्चित स्थानों के अभिदेश में क्षेत्र के प्रारम्भिक स्थान (स्ट्रटिंग प्वाइंट) विवरण और सीमा रेखा की रेखीय दूरियाँ और उनकी 4 इंच बराबर 1 मील के पैमाने के धरातल मानचित्र में दिए गये क्षेत्र के तदनुरूप यथासम्भव ठीक-ठीक दिक्स्थिति (बियरिंग)।
- (घ) मानचित्र पर कम से कम दो स्थायी अभिदेश बिन्दु अवश्य दर्शाया जाना चाहिये
- (नौ) राज्य सरकार के क्षेत्राधिकार के भीतर, खनिजवार ऐसे क्षेत्रों के विवरण :-
 - (क) जिन्हें प्रार्थी या कोई व्यक्ति, जो उसके साथ स्वत्व में संयुक्त (ज्वाइन्ट इन्टरेस्ट) हो, पट्टे के अधीन पहले से धारण किये हों;
 - (ख) जिसके लिए उसने पहले से ही प्रार्थना पत्र दिया हो किन्तु स्वीकार न किया गया हो;
 - (ग) जिसके लिए एक साथ ही प्रार्थना पत्र दिया जा रहा हो;
 - (दस) संयुक्त स्वत्व का प्रकार, यदि कोई हो
 - (ग्यारह) रीति, जिसके अनुसार संग्रह किये गये खनिज का उपयोग किया जायेगा, यदि प्रार्थी आवेदित खनिज का उद्योग स्थापित करना चाहता हो, या उसने पहले से स्थापित किया हो उसका पूर्ण विवरण और रजिस्ट्रीकरण प्रमाण पत्र दिया जाना चाहिए
 - (बारह) प्रार्थी के वित्तीय संसाधन
 - (बारह-क) खननदेय बकाया न होने का जिलाधिकारी अथवा प्राधिकृत अधिकारी द्वारा जारी किया गया प्रमाण-पत्र संलग्न किया जाना चाहिए।
- यदि प्रार्थी द्वारा राज्य क्षेत्र के भीतर कोई खनन पट्टा या कोई अन्य खनिज परिहार धारित नहीं करता है या धारित नहीं किया था तो इस कथन का शपथ पत्र उक्त प्रमाण-पत्र के स्थान पर दिया जाना चाहिए।
- (तेरह) उपर्युक्त (दो) में अभिदिष्ट धनराशि के लिए संलग्न रसीद वाले कोषागार चालान के विवरण
- (चौदह) कोई अन्य विवरण या रेखा-मानचित्र (स्केच मैप) जो प्रार्थी प्रस्तुत करना चाहें

मैं/हम एतद्वारा घोषणा करता हूँ/करते हैं कि ऊपर दिये गये विवरण सही हैं और मैं/हम कोई अन्य विवरण जिसके अन्तर्गत यथार्थ नक्शे और प्रतिभूति जमा आदि हैं ; देने को तैयार हूँ/हैं, जो आपके द्वारा अपेक्षित हों।

स्थान

भवदीय

प्रार्थी/प्रार्थियों के हस्ताक्षर

दिनांक

अवधेय :- (1) यदि प्रार्थना पत्र प्रार्थी के प्राधिकृत अभिकर्ता द्वारा हस्ताक्षर किया जाय तो अभिकरण-पत्र

(पावर ऑफ एटार्नी) संलग्न किया जाना चाहिए।

(2) प्रार्थना पत्र केवल एक सहित खण्ड (ब्लाक) के लिए होना चाहिए।

FORM MM-2
(Rule 5)
Register of application of Mining Lease

1. Serial No
2. Date of application for mining lease
3. Date on which application was received by Receiving Officer.....
4. If the application was not complete in all respects when first received, the date which it was completed.....
5. Name of the applicant with full address.....
6. Particulars of land applied for-
 - (a) Tahsil.....
 - (b) Paragana.....
 - (c) Village
 - (d) Plot No.....
 - (e) Area.....
7. Total area of the land
8. Particular of minerals which the applicant desires to mine.....
9. Application fee paid and preliminary expenses deposited with challan number and date.....
10. Signature of Officer-in-charge.....
11. Number and date of the final order disposing of the application
12. Brief summary of order passed
13. Remarks.....

प्रपत्र एम.एम. -3

(नियम-14)

खनन पट्टे का आदर्श (model) प्रपत्र

यह अनुबन्ध आजदिनांकको
उत्तर प्रदेश के राज्यपाल (जिन्हें आगे "राज्य-सरकार" कहा गया है, जिस पदावलि में यदि संदर्भ से ऐसा ग्राह्य हो उत्तराधिकारी तथा अभिहस्ताकिती भी सम्मिलित समझे जायेंगे) एक पक्ष और

यदि पट्टेदार एक विशेष व्यक्ति हो : (व्यक्ति का नाम, पता तथा व्यवसाय) (जिसे आगे "पट्टेदार" कहा गया है, जिस पदावलि में, यदि संदर्भ से ऐसा ग्राह्य हो, उसके दायद, निष्पादक, प्रशासक और प्रतिनिधि भी सम्मिलित समझे जायेंगे) दूसरा पक्ष

यदि पट्टेदार एक से अधिक व्यक्ति हो : (व्यक्ति का नाम तथा पता और व्यवसाय) तथा (व्यक्ति का नाम तथा पता और व्यवसाय) जिन्हें आगे "पट्टेदार" कहा गया है जिस पदावलि में, यदि संदर्भ से ऐसा ग्राह्य हो, उनके अपने-अपने दायद, निष्पादक, प्रशासक और प्रतिनिधि भी सम्मिलित समझे जायेंगे, दूसरा पक्ष)

यदि पट्टेदार कोई रजिस्ट्रीकृत फर्म हो : (भागीदार का नाम और) आत्मज निवासी
..... जो सभी भारतीय भागीदारी अधिनियम, (1932 एक्ट सं.-9) के अधीन निबन्धित फर्म (फर्म का नाम) के नाम और रूप के अधीन भागीदारी में कारोबार कर रहे हैं और जिसका रजिस्ट्रीकृत कार्यालय
..... नगर में पर है। (जिन्हें आगे "पट्टेदार" कहा गया है, जिस पदावलि में, यदि संदर्भ से ऐसा ग्राह्य हो, उक्त समस्त भागीदार, उनके अपने-अपने दायद, निष्पादक और विधिक प्रतिनिधि भी सम्मिलित समझे जायेंगे) दूसरा पक्ष

यदि पट्टेदार रजिस्ट्रीकृत कम्पनी हो : (कम्पनी का नाम) (अधिनियम जिसके अधीन निगमित है, के अधीन रजिस्ट्रीकृत कम्पनी है और जिसका रजिस्ट्रीकृत कार्यालय में है, (पता) (जिसे आगे "पट्टेदार" कहा गया है, जिस पदावलि में, यदि संदर्भ से ऐसा ग्राह्य हो, उनके उत्तराधिकारी भी सम्मिलित समझे जायेंगे) । दूसरा पक्ष ।

चूंकि पट्टेदार/पट्टेदारों ने उत्तर प्रदेश उप खनिज (परिहार) नियमावली 2021 (जिसे आगे "उक्त नियमावली" कहा गया है) के अनुसार राज्य सरकार को निम्नलिखित अनुसूची के भाग -1 में वर्णित भूमि एकड़ के निमित्त खनन पट्टे के लिए प्रार्थना पत्र दिया है और उसने/उन्होंने राज्य सरकार के पास रूपये की धनराशि प्रतिभूति के रूप में तथा रूपये की धनराशि खनन पट्टे के हेतु आरम्भिक व्ययों की पूर्ति के लिये जमा कर दी है।

यह इस बात का साक्ष्य है कि उपस्थापन पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उनमें दिये गये और पट्टेदार/पट्टेदारों की ओर से भुगतान किये जाने वाले पालन और सम्पादन किये जाने वाले, किरायों स्वामित्वों, प्रसंविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों, को निम्नलिखित प्रदान और पट्टान्तरित करती है (यहां खनिज या खनिजों का उल्लेख कीजिये) (जिन्हें आगे अभिदिष्ट अनुसूची में "उक्त खनिज" कहा गया है) की समस्त खाने, तल्प (Beds) संदरसीम्स (Veins) जो अनुसूची के भाग-1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, पड़ी हो या हों, उन स्वतंत्रताओं या अधिकारों तथा विशेषाधिकारों के साथ जिनको इसके सम्बन्ध में, उन निबंधनों तथा शर्तों के अधीन रहते हुये प्रयोग या उपयोग किया जायेगा, जो ऐसी स्वतंत्रताओं, अधिकारों तथा विशेषाधिकारों के प्रयोग तथा उपयोग करने के बारे में हो..... सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतंत्रतायें, अधिकार तथा विशेषाधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे। दिनांक से वर्ष की आगामी अवधि के लिए

पट्टेदार/पट्टेदारों का एतद्वारा दिये और पट्टान्तरित ऐसे भू-गृहादि धारण करना, जिसमें खनिज निकलने लगे और राज्य सरकार को उक्त अनुसूची के भाग-2 में उल्लिखित कई किरायों और स्वामित्वों का भुगतान उसमें विनिर्दिष्ट भिन्न-भिन्न समयों पर होने लगे किन्तु प्रतिबंध यह है कि ऐसा उक्त भाग में उपबंधों के अधीन हो, और, पट्टेदार एतद्वारा राज्य सरकार के साथ प्रसंविदा करता है/करते हैं और राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों के साथ प्रसंविदा करती है जैसा कि उक्त नियमावली में अभिव्यक्त है, और, एतद्वारा इसके साथ दिये गये पक्षों के बीच में परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग-3 में अभिव्यक्त है।

(ऊपर अभिदिष्ट अनुसूची)

भाग-1

इस पट्टे का क्षेत्रफल

पट्टे का क्षेत्रफल और स्थान जो जिला वह समस्त भूखण्ड
तहसील..... और थाना के अन्तर्गत (परगना)..
में स्थान पर (क्षेत्र अथवा क्षेत्रों का विवरण) स्थित है
 और जिसकी भूकर सर्वेक्षण संख्या है तथा, जिसमें क्षेत्र है, जो यहां संलग्न
 नक्शों में चिह्नित है और उसे से रंजित (coloured) किया गया है और जिसकी सीमायें
 निम्नलिखित हैं :-

उत्तर में

दक्षिण में

पूर्व में

पश्चिम में

एतदपश्चात् जिसे "उक्त भूखण्ड" कहा गया है।

भाग -2

इस पट्टे द्वारा आरक्षित अपरिहार्य भाटक और स्वामित्व अपरिहार्य भाटक या स्वामित्व का, जो इनमें से अधिक हो, भुगतान करना -(1) पट्टेदार पट्टे के प्रत्येक वर्ष के लिए प्रत्येक खनिज के संबंध में, इस भाग के खण्ड (2) में विनिर्दिष्ट अपरिहार्य भाटक का वार्षिक भुगतान करेगा :

प्रतिबंध यह है कि पट्टेदार प्रत्येक खनिज के सम्बन्ध में अपरिहार्य भाटक या स्वामित्व का, जो धनराशि इसमें से अधिक हो, देनदार होगा, किन्तु दोनों का नहीं।

(2) अपरिहार्य भाटक की दर और उसका भुगतान करने की रीति : इस भाग के खंड (1) के उपबंध के अधीन रहते हुए पट्टे की अवधि में पट्टेदार राज्य सरकार को इस अनुसूची के भाग-1 में वर्णित और पट्टान्तरित (demised) भूमि के प्रति खनिज प्रति एकड़ वार्षिक अपरिहार्य भाटक निम्नलिखित दर/दरों पर या ऐसी संशोधित दर/दरों पर भुगतान करेगा/करेंगे जो पट्टेदार/पट्टेदारों को राज्य सरकार द्वारा लिखित रूप से संसूचित किया जायेगा/किये जायेंगे :-

● खनिज का नाम	प्रति एकड़ निश्चित किया गया अपरिहार्य भाटक	पट्टान्तरित भूमि का क्षेत्रफल	देय अपरिहार्य भाटक	एक वर्ष में देय कुल अपरिहार्य भाटक
1	2	3	4	5
1.				
2.				
3.				

- (यहां पर रीति, जिसके अनुसार और वह समय जब अपरिहार्य भाटक का भुगतान किया जाना चाहिये, लिखिये)

अपरिहार्य भाटक का राज्य सरकार के प्रति भुगतान पट्टा वर्ष के पूरा होने के एक माह के भीतर उस जिले के मुख्यालय के राजकीय कोषगार में, जिसमें धृत पट्टा स्थित हो, ऐसे लेखाशीर्षक के अर्न्तगत जमा करके, जैसा कि समय-समय पर विनिर्दिष्ट किया जाय, प्रति वर्ष किया जायेगा।

(3) **स्वामित्व की दर और उसके भुगतान की रीति :-** इस भाग के खण्ड (1) के नियमों के अधीन रहते हुये पट्टेदार पट्टे की अवधि में राज्य सरकार को ऐसे समयों पर और ऐसी रीति से, जो राज्य सरकार विहित करे, पट्टे पर दिये हुए क्षेत्र से उसके/उनके द्वारा हटाया गया/हटाये गये किसी खनिज/किन्हीं खनिजों के सम्बन्ध में उक्त नियमावली की प्रथम अनुसूची में तत्समय विनिर्दिष्ट दर पर स्वामित्व का भुगतान करेगा/करेंगे।

(4) **साधारण बालू, मौरंग, बजरी एवं बोल्डर की पट्टा धनराशि की दर एवं भुगतान की रीति:-** साधारण बालू एवं मौरंग के पट्टेदार पट्टे के आगामी वर्षों में पट्टा धनराशि पूर्ववर्ती वर्ष में भुगतान की गई धनराशि से 10 प्रतिशत की बढ़ी हुई दर से जमा करेगा। साधारण बालू, बजरी, बोल्डर जो मिली-जुली अवस्था में हो, के पट्टेदार पट्टे के आगामी वर्षों में पट्टा धनराशि का भुगतान पूर्ववर्ती वर्ष में भुगतान की गई धनराशि से 25 प्रतिशत की बढ़ी हुई दर से करेगा। यदि पट्टा क्षेत्र से हटाये गये खनिज पर देय रायल्टी पट्टा धनराशि से अधिक आती है तो पट्टेदार द्वारा उस धनराशि का भुगतान करना होगा जो इनमें से अधिक होगी।

(5) **अपरिहार्य भाटक और स्वामित्व कटौती आदि मुक्त होंगे :-** इस भाग में उल्लिखित अपरिहार्य भाटक और स्वामित्व का भुगतान बिना किसी कटौती के राज्य सरकार कोपर और ऐसी रीति से किया जायेगा, जो राज्य सरकार विहित करे।

(6) **स्वामित्व के संगणन की रीति :-** उक्त स्वामित्वों के संगणन करने के प्रयोजनों के लिए पट्टेदार खान से संग्रह किये गये खनिज/खनिजों का और उसको/उनको भेजने की रीति का सही-सही लेखा रखेगा, जिसमें वह परिवहन की प्रणाली, वाहन की निबंधन संख्या, वाहन के प्रभारी व्यक्ति, वाहन द्वारा परिवहन किये गये खनिज/खनिजों का विवरण और परिमाण का उल्लेख करेगा/करेंगे, जो एम.एम. 11 में पास जारी करेगा और ऐसे अन्य विवरणों का उल्लेख करेगा/करेंगे, जो राज्य सरकार का सामान्य या विशेष आदेश द्वारा विनिर्दिष्ट करे। नियम 67 के अधीन अधिकृत अधिकारी या ऐसे अन्य अधिकारी जिन्हें राज्य

सरकार नियमावली के अधीन समय-समय पर प्राधिकृत करे, स्टॉक में रखें गये और निर्यात किये जाने वाले या प्रपत्र एम.एम.11 में उल्लिखित खनिज/खनिजों के लेखा उसके/उनके परिमाण का जांच कर सकता है। पट्टेदार प्रति वर्ष जिलाधिकारी और भूतत्व एवं खनिकर्म निदेशालय, के क्षेत्रीय कार्यालय को पूर्ववर्ती तिमाही के पन्द्रह दिनों के भीतर जुलाई, अक्टूबर, जनवरी और अप्रैल में प्रपत्र एम.एम. 12 में तिमाही विवरणी प्रस्तुत करेगा और यदि विवरणी नियत समय के भीतर प्रस्तुत नहीं की जाती है तो पट्टेदार चूक के प्रत्येक अवसर पर 2000.00 रुपये (दो हजार रुपये) की धनराशि का भुगतान करेगा।

(7) प्रपत्र एम.एम. 11 का भुगतान के आधार पर दिया जाना :-पट्टेदार, जिला अधिकारी के कार्यालय से प्रपत्र एम.एम. 11 की पुस्तिका, जैसा नियमावली के नियम 72 (1) अपेक्षित है, भुगतान करने पर प्राप्त करेगा/करेंगे।

(8) नियत समय पर भाटक, स्वामित्व आदि का भुगतान न करने पर कार्यवाही :-यदि पट्टेदार/पट्टेदारों द्वारा इस उपस्थापन पत्र के निर्बंधनों और शर्तों के अधीन किसी भाटक, स्वामित्व या राज्य सरकार, को देय किसी अन्य धनराशि का भुगतान विहित समय के भीतर नहीं किया जाता है तो वह ऐसे अधिकारी के प्रमाण पत्र पर, जिसे राज्य सरकार सामान्य या विशेष आदेश द्वारा विनिर्दिष्ट करे, उसी प्रकार से वसूल की जा सकेगी, जिस प्रकार से मालगुजारी का बकाया वसूल की जाती है।

भाग 3

सामान्य उपबन्ध

(1) नियमों, प्रसंविदाओं और शर्तों के भंग करने पर पट्टा समाप्त किया जा सकता है :- यदि पट्टेदार उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के किसी नियम या इस पट्टे की किसी प्रसंविदा और शर्त को भंग करे/करें तो राज्य सरकार पट्टा समाप्त कर सकती है और प्रतिभूति जमा को पूर्णतः या अंशतः जब्त कर सकती है, किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार/पट्टेदारों को उक्त शर्त भंग करने का स्पष्टीकरण देने के लिए युक्तियुक्त अवसर दिया जायेगा। यदि पट्टेदार यथास्थिति, इस नियमावली या इस पट्टे के अधीन किसी अधिकारी द्वारा पारित किसी आदेश से क्षुब्ध है तो वह/वे इस नियमावली के नियम 79 और 80 के अधीन अपील/पुनरीक्षण दायर कर सकता है।

(2) पट्टेदार, पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेंगे/हटायेंगे :-पट्टेदार इस उपस्थापन पत्र (प्रजेन्टेशन) के आधार पर देय किराये और स्वामित्वों का पहले भुगतान और उन्मोचन कर चुकने पर, उक्त अवधि की समाप्ति पर या उसके शीघ्रतर समाप्ति पर या तत्पश्चात तीन कलेण्डर मास के भीतर, (जब तक पट्टा इस भाग के खण्ड (1) के अधीन समाप्त न कर दिया जाय, और उस दशा में किसी समय ऐसी समाप्ति के पश्चात कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में) अपने लाभ के लिए ऐसे सभी या किसी इंजन, मशीन, संयंत्र, भवन संरचनाओं और अन्य निर्माण कार्य, परिनिर्माण (एरेक्शन्स) और अस्थायी आवास-स्थानों को उखाड़ सकता है/सकते हैं और हटा सकता है/सकते हैं, जो उक्त भूमि में या उस पर पट्टेदार/पट्टेदारों द्वारा खनन किया गया हो, खड़े किये गये हों, स्थापित किये गये हों या रखे गये हों और जिन्हें पट्टेदार, राज्य सरकार को देने के लिए बाध्य नहीं है/हैं और जिन्हें राज्य सरकार खरीदने के लिए इच्छुक न हो।

(3) पट्टे की समाप्ति के पश्चात तीन मास के अधिक समय तक छोड़ी गई सम्पत्ति की जब्ती :- यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के पश्चात, तीन कलेण्डर मास के अन्त में, उक्त भूमि में या उस पर कोई इंजन, मशीन, संयंत्र, भवन, संरचनायें तथा अन्य निर्माण कार्य, परिनिर्माण और अस्थायी आवास स्थान या अन्य सम्पत्ति रहे तो उनके संबंध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात जिसमें जिला अधिकारी द्वारा पट्टेदार/पट्टेदारों से उन्हें हटाने की अपेक्षा की गई हो, एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न हटाये जायें, यह समझा जायेगा कि वे राज्य सरकार की सम्पत्ति हो गई है और किसी प्रतिकर का भुगतान किये बिना या उसके संबंध में पट्टेदार/पट्टेदारों को कोई हिसाब दिये बिना, उनकी बिक्री करके निस्तारण ऐसे रीति से किया जा सकता है, जो राज्य सरकार उचित समझे।

(4) ठेकेदार के माध्यम से स्वामित्व और अपरिहार्य भाटक की वसूली करना :- यदि राज्य सरकार इस प्रकार निर्देश दे, तो पट्टेदार इस उपस्थापन-पत्र द्वारा संरक्षित स्वामित्वों और अपरिहार्य भाटक का भुगतान स्वामित्व की वसूली करने वाले ठेकेदार को राज्य सरकार द्वारा नियत रीति से ऐसी अवधियों में करेगा, जो विनिर्दिष्ट की जायें।

(5) नोटिसें :- इस उपस्थान पत्र द्वारा पट्टेदार/पट्टेदारों को दिए जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप में दिया जायेगा, जिसे पट्टेदार ऐसी नोटिस प्राप्त करने के लिए नियुक्त करे/करें और यदि इस प्रकार कोई नियुक्ति न की गयी हो ऐसी प्रत्येक नोटिस पट्टेदार/पट्टेदारों को रजिस्ट्रीकृत डाक द्वारा पट्टे में उसके/उनके अभिलिखित पते पर या भारत में ऐसे अन्य पते पर भेजी जायेगी, जिसे पट्टेदार समय-समय पर लिखित रूप में राज्य सरकार को नोटिसों को प्राप्त करने के लिए दे/दें और प्रत्येक ऐसी तामील पट्टेदार/पट्टेदारों पर उचित और वैध तामील समझी जाएगी और उसके सम्बन्ध में उसके/उनके द्वारा न तो आपत्ति की जायेगी और न उसे चुनौती दी जाएगी।

(6) स्टाम्प शुल्क :- स्टाम्प शुल्क के प्रयोजन के लिए पट्टान्तरित भूमि से पूर्वानुमानित स्वामित्व प्रतिवर्ष रुपये हैं। इसके साक्ष्य के रूप में उपस्थापन-पत्र एतद्धीन आयी हुई रीति से ऊपर उल्लिखित दिन और वर्ष को निष्पादित किया गया है।

उत्तर प्रदेश के राज्यपाल के लिए और उनकी ओर से -

- | | |
|----|----|
| 1. | 1. |
| 2. | 2. |
| 3. | |

की उपस्थिति में द्वारा हस्ताक्षरित की उपस्थिति में पट्टेदार/पट्टेदारों द्वारा हस्ताक्षरित।

FORM-3(A)
Model Form of Prospecting Licence
(See rule 9B)

•THIS INDENTURE made this day..... of 20..... between the Government of Uttar Pradesh (hereinafter referred to as the 'State Government' which expression shall where the context so admits be deemed to include his successors and assigns) of the one part
and

When the licensee is an individual (name of person with Address and occupation) (hereinafter referred to as "the licensee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, representatives and permitted assigns).

When the licensee is/are more than one individual (Name of person with address and occupation) and (Name of person with addresses and occupation) (hereinafter referred to as "the licensees" which expression shall where the context so admits be deemed to include their respective heirs, executors, administrators, representatives and their permitted assigns.)

When the licensee is a registered firm (Name and address of Partner) son of all carrying on business in partnership under the firm name and style of (name of the firm) registered under the Indian Partnership Act, 1932 (9 of 1932) and having their registered office at in the town of (hereinafter referred to as "the licensees" which expression shall where the context so admits be deemed to include all the said partners, their respective heirs, executors, legal representatives and permitted assigns).

When the licensee is registered company (Name of company) a company registered under (Act under which incorporated) and having its registered office at (Address) (hereinafter referred to as "the licensee" which expression shall where the context so admits be deemed to include its successors and permitted assigns) of the other part.

WHERE AS licensee/licensees has/have applied to the State Government in accordance with the Uttar Pradesh Minor Mineral (Concession) Rules, 2021 (hereinafter referred to as the said Rules) for a licence to prospect for in the land specified in Schedule "A" hereunder written and delineated the plan herewith annexed (hereinafter referred to as the said lands) and has/have deposited with the State Government Rs. as the prescribed security in respect of such licence and has/have paid to the State Government the sum of Rs. as the prescribed prospecting fee for months/years in advance in respect of such licence. NOW THESE PRESENTS WITNESS as follows :

PART-I

In consideration of the fee, royalties, covenants, and agreements hereinafter reserved and contained and on the part of the licensee/licensees to be paid observed and performed the State Government hereby grant and demises onto the licensee / licensees the sole right and the licence.

To enter upon the land and to search for win or carry away and dispose of minerals won- (1) To enter upon the said lands and to search for by quarrying, boring and digging or otherwise all or any (Name of minerals) lying or being within under or throughout the said lands;
(2) In the case of other minerals, this licence shall not confer upon the licensee a right to win or carry away the minerals for commercial purposes:

Provided that the licensees may win and carry away for purposes other than commercial purposes-

- (a) thirty cubic meter of such minerals as specified in rule 99 of Rules, without any payment.
- (b) hundred cubic meter of such mineral on payment of royalty.

Provided that if any quantity in excess of the quantities mentioned in above is won and carried away, the State Government may recover the cost of excess quantity of minerals mentioned in clause (b) above, won and carried away.

- (c) With the written approval the State Government, the licensee may carry away quantities of minerals in excess of the limits specified in above clause (a) & (b).

To clear undergrowth and brushwood etc. - (3) Subject to the provisions of clauses 5 and 6 of Part II of these present for the purpose aforesaid to clear undergrowth and brushwood and trees with the sanction of the District Officer previously obtained in writing to make and use any drains or water courses on the said lands for purposes as may be necessary for effectively carrying on the prospecting operations and for the workmen employed thereon

and with the like sanction to use any water provided always that such use shall not (diminish or interfere with the supply of water to which any cultivated land, building or watering place, for livestock has here to fore been accustomed and streams, springs or well shall be fouled or polluted by any such use or the operations hereby licensed.

To bring upon and erect machinery etc. on the said lands. - (4) To erect and bring upon the said lands all such temporary huts, sheds and structures steam and other engine, machinery and conveniences, chattels and effects as shall be proper and necessary for effectually carrying on the prospecting operation hereby licensed or for the workmen employment thereon.

~~RESERVED nevertheless to the State Government full power and liberty at all times to enter into and upon and to grant or demise to any persons whomsoever liberty to enter into and upon the said lands for all or any purposes other than those for which sole rights and licence are hereby expressly conferred upon the licensee/licensees and particularly (and without hereby in any way qualifying such general power and liberty) to make on, over or through the said lands such roads, tramways and ropeways as shall be considered necessary or expedient for any purposes and to obtain from and out of the said lands such stone, earth or other materials as may be necessary or requisits for making, repairing or maintaining such roads, tramways, railways and ropeways to pass and repass at all times over and along such roads, tramways, railways and ropeways for all purposes and as occasion shall require.~~

To hold the said right and licence unto the licensee/licensees from the date of these presents for the term (hereinafter referred to as the said term).

Paying there for annually in advance a sum of Rs. being the prospecting fee for each year or portion of a year and immediately on the expiration of sooner determination of the said term clear of all fees, rates, taxes, charges, deductions and royalty at the rates specified in Schedule 'B' and 'C' hereunder written on the minerals won and carried away by the licensee/licensees during the said terms.

PART-II

Covenants by Licensee/Licensees

The licensee/licensees hereby covenants/covenant with the State Government as follows-

Payment and rates of royalty- (1) To pay royalty to the State Government at such rates and at such time as are specified in Schedule 'C' hereunder written provided that the licensee/licensees shall be entitled to carry away free of royalty not more than thirty cubic meter for experimental purposes.

Payment of prospecting fee- (2) To pay annually in advance a prospecting fee in respect of ensuing year or part of the year at such rates and time as are specified in Schedule 'B' hereunder written.

To carry on work in workman-like manner- (3) To work and carry on the operations hereby licensed in a fair orderly skilful and workman like manner and with as little damage as may be to the surface of the lands and to trees, crops, building structures and other property thereon.

Maintenance of correct accounts- (4) Licensee/licensees shall maintain a correct and faithful account of all the expenses incurred by him/them on prospecting operations and also the quantity and other particulars of all minerals obtained during such operations and their despatch.

No mining operations within 50 meters of public work, etc- (5) The licensee/licensees shall not work or carry on or allow to be worked or carried on any prospecting operations at or to any points within a distance of 50 metres from any railway line except with the previous written permission of the Railway Administration concerned or from any reservoir, canal or other public works such as public roads and buildings or inhabited site except with the previous written permission of the District Officer or any other Officer authorised by the State Government in this behalf and otherwise than in accordance with such instructions, restrictions and conditions either general or special which may be attached to such permission. The said distance of 50 meters shall be measured in the case of railway line, reservoir or canal horizontally from the outer toe of edge bank or the outer edge of the cutting as the case may be and in case of a building horizontally from the plinth thereof. In the case of village roads no workings shall be carried on within a distance of 10 meters of the outer edge of the cutting except with the previous written permission of the District Officer or any other officer duty authorised by the State Government in this behalf and otherwise than in accordance with such directions, restrictions and additions, either general or special, which may be attached to such permission.

Explanation : For the purposes of this clause the expression Railways Administration shall have the same meaning as it is defined to have in the Indian Railways Act, 1890, by clause (6) of section 3 of that Act. 'Public Road' shall mean a road which has been constructed by artificially surfaced as distinct from a tract resulting from repeated use. Village road will include any track shown in the Revenue records a village road.

Not to cut or injure trees in reserved forest, etc. without previous permission- (6) Not to cut or injure any timber or tree on any unoccupied or unreserved land without the written permission of the Concerning Divisional Forest Officer nor without such permission disturb the surface of any road or enter upon any public pleasure ground, burning or burial ground or any place held sacred by any class of persons or Interfere with any right of way well or tank.

(7) Not to enter upon any land in the occupation of any person without the consent of the occupier not to cut or in any way injure any trees, standing crops, buildings huts, structures or other property of any kind of the, occupier of any land or any other person without the written consent at such owner, occupier or person.

~~Not to commence work in reserved forest without previous permission- (8) Not to enter upon or commence prospecting in any protected or reserved forest situated upon the lands without the written sanction of the Divisional Forest Officer nor otherwise than in accordance with such conditions as may be prescribed in such sanction.~~

Indemnify Government against all claims- (9) To make reasonable satisfaction and pay such compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury, or disturbance which may be done by him in exercise of the powers granted by this licence and to indemnify and keep indemnified fully and completely the State Government against all claims which may be by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.

(9A) To pay a wage not less than the minimum wage prescribed by the State Government from time to time. (9B) To comply with the provisions of the Mines Act, 1952.

(9C) To take measures, at his own expense, for the protection of environment like planting of trees, reclamation of mined land, use of pollution-control devices, and such other measures as may be prescribed by the Central or State Government from time to time.

(9D) To pay compensation to the occupier of the surface of the land on the date and in the manner laid down in these rules.

Forfeiture of security deposits, etc- (10) Whenever the security deposit of Rs. or any part thereof or any further sum hereafter deposited with the State Government in replenishment thereof shall be forfeited or applied by the State Government. Pursuant to the power hereinafter declared in that behalf the licensee/licensees shall forthwith deposit with the State Government such further sum as may be sufficient with the unappropriated part thereof to bring the amount in deposit with the State Government up to the sum of Rs.

Licensee not to be Controlled by trust, syndicate etc- (11) The licensee/licensees shall not be controlled or permit himself/ themselves to be controlled by any trust, syndicate, corporation, firm or person except with the written consent of the State Government.

Report of accident- (12) The licensee/licensees without delay send to the District Officer a report of any accident causing death or serious bodily injury or serious injury to property or seriously affecting or endangering life or property which may occur in the course of the operations under this licence.

Section 18 of the Act 67 of 1957- (13) The licensee/licensees shall be bound by such rules as may be issued by the State Government under section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and shall not carry on prospecting or other operations under the said licence in any way other than as prescribed under these rules.

To provide for weighing or measurement of material won- (14) At such times and occasions as may be required the licensee/licensees shall well and truly measure or weight or cause to be measured or weighed upon some part of the said lands all minerals from time to time won from the said lands by the licensee/licenses and all such minerals as may require to be measured or weighed for the purpose of ascertaining the royalty payable under these presents shall be so measured or weighed. The licensee/licensees agrees/agree not to take away from the said lands any minerals so won until the same shall have been measured or weighed as the case may be. The licensee/licensees further agrees/agree to give..... days previous notice in writing to the District Officer of every such measuring or weighing on order that he or some person on his behalf may be present thereat.

Plugging of bore holes fencing, etc. and restoring the surface of land after determination or abandonment- (15) Save in the case of land over which the licensee/licensees shall have been granted a mining lease, on or before the expiration or sooner determination or the license, he shall within six months next after the expiration or sooner determination of the license or date of abandonment of the undertaking, whichever shall first occur, securely plug any bore or hole and fill up or fence any holes or excavations that may have been made in the lands to such an extent as may be required by the District Officer concerned and shall to a like extent restore the surface of the land and all buildings thereon which may have been damaged or destroyed in the course of prospecting provided that licensee/licensees shall not be required to restore the surface of the land, or any building in respect of which full and proper compensation has already been paid.

Removal of machinery etc. after expiration, determination or abandonment - (16) Upon the expiration or sooner determination of this license or the abandonment of the operations hereby licensed, whichever shall first occur, the licensee/licensees shall remove expeditiously at his/their own cost all buildings, structures, plant, engines machinery, implements, utensils and other property and effects therefore, erected or brought by the licensee/licensees and then standing or being upon the said lands and also all minerals therefore won by the licensee/licensees under the authority of these presents and then being upon the said lands;

PROVIDED that this covenant shall not apply to any part of the said lands which may be comprised in any mining lease granted to the licensee/licensees during the subsistence of this licence.

Report of work done before the refund of security deposits- (17) At any time before the said security deposit is returned to him/them or transferred to any other account or (within one month after the expiration or sooner determination of the license or abandonment of the operations whichever is earlier, the licensee/licensees shall submit to the State Government confidentially a full report of the work done by

him/them and disclose all information acquired by him them in the course of the operations carried on under this licence regarding the geology and mineral resources of the area covered by the licence.

Report of information obtained by the Licensee- (17A) (I) The licensee shall submit to State Government

- ~~(a) a quarterly report of the work done by him stating the number of persons engaged and disclosing in full the geological, geophysical, or other valuable data collected by him during the period. The report shall be submitted within three months of the close of the period to which it relates;~~
- ~~(b) within three months of the expiry of the licence, or abandonment of operations or termination of the licence, whichever is earlier, a full report of the work done by him and all information relevant to mineral resources acquired by him in the course of prospecting operations in the area covered by the licence.~~
- (2) While submitting reports under clause (I), the licensee may specify that the whole or any part of the report or data submitted by him shall be kept confidential and the State Government shall thereupon keep the specified portions as confidential for a period of two years from the expiry of the licence, or abandonment of operations or termination of the licence, whichever is earlier.

Employment of foreign nationals- (18) the licensee/licensees shall not employ, in connection with the prospecting operation any person who is not an Indian National except with the previous approval of the Central and State Government.

Furnishing of Geophysical data- (19) The licensee/licensees shall furnish :

- (a) all geophysical data relating to prospecting or engineering and ground water surveys, such as anomaly maps, sections, plans, structures, contour maps, logging, collected by him/them during the course of prospecting operations to the Director, Geology and Mining, Uttar Pradesh, Lucknow.
- (b) all information pertaining to investigations of other minerals by him/them during the course of prospecting operations to the State Government.

Data or information referred to above shall be furnished every year reckoned from the date of commencement of the period of the prospecting licence.

PART-111

Powers of the government

It is hereby agreed as follows:-

Cancellation of the license and forfeiture of the deposit in case of breach of conditions- (1) In the case of any breach of the condition of the licence/licences or his transferees or assignees, the State Government, shall give a reasonable opportunity to the licensee/licensees of stating him/their case and where it is satisfied that the breach is such as cannot be remedied, on giving thirty days notice to the licensee/licensees or his transferees or assignees, determine the licence and or forfeit the whole or any part of the said deposit of Rs..... Deposited under the covenants in that behalf as the State Government may deem fit. In case the State Government considers the breach to be remediable nature, it shall give notice to the licensee/licensees or his transferees or assignees as the case may be requiring him/them to remedy the breach within thirty days from the date of receipt of the notice informing him of the penalty proposed to be inflicted if such remedy is not within such period.

Application of security to payment of compensation- (2) The State Government may from time to time appropriate and duly the said deposit of Rs..... or any part thereof or any further sum deposited under any covenants in that behalf therein before contained in or towards payment or satisfaction of any claims to compensation which the Government has or has/have against the licensee/licensees and or which may be made by any person or persons against the licensee/licensees and or the State Government in respect of any damage or injury done by the licensee/licensees in exercise of any of the powers conferred by this licence and in or towards payment of any damages, costs expenses which may become payable as the result of or in connection with any suits or proceedings which may be instituted against the State Government in respect of any such damage or injury and also in or towards payment of the expense of the carrying out or performance of any works or matters which the licensee/licensees shall fail to carry out or perform after to expiry or sooner determination of this licence or the abandonment of the operations hereby licensed in accordance with the covenants in behalf hereinbefore contained or in payment or satisfaction of any such claims, damages, costs and expenses.

When the properties of licensee are not removed from the lands in time-- (3) If any buildings, structures, plants, engines, machinery, implements utensils or other property or effects or any minerals which ought to be removed by the licensee/ licensees from the said lands, in accordance with the covenant in that behalf hereinbefore contained be not so removed within one calendar month after notice in writing requiring their removal shall have been given to the licensee/licensees by the State Government, the same shall be deemed to become the property of the State Government and may be sold or disposed of for the benefit of the State Government in such manner as the State Government shall deem fit, without any ability to pay any compensation or to account to licensee/licensees in respect thereof.

Licensee/licensees to pay for work done on his behalf- (4) If any of the works or matters which in accordance with the covenants in that behalf hereinbefore contained are to be carried out or performed by the licensee/licensees, be not so carried out or performed within the time specified. In that behalf, the State Government may cause the same to be carried out or performed and the licensee/licensees shall pay the State Government on demand all expenses which shall be incurred in such carrying out or performance of the same

Right of pre-emption -(5) (a) The State Government from time to time at all times during the said term have the right to be exercised by notice in writing to the licensee/licensees of pre-emption of the said minerals (and/all products thereof) lying in or upon the said lands elsewhere under the control of the licensee/licensees and the licensee/licensees shall with all possible expedition deliver all minerals or products or minerals purchased by the State Government under the power conferred by this provision in the quantities at the time in the manner and at the place specified in the notice exercising the said right.

(b) Should the right of pre-emption conferred by, this present provisions be exercised and a vessel chartered to carry the minerals or products thereof procured on behalf of the State Government or the Central Government be detained on demurrage at the port of loading, the licensee/licensees shall pay the amount due or demurrage according to the terms of the charter party of such vessel unless the State Government shall be satisfied that the delay is due to cause beyond the control of the licensee/licensees.

(c) The price to be paid for all mineral or products of minerals taken in pre-emption by the State Government in exercise of the right hereby conferred shall be the fair market prevailing at the time of pre-emption;

PROVIDED THAT in order to assist in arriving at the said fair market price the licensee/licensees shall so required furnish to the State Government for the confidential information of the Government, particulars of the quantities, descriptions and prices of the said minerals or products thereof sold to other customers and of charters entered into for freight for carriage of the two and shall produce such to such officer or officers as may be directed

by the State Government original or authenticated copies of contracts and charter parties entered into for the sale of freightage of such minerals or products.

(d) In the event of the existence of a state of war or emergency (of which existence the President of India shall be the sole judge and a notification to this effect in the Gazette of India shall be conclusive proof) the State Government with the consent of the Central Government shall from time to time and at all times during the said term have the right (to be exercised by a notice in writing to the licensee/licensees) forthwith take possession and control of the works, plant machinery and premises of the licensee/licensees on or in connection with the said lands or the operations under this licensee/licensees shall conform to and obey all directions given by or on behalf of the Central or State Government regarding the use of employment of such works, plants premises and minerals.

PROVIDED THAT fair compensation, which shall be determined in default of agreement by the State Government shall be paid to licensee/licensees the all loss or damage sustained by him/them by reason or in consequence of the exercises of the powers conferred by this clause, and PROVIDED ALSO that the exercise of such power shall not determine the said term hereby granted or effect the terms and provisions of these presents further then may be necessary to give effect to the provisions of the clause.

PART-IV

Rights of licensee/licensees

It is hereby further agreed as follows:-

Transfer of license and fee payable- (1) During the subsistence of this license or of any renewal thereof the licensee/ licensees with the previous sanction of the State Government, transfer his/their license or any right, title or interest therein to a person who has filed an affidavit stating that he has filed up-to-date income tax returns, paid income tax assessed on him and paid the income tax on the basis of self-assessment as provided in the Income Tax Act, 1961 (43 of 1961), on payment of a fee of five hundred rupees;

Provided that the State Government shall not give its sanction unless -

- (i) the licensee has furnished an affidavit along with his application for transfer of the prospecting licence specifying therein the amount that he has already taken or propose to take as consideration from the transferee;
- (ii) the transfer of the prospecting licence is to be made to person or body directly undertaking prospecting operations.

Preferential right of the licensee/licensees for obtaining mining Lease- (2) On or before the determination of the license, licensee/licensees shall have a preferential right for obtaining a mining lease in respect of whole or part of that land over any other person, provided that the State Government is satisfied that the licensee/licensees has/ have not committed any breach of the terms and conditions of the prospecting licence, [has undertaken prospecting operations to establish mineral resources in such land] and is otherwise a fit person for being granted the mining lease.

Refund of deposit- (3) On such date within six calendar months after the determination of this licence, the amount then remaining in deposit with the State Government and not required to be applied to any of the purposes in Part III of these presents mentioned, shall be refunded to the licensee/licensees or if the licensee/licensees shall have obtained a mining lease over the said lands or any portion thereof, be retained at the credit of the licensee/licensees on account of the fees, rents and royalties to become payable under such lease. The amount shall in no case carry any interest whatsoever.

PART-V

General Provisions

It is hereby further agreed as follows:-

Acquisition of land and compensation thereof -(1) If after the receipt of an offer of compensation for any damage which is likely to arise from the proposed operation of the licensee/licensees, the occupier of the surface of any part of the said lands shall refuse his consent to the exercise of the rights and powers reserved to the State Government and granted by this licence, the licensee/licensees shall report the matter to the State Government is satisfied that the amount of compensation is reasonable or if it is not so satisfied and the licensee/licensees shall have deposited with it such further amount as the State Government may consider reasonable the State Government shall order the occupier to allow the licensee/licensees to enter upon the said land and carry out such operations as may be necessary for the purpose of the licence, In assessing the amount of such compensation the State Government shall be guided by the principles of the Land Acquisition Act.

Delay in fulfilment of the terms of license due to force majeure- (2) Failure on the part of the licensee/licensees to fulfil any of the terms and conditions of this licence shall not give the State Government any

claim against him/them or he deemed a breach of the license in so far as such failure is considered by the State Government to arise from force majeure. If the fulfilment of the licensee/licensees of any or the terms and conditions of this licence be delayed from force majeure, the period of such delay shall be added to the period fixed by this licence.

The expression force majeure means act of God, war, insurrection, riot, civil commotion, strike, tide, tidal wave, storm, flood, lightning, explosion, fire, earthquake and any other happening which the licensee/licensees could not reasonably prevent or control.

Service of notices- (3) Every notice required to be given to the licensee/licensees shall be given in writing to such person as the licensee/licensees may appoint for the purpose of receiving such notice or if not such appointment is made then the notice shall be sent to the licensee/licensees by registered post addressed to him/them at the address shown in his/their application for the license or at such other address in India as he/they designate from time to time and every such service shall be deemed to be proper and valid service upon the licensee/licensees and shall not be questioned or challenged by him.

Discovery of new minerals - (4) The licensee shall report to the State Government the discovery of any mineral not specified in the licence within a period of sixty days from the date of such discovery and shall not undertake any prospecting operations in respect of such mineral unless such mineral is included in the license.

(5) The licence deed is executed at the concerned District Office (Name of the District) and subject to the provision of article 226 of the constitution of India it is hereby agreed upon by the licensee and the State Government that in the event of any dispute in relation to the area under prospecting licence, condition of the license deed and in respect of all matters touching the relationship of the licensee and the State Government, suits of petitions shall be filed in civil courts at (Name of the city) and it is hereby expressly agreed that neither party shall file a suit or appeal or bring any actions at any place other than the courts named above.

IN WITNESS WHEREOF these presents have been executed in the manner hereunder appearing the day and year first above written.

SCHEDULE-A

The land covered by the licence

(Here insert the description of lands with area, boundaries, names of District, Sub-Division, Thana, etc. and cadastral survey numbers, if any, In case a map is attached refer the map in the description to be inserted.)

SCHEDULE-B

Prospecting Fee

(Here specify the amount of prospecting fee and the manner and time of payment)

SCHEDULE-C

Royalty

1. Rates of royalty on minerals shall be in accordance with the highest bid obtained for the minerals.
2. (a) Here insert the mode of arriving at sale prices at pits mouth value of mineral/minerals.
(b) The manner and time of payment of royalty.

FORM MM-4
(Rule-20)
Register of Mining Lease

1. Serial No.....
2. Name of the Lessee.....
3. Residence with complete address of lessee.....
4. Date of application
5. (a) Number and date of order granting the lease
- (b) Date of execution of mining lease deed
6. Particulars of land-
 - (a) Tehsil.....
 - (b) Pargana.....
 - (c) Village.....
 - (d) Plot No.....
 - (e) Area.....
7. Total area for which lease granted
8. Mineral or minerals for which lease granted.....
9. Dead rent fixed-
 - (a) Mineral.....
 - (b) Dead rent per acre.....
 - (c) Total dead rent
10. Date of commencement of the lease
11. Period for which lease granted
12. Signature of Officer-in-charge
13. Date of change together with details of change that take place in name, nationality or other particulars of the holder of mining lease.....
14. Date of relinquishment or determination of lease.....
15. Signature of Officer-in-Charge.....
16. Remarks.....

FORM MM-5

(Rule-25)

Register of areas of declared for auction/tender/ tender-cum-auction lease

1. Serial No.....
2. No. of order declaring the area or areas
3. Date of declaration
4. Tehsil
5. Pargana
6. Village
7. Plot No.
9. Signature of Officer-in-charge
10. Withdrawal from leasing by auction/tender/tender-cum-auction
(a) Number of order.....
(b) Date of order
- (c) Signature of Officer-in-charge.....

प्रपत्र-एम.एम. 6

खनन के लिए नीलाम पट्टे का आदर्श प्रपत्र - (नियम 29)

यह अनुबन्ध आजदिनांक20.....को उत्तर प्रदेश के राज्यपाल (जिन्हें आगे "राज्य सरकार" कहा गया है, जिस पदावधि के अन्तर्गत यदि संदर्भ से ऐसा ग्राह्य हो, उत्तराधिकारी तथा अभिहस्तांकित भी समझे जायेंगे), एक पक्ष और

यदि पट्टेदार व्यक्ति विशेष हो:-.....(व्यक्ति का नाम, पता और व्यवसाय) जिसे आगे "पट्टेदार" कहा गया है, जिस पदावधि के अन्तर्गत, यदि संदर्भ से ऐसा ग्राह्य हो, उसके दायद, निष्पादक, प्रशासक तथा प्रतिनिधि भी समझे जायेंगे) दूसरा पक्ष

यदि पट्टेदार एक से अधिक हों :-.....(व्यक्ति का नाम पता और व्यवसाय) तथा
.....(व्यक्ति का नाम, पता और व्यवसाय) (जिन्हें आगे "पट्टेदार" कहा गया है, जिस पदावली के अन्तर्गत यदि संदर्भ से ऐसा ग्राह्य हो, उनके अपने-अपने दायद, निष्पादक, प्रशासक तथा प्रतिनिधि भी समझे जायेंगे)

यदि पट्टेदार निबद्ध फर्म हो:-.....(भागीदार का नाम और पता) आत्मज निवासी.....
.....आत्मज.....निवासी....., जो सभी इण्डियन पार्टनरशिप एक्ट, 1932 (एक्ट संख्या 9, 1932) के अधीन निबद्धित फर्म.....(फर्म का नाम) के नाम और रूप के अधीन भागीदारी में कारोबार कर रहे हैं और जिसका निबद्ध कार्यालय.....नगर में.....पर है, (जिन्हे आगे "लाइसेन्सधारी" कहा गया है), (जिस पदावली के अन्तर्गत, यदि संदर्भ से ऐसा ग्राह्य हो, उक्त समस्त भागीदार, उसके अपने-अपने दायद, निष्पादक तथा विधिक प्रतिनिधि भी समझे जायेंगे)

यदि पट्टेदार निबद्ध कम्पनी हो:-..... (कम्पनी का नाम) जो.....(एक्ट, जिसके अधीन निगमित है) के अधीन निबद्ध कम्पनी है और जिसका कार्यालयमें है

(पता) निबद्ध जिसको आगे "पट्टेदार" कहा गया है, जिस पदावधि के अन्तर्गत, यदि संदर्भ से ऐसा ग्राह्य हो, उत्तराधिकारी भी समझे जायेंगे) दूसरे पक्ष के बीच किया गया।

उत्तर प्रदेश उपखनिज (परिहार) नियमावली, 2021 (जिसे आगे "उक्त नियमावली" कहा गया है) के अनुसार किये गये नीलाम में पट्टेदार/पट्टेदारों को बोली का.....रु. राज्य सरकार द्वारा खनन पट्टे के लिए.....वर्ष/वर्षों के निमित्त एतदधीन लिखित अनुसूची के भाग-1 में वर्णित भूमि के सम्बन्ध में.....एकड़ों के लिए स्वीकार कर लिया गया है और उसने/उन्होंने प्रतिभूति स्वरूप.....रुपये की धनराशि राज्य सरकार के पास जमा कर दी है।

यह इसका साक्ष्य है कि इस उपस्थापन-पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उसमें दिए गये और पट्टेदार/पट्टेदारों की ओर से भुगतान किए जाने वाले, पालन तथा सम्पादन किए जाने वाले स्वामित्वों, प्रसंविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों को निम्नलिखित प्रदान और पट्टान्तरित करता है।

.....(यहां खनिज/खनिजों का उल्लेख किया जाये) जिन्हें आगे और अभिदिष्ट अनुसूची में "उक्त" "खनिज" कहा गया है), की समस्त खान, तल्प (beds) संदर सीम्स (veins seams) जो उक्त अनुसूची के भाग-1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, के साथ, जिसके सम्बन्ध में उन प्रतिबन्धों तथा शर्तों के अधीन रहते हुए प्रयोग या उपयोग किया जाएगा जो ऐसी स्वतंत्रताओं, अधिकारों तथा विशेषाधिकारों का प्रयोग तथा उपयोग करने के बारे में हों सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतंत्रताओं, अधिकार तथा विशेषाधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे। दिनांकसेवर्ष की आगामी अवधि के लिए पट्टेदार/पट्टेदारों की एतद्वारा दिये गये और पदान्तरित ऐसे भू-गृहादि धारण करना, जिनसे खनिज निकलने लगे और राज्य सरकार को उक्त अनुसूची के भाग-2 में उल्लिखित स्वामित्वों का भुगतान उसमें निर्दिष्ट भिन्न-भिन्न समयों पर होने लगे, किन्तु प्रतिबन्ध यह कि ऐसा उक्त भाग के उपबन्धों के अधीन हो और पट्टेदार एतद्वारा राज्य सरकार के साथ प्रसंविदा करता है/करते हैं, और राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों के साथ प्रसंविदा करती है, जैसा कि उक्त नियमावली में अभिव्यक्त है और एतद्वारा इसके साथ दिए गए पक्षों के बीच परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग-3 में अभिव्यक्त है।

(ऊपर अभिदिष्ट अनुसूची)

भाग-1

इस पट्टे का क्षेत्र

पट्टे का स्थान और क्षेत्र : वह समस्त भू-खण्ड, जो जिला.....की तहसील.....और थाना.....के अन्तर्गत परगना.....में स्थान.....पर (क्षेत्र तथा क्षेत्रों का विवरण) स्थित है और उसकी भू-कर सर्वेक्षण संख्यायें.....हैं तथा जिसमें.....क्षेत्रफल है, और जिसका चित्रण इसमें संलग्न नक्शे में किया गया और उसे रंजित (coloured) किया गया है और जिसकी सीमायें निम्नलिखित हैं :

उत्तर में

दक्षिण में

पूर्व में

तथा

पश्चिम में

और जिसे एतद्वारा "उक्त भू-खण्ड" कहा गया है।

भाग-2

इस पट्टे द्वारा संरक्षित स्वामित्व

स्वामित्व की धनराशि : (1) पट्टेदार, इस पट्टे की अवधि में राज्य सरकार को पट्टे पर दिए गये क्षेत्र में उसके/उनके द्वारा हटाये गये सभीके सम्बन्ध में निम्नलिखित स्वामित्व का भुगतान करेगा/करेंगे

किस्तों की संख्या	धनराशि	दिनांक, जब किस्त दिया जायेगा
1	2	3
1.		
2.		
3.		
4.		

स्वामित्व कटौती आदि से मुक्त होगा : (2) (इस भाग में उल्लिखित स्वामित्व की किस्तों का भुगतान बिना किसी कटौतियों के राज्य सरकार को.....पर सरकारी कोषागार में जमा करके किया जायेगा तथा चालान की एक प्रति जिला अधिकारी को भेजी जाएगी।

स्वामित्वों का समय पर भुगतान न किया जाये तो कार्यवाही की प्रक्रिया : (3) यदि इस उपस्थापन-पत्र (presentation) की शर्तों और प्रतिबन्धों के अधीन राज्य सरकार को देय स्वामित्व की किसी किस्त का भुगतान पट्टेदार/पट्टेदारों द्वारा नियत समय के भीतर न किया जाये तो उसे ऐसे अधिकारी के, जिसे राज्य सरकार सामान्य या विशिष्ट आज्ञा द्वारा निर्दिष्ट करे, प्रमाण-पत्र पर उसी रीति से वसूल की जा सकती है जैसे मालगुजारी का बकाया।

भाग-3

सामान्य उपबन्ध

नियमों प्रसंविदाओं और शर्तों को भंग करने पर पट्टा समाप्त किया जा सकता है (1) यदि पट्टेदार उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के किसी नियम या इस पट्टे की किसी प्रसंविदा तथा किसी शर्त को भंग करे तो राज्य सरकार पट्टा समाप्त कर सकती है और प्रतिभूति जमा की पूर्णतः या अंशतः जब्त कर सकती है, किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार/पट्टेदारों को उन्हें भंग करने का स्पष्टीकरण देने के लिए यथोचित अवसर दिया जाएगा।

पट्टेदार पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेगा/हटायेंगे:-(2) पट्टेदार इस उपस्थापन-पत्र के आधार पर देय स्वामित्व का पहले भुगतान और उन्मोचन कर चुकने पर उक्त अवधि की समाप्ति पर उसकी शीघ्रतर समाप्ति पर या तत्पश्चात् तीन कलेण्डर मास के भीतर (जब तक कि पट्टा इस भाग के खण्ड-1 के अधीन समाप्त न कर दिया जाए) और उस दशा में किसी समय ऐसी समाप्ति के कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में अपने लाभ के लिए ऐसे सभी या किसी मशीन, संयंत्र, भवन, संरचनायें और अन्य निर्माण कार्य और अस्थायी आवास स्थानों (conveniences) को उखाड़ सकता है/सकते हैं और हटा सकता है/सकते हैं, जो उक्त भूमि में या उस पर पट्टेदार/पट्टेदारों द्वारा रखे गये हों।

पट्टे की समाप्ति के पश्चात् तीन मास से अधिक समय से छोड़ी गयी सम्पत्ति की जब्ती:-(3) यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के प्रभावी होने के पश्चात् तीन कलेण्डर मास के अन्त में उक्त भूमि या उस पर कोई इंजन, मशीन, संयंत्र, भवन संरचनायें तथा अन्य निर्माण कार्य और अस्थायी आवास स्थान या अन्य सम्पत्ति रहे तो उनके सम्बन्ध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात् जिसमें जिला अधिकारी द्वारा पट्टेदार/पट्टेदारों से उन्हें हटाने की अपेक्षा की गयी हो एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न उठाये जायें, तो यह समझा जायेगा कि वे राज्य सरकार की सम्पत्ति हो गयी है और किसी प्रतिकर का भुगतान किये बिना या उसके सम्बन्ध में पट्टेदार/पट्टेदारों को कोई हिसाब दिए बिना उनकी बिक्री या निस्तारण ऐसी रीति से किया जा सकता है जो राज्य सरकार उचित समझें।

नोटिस :-(4) इस उपस्थापन-पत्र द्वारा पट्टेदार/पट्टेदारों को दिए जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप से दिया जायेगा, जिसे पट्टेदार ऐसे नोटिस प्राप्त करने के प्रयोजन के लिए नियुक्त करे/करें, और यदि इस प्रकार कोई नियुक्ति न की गयी हो तो ऐसा प्रत्येक नोटिस पट्टेदार/पट्टेदारों को रजिस्टर्ड डाक द्वारा इस पट्टे में उसके/उनके अभिलिखित पते पर या भारत में ऐसे पते पर भेजा जायेगा जिसे पट्टेदार समय-समय पर लिखित रूप में राज्य सरकार को नोटिसों की प्राप्ति करने के लिए दे/दें और प्रत्येक ऐसी तामील पट्टेदार/पट्टेदारों पर उचित तथा वैध तामील समझी जायेगी और उसके सम्बन्ध में उसके/उनके द्वारा न तो आपत्ति की जायेगी और न उसे उपाहृत (challenged) किया जायेगा।

स्टाम्प शुल्क:-(5) स्टाम्प शुल्क के प्रयोजन के लिए पट्टान्तरित भूमि से प्रत्याशित स्वामित्व प्रति वर्षरु. है।

इनके साक्ष्य के रूप में यह उपस्थापन-पत्र एतद्धीन आयी हुयी रीति से ऊपर उल्लिखित दिनांक और वर्ष को निष्पादित किया गया है।

उत्तर प्रदेश के राज्यपाल के लिए और उनकी ओर से

- | | |
|----|----|
| 1. | 1. |
| 2. | 2. |
| 3. | |

की उपस्थिति में.....द्वारा हस्ताक्षरित की उपस्थिति में पट्टेदार द्वारा हस्ताक्षरित।

FORM MM-7

(Rule-30)

Register of Auction/Tender/Auction-Cum-Tender Lease

1. Serial No.....
2. Particulars of land-
 - (a) Tehsil.....
 - (b) Pargana.....
 - (c) Village.....
 - (d) Plot No.....
 - (e) Area.....
3. Total area of lease
4. Name of mineral or minerals
5. Name of lessee
6. Full address of lessee
7. Date of commencement of lease
8. Date of expiry of lease
9. Total amount of royalty.....
10. Signature of Officer-in-Charge
11. Remarks

प्रपत्र-एम.एम. 8

खनन अनुज्ञा-पत्र के लिए प्रार्थना-पत्र (नियम-51)

(तीन प्रतियों में देना है)

स्थान.....दिनांक.....20.....समय.....बजे.....

दिनांक.....को प्राप्त हुआ

पाने वाले अधिकारी के हस्ताक्षर

सेवा में,

.....
.....
.....

महोदय,

मैं/हम निवेदन करता हूँ/करते हैं कि मुझे/हमें उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के अधीन खनन अनुज्ञा-पत्र दिया जाये।

(2) इस प्रार्थना पत्र के सम्बन्ध में देय शुल्क.....रु. जमा कर दिया गया है।

(3) अपेक्षित विवरण नीचे दिये गये हैं :-

- (1) प्रार्थी का नाम और पूरा पता.....
- (2) क्या प्रार्थी अशासकीय व्यक्ति/निजी कम्पनी/सार्वजनिक कम्पनी/फर्म या संघ है.....
- (3) यदि प्रार्थी
 - (क) व्यक्ति विशेष है तो उसकी राष्ट्रीयता
 - (ख) निजी कम्पनी है, तो कम्पनी के सभी सदस्यों की राष्ट्रीयता और उसके निबंधन का स्थान
 - (ग) सार्वजनिक कम्पनी है तो निदेशकों की राष्ट्रीयता, भारतीय राष्ट्रियों द्वारा धृत अंश पूंजी का प्रतिशत तथा उसके निगमन का स्थान
 - (घ) फर्म या संघ है तो फर्म के सभी भागीदारों या संघ के सभी सदस्यों की राष्ट्रीयता
- (4) प्रार्थी का व्यवसाय या उसके कारोबार का प्रकार
- (5) खनिज, जिसे/जिन्हें प्रार्थी खनन करना चाहता हो :
 - (क) खनिज का नाम
 - (ख) जितना खनन किया जाना हो उसकी कुल मात्रा
- (6) अवधि जिसके लिए खनन अनुज्ञा-पत्र अपेक्षित है
- (7) उस क्षेत्र का ब्यौरा, जिसके सम्बन्ध में अनुज्ञा-पत्र अपेक्षित है :

जिला	तहसील	ग्राम	खसरा संख्या	क्षेत्रफल	क्या रिक्त है या किसी द्वारा धृत है और यदि धृत है तो उसके ब्यौरे
					ग्राम-क्षेत्रों की दशा में ग्राम का नाम और यदि ग्राम के केवल एक भाग के लिए प्रार्थना-पत्र दिया गया हो तो खसरा (ग्राम) संख्या

*प्रत्येक ऐसे खेत या उसके भाग का, जिसके लिए प्रार्थना पत्र दिया गया हो हेक्टेयर में क्षेत्रफल

- (8) वन क्षेत्रों की दशा, में कार्यवृत्ति (वर्किंग सर्किल) का नाम, वनराजि (range) और पातन श्रेणियों (felling series) यदि कोई हों, वन में ज्ञात और सीमांकित क्षेत्रों के सम्बन्ध में क्षेत्र का विवरण तथा एकड़ों में विस्तार (लगभग)।
- (9) भू-कर सर्वेक्षण के अन्तर्गत आने वाले क्षेत्र की दशा में, धरातल मानचित्र में निश्चित स्थानों के हवाले से क्षेत्र के प्रारम्भिक स्थल का विवरण और सीमा-रेखा की रेखीय दूरियाँ और उसके धरातल मानचित्र में दिए गये क्षेत्र के तदनुरूप यथासम्भव ठीक-ठीक दिक्स्थिति (4" =1 मील पैमाना)।
- (10) रीति जिसके अनुसार संग्रह किये गये खनिज का उपयोग किया जाएगा।

(11) प्रार्थी के वित्तीय संसाधन।

(12) ऊपर 2 पर उल्लिखित धनराशि के लिए संलग्न रसीद वाले कोषागार चालान आदि के विवरण।

(13) कोई अन्य विवरण या रेखा मानचित्र जो प्रार्थी द्वारा प्रस्तुत करना चाहें।

मैं/हम एतद्वारा घोषणा करता हूँ/करते हैं कि ऊपर दिए गये विवरण ठीक हैं और मैं/हम कोई अन्य ब्यौरे देने को तैयार हूँ/हैं, जो आपके द्वारा अपेक्षित हैं।

स्थान.....

दिनांक.....

भवदीय

प्रार्थी के हस्ताक्षर

अवधेय :- यदि प्रार्थना-पत्र पर प्रार्थी के प्राधिकृत अभिकर्ता द्वारा हस्ताक्षर किये जायें तो अभिकरण पत्र (power of attorney) संलग्न किया जाना चाहिये।

प्रपत्र-एम.एम. 9

खनन अनुज्ञा-पत्रों के लिए प्रार्थना पत्र का रजिस्टर- (नियम-57)

1. क्रम संख्या
2. खनन-अनुज्ञा पत्र के लिए प्रार्थना-पत्र का दिनांक
3. खनिज का नाम
4. जिस क्षेत्र के लिए प्रार्थना-पत्र दिया गया हो
 - (क) तहसील
 - (ख) परगना
 - (ग) ग्राम
 - (घ) प्लॉट संख्या
 - (ङ) क्षेत्रफल
5. प्रभारी अधिकारी के हस्ताक्षर
6. अनुज्ञा-पत्र न देने की आज्ञा का दिनांक और प्रभारी अधिकारी के हस्ताक्षर
7. यदि अनुज्ञा-पत्र दिया जाये तो उसके ब्यौरे
 - (क) दिया गया कुल क्षेत्र
 - (ख) अनुज्ञाप्त खनिज की कुल मात्रा
 - (ग) अवधि जिसके लिए दिया गया हो
 - (घ) कुल स्वामित्व की धनराशि
 - (ङ) चालान संख्या सहित स्वामित्व जमा करने का दिनांक
 - (च) अनुज्ञा-पत्र जारी करने का दिनांक
 - (छ) अनुज्ञा-पत्र की समाप्ति का दिनांक
 - (ज) प्रभारी अधिकारी के हस्ताक्षर

प्रपत्र-एम.एम.10

खनन अनुज्ञा पत्र का आदर्श प्रपत्र (नियम 56)

श्री/सर्वश्री.....को उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के नियम 52 के अधीन ग्राममें.....(खनिज) का खनन करने के अनुज्ञा-पत्र देने के निमित्त प्रार्थना-पत्र दिया है और 2000(दो हजार रुपये) रुपये का प्रार्थना-पत्र शुल्क तथारुपये प्रतिटन/घन फुट की दर से स्वामित्व का भी.....रुपया अग्रिम भुगतान कर दिया है। एतद्वारा नीचे उल्लिखित भूमि से.....टन/घन फुट खनिज को, आज से.....मास की अवधि के भीतर, निम्नलिखित शर्तों के अधीन रहते हुए हटाने की अनुज्ञा दी जाती है।

भूमि के ब्यौरे

तहसील	परगना	ग्राम	गाटा (प्लॉट) संख्या	एकड़ों में क्षेत्रफल
1	2	3	4	5

स्थान:
दिनांक :
शर्तें :-

अनुज्ञा-पत्र देने वाले अधिकारी
के हस्ताक्षर और उसका पदनाम।

1. अनुज्ञा-पत्र धारक, राज्य सरकार को किसी तीसरे पक्ष के दावे की क्षतिपूर्ति करता रहेगा और इस प्रकार के दावे को उसके उत्पन्न होते ही स्वयं निश्चित करेगा।
2. अनुज्ञा-पत्र धारक ऐसी रीति से खनिज निकालेगा जिससे कोई सड़क, सार्वजनिक मार्ग, भवन, भू-गृहादि, सार्वजनिक भू-स्थल या सार्वजनिक सम्पत्ति पर कोई बाधा न पड़े, या उसे क्षति न पहुंचे।
3. अनुज्ञा-पत्र धारक संग्रह किये गये सभी खनिजों का लेखा रखेगा और एतदर्थ प्रतिनियुक्ति प्राधिकारी को ऐसे लेखों का निरीक्षण करने की अनुमति देगा।

दिनांक :

अनुज्ञा-पत्र देने वाले अधिकारी
के हस्ताक्षर और उसका पदनाम।

Form -MM-11/EMM-11
Pass-Form-Rule 72(1)
(In Triplicate)

Date.....Time.....

1. Name of lease or permit holder
2. location of mines
3. Name of mineral
4. Quantity of mineral and pit mouth value
5. Destination
6. Particulars of means of transport (if motor vehicle, mention registration number)
7. Full name and address of the person in-charge of consignment
8. Full signature of the person in-charge of consignment
9. Full signature of the person issuing the pass

Note-(1) Counter foil be retained at the mine

(2) Two counter foil will be given to the person in-charge of consignment, one of which will be removed by the Government servant checking the pass

प्रपत्र एम0एम0 12
त्रैमासिक विवरणी
(नियम 75)

सेवा में,

जिला अधिकारी.....

.....से.....माह/वर्ष की विवरणी :-

1. पट्टेदार/पट्टेदारों का/के नाम/पते.....
2. पट्टे का विवरण.....खनिज का नाम.....
3. पट्टे की अवधि क्षेत्रफल.....एकड़ों में, ग्राम.....तहसील.....
.....जिला.....
4. नियोजित श्रमिकों की संख्या.....कुशल.....अकुशल.....

महीनों का नाम	खनिज का नाम	महीना/त्रैमास में उत्पादन	महीना/त्रैमास में भेजा गया परिमाण	स्टाक में अवशेष
1	2	3	4	5

स्वामित्व और देय स्वामित्व की नियत दर	त्रैमास में भुगतान किया गया स्वामित्व	स्वामित्व का अवशेष यदि कोई हो	अभ्युक्ति
6	7	8	9

5. त्रैमास में अधिकतम विक्रय मूल्य रु0 प्रति घन मी0, न्यूनतम विक्रय मूल्य रु0
..... प्रति घन मी0 औसत विक्रय मूल्य रु0 प्रति घन मी0।

6. इमारती पत्थर (स्टोन) की खान की दशा में, खनन योजना के अनुसार कार्य करने की रीति का संक्षिप्त उल्लेख किया जाना चाहिये और कार्य-प्रणाली की एक अद्यतन प्रति संलग्न की जानी चाहिए।

स्थान.....

पट्टेदार/पट्टेदारों या उसके/उनके अभिकर्ता

दिनांक.....

के हस्ताक्षर और मुहर

प्रतिलिपि :-

1. निदेशक, भूतत्व एवं खनिकर्म, उत्तर प्रदेश, खनिज भवन, लखनऊ।
2. भूतत्व एवं खनिकर्म निदेशालय, उत्तर प्रदेश के क्षेत्रीय प्रभारी अधिकारी को सूचनार्थ प्रेषित।

प्रपत्र-एम.एम. 13

अपील या पुनरीक्षण के लिए प्रार्थना-पत्र का आदर्श प्रपत्र (नियम 79,80 और 81 देखिये)

1. आवेदन करने वाले व्यक्ति/व्यक्ति विशेष/फर्म या कम्पनी का नाम, पता :
2. व्यक्ति/व्यक्ति विशेष/फर्म या कम्पनी का व्यवसाय :
3. अधिकारी के आदेश की संख्या और दिनांक, जिसके विरुद्ध:
अपील/पुनरीक्षण दायर किया जाय, (प्रतिलिपि संलग्न की जाय) :
4. खनिज/खनिजों का नाम, जिसके/जिनके लिए अपील/पुनरीक्षण दायर किया जाय :
5. क्षेत्र का विवरण जिसके लिए अपील/पुनरीक्षण आवेदन पत्र दायर किया जा रहा है :

जिला 1	तहसील 2	ग्राम 3	खसरा संख्या 4	दावाकृत क्षेत्र का योग 5

(क्षेत्र/क्षेत्रों का, मानचित्र संलग्न किया जायेगा)

6. क्या उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 2021 के नियम 79 के उपनियम (4) में विहित रीति में से 2500.00 रुपये का प्रार्थना पत्र शुल्क जमा किया गया है?
7. क्या अधिकारी द्वारा दिये गये आदेश को संसूचित किये जाने के दिनांक के 60 दिन या 90 दिन के भीतर प्रार्थना पत्र दिया गया है।
8. पक्ष/पक्षकारों के, जो बनाये गये हों, यदि कोई हों, का/के नाम और पूरा पता.....
9. याचिका, की प्रतियों की संख्या जो संलग्न की गयी हों (प्रत्येक बनाये गये पक्षकार/पक्षकारों के लिए अतिरिक्त संख्या में प्रतियों को संलग्न किया जाना चाहिए) :-
10. अपील/पुनरीक्षण के आधार :-
(क) संक्षिप्त तथ्य,
(ख) आधार,
(ग) प्रार्थना,
11. यदि अपील/पुनरीक्षण का प्रार्थना पत्र अभिकरण पत्र धारक (The holder of power of Attorney) द्वारा दिया गया है तो अभिकरण पत्र संलग्न किया जायेगा।

स्थान.....

भवदीय

दिनांक.....

प्रार्थी के हस्ताक्षर

यदि कोई पक्षकार नहीं बनाया गया है, तो प्रार्थना पत्र तीन प्रतियों में दिया जायेगा।

यदि इनके अतिरिक्त कोई हो, तो बनाये गये प्रत्येक पक्षकार के लिए एक अतिरिक्त प्रति संलग्न की जाएगी।

प्रपत्र एम.एम.- 14

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी
 ...सुपुत्र/पत्नी/सुपुत्री, श्री..... आयु लगभग.....वर्ष, निवासी ग्राम.....
तहसील.....पुलिस थानाजिला.....
अपनी जीविका के लिए पारम्परिक रूप से बालू/मौरम/बजरी/बोल्डर के उत्खनन कार्य में संलग्न है और सरकार द्वारा समय-समय पर यथा अधिसूचित.....जाति के व्यक्ति हैं।

जारीकर्ता अधिकारी के हस्ताक्षर
 (जिलाधिकारी/अपरजिलाधिकारी/उप जिलाधिकारी/तहसीलदार)

MM-15
Application for Prospecting Licence
[rule -85]
(To be submitted in quadruplicate)

GOVERNMENT OF UTTAR PRADESH

Received at _____ (Place) on _____ (date)
Initial of Receiving Officer _____ Dated the _____ day of _____ 20____
To, _____
Sir,

I/We request that a prospecting licence under the Uttar Pradesh Minor Mineral Concession, Rules, 2021 be granted to me /us.

2. A sum of Rs 10,000.00 being the fee in respect of this application (vide receipt Challan No.dated.....of the State Bank of India/Treasury.....)

3. The required particulars are given below :

(i) Name of the applicant with complete address.

(ii) Is the applicant a private individual / private company / public company / firm or association ?

(iii) In case applicant is ;

(a) an individual , his nationality

(b) a company, an attested copy of all the certificate of registration of the company shall be enclosed .

(c) firm or association , the nationality of all the partners of the firm or member association

(iv) Profession or nature of business of applicant.

(v) No. and date of the valid clearance certificate of payment of mining dues (copy enclosed).

(vi) If on the date of application the applicant does not hold a prospecting licence , it should be stated whether an affidavit to this effect has been furnished to the satisfaction of the State Government .

(vii) Mineral or minerals which the applicant tends to prospect .

(viii) Period for which the prospecting licence is required.

(ix) Extent of the area the applicant wants to prospect

District	Tchsil	Village	Khasra No..	Coordinates	Area in acre
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(x) (a) Does the applicant have surface rights over the area for which **he requires a** prospecting licence ?

(b) If not, has he obtained the consent of the owner, and the occupier **of the land for** undertaking prospecting operations. If so, the consent of the owner and the occupier obtained **in** writing be filled .

(xi) Brief description of the area with Particular reference to the following :

- (a) the situation of the area in respect to natural features such as streams etc.
- (b) in the case of village areas, the name of, the village is applied for , the khasra number, the area in hectares of each field or part thereof applied for .
- (c) In the case of forest area , the name of the working circle, the range and the land details.

(xii) The areas applied for should be marked on maps as detailed below :

(a). In case a cadastral map of the area is available, the area on this map should be marked showing the name of the village, khasra number and area in hectares of each field and part thereof.

(b) In the case of forest maps, the area should be marked on the map showing the range and felling series .

(xiii) An affidavit that the up-to-date income tax returns, as prescribed under the Income Tax Act , 1961, have been filed, and tax due, including the tax on account of self assessment has been paid.

(xiv)(a) Particulars of the areas Mineral — wise within the jurisdiction of the State Government for which the applicant or any person joined in interest with him already holds underprospecting licence.

(b) Has already applied for but not granted.

(c) being applied for simultaneously.

(xv) Nature of joint in interest , if any .

(xvi) If the applicant intends to supervise the works , his previous experience of prospecting and mining should be explained; if he intends to appoint manager, the name of such manager his qualifications, nature and extent of his previous experience should be specified and his consent letter should be attached.

(xvii) Financial resources of the applicant and the solvency certificate .

(xviii) Any other particulars or sketch map which the applicant wishes to furnish.

I/We do hereby declare' that the particulars furnished above are correct and am/are ready to furnish any other detail , including accurate plans as may be required by you.

Place

Date

Yours faithfully

(Signature and designation of the applicant)

MM 16
Application for Mining Lease
{rule -86(1)}
(To be submitted in quadruplicate)

GOVERNMENT OF UTTAR PRADESH

Received at _____ (Place) on _____ (date)
Initial of Receiving Officer _____ Dated the _____ day of _____ 20____
To,
Through:
Sir, .

I/We request that a mining lease under the Uttar Pradesh' Minor Mineral Concession Rules, 2021 may be granted to me/us

A sum of Rs. 25000 being the fees in respect of this application payable under sub-rule (1) of rule 86 of the said rule have been deposited (vide receipt Challan No .. dated.....of the State Bank of India/Treasury.....)

3. The required particulars are given below:—

(i) Name of the applicant with complete address Status of the applicant

(ii) Is the applicant a private individual/co-operative/firm/association/private company/public company/public sector undertaking/joint sector undertaking or any other.

(iii) In case the applicant is, -

- (a) An individual, his nationality, qualifications and experience relating to mining.
- (b) a company, an attested copy of the certificate of registration of the company shall be enclosed.
- (c) Firm or Association, the nationality of all the partners of the firm or members of the association, and
- (d) a co-operative the nationality of non-Indian members, if any alongwith place of registration and a copy of the certificate of registration

(iv) Profession or nature of business of applicant.

(v) Particulars of documents appended:

(a) Mining dues clearance certificate OR

' (b) Affidavit in lieu of Mining Dues Clearance Certificate; subject to the production of mining lease dues, clearance certificate within the period of ninety days of making application OR

- (c) Affidavit when not holding any mining lease,
- (d) Affidavit that up-to-date Income Tax Returns as prescribed under the Income Tax Act, 1961 and that the tax due including the tax on account of self-assessment has been paid

(vi) Mineral or minerals which the applicant intends to mine.

(vii) Period for which mining lease is required.

(viii) Extent of the area for which mining lease is required.

(ix) Details of the area in respect of which mining lease is required.

District, Tehsil, Village, Khasra No., Coordinates, Area, Ownership/Occupancy

(x) Brief description of the area with particular reference to the following:—

(a) Does the applicant have surface rights over the area for which he is making an application for grant of a mining lease.

(b) If not, has he obtained the consent of the owner, and the occupier of the land for undertaking mining operation. If so, the consent of the owner and occupier of the land be obtained in writing and be filed.

(xi) (a) The situation of the area in respect of natural features such as streams or lakes.

(b) In the case of village areas, the name of the village, the Khasra number, the area in hectares of each field or part thereof applied for.

(c) In case the area applied for is under forest, then the following particulars be given

(1) Forest division, Block and Range.

(2) Legal status of the forest (namely reserved, protected, unclassified *etc.*).

(3) Whether it forms part of a National Park or Wild-life Sanctuary.

(4) Type and extent of vegetation in the area.

(xii) The area applied for should be marked on plan as detailed below:—

(a) In case a cadastral Map of the area is available, the area on this map should be marked showing the name of the village, Khasra number and area in hectares of each field and part thereof.

(b) In the case of forest maps the area should be marked on the map showing the range and land details.

(xiii) Particulars of the area mineral-wise in each State. duly supported by an affidavit for which the applicant or any person joint in interest with him—

(a) already holds under mining lease; ,

(b) has already applied for but not granted;

(c) being applied for simultaneously.

(xiv) Nature of joint in interest, if any.

(xv) (a) Does the applicant hold a prospecting licence over the area mentioned at (ix) above? If so, give its number and date of grant and the date when it is due to expire.

(b) Has the applicant carried out the prospecting operations over the area held under prospecting licence and submitted his report to the State Government, If yes reference of the report submitted.

(xvi) Broad parameters of the mineral/ore body/bodies found in prospecting licence.

(a) Strike length, average width and dip.

(b) Wall rocks on hanging and foot wall sides.

- (c) Whether area is considerably disturbed geologically or is comparatively free of geological disturbance? (copy of geological map of the area is to be attached.)
 - (d) Reserves assessed with their grade(s)(chemical analysis reports of representative samples are to be attached).
 - (e) Whether the area is virgin? If not, the extent to which it has already been worked, in case there are old workings, their locations are to be shown on the geological map of the area.
- (xvii) Broad parameters of the mine—
- (a) Proposed date of commencement of the mining operations.
 - (b) Proposed rate of mineral production during the first 5 years (year-wise).
 - (c) Proposed rate of production when mine is fully developed.
 - (d) Anticipated life of the mine.
 - (e) Proposed method of mining.
 - (f) Nature of the land chosen for dumping over burden/waste and tailings (that is type of land whether agricultural, grazing land, barren, saline land *etc.*) and whether proposed site has been shown on the mine working plan. Give also the extent of area in hectares set apart for dumping of waste and tailings.
- (xviii) A report giving the details of prospecting carried out in the area together assessment of the ore reserves, geological plans, results of chemical analysis of the representative samples, and boreholes and logs.
- (xix) Manner in which the mineral raised is to be utilised.
- (a) (i) If for captive use, the location of plant and industry.
 - (ii) For sale for indigenous consumption.
 - (b) If for exports to foreign countries indicate,
 - (i) Name of the countries to which it is likely to be exported where the mine is being set up on 100% export oriented or tied-up basis.
 - (ii) Whether mineral will be exported in raw form or after processing. Also indicate the stage of processing, whether intermediate stage or final stage of the end-product.
 - (c) If it is to be used within the country, indicate
 - (i) The industry/industries in which it would be used.
 - (ii) Whether it will be supplied in raw form or after processing (crushing/ grinding/ beneficiation/ calcining).
 - (iii) Whether it would need upgradation and if so, whether it is proposed to set up beneficiation plant. Also indicate the capacity of such plant and the time by which it would be set up.
 - (d) In case of high bulk minerals/ores details of existing railway transport facility available and additional transport facility, if any, required.
- (xx) Name, qualification and experience of the Technical Personnel available for supervising the mines.
- (xxi) (i) Financial resources of the applicant including solvency certificate.

(ii) Anticipated yearly financial investment during the course of mine construction and aggregate investment up to the stage of commencement commercial production.

(xxii) (a) Nature of waste water, (e.g. whether acidic), If so, expected pH value.

(b) The application form should be accompanied by a statement of the salient features of the scheme of mining. This should be generally on the lines of the "Project at a Glance" given in a mining feasibility report including features relating to the protection of environment.

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details including accurate plans and security deposit, as may be required by you.

Place

Date

Yours faithfully,

Signature of the applicant

MM-17
REGISTER OF APPLICATIONS FOR MINING LEASES
[rule 104(a)]

1. Serial No.
2. Date of application for mining lease.
3. Date on which application was received by the Receiving Officer.
4. Name of the applicant with full address.
5. Situation and boundaries of the land applied for.
6. Estimated area of the land.
7. Particulars of minerals which the applicant desires to mine.
8. Particulars of the prospecting licence if the area applied for is covered by it.
9. Application fee deposited.
10. Final disposal of the application together with number and date of the order.
11. Remarks.
12. Signature of the officer.

MM-18
REGISTER OF MINING LEASES
[rule 102(b)]

1. Serial No.
2. Name of the lessee
3. Residence with complete address of lessee
4. Date of application.
5. Date on which application was received by Receiving Officer
6. (a) Number and date of grant of lease.
(b) Date of execution of mining lease.
7. Situation and boundaries of the land.
8. Total area for which lease has been granted.
9. Mineral or minerals for which lease originally granted.
10. Mineral or minerals added to the mining lease with date.

11. Period for which lease granted.
12. Date of change together with details of change that take place in name, nationality or other particulars of the holder of mining lease.
13. Date of assignment/transfer of the lease, if any, and the name and address of the assignee/transferee.
14. Date of expiry or relinquishment or cancellation.
15. Date from which the area is available for regrant
16. Remarks
17. Signature of the officer.

MM-19
REGISTER OF APPLICATIONS FOR PROSPECTING LICENCES
[See rule 104(c)]

1. Serial No
2. Date of application of P.L.
3. Date on which application was received by the Receiving Officer
4. Name of the applicant with full address
5. Situation and boundaries of the land applied for
6. Estimated area of the land
7. Particulars of the minerals which the applicant desired to prospect
8. Application fee paid
9. Remarks
10. Final disposal of the application together with number and date of the order
11. Signature of the Office

MM-20
REGISTER OF PROSPECTING LICENCES
[rule 104(d)]

1. Serial-number
2. Name of the licensee
3. Residence with complete address of the licensee
4. Date of application
5. Date on which application was received by the Receiving Officer
6. Situation and boundaries of the land
7. Details of the area and the minerals
8. Total area for which licence granted
9. (a) Number and date of grant of the licence
(b) Date of execution of prospecting licence agreement
10. The mineral or minerals for which prospecting licence has been granted
11. Period for which licence granted
12. Application fee paid
13. Prospecting fee and royalty, if payable
14. Amount of security deposit
15. Particulars of disposal or refund of security deposit
16. Date of application for mining lease (if any)
17. Date of assignment or transfer of licence, if any, and the name and address, of the assignee/transferee
18. Date of expiry or relinquishment or cancellation of licence or grant of mining lease
19. Date from which the area is available for regrant
20. Remarks
21. Signature of the Officer

FOURTH SCHEDULE

For mineral deposits other than river bed mineral, such as sand, morrum, bajri, boulder Schedule for E-tender/E-Auction amount deposited

{Rule-27(3)}

Period during which lease is Granted		Percentage of E-tender-E-Auction amount deposited	किस्ते											
1	2	3	4											
January	First year	12%	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	
	Subsequent years	12% 1 January	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	
February	First year	12%	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	
	Subsequent years	12% 1 February	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	
March	First year	12%	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	
	Subsequent years	12% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	
April	First year	12%	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	
	Subsequent years	12% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	
May	First year	12%	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	
	Subsequent years	12% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	
June	First year	12%	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	
	Subsequent years	12% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	
July	First year	12%	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	
	Subsequent years	12% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	
August	First year	12%	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	
	Subsequent years	12% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	
September	First year	12%	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	
	Subsequent years	12% 1 Sept	8% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	
October	First year	12%	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	
	Subsequent years	12% 1 Oct	8% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	
November	First year	12%	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	
	Subsequent years	12% 1 Nov	8% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	
December	First year	12%	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	
	Subsequent years	12% 1 Dec	8% 1 Jan	8% 1 Feb	8% 1 March	8% 1 April	8% 1 May	8% 1 June	8% 1 July	8% 1 August	8% 1 Sept	8% 1 Oct	8% 1 Nov	

FIFTH SCHEDULE

{Rule -27(3)}

For mineral deposits found in river bed, such as sand, morrum, bajri, boulder Schedule
for E-tender/E-Auction amount to be deposited

Period during which lease is Granted		Percentage of E- tender/ E-Auction amount deposited	Installments							
1	2	3	4							
January	First year	20%	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December
	subsequent years	20% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December
February	First year	20%	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January
	subsequent years	20% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January
March	First year	20%	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February
	subsequent years	20% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February
April	First year	20%	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March
	subsequent years	20% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March
May	First year	20%	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April
	subsequent years	20% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April
June	First year	20%	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May
	subsequent years	20% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May
July	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
	subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
Aug	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
	subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
September	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June

	subsequent years	20% 1 अक्टूबर 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
October	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
	subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June
November	First year	20%	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October
	subsequent years	20% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October
December	First year	20%	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November
	subsequent years	20% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November

By Order,

(Dr. Roshan Jacob)
Sachiv.