



International Environmental
Law Research Centre

Karnataka Minor Mineral Concession Rules, 1994

This document is available at ielrc.org/content/e9423.pdf

Note: This document is put online by the International Environmental Law Research Centre (IELRC) for information purposes. This document is not an official version of the text and as such is only provided as a source of information for interested readers. IELRC makes no claim as to the accuracy of the text reproduced which should under no circumstances be deemed to constitute the official version of the document.

GOVERNMENT OF KARNATAKA

KARNATAKA MINOR MINERAL CONCESSION RULES 1994

**KARNATAKA MINOR
MINERAL CONCESSION
RULES 1994**

Amendments Upto Date 07.10.2003

Amendments Upto the Date of 07.10.2003

**Department of Mines and Geology
Bangalore**

#CHAPTER

GOVERNMENT OF KARNATAKA
KARNATAKA MINOR MINERAL CONCESSION RULES 1994

CONTENTS
CHAPTER - I

PRELIMINARY

1. Title and commencement
2. Definition
 - (a) [Act](#)
 - (b) Competent Authority
 - (c) Controlling Authority
 - (d) Director
 - (e) Form
 - (f) Non-specified minor mineral
 - (g) Ordinary building stone
 - (h) Permit
 - (i) Quarry
 - (j) Quarrying Lease
 - (k) Quarrying License
 - (l) Schedule
 - (m) Specified minor mineral

CHAPTER II
GENERAL

3. Quarrying to be under quarrying lease or quarrying licence
4. Competent Authority.
5. Controlling Authority.
6. General Conditions of Quarrying Lease and Licence.
7. Power of the Competent Authority to specify additional conditions.
8. Restriction on grant or renewal of quarrying Lease or Licence.

CHAPTER III
GRANT OF QUARRYING LEASE FOR SPECIFIED MINOR
MINERALS

9. Application for grant or renewal of a quarrying lease.
10. Exemption of security deposit.
11. Grant or renewal of quarrying lease
12. Priorities
13. Register of application and quarrying lease.
14. Disposal of applications for grant or renewal of lease
15. Maximum area of quarrying lease to be granted
16. Periods for which quarrying lease may be granted or renewed
17. Survey and demarcation of the area granted.
18. Execution of quarrying lease
19. Surrender of lease.
20. Rights of the lessee.

CHAPTER IV
GRANT OF QUARRY LEASES FOR NON SPECIFIED MINOR MINERALS

- 21.
22. Applications for grant or renewal of a quarrying lease in respect of non- specified minor minerals.
23. Scrutiny of applications, inspection of applied area and disposal of applications.
23. Priority.
24. Register of Applications and quarrying leases.
25. Maximum area of Quarrying lease to be granted
26. Period of Quarrying Lease.
27. Notification of grant of lease.
28. Intimation of refusals.
29. Survey and demarcation of the area granted.
30. Execution of lease deed
31. Conditions of Quarrying lease.

CHAPTER - IVA
GRANT OF QUARRYING LEASE BY TENDER-CUM-AUCTION

- 31A : Notification for grant of Quarrying Lease
- 31B. Manner of submission of tender
- 31C. Joint Tender :
- 31D. Disqualification :
- 31E. Withdrawal of Tender-cum-Auction
- 31G. Undertaking to be given with tender or bid
- 31H. Payment to be made :
- 31I. Rejection of Tender or Bids :
- 31J. Confirmation :
- 31K. Execution of Quarrying Lease :
- 31L. Register of Notification and Quarrying Lease :
- 31M. Period of Quarrying Lease :
- 31N. Renewal of lease :
- 31O. Surrender of lease
- 31P. Transfer of Lease :
- 31Q. Application of Certain Rules for lease granted or renewed under

CHAPTER V
LICENCE FOR QUARRYING MINOR MINERALS IN PRIVATE OR PATTA LANDS

32. Quarrying licence.
33. Quarrying by Pattadars in Ex-Madras State territory.
34. Grant or renewal of a quarrying lease in private lands other than those referred in Rules 33 & 34.
35. Quarrying non-specified minor minerals in private land for bonafide domestic use.

CHAPTER VI
ROYALTY, DEAD RENT, SECURITY DEPOSIT, INTEREST AND
MINERAL DESPATCH PERMIT.

- 36. Payment of Royalty and dead rent in advance
- 37. Head of Account to which royalty etc., to be credited
- 38. Refund of security deposit
- 39. Recovery of amount due to the Government
- 40. Issue of annual audit reports
- 41. Payment of interest
- 42. Transport of Minor Minerals.

CHAPTER VII
CONTROLLING OF UNAUTHORISED TRANSPORTATION OF
MINOR MINERALS, CHECKING OF MINERALS IN TRANSIT AND
UNAUTHORISED QUARRYING OFFENSES

- 43. Check posts and checking of minerals in transit
- 44. Offences
- 45. Termination of lease or licence held by an offender
- 46. Power of entry, inspection etc.,

CHAPTER -VIII
DISPOSAL OF SEIZED OR CONFISCATED MINOR MINERALS AND
MINOR MINERALS LEFT AFTER THE EXPIRY OR TERMINATION
OF LEASE THROUGH AUCTION SALE.

- 47. Procedure for disposing of seized minor minerals
- 48. Sale to be notified
- 49. Disqualification to bid
- 50. Earnest money
- 51. Conduct and confirmation of sale
- 52. Penalty for non-removal of auctioned minor mineral

CHAPTER IX
REVISION AND MISCELLANEOUS

- 53. Revision
- 54. Delegation of powers
- 55. Power to rectify apparent mistakes
- 56. Relaxation of rules in special cases
- 57. Application of these rules for renewal
- 58. Repeal and saving
- 59. Transitory provisions

Amendments Notification Number & Date

- <1> No CI 418 MRC 92 Dated 06.05.95
- <2> No CI 256 MMN 96 Dated 03.06.97
- <3> No CI 2 MMN 98(1) Dated 08.07.99
- <4> No CI 2 MMN 98(1) Dated 16.10.2000
- <5> No CI 188 MMN 2000 Dated 30.09.2002
- <6> No CI 94 MMN 2001 Dated 22.03.2003

<7> No CI 59 MMN 2003 Dated 07.10.2003

SCHEDULES, FORMS, NOTIFICATIONS

I. SCHEDULES

- 1) Schedule 1. Dead rent
- 2) Schedule 2. Royalty
- 3) Schedule 3. Minimum rate of minor minerals per unit volume / weight for purpose of Rule 47
- 4) Schedule 4. Auction sale confirming Authorities
- 5) Schedule 5. Penalty for non removal of mineral minor minerals.

II. FORMS

- 1) Form-AQL Application for grant of quarrying lease/ Quarrying licence.
- 2) Form-R Application for renewal of quarrying lease/quarrying licence.
- 3) Form-A Acknowledgment for receipt of application for quarrying lease/quarrying licence.
- 4) Form-QLA Register of applications for quarrying lease/quarrying licence.
- 5) Form-QL Register for quarrying lease/quarrying licence
- 6) Form-S Inspection report of applied area for quarrying lease/quarrying licence.
- 7) Form-GL Quarrying lease /licence Notification.
- 8) Form-E Quarrying lease /licence deed.
- 9) Form-Q Quarterly returns.
- 10) Form-Y Annual returns.
- 11) Form-O Classification of minor minerals for purposes of auction sale under chapter VIII.
- 12) Form-AP Application of grant of permit under Rule 42.
- 13) Form-MDP Mineral Despatch Permit(in short permit).
- 14) Form-RV Application for Revision.

**COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION**

No. CI 418 MRC 92, Bangalore, Dated 28th May 1994

In exercise of the powers conferred by section 15 of the Mines and Minerals {Regulation and Development} Act, 1957 (Central Act 67 of 1957), the Government of Karnataka hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Title and commencement:-

(1) These rules may be called the Karnataka Minor Mineral Concession Rules, 1994.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions.

In these rules, unless the context otherwise requires:-

(a) "Act" means the Mines and Minerals { Regulation and Development } Act, 1957 {Central Act 67 of 1957};

(b) "Competent Authority" means a Competent Authority appointed under rule 4;

(c) "Controlling Authority" means a Controlling Authority appointed under rule 5;

(d) "Director" means the Director, Department of Mines and Geology;

(e) "Form" means a form appended to these rules;

(f) "Non-specified minor mineral" means minor minerals other than specified minor minerals;

(g) "Ordinary building stone" means ordinary building stone specified by the State Government from time to time.

(h) "Permit" means a mineral despatch permit granted under these rules;

(i) "Quarry" means any area declared as such by the Controlling Authority and set a part for quarrying any minor mineral;

(j) "Quarrying lease" means a lease granted to quarry minor mineral under these rules;

(k) "Quarrying Licence" means a quarrying licence granted under these rules;

(l) "Schedule" means a Schedule appended to these rules;

(m) "Specified minor mineral" means minor minerals specified by the State Government from time to time.

CHAPTER II

GENERAL

3. Quarrying to be under quarrying lease or Quarrying Licence:-

(1) No person shall undertake any quarrying operation in respect of any minor mineral in any land except under or in accordance with the terms and conditions of a quarrying lease or licence <2> **or quarrying permit** granted under these rules.

(2) No Quarrying lease or licence <2>**or quarrying permit** shall be granted otherwise than in accordance with these rules.

4. Competent Authority:-

The State Government may by notification, appoint the Competent Authority for all or any of the purposes of these rules.

5. Controlling Authority:-

The State Government may by notification appoint the Director or any other officer to be Controlling Authority for all or any of the purposes of these rules, within such limits as it may assign to them respectively.

6. General conditions of quarrying lease and licence:-

(1) Where the holder of a quarrying lease or quarrying licence fails to undertake quarrying operations for a period of one year after the date of execution of the lease or date of grant of licence or, having commenced the quarrying operations, has discontinued the same for a period of one year the quarrying lessee or the licence shall lapse on the last day of the period of one year:

Provided that the Competent Authority may, on an application made by the holder of such lease or licence before its expiry and on being satisfied that the holder of such lease or licence could not undertake quarrying operations or continue such operations for reasons beyond his control, make an order, that such lease shall not lapse or where it has already lapsed, order for revival of such lease or licence:

Provided further that no order under the first proviso shall be made for more than twice during the entire period of the lease or licence.

(2) No person shall carry on or allow to carry on any quarrying operations within a distance of fifty meters if no blasting is involved and two hundred meters if blasting is involved from the boundary of any railway line, reservoir, tank bund, canal or other public works and public structures or any public road, or building, except with the written permission of the concerned authorities or the Competent Authority. The holder of a quarrying lease or licence shall also abide by such conditions as the Competent Authority may impose to carry on quarrying operations in the vicinity of the aforesaid buildings or places.

(3) In case of breach by the lessee or licence or his transferee or assignees of any of the conditions specified in these rules or in the quarrying lease deed or licence, the Competent Authority shall require by notice in writing the lessee or licence to remedy the breach within thirty days from the date of notice and if the breach is not remedied within such period the Competent Authority may levy a fine not exceeding two thousand rupees in the case of non-specified minor minerals and rupees ten thousand in case of specified minor minerals

<3>and the Competent Authority may without prejudice to any other action that may be taken against such lessee licensee, transferee or assignee determine the lease or licence after providing an opportunity of being heard.

(4) Any minor mineral extracted from a quarry and not removed by the lessee or licence before the date of termination or determination or expiry of the quarrying lease or licence shall be the property of the State Government.

7. Power of the competent Authority to specify additional conditions:-

A quarrying lease or licence may contain such other conditions, as the competent Authority may deem necessary.

8. Restrictions on grant or renewal of Quarrying Lease or licence:-

(1) No quarrying lease or licence shall be granted to any person other than an Indian Citizen except with the prior approval of the Central Government.

<6>(2) Quarrying lease may be granted in any forest land by the State Government with the prior approval of the Central Government under the Forest Conservation Act 1980.

Provided that the State Government in favour of any undertaking may grant a lease in such land owned by the Central Government or State Government, after obtaining prior approval under the Forest (Conservation) Act, 1980.

(3) No quarrying lease shall be granted in respect of any land notified by the State Government as reserved for use by the State or Central Government, any body or corporation owned or controlled by the State or Central Government or for any other public or special purposes.

(4) No quarrying lease or licence or renewal shall be granted in respect of any minor mineral to any person if such person has contravened the provisions of the Act or the rules made their under.

(5) The Competent Authority shall before granting or renewing a lease, consult,-

(i) in case of specified minor minerals, the Deputy Commissioner of the District concerned: and

(ii) in the case of non-specified minor minerals, the Tahasildar of the taluk concerned.

(6) The Deputy Commissioner or the Tahasildar, as the case may be, shall send his recommendation within thirty days from the date of receipt of communication from the Competent Authority for the word 30 days” the words 90 days shall be substituted; and

ii) the following proviso shall be inserted, namely:- “Provided that if, no recommendation is received from the Deputy Commissioner or the Tahsildar, as the case may be, within ninety days from the date of receipt of communication from the Competent Authority, recommendation for grant or renewal of a quarrying lease shall be deemed to have been made by him”.

<I>8A. Availability of land belonging to the State Government to be notified for grant.

(1) No area belonging to the State Government , -

*(a) Which was previously held or is being held under quarrying lease; or
(b) the quarrying lease granted in respect of which has lapsed under Rule 6;*

(c) In respect of which a Notification as been issued under Sub-Rule (3) of Rule (8); shall be available for grant unless the availability of the area for the grant is notified in the official Gazette and specifying the date (being the date not earlier than 30 days from the date of publication of such notification in the official Gazette) from which such area shall be available for grant.

Provided that nothing in this rule shall apply to renewal of a Quarrying lease in favour of the original lessee or his legal heirs, not withstanding the fact that the lease has already expired. (omitted)

Provided further that where as area is reserved for use by the State of Central Government of company or any body of corporation owned or controlled by the State or Central Government issue of such notification under this rule shall not be necessary before grant of quarrying lease in respect of such area.

(2) The State Government may, for reasons to be recorded in writing relax the provisions of sub-Rule (1) in any special case.

(3) Any application for grant of Quarrying lease in respect of areas whose availability for grant is required to be notified under Sub-Rule (1) shall, if-

(a) no notification has been issued under that Rule; or

(b) Whether any such notification has been issued, the period specified in the notification has not expired.be deemed to be premature and shall not be entertained, and the application fee thereon, if any paid shall be refunded.

8-B: Notifying the area for grant of lease by tender-cum-action:

(1) Notwithstanding anything contained in these rules the competent authority may by notification direct that quarrying lease to quarrying specified or non-specified minor mineral in any area belonging to the State Government and available for grant, as may be specified in such Notification, shall be granted by tender-cub-action in accordance with the provisions of Chapter IV A.

(2) Where any area is notified under sub-rule (1), no quarrying lease to quarry specified or as the case may be, non-specified minor mineral in such area shall be granted in accordance with the provisions of Chapter III or Chapter IV, as the case may be.

CHAPTER III
GRANT OF QUARRYING LEASE FOR SPECIFIED
MINOR MINERALS.

9. Application for grant or renewal of a quarrying lease:-

(1) Every application for grant of a lease to quarry specified minor minerals in the land belonging to the State Government **<1>which has not been notified under rule 8B** shall be made in FORM-AQL to the Director and shall be accompanied by a security deposit in the form of treasury challan for a sum calculated at the rate of rupees five thousand per acre and an application fee of rupees two thousand in the form of a treasury challan under the specified Head of account together with other documents **<2>together with a certificate issued by the Competent Authority for having cleared the arrears if any in respect of any lease held by him as on the date of making application as specified in FORM-AQL.**

(2) An application for renewal of a quarrying lease to quarry specified minor mineral belonging to the State Government shall be in FORM-R and shall be made to the Director at least **<7>twelve months** before the expiry of the lease. The application shall be accompanied by a fee of rupees two thousand in the form of a treasury challan under the specified Head of account together with the difference of amount of security deposit, if any, to be paid by the lessee at the prevailing rates in the form of treasury challan together with other document

<2>together with a certificate issued by the Competent Authority for having cleared the arrears if any in respect of any lease held by him as on the date of making application and documents.

<2>“(2A), If an application for renewal of a quarrying lease made within the time referred to in sub-rule (2) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended by a further period till the State Government passes orders thereon”.

(3) Application received under sub-rules (1) and (2) shall be acknowledged in FORM-A. The acknowledgment shall be sent to the applicant by Registered post.

10. Exemption of security deposit:-

Government may by order make an exemption or reduction in the amount of security deposit payable by companies or undertakings owned by the State Government.

11. Grant or renewal of quarrying lease:-

(1) There shall be a Committee to make recommendations for grant or renewal of a quarrying lease under this rule.

The committee shall consist of the following members;

- a) The Secretary to Government, Commerce and Industries Department who shall be the Chairman;
- b) The Secretary to Government, Finance Department: *<3> or his nominee not below the rank of the Deputy Secretary to Government.*
- c) The Secretary to Government, Revenue Department; *<3> or his nominee not below the rank of the Deputy Secretary to Government.*

The Secretary to Government, Forest, Ecology and Environment Department; *<3> or his nominee not below the rank of the Deputy Secretary to Government.*

d) The Director, Department of Mines and Geology, who shall be the Member Secretary;

<3> 1A) Three members shall form the quorum for a meeting of the committee.

(2) The Director shall, on receipt of the application under rule 9 scrutinies all such application and submit with his remarks to the committee.

(3) On receipt of applications from the Director, the committee shall having regard to the priorities under rule 12, and the guidelines issued by the State Government, if any, consider such applications and make recommendations to the Director.

<2>" Provided that the Committee shall not consider such applications in respect of any area, which is notified under rule 8B after the receipt of the application on or before the date of consideration and all such application shall be liable to be return to the applicants and security deposit and fee paid, if any, may be refunded.

(4) The Director may, having regard to recommendations of the committee, order for grant or renewal of a quarrying lease or reject the application.

(5) Where the quarrying lease is granted or renewed under sub-rule(4), the Director shall notify in FORM-GL the grant or renewal of the lease and in the case of rejection of application, such rejection together with reasons therefore shall be intimated to the applicant.

12. Priorities:-

(1) Selection from amongst the applicants for grant of quarrying lease under this chapter shall normally be made in the following order of preference, namely:-

(i) A Corporation or undertaking owned or controlled by the State or Central Government and Joint Sector projects with such Government Corporations or Undertakings;

(ii) Persons who have already established hundred per cent export oriented units for cutting and polishing of granites in the State;

(iii) Persons who have already established a small scale Industrial unit for cutting and polishing of granites in the State;

(iv) Persons who hold a valid licence for establishment of a granite cutting and polishing unit within the State for the purpose of hundred per cent export and persons who hold a permanent Registration Certificate for establishment of a Small Scale Industrial Unit in the State;

(v) Society registered under the Karnataka Co-operative Societies Act, 1959, and the members of which belong to the Scheduled Castes & Scheduled Tribes;

(v) A Society registered under the Karnataka Co-operative Societies Act, 1959, and the members of which belong to economically weaker sections of the Society and who are also stone quarry workers by tradition;

(vii) all others:

(2) In case of applicants falling under clause (iv) of this rule 12 who require specified minor mineral for their proposed industry they shall set up industry in accordance with their industrial program within a period of twenty four months from the date of execution of lease deed and shall keep the Director informed of the progress made every six months from the date of execution of lease deed. On setting up of industry the lessees shall inform the fact in writing to the Director failing which the lease shall be deemed to have been terminated on the expiry of the said period of twenty four months. Where the lessees are unable to set up industry within the said period for reasons beyond their control they may submit before the expiry of the said period an application to the Director explaining the reasons for the same together with affidavits. The Director shall forward such applications to the State Government and it may on being satisfied that such failure in setting up the industry was due to reasons beyond the control of the lessee, extend the period of such lease by one more year either prospectively or retrospectively.

13. Register of application and Quarrying Lease:-

(1) The Director shall cause to be maintained the following Registers, namely:-

(a) Register of applications for quarrying leases in FORM-QLA.

(b) Register of quarrying leases in FORM-QL with area sketches appended.

(2) Every such Register is open to inspection by any person on a written request and payment of rupees five hundred and at the discretion of the Director.

14. Disposal of application for grant or renewal of lease:-

(1) Application for grant or renewal of lease shall be disposed;

(i) in the case of an existing industry within a period of One hundred and eighty days from the date of receipt of application failing which the applicants shall be informed of the reasons for delay within fifteen days after the expiry of the disposal period.

(ii) in all other cases within a period of four months from the date of receipt of applications failing which the applicants shall be informed of the delay within fifteen days after the expiry of the disposal period.

15. Maximum area of Quarrying lease to be granted:-

(1) Total area of one or more quarry leases to quarry specified minor minerals shall not exceed;

(i) fifty acres in case of an existing hundred percent export oriented granite cutting and polishing unit in the State, falling under clause (ii) of sub-rule (1) of rule of 12,

(ii) forty acres in case of other granite cutting and polishing units in the State, falling under clause

(iii) (iv) and (v) of Sub-rule (1) of rule 12,

(iii) ten acres in all other cases, falling under clause (iv),(v),(vi) and (vii) of sub-rule (1) of rule 12.

(2) Nothing in Sub-rule (1) shall apply to State or Central Government undertakings and Joint Sector projects undertaken by the State or Central Government undertakings within the State.

(3) While determining the total area referred to in sub-rule (1), the area held under a quarrying lease by a person as a member or partner of a company or corporation or Firm or a Co-operative Society shall be deducted from the area referred to under sub-rule (1) so that the sum total of the area held by such person under quarrying leases whether as such member or partner or individually shall not, in any case exceed the total area specified under sub-rule (1).

16. Periods for which quarrying leases may be granted or renewed:-

(1) The period for which a quarrying lease may be granted under this chapter shall not exceed <3>twenty years in any case.

(2) A quarrying lease under this chapter may be renewed for two periods each not exceeding twenty years.

17. Survey and demarcation of the area granted:-

(1) After the grant of quarrying lease is notified under sub-rule (5) of rule 11 the Competent Authority shall make arrangements for survey and demarcation of the area subject to the grantee paying the expenses at the rate of Rupees five hundred per acre of land so granted <3> “ *within one month from the date of receipt of notification by the grantee*”

(2) The boundaries of area covered by a quarrying lease shall run vertically downwards below the surface towards the centre of the earth.

18. Execution of quarrying lease:-

(1) When a quarrying lease is granted under rule 11, lease deed shall be got executed in FORM-E by the grantee within three months of the order granting or renewing the lease or within such further period as the Competent Authority may allow in this behalf and if no such lease deed is executed within the aforesaid period, the order granting or renewing the lease shall be deemed to have been revoked.

(2) Before execution of a lease deed, the grantee shall pay in advance fifty percent of the total dead rent payable during the first year.

(3) The grantee shall also submit a QUARRYING PLAN which shall incorporate geological map cum contour plan of the area and a map showing the layout of the proposed quarry and the area identified for dumping waste rocks, if any, together with a brief report about the minor minerals occurring in the area and their probable reserves.

a) In respect of quarrying lease consisting of an area of five acres and more; a quarrying plan, containing the particulars specified in clause (c) shall be submitted by the lessee within six months from the date of grant of lease.

b) The quarrying plan so prepared shall be valid for working in the next five years or the duration of the quarrying lease whichever is less and modification or alternation in the quarrying plan with reason thereof shall be reported to the Competent authority.

c) The quarrying plan shall contain the following particulars, namely:-

- i) Contour Plan showing the Geological map;
- ii) Quarry lease area map showing the layout of the proposed quarrying and manner in which the quarrying is to be developed.
- iii) Identification of the area for dumping waste rocks and soil.
- iv) A brief report about the minerals occurring, probable reserves and the recovery of the different sizes of the mineral.
- v) Impact of quarrying on Environment and measures proposed for preservation of the Environment.

(4) As soon as the lease deed is executed the copy of the same shall be forwarded to the concerned Deputy Commissioner.

(5) The lessee shall at his own expense erect and at all times maintain and keep in good condition marks and pillars necessary to indicate the boundaries of the area leased to him.

(6) If any mineral, major or minor, not specified in the lease is discovered in the leased area, the lessee shall report the discovery without undue delay to the concerned Competent Authority and to the officer in charge of the District and shall seek permission to quarry or dispose of such mineral.

(7) The lessee shall abide by such reasonable instructions and directions as may be issued by the Competent Authority from time to time regarding the conservation and development of minor minerals.

(8) The lessee shall abide by provisions of any law for the time being in force relating to working of minerals, ecology and environment and matters affecting surface and ground water conditions, safety, health and convenience of the lessee's employees or of the public.

(9) The lessee shall keep correct accounts showing the quantity and other particulars of all minor minerals produced or obtained, in stock and despatched from the leased area and the number of persons employed therein and also compile survey plans of the quarry workings and shall furnish to the Competent Authority or any officer of the Department of Mines and Geology authorised by the State Government or Director such information/reports and returns as the State Government or the Director may require from time to time.

(10) The lessee shall submit to the Competent Authority or any other officer authorised by him or the State Government quarterly returns in FORM-Q before the eighth day of the succeeding month and annual returns in FORM-Y for each financial year before the tenth day of April of the succeeding year. Such reports shall furnish specific information on the quantity of minor minerals and waste rocks produced, quantity sold or utilised, quantity in stock, royalty or dead rent paid and permits obtained.

19. Surrender of lease;

(1) Lessee may surrender his lease granted under rule 11 or part of the leased area by giving a notice in writing of not less than ~~<I>~~ **ninety days** to the Competent Authority and by delivering possession of the area leased.

(2) The Competent Authority may accept the surrendered area after due verification of the land and subject to the following conditions, namely:-

(a) the lease hold area to be surrendered has been properly surveyed and is contiguous;

(b) the lessee has paid all the dues payable to the State Government under the lease up to the date of application.

(3) The Competent Authority shall dispose of the application under this rule within ninety days from the date of receipt of the application.

(4) The surrender shall take effect at the end of the said period of ninety days subject to the fulfilment of the conditions by the lessees and in other cases it shall take effect only when the Competent Authority accepts surrender and lessee delivers possession of the quarry or part of the quarry area to the Competent Authority.

(5) At the time of renewal of the quarrying lease, the lessee shall be entitled to surrender any part of the leased area.

<2>19-A (1) Prohibition of Transfer of leases; The lessee shall not,

- (a) assign, sub-let, mortgage or in any other manner transfer the quarrying lease or any right, title or interest therein, or*
- (b) enter into any agreement, arrangement or understanding with any person whereby lessee is directly or indirectly financed to a substantial extent by such person and quarrying operation and other activities connected therewith are substantially controlled by such person;*

Provided that nothing in this rule shall apply to mortgage made by a lessee in favour of the Institutions specified in Schedule VI". (i) (a) "<2> or to transfer of lease held by the lessee to the company or firm in which he is one of the Directors or partners, as the case may be".

Provided further that such transfer of lease shall not be made without a written consent of the Competent Authority and such consent shall not be given unless:

(i) the lessee has furnished an affidavit along with his application, for transfer of the quarrying lease specifying therein the amount that he has already taken or proposed to take as consideration from the transferee;

(ii) the transfer of the quarrying lease is to be made to a company or firm directly under taking quarrying operation in which the lessee is one of the directors or partners as the case may be, in the said company or firm and the company or firm has filed an affidavit stating that they have filed an up to-date Income tax returns, paid the income tax assessed on them and paid the income tax on the basis of self assessment as provided in the Income Tax Act, 1961; and

(iii) A processing fee of rupees one thousand is paid in the form of a Demand Draft drawn in favour of the Director of Mines and Geology, Bangalore.

Provided also that the lessee shall not charge or accept from the transferee any premium, in addition to the sum spent by him in obtaining the lease, and for conducting all or any of the quarrying operation over the area leased to him".

(2) The Competent Authority may, by order, in writing determine any lease at any time, if, the lease, has, in the opinion of the Competent Authority, committed a breach of any of the provisions of sub-rule (1) or has transferred any lease or any right, title or interest therein without the previous consent in writing of the Competent Authority.

(3) Where the Competent Authority has given consent for transfer of such lease, a transfer of lease deed in form "T" shall be executed within three months of the date of consent, or within such further period not exceeding three months as the Competent Authority allows thereon."

20. Rights of the lessee:-

Subject to the conditions specified in these rules, lessee shall, for the purpose of quarrying operations have rights to ;

(1) Work the quarry well within the limits of the area granted and as per the sketch of the lease area appended to the lease deed;

(2) sink pits, shafts and open tunnels in a systematic manner;

(3) construct buildings of dimension not more than forty square meters only over non-mineral bearing area;

(4) use water subject to any law in force.

CHAPTER-IV

GRANT OF QUARRY LEASES FOR NON-SPECIFIED MINOR MINERALS

(1) Every application for grant of a quarrying lease to quarry non-specified minor minerals in the land belonging to the State Government *<1> which has not been notified under rule 8-B shall* be made in FORM-AQL to the Competent Authority. The application shall be accompanied by a security deposit in the form of treasury challan for a sum calculated at the rate of rupees two thousand five hundred per acre and an application fee of rupees one thousand in the form of a treasury challan, *<2>together with a certificate issued by the Competent Authority for having cleared the arrears, if any, in respect of any lease held by the applicant as on the date of making the application* area sketch etc. as specified in FORM-AQL.

(2) Every application for renewal of a quarrying lease to quarry non specified minor mineral in the land belonging to the State Government *<1> which has not been forfeited under rule 8 B shall* be made in FORM-R *<7>to the competent authority on or before ninety days before the expiry of the lease <2>together with a certificate issued by the Competent Authority for having cleared the arrears, if any, in respect of any lease held by the applicant as on the date of making the application* to the Competent Authority. The application shall be accompanied by an application fee of Rs.1,000.00 in the form of a treasury challan together with the difference of Security deposit, if any, to be paid by the lessee at the prevailing rate, sketch etc. as specified in FORM-R.

<2>(2A) If an application for renewal of a quarrying lease made on or before the expiry of the lease, is not disposed of by the Competent Authority before such expiry, the period of lease shall be deemed to have been extended for a further period, till the Competent Authority passes orders thereon”.

Provided that an application for grant or renewal of a quarrying lease by any person belonging to economically weaker section and who is a quarry operator by tradition and whose livelihood depended entirely on quarrying of ordinary building stones, shall be accepted with rupees one thousand as the security

deposit per acre and rupees five hundred as application fee.

(3) Application received under sub-rule (1) and (2) shall be acknowledged in FORM-A.

<2>21(A) Grant of quarrying permits:- (1) Notwithstanding anything contained in these rules, on an application made, by any person in form AQP to the Competent Authority, may grant a quarrying permit in form QP to extract or remove ordinary sand in the revenue Districts of Bangalore, Bangalore Rural, Mandya, Kolar and Tumkur within such areas, as may be specified by the competent authority not exceeding one thousand tonne under any one permit, on payment to the competent authority of royalty calculated at the rates specified in Schedule 2. The validity of such quarrying permit shall not exceed three months from the date of issue.

Provided that the Competent Authority may for reasons to be recorded in writing refuse to grant such permit.

a) <2> provided that nothing in this rule shall apply to grant of a quarrying lease to quarry ordinary sand. The grant of ordinary sand shall be by auction in accordance with the provisions of the Chapter IVA of the rules.

b) The period for which a quarrying lease may be granted by auction shall be one year.

c) There shall be a taluk level auction committee consisting of the following members.

i) Assistant Commissioner of the respective Jurisdiction Chairman

ii) Tahasildar of the respective Jurisdiction Member

iii) Executive Officer of the respective taluk panchayath Member

iv) Senior Geologist/Geologist of the respective Jurisdiction Member Secretary

v) The provision of rules 7, 29, 31, (2) (3) (4) of the chapter II and IV, of Rules 31A, 31D,

vi) 31E, 31G, 31H, 31I, 31K and the Provisions of Rule of Rule 30, 31L and 31O of Chapter IV A shall mutatis and mutaudis apply to quarry leases granted.

(2) A register of quarrying permit shall be maintained by the competent authority in form “QPR”.

22. Scrutiny of applications, inspection of applied area and disposal of applications:-

(1) Every application made under rule 21 shall be disposed of within ninety days from the date of its receipt and if it is not disposed within that period, the applicant shall be informed of the reasons for the delay within fifteen days after the expiry of the said period of ninety days. The Competent Authority shall obtain a report of inspection of the applied area in FORM-S.

23. Priority:-

(1) If more than one application for a quarrying lease over the same area is received under rule 21, preference shall be given to the applications in the order of date of receipt.

(2) If more than one application over the same area is received under rule 21 on the same day, preference shall be given to the applicants in the following order, namely;

(i) application from a person belonging to economically weaker sections of society who is a quarry operator by tradition and whose livelihood depended entirely on quarrying of ordinary minor minerals;

(ii) application from any Co-operative Society Registered under the Karnataka Co-operative Societies Act, 1959 all the members of which are bonded labourers, freed and discharged in accordance with section 4 of the "Bonded labour System (Abolition) Act, 1976 (Central Act .19 of 1976);

(iii) application from any Co-operative Society Registered under the Karnataka Co-operative Societies Act, 1959 all the members of which belong to Scheduled Castes or Scheduled Tribes;

(iv) Sculptors;

(v) all other applications in order of receipt and date of application, on first-come first basis;

(3) Notwithstanding anything obtained in sub-rules (1) and (2), in the case of an applied area which is free for grant but is already being worked and in possession of persons belonging to the categories (i), (ii) or (iii) of sub-rule (2) above, irrespective of whether they are members of a Co-operative Society or not, they shall, by a written notice be called upon to stop unauthorised quarrying, if any, unless such quarrying is regularised within a period of one month time from the date of issue of notice. If no such persons or their Registered Society make applications within the said period of one month, any pending application in respect of such area shall be processed in accordance with priorities under sub-rule (1) .

(4) Notwithstanding any thing contained in sub-rules (1) and (2) ,the Competent Authority may reserve or grant any area for quarrying in lands belonging to the State Government, in favour of State or Central Government undertakings or Government Departments provided that applications from them is received before the execution of lease deed.

24. Register of applications and quarrying leases:-

(1) The Director or the concerned Competent Authority shall cause to be maintained the following registers, namely:-

- (i) Register of applications for quarrying leases in FORM-QLA.
- (ii) Register of quarrying leases executed in FORM-QL.

(2) Every such register referred to in sub-rule (1) shall be open to inspection by any person on written request and payment of rupees one hundred at the discretion of the Competent Authority.

25. Maximum area of quarrying lease to be granted:-

(1) The total area of one or more quarry leases granted or renewed under this chapter shall not exceed twenty-five acres except in the case of public sector undertakings and State Government Departments.

(2) The area to be granted shall resemble a square or a rectangular block. In the case of rectangular block, the longest side of the block shall not exceed four times the shortest side.

<3> Provided that nothing in this shall apply to grant or renewal of quarrying lease in respect of ordinary sand.

26. Period of quarrying lease:-

(1) The period for which a quarrying lease may be granted under this chapter shall not exceed five years;

Provided that where the request for grant of a quarrying lease is in respect of a mineral based industry belonging to the applicant, lease may be granted for a period not exceeding ten years.

(2) A quarrying lease may be renewed for two periods **<2> each not exceeding five years at a time**

Provided that, if the lessee is owner of an industry which is based on the quarry lease held by him, the lease may be renewed for ten years at a time.

27. Notification of grant of lease:-

The Competent Authority may, having regard to the provisions of these rules and after making such enquiries as it deems fit, grant or refuse to grant or renew a quarrying lease. Where a lease is granted or renewed, the Competent Authority shall issue a notification in FORM-GL.

<1> Provided that the competent authority shall not grant a quarry lease in respect of any area which is notified under rule 8-B after the date of receipt of applications but before the date of consideration of grant, and all such application for grant made in respect of such area shall be liable to be returned to the applicants and security deposit and fee paid, if any, be refunded.

28. Intimation of refusal:-

If the application for a quarrying lease or renewal thereof is rejected by the Competent Authority, it shall record the reasons therefore and shall communicate the reasons to the applicant concerned within fifteen days of the date recording such decision.

29. Survey and demarcation of the area granted:-

After the grant or renewal of a lease is notified under rule 27, the Competent Authority shall arrange for survey and demarcation of the area notified at the expense of the grantee, which shall be at the rate of rupees three hundred per acre of land granted for quarrying. **<3> And the amount towards such expenses shall be paid by the grantee within one month from the date of receipt of the notification issued under rule 27.**

30. Execution of lease deed:-

(1) When a quarrying lease is granted or renewed under rule 27, a lease deed shall be got executed by the grantee in FORM-E within three months of the order granting or renewing lease, **<2>or within such further period not exceeding three months as the Competent authority may allow in this behalf** failing which the Competent Authority shall communicate to the grantee the cancellation of the order made under rule 27.

(2) Before executing lease deed the grantee shall pay fifty percent of the dead rent payable during the first year.

(3) The Competent Authority shall forward to the Director and concerned Tonsillar one copy of the quarrying lease deed as soon as the lease deed is executed.

31. Conditions of quarrying lease:-

(1) The provisions of rules 6,7,8,19, **<1> 19A, 20,** and rules 35 to 41 shall "mutatis mutandis" apply to quarry leases granted or renewed under this chapter.

(2) A quarrying lease deed may contain such other conditions as the Competent Authority may deem necessary in the interest of maintaining the local

(3) environment, habitat of surrounding area leased and in the interest of conservation of minerals.

<I> CHAPTER - IVA

GRANT OF QUARRYING LEASE BY TENDER-CUM-AUCTION

31.A : Notification for grant of Quarrying Lease – (1) For the purpose of grant of quarrying lease by tender-cum-auction in respect of the area notified under rule 8B the Director shall issue a notification containing the following particulars, namely :

- 1) Name of the minor mineral.
- 2) Survey Number, extent of the area and boundaries.
- 3) Name of the Village, Taluk and District.
- 4) The period of lease.
- 5) The last date for receipt of tender, the time at which and the place in which the auction will be held: and (vi) general conditions governing the tender-cum-auction.

(2) The notification shall also be published in at least two daily newspapers (One English and one Kannada) at least fifteen days before the last date specified in the Notification for the receipt of tender.

31B. Manner of submission of tender :- (1) Tenders shall be submitted in the form specified by the Director. The tender shall be submitted by the tender or himself or by his power of attorney holder in a sealed cover addressed to “ the Director “.

2) The cover containing the tender shall be superscribed with the words “ Tender against Notification No Dated “ It shall be delivered to the Director to such officer as the Director may authorise to receive, not later than the date and time fixed for the receipt of the tenders.

3) Where more than one tender is submitted for grant of Quarrying Lease by a person, the tender containing the highest offer shall be considered and not for other tenders.

4) Even tender received shall be acknowledged by the officer receiving it.

5) A tender shall not be conditional and if it is conditional it shall not be considered.

6) Every tender shall be accompanied by an earnest money deposit of an amount equal to on year’s dead rent for the area covered under notification. Such earnest money deposit shall be made in the form of Demand Draft drawn on scheduled Bank in favour of the Government of Karnataka, payable at Bangalore. Tenders not be considered, accompanied by such earnest money deposit shall not be considered.

7) The tender shall be accompanied by.

- i Clearance certificate in respect of mining dues, such as or royalty dead rent and surface rent payable under the Act or the rules made there under, obtained from the Government or any officer or authority authorised by it in this behalf;
an affidavit stating that the applicant has,
 - A Filed up-to-date income-tax Returns.
 - B Paid the income tax assessed on him, and
 - C paid the income tax on the basis of self assessment as provided in the Income tax Act, 1961.

8) Tender forms which are incomplete or not accompanied by the documents specified in Sub-rule(7) shall not be considered.

31C. Joint Tender : A tender submitted jointly by more than one person shall not be considered except in the case of tender by a firm, company or a body corporate and in the case of a firm, company or a body corporate tender shall be submitted by the person duly authorised by the firm, company or body corporate as the case may be.

31D. Disqualification : (1) A person shall be disqualified from submitting a tender, if he,-

- i) is a minor or an undischarged insolvent or is of unsound mind, or
- ii) is holding an office of profit under the State Government or Central Government, or
- iii) has not paid the arrears of royalty or dead rent in respect of lease held by him, or
- iv) has been convicted of any offence involving moral turpitude

31E Withdrawal of Tender: A tender once submitted shall not be withdrawn till the grant of quarry lease is made in respect of such area consideration. .

31F. Withdrawal of Tender-cum-Auction : 1) The Director shall, on the date and at the time and place specified in the notification under Rule-31A, hold the auction. If the auction is not held on that day due to the day being a public holiday or for any other reason, the auction shall be held at the same time on the next working day for which no further notification or notice shall be necessary.

2) The Director causes the auction notification to be read out and explained in English and Kannada. He shall prepare a list of intending bidders in respect of each area including those who have submitted tenders and desire to take part in bidding. The intending bidders shall register themselves by paying a non-refundable registration fee of Rupees Five hundred only and an earnest money deposit of an amount equal to one year's dead rent for the mineral in area covered in notification. The registration fees and earnest money deposit shall be payable in the form of Demand draft payable in favour of the Government of Karnataka at Bangalore or by cash.

3) Only persons included in such list shall be permitted to bid.

- 4) No person shall be included in such list if,
 - a) he is a person disqualified from submitting a tender, or
 - b) he has not paid the Registration fee and the earnest money deposit at the rate and in the manner specified in sub-rule (2), or
 - c) has not given the undertaking under Rule-31G.
- 5) The bids offered shall be recorded in the list of bidders and the signature of the highest bidder obtained in token of his offer. A bid once offered shall not be withdrawn.
- 6) A bid offered jointly by more than one person shall not be considered. A person offering a bid shall be entitled to be represented by duly constituted attorney.
- 7) After all the areas notified are auctioned, the Director shall open the tenders received in respect of the respective areas and record the offers contained in each tender. He may accept, provisionally, the highest amount offered in the tender or at the auction and announce the same.

31G. Undertaking to be given with tender or bid : The person submitting a tender or offering a bid shall give a prior undertaking to fulfil the stipulation that such tender or bid shall not be withdrawn.

31H. Payment to be made : (1) The person whose tender or offer or bid is accepted provisionally shall within fifteen days of such acceptance is announced, make a deposit of the amount equal to the tender or offer or bid which is provisionally accepted. The earnest money deposit paid, along with tender or at the auction shall be adjusted against the amount payable.

- 2) If the payment as required by sub-rule(1) is not paid, the provisional acceptance of the tender or offer or bid shall stand cancelled, the earnest money shall be forfeited and the Director may either accept provisionally the next highest tender or offer or bid or grant the lease afresh in such manner as the State Government may direct.
- 3) In the later case, the grant shall be at the rise of the defaulter who shall not be entitled to any excess amount realised but shall be liable for the losses sustained by the State Government. The Director shall be entitled to assess such loss and recover it from the defaulter as if it were an arrear of land revenue. A defaulter shall not be entitled to submit tender or offer or bid at the auction held under sub-rule(2).

31i . Rejection of Tender or Bids : The Director may reject any tender or offer or bid submitted to him on the ground that such tender or offer or bid is too low or for any other reason, to be recorded in writing.

31J. Rejection of Tender or Bids: (1) Where the Director has accepted provisionally a tender or offer or bid, he shall forthwith submit to the State Government the records of the proceedings conducted by him, for confirmation.

2) The State Government shall, on a consideration of the records under sub-rule (1) pass an order either confirming the bid or tender for grant of a quarrying lease or refusing to confirm the same. The order passed thereon shall be communicated forthwith to all concerned.

31K. Execution of Quarrying Lease : The person whose tender or offer or bid is confirmed under Rule-31J shall execute a lease deed. The provision of Rule-18 shall mutatis mutandis apply in respect of Execution of lease deed under this rule.

31L. Register of Notification and Quarrying Lease : The Director shall cause to be maintained the following Registers, namely:-

- i) Register of Notification for quarrying leases in FORM-QLN.
- ii) Register of Quarrying Leases executed in Form QL with area, sketches appended.

2) Every such Register referred to in Sub-Rule (1) shall be open to inspection by any person on a written request and payment of Rupees one hundred and at the discretion of the competent authority.

31M. Period of Quarrying Lease : The period for which a quarrying lease may be granted under this Chapter shall not exceed ten years.

31N. Renewal of lease : (1) An application for renewal of Quarrying lease under this Chapter shall be made in Form-R to the Director at least Ninety days before the expiry of the lease. The application shall be accompanied by a Treasury Challan for having paid the difference of the amount of Security Deposit, if any, to be paid by the lease at the prevailing rates and a Treasury Challan for an amount equal to the amount specified in sub-rule(2) as consideration for the renewal of the lease.

2) An amount equal to the amount of the tender or bid, as the case may be, paid as consideration for the grant of the quarry lease, plus twenty five per cent or fifty per cent of such amount shall be paid for the first and second renewal respectively.

3) A quarrying lease granted under this Chapter may be renewed for two periods, each period not exceeding the period of the original lease.

4) The application for renewal of the lease shall be disposed of by the competent authority before the date of expiry of the lease, failing which the lease shall be deemed to have been extended by a further period till the competent authority passes order thereon.

5) The competent authority may after giving a reasonable opportunity of being heard and for reasons to be recorded in writing and communicated to the applicant, refuse to renew a quarrying lease for the whole or part of the applied area.

Provided that where the sanction for renewal is only for a portion of the applied area, the amount payable as consideration for the grant of renewal of the lease under Sub-Rule (2) shall be in proportion to the area for which the renewal is sanctioned.

31O. Surrender of lease :

(1) A Lessee may surrender his lease granted under this Chapter by giving notice in writing of not less than ninety days to the competent authority and by delivering possession of the area leased.

2) The competent authority may accept the surrender of the lease, subject to the condition that the lessee has paid all the dues payable to the State Government under the lease up to the date of application.

3) The competent authority shall dispose of the application under this Rule within Ninety days from the date of receipt of the application.

4) The surrender shall take effect at the end of the said period of Ninety days subject to fulfilment of the condition specified in Sub-Rule (2) and in order cases, it shall take effect only, when the competent authority accepts surrender. Lessee/ex-lessee shall not be entitled to continue in possession or re-enter possession of the quarry thereafter.

31P. Transfer of Lease : (1) No lessee shall without the previous consent in writing of the competent authority :

- A assign, sublet, mortgage or in any other manner transfer the Quarrying Lease or any right, title or interest therein, or :
- B enter into an agreement, contract or understanding with any persons whereby the lessee is directly or indirectly financed to a substantial extent by such person and quarry operations and any other activities connected therewith are substantially controlled by such person:

Provided that nothing in the rule shall apply to mortgage made by the lessee in favour of the Institution specified in Schedule-VI.

2) The competent authority shall not give its consent to transfer of Quarrying Lease unless the transferee:

- A has accepted all the conditions attached to the lease and liabilities which the transferor was having in respect of such lease:
- B agree to pay to equivalent amount which the transferor had paid in respect of the tender or bid to obtain the right to the grant of the lease as consideration for the transfer.

3) The competent authority by order in writing determined any lease at any time, if the lessee has in the opinion of the Competent Authority committed breach of any of the provisions of Sub-Rule(1) or has transferred any lease or any right, title or interest therein otherwise than in accordance with Sub-Rule(2).

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

4) An application for transfer of lease shall be disposed of by the competent authority within ninety days from the date of receipt of the application.

5) The sanction for the transfer shall take effect at the end of Ninety days, from the date of such sanction, subject to the fulfilment of the conditions specified in Sub-Rule (2).

6) Where on an application for transfer of quarrying lease, previous consent for the transfer has been obtained under this rule, a deed in such form as may be specified by the competent authority, shall be executed within ninety days of the date of obtain consent for the transfer or within such period as the competent authority may allow in this behalf.

31Q. Application of Certain Rules for lease granted or renewed under Chapter: The provisions of Rule 6,7,8,20 and Rules 36 to 41 shall “ Mutatis Mutandis “ apply to Quarry leases granted or renewed under this Chapter.

CHAPTER V

LICENCE FOR QUARRYING MINOR MINERALS IN PRIVATE OR PATTALANDS

32. Quarrying licence :-

No person shall undertake quarrying operation in respect of minor minerals in any private land (including pattaland) except under a quarrying licence granted under this chapter.

<2> (2) When a Pattadars applies to the competent authority concerned for Mineral Despatch Permit for the first time, the competent authority shall arrange for survey and demarcation of the area, subject to the pattadar paying the expenses which shall be at the rate of Rupees Five hundred per acre of land and the provisions of rule 42 shall "mutatis mutandis" apply.

Provided that nothing in this rule shall apply to quarrying by persons in possession of pattalands in ex-Mysore State territory which is now situated in Karnataka State and who are full owners of certain sub-soil minor minerals situated in their pattalands.

33. Quarrying by pattadars in Ex-Madras State territory:-

(1) An occupant or tenant or Power of Attorney holder or Contractor in actual possession of the pattaland land in Ex-Madras State territory now situated in Karnataka State who intends to commence quarrying or renew quarrying in such land shall make an application in Form-AQL or Form-R, as the case may be, together with a security deposit and application fee as specified in sub-rule(2) of rule 34 to the Competent Authority for grant or renewal of a quarrying licence.

(2) On receipt of the application under sub-rule (1), the Competent Authority shall, if it sees no valid objection, obtain a report of inspection of the applied area in Form-S and grant or renew a quarrying licence in Form-GL in accordance with the provisions of this chapter or reject the application.

(3) The provisions of chapter II and rules 13,17, 18, 19,20 and sub-rules (4), (5), (6), (7) and (9) of rule 34 shall, mutatis mutandis apply for grant or renewal of a quarrying licence under this rule.

34. Grant or renewal of a quarrying licence in private lands other than those referred to in rules 32 and 33:-

(1) Every application for grant of a quarrying licence to quarry any specified minor mineral on private land other than those referred to in rules 32 and 33 shall be made in FORM-AQL to the Director which shall be accompanied by a security deposit in the form of treasury challan for a sum calculated at the rate of rupees five thousand per acre and an application fee of rupees two thousand in the form of treasury challan under the prescribed Head of Account and other documents as specified in FORM-AQL.

(2) An application for renewal of a quarrying licence under this rule shall be in FORM-R and it shall be made to the Director at least ninety days before the expiry of the period of licence. The application shall be accompanied by an application fee of rupees two thousand in the form of treasury challan for the said sum and other documents specified in FORM-R. Further, the renewal application shall be accompanied by the difference of amount of security deposit, if any, to be paid by the licensee at the prevailing rates. Such difference of amount shall also be paid through a treasury challan.

(3) Every application under this rule shall be accompanied by a letter from the owner or the occupant of the land to the effect that he has no objection for quarrying minor mineral by the applicant. **<3> and this consent shall not be with drawn for any reason during the pendency of the application for grant of quarrying licence or during the currency of the lease.**

(4) Application received under sub-rule (1) of rule 33 and sub-rules(1) and(2) of this rule shall be acknowledged in FORM-A.

(5) Application for grant or renewal of a quarrying licence under this rule shall be disposed of within a period of four months from the date of receipt of application failing which the applicant shall be informed of the delay within fifteen days after the expiry of the said period.

<1> “(5A) If an application for renewal of quarrying licence made within the time referred to in sub-rule (2) is not disposed of by the State Government before the date of expiry of licence the period of that licence shall be deemed to have been extended by a further period till the State Government passes the orders thereon”.

(6) The period for which the a quarrying licence may be granted or renewed shall not **<1> exceed ten years.**

(7) Maximum area to be permitted for quarrying shall be at the discretion of the COMMITTEE or the Competent Authority, as the case may be.

(8) The provision of chapter II and rules 11,13,17,18,19 and 20 shall 'mutatis mutandis' apply for grant of quarrying licence under this rule depending upon whether the application is in respect of specified minor mineral or non-specified minor mineral.

(9) A quarrying licence may contain such other conditions as the State Government or the Competent Authority may, as the case may be, deem necessary in the interest of maintaining the local environment/habitat surrounding the area permitted for quarrying and in the interest of conservation of minerals.

<1> 34A. Transfer of licence: (1) No licence shall without the previous consent of the competent authority assign or in any manner transfer the quarrying licence or any right, title or interest therein.

(2) Every licensee seeking the previous consent under sub rule (1) shall make application to the competent authority which shall be accompanied by a letter of consent from the owner of occupant of the land to the effect that he has No objection for quarrying minor minerals by the transferee.

(3) The competent authority may give its consent for transfer of licence only if a transferor was having in respect of such quarrying licence, and has consented to pay a transfer fee of rupees five thousand per acre to the Government. The Competent authority may also impose such other conditions as it may deem fit.

(4) The application for transfer shall be disposed of by the competent authority within a period of ninety days from the date of receipt of application.

(5) The competent authority shall issue a licence in Form -T to the transferee within a period of ninety days from the date of recording consent.

35. Quarrying non-specified minor minerals in private land for bonafide domestic use:-

Notwithstanding anything contained in these rules, occupant of any land may remove from his land any non-specified minor mineral on a small scale for his own use in respect of specific bonafide domestic or agricultural purposes:

Provided that the quarrying operation shall not be continued indefinitely and for commercial purposes and that the land is not rendered less fit for cultivation than before:

Provided further that the Competent Authority concerned shall be informed before commencing quarrying operations under this rule.

CHAPTER VI

ROYALTY, DEADRENT, SECURITY DEPOSIT, INTEREST AND MINERAL DESPATCH PERMIT

36. Payment of royalty and dead rent in advance:-

(1) The holder of a quarrying lease or licence under these rules , shall pay dead rent at the rates specified in SCHEDULE-1 <5> *as may be modified from time to time* or royalty at the rates specified in SCHEDULE-2 <5> *as may be modified from time to time* <2> *which ever is more* whether minor mineral is removed or consumed by him or his agent, manager, employee or contractor.

Provided that no such royalty shall be payable in respect of leases for clay in tank bed with an Achcat not exceeding 100 hectares.

Explanation: Royalty shall also be payable under this rule in respect of minor minerals classified as waste rock having volume not exceeding <2> **0.08** cubic meters generated in any ornamental and decorative stone quarry and waste rock rejects of any size not exceeding 0.02 square meters generated in any "shahabad stone" quarry.

(2) The dead rent shall be paid in advance at every six months.

(3) No person shall remove or transport or cause to be removed or transported any minor mineral without paying the royalty or dead rent.

(4) The State Government may by order exempt the dead rent or reduce the rate of dead rent payable by companies or undertakings owned by the State Government.

37. Head of Account to which royalty etc., to be credited:-

The royalty, dead rent, penalty amount, security deposit and auction sale proceeds payable under these rules, shall be credited into the Head of Account specified below:

0853 - Non Ferrous Mining and Metallurgical Industries

102 - Mineral Concession Fees, Rents and Royalties

1 - Geological Department

05 - Royalty on Minor Minerals.

38. Refund of security deposit:-

On an application made by an applicant whose application in FORM-ALP or FORM-R has been rejected, the security deposit may be refunded to such applicant within sixty 60 days from the date of receipt of the application for refund, if dead rent or royalty or penalty is not due from him;

Provided that where the holder of a quarrying lease or licence is liable to pay either penalty, royalty or dead rent or against whom complaints of unauthorised quarrying or transportation of minor mineral has been registered, the security deposit of such person shall not be refunded until a no objection certificate is obtained from the concerned Competent Authority.

39. Recovery of amount due to the Government:-

If dead rent, royalty or penalty or other amount payable by a person is due to the State Government, and is not paid within ninety days next after the date fixed under these rules for its payment, the Competent Authority shall give notice to the defaulter requiring him to pay the dues within sixty days from the date of receipt of the notice failing which the Competent Authority may, forfeit the security deposit and report to the Deputy Commissioner concerned to recover the balance amount due in accordance with Section 25 of the Act.

<1> If the holder of a quarrying lease or licence makes any default in the payment of royalty or dead rent payable under rule 36, the competent authority shall give notice to such holder of quarrying lease or licence, requiring him to pay royalty or dead rent within sixty days from the date of receipt such notice failing which the competent authority may without prejudice to any other action that may be taken against such holder, determine the lease or licence and forfeit the whole or part of the security deposit.

40. Issue of annual audit reports:-

The Competent Authority shall, after conducting inspection of register of accounts of production, despatch and stock, quarry area and connected stone cutting and polishing unit or crushing unit, stock yards, if any, connected with the quarry, submit every financial year a report to the Director. The Competent Authority may call for from the holder of a quarrying lease or licensee any other details or documents, which are required for the preparation of annual audit, report. The holder of a quarrying lease or licence or his agent shall make available such details and documents. The report shall be issued before the end of June of the year next following the financial year.

41. Payment of interest:-

The State Government may charge simple interest at the rate of fifteen percent per annum on any dead rent, royalty or penalty or other sum due to the State Government under the Act or these rules from the sixtieth day after the expiry date fixed for payment of such rent, royalty, penalty or other sum.

42. Transport of Minor Minerals:-

(1) No person shall transport or cause to be transported any minor mineral except under or in accordance with a MINERAL DESPATCH PERMIT in FORM-MDP issued under this rule by the Competent Authority or any other officer authorised by the State Government or the Director.

<1> Any person desiring to transport the minor mineral by road, by rail or any other means of transport shall apply in Form - AP to the concerned competent authority for issue of permit.

(3) The Competent Authority after such enquiry as it deems fit, if satisfied that the information furnished in the application is correct and the applicant is entitled for a permit, it may issue a permit in FORM-MDP.

(4) The permit shall be issued on the basis of one permit for one vehicle basis.

(5) The permit shall be valid for a period not exceeding seven days from the date of issue;

Provided that the Competent Authority may, on a written request by the holder of permit and after such enquiry as it deems fit renew the permit *<2>subject to collection penalty at the rate of five percent of the royalty per day from the date of expiry of the permit till he makes a written request to the competent authority.*

CHAPTER VII

CONTROLLING OF UNAUTHORISED TRANSPORTATION OF MINOR MINERALS, CHECKING OF MINERALS IN TRANSIT AND UNAUTHORISED QUARRYING OFFENSES

43. Checkposts and checking of minerals in transit:-

(1) The State Government may, by notification, direct the establishment of Check posts or erection of barriers or both at such place or places as it thinks fit with a view to prevent or check unauthorised transportation of minor minerals and evasion of royalty or commission of any other offence in respect of minor minerals;

Provided that till such check posts are established or barriers are erected in any place or places, the State Government may, notify the check posts already established or barriers erected in such place or places under the Karnataka Sales tax Act, 1957 or the Karnataka Forest Rules 1964 to be the check posts or barriers for the purposes of these rules also.

(2) Every driver or person in charge of a vehicle carrying minor mineral shall be in possession of a valid permit and waybill, sale or delivery note and FORM-39 issued by Commercial Taxes Department containing necessary particulars in respect of such minerals and shall produce the same before any authorised officer in charge of a check post or barrier.

(3) Any officer authorised by the State Government in this behalf (herein after referred to as authorised officer) may check a vehicle carrying minor mineral at any place, and the owner or person in charge of the vehicle shall produce the permit and other documents such as waybill etc, as demanded by the authorised officer.

(4) At every check post or barrier set up or notified under sub-rule (1) or at any other place, when so required by any authorised officer, the driver or any other person in charge of the vehicle carrying minor mineral shall stop the same and keep the vehicle stationed so long as may reasonably be necessary, and allow the officer in charge of the check post or the barrier or, as the case may be, the authorised officer to examine and take measurements of the minor minerals in transit and inspect all records relating to the minerals in possession of such driver or other person. The driver or other person shall, if so required by the officer in charge of the check post or the barrier or the authorised officer, give his name and address and also that of the owner or the consignor and consignee. After checking the minerals and vehicle, the officer shall put his signature and rubber stamp on the permit so as to avoid any further checking at another check post.

(5) If the driver or person in charge of the vehicle fails to produce a valid permit, the officer in charge of the check post or barrier may require the driver or the owner or person in charge of the vehicle to pay penalty equal to five times the amount of royalty payable as per SCHEDULE-2.

(6) The Officer in charge of the check post or the barrier or the authorised officer may seize and confiscate any minor mineral which is under transit by a vehicle and as well as such vehicle if the owner or the driver or person in charge of the vehicle refuses to make payment as required under sub-rule(5).

(7) The officer in charge of the check post or the barrier or the authorised officer shall give a receipt for having seized such minor mineral together with vehicle to the person from whose possession or control it is seized.

(8) Whenever an order of confiscation in respect of minor mineral seized under sub-rule(6) is made the confiscating officer shall give an option to the owner or driver or person in charge of the vehicle to pay the amount as required under sub-rule (5) in lieu of such confiscation. In case of failure of the Driver, owner or person in charge of the vehicle to exercise such option, the confiscated material may be disposed of by the officer by auction sale;

Provided that no such minor mineral confiscated under sub-rule(6), shall be disposed of by the confiscating officer before expiry of three days from the date of such confiscation and, till such time option shall remain with the owner or person in charge of the vehicle to carry the minor mineral after paying the penalty assessed.

44. Offenses:- *2 (I) Any person who contravenes the provisions of Sub-rule(1) of rule 3 shall, on conviction be punished with imprisonment for a term which may extend to one year or with fine which may extend to rupees five thousand or with both, and in the case of a continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after first such contravention.

***2 (2)** *Any persons who undertakes any quarrying operation in respect of any minor minerals "either without a licence or quarrying permit granted under these rules or in contravention of the terms and conditions of any licence or permit shall be punishable with imprisonment for a term which may extended to one year or with fine which may extended to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention."*

45. Termination of lease or licence held by an offender:- Where the holder of a lease or licence has committed an offence under sub-section (1) of section 21, without prejudice to the penalty for which the holder of a lease or licence is liable under that sub-section, the Competent Authority may, after such enquiry as it deems fit, terminate the quarry lease or licence held by such person.

46. Power of entry, inspection etc:- (1) Any officer empowered by the State Government by notification in this behalf (hereinafter in this rule referred to as empowered officer) may, for the purpose[of these rules require any quarry operator, lessee, licensee, dealer in minor minerals, owner or manager of

granite cutting and polishing units, transport of minor mineral, clearing and forwarding agents for granite and other specified minor minerals, to produce before him the accounts, registers and other documents and to furnish any other information relating to quarrying operation or business or trade in minor minerals.

(2) All accounts registers and other documents pertaining to the business of a dealer, lessee, licensee, the minerals in his possession or in the possession of his agent including clearing and forwarding agents or broker and their offices, go down, cutting and polishing units, factory, vehicle or any other place where the business is done or accounts are kept shall be open for entry and inspection and examination at all reasonable times by the empowered officers.

(3) If the empowered officer has reason to suspect that any dealer, lessee or licensee is attempting to evade payment of royalty or other dues under these rules, he may, for reasons to be recorded in writing, seize such mineral, accounts registers or other documents of the dealer, lessee or licensee as he may consider necessary and shall give receipt to the dealer, lessee, licensee or any other person from whose custody such mineral, accounts registers, documents are seized. The accounts registers and documents so seized shall be retained by such officer only for their examination or for any enquiry or proceedings under these rules or for prosecution:

Provided that the mineral, accounts registers and documents so seized shall not be retained by such officer beyond a period of thirty days from the date of seizure without the written order of the Director for reasons to be recorded in writing:

Provided further that before returning the minerals, accounts registers and documents, the empowered officer may require that the dealer, lessee or licensee shall give a written undertaking that the minerals, accounts registers and documents shall be presented whenever required by the empowered officer for proceedings under these Rules and that such undertaking shall be supported by a security in such form as may be specified for a total sum calculated at the rate of five times the royalty prevailing as per schedule 2 for the possession or utilisation of minerals not accounted for.

(4) The empowered officer may, after giving the dealer/lessee/ licensee an opportunity of being heard and holding such further enquiry as he may consider fit, realise from him, the cost of the mineral for the possession or utilisation of mineral not accounted for.

(5) For the purpose of sub-rule (2) and (3), the empowered officer shall have powers to enter and search at all reasonable times, any offices, go down, stone cutting and polishing units, factory or vehicle or any other place of business or any building or place where, the empowered officer has reason to believe that the dealer, lessee or licensee keeps or for the time being keeping any mineral, accounts registers or other documents pertaining to his business or quarrying operations.

(6) Such empowered officer may, when it is not practicable to seize any books or accounts registers, documents or mineral, serve upon the dealer, lessee or licensee or the person who is in immediate possession or control thereof, an order that he shall not remove, part-with or otherwise deal with them except with the previous permission of such empowered officer who may take such steps in accordance with rules, as may be necessary for ensuring compliance of this sub-rule.

(7) The power conferred by sub-rule (4) and (5) shall include the power to break open any box or receptacle in which any accounts registers or documents of dealer, lessee or licensee may be contained or to break open the door of any premises where any such mineral, accounts registers or documents may be kept or to place marks of identification on his books of accounts, registers or documents to make or cause to be made extracts or copies thereof:

Provided that the power to break open the door shall be exercised only after the dealer, lessee or licensee or any other person in occupation of the premises, if he is present therein, fails or refuses to open the door on being called upon to do so.

(8) The empowered officer may require any person:-

(a) Who transports or holds in custody of any mineral for delivery to or on behalf of any dealer, lessee or licensee to give any information likely to be in his possession in respect of such mineral or to permit inspection thereof, as the case may be;

(b) Who maintains or has in his possession any accounts or documents relating to the trade or quarrying operations, to produce such accounts or documents for inspection.

(9) The provisions of the Code of Criminal Procedure 1973 (Central Act 2 of 1974) relating to searches shall apply, so far as may be, to the searches made under these rules.

CHAPTER-VIII

DISPOSAL OF SEIZED OR CONFISCATED MINOR MINERALS AND MINOR MINERALS LEFT AFTER THE EXPIRY OR TERMINATION OF LEASE THROUGH AUCTION SALE.

47. Procedure for disposing seized minor minerals:-

(1) All minor minerals seized under sub-section (4) of section 21 of the Act, sub-rule(6) of rule 44 and minor minerals left at the quarry after the expiry or termination of lease or licence shall be disposed of by public auction by an officer authorised in this behalf (hereinafter referred to as the authorised officer)

(2) The minimum rate per unit volume or weight of any minor mineral which is classified in FORM-O shall be fixed in accordance with the rate specified in SCHEDULE-3.

48. Sale to be notified:

A notification of sale by auction shall be published in the official Gazette and in not less than two daily news papers in Kannada and in English having wide circulation;

Provided that where the estimated value of minor minerals sought to be auctioned is less than rupees twenty five thousand, the sale notification may be displayed on the notice board of the office of the authorised officer and the office of the Tahsildar of the concerned taluk and copies of such sale notification shall also be circulated in the locality.

49. Disqualification to bid:-

No person who is black-listed or declared to be insolvent or minor or who has failed to pay State Government dues outstanding either in his name or in the name of a company owned or controlled by him or in the name of a firm in which he is a partner, shall be eligible to bid in the auction.

50. Earnest money:-

(1) The amount of earnest money to be deposited by a bidder shall be at the rate of twenty five percent of the total amount of minimum rate assessed for the minor mineral lot offered for auction sale.

(2) Earnest money deposit shall be paid by the bidder through a demand draft drawn in favour of the authorised officer.

(3) Persons intending to deposit and bid as agent of another person or company or firm shall produce before the authorised officer the power of attorney duly executed by such another person or executed on behalf of such company or firm and signed either by all the directors or partners, as the case may be.

(4) Persons intending to deposit and bid as agents of Government undertakings shall produce before the authorised officer a letter of authority from the Head of such undertaking.

51. Conduct and confirmation of sale:-

(1) No auction sale shall be conducted when a single bidder is present.

(2) Prior to the commencement of the auction sale, the sale conditions shall be read out and the signature of all intending purchasers shall be obtained on the sale notice in the presence of the authorised Officer in token of their having been appraised of, and having accepted, the sale conditions.

(3) If the bid of any person participating in the sale is disputed, the decision of the authorised officer on the spot shall be final and binding.

(4) The bidder in whose favour the minor mineral lots have been decided shall affix his signature in the "Auction Sale Slip Form" against the amount

offered by him in token of his having accepted the correctness of the transaction entered in the Sale Slip Form.

(5) Where the highest bid in an auction sale is complete in all respects and is equal to or exceeds the minimum grade-wise price specified in SCHEDULE-3 the authorised officer shall accept the bid if it is within his power of sanction as specified in SCHEDULE-4 and shall issue confirmation or acceptance order:

Provided that if the bid, the value of which is not within the power of sanction of the authorised officer he shall, on the same day or the next working day submit to the concerned confirming authority specified in SCHEDULE-4 the sale records along with his opinion on the quality of material offered as per Form-O, on the general result of the sale, the demand for specified variety or type of minor mineral amongst the lots offered for auction sale and any other relevant information gathered during auction, for confirmation and acceptance of the bid. The confirming authority shall, on accepting the bid, issue confirmation or acceptance order.

(6) The confirming authority may, before taking decision to accept the bid call for further details. The confirming authority shall as far as possible, take a decision within three days from the date of receipt of the report under sub-rule (5).

(7) Immediately on the acceptance and confirmation of the bid, the bidder shall remit the entire bid amount on the spot and obtain a receipt. It shall thereafter be the responsibility of the bidder to arrange for protection and transport of the auctioned mineral. However, the bidder shall, within fifteen days from the date of confirmation of auction, arrange to remove the minor mineral well-outside the area (outside the survey number) where the sale was conducted.

52. Penalty for non-removal of auctioned minor mineral:-

Penalty as specified in SCHEDULE-5 shall be levied by the concerned Competent Authority or authorised officer for non-removal of the auctioned minor mineral or for non-payment of the final bid amount.

CHAPTER IX

REVISION AND MISCELLANEOUS

53. Revision:-

(1) Any person aggrieved by an order of the Competent Authority not above the rank of Additional Director may, within sixty days of the date of communication of such order apply in Form-RV to the Controlling Authority for revision of such order.

(2) Any person aggrieved by an order of the competent authority above the rank of Additional Director may, within two months from the date of communication of such order apply in FORM-RV to the State Government for revision of such order:

<2> “(2A) Any person aggrieved by the order of the Director rejecting any tender or offer or bid under rule 31 I may within sixty days from the date of such order apply in Form RV to the State Government for revision of such order”.

Provided that the Controlling Authority or the State Government, as the case may be, may, if he or it is satisfied that the applicant had sufficient cause for not making the application in-time, entertain such application if it is made within a period of thirty days from the date of expiry of the aforesaid period of sixty days.

(3) An application under sub-rule (1) or (2) or **<2>(2A)** shall be accompanied by a treasury challan for having paid a fee of rupees **<7>one thousand five hundred.**

(4) On receipt of an application for revision under sub-rule (1), (2) or (2A) the Controlling Authority, or as the case may be, the State Government, may call for the records of the case and pass such order thereon as he or it may deem fit:

Provided that no order under this rule shall be made to the prejudice of any person unless he has been given a reasonable opportunity of being heard.

(5) Any application for revision made under rule 61 of the repealed Karnataka Minor Mineral Concession Rules, 1969 and pending before the Controlling Authority or the Karnataka Appellate Tribunal, shall on the commencement of these rules, stand transferred respectively to the concerned Controlling Authority or the State Government, and it shall be decided by them as if it had been filed before them.

54. Delegation of powers:-

(1) The State Government may, by notification in the official gazette direct that any power exercisable by it under these rules may, in relation to such matters and subject to such conditions, if any, as may be specified in the notification be exercisable also by such officer or a or authority subordinate to the State Government.

55. Power to rectify apparent mistakes:-

Any clerical or arithmetical mistakes in any order passed by the Competent Authority, Director or the State Government or any other authority or officer under these rules and any error arising therein from accidental slip or omission may, within one year from the date of the order be corrected by such 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 of being heard.

56. Relaxation of rules in special cases:-

(1) In case where the State Government is of the opinion that public interest so requires it may authorise the grant of a quarrying lease or licence for quarrying or reserve any land on such terms and conditions other than those prescribed in these rules as the State Government may by order specify.

(2) Notwithstanding anything contained in these rules such safeguards, territorial, financial or otherwise may be provided to the lessees or licensees with a view to safeguard the interest of any industry or trade in order to avoid unhealthy competition among the lessees and licensees and to prevent any fall in the trade and to see that the minor mineral is exploited in a scientific and systematic manner.

<1> 56A Manner of payment of fees etc.,: Notwithstanding anything contained in these rules where the fees, earnest money, security deposit or any other amount payable under these rule is required to be paid through a treasury challan, may also be paid by a demand draft on a scheduled Bank, payable at Bangalore in favour of the Government of Karnataka.

57. Application of these rules for renewal:-

Where a quarrying lease or any other right for quarrying a minor mineral has been granted before the commencement of these rules is renewed after such commencement, these rules shall apply in relation to such renewal of a quarrying lease or licence granted after such commencement.

58. Repeal and saving:-

The Karnataka Minor Mineral Concession Rules, 1969 are hereby repealed;

Provided that the repeal shall not affect the previous operation of the repealed rules, and, anything done or any action taken there under shall be deemed to have been done or taken under the corresponding provisions of these rules.

59. Transitory Provisions:-

(1) Where any person who had already applied under the repealed rules for obtaining a quarrying lease or permit and such application is pending consideration immediately prior to the commencement of these rules, such person may, within thirty days from such commencement, apply afresh for grant or renewal of quarrying lease or permit under these rules.

(2) All applications made under the repealed rules for grant of a quarrying lease prior to the commencement of these rules and pending consideration on the date of such commencement shall abate and the fee and security deposit paid in respect of such application shall be refunded to the applicant unless he applies afresh under sub-rule (1) in which case the fee and security deposit so paid shall be adjusted towards the fee and security deposit payable in respect of the applications made afresh.

<1> Any applications for grant or renewal of a quarry lease, licence or permit pending consideration immediately prior to the commencement of these rules shall be consider in accordance with the provisions of the said rules as amended before these rules.

SCHEDULE-1**(See sub-rule (1) of Rule 36)****DEAD RENT**

Sl.No	Name of Minor Mineral	Rate per acre/annum Rs.
1	ORNAMENTAL & DECORATIVE BUILDING STONES. (As defined under clause (m) of rule 2)	25,000
2	Felsite & its varieties suitable for use as Ornamental Stones	25,000
3	Quartzite & Sandstone and their varieties suitable for use as Ornamental stones.	25,000
4	Marble or crystalline Limestone as ornamental Stone.	25,000
5	Bentonite	25,000
6	Fuller's Earth	25,000
7	Limestone under title "Shahabad Stone"	15,000
8	Lime stone (Non-Cement)	15,000
9	Ordinary Building Stones. (As defined under clause (g) of rule 2)	
a.	Bangalore, Kolar, Mysore, Mandya & Tumkur	15,000
b.	Other Districts	10,000
10	Limeshell	15,000
11	Lime Kankar	15,000
12	Agate & Chalcedony	15,000
13	Ordinary Sand	10,000
14	Brick & Tile clays	5,000
15	Steatite used for making household articles	10,000
16	Sandstone used for making household articles.	10,000
17	Murram	3000
18	All other minor minerals	5,000

SCHEDULE-2

(See sub rule (1) of Rule 36)

ROYALTY

Sl.No	Name of Minor Mineral	Rate per unit/quantity Rs.
1	ORNAMENTAL & DECORATIVE BUILDING STONES. (As defined under clause (m) of rule 2)	
	A) DYKE ROCK	
	(i) Black granites:	
	a) Mysore & Chamarajnagar District.	3,000 per M ³
	b) All other districts other than (a) above.	2,500 per M ³
	ii) Other varieties of dyke other than Black granites (Entire state)	1500 per M ³
	B) (I) PINK & RED GRANITES	
	[ILKAL PINK variety] (i) Hungund Taluk of Bagalkot & Badami taluk of Bijapur district, Kushtagi of Koppal district	2,500 per M ³
	(ii) Pink & Red granites, gneisses & their textural & structural varieties, (other than ILKAL PINK variety)	1,500 per M ³
	C) GREY & WHITE GRANITES & Their varieties	
	(i) Very fine grained grey Granite [SIRA GREY variety]. Sira, Madhugiri of Tumkur dist. Chintamani, Gudibande, Siddlaghatta of Kolar dist. Hosakote of Bangalore district.	1,500 per M ³
	ii) Grey & White granites & their textural varieties having shades of grey, black & white colours, (other than (I) above) Entire State	1,000 per M ³
	iii) Grey Granite of Sadarahally Koiria of Bangalore Rural District.	600 per M ³
2	Felsite and its varieties suitable for use as Ornamental Stone – Entire State	1,200 per M ³
3	Granite and Sandstones and their varieties suitable for use as ornamental Stones – Entire State.	1,200 per M ³
4	Marble or crystalline limestone as ornamental stone. – Entire state.	1,200 per M ³

5	Bentonite -- Entire state	200 per MT
6	Fullers Earth – Entire State	200 per MT
7	Limestone under the title “Shahabad Stone”	80 per 10 Sq. m
8	Limestone (Non-Cement) when used for building stone -- Entire State	20 per MT
9	Ordinary Building stones --Entire State (As defined under clause (g) of rule 2)	30 per MT
10	Limeshell – Entire State	60 per MT
11	Lime Kankar (Non-Cement) – Entire State	25 per MT
12	Agate, Chalcedony, Flint – Entire State	120 per MT
13	Ordinary Sand: Entire State	30 per MT
14	Steatite and sand stone used for making household utensils/articles – Entire State	20 per MT
15 a.	Murram (All types of soils) – Entire State	10 per MT
b.	Clay used for manufacturing tiles & Bricks	20 per MT
16	All other minerals – Entire State	30% of the sale value at Pit mouth
17	Waste rocks generated in ornamental stone quarry -- Entire State see explanation under rule 36	200 per Tonne or 600 per M3.
18	Irregular shaped waste rock, quarry which is not suitable for ornamental purposes – Entire State.	30 per MT
19	Waste rocks generated in Shahabad stone quarries. – Entire State. see explanation under rule 36	30 per MT
20	Finished kerb stones/cubes not exceeding 30 cms. Each face. – Entire State.	80 per MT

SCHEDULE – VI

Institution/Banks/Corporation

1. Scheduled Bank as defined in clause (e) of Section 2 of the Reserve Bank of India Act, 1934 (2 of 1934).
2. A Bank specified in column 2 of the First schedule to the Banking Corporation (Acquisition and Transfer of undertaking) Act, 1970 (5 of 1970).
3. A Finance Corporation owned and controlled by State Government.
4. A State Industrial Development Corporation.
5. Unit Trust of India.
6. Industrial Finance Corporation of India.
7. State Trading Corporation of India.
8. Industrial Credit and Investment Corporation of India.
9. Life Insurance Corporation of India.
10. Industrial Development Bank of India.
11. Industrial Reconstruction Corporation of India Ltd., Calcutta.
12. State Industrial Corporation of Maharashtra..
13. General Insurance Corporation of India and its four subsidiaries, viz.,
 - (1) Oriental Insurance Co., New Delhi.
 - (2) New Delhi Assurance Co., Bombay.
 - (3) National Insurance Co., Calcutta and
 - (4) United Insurance Co., Madras.
14. The export and Import Bank of India.
15. The National Bank of Agricultural and Rural Development.

SCHEDULE - 3
(See Sub-Rule(2) of Rule 47)
MINIMUM RATE PER UNIT VOLUME OR WEIGHT OF MINOR
MINERALS

Sl.No	Classification Code as per form O	Unit of Measurement	Minimum Rate
1	Lst	Tonnes	Rs.40/- Tonne
2	Lsh	Tonnes	Rs.30/- Tonne
3	i) Bst-1 ii) Bst-2 iii) Bst-3	Tonnes No.of Stones Tonnes	Rs.50/- Tonne Rs.1/- Size stone Rs.30/- Tonne
4	OS	Tonnes	Rs.30/- Tonne
5	Pbl	Tonnes	Rs.50/- Tonne
6	Cly	Tonnes	Rs.20/- Tonne
7	Flr	Tonnes	Rs.250/- Tonne
8	i) B(O) II) B(M)	Number of Bricks Number of Bricks	Rs.500/1000 Bricks Rs.750/1000 Bricks
9	Sh.ST	Sq.mt	Rs.300/10 Sq.Mt.
10	Granites		
(1)	a) BLG-1 b) BLG-2 c) BLG-3 d) BLG-4(I) e) BLG-4(ii) f) BLG-5	Cu.Mt Cu.Mt Cu.Mt Cu.Mt Cu.Mt Cu.Mt.	Rs. 500/- Cu.Mt Rs. 1500/- Cu.Mt. Rs. 3000/- Cu.Mt. Rs. 6000/- Cu.Mt. Rs.10000/- Cu.Mt. Rs. 2000/- Cu.Mt.
(2)	a) PNG-1 b) PNG-2 c) PNG-3 d) PNG-4 (I) e) PNG-4 (ii) f) PNG-5	Cu.Mt Cu.Mt Cu.Mt Cu.Mt Cu.Mt Cu.Mt	Rs. 500/- Cu.Mt Rs. 1500/- Cu.Mt. Rs. 2000/- Cu.Mt. Rs. 5000/- Cu.Mt. Rs.10000/- Cu.Mt. Rs. 2000/- Cu.Mt.
(3)	a) PGM-1 b) PGM-2(I) c) PGM(ii)	Cu.Mt Cu.Mt Cu.Mt	Rs. 500/- Cu.Mt. Rs. 1500/- Cu.Mt. Rs. 2500/- Cu.Mt.
(4)	a) GRG-1 b) GRG-2 c) GRG-3 d) WYG	Cu.Mt Cu.Mt Cu.Mt Cu.Mt	Rs. 300/- Cu.Mt. Rs. 2500/- Cu.Mt. Rs. 5000/- Cu.Mt Rs. 1500/- Cu.Mt.

SCHEDULE-4

(see sub-rule (5) of Rule 51)

AUCTION SALE CONFIRMING AUTHORITIES

Name of authorised Officer	Max.value of auction lot (Rs.)	Confirming authority
(1) Geologist having jurisdiction over the district.	Upto 50,000	Senior Geologist
(2) Senior Geologist having jurisdiction over the districts (In the case where Senior Geologist is in charge of Dist he will conduct sale for less than Rs. 50,000 also)	Upto 1,00,000	Joint Director
(3) Joint Director	Upto 4,00,000	Additional Director
(4) Deputy Director(MA) or any Deputy Director in H.O. duly authorised by the Director.	Upto 6,00,000	-do-
(5) Additional Director	Upto 10,00,000	Director
(6) Director	Above 10,00,000	Government

SCHEDULE -5
(See Rule 52)
PENALTY FOR NON-REMOVAL OF MINOR MINERAL AND/OR
NON-PAYMENT OF
FINAL BID AMOUNT THEREBY CAUSING INCONVENIENCE.

Sl.No.	Category of Minor Mineral	Penalty Amount
1.	Non-specified minor mineral	Forfeiture of the earnest money paid as per Rule 51
2.	Specified minor minerals other than granites.	Forfeiture of the earnest money paid as per Rule 51 and black-listing the bidder so that the bidder in his company/Firm cannot take part in future auctioning.
3.	Granites (all types mentioned in Form-O)	Forfeiture of the earnest money paid as per Rule 51, and black listing.

GOVERNMENT OF KARNATAKA

Department of Mines and Geology

FORM-AQL

(See Rule 9,21,33 & 34)

APPLICATION FOR GRANT OF QUARRYING LEASE/QUARRYING

LICENCE FOR _____(Name of the minor mineral).
(To be submitted in duplicate with sketches in triplicate)

Received at _____ (place), on _____ (date) and
entered in the Register (FORM-QLA), Vol.No. _____ at serial No. _____ on
page No. _____.

Signature and
Designation of receiving officer.

From

To

Sir,

I/We submit an application for grant of quarrying lease/ license for quarrying
_____ (minor mineral) for a period of _____ years over an extent of
_____ acres of land in the area specified in this application.

A total sum of Rs. _____ being the security deposit calculated at
Rs. _____ per acre and Rs. _____ being the application fee has been paid to
Government vide D.D No/ Challan No _____ dated _____ for
Rs. _____ and Rs. _____ respectively.

The required particulars are given below;

1. Name of the applicant with permanent
and correspondence address in full.

2. Is the applicant a Government company/
Firm/Association or Registered
cooperative society.

3. a) Names of the Directors/Members and their Nationality.
(use a separate sheet.)
b) Nationality of the individual applicant

4. Place & address of registration of the Company/Firm/Association/Registered Co-op society.

5. Profession or nature of business of the applicant.

6. Minor mineral which the applicant intends to quarry (If it is any type of granite, description of colour and texture/structure be given in brief).

7. Period for which quarrying lease/ license is required.

8. Details of the area applied for :

<u>Dist</u>	<u>Taluk</u>	<u>Village</u>	<u>Survey No.</u> <u>applied area</u>	<u>Extent of</u> <u>area</u>
(a)	(b)	(c)	(d)	(e)

(to be supported by)

(a) Ammonia print of Village plan of forest land in triplicate, on scale 1" = 660 ft. or 1"=330 ft. showing the area applied.

(b) R.R extract in original. (State clearly whether it is patta/revenue/forest land)

(c) Certified copies of documents to establish that the applied area is a pattaland in ex-Mysore State territory and before the promulgation of KLR Act 1964 and that the applicant has full ownership rights in the minor mineral found in the applied area.

(d) Certified copies of documents to establish that the applied areas is a pattaland held in ex-Madras territory now comprised in Karnataka and the land was granted before 1964 and that the applicant has partial ownership rights in the minor mineral found in the applied area.

9. Particulars of areas, mineral wise, already held under quarrying lease or license or under court order in individual capacity or partner/ Director/ member of any company/ Firm/ Association/Registered Co-operative society.

<u>Dist</u>	<u>Taluk</u>	<u>Village</u>	<u>Survey No.</u>	<u>Extent of</u>
(a)	(b)	(c)	(d)	<u>applied area</u> (e)

10. Particulars of areas, mineral wise, already applied for quarrying lease or license in individual name or as a partner/ Director/ member of any company / Firm / Association / Registered Co-operative society.

<u>Dist</u>	<u>Taluk</u>	<u>Village</u>	<u>Survey No.</u>	<u>Extent of</u>
(a)	(b)	(c)	(d)	<u>applied area</u> (e)

11. If the applicant, on the date of application does not hold any quarrying lease or license for quarrying or any area under court order an affidavit to this effect should be furnished with this application.

12. Proposed method of quarrying and investment.

(a) Mechanised/quasi Mechanised/ manual.

(b) Investment in accordance with (a).

13. Whether the applicant is the owner of an existing granite cutting and polishing unit established in the State of Karnataka.

If so furnish details regarding:

- a) Name of the Unit.
- b) Date of establishment .
- c) Location and address of the unit.
- d) Capacity of the unit in terms of production in square meter per annum and total requirement of granite blocks expressed in cubic meters per annum.

14. Whether the applicant is the owner of a S.S.I. Granite cutting and polishing unit in the State. If so furnish details regarding the following with supporting documents:

- a) Name of the Unit.
- b) Date of establishment .
- c) Location and address of the unit.
- d) Capacity of the plant in terms of production. In square meter per annum and total requirement of granite blocks expressed in cubic meters per annum.

15. Whether the applicant holds a license for establishing 100% E.O. granite cutting and polishing unit in the State of Karnataka. (Enclose copy of the certificate.)

16. Whether the applicant holds a permanent S.S.I. Registration Certificate. If so furnish details with copies.

7. Whether the applicant is the owner or has any proposal to establish any mineral based industry in the state: If so furnish details such as the capacity, location etc. as regards;

- (a) Stone crusher
- (b) Brick manufacturing kiln
- (c) Tile manufacturing kiln
- (d) Stone ware unit/Hollow brick manufacturing unit
- (e) Lime burning unit
- (f) Any other

18. Financial resources of the applicant;
(Furnish Banker's credit certificate.)

19. Any other particulars which the
applicant wishes to furnish.

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

Yours faithfully

Date :

Signature of the applicant.

Place:

**Note: 1) If the application is signed by an authorised agent, the power of attorney
should be attached.
2) Delete whichever is not applicable.**

GOVERNMENT OF KARNATAKA
Department of Mines & Geology

FORM - R

(See Sub-rule (2) of Rule 9,21,34 & Sub-rule (1) of Rule 33)

**APPLICATION FOR RENEWAL OF QUARRYING LEASE/ QUARRYING
LICENCE.**

(to be submitted in duplicate with sketches in triplicate)

Received at _____(place) on
_____(Date) and entered in the
registered (Form- QLA), Vol.No. _____at Sl.No. _____ on page _____.

Signature and designation of
receiving officer.

From.

To.

Sir.

I /We submit an application for the renewal of the quarrying lease No. _____ or
quarrying license No. _____ under the Karnataka Minor Mineral Concession Rules
1994.

The required particulars are given below.

-
1. Name and address of the applicant
stating whether he or it is an
Individual, firm, company or
Society.
 2. Mineral for which the renewal is applied.

3. Particulars of the original quarrying lease/License:-

- a) District
- b) Taluk
- c) Village/Forest block or range.
- d) Sy.No.(s).
- e) Total extent in acres.
- f) No. and date of the order granting the lease/license (Enclose copy of the original lease/license deed).
- g) period for which the lease/ license was granted.
- h) Date of expiry of the lease/license

4. Details about the area in regard to which renewal is applied for:-

- a) Whether the area applied for is the whole or a part of the lease/license held.
- b) In case it is for a part of the lease/ license held:
 - i) The extent of the area to be renewed
 - ii) Sy.No.
 - iii) whether the area sketch is enclosed showing the area applied for renewal

5. Details of production and dispatches and royalty paid during the last 3 years.

6. Details of production and dispatches made from the mineral based industry during the past three years.

7. Period for which the renewal is applied for.

8. Have all dues on the existing quarry been paid to Government ? If so attach no due certificate from the Director.

9. Any other particulars which the applicant wishes to furnish.

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

Yours faithfully,

Place:

Date:

Signature of the applicant.

N.B. If an authorised agent of the applicant signs the application, the power of attorney should be attached.

FORM – Q
(See Sub-rule (10) of Rule 18)

Quarterly returns for the period fromto
Quarry lease No.....License No.....

IMPORTANT

Please return this form duly filled to the Director of Mines and Geology, Bangalore, the concerned Competent Authority and the Geologist before the 8th of the succeeding month

Date:.....

- 1) Quarry lease/ licensee Number. :
- 2) Name of lessee/licensee :
- 3) No. & date of order granting the quarry lease/license :
- 4) Location of the quarry,
- a) Village/Forest Range :
- b) Taluk/ :
- c) District :
- 5) Royalty paid during the last three months & progressive :
- (1) Royalty
- (a) Rs..... for the month of
- (b) Rs. for the month of
- (c) Rs.....for the month of

Total for Progressive
3 months for the year.....

- 6) Total number of permits obtained with volume/quantity
- (a) for the last 3 months Nos.
- (b) Volume in cu.mt.....
- (c) Quantity in tones.....
- 7) Production of minor mineral :Quantity.....tones/
- 8) Dispatches Cu.Mt
- (a) To the mineral based industry owned by the lessee/licensee.....
- (b) To the mineral based industry owned by others
- (Mineral based industry includes cutting and polishing units, stone crusher etc.)
- 9) Quantity/volume of minor mineral in stock at the quarry as on date
- 10) No. of workers employed at the quarry (a) Supervisors.....
- (b) Skilled
- (c) Unskilled

Signature of the Lessee/licensee

FORM-Y

(See Sub-rule(10) of Rule 18)

Annual return for the year ending 31st March 199 .

Quarry lease No.....

License No.....

To

The Director of Mines and Geology, Bangalore
Senior Geologist..... District,
GeologistDistrict.

1. Name and address of the lessee/licensee
2. Location of the quarry
 - (a) Q.L. No.....Date of grant Date of expiry.....
 - (b) Village/Forest Range :
 - (c) Taluk :
 - (d) District :
3. Location & address of the Mineral- :
based industry owned by the lessee/ :
licensee
4. **Total production** (a) in tonnes :
(b) in cu.metres :
(c) In Sq. meters:
(in case of Shahabad stone)
5. **Total quantity of dispatches: -** :

To the mineral | For export | To others
based industry | |

- a) In tones
- b) in Cu.mt
- c) in Sq.mt
6. **Total quantity in stock** at the :
quarry head as at the end of
March.....(year) :
7. Dead rent paid during the year :
8. Royalty paid during the year :
9. Total number of permits : a) Nos.....
obtained..... b) Quantity.....
- 10.**Performance of granite cutting & polishing unit.**
 - (a) Total quantity utilised :..... Cu.mt
 - (b) Quantity produced : (i) Slabs.....Sq.Mt
(cut & polished) : (ii) Tiles.....Sq.mt
(iii) Monuments &
others.....Sq.Mt
11. Quantity of waste rocks : (a) Quantity.....
disposed during the year : (b) Royalty paid.....

I/We hereby certify that the above particulars are true and that I/we am/are willing
produce all documents in support thereof, if desired.

Date

Place

Signature

Name and address of the lessee/licensee

DEPARTMENT OF MINES AND GEOLOGY

(See Rule 42)

FORM-AP

APPLICATION FOR MINERAL DESPATCH PERMIT

(in short, PERMIT)

FROM:

Date

Sri/Messrs

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

1. I/We submit an application for PERMIT
for _____ (mineral from
the area described below):

2. i) Name of the applicant stating
whether he or it is an individual,
firm, company or society.

3. Address of the applicant:

4. Minor Mineral for which the PERMIT is
applied for (name the minor mineral
specifically as given in the license/
lease deed; otherwise, in case of
granite state whether it is a black
granite dyke, green granite dyke,
pink granite, pink porphyritic granite,
Multicolour granite, Grey granite,
Grey porphyritic granite, yellow
granite etc.,

5. Quantity to be removed under the permit.

- (a) No. blocks (How many)
- (b) Length x breadth x height of each block
- (c) Cubic meters of each block
- (d) Total volume in Cu.mt
- (e) Tones
- (f) Square meters

6. Whether royalty on the material has
been paid, if so, give details.

(a) Demand draft No _____ Date _____

7. Details of the area from which the
minor mineral is to be removed.

- a) Village/Forest Range:
- b) Survey Number/s:
- c) Quarry lease No:
- d) Quarry license No:

8. Stock at the Quarry Head:
 - a) At the end of previous month;
No.of blocks & volume in Cu.mt
 - b) On the day of submission of
this application; No.of blocks
& volume in Cu.mt.
9. Whether the minor mineral is to be
transported from any other Stock
yard other than the quarry; if
so give the following details:
 - a) Location of the Stock yard
 - b) Whether the mineral is covered
under royalty/PERMIT? If so
give details.
10. Destination
 - a) For export through Mangalore/
Madras/any other.
 - b) For domestic consumption:
If so give the name of the
place/Taluk/District.
 - c) If for a granite cutting &
polishing unit name the
unit with address.
11. Is the quarry held under a
Court order: if so furnish details:
 - a) W/P No.....Date of order(enclose
certified copy)
 - b) Location of the quarry, survey No.
extent, village, taluk, District,
patta/revenue/ for etc.
12. Is this application is for renewal
for PERMIT ? If so give valid reasons.
I/We/am/are fully aware of the rules and shall abide by them.

Place:
Date:

Yours faithfully,

Signature of the applicant

N.B. If the application is signed by an authorised agent of the applicant, the power of attorney should be attached.

(To be filled in by Office of the Officer granting the permit)

1. Date of grant/refusal of permit:
2. Period of grant:
3. Quantity for which the permit is valid:
4. Royalty paid: Rs _____ DD No _____ Date _____
5. Permit No. _____ Date _____
6. Details of entry in the quarry permit register:
Place _____
Date _____

Signature and Designation of Officer

FORM-RV
(See Rule 53)
APPLICATION FOR REVISION

1.	Name and Address of Individual/ Firm/ Company/Regd. Co-Op. Society/ Association					
2.	Profession or nature of business Full details of the order of the Competent Authority/Director/ Deputy Director/Joint Director/ Additional Director against which the revision application is made (copy to be enclosed).					
3.	Minor mineral forming the subject matter of the revision application.					
4.	Details of the area in respect of which the revision application is filed.(A sketch of the area on village plan is to be attached).					
5.	Type Land	District	Taluk	Village	S.No.	Extent
a)Revenue b)Forest c)patta						
6	(a) Is the application filed within Sixty days of the date of the Order of the Competent Authority/ Director and others as in Sl.No.3 above. (b) Is the application with in 30 days (c) After expiry of Sixty days?					
7	Grounds of revision.					
8	If the revision application is filed by the holder of power of Attorney, please attach the power of Attorney.					

Date:
Place

Signature and Designation
of the applicant/power of attorney holder

FORM - R

(See Sub-rule (2) of Rule 10,22,35 & Sub-rule (1) of Rule 34)

**APPLICATION FOR RENEWAL OF QUARRYING LEASE/ QUARRYING
LICENCE.**

(to be submitted in duplicate with sketches in triplicate)

Received at _____(place) on _____

_____(Date) and entered in

the registered (Form- QLA), Vol.No. _____at Sl.No. _____

on page _____.

Signature and designation of
receiving officer.

From.

To.

Sir.

I /We submit an application for the renewal of the quarrying lease No. _____ or
quarrying license No. _____under the Karnataka Minor Mineral Concession Rules
1994.

The required particular are given below.

-
1. Name and address of the applicant
stating whether he or it is an
individual, firm, company or Society.
 2. Mineral for which the renewal is
applied.

3. Particulars of the original quarrying lease/License:-
 - a) District
 - b) Taluk
 - c) Village/Forest block or range.
 - d) Sy.No.(s).
 - e) Total extent in acres.
 - f) No.and date of the order granting the lease/license
(Enclose copy of the original lease/license deed).
 - g) period for which the lease/license was granted.
 - h) Date of expiry of the lease/license
4. Details about the area in regard to which renewal is applied for:-
 - (a) Whether the area applied for is the whole or a part of the lease/license held.
 - (b) In case it is for a part of the lease/ license held:
 - i) The extent of the area to be renewed
 - ii) Sy.No.
 - iii) whether the area sketch is enclosed showing the area applied for renewal
5. Details of production and dispatches and royalty paid during the last 3 years.
6. Details of production and dispatches made from the mineral based industry during the past three years.
7. Period for which the renewal is applied for.
8. Have all dues on the existing quarry been paid to Government ? If so attach no due certificate from the Director.
9. Any other particulars which the applicant wishes to furnish.

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

Yours faithfully,

Place:

Date:

Signature of the applicant.

N.B. If the application is signed by an authorised agent of the applicant, the power of attorney should be attached.

FROM – AQP

(Seen Rule 21A (1)

Application for a quarrying permit

Received at
(Place) on
Signature of receiving Officer.
Dated the

To

Sir,

1. I / We submit an application for a quarrying for
.....
(mineral from the area described below).
2. The required particulars are given below:
whether he or it is an individual, firm, company
or society.
 - (i) Name of the applicant
 - (ii) Nationality of the individual or place of
registration or in-corporation of firm of company
or society.
 - (iii) Profession of the applicant.
 - (iv) Address of the applicant.
 - (v) Minor Mineral for which the quarrying permit is
applied for.
 - (vi) Quantity to be removed under the permit.
 - (vii) Whether royalty on the material has been paid; if
so, give details.
 - (viii) Details of the area from which the materials are to
be removed.
 - a) Village/ Forest range.
 - b) Survey Number.
 - c) Whether a quarry exists in the area
Whether the applicant worked in the area
previously.

- (ix) Period of validity of the quarrying permit.
- (x) Has the applicant any quarrying lease or quarrying permit in force? If so, please give details.
- (xi) Purpose for which the mineral is to be used. Give full details.
- (xii) Is a plan of the area enclosed? (The plan should be on the relevant portion of the cadestral village map so as to be identified from surface features, etc).
- (xiii) If the land is an occupied land, has occupant's willingness been ascertained and his letter of consent enclosed?
- (xiv) If the land is an agricultural land, has the permission of the revenue authorities been obtained for converting the same for non-agricultural purposes? If so, please give details.

I/We/am/are fully aware of the rules and shall abide by them.

Yours faithfully,

Signature of the applicant.

Place:

Date:

NB: If the application is signed by an authorised agent of the applicant, the power of Attorney should be attached.

(To be filled in the Office of the Officer granting the permit).

1. Date of grant/refusal permit.
2. Period of grant.
3. Quantity for which the permit is valid.
4. Royalty paid.
5. Details of entry in the quarry permit Register

Place:

Date:

Signature and designation of Officer.

FORM-S

(See Rule 22 & Sub-rule (2) of Rule 33)

**INSPECTION REPORT OF APPLIED AREA FOR QUARRY
LEASE/LICENCE**

1. Name of applicant :
2. Status (State Govt. undertaking/Central Govt./Regd.
Co., Corporation/Individual
3. Mineral applied

4. Extent	Survey No.	Village	Taluk	District
1	2	3	4	5

II

1. Whether Government land /
Private land/Forest land :
2. Are there any public structures like Roads, Bridges, :
Residences, places of work-
ship, Irrigation tanks,
Forts etc. within 200 mt/
50 mt. of the applied area?
If so, give details and indicate
them on the applied area map.
3. Whether the area was held previously
under Q.L. by either the applicant or
others. If so, give details

Ql.No.	Name of lessee	w.e.f.	Expiry date	Type of orn.stn
1	2	3	4	5

3. Court orders held by the applicant or by
others over the applied area, with details,
district-wise.

Taluk & Dist	W/P No.	Name of the petitioner	Date of Order	Extent of Land	Sy. No	Village	
1	2	3	4	5	6	7	8

5. Whether consent of the land owner has been obtained before making the application over private land; details to be furnished.
6. Whether the applicant has an existing granite cutting and polishing industry in Karnataka? Details to be furnished with copies of supporting documents and capacity of the unit.
 - (a) whether 100% E.O.U. or SSI
 - (b) Location.
 - (c) Cubic metres per month/Year.
 - (d) Sq.Mt per month/year.

(Tiles, Slabs, Monuments)
7. Whether the applicant has a distinct industrial programme for utilisation of granite in a cutting and polishing unit within the State of Karnataka.

III. FIELD DETAILS

1. Total length and average width of the dyke/Granite formation (Geological description of the deposit) (Use a separate sheet to give these details)
2. Approximate reserve of quarriable ornamental stone in Cu.Mt. upto 10m depth from the present surface of the applied area. The deposit should be shown on 1"=660' and the same enclosed with this report. (use a separate sheet to give these details)

IV.

1. Whether the land is reserved for any public purpose?
2. If quarrying is done in the applied area is it going to harm the surrounding environment? If so in what manner? specify.
3. Any other point of relevance
4. Specific recommendation of the Inspecting Officer.
(Whether the area is free for grant or not, specify)

Signature of the inspecting Officer

Remarks of the forwarding officer.
(If different from the Inspecting Officer)

FORM – QLN

**REGISTER OF NOTIFICATIONS FOR QUARRY LEASE BY
TENDER-CUM-AUCTION**

Sl. No.	Name of the Minor Mineral	Survey Number	Extent in Acre sent as	Name of Revenue Village	Taluk	District	Period of Lease	Date of Notification	Last date for receipt of Tender	Date and time of Auction	Place of Auction	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM QLA

(See Rule 14 & 24)

REGISTER OF APPLICATIONS FOR QUARRY LEASE/LICENCE

Sl. No	Date of application for quarrying lease/licence	Date on which the Application is received by the receiving Officer	Name of the applicant with full address (Permanent)	Revenue land/ Forest/ Patta/ Private& correspondance) land	Particulars of applied area						Particulars of the amount paid	Final disposal of the application together with No. and date of order.	Remarks	Signature of the Officer
					Name of the District	Taluk	Village / Forest Range	Sy. No.	Extent in acres	Minor Mineral				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

GOVERNMENT OF KARNATAKA

OFFICE OF THE DIRECTOR,

DEPARTMENT OF MINES & GEOLOGY,

No. _____

Dated. _____

FORM - GL

(See Sub-rule (5) of Rule 11, Rule 27 and Sub-rule(2) of Rule 33)

NOTIFICATION

1. In pursuance of rule ____ of the KMMC Rules 1994 sanction is hereby accorded for grant / first renewal / second renewal of a quarry lease/licence for quarrying _____ (Mineral) for _____ years to Smt./ Sri/ M/s. _____ over an extent of _____ acres of _____ (Revenue/Forest/Private) land in Sy.Nos. _____ of _____ village, _____ taluk, _____ district, as per the enclosed sketch.

2. The grant of the above lease/licence for quarrying is subject to the terms and conditions mentioned hereunder;

a) Quarrying lease/licence shall be in respect of _____ minor mineral only. If any other minor mineral(s) is/are found in association with the said minor mineral, it/they should be brought to the notice of the Competent Authority and if the lessee/licencee desires to quarry these minerals also he should do so only after the consent of the Competent Authority is obtained in writing.

b) The lessee/ licencee shall at his own expense erect and at all times maintain and keep in good repair, boundary pillars and marks which are necessary to indicate the boundaries of the area.

c) Quarrying work should not be started based on the this Notification. Quarrying should be started only after executing the lease deed/licence deed.

d) A board should be displayed boldly at the entrance to the Quarry lease or the land granted on Quarrying licence giving details of the name of the quarry, lease/licence number, and owners name and address and date of the execution of the lease deed/licence.

e) Dead rent at rate prescribed in schedule 1 of KMMC Rules 1994 and Royalty at the rate prescribed in schedule 2 of KMMC Rules 1994 shall be payable by the lessee in accordance with these rules.

f) Government or the controlling authority shall have the right of purchasing the minor mineral at market prices prevailing at the time of such purchase.

g) The grant of this quarrying lease/licence for quarrying shall be subject to the various other provisions of the KMMC Rules 1994.

h) The grantee shall be governed by all additional conditions which may be incorporated into the lease deed at the time of execution of the licence deed.

j) The lease/licence would be determined if the lessee or the holder of the licence fails to commence quarrying operations within one year from the date of execution of the lease/licence.

Competent Authority

To.

NOTE: The grantee should execute the formal licence/lease deed in form No._____ within a period of _90 days from the date of the order sanctioning the quarrying lease, failing which the order of sanctioning this Quarrying lease/licence for quarrying be deemed to have been revoked under rule_____ of the KMMC Rules 1994.

Copy to:

1. The Controlling authority (Director of Mines & Geology).
2. The Senior Geologist,_____ District.
3. The Geologist,_____ District.
4. The Deputy Commissioner,_____ District.
5. The Tahsildar , _____ District.

Competent Authority

FORM-A

(See sub-rule(3) of Rule 9,21, Sub-rule (4) of Rule 34)

**ACKNOWLEDGEMENT FOR RECEIPT OF APPLICATION FOR
QUARRYING LEASE / QUARRYING LICENCE**

Received one application for(name the minor mineral) in Sy.No.....

Extent.....(Revenue land/Forest land/Patta land in.....Village, oftaluk

of..... District from Sri/M/s..... on (date).....

Enclosures are as follows:

- 1)
- 2)
- 3)
- 4)
- 5)

Place:

Signature of the

Date:

Competent Authority

To.

.....

.....

.....

.....

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-XI
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by sub-rule (1) of rule 47 and rule 52 of the Karnataka Minor Mineral Concession Rules 1994, the Government of Karnataka hereby authorise the following officers of the Department of Mines and Geology for the purpose of the said rules:-

Sl. No.	Authorised officer	Area
1	2	3
1.	Director	Whole of the State
2.	Additional Director (Minerals)	Whole of the State
3.	Joint Directors	In their respective Jurisdiction
4.	Deputy Director (Mineral Administration)	Whole of the State
5.	Senior Geologists	In their respective jurisdiction.
6.	Geologists	In their respective jurisdiction.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

FORM – O

(See Sub-rule(2) & Rule 47)

CLASSIFICATION OF MINOR MINERALS FOR PURPOSE OF RULE 47

Sl.No.	Description of Minor Minerals	Mineral Code
1	2	3
		A. (in lots of 100 tonnes or less)
1.	Lime Stone (Non Cement)	Lst
2.	Lime Shell	LSh
3.	Building Stones : i) Aggregates or Jelly ii) Size Stones iii) Boulders & others varieties	Bst 1 Bst 2 Bst 3
4.	Ordinary Sand	OS
5.	Pebbles	Pbl
6.	Clays	Cly
7.	Fuller's Earth	FLR
		B. (in lots of 10,000 bricks/tiles or less)
8.	Bricks i) Ordinary ii) Moulded Bricks (Wire cut)	B(O) B(M)
		C. (in lots of 1000 Sq.mt. or less)
9.	Shahabad Stones	Sh.St.
		D. (in lots of 25 Cu.Mt. or less)
10.	Granites :	
1.	DOLERITE & CABBRO DYKES "BLACK AND GREEN" GRANITES	
a)	With veins / fractures & other Defects & Unsized	BLG – 1
b)	Green and Grey coloured without defects	BLG – 2
c)	Dark grey (without defects)	BLG – 3
d)	Jet black & super black "Galaxy Black" etc., without defects i) Size < 1 Cu.Mt ii) Size > 1 Cu.Mt.	BLG – 4 (i), (ii)

e)	Other varieties of "black granites" dykes without defects	BLG – 5
2.	PINK GRANITES	
a)	With veins /fractures & other defects and unsized	PNG-1
b)	Pale Pink granites and Pale pink porphyritic granites	PNG-2
c)	Pink/red/brown granite with white spots	PNG-3
d)	Brown/Pink/Red/Rose granite and porphyritic granites (i) < 1 M31 (ii) > 1 M3 1	PNG-4
e)	Other varieties of pink granites and porphyritic granites without defects.	PNG-5
3.	PINK GNEISSES AND MIGMATITES : (Multi-coloured granites)	
a)	With fractures and large black patches and unsized.	PGM-1
b)	Pink Gneisses & Migmatites of all varieties without defects (i) < 1 M3\	PGM-2
4.	GREY AND WHITE GRANITES :	
a)	With veins, fractures, black patches etc., & unsized.	GRG-1
b)	Grey granites, Grey gneisses and porphyries without defects	GRG-2
c)	Very fine grained "Sira type" Grey granite.	GRG-3
d)	White & Yellow varieties	WYG
11.	WASTE ROCKS (WASTE MINOR MINERALS)	
	Generated during quarrying of specified minor minerals and Shahabad Stones.	

FROM – QP
[See Rule 21A (1)]

Quarrying permit No.....

.....Office Date.....

WHEREAS Shri..... applied for grant of quarrying permit for excavation and removal oftones / brass of..... (minor mineral) from Sy.No.....of Village.....Taluk.....District..... under Rule 21(A) of the Karnataka Minor Mineral Concession Rules, 1994 and has paid royalty in advance amounting to Rupees..... permission is hereby granted to the above applicant to quarry, win and remove tones of described below on the following conditions, and on payment of advance royalty of Rs..... per tone/brass (as specified in the Schedule 2 to the Karnataka Minor Mineral Concession Rules, 1994).

VILLAGE	SY.NO	AREA
Bounded on the North by		
Bounded on the South by		
Bounded on the East by		
Bounded on the West by		

(as shown in the detailed plan annexed with the application)

- (1) This permit shall be valid for..... days only.
- (2) The depth of the pit below the surface shall not exceed six meters:
- (3) This permit is non-transferable.
- (4) No other mineral except that for which the permit is granted shall be excavated or removed without proper sanction being obtained from the Competent Authority.
- (5) If any other minor or major mineral is found during quarrying operations, it shall be reported to the Competent Authority within a week's time after such discovery.
- (6) The permit holder shall maintain complete and correct accounts of the mineral excavated, quantity removed from the permit area, the sale vouchers, register of labour employed and wages paid, etc., and royalty and other charges liveable for this purpose.
- (7) The permit holder shall immediately report all accidents to the Competent Authority and the District Magistrate and the District Superintendent of Police of the District in which the area is situated.
- (8) The permit holder have no right over the quarry material and other property lying in permit area after the expiry of the permit.
- (9) The permit holder shall not cut or damage any trees without prior sanction and without payment of compensation there of as may be fixed by the Divisional Forest Officer or such Officer authorised by him in this behalf.
- (10) The permit holder shall not carry quarrying operation within a distance of 50 meters from any public roads, public buildings or temples, reservoir, burial ground and railway track, etc., and cause any damage to any public or private properties.
- (11) The permit holder shall allow any officer authorised by the Director of Mines and Geology and the local revenue forest authority in whose jurisdiction the land is situated, to enter into and inspect at any time the quarrying operations and check up the accounts and verify the details of despatches, sales, etc., from the account books

maintained by the permit holder as per conditions (7) above at or near the area under permit:

- (12) If any excess quantity over that permitted is found to be removed the material shall be confiscated and the permit holder shall be liable for punishment under the provisions of the Karnataka Minor Mineral Concession Rules, 1994.
- (13) If any breach of these conditions of the Karnataka Minor Mineral Concession Rules, 1994 is detected, this permit shall be cancelled and the material lying on the site will be confiscated.
- (14) As soon as the removal of the material granted under the permit is over, the permit holder surrender the permit to the Competent Authority and furnish to him complete statement showing the quantities removed, details of transport and, parties to whom this material has been sold, and prices obtained there for, and shall produce any details, books, etc., for the scrutiny of the Competent Authority as may be called for by him.

Signature of the Issuing Authority

Date:

To

Shri/Messrs.....

(The permit holder)

- Copy to:
- 1. The Director of Mines and Geology, Bangalore.
 - 2. The Senior Geologist/Geologist Division.....
 - 3. Check post

GOVERNMENT OF KARNATAKA
FORM-E
QUARRYING LEASE/QUARRYING LICENCE
(Specified Minor Mineral/Non-specified Minor Mineral)

The INDENTURE made thisday of200 . BETWEEN THE GOVERNOR OF KARNATAKA, (Hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors in office and assigns) of the one part and when the lessee/licensee is an individual.

(1)-(1) When the lessee/licence in an individual :

1. (Name of person).....of (Address and occupation)

..... (hereinafter referred to as "the lessee/licensee" which expression shall, where the context so admits, be deemed to include his heirs, executors, administrators, representative and permitted assigns).

(2)-(2) When the lessees / licencees are more than one individual :

1. (Name of person)of (Address and occupation) and (Name of person).....of (address and occupation)..... of address and occupationand (2) (Name of person) (hereinafter referred to as "the lessee/licensee" which expression shall, where the context so admits, be deemed to include their respective heirs, executors, administrators, representatives and other permitted assigns).

(3)-(3) When the lessee/licencee is a registered firm or Syndicate :

(2) and (3) (Name of person)..... and (name of person) of (address).....and (Name of person) of (address) all carrying on business in partnership at (address of the firm or syndicate)..... registered under (Act which registered).....(hereinafter referred to as "the lessee/licensee" which expression shall, when the context so admits, be deemed to include all the partners of the said firm their representatives, heirs, executors, administrators and permitted assigns).

(4)-(4) The lessee / licence is a registered company :

(3) and (4) (Name of Company).....a company registered under (Act under which incorporated).....and having its registered office at (address)..... (hereinafter referred to as "The lessee/licensee" which expression shall, where the context

so admits, be deemed to include ,its successors and permitted assigns). (4) of the other part.

WHEREAS "the lessee/licensee has/have applied to the Competent Authority concerned in accordance with the Karnataka Minor Mineral Concession Rules 1994, (hereinafter referred to as the said Rules) for a quarrying lease/quarrying licence for in respect of the lands described in PART I of the Schedule hereunder written and has/have deposited with the State Government the sum of Rs.....as security; AND WHEREAS the Competent Authority, Dept. of Mines and Geology has communicated his approval to the grant of this lease/licence.

NOW THIS LEASE WITNESSETH that in consideration of the rents and royalties, covenants and agreements by and in these presents and the schedule hereunder written reserved and contained and on the part of" the lessees licensees" to be paid observed and performed, the State Government hereby grants and demises upto" the lessee/licensee" comes all those the quarries/mines/strata/veins/streams and beds of(here state the minerals) hereinafter and in the scheduled refers to as the said minerals situated, lying and being in or under the lands which are referred to in Part I of the said schedule, together with the liberties, powers and privileges to be exercised or (enjoyed in connection herewith which are mentioned in PART II of the schedule subject to restrictions and conditions as to the exercise and enjoyment of such liberties, powers and privileges which are mentioned in PART III of the said schedule EXCEPT and reserving out are the demise up to the State Government the liberties, powers and privileges mentioned in PART IV of the said Schedule TO HOLD the premises hereby granted and demised up to "the lessees/licensees from the day of200 for the term ofyears hence next ensure YIELDING AND PAYING of up to the State Government the several rents and royalties mentioned in PART V of the said Schedule at the respective times herein specified subject to the provisions contained in PART VI of the Schedule and the lessee/lessees/Licensee/Licensees hereby/covenant/covenants with the State Government as in PART VII of the said Schedule expressed and the State Government hereby covenants with the lessee/lessees in PART VIII of the Schedule is expressed AND it is hereby mutually agreed between the parties hereto as in PART IX of the said Schedule is expressed.

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

The Schedule above referred to

PART I
THE AREA OF THIS LEASE/LICENCE LOCATION AND AREA OF THE
LEASE/LICENCE

All that tract of lands situated..... (village/town)
description of area or areas) in (Mahal/Taluk)
in.....the Registration DistrictSub-district.....and
District.....bearing S.Nos/F.S.Nos/Forest Coup Nos)
.....containing an area of.....thereabouts delineated in
plan hereto annexed and there on coloured.....and bounded as follows:

On the North by

On the South by

On the East by and

On the West of

hereinafter referred to 'the said lands'

PART II
LIBERTIES, POWERS AND PRIVILEGES TO BE EXERCISED AND
ENJOYED BY
THE LESSEES/LICENSEES SUBJECT TO THE RESTRICTIONS AND
CONDITIONS
IN PART III

1. To enter upon land and search for mine work etc.,

Liberty and power at all times during the term hereby demised to enter upon said lands and to search for, mine, quarry, bore dig, drill for win, work, dress, process, convert, carryaway and dispose of the said mineral, minerals.

2.To sink, drive and make pits shafts and inclines etc.,

Liberty and power for or in connection with any of the purposes mentioned in this part to sink, drive, make, maintain and use in the said lands any pits, shafts, inclines, drifts, levels, water ways and other works.

3. To bring and use machinery, equipment, etc.,

Liberty and power for or in connection with any of the purposes mentioned in this to erect, construct and maintain and use on or under the said lands any engines, machinery plant dressing- floors, furnaces, coke ovens, brick-kilns work-shops, store-houses, bungalows, godowns, sheds and other buildings and other works and conveniences of the like nature on or under said lands.

4. To make roads and ways etc., and use existing roads and ways.

Liberty and power for or in connection with any of the purposes mentioned in this part to make any tramways, railways, roads and other ways in or over the and said lands and to use, maintain and go and repass with or without horses, cattle, wagons, locomotives or other vehicles over the same (or any existing tramways, railways road and other ways in or over the said lands) on such conditions may be agreed to.

5. To get building and road materials etc.,

5. Liberty and powers for or in connections with any of the **purposes mentioned** in this part to quarry and get, ordinary building stone and gravel and other building and road materials (except that of specified minor minerals) and ordinary clay and to use and employ the same and to manufacture such ordinary clay into bricks or tiles and to use such bricks or tiles but not to sell any such material, bricks or tiles on payment of royalties prescribed in the said rules.

(Bracketed portion to be deleted in cases the lease/licence is for specified minor mineral)

6. To use waters from streams etc.,

Liberty and power for or in connection with any of the purposes mentioned in this part but subject to the rights of any existing or future lessee/ licensee and with the written permission (any officer authorised by the State Government in that behalf) to appropriate use of water from any streams, water-courses, springs or other sources in or upon the said lands and divert, step up or dam any such stream or water-course

and collect or impound any such water and to make, construct and maintain any water course, culverts, drains or reservoirs but not as to deprive any cultivated lands, villages, buildings, or watering places for livestock of a reasonable supply or water as before accustomed nor in any way to foul or pollute any stream or springs. Provided that the lessee/licensee shall not interfere with the navigation in any navigable stream nor shall divert such stream without the previous written permission of the State Government.

7. To use and for stacking, heaping or depositing purposes.

Liberty and power to enter upon and use a sufficient part of surface of said lands for the purpose of stocking, heaping, thereon any produce of the mines, quarries or works carried on and any equipment, earth and materials and substances dug or raised under the liberties and powers mentioned in this part.

8. Beneficiation and carrying away.

Liberty and power to enter upon and use a sufficient part of the said land to beneficiate, process, dress, convert the said minerals, produced from the said lands and to carry away such beneficiated/processed, dressed, converted mineral/minerals.

9. To clear brush-wood and to fell and utilise trees, etc.,

Liberty and power for or in connection with any of the purpose mentioned in this part to fell and use any timber or trees or brush wood now standing or which hereafter may be standing upon the reserved forest land, included within the said lands, provided that not more than.....square metres or such reserved forest land shall be cleared in any one year nor the same place of tender than once in every year and, provided that, the previous permission in writing from the Forest Department under Forest Department is obtained which permission shall be granted by the Forest Department from time to time for an area, not exceeding.....acres at a time on written application of the lessees/licensees to the effect that the lessees/licensees requires/require the additional area for bonafide and immediate extension of quarrying operation under this lease/licence and provided also that the exercise of the liberty and power expressed in this clause shall be subject to the observance of the terms and condition contained in the other part of this schedule.

PART III

RESTRICTIONS AND CONDITIONS AS TO THE EXERCISE OF THE LIBERTIES, POWERS AND PRIVILEGES IN PART II.

1. No building etc. upon certain places.

No building or thing shall be erected, set up, placed and no surface operations shall be carried on in or upon any public pleasure ground, burning or burial ground or place held sacred by any class of persons or any house or village site, public road or other place which the State Government may determine as public ground nor in such manner as to injure or prejudicially affect any building, work, property or rights of other persons and no land shall be used for surface operations which is already occupied by persons other than the Government for works or purposes not included in this lease/licence. They shall not also interfere with any right of way, well or tank.

2. Permission for surface operations in a land not already in use.

Before using for surface operations any land which has not already been used for such operations the lessee/ licensee shall give to the Competent Authority, sixty days previous notice in writing specifying the name or other designation of the situation and the extent of the land proposed to be so used and the purpose for which the same is required and the said land shall not be so used if objection is issued by the Competent Authority within one month after the receipt by him of such notice unless the objections so stated shall on reference to the State Government be annulled or waived.

3. To cut trees in unreserved lands.

- (a) The lessee/licensee shall not cut or injure any tree in the leased/licensed areas without the previous sanction in writing of the Competent Authority.

- (b) Notwithstanding anything contained in sub-clause (a) the lessee/licensee shall not cut or injure any tree in leased/licensed area falling within reserved/protected forest without the previous permission in writing from the Forest Department or the Officer authorised by the Forest Department in this behalf.

4. Permission for surface operations in a land not already in use.

Save as Provided in clause 9 PART II of this Schedule, the lessees/licensees shall not without the previous sanction from the Forest Department cut down or injure any timber or trees on the said lands but, may, without such sanction clear away any brush-wood or under-growth which interferes with any operations authorised by these presents and notwithstanding anything contained in this schedule shall not enter upon any reserved forest included in the said lands without seven days previous notice in writing to the Forest Department or the officer authorised by the Forest Department.

5. No mining operations within 50 meters of public works etc.,

The lessee/licensee shall not work or carry on or allow to be worked or carried on any quarrying operations at or to any point within a distance of 50 metres if no blasting is involved from the boundary of any railway line except with the previous written permission of the Railway Administration concerned or from the boundaries of reservoir, canal, high tension electric line or other public works or buildings or inhabited site except with the previous permission of Government or any other officer authorised by the Government in this behalf and otherwise than in accordance with such instructions, restrictions and conditions and either general or special which may be attached to such permission. The said distances of 50 metres or 200 metres shall be measured in the case of railway, reservoir or canal horizontally from the outer toe of the bank of the outer edge of the cutting as the case may be and of building horizontally from the plinth thereof.

6. Facilities for adjoining Government licenses and leases.

The lessee/licensee shall allow existing and future holders of Government licenses or leases over any land which is comprised in or adjoins or is reached by the land held by the land held by the lessee/licensee reasonable facilities of access thereto. Provided that no substantial hindrance or interference shall be caused by such holder of licenses or leases to the operations of the lessee/licensee under these presents and the lessee/licensee shall be entitled to compensation as may be mutually agreed upon between the lessee/licensee and such holders and in the event of disagreement such fair compensation may be determined by the Competent Authority or any other officer authorised by the State Government in respect of all loss or damage sustained by the lessee/licensee by reason of or the exercise of this liberty.

7. If the said lands or part thereof are forest lands, the lessees/licensees shall take all steps to ease the slopes and restore top soil in lands worked out, exploited or mined and it shall be open to the Government to afforest such lands even during existence of the lease.

PART IV

LIBERTIES, POWERS AND PRIVILEGES RESERVED TO THE STATE GOVERNMENT

1. To work other minerals.

Liberty and power for the State Government or any lessee/licensee or persons authorised by it in that behalf to enter into and upon the said lands and to search for, win, work, dig, get, raise, dress, process, convert and carry away any minerals other than the said minerals and any other substances, and for those purposes to sink, drive, make, erect, construct, maintain and use such pits, shafts inclines, drifts, levels and other lines, waterways, airways, water courses, drains, reservoirs, engines, machinery, plant buildings, canals, tramways, railways and other work and conveniences as may be deemed necessary or convenient Provided that in the exercise of such liberty and power no substantial hindrance or interference shall be caused to with the liberties powers and privileges of the lessee/licensee under these presents and that the lessee/licensee shall be entitled to such fair compensation as may be mutually agree upon or in the event or disagreement as may be determined by the Competent Authority appointed by the State Government in respect of all loss or damage sustained by the lessee/licensee by reason or in consequences, of the exercise of such liberty and power.

2. To make railways and roads.

Liberty and power to the State Government or Central Government to construct any road, railway or canal reservoir or to carry electric or telephone lines in or over the lands under the lease/licence is reserved.

Provided that before such liberty or power is exercised a notice of not less than thirty days shall be given to the lessee/licensee and the area utilised by the Government for any of the aforesaid purpose shall be excluded from the area under the lease/licence and lessee/licensee will not be entitled to claim any compensation for such exclusion.

3. Liberty and power to the State Government to determine, at any time by giving to the lessee/licensee a notice in writing the lease/licence if the area for which the lease/licence has been granted or any part thereof is required by the State Government for any public purpose and a declaration under the signature of the Director that the area, or as the case may be, the part of the area is so required shall, as between the lessee/licensee and the Government, be conclusive.

On the determination of the lease/licence under this power the area under the lease/licence shall be resumed by the Government and the lessee/licensee shall be paid such compensation as may be determined by an officer appointed by the Government for the purpose and in assessing the amount of compensation, the officer so appointed shall be guided by the principles laid down in the Acquisition Act 1894, for such assessment.

PART V

RENT AND ROYALTIES RESERVED BY THIS LEASE

1. Rate of mode of payment of Dead Rent.

As from the day of 200 , during the subsistence of lease/licence, the lessee/licensee shall pay the dead rent in advance at Rs..... per Acre per annum as per Schedule 1 in accordance with Rules.

2. Rate of mode of payment of royalty.

The lessee/licensee shall, pay royalty in advance to Government in respect of minor minerals removed or consumed by him or his agent, manager, employee, contractor or buyer at the rates prescribed in Schedule 2 in accordance with the Rules.

3. Mineral Despatch Permits

The lessee/licensee or his agents, managers, employees, contractors or buyers/consumers shall not move the mineral quarried without obtaining valid Mineral Despatch Permit (in short PERMIT) issued by the Competent Authority may order for determination of the lease/licence with the prior approval of the Controlling Authority.

4. Penalty.

Subject to the provision of clause (3) of this part, any lessee/licensee or his agents, managers, employees, contractors, consumers or buyers contravening the above clause and transport mineral without valid PERMIT, such persons will be liable for penalty at 5 times of royalty. If any lessee/licensee or his agent etc., or buyers continue to indulge in such offence he Competent Authority may order for determination of the lease/licence with the prior approval of the Controlling Authority.

PART VI

PROVISIONS RELATING TO THE RENTS AND ROYALTIES

1. Rent and royalties to be free from deduction etc.,

The rents and royalties in PART V of this Schedule shall be paid free from any deductions to the State Government at District -Sub Treasury at.....and in such manner as the Competent Authority may prescribe.

2. Mode of computation of royalty.

For the purpose of computing the said royalties the lessee/licensee shall keep a correct account of the mineral/ minerals actually produced from the quarries/mines, lands and despatched from the quarry and maintained stock, in the form prescribed by Government/Competent Authority. The lessee/licensee shall also

keep a correct account of the number of persons employed therein and shall also maintained a complete set of plans and cross sections of the quarry and furnish to the Competent Authority concerned such information, reports and returns as required from time to time under these Rules together with representative samples of minerals and processed materials from the same obtained during the operations. The accounts as well as quantity (in volume or in weight as the case may be) of the mineral/minerals in stock or in the process of despatch from the quarry may be checked by any officer authorised by the State Government and or by the Competent Authority.

3. Course of action if rents and royalties are not paid in time.

Should the royalty and/or rent reserved and made payable by the lessee/licensee is not paid within thirty days after the date fixed in lease/licence for the payment of the same, State Government may enter upon the premises and restrain all or any of the mineral or beneficiated /processed or movable property there and may order the sale of the property to restrained or so much of it as will suffice of the satisfaction of the rent and royalties due, and all cost and expenses occasioned by the non-payment thereof.

3A. If the lessee or licence makes any default in the payment of royalty or dead rend payable under rule 26, the competent authority shall give notice to such lessee or licences, requiring him to pay the royalty or dead rent within sixty days from the date of receipt to the notice, failing which the competent authority may, without prejudice to any other action that may be taken against lessee or licence the lease of licensee or forfeit the whole or part of the Security Deposit.

4. Any rent, royalty tax fees, penalty or other sums due to Government under said Rules of under this lease/licence shall be recovered as arrears of land revenue on the basis of certificate issued by the Competent Authority.

PART VII THE COVENANTS OF THE LESSEES/LICENSEES

1. Lessees to pay rents, royalties.

(1) The lessee/licensee shall pay the rents and royalties reserved by this lease/licence at such times and in the manner provided in PART V and VI of these presents and also may and discharge all taxes, cesses, rates assessments and impositions whatsoever being in the nature of public demands which shall from time to time be charged, assessed or imposed by the authority of the State Government upon or in respect of the premises and works of the lessee/lessee in common with other premises and works of alike nature except demands for land revenues.

2. To maintain and keep boundary marks in good order.

The lessee/licensee shall at his own expenses erect and at all times maintain and keep in repair boundary marks and pillars according to

the demarcation to be shown in the plan annexed to this lease/licence. Such marks order and pillars shall be sufficiently clear of the shrubs and other obstructions as to allow easy identifications.

3. To commence operations within a year and work in a workman like manner.

Unless the Competent Authority for good cause permits otherwise the lessee/licensee shall commence operation within a year from the date of execution of the lease/licence and shall thereafter at all times during the continuance of this lease /licence search for, win, work and develop the said minerals without voluntary intermission in proper skilful and workmanlike manner without doing or permitting to be done any unnecessary or avoidable damage the surface of the said lands or the crops, buildings or other property thereon. The lessee/licensee shall prevent waste by removal of overburden, careful storage of waste, drainage and removal of valuable minerals. For the purpose of this clause quarrying operations shall include the erection of machinery, laying of a tramway or construction of a road in connection with the quarry. The lessee/licensee shall not dump the overburden or waste rock or mineral on the workable deposit. If lessee/licensee does not find suitable place to dump the waste material generated from the quarry within the leased/licensed area he may dump in nearly Government land obtaining prior approval from Competent Authority in writing.

4. To indemnify Government against all claims.

The lessee/licensee shall make and pay such reasonable 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 lease/licence and shall indemnify and keep indemnified fully and completely State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.

5. To secure and keep in good condition pits shafts etc.,

The lessee/licensee shall during the subsistence of this lease/licence well and sufficiently secure and keep open with timber or other durable means all pits shafts and make and maintain sufficient fences to the satisfaction of the State Government round every such pit, shaft or working in the said lands, except such as may be abandoned accessible free from water and foul air as far as possible. The lessee/licensee shall also take adequate steps to ensure that:

(a) heights and widths of trenches in open quarries are properly maintained to facilitate easy removal of the mineral and the muck,

(b) The working faces are always kept clean,

(c) The mineral and or beneficiated, processed dressed products there from won are stacked in suitable dimensions and each such stock is numbered or marked in a manner prescribed by the Competent Authority,

(d) The proper sanitation of the area leased/licensed to him maintained.

6. To strengthen and support the quarry to necessary extent.

The lessee/licensee shall strengthen and support to the satisfaction of the Railway administration concerned or the State Government or any other Competent Authority controlling the provisions or any law for the time being in force relating to the working of quarries and matters affecting safety, health and labour matter as the case may be any part of the quarry which in its opinion requires such strengthening or support for the safety of any railway, reservoirs, canal, road high tension electric line and other public works or structures.

7. (1) The lessee/licensee shall submit from time to time or when required, progress reports to the Director of Mines and Geology, along with analysis and representative samples of the minerals collected during the quarrying operations as also the periodical returns prescribed in the said Rules or in the manner prescribed by him from time to time.

(2) The lessee/licensee shall submit to the Director of Mines and Geology, the Competent Authority and any other officer as may be specified by the Director of Mines and Geology in this behalf, quarterly returns in FORM-Q and annual returns in FORM-Y appended to the said Rules, for each financial year ending 31st March, before the 31st April of the succeeding year, and to allow inspection of working.

8. To allow inspection of working.

The lessee/licensee shall allow any officer authorised by the Central Government or the State Government or the Competent Authority or the Director of Mines and Geology under the said rules in that behalf to enter upon the premises including any building excavation or land comprised in the lease/licence for the purpose of inspecting, examining, surveying and making plans thereof, sampling and collecting any data and the lessee/licensee shall with proper person employed by the lessee/licensee and acquainted with the mine/quarry and works effectively assist such officers, agents servants and workmen in conducting every such inspection and shall afford them all facilities, information connected with the working of the quarry which they may reasonably require. Such officer may issue such reasonable directions as he may deem fit to prevent wasteful extraction of minerals and it shall be the duty of the lessee/licensee, his/their agent/manager to carry out directions within such period as the officer may specify if the lessee/licensee, his/their agent or management fails to carryout such directions within the specified period, the Competent Authority may determine the lease/licence or may impose a penalty not exceeding twice the amount of the annual dead rent.

9. To report accidents.

The lessee/licensee shall report all accidents to the Director of Mines and Geology the District magistrate and the District Superintendent of Police concerned, in case 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 lease/ licence the lessee /licensee shall send a complete report without any delay of such an accident to the said officers.

10. To report discovery of other minerals.

Whenever the lessee/licensee shall find, in the said lands, any mineral other than the said mineral / minerals the lessee /licensee shall immediately report such discovery in writing to the Competent Authority with full particulars of the nature and position of each such find.

11. The lessee/licensee shall, at all times, during the said term keep or cause to be kept, at an officer to be situated upon or near the said lands, correct and intelligible books of accounts which shall contain accurate entries, showing from time to time;-

- (1) Quantity and quality of the said mineral/minerals realised from the said lands;
- (2) Quantity of the various qualities of the said mineral/ minerals beneficiated, processed or converted,
- (3) Quantities of the various qualities of the said mineral/minerals sold at the quarry head or despatched to any mineral processing units, granite cutting and polishing units within the country and quantity exported and the manner and purpose of such sale and disposal;
- (4) Details of royalty paid and PERMITS obtained,
- (5) The prices and all other particulars of all sale of the said mineral/minerals;
- (6) The number of persons employed in the mines or work or upon the said lands specifying nationality, qualifications and pay of the technical personnel,
- (7) Such other facts, particulars and circumstances as the Competent Authority or the Director of Mines and Geology may from time to time require and shall also furnish of charge to such officers and at such times they may prescribe true and correct abstracts of all or any such books of accounts and shall at all reasonable times allow such officers or any other officers as the State Governments shall, in that behalf appoint, to enter into and have free access to, for the purpose of examining and inspecting the said books of accounts and to make copies thereof and to make extracts there from.

12. To maintain plans etc.,

The lessee/licensee shall at all times during the said term maintain at the quarry office correct, intelligible, up to-date and complete Contour and Geological plans and cross sections of the quarries in the said lands. They shall show all the operations, workings, and all the trenches, pits and drillings made by the lessee/licensee in the course of operations carried on by him/them under the lease/licence. The lessee/licensee shall update such quarry planes and section at the end of each year or any period specified from time to time and the lessee/licensee

shall furnish free of charge such plans, sections and mineral specimens, to the Competent Authority whenever these required. Accurate records of all trenches, pits and drillings shall show:-

- (a) The sub-soil and strata through which they pass.
- (b) Any other minerals encountered.
- (c) Any other matter of interest and all data required by the State Government the Competent Authority from time to time.

13. To abide by the provisions of the laws in force in respect of labour welfare, safety measures, ecology and environment.

The lessee/licensee shall be bound by the provisions of To abide by the provisions any laws for the time being in force of the laws in force in relating to ecology and environment, of the laws in force in the working of the quarries (Mines respect of labour welfare, and minerals) and matters affecting safety measures, ecology safety, health and convenience of and environment. The lessee/licensee employees or the public. The lessee/licensee shall abide by the conditions laid down in the payment of wages Act 1936 (Central Act IV of 1936), the Mines Act 1952 (Central Act XXXV of 1952), the Indian Explosives Act 1984 (Central Act of IV of 1884) and the Water and Air (prevention and control of pollution) Act 1974.

14. The lessee/licensee shall respect all existing rights of way, water and other basements and shall not carry on mining/quarrying or other operations under the said lease/licence in any way than as prescribed under the Rules.

15. Government indemnified from paying compensation for in-jury to third parties.

The lessee/ licensee shall make and pay reasonable compensation for all damage, injury disturbance to person or property which may be caused by or on the part of lessee/licensee in exercise of the liberties and power granted by these presents and shall at all times have harmless and kept indemnified the State Government from and against all suits, claims and damages which may be brought or made by any person or persons in respect of any such damage, injury or disturbance.

16. Not to obstruct working of other minerals.

The lessee/licensee will exercise the liberties and powers hereby granted in such a matter as to offer no unnecessary or reasonable avoidable obstructions interruption to the development and working within the said lands of any minerals not included in this lease/licence and shall at all times afford to the Central and State Government and to the holder quarrying lease, of quarrying licence and prospecting licence or mining lease in respect of any such minerals or any minerals within any land adjacent to the said lands as the case may be reasonable means of access and safe and convenient passage upon and across the said lands to such minerals for the purpose of getting working, developing and quarrying away the same provided that the lessee/licensee shall have receive reasonable compensation for any damage or injury which he may sustain by reason or in

consequence of the use of such passage by such lessee/licensee or holders of prospecting licences.

17. Lessee shall deposit any additional amount necessary equal to the security deposit.

Whenever the security deposit as provided in the 9(1) and 21(1) of the said Rule or any part thereof or any further sum hereafter deposited with the State Government in replenishment thereof shall be forfeited or applied by the Competent Authority pursuant to the power hereinafter declared in that behalf the lessee/licensee shall 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 equal to the said full security deposit amount.

18. Delivery of working in good order to State Government after determination of lease.

The lessee/licensee shall at the expiration or sooner determination of the said term or any renewal thereof deliver up to the State Government all mines, quarries, pits, shafts, inclines, other works now existing or here after to be sunk or make on or under the said lands except such as have been abandoned with the sanction of the Competent Authority in an ordinary and fair course of working all engines, machinery, plant, buildings, structures, other works and conveniences which at the commencement of the term were upon or under the said lands and all such machinery set up the lessee/licensee below ground level which cannot be removed without causing injury to the mines, quarries or works under the said lands (except such of the same as may with the sanction of the Competent Authority) and all buildings and structures of bricks or stone erected by the lessee/licensee above ground level in good repaired order and condition and fit in all respects for further working of the said mines and the said minerals.

19. Right of pre-emption.

- (a) The Government shall from time to time and all times during the said term have the right to be exercised by notice in writing to the lessee/licensee or pre-emption of the said minerals (and all products thereof) lying in or upon the lands hereby demised or elsewhere under the control of the lessee/licensee shall with all possible expedition deliver all minerals or products of minerals purchased by the State Government under the power conferred by this provision be exercising the said right,
- (b) In the event of the existence of State or 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 lessee/licensee shall forth with take possession and control of the works plant, machinery premises of the lessee/licensee on or in connection with the said lands or preparations under this lease/licence and during such possession or

control the lessee/licensee shall confirm 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 after compensation which shall be determined in default of agreement by the State Government shall be paid to the lessees/licensee or all loss or damage sustained by him/them by reason or in consequence of the exercise of the powers conferred by this clause and PROVIDED ALSO that the exercise of such powers shall not determine the said term hereby granted or affect the terms and provisions of there presents further than may be necessary to give effect to the provisions of this clause. The Government or the Competent Authority shall have the right to dispose of the minor mineral waste generated during the course of quarrying in accordance with the provision of Schedule-2.

20. Not to light fire in Forest Areas.

The lessee/licensee shall not light any fire upon the said lands if lying within the reserved forest except under such conditions as the Forest Department may in writing specify and the lessee/licensee and his/their workmen and employees shall render prompt assistance in extinguishing any fire on the said lands or in their vicinity. The lessee/licensee shall be liable for all damage resulting from fire caused by the act or omission of the lessee/licensee or his/their employees and shall pay such compensation for the Forest Department. The decision of the Forest Department as the amount of compensation payable by the lessee/licensee shall be final and binding on the lessee/licensee.

21. No right over produce other than minerals ores mentioned in the lease/licence.

- (a) The lessee/licensee shall not remove any other produce except the minor mineral mentioned in this lease. The lessee/licensee shall without delay, report to the Competent Authority and the Director of Mines and Geology, the discovery in this areas, comprised in his/their lease/licence of any minerals not specified in the lease,.
- (b) If any mineral/s not specified in the lease/licence is/are discovered in the leased/licensed area he/they shall not win and dispose of such mineral/s, without obtaining lease/licence therefore. If he fails/they fail to apply for such lease/licence within three months from the discovery of the said mineral/minerals, the Competent Authority may grant a lease/licence in respect of such mineral/minerals to any other person/persons in respect of such mineral/minerals to any other person/persons,
- c) Without the prior permission of the Director of Mines and Geology the lessee/licensee shall not use the minor minerals quarried under these rules for a purpose which will classify them as major minerals.

22. The lessee/licensee shall make available to the Government of India beryl or any other "Substance prescribed" under section of the Atomic Energy Act (Act XXIX of 1948) if they are found to occur in the said lands.

23. The State Government shall be immune from the lessee/licensee claims for damage and account or any land having been included in this lease which may subsequently be discovered not have been available for the lease.

24. The lessee/licensee or his assignees shall not erect any building in contravention of the provisions of any law for the time being in force relating to the erection of buildings or in contravention of any order is issued by any officer or authority composed to issue such order any such law within whose jurisdiction the leased area is situated.

25. The lessee/licensee shall abide by such reasonable instructions and direction as may be issued by the Director of Mines and Geology from time to time regarding conservation and development of minerals.

26. The lessee/licensee shall minimise the air and water pollution keeping in view the local atmosphere/environment.

PART-VIII

THE COVENANTS OF THE STATE GOVERNMENT

1. Lessee may hold and enjoy rights quietly.

- (1) Lessee/licensee paying the rents and royalties hereby reserved and observing and performing all the covenants and agreements herein contained and on the part of the lessee/licensee is to be observed and performed shall and may quietly hold and enjoy the rights and premises hereby demised for and during the term hereby granted without any unlawful interruption from or by the State Government, or any person rightfully claiming under it.

2. To renew.

If the lessee/licensee be desirous of taking lease/ licence of the premises hereby demised or of any part of them for a further term on the expiry of the term hereby granted and if he/they give the Competent Authority an application in writing ninety days before the expiry of the leases/licences as prescribed in the said Rules, and shall pay the rents and royalties hereby reserved and shall observe and perform the several covenants and agreements herein contained and on the part of the lessee/licensee to be observed and performed up to the expiration of the term hereby granted the Competent Authority will upon his/their executing and delivering to the State Government if required a counterpart thereof execute and deliver to the lessee/licensee a renewal lease/licence of the said premises for the further term not exceeding the term of this lease/licence at such rents and royalties and no such terms and subject to such covenants and agreements including this present covenants to renew as shall be in accordance with the said Rules applicable to (name of minerals) on the day next following the expiration of the term hereby granted.

3. Liberty to surrender the Lease/Licence.

The lessee/licensee shall be at liberty to surrender this lease /licence by giving notice of not less than three months in writing to the Competent Authority and no fresh liability shall accrue to the lessee/licensee from the date of such surrender provided that all the Government dues on rents, royalties and taxes shall be cleared off arising upon the date of the surrender.

4. Refund of security deposit.

On such date as the Competent Authority may within two months after the determination to this lease or of any renewal thereof, the amount of the security deposit paid in respect of this lease and then remaining in deposit with the State Government and not required to be applied to any of the purpose mentioned in this lease shall be refunded to the lessee/licensee. No interest shall run on the security deposit.

PART IX GENERAL PROVISION

1. Breach of Conditions:

In case of breach of any of the conditions of the lease other than mentioned in clause 2 and 3 of this part, then the Competent Authority may require the lessee/ licensee or his/their assigns to pay penalty not exceeding an amount equivalent to twice the amount of the annual dead rent specified under clause 1, Part V.

2. Obstruction to inspection.

In case lessee/licensee or his/their assignees does/do not allow or obstruct entry or inspection, by the Officers authorised by the State Government, the Competent Authority may cancel the lease and forfeit the whole or part of the deposit made under Rule 9(1) and 21(1) of the said Rules.

3. In case the lessee/licensee or his/their assignees commit any breach of any of the conditions specifies in the clauses, sub-rule (1) to (2) of Rule 6 of the said Rules then and in any such case the Competent Authority shall give notice in writing to the lessee/licensee or his/their or assignees as the case may be, asking him/them to remedy the breach within Thirty days from the date of the notice and if the breach is not remedied within such period the Competent Authority under the said Rules may determine the lease provided that nothing therein contained shall debar the State Government from enforcing any other right or remedy that the State Government may have against the lessee/licensee or his/her assignees under any other provisions herein contained.

4. To pay penalty in case of breach.

In case of the breaches of the covenants and agreements by the lessee/licensee or any other officer authorised by the Government on which aforesaid notice has been given the Competent Authority under the said Rules in lieu of giving notices, may impose such penalty appropriate in accordance with the sub-rule(3) of Rule 6.

5. If the lessee/licensee ceases/cease to work the quarry for a continuous period of one year the lease/licence shall liable to cancellation as per the Rules.

Provided that the lease/licence shall not be cancelled if the lessee/licensee are prevented from working the quarry owing to some reasonable cause or if the lessee/licensee ceases/cease to work with prior permission of the Competent Authority.

6. Interpretation.

If there is any dispute regarding their lease/licence or any other matter or thing construction of a term or condition in the lease/licence anything connected with the quarries or minor minerals specified in this lease/licence or the working or non working of the quarry operated under this lease/licence, the amount of payment of royalty or dead rent or its mode of payment to the Competent Authority it shall be referred to the State Government whose decision shall be final and binding on the lessee/licensee

7. Omitted.

8. Lessee/Licensee to remove his properties on the expiry of lease.

The lessee/licensee having first paid and discharged the rents and royalties payable by virtue of these presents may at the expiration or sooner determination of the said terms or within three months thereafter (unless the lease/licence shall be determined under clause 1 and 2 of this PART and in that case at any time not less than three calendar months after such determination), take down and remove for his own benefit all or any engines, machinery plant, buildings, structures, tramways, railway, railways other works, erection and conveniences which may have been erected, set up or placed by the lessee/licensee in or upon the said lands and which the lessee/licensee is/are are bound to deliver to the State Government under clause 18 of PART VII of this Schedule and which the State Government shall not desire to purchase.

9. Forfeiture of property left more than six months after determination of lease.

If at the end of three months after the expiration or sooner determination of the said term or after the date from which after determination of lease any surrender by the lessee/licensee of part under the provisions contained in Clause 3 of PART VIII of this schedule become effective there shall remain or upon the said land or the surrendered part or parts thereof the case may be any engine, machinery, plant,

building, structures, tram ways, railways and other work, erections and conveniences or other property which are not required by the lessee/licensee in connection with his/their operations in these parts of the said lands which he/they has/have surrendered or in any other lands held by him/them under quarrying lease the same shall not removed by the lessee/licensee within one calendar month after notice in writing requiring their removal has been to the lessee/licensee by the State Government be deemed to become the property of the State Government and may be sold or disposed of in such manner as the State Government shall deem fit without liability to pay compensation or to the lessee/licensee in respect thereof.

10. Service of notice.

Every notice by these present required to be given to Service notice. the lessee/licensee shall be given in writing to such person resident on the purpose of receiving such notices and if there shall have been no such appointment then every such notice shall be sent to the lessee/licensee by the registered post addressed to the lessee/licensee at the address recorded in this lease/licence or at such other address in India as the lessee/licensee may from time to time in writing to the State Government designate for the receipt of notices and every such service shall be deemed to be proper and valid service upon the lessee/licensee and shall not be questioned or challenged by him.

11. In respect of quarrying leases consisting of an area of five acres and more a quarrying plan containing the particulars specified in clause (c) shall be submitted by the lessee within six months from the date of grant of lease as per sub-rule3(a) of Rule 18 of K.M.M.C.Rules 1994.

In witness where of these presents have executed in the manner here under apprising the day and year first above written.

Signed by

for and on behalf of the Governor of Karnataka in the presence of

1.

Signed by

for and on behalf of in the presence of

1.

2.

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-1
No.CI 418 MRC 92, Bangalore, dated 2nd July 1994

In exercise of powers conferred by clause (m) of rule 2 of the Karnataka Minor Mineral Concession Rules, 1994, the Government of Karnataka hereby specify the following minor minerals to be specified minor minerals for the purpose of the said clause, namely;

1. ORNAMENTAL AND DECORATIVE BUILDING STONES, SUCH AS;

(I) Black and Green Granites etc., and their varieties (All Dyke Rocks)

All black or grey or green or brown coloured mafic/ultramafic dyke rocks including porphyritic and other varieties of different structural and textural patterns suitable for use as ornamental and decorative stone.

(ii) Pink and Red Granites, Syenites etc., and Pink and Red Granite Rocks and their varieties

Granites, Granitic rocks and syenites including Gneissic, Porphyritic and Aplitic varieties of different structural and textural patterns and with relatively dominating red or pink or brown colour (when combined with other colours) suitable for use as ornamental and decorative stone.

(iii) Grey and White Granites /Grey and White Granitic Rocks and their varieties

Granites and Granitic rocks including Gneissic, Porphyritic and Aplitic varieties of different structural and textural patterns, with relatively dominating grey or white colour (when combined with shades of grey, white, cream colours) suitable for use as ornamental and decorative stone.

(iv) Felsite and its varieties suitable for use as ornamental and decorative stone.

(v) Quartzite and its varieties suitable for use as ornamental and decorative stone.

(vi) Sand stone and its varieties suitable for use as ornamental and decorative stone.

(vii) Marble or crystalline limestone and their varieties suitable for use as ornamental and decorative stone.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

(N.SIVASAILAM)
JOINT SECRETARY TO GOVERNMENT (MINES)

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-II
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by clause (g) of rule 2 of the Karnataka Minor Mineral Concession Rules, 1994, the Government of Karnataka hereby specify the following stones to be the ordinary building stones for the purpose of the said clause, namely:-

“Any granite or granitic rock, basalt, greywacke, phyllite, sand stone, quartzite, shale, slate, banded ferruginous quartzite and dyke rocks of any colour, texture and structure which, by virtue of presence of inherent close-spaced joints, fractures, irregular veins, cannot be quarried and extracted in the form of blocks of dimension or size exceeding 0.04 cubic metres or in the form of slabs of dimension not exceeding 0.90 cubic metres with their (slabs) thickness not exceeding 20 centimetres”.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

(N.SIVASAILAM)
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION -III
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by Rule 4 of the Karnataka Minor Mineral Concession Rules, 1994, the Government of Karnataka hereby specifically the following authority and officers of the Department of Mines and Geology specified in column (2) of the table below to the Competent Authority for the purposes of the provisions of the rules specified in column (3) and within the area specified in column (4) thereof.

Sl.No.	Designation of the Officers	Provision of rules	Area
1	2	3	4
1.	Government of Karnataka	Rule 18(1) and 45	Whole of the State
2.	Director	Sub-rule(1) of rule 6 in respect of specified minor minerals; rule 17, sub-rule (7) of rule 18 in respect of forest lands, rule 19, and rule 27 in respect of forest lands, rules 33,38 and 39 in respect of specified minor minerals	Whole of the State
3.	Joint Directors	Sub-rule (1) of rule 6 in respect of non-specified minor minerals	In their respective jurisdiction.
4.	Senior Geologists	All rules in chapter IV except in respect of rule 27 in so far as forest lands are concerned. Rule 7, sub-rule (7) of rule 18 in respect of lands other than forest lands, sub-rules(9) and (10) of rule 18, rules 35,38,39,45 in respect of non-specified minor minerals, rules 40 and 42.	In their respective jurisdiction.
5.	Geologists	All rules in chapter IV except in respect of rule 27 in so far as forest lands are concerned, sub-rule (7) of rule 18 in respect of lands other than forest lands, sub-rules (9) and (10) of rule 18, rules 35,38,39,45 in respect of non-specified minor minerals, rules 40 and 42.	In their respective jurisdiction.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA
N.SIVASAILAM

JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-IV
No.CI 418 MRC 92, Bangalore, dated 2nd July 1994

In exercise of the powers conferred by rule 5 of the Karnataka Minor Mineral Concession Rules, 1994, the Government of Karnataka hereby appoint the Director, Department of Mines and Geology, to be the Controlling Authority for the purposes of the said Rules for whole of the State of Karnataka.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N. SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-V
No.CI 418 MRC 92, Bangalore, dated 2nd July 1994

In exercise of the power conferred by rule 40 of the Karnataka Minor Mineral Concession Rules, 1994 the Government of Karnataka hereby authorise the following officers of the Department of Mines and Geology, specified in column (2) of the table below for the purpose of the said rule within the area specified in column (3) thereof.

Sl. No.	Designation of authorised officer	Area
1	2	3
1.	Director	Whole of the State in their respective jurisdiction.
2.	Deputy Director (Mineral Administration)	Whole of the State
3.	Senior Geologists	In their respective jurisdiction
4.	Geologists	In their respective jurisdiction.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N. SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-VI
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

It is hereby notified that under sub-rule (3) of rule 8 of the Karnataka Minor Mineral Concession Rules, 1994, the Government of Karnataka hereby reserve the lands specified below, for the purposes specified therein:-

(1) The area within a radius of 2 Kms. from Srirama Temple located in Sy.No.26 of Maranaikanahalli village, Devanahalli Taluk, Bangalore Rural District for use by the public and for the purpose of performing religious activities by the public.

(2) The area within a radius of 2 Kms, from the main temple of lord Gangadhareshwara in Shivaganga hills, Nelamangala Taluk, Bangalore Rural District is reserved for use by the public and for the purpose of performing religious activities by the public.

(3) The area within a radius of 2 Kms, from the main hillock of Sharavanabelagola in Channarayapattana Taluk of Hassan District where the statue of Bahuballi Lord Gomateshwara is situated for use by the public and for the purpose of performing religious activities by the public.

(4) The quarry area within a radius of 1 Km. around the boundary of the Banneraghatta National Park, Anekal Taluk, Bangalore District as "Sate Zone" for protecting the wild life.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-VII
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by the proviso to sub-rule (1) of rule 43 of the Karnataka Minor Mineral Concession Rules 1994, the Government of Karnataka hereby notify all the check posts and barriers established or erected under the Karnataka Forest Rules, 1964 to be the check posts and barriers for the purpose of the said rules.

**BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA**

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.

**COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-VIII**

No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by the sub-rule (1) of rule 43 of the Karnataka Minor Mineral Concession Rules 1994, the Government of Karnataka hereby direct that the following check posts and barriers at the places mentioned below shall be the check posts and barriers for the purpose of the said rules:-

- | | | |
|-----|-----------------------|----------------------------|
| 1. | Kannur check post, | Dakshina Kannada Districts |
| 2. | Mukka check post | - do - |
| 3. | Vamanjur check post | - do - |
| 4. | Bajpe check post | - do - |
| 5. | Mudipu check post | - do - |
| 6. | Ramanagar check post | Uttara Kannada District |
| 7. | Anmod checkpost | - do - |
| 8. | Majali checkpost | - do - |
| 9. | Raman agar checkpost | Ban galore District |
| 10. | Harohalli check post | - do - |
| 11. | Aland Road check post | Gulbarga District. |

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-IX
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by sub-rule (3) of rule 43 of the Karnataka Minor Mineral Concession Rules 1994, the Government of Karnataka hereby authorises the following officers for the purposes of the said rule:-

Sl. No.	Designation	Jurisdiction
1	2	3
1.	Director Department of Mines and Geology	Whole of the State
2.	Joint Directors Department of Mines and Geology	In their respective jurisdiction.
3.	Deputy Director (Mineral Administration) Department of Mines and Geology	Whole of the State
4.	Senior Geologists Department of Mines and Geology	Respective jurisdiction
5.	Geologists Department of Mines and Geology	Respective jurisdiction
6.	Assistant Geologists Department of Mines and Geology	Respective jurisdiction
7.	Deputy Conservator of Forests	Respective territorial Division
8.	The Range Forest Officers (Forest Department)	Respective Ranges
9.	Deputy Commissioners (Revenue Department)	Respective Districts
10.	Assistant Commissioners (Revenue Department)	Respective Revenue Sub-Divisions
11.	Tahsildars (Revenue Department)	Respective taluks

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT

COMMERCE AND INDUSTRIES SECRETARIAT
NOTIFICATION-X
No.CI 418 MRC 92, Bangalore, Dated 2nd July 1994

In exercise of the powers conferred by sub-rule (1) of rule 46 of the Karnataka Minor Mineral Concession Rules 1994, the Government of Karnataka hereby empowers the following Officers specified in column (2) of the table below for the purpose of the said rule within the area specified in column (3) thereof.

Sl. No	Designation of the Officers	Area
1	2	3
1.	DEPARTMENT OF MINES AND GEOLOGY	
	1. Director	Whole of the State
	2. Joint Directors	In their respective Jurisdiction
	3. Senior Geologists	In their respective jurisdiction
	4. Geologists	In their respective jurisdiction
	5. Assistant Geologists	In their respective jurisdiction
II.	REVENUE DEPARTMENT	
	1. Deputy Commissioners	In their respective Districts.
	2. Assistant Commissioners	In their respective Sub-Divisions
	3. Tahsildars	In their respective Taluks.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA

N.SIVASAILAM
JOINT SECRETARY TO GOVERNMENT (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT.