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Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013

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Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013

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No. Gaukhani-10/0812/C.R. 613/kh. - In exercise of powers conferred by section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, for regulating the extraction of Minor Minerals namely:-

CHAPTER-I

General

1. Short title and commencement. - (1) These rules may be called the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.

(2) These rules shall come into effect from the date as may be specified by the Government in the Official Gazette.

2. Definitions. - In these rules, unless the context requires otherwise,

- (a) 'Act' means the Mines and Minerals (Regulations and Development) Act, 1957 (67 of 1957);
- (b) "Appellate Authority" means the Government or any authority vested with such powers under these rules or any other authority empowered by the Government to perform such functions;
- (c) "Assessee" means a person or a lessee holding a mining lease or a short term permit and includes any other person who has excavated, removed or used or is excavating, removing, processing or using minor mineral or minerals;
- (d) "Assessing Authority" means Collector or Additional Collector or Sub Divisional Officer or Tahsildar or District Mining Officer or Executive Engineer;
- (e) "Assessment Year" means the period beginning from the first day of April and ending on the thirty first day of March of the following year;
- (f) "Brick earth" means earth used for making bricks, Kavelus and earthen pots and shall include all types of earth used for construction of dams, buildings, canals, roads, rail embankments and other identical purposes;
- (g) "Building stone" means any rock or mineral which is used as building or construction material and includes such Minerals as specified in the Schedule appended to the Act;

(h) "*Competent Authority*" means,-

(i) for the purpose of Chapter IV of these rules,-

(a) in the case of quarries situated on the lands owned by the Public Works Department and Water Resources Department of Government, the Executive Engineer of the concerned Division in case of the permits upto a maximum of 25,000 brass for the use of Departmental work only;

(b) the Tahsildar, where minor minerals are to be extracted and removed from any land within the limits of their respective jurisdiction in quantities not exceeding 500 brass;

(c) Sub-Divisional Officer of Revenue Department, where minor minerals are to be extracted and removed from any land within the limits of their respective jurisdiction in quantities not exceeding 2000 brass;

(d) the Collector or Additional Collector of the District where minor minerals are to be extracted and removed from any land within that district, in quantities not exceeding 25000 Brass;

(ii) For the purpose of auction of minor mineral, Competent Officer means the Collector or Additional Collector; and

(iii) any other officer appointed by the Government by notification in the Official Gazette;

(i) "*Directorate*" means the Directorate of Geology and Mining, in the State of Maharashtra.

(j) "*dead rent*" means the minimum guaranteed amount of royalty per year payable as per rules of agreement under a mining lease;

(k) "*Excavation*" means digging and or collecting of minor minerals from any land or nala or rive or creek;

(l) "*Forms*" means forms appended to these rules;

(m) "*Government*" means the Government of Maharashtra;

(n) "*Minor Minerals*" means the minor minerals declared from time to time by the Central Government by notification in the Official Gazette under the Act;

(o) "*Royalty*" means the charge payable to the Government in respect of the ore or mineral excavated, removed or utilised from any land;

(p) "*section*" means a section of the Act;

(q) "*specified minor mineral*" means limestone, lime shell, bentonite, fuller's earth or such other mineral as may be specified by the Central Government in the Official Gazette, from time to time, and the threshold value of the minor mineral specified by notification issued by Indian Bureau of Mines;

- (r) "*quarry lease*" means a lease to mine, quarry, bore, dig, search for, win, work and transport or carry away any minor mineral specified therein;
- (s) "*quarry license or lease*" means a license granted under these rules wherein a licensee is required to pay fixed annual license fee exclusive or inclusive of royalty, as the case may be;
- (t) "*quarry permit*" means a permit granted under Chapter-IV of these rules to extract and remove any minor mineral in specified quantities and specified time;
- (u) the words and expressions used in these rules but not defined hereinabove shall have the same meanings as respectively assigned to them under the Act.

CHAPTER - II

Procedure For Grant of Quarry Lease

3. Prospecting to precede mining operation. - (a) No lease shall be granted by the State Government unless it is satisfied that there is evidence to show that the area for which the lease is applied for has been prospected earlier for minor minerals or the existence of minor minerals therein has been established otherwise.

- (b) No mining lease shall be granted unless the District Mining Officer confirms the existence of minor mineral in the applied area. Mining lease shall be granted directly if the District Mining Officer reports that there is no need for prospecting for minor mineral in the area in question.

4. Period for which prospecting license may be granted or renewed. - The period for which a prospecting license may be granted shall not exceed two years.

5. Scheme of prospecting. - (1) Every holder of a prospecting license for minor mineral shall submit to the State Government or any person authorised in this behalf by the Government within a period of sixty days from the date of execution of the prospecting license a scheme of prospecting indicating the manner in which he proposes to carry out the prospecting operation in the area covered by the license and the scheme shall incorporate the following, namely:-

- (a) Particulars of the area;
- (b) The scale of the plan and the area of geological mapping;
- (c) The number of pits, trenches, and bore holes which he proposes to put in the area and the locations thereof;
- (d) The particulars of the machinery to be used;
- (e) The details of exploratory mining to be undertaken;
- (f) The number of samples proposed to be drawn and tested;
- (g) Baseline information of prevailing environmental conditions before the beginning of the prospecting operations;

(h) Any other matter relevant for the preparation of a scheme of prospecting, as directed by the State Government or any person so authorised, from time to time by a general or special order.

(2) The prospecting scheme under sub-rule (1) shall be prepared by a recognised person or a geologist or a mining engineer employed under the rule.

6. Modification of scheme of prospecting. - (1) A prospecting scheme prepared and submitted under rule 5 may be modified at any time on geological considerations by the holder of a prospecting license during continuance of the prospecting license.

(2) Any modification carried out under sub-rule (1) shall be intimated to the Government or any person authorised in this behalf by the Government, by the holder of a prospecting license within a period of fifteen days.

7. Prospecting operations to be carried out in accordance with scheme of prospecting. - Every holder of a prospecting license for minor mineral shall carry out the prospecting operations in accordance with the scheme of prospecting submitted under rule 5 or with such modifications, if any, as intimated under rule 6 or as directed by the Government or any Officer authorised by the Government in this behalf.

8. Report of prospecting operations. - (1) Every holder of a prospecting license for minor mineral specified or ornamental stones or non-specified mineral shall submit to the Government or any Officer authorized in this behalf by the Government an annual report for the previous year in Form- A so as to reach them by the 30th April every year: Provided that, a report in Form-A shall be submitted within a period of three months after the completion or abandonment of the prospecting operations or the expiry of the prospecting license, whichever is earlier.

(2) The Officer authorised in this behalf by the Government shall forward a copy of the Annual Report in Form-A, received under sub-rule (1) to the Director of Geology and Mining within a period of thirty days from the date of such receipt.

9. Mode of granting quarry lease. - (1) Subject to the provisions of these rules, mineral concessions for quarry lease may be granted by the Competent Authority either on receipt of application or by way of public auction.

(2) A quarry lease may be granted for quarry operation on the conditions of payment of lease money including royalty, dead rent, surface rent, water rates payable to Government and the lessee shall have the right of quarry and disposing the extracted minor minerals.

10. Restriction on grant of quarry lease . - (1) Except with the prior approval of the Government, no quarry lease shall be granted to any person other than an Indian national as defined in the Explanation to sub-section (1) of section 5 of the Act.

(2) Except with the prior approval of the Directorate, no quarry lease shall be granted in respect of any specified minor mineral.

(3) Except with the prior approval of the Government no quarry lease shall be granted in respect of land notified by the Government as reserved for public utility or for any other special purposes like areas of historical, geological and archaeological interest.

(4) No quarry lease shall be granted in the areas under the jurisdiction of the local bodies such as Gram Sabha, municipality or corporation or any metropolitan authority as the case may be without prior approval of such local bodies. However, if the approval is not received within the period of forty five days, the approval shall be deemed to have been granted for the purpose of grant of lease. However, if the concerned Gram Sabha does not give permission for quarry operations then the Sub-Divisional Officer of the area shall arrange

the Gram Sabha and after hearing the Gram Sabha the Sub-Divisional Officer can take the decision on merit.

(5) No quarry lease shall be granted in the areas where it is necessary in the interest of the regulation of mines and minerals development, preservation of natural environment, control of floods, prevention of pollution or to avoid danger to public health or communication or ensure safety of building, monument or other structures or for such other purposes. If necessary, the opinion of the concerned authority may be sought for by the Competent Authority.

(6) No quarry lease shall be granted in the areas if Competent Authority is of the opinion that it is necessary or expedient so to do for securing or maintain proper sanitation or public health or the orderly development of any area or for any like purposes.

(7) No commercial quarry lease shall be granted in eco-sensitive zone of notified under the Environment (Protection) Act, 1986 (29 of 1986) within notified area around wildlife Sanctuaries and National Parks.

11. Application of quarry lease. - (1) Every application for quarry lease in respect of any land shall be made to the Competent Officer in Form-B. Every such application shall be affixed with a court-fee stamp of rupees twenty.

(2) Every such application shall be accompanied by a challan of rupees five hundred as the application fee and also by a Solvency Certificate of the applicant issued from a revenue officer not below the rank of Tahsildar.

(3) Every application for renewal of quarry lease shall be made to the Competent Officer in Form-C at least sixty days prior to expiry of the original period of quarry lease. Such application shall be accompanied with a challan of rupees five hundred as an application fee and Solvency Certificate of the applicant issued from a revenue officer not below the rank of Tahsildar.

(4) The area for which quarry lease is applied shall be a contiguous one.

(5) Every application for grant or renewal of quarry lease shall be in addition to the documents mentioned above shall be accompanied with,

(a) Mining dues clearances certificate.

(b) Record of rights of the area applied for.

(c) A map showing the location of the area.

(d) Approved Mining plan and progressive mine closure plan for the area in case of renewal.

(e) Solvency Certificate of the applicant issued from a revenue officer not below the rank of Tahsildar.

(f) Environment Clearance Certificate issued from the appropriate authority in case of renewal, if environment clearance period expires for the period requested for extraction.

12. Incomplete application. - The application without the required documents as mentioned in rule 11, shall be treated as incomplete and shall not be considered for granting lease. The applicant shall be informed to complete the application within a period of six months from the date of letter of intent for a grant of quarry lease. In case of non-compliance on the part of applicant in the stipulated period, the application will be treated as

refused and the fees shall be forfeited. In such case, the date of receipt of complete application shall be treated as the date of receipt of application for deciding the application.

13. Acknowledgement of application. - (1) Where an application for grant or renewal of quarry lease is submitted personally, its receipt shall be acknowledged by the Competent Officer.

(2) Where such application is received by registered post, its receipt shall be acknowledged on the same day.

(3) In any other case the receipt of such application shall be acknowledged within a period of three days of the receipt.

(4) The receipt of every such application shall be acknowledged in Form-D.

14. Grant of quarry lease, execution and registration thereof. - (1) On receipt of an application under rule 11, the Competent Officer on making such inquiries as he deems fit, may, by order, sanction the quarry lease or renew of quarry lease wholly or partially or refuse to sanction it.

(2) If two or more applications are received for the same area, the applicant whose application was received earlier shall have the preferential right for grant of the quarry lease over an applicant whose application is received later :

Provided that, while deciding any such application, the Competent Officer may take into consideration the matters specified below and grant the quarry lease to any such person whom he may deem fit,-

- (a) whether he has undertaken prospecting operations or has certificate of District Mining Officer regarding existence of minor mineral presence in the area,
- (b) whether he has any special knowledge or experience in mining operation or in Geology,
- (c) the financial resources of the applicant,
- (d) the nature and quality of technical staff employed or to be employed by the applicant,
- (e) such other matter as may be specified by the Government by an order from time to time.

(3) Where a quarry lease is granted under sub-rule(1), a lease Deed shall be executed in Form-E within sixty days from the date of the order of granting the lease, and if no such lease Deed is executed within the aforesaid period, the Competent Officer may revoke the order of such grant of lease:

Provided that, where the Competent Officer is satisfied that the applicant is not responsible for the delay in the execution of the lease Deed, he may permit the execution of lease Deed after the expiry of the aforesaid period of sixty days.

(4) The lease Deed shall be registered with the concerned Registrar of Stamp Duties.

15. Disposal of application for quarry lease. - (1) The application for quarry lease shall be disposed of within a period of ninety days from the date of receipt of complete application for grant of lease.

(2) The application for renewal of quarry lease shall be disposed of within a period of sixty days from the date of receipt of complete application for renewal of lease.

(3) If an application for renewal of quarry lease has been made within the prescribed period but is not disposed of before the date of expiry of the period, the lease shall be deemed to have been extended by a further period of three months or till such date on which the

applicant is informed about the refusal to grant the renewal of the lease, whichever is earlier.

16. Refund of application fee. - If the Competent Officer refuses to grant the quarry lease applied for or if the applicant refuses to accept the lease on account of any special condition imposed therein under rule 46, the fee shall be treated as processing fee and will not be refunded:

Provided that, if the applicant refuses to accept the lease for reasons other than those referred to above, withdraws the application or fails to furnish the requisite information or to execute a lease deed in accordance with the provision of sub-rule (3) of rule 14, the application fee shall not be refunded.

17. Intimation of refusal etc. to be given. - When an application for a quarry lease is refused by the Competent Officer or is granted for less area than for which it was applied for, he shall communicate the reasons therefor in writing to the applicant for such refusal or reduction of area.

18. Period for which lease may be granted or renewed. - (1) The period for which a quarry lease may be granted shall be of five years without approval of the Government and ten years with the prior approval of the Government:

Provided that, the maximum period for which any such lease may be granted shall not be more than twenty years.

(2) A lease may be renewed at the option of the lessee for a period not exceeding the duration of the original lease.

(3) Notwithstanding anything contained in sub-rule (2), if the Government is of the opinion that in the interest of development of minor minerals, it is necessary to do so, it may, for reasons to be recorded in writing, authorise the renewal of a lease for a further period or periods not exceeding five years in each case.

19. Minimum and maximum area for grant of a quarry lease. - The minimum area that may be granted under a quarry lease shall not be less than,-

(a) one hectare, in respect of small deposits (not fragmented portions of larger ones), shallow in nature, isolated and not exceeding more than 200 meters in strike length. These deposits are small by virtue of either origin or mode of emplacement or dislocation due to geological disturbances. Small deposits shall also include float deposits (transported) formed due to mechanical weathering and deposition, alluvial or alluvial buried or otherwise, which generally have peculiar configuration;

(b) two hectares in respect of beach sands or placers (Beach sands or placers are mono or multi mineral concentrations) including the dunes occurring on and off the coastal shore line. These deposits are the products of ebb and flow of tides, waves and inshore current, and at places semi-consolidated to consolidate in nature:

Provided that, in case of renewal of mining lease, the restrictions of minimum area for grant of mining lease shall not be applicable:

Provided further that, the Government, if satisfied on the basis of proposed production level, geological or topographical conditions, may, for reasons to be recorded in writing, grant quarry lease not exceeding fifty hectare:

Provided also that, the Government may, after recording reasons in writing, grant quarry lease of the area less than minimum area mentioned above in case of artisan and traditional workers.

20. Mining plan as a pre-requisite to the grant of quarry lease. - No lease shall be granted or renewed by the Government unless there is a mining plan duly approved by the Government or any person authorised in this behalf by it for the development of the minor minerals deposit in the area concerned.

21. Mining plan to be prepared by a recognised qualified person. - No mining plan shall be approved unless it is prepared by a qualified person recognised in this behalf by the Government or any person authorised by the Government or by a recognised person under rule 22B of the Mineral Concession Rules, 1960.

22. Grant of recognition by Government. - (1) Any person possessing the qualifications and experience required under sub-rule (2) of rule 22B of Mineral Concession Rules 1960, may apply for such recognition to the Competent Officer designated by the Government for this purpose.

(2) The Competent Officer after making such enquiry as it deems fit, may grant or refuse to grant recognition. Where recognition is refused the Competent Officer shall record the reasons in writing and communicate the same to the applicant.

(3) A recognition shall be granted for an initial period of five years and may be renewed for further periods not exceeding five years at a time:

Provided that, the Competent Officer may refuse to renew recognition for reasons to be recorded in writing after giving an opportunity of being heard to the person concerned.

23. Approval and submission of Mining Plan. - On receipt of the application for grant of mining lease for undertaking mining operations for minor minerals, the Government shall take decision to grant precise area for the said purpose and communicate such decision to the applicant and on receipt of the communication from the Government of the precise area to be granted, the applicant shall submit a mining plan within a period of three months from the date on which such communication is received or such further period as may be allowed by the Government for the approval. The said mining plan shall incorporate,-

- (i) (a) the map of the precise area showing the nature and extent of the minor minerals body ;
 - (b) spot or spots where the excavation to be done in the first five years plan period and its extent ;
 - (c) a detailed cross-section and detailed plan of spots of excavation based on prospecting data gathered by the applicant ;
 - (d) a tentative scheme of mining for the second five years plan period of the lease;
- (ii) details of the geology and lithology of the precise area including minor mineral reserves in the area;
- (iii) the extent of manual mining or mining by use of machinery and mechanical devices on the precise area;
- (iv) the map of the precise area showing natural water courses, limits of reserved and other forest areas and density of trees, if any, assessment of impact of mining activity on forest land surface and environment including air and water pollution; details of scheme for restoration of the area by a forestation's, land reclamation, use of pollution control devices and of such other measures under Mine Closure Plan - Progressive and Final Mine Closure Plan;

- (v) annual program and plan for excavation on the precise area from (year to year) for five years;
- (vi) as per provisions of Notification of Ministry of Environment and Forest dated the 14th September 2006 prior Environment Clearance will be required depending upon the mining lease area.
- (vii) any other matter which the Government may require the applicant to provide in the mining plan.

Mining Operations

24. Mining Plan as a pre-requisite to the commencement of mining operations. - (1)

No person shall commence mining operations for minor minerals in any area except in accordance with a mining plan approved under these rules.

(2) The Government or any person authorised in this behalf by the Government, may require the holder of a lease to make such modifications in the mining plan referred to in sub-rule (1) or impose such conditions as it considers necessary by an order in writing if such modifications or imposition of conditions are considered necessary in the light of the experience of operation of mining plan or in view of the change in the technological development.

(3) A holder of a lease, desirous of seeking modifications in the approved mining plan as are considered expedient, in the interest of safe and scientific mining, conservation of minor minerals and for the protection of environment, shall apply to the Government or any person authorised in this behalf by the Government setting forth the intended modifications and explaining the reasons for the same.

(4) The Government or any person authorised in this behalf by the Government may approve the modifications under sub-rule (3) or approve with such alterations as it may consider expedient.

25. Mine Closure Plan. - Every mine shall have Mine Closure Plan which shall be of two types, -

- (i) Progressive Mine Closure Plan; and
- (ii) Final Mine Closure Plan.

26. Submission of Progressive Mine Closure Plan. - (1) The lessee, agent, manager or mining engineer shall, in case of fresh grant or renewal of mining lease, submit a Progressive Mine Closure Plan as a component of Mining Plan to the officer authorised by the Government in this behalf.

(2) The lessee, agent, manager or mining engineer shall, in case of existing mining lease submit a Progressive Mine Closure Plan to the officer authorised by the Government in this behalf, for approval within a period of one year from the date of commencement of these rules.

(3) The lessee, agent, manager or mining engineer shall review the progressive mine closure plan every five years from the date of its approval in case of existing mine or from the date of opening of the mine in case of fresh grant or from the date of renewal of mining lease, as the case may be, and shall submit to the officer authorised by the Government in this behalf, for its approval.

(4) The officer authorized by the Government in this behalf, shall convey his approval or refusal of the Progressive Mine Closure Plan within a period of ninety days of the date of its receipt.

(5) If approval or refusal of the Progressive Mine Closure Plan is not conveyed to the owner, agent, manager or mining engineer of the mining lease within the period as specified in sub-rule (4), the Progressive Mine Closure Plan shall be deemed to have been provisionally approved, and such approval shall be subject to the final decision whenever communicated.

27. Submission of Final Mine Closure Plan. - (1) The lessee, agent, manager or mining engineer shall submit a final mine closure plan to the officer authorised by the Government in this behalf, for the approval one year prior to the proposed closure of the mine.

(2) The officer authorised by the Government in this behalf, shall convey his approval or refusal of the final Mine Closure Plan within a period of ninety days of the date of its receipt to the owner, agent, manager or mining engineer.

(3) If approval or refusal of the final Mine Closure Plan is not conveyed to the owner, agent, manager or mining engineer of the mining lease within the period as specified in sub-rule (2), the final Mine Closure Plan shall be deemed to have been provisionally approved and such approval shall be subject to final decision whenever communicated.

28. Modification of Mine Closure Plan. - (1) The holder of a mining lease desirous of seeking modifications in the approved Mine Closure Plan, shall submit to the officer authorised by the Government in this behalf, for approval setting forth the intended modifications and explaining the reasons for such modifications.

(2) The officer authorised by the Government in this behalf, may approve the modifications as submitted under sub-rule (1) or approve with such alterations as he may consider expedient.

29. Responsibility of holder of quarry lease. - (1) The lessee, agent, manager or mining engineer shall have the responsibility to ensure that the protective measures contained in the Mine Closure Plan referred to in this rule including reclamation and rehabilitation work have been carried out in accordance with the approved Mine Closure Plan or with such modifications as approved by the officer authorised by the Government in this behalf under this rule.

(2) The lessee, agent, manager or mining engineer shall submit to the officer authorised by the Government in this behalf, a yearly report before the 1st July of every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved Mine Closure Plan, and if there is any deviation, reasons thereof.

30. Financial assurance. - (1) Financial assurance has to be furnished by every leaseholder. The amount of financial assurance shall be rupees fifty thousand per hectare of the mining lease area put to use for mining and allied activities. However, the minimum amount of financial assurance to be furnished in any of the forms referred to in sub-rule (2) shall be rupees one lakh:

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

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

(2) The financial assurance shall be submitted in one of the following forms to the officer authorised by the Government in this behalf, or any amendment to it :

- (a) Letter of Credit from any Scheduled Bank;
- (b) Performance or surety bond;
- (c) Trust Fund build up through annual contributions from the revenue generated by mine and based on expected amount sum required for abandonment of mine; or
- (d) any other form of security or any other guarantees acceptable to the officer.

(3) The lessee shall submit the financial assurance to the officer authorised by the Government in this behalf, before executing the mining lease Deeds. In case of an existing mining lease, the lessee shall submit the financial assurance along with the Progressive Mine Closure Plan.

(4) Release of financial assurance shall be effective upon the notice given by the lessee for the satisfactory compliance of the provisions contained in the Mine Closure Plan and certified by the officer authorised by the Government in this behalf.

(5) If the officer authorised by the Government in this behalf, has reasonable grounds for believing that the protective, reclamation and rehabilitation measures as envisaged in the approved Mine Closure Plan in respect of which financial assurance was given has not been or will not be carried out in accordance with the Mine Closure Plan, either fully or partially, the officer authorised by the Government in this behalf, shall give the lessee a written notice of his intention to issue the orders for forfeiting the sum assured at least thirty days prior to the date of the order to be issued.

(6) Within thirty days of the receipt of notice referred to in sub-rule (5), if no satisfactory reply has been received in writing from the lessee, the officer authorised by the Government in this behalf, shall pass an order for forfeiting the surety amount and a copy of such order shall be endorsed to the Government.

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

31. Mining Plan to be submitted by existing lessee. - (1) Where mining operations for minor minerals have been undertaken before the commencement of these rules without an approved Mining Plan, the holder of such lease shall submit a mining plan within a period of one year from the date of commencement of these rules, to the Government or any person authorised in this behalf by the Government for its approval.

(2) If a holder of a lease has not been able to submit the Mining Plan within the specified time for reasons beyond his control, he may apply for extension of time giving reasons to the Government or any person authorised in this behalf by the Government.

(3) The Government or any person authorised in this behalf by the Government on receiving an application made under sub-rule (2) above, may, on being satisfied, extend the period for submission of the Mining Plan for a period which may not exceed two years.

(4) The Government or any person authorised in this behalf by the Government may approve the Mining Plan submitted by the lessee under sub-rule (1) or any required modifications to be carried out in the Mining Plan and the lessee shall carry out such modifications and resubmit the modified mining plan for approval of the Government or the person so authorized, as the case may be.

(5) The Government or any person authorised in this behalf by the Government shall, within a period of ninety days from the date of receipt of the Mining Plan or the modified plan

convey its or his approval or disapproval to the applicant and in case of disapproval it or he shall also convey the reasons for disapproving the said Mining Plan or the modified Mining Plan.

(6) If no decision is conveyed within the period stipulated under sub-rule (5), the Mining Plan or the modified Mining Plan, as the case may be, shall be deemed to have been provisionally approved and such approval shall be subject to the final decision whenever communicated.

(7) The Mining Plan submitted under sub-rule (1) shall be prepared by a recognised qualified person.

32. Review of Mining Plan. - (1) Every Mining Plan duly approved under these rules shall be valid for the entire duration of the lease.

(2) The lessee, agent, mining engineer or manager of every mine or quarry shall review the Mining Plan as prescribed under sub-rule (1) and submit a scheme of mining for the next five years of the lease to the Government or any person authorised in this behalf by the Government for approval.

(3) The scheme of mining shall be submitted to the Government or any person authorised in this behalf by the Government at least one hundred twenty days before the expiry of the five years period for which it was approved on the last occasion.

(4) The Government or any person authorised in this behalf by the Government shall convey its or his approval or refusal to the scheme of mining within ninety days of the date of its receipt.

(5) If approval or refusal of the scheme of mining is not conveyed to the holder of the lease within the stipulated period, the scheme of mining shall be deemed to have been provisionally approved and such approval shall be subject to final decision whenever communicated.

(6) The provisions of rule 31 shall apply to the scheme of mining in the same way as they are applicable to the mining plan.

(7) Every scheme of mining submitted under sub-rule (2) shall be prepared by a recognized qualified person or a person under rule 21.

33. Mining operations to be in accordance with Mining Plan. - (1) Every holder of a lease shall carry out mining operations for minor minerals in accordance with the Mining Plan with such conditions as may have been specified under sub-rule (2) of rule 24 or with such modifications, if any, as permitted under sub-rule (3) of rule 24 or the mining plan or the scheme approved under rule 23 or 31 or 32, as the case may be.

(2) If the mining operations are not carried out in accordance with the Mining Plan as referred to under sub-rule (1), the Government or any person authorised in this behalf by the Government may order suspension of all or any of the mining operations and permit continuance of only such operations as may be necessary to restore the conditions in the quarry as envisaged under the said Mining Plan.

34. Notice for opening of a mine and intimation of existence of a mine. - The owner, agent, mining engineer or manager of every minor mineral quarry shall send to the Government or any person authorised in this behalf by the Government an intimation in Form-F of the opening of a mine so as to reach them within fifteen days of such opening or of the existence of a mine at the time of the commencement of these rules within ninety days from such commencement, as the case may be.

35. Abandonment or surrender of quarry. - (1) The lessee, agent, mining engineer or manager of every minor mineral quarry shall not abandon or surrender a minor mineral quarry or a part of such quarry during the subsistence of the lease except with prior

permission in writing of the Government or any person authorised in this behalf by the Government.

(2) Notice for abandonment or surrender of a minor mineral quarry or a part thereof shall be given in Form-G and shall be accompanied by plans and sections on a scale of not less than 1 cm=10 meters showing accurately the work done in such quarry upto the date of submission of the notice.

(3) The Government or any person authorised in this behalf by the Government may by an order in writing prohibit abandonment or refuse surrender or allow the abandonment or surrender of a minor mineral quarry or a part thereof with such conditions as he may specify in the order.

(4) Where an abandonment of a minor mineral quarry or part thereof takes place as a result of the occurrence of a natural calamity beyond the control of the owner, agent, mining engineer or manager of a such quarry, or the lease is terminated in compliance of any order or directions issued by any statutory authority established under any law for the time being in force or any tribunal or a court, an intimation shall be sent to the Government or any person authorised in this behalf by the Government within a period of twenty-four hours of such abandonment or termination and the notice of abandonment as provided in sub-rule (2) shall be submitted to the Government or any person authorised in this behalf by the Government within a period of fifteen days of such abandonment or termination.

36. Notice of temporary discontinuance of work in quarry. - The lessee, agent, mining engineer or manager of every minor mineral quarry shall send to the Government or any person authorised in this behalf by the Government a notice in Form-H when the work in such quarry is discontinued for a period exceeding sixty days so as to reach them within seventy-five days from the date of such temporary discontinuance.

37. Intimation of reopening of a quarry. - The lessee, agent, mining engineer or manager of every minor mineral quarry shall send to the Government or any person authorised in this behalf by the Government an intimation in Form-I of reopening of such quarry after temporary discontinuance so as to reach them within fifteen days from the date of such reopening.

38. Prospecting and mining operations. - The prospecting and mining operations shall be carried out in such a manner so as to ensure systematic development and conservation of minor mineral deposits and protection of environment.

39. Register of application. - A register of application for quarry lease shall be maintained by the Competent Officer in Form-J.

40. Demarcation of area lease. - Where a quarry lease is granted by a Competent Authority arrangement shall be made by the Competent Officer at the expense of the lessee for the demarcation of the area granted under the lease, before executing the lease Deed.

41. Register of quarry lease granted. - A register of quarry lease granted shall be maintained by the Competent Officer in Form-K.

42. Registers to be kept open for inspection. - The registers maintained by the Competent Officer under rules 39 and 41 shall be open to inspection by any person on payment of a fee of rupees twenty-five for the first hour and rupees ten for every subsequent hour or part thereof.

43. Boundaries below surface. - The boundaries of the area covered by a quarry lease shall run vertically downwards below the surface towards the center of the Earth.

44. Payment of royalty, dead rent etc.. - When the quarry lease is renewed, royalty, dead rent, surface rent and other dues with lessee thereon shall be charged at the rates in force, from time to time.

45. Transfer of quarry lease. - (1) Except with previous consent in writing of the Competent Officer, the lessee shall not,-

- (a) assign, sub-let, mortgage or in any other manner, transfer, the quarry lease or any right, title or interest therein, or
- (b) enter into, or make any arrangement, contract or understanding whereby the lessee may be financed to a substantial extent or may be substantially controlled by, any person or body of persons other than the lessee.

(2) The lessee may, with the previous consent in writing of the Competent Officer, transfer his lease or any right title or interest therein, to any person on payment of a fee of rupees ten thousand to the Government:

Provided that, if the lease was granted with the approval of the Director (as in the case of specific mineral) it shall not be transferred unless approval of the Director is obtained. Provided further that, no lease or permit granted to a co-operative labour society, in pursuance of a direction made under rule shall be transferred except to another such society.

(3) Where the lease is transferred, the transferor shall furnish to the transferee with the original or certified copies of all plans or abandoned working in the areas covered by the lease and also the original lease deed.

(4) The Competent Officer shall not give his written consent for transfer of any quarry lease unless the lessee has furnished a properly sworn in affidavit along-with his application for transfer of quarry lease specifying therein the amount that he has already taken or propose to take as consideration from the transferee:

Provided that, the amount of consideration taken or proposed to be taken shall include only such sum spent by the lessee (Transferor) in obtaining the quarry lease and for conducting all quarry operations over the lease area.

(5) The Competent Officer may by order in writing determine any transferred lease at any time, if the lessee has, in the opinion of the Competent Officer, committed a breach of any of the provision of these rules:

Provided that, no such order shall be made without giving the lessee a reasonable opportunity of showing cause against making such an order.

(6) The Competent Officer may, in the interest of mineral development and with reasons to be recorded in writing , permit amalgamation of two or more adjoining leases held by a lessee:

Provided that, the period of amalgamated leases shall be co-terminus with the lease whose period will expire first.

CHAPTER- III

Terms and Conditions of Quarry Ease

46. Every quarry lease shall be subjected to conditions. - (i) The lessee shall pay royalty on minor minerals removed from the leased area at the rates specified by the Government, from time to time, on the date of the grant of the lease:

Provided that, such rates may be revised only once in every three years.

(ii) The royalty shall be paid by the lessee quarterly for the quarters ending March, June, September and December and shall be payable within fifteen days after completion of every quarter.

(iii) For the purpose of computation of royalty dues, the lessee shall compute the said dues on the basis of self assessment and make the payment in the treasury accordingly. It shall also be binding on the lessee to make payment of the difference of royalty after final assessment demand from the Competent Officer:

Provided that, the Competent Officer, without prejudice to the provision contained in rules, shall charge simple interest at the rate of fifteen percent per annum, on the delayed payment of royalty and other mining dues from the sixtieth day of the expiry of the date fixed by the Government for payment of such royalty and other mining dues until payment of such royalty and other mining dues is made.

(iv) The lessee shall submit to the Competent Officer and the Director, a quarterly return in Form-L for the periods ending on the 30th June, 30th September, 31st December and 31st March in respect of payment of royalty.

(v) The lessee shall also pay for every calendar year of the lease such yearly dead rent as specified by the Government, from time to time, and if the lessees permitted the working of more than one minerals in the same area, shall pay such separate dead rent in respect of each mineral as may be fixed by the Government, from time to time:

Provided that, the dead rent may be revised once in every three years:

Provided further that, the lessee shall be liable to pay the dead rent or royalty whichever is more, but not both, in respect of each minor mineral:

Provided also that, the dead rent shall not be payable for the first three month following the execution of lease.

(vi) The lessee shall also pay for every calendar year, surface rent and cess equal to non-agricultural assessment for the area for which working permission has been granted to him. Period to be calculated prospectively from the date of execution of lease as well as for the lease area for which no working permission has been granted.

(vii) Unless the Competent Officer for sufficient cause permits otherwise, the lessee shall commence quarry operations within three months from the date of execution of the lease and shall transfer, carry them in a proper, skillful and workman like manner so as to ensure the safety of labourers, conservation of minerals etc.:

Provided that, if the Government is of the opinion that it is expedient so to do in the interest of regulation of mines and minerals development, preservation of pollution or to avoid danger to public health or communication or ensure safety of building , monuments or other structure or for such other purpose, as the Government may deem fit, to terminate permanently any quarry lease, after issuing due notice of thirty days to the lessee, terminate or determine such quarry lease in respect of any land:

Provided further that, the Government may after the premature termination of quarry lease, grant quarry lease in favour of another eligible person or such Government company or corporation owned or controlled by Government as it may think fit.

(viii) Before lessee commences quarry operation, the lessee shall, in consultation with the Competent Officer and at his own expense, demarcate the leased area through the Deputy Superintendent of Land Records and erect and maintain in good condition prominent boundary marks and pillars, necessary to indicate the area leased to him and shall at all time maintain and keep such boundary marks and pillars in good conditions. The lessee shall also keep proper maintenance of any road, power transmission line, tramway, railway, Ariel ropeway, pipeline etc. passing through his lease hold area. He shall also make proper passage for water used for quarry purposes. He shall keep such maintenance in case of any type of land (either Government land or private land) under his lease hold area.

(ix) The lessee shall take adequate steps to ensure that,-

(a) height and width of benches in opencast quarries are properly maintained to facilitate easy removal of mineral and the muck.

In case of quarry in alluvium or soil or murum or gravel clay or debris or any such loose or soft formation the faces of the quarry shall be sloped at an angle of safety not exceeding forty-five degree (45o) from the horizontal so also the faces of the quarry shall be worked by the lessee in such a way so as to form benches and the height of every such bench shall not exceed one and half meters (1.5 meters with the breadth thereof not less than the height).

In case of hard-rock formations the faces of quarry shall be sloped at an angle of not more than sixty degrees (60o) from the horizontal and the quarry face shall be in bench pattern. The height of any bench shall not exceed six meters and the breadth thereof shall not be less than the height;

(b) The working faces are always kept clean; and

(c) The minor minerals won are stacked in suitable dimension and each stack is numbered.

(x) If any minor mineral not specified in the lease is at any time discovered in the lease area, the lessee shall without delay report the discovery to the Competent Officer and also to the Director and shall not undertake any quarry operation in respect of such minor mineral or dispose of such minor mineral without obtaining a separate lease therefor. If the lessee fails to apply for such lease within three months from the date of the discovery of mineral, the Competent Officer may grant a lease in respect of such minor mineral to any other person.

(xi) The lessee shall arrange for a proper sanitation of the area leased to him.

(xii) The lessee shall abide by all such reasonable instructions or direction as may from time to time be issued by the Government or the Director, regarding the conservation and development of minor minerals.

- (xiii) The lessee shall abide by the provisions of any law in force relating to the working of mines and matters affecting safety, health and convenience of his employees, of the public visiting the site and shall respect all existing rights of way, water and other easements vesting in any other person.
- (xiv) The lessee shall not carry on or allow to be carried on any quarry operations at any point within a distance of fifty meters, if no blasting is involved, and two hundred meters, if blasting is involved,-
- (a) from the boundary of any railway line, unless a written permission of the railway authority concerned is obtained in that behalf;
 - (b) from the boundary of any reservoir, canal, road, river, nallah, irrigation works or public works or buildings, unless a written permission of concerned authority of the Government is obtained in that behalf. In granting any such permission, the Government may impose such conditions on advice of railway authority or any concerned authority and the lessee shall abide by such conditions.
- (xv) The lessee shall keep correct and true accounts of expenses incurred by him on quarry operations and also the accounts showing the quantity and other particulars of all minor minerals obtained, the names of the purchasers , the receipts for money received, and the number of employees present in the quarry and complete plans of the quarry and shall furnish to the Competent Officer, and the Director such information, reports and returns as any of them may require, from time to time, together with representative samples of minerals obtained during the operations and shall submit by the 10th day of every month to those officers, a return in Form-M giving the total quantity of material raised in the preceding calendar month and its value. The lessee shall also furnish to the Competent Officer and the Director, annual return giving the total quantity of material raised in the preceding year and its value in Form-N by the 15th of January every year:

Provided that, if the period of the lease expires before the close of a year, the lessee shall also furnish returns for such shorter period.

- (xvi) The lessee shall allow any officer authorised by the Government in this behalf or the Competent Officer or any officer authorised competent officer to enter upon any building, excavation or land covered by his lease for the purpose of inspecting the same or for inspecting the accounts plans and record which may be required to produce before such officer. Any such officer may issue such reasonable directions as he may deems fit to prevent wasteful extraction of minerals, and it shall be the duty of the lessee , his agent or manager to carry out such directions with such period as the officer may specify.
- (xvii) Where the strengthening or supporting of any part of quarry is necessary for the safety of any railway, reservoir, canal, road or any other public work or structure, the lessee shall cause it to be done to the satisfaction of the concerned railway authority

where the safety of the railway is involved and to the satisfaction of any officer, authorised by Competent Officer for this purpose.

- (xviii) If the lessee fails to undertake quarry operations within a period of one hundred eighty days after the date of execution of the lease, or, having commenced quarry operations, has discontinued the same for a continuous period of one hundred eighty days, the lease shall be treated as lapsed on the expiry of the period of one hundred eighty days from the date of execution of the lease or as the case may be, discontinuous of the quarry operation:

Provided that, the Competent Officer may, on an application made by the holder of such lease before its expiry under this sub-rule and on being satisfied that it will not be possible for the holder of the lease, to undertake mining operation or to continue such operations for reasons beyond his control, make an order, subject to such conditions as may be specified in the order, to the effect that such lease shall not lapse:

Provided further that, the Government may on an application submitted by the lessee, within a period of six months from the date of its lapse and on being satisfied that such non-commencement or discontinuance was due to reasons beyond the control of the holder of the lease, revive the lease from such prospective or retrospective date as it thinks fit but not earlier than the date of lapse of the lease:

Provided also that, no quarry lease shall be revived under the aforesaid provisos for not more than twice during the entire period of the lease.

- (xix) The lessee shall report all accidents immediately to the District Magistrate, the Superintendent of Police and the Competent Officer, or in case the severity of accident so warrants, the concerned Director of Mines of Safety of Government of India.

- (xx) The Government shall be immune from the lessee's claims for the damages on account of any land having been included in this lease which may subsequently be discovered not to have been available for the lease.

- (xxi) The lessee or his transferee or assignee shall not erect any building in contravention of the provisions of any law, order or instructions in force relating to the erection of the buildings or in contraventions of any orders issued by any officers or authority competent to issue such orders under any such laws, orders or instructions within whose jurisdiction the leased area is situated.

- (xxii) The Government shall at all times have the right of preemption of the minor minerals won from the land in respect of which the lease has been granted:

Provided that, the fair market price prevailing at the time of pre-emption shall be paid to the lessee for all such minor minerals.

- (xxiii) Right of the State or Central Government or any local authority to construct any road, railway, canal, reservoir or public work or the right of any authority to carry any electric or telephone lines or poles in or over the lands demised under the lease is reserved:

Provided that, before such right is exercised a notice of not less than thirty days shall be given to the lessee and the area utilised for any of the aforesaid purpose shall be excluded from the area under the lease.

(xxiv) The lessee shall immediately submit a report to the Collector, the District Magistrate, the Chief Inspector of Mines, Dhanbad, the Controller General, Indian Bureau of Mines, the Director and Senior Geologist or Geologist, Junior Geologist posted in the area as soon as-

(a) the depth of any opencast excavation measured from its height to the lowest point reaches six meters, or

(b) the explosives are used, and at such time thereafter as the District Magistrate or the Chief Inspector of Mines may direct.

(xxv) The lessee shall allow any Government Department to remove by way of departmental work without any payment of royalty from any non worked portion of the leased area, any minor mineral required for bonafied Government work, on receiving written instructions from the Competent Officers. The Competent Officer shall issue such instruction to lessee on receiving written and specific request from that officer of any particular departments who is competent to certify the benefited Government work, in question as regards the extent of such work and quantity of minor mineral or minerals specifically required for it:

Provided that, the Government Department shall give the amount of compensation due to the land owner or the lessee, as the case may be, if the lease has been granted of private land.

(xxvi) The lessee shall issue along with every dispatch of mineral outside the lease hold area for any mode of transport a Transit pass in Form-O.

(xxvii) The lessee shall pay to the occupier of the surface of the land, such compensation as may primarily be decided, mutually, amongst the lessee and the individual land holders, prior to any disturbance to the land that would be caused by the quarry operations. The lessee shall for this purpose, submit an affidavit at the time of execution of the quarry lease deed, to the effect that he has entered into such mutual agreements with all the concerned land holders and with those land holder with whom such an agreement could not be entered into, the lessee has obtained provisional written order from the concerned Sub-Divisional Officer to enter into such land with the intention of commencing quarry operations:

Provides that, the concerned Sub-Divisional Officer shall have such case registered in his court under the provisions of section 48 of the Maharashtra Land Revenue Code, 1966:

Provided further that, the concerned Sub-Divisional Officer shall settle such cases of surface compensation regarding quarry lease on priority basis and considering the merits of the cases.

(xxviii) In case of quarry lease granted over any Government land, lessee shall pay to the Government the compensation or occupancy price as determined and fixed by Revenue authorities.

(xxix) The lessee shall comply strictly all the relevant provisions of the following Acts and Rules and corresponding procedures framed by the Central or State Governments under these Acts and rules, namely:-

(a) the Mines Act 1952.

(b) the Mineral Conservation and Development Rules-1988.

(c) Any other Act or rules which the Central or State Government may make applicable, from time to time, as regards minor minerals.

(xxx)(i) The lands on which quarry lease is granted shall be reclaimed by the lessee.

(ii) The lessee shall restore ecological balance before mining operations.

(iii) The lessee shall plant the trees around the leased area and maintain the same. He shall ensure that the greenery in the area is maintained.

(xxxi) (1) Any other special conditions which the Competent Officer may specify, subject to the approval of the Government.

(2) In case of breach or breaches by the lessee or his transferee or assignee, of any of the conditions specified under rule (46) (1) (i) to (xxxi) above, the Competent Officer shall give notice in writing, to the lessee or his transferee assignee asking him to remedy breach or breaches in full, within thirty days from the date of the notice and if the breach or breaches is or are not remedied fully within such period, the Competent Officer on expiry of this notice period and by an order in writing impose penalty not exceeding an amount equal to twice the rate of dead rent applicable to be paid within a period of eight days from the date of issue of such order. In case of non-payment of the penalty so imposed within this specified time, an additional fine of an amount equal to rate of dead rent per day shall be imposed upto such period during which contravention continues. Furthermore, if such contravention still continues even after imposing such penalty, for this continued contravention, the Competent Officer shall serve a final notice to the lessee or his transferee or assigns to remedy the breach or breaches within a period of fifteen days from the date of such notice and in case even on the expiry of this notice period, if the breach or breaches are not remedied fully, the Competent Officer shall determine the quarry lease forthwith and recover the amount of penalty and fines as arrears of land revenue.

47. Rights of lessee. - Subject to the conditions mentioned in rule 46, the lessee shall have the right, for the purpose of his quarry operations, to :-

(1) work quarries;

(2) sink pits and shafts and construct building and roads;

(3) erect plant and machinery;

- (4) surrender of part of the area leased out to him during continuance of the lease, provided the lessee again demarcates the area so retained at his cost and give at least six months notice to the Competent Officer about his intention to surrender part of the area;
- (5) quarry and obtain building and road materials and make bricks on payment of royalty;
- (6) use water;
- (7) use land for stacking purposes;
- (8) do any other thing specified in the lease.

48. Right to determine lease. - (1) The State Government may determine the lease, as per the provisions of rule 46.

(2) The lessee may determine the lease, at any time by giving not less than sixty days notice, in writing, to the Competent Officer, stating specific reasons in the notice: Provided that, such determination shall have the effect only if the Competent Officer is satisfied as regards the reasons given by the lessee and gives his written consent for such determination by the lessee, prior to the expiry of the said notice period of sixty days.

Systematic and Scientific Mining

49. Protection of environment. - Every holder of a prospecting license or a quarry lease shall take all possible precautions for the protection of environment wildlife habitat, flora and fauna of that area and control of pollution while conducting prospecting, mining or processing of minor mineral in the area for which such license or lease is granted.

50. Removal and utilization of top soil. - (1) Where top soil exists and is to be excavated for prospecting or mining operations for minor mineral, it should be removed separately.

(2) The top soil so removed shall be utilised for restoration and rehabilitation of the land which is no longer required for prospecting or mining operations or for stabilizing or landscaping the external dump.

(3) Where top soil cannot be used concurrently, it shall be stored separately for future use, keeping in view that the bacterial organism should not die and should be spread nearby area.

(4) The top soil so removed shall not be dumped, stocked or kept on the adjoining forest land, if any.

51. Storage of overburden, waste rock etc.. - (1) The overburden, waste rock and non-saleable minor mineral generated during prospecting or mining operations for minor mineral shall be stored separately in properly formed dumps on grounds earmarked and shall not be dumped, stocked in the adjoining forest land, if any.

(2) Such dumps shall be properly secured to prevent the escape of material in harmful quantities which may cause degradation of the surrounding land or silting of water courses.

(3) Wherever possible, such waste rock or overburden or other rejects, shall be back filled into the worked out minor mineral quarry, where minor mineral has been recovered upto the optimum depth, with a view to restore the land to its original use or desired alternate use, as far as possible and where the back filling is not feasible, the waste dumps shall be suitably terraced and stabilized by planting vegetation or otherwise.

52. Reclamation and Rehabilitation of lands. - (1) Every holder of prospecting licence or mining lease shall undertake the phased restoration, reclamation and rehabilitation of land

affected by prospecting or mining operation and shall complete this work before the completion of such operations and abandonment of prospecting or mine.

(2) Where large number of small mines are situated and worked out in clusters, at such places the provisions of quarry of minor minerals shall be done in a systematic and scientific manner. The programme of restoration and reclamation of the mined out area and rehabilitation must be made jointly in phased manner in the abandoned areas in the entire cluster of the minor minerals. Environmental clearance may be obtained by lessee or group thereof as per the concept of Regional Environmental Assessment (REA) and Regional Environmental Management Plan (REMP).

53. Precaution against air pollution. - Air pollution due to dust, exhaust emissions or fumes during prospecting, mining or processing operations for minor minerals and related activities shall be controlled and kept within permissible limits specified under any environmental laws for the time being in force.

54. Discharge of effluents. - Every holder of a prospecting license or a lease shall take all possible precautions to prevent or reduce to a minimum discharge of toxic and objectionable liquid effluents from minor mineral quarry, workshop or processing plant into surface of ground water bodies and usable lands. These effluents shall conform to the standards laid down in this regard, and they shall not be allowed to be flown discharged in the adjoining forest land, if any.

55. Precaution against noise. - Noise arising out of prospecting, mining and processing operations for minor mineral shall be abated or controlled by the holder of prospecting licensee or a lessee at the source so as to keep it within the permissible limits.

56. Permissible limits and standards. - The standards and permissible limits of all pollutants, toxins and noise referred to in rules 53, 54 and 55 above shall be those notified by the concerned authorities under the provisions of the relevant statutes, from time to time.

57. Restoration of flora. - (1) Every holder of prospecting license or a mining lease shall,-

- (i) carry out prospecting or mining operations as the case may be, in such a manner so as to cause least damage to the flora of the area held under prospecting license or mining lease in the nearby area.
- (ii) take immediate measures for planting in the same area or any other area selected by concerned authority or Regional Office of Ministry of Environment or Forest or the authorised officer not less than twice the number of trees destroyed by reason of any prospecting or mining operation.
- (iii) Look after them during the subsistence of the license or lease after which these trees shall be handed over to the Forests Department or any other authority as may be nominated by the State Government.
- (iv) Restore, to the extent possible, other flora destroyed by prospecting or mining operation.

CHAPTER IV

Grant of Quarry Permits for Minor Minerals

58. District Committee. - There shall be a committee in every district under the Chairmanship of District Collector to prepare the District Mining Plan and ensure that the

short term quarry permits are granted in accordance with the District Mining Plan. The District Level Committee shall consist of the following:-

- | | |
|---|--------------------------|
| (i) District Collector | ...Chairman; |
| (ii) District level Officer of the
Maharashtra Pollution Control
Board... | Member; |
| (iii) Deputy Conservator of Forest | ...Member; |
| (iv) District level Officer of the
Ground Water Survey and
Development Agency | ...Member; |
| (v) District Mining Officer | ...Member-
secretary. |

59. Grant of short term permits for minor minerals. - (1) Notwithstanding anything contained in the foregoing rules, the Competent Officer, on an application made to him may grant a quarry permit to any person to extract or remove from any specified land within the limits of his jurisdiction any minor mineral not exceeding in quantity as mentioned under any one permit on payment of advance royalties calculated at the rate specified by the Government, from time to time, and on such rents and fees assessable for such extraction: Provided that, no permits shall be granted in case of any specified minor mineral without prior approval of the Director.

(2) The Competent Officer shall grant permit for specific time and specific volume.

(3) The Competent Officer may refuse to grant such permit for reasons to be recorded in writing.

60. Grant of Quarry permits by Revenue officers over lands in charge of Water Resources Department, Public Works Department. - In case of lands in charge of Departments other than Revenue Department that is, Water Resources Department, Public Works Department, quarry permits over such lands shall be granted by the Competent Officer only after obtaining No Objection Certificate (N.O.C.) from concerned Executive Engineer in case of Water Resources Department and Public Works Departments and Divisional Forest Officer of the Forests Department.

61. Application for quarry permits. - (1) An application for quarry permits shall be made in Form- P to the Competent Officer and shall contain the following particulars,-

(a) Name, address, profession, nationality of the applicant.

(b) Name and quantity of the minor mineral for which the permit is required.

(c) Description of land, such as location, survey number from which the minor mineral is to be extracted.

(2) Every application for quarry permit shall be accompanied by the certified true copies of relevant extracts of the record of rights in respect of lands from where the applicant proposes to extract the mineral.

(3) The application shall be accompanied with the consent letter from the occupant of land in case land is belonging to individual.

(4) Every such application shall be affixed with court-fee stamp of rupees ten.

62. Application or Processing fee. - The application shall be accompanied with the processing fee as follows:-

- (i) for permit for quantity 500 brass and below ... five hundred rupees;
- (ii) for permit for quantity 501 brass to 2000 brass ... two thousand rupees;
- (iii) for permit for quantity 2001 brass to 25000 brass rupees five thousand.

In case of refusal of grant of permit applied for, the fee shall not be refunded.

63. Acknowledgement of application. - The receipt of an application for a quarry permit shall be acknowledged in Form-Q within three days on the receipt of application and the entry of such application shall be made in the register in Form-R.

64. Register of quarry permits. - A register of quarry permit shall be maintained by the Competent Officer and separate register shall be maintained for each type of minor mineral.

65. Disposal of application for quarry permit. - (i) On receipt of application the Competent Officer after verification of necessary documents grant or refuse the permit as he may deem fit, within a period of thirty days from the date of such application. In no case the applicant shall start work unless he remits full amount of royalty and other assessable rents, taxes for such permit in advance and also unless he is issued the requisite permit by the Competent Officer.

- (ii) If the application for quarry permit is for the same area in which case document in earlier case have been verified in the recent past, the Competent Officer is at liberty to consider the application without conducting any fresh enquiries and grant or refuse the application after considering the other factors in this matter.

66. Conditions on which quarry permit shall be granted. - (1) Every quarry permit granted under rule 59 and 60 shall contain a condition that at no time the depth of the pit below the surface exceeds six meters.

(2) Any quarry permit granted under rule 59 and 60 may contain such other conditions as the Competent Officer granting permit may deem necessary in regard of following matters:-

- (a) The limit, mode and place of payment of rent and royalties.
- (b) Compensation for damage to the land covered by the permit.
- (c) Felling of trees.
- (d) Restriction of surface operation in any area specified by any authority
- (e) Entering and working in any reserved area.
- (f) Reporting of accident
- (g) Indemnity to Government against claims of third parties.
- (h) Period within which the minor mineral shall be extracted and removed.
- (i) Forfeiture of property left after cancellation or expiry of permit.

(3) No other mineral except that for which the permit is granted shall be extracted and removed without proper sanction being obtained from the Competent Officer.

(4) If any minor mineral or major mineral other than for which permit has been issued is found during quarry it shall be reported to Competent Officer within a week's time after such recovery.

- (5) The permit holder shall maintain complete and correct accounts of the mineral excavated, quantity removed from the permit area, sale vouchers, register of labour employed and wages paid etc. and royalty and other charges leviable for this purpose.
- (6) The permit holder shall immediately report all accidents to the Competent Officer and the District Magistrate and District Superintendent of Police of the District in which the area is situated.
- (7) The permit holder shall have no right over the quarry material and other property lying in the permit area after the expiry of the permit.
- (8) The permit holder shall not cut or damage any trees without prior sanction or without payment of compensation as may be fixed by the Divisional Forest Officer or such officer authorised by him in this behalf.
- (9) The permit holder shall not carry quarry operation within a distance of fifty meters of any public roads, public buildings or temples, rivers, nallahs, reservoirs, burial grounds and railway tracks etc. and cause any damage to any public or private properties.
- (10) The permit holder shall allow any officer authorised by the Director of Geology and Mining and local revenue or forest authority in whose jurisdiction the land is situated to enter into and inspect any time the quarry operations and check the accounts and verify the details of dispatches, sales etc. from the account books maintained by the permit holder as per conditions (5) above at or near the area under permit.
- (11) If any excess quantity over permitted limit is found to be removed the material shall be confiscated and permit holder shall be liable for punishment under the provisions of the Maharashtra Land Revenue Code, 1966 and the Mines and Minerals (Development and Regulation) Act, 1957.
- (12) If any breach of these conditions is detected, the permit shall be cancelled and material lying at site shall be confiscated.
- (13) As soon as removal of the material granted under the permit is over, the permit holder shall surrender the permit to the Competent Officer and furnish to him complete statement showing the quantity removed, details of transport and parties to whom this material has been sold and prices obtained therefor and shall produce any details, books etc. for the scrutiny by the Competent Officer as may be called for by him.
- (14) The permit holder shall issue along-with every dispatch of mineral outside the area granted under permit (for any mode of transport) Transit Pass in Form-O which shall be in accordance with the provisions prescribed under these rules.
- (15) The permit holder shall submit within 10th day of the following months to the concerned Revenue authority or Mining Officer, a monthly statement of the quantity removed from the site, name of the permit holder and sale price at the site etc, in Form-M.

67. General Conditions. - (1) All necessary statutory clearances shall be obtained before start of mining operations.

- (2) Mining shall be limited to day time only
- (3) No mining shall be carried out in the safety zone of any bridge and/or embankment.
- (4) No mining shall be carried out in the vicinity of natural or manmade archaeological sites.
- (5) The lease holder shall obtain necessary prior permission of the competent authorities for drawal of requisite quantity of water (surface water and groundwater), if required for the project.
- (6) Waste water, if any, shall be properly collected and treated so as to conform to the standards prescribed by Ministry of Environment and Forest or CPCB.
- (7) No wildlife will be infringed.
- (8) Transportation of materials shall be done by covering the trucks or tractors with tarpaulin or other suitable mechanism so that no spillage of mineral or dust takes place.

(9) Measures shall be taken for control of noise level to the limits prescribed by CPCB.

CHAPTER -V

Grant of Concession by Way of Public Auction

68. Disposal of minor minerals by way of public auction. - (1) Notwithstanding anything contained in the forgoing provisions, it shall be lawful for Competent Officer to dispose of or sale the demarcated blocks of river, nallah or creeks and stacks, heaps of minor mineral incidentals to constructional work by public auction for any period not exceeding one year subject to such condition as specified in rule 65.

(2) The Competent Officer may with prior approval of the Government add to or amend the conditions of auction as provided in sub-rule (1) above.

69. River bed mining. - (a) In the case of mining leases for riverbed sand mining, specific river stretches should be identified and mining permits or lease should be granted stretch-wise, so that the requisite safeguard measures are duly implemented and are effectively monitored by the respective regulatory authorities.

(b) The depth of mining may be restricted to three meter water level, whichever is less.

(c) For carrying out mining in any proximity to any bridge and or embankment, appropriate safety zone should be worked out on case to case basis, taking into account the structural parameters, locational aspects, flow rate etc. and no mining should be carried out in the safety zone so worked out.

70. Disposal of sand from nalah, river bed and creeks by way of public auction. -

Auction, disposal, terms and condition with auctioneer etc. procedures shall be specified by way of executive instructions, from time to time, by the the Government.

CHAPTER VI

Stocking and Selling of Minor Mineral

71. License for a dealer. - (1) No person other than a quarry permit or quarry lease holder, shall stock, sell or offer for sale any minor mineral mentioned in Schedule I in any place in State except under a dealer's license issued under the seal and signature of the Competent Officer.

(2) Form and manner of application for a Dealer's license and its renewal:-

(a) Every application for dealer's license or renewal shall be made to the Competent Officer in Form -S.

(b) Every such application shall be accompanied by

(i) a State Government Treasury Challan for amount of rupees one thousand remitted in Departments Receipt Head of Account.

(ii) a location map showing the exact location of sales depot and/or office.

(c) Every application for renewal of dealer license shall be made at least thirty days before the expiry of the license. Such application shall be accompanied by the application fee of rupees one thousand.

(3) Form and particulars of license :- (1) On receipt of application for the grant of dealer's license or for its renewal the Competent Officer after, making enquiry as he deems fit, may grant or renew a licensee in Form-T or refuse to grant or renew a license.

(2) Every license issued under sub-rule (1) shall be subject to such condition and restriction as may be specified under the provisions of Act and these rules.

(3) Every license issued under sub-rule (1) shall show therein the name of minor mineral and its varieties authorised to be sold or to be offered for sale by the dealer, and the particulars of premises where the minor mineral are stocked for sale.

(4) The excavated material whether for use or waste, must not be, stocked, dumped or stored in the adjoining, reserved, protected or identified forest land, if any.

72. Grant or refusal of License. - In granting or refusing a dealer's license under rule 71(3) (1) the Competent Officer shall take into consideration the following matters:-

(a) The sale depot for minor mineral owned by any co-operative society.

(b) The number of licensed dealers selling minor minerals in the area.

(c) Availability of minor minerals of the kind required for sale.

(d) General demand for minor mineral.

73. Display of License. - Every dealer shall display the license granted to him under rule 71 in prominent place in a part of premises open to the public.

74. Maintenance of records of production and sale for inspection. - A dealer shall maintain in Form-U a record of all purchases and sale effected by him of each minor mineral showing the particulars of the source and quantity of purchase and of persons to whom, sold and a stock register in Form-V and other records, if any, as the Competent Officer may specify and such records shall be open to inspection by Competent Officer, District Mining Officer or any other officer authorised in this behalf by the Competent Authority.

A dealer shall purchase the material only from the lease holder or permit holder and shall take from them transit pass for supply of material and shall preserve the same and produce the same when demanded by the Competent Officer. He shall also maintain a register of such transaction.

75. Furnishing of statement of accounts by a dealer. - Every dealer shall within seven days from the close of each month submit to the Competent Officer a statements of Accounts in Form-W of the total purchase and sale effected by him during the month.

76. Cancellation of license. - If a dealer fails to comply with any of the conditions of license or any of the provisions of the Act, rules or orders in this regard, the Competent Officer may by an order in writing cancel the license issued under these rules.

77. Period of license. - The period of dealer license shall be valid for a calendar year and shall expire on the 31st December of every year.

78. Transit pass for transporting of minor mineral. - Every producer and dealer shall keep with vehicle transporting the material, the transit Bar-coded pass in Form-X, duly certified by the Competent Officer. The transit pass shall be in duplicate. Duplicate copy shall be retained by the producer or dealer. The original copy of the transit pass shall be handed over to the purchaser after unloading the minor mineral. In absence of the transit pass, the minor mineral carried through the vehicle will be treated as illicit and authorised.

The truck along with material shall be confiscated by the Competent Officer, Police or any person authorised for this purpose by the Competent Officer. The vehicle so seized shall only be released on payment of cost of material, royalty and taxes and fine imposed thereon. The fine so imposed may not exceed three times the market value of the mineral so seized and also may not be less than the market value of the material so seized.

CHAPTER - VII

Offences, Penalties and Prosecution.

79. Unauthorised Operation. - (1) No person shall undertake any quarry operation or collection of any mineral in any area without the lawful authorization or permission granted by the Competent Officer under the provisions of these rules.

(2) No lessee or permit holder shall undertake any quarry operation in any area except under and in accordance with the terms and conditions of quarry lease or quarry permit under these rules.

(3) If the Competent Officer finds that the lessee or permit holder has contravened sub-rule(2), he may order cancellation of lease or permit without compensation after giving due opportunity of being heard.

(4) Whoever contravenes the provisions of these rules shall also be punishable in accordance with the Act:

Provided that, nothing in this rule shall affect the provisions of the Maharashtra Land Revenue Code, 1966 and rules framed thereunder.

80. Power of entry and inspection. - (1) For the purpose of ascertaining the position of the working, actual or prospective of any mine or abandoned mine or for any other purpose connected with these rules the State Level Vigilance Squad, the Competent Officer, Controlling Authority, Mining Officer and any other officer authorised by the Competent and Controlling authority or the State Government in this behalf by general or special order, may,-

(a) enter and inspect any mine;

(b) survey and take measurements in such mine;

(c) weigh, measure or take measurements of the stocks of mineral laying at the mine;

(d) examine any document, book, register or record in the possession or power of any person having the control of or connected with any mine and place, marks of identification thereon and take extracts from or make copies of such document, book, register or record;

(e) order the production of any such document, book register as is referred in clause (a);

and

(f) examine any person having the control of or connected with any mine;

(2) Notwithstanding anything contained hereinabove, Forest Officer not below the rank of Deputy Conservator of Forest may enter, inspect without prior notice the mining area for the purpose of protecting and conservation of forest and preservation or violation of Forest (Conservation) Act, 1980 Wild Life (Prevention) Act, 1972 etc. to examine that the Forest Acts, Rules, Guidelines of Government of India and Courts orders are not violated.

81. Recovery of certain sums as arrears of land revenue. - Any rent, royalty, tax, fee or any other sum due to the Government under these rules and under the terms and conditions of quarry lease, permit or auction on a Certificate from Competent Officer or as may be specified by him be recovered in the same manner as an arrears of land revenue.

CHAPTER - VIII

82. Appeal. - (1) Any person aggrieved by an order of the Competent Officer -

- (1) refusing to grant a quarry lease,
- (2) cancellation or determination of lease,
- (3) refusing quarry permit,
- (4) sand block auction or
- (5) dealer's license, may appeal within a period of sixty days of the date of such order to the;
 - (i) Collector or Additional Collector in case of order passed by Sub- Divisional Officer,
 - (ii) to the Divisional Commissioner in case of order, passed by the Collector,

(2) In case of any order passed by the Divisional Commissioner, the appellate authority will be the Government or any Officer appointed by Government in this behalf.

(3) The orders passed by the Government under appeal shall be final.

83. Form of appeal and fees. - (1) An appeal under rule 82 shall be made in Form-Y in duplicate along with the grounds of appeal.

(2) The appeal shall be accompanied by court fee of rupees one thousand.

CHAPTER - IX

Revision and Review

84. Power of Government to call for and examine records and proceedings. - The Government may call for and examine the records of any enquiry or the proceedings of any Competent Officer or any other concerned officer for the purpose of satisfying itself, as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer:

Provided that, the Government shall not revise or reverse any order affecting any question of right between private person without giving to the party or parties an opportunity of being heard.

- (1) The Government or the Competent Officer may, either 'Suo-moto' or on the application of any party interested, review any order passed by itself or himself or any of its or his predecessors in-office and such orders in reference thereto as it or he thinks fit:

Provided that,

- (i) no order shall be revised or reversed without giving opportunity to the parties of being heard.

- (ii) no order, from which an appeal has been preferred shall, so long as such appeal is pending, be reviewed.
- (2) no order shall be reviewed except on the following grounds, namely:--
 - (i) discovery of new and important matter or evidence;
 - (ii) any mistake or error apparent on the face of the record; or
 - (iii) any other sufficient reason.
- (3) an order which has been dealt within appeal shall in no case be reviewed by the Competent Officer or any concerned officer.
- (4) Orders passed in review shall on no account be reviewed.

CHAPTER - X

Miscellaneous

85. Power of Government. - In case of any dispute or any question or any other matter regarding any term or condition of quarry lease or anything connected with the quarries or minor minerals specified in the lease, the decision of the Government shall be final and binding on the lessee:

Provided that, the Government shall not exercise this power without giving proper opportunity to the lessee or being:

Provided further that a condition to this effect shall be provided in the lease-deed.

86. Application of these rules to renewal. - Where a quarry lease or any other concession for quarry of a minor mineral or minerals, granted before the commencement of these rules is renewed after such commencement, these rules shall apply in relation to such renewal of quarry lease granted after such commencement.

87. Invalidity of minor mineral concession in certain cases. - In case, a quarry permit is granted by one Competent Officer over an area wherein a quarry lease is already granted may not be executed and quarry operations may not have been commenced by another Competent Officer or even by the same Competent Officer the permit shall become invalid and shall not be allowed to be worked, and in such case, the quarry permit fee shall be refunded to the applicant by the Competent Officer, who has granted the same. Similar provision shall apply in case any quarry permit is granted over an area wherein any quarry-permit is granted, earlier:

It shall be binding on every Competent Officer within a District or any other concerned officer to provide up-to-date and self-contained data of any minerals concession granted by him to all the other Competent Officer within the same District and to the Director. It shall also be binding upon all such Competent Officers to maintain such up-to- date correct data and to have it's reference prior to any mineral concessions within their respective jurisdiction.

88. Powers of State Government to give directions. - Notwithstanding anything contained in the foregoing provisions of these rule, if the State Government is of the opinion that it is necessary so to do in the interest of labourers who work in mines, the State Government may by an order direct that in the matter of grant of quarry lease or quarry permits under these rules preference may be given to Co-operative Labour Societies consisting of such labourers or reserve any area in which such leases or permits may be granted to such Societies only.

89. Repeal and Saving. - (1) The following rules hereby repealed namely:-

(1) The Rules Regulating the Working of Minor Minerals, 1954

(2) The Bombay Minor Mineral Extraction Rules, 1955.

(3) The Maharashtra Minor Mineral Extraction (Vidarbha Region) Rules, 1966.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under any of the rules repealed by sub-rule (1) shall in so far as it is not inconsistent with the provisions of these rules be deemed to have been done or taken under the corresponding Provisions of these rules.

Form - A

(See rule 8)

(Annual Report of Prospecting Operations)

Important

This report duly filled in must reach the Concerned authorities by 30th April for the previous year or within 30 days from the date of abandonment or within three months after the expiry of prospecting license or completion of prospecting operation, which ever is earlier.

To

The State Government concerned or any person so authorized.

1. Type of the minor mineral for which prospecting operation has been granted:
2. Name and address of the license
3. Particulars of the prospecting license :
 - (i) Date of execution :
 - (ii) Period : Years From to :
 - (iii) Area under license : Hectares
 - (iv) No. and date assigned by State Government to Prospecting Licensed No. Date:
4. Location of the prospecting licensed area :
 - (i) Topo sheet Number :
 - (ii) Cadastral Survey or Khasra Number :
 - (iii) Village: Taluka/Tehsil : District: State:
 - (iv) Post Office: Police Station:
 - (v) Nearest railway station : Distance:
 - (vi) Nearest Rest House/Dak Bungalow:
5. Particulars of the Mining Engineer or Geologist employed optionally, if any, for the prospecting licenced area:
 - (i) Name and address :
 - (ii) Qualification :
 - (iii) Date of appointment :

- (iv) Status of employment : Whole time: Part time :
6. Status of Prospecting Operation : In Progress :
- Please tick mark on the boxes Completed :
- Whichever is applicable Abandoned :
7. Total surface area covered by prospecting work (hectare) :
8. Prospecting work completed during the year :
- (a) Geological mapping : Area in Hectare Scale :
- (b) Pitting
- (i) No. of Pits :
- (ii) Grid pattern :
- (iii) Depth (Mts.) Average :
- Maximum :
- Minimum :
- (c) Trenching (i) No. of trenches (with interval) :
- (ii) Length (Mts.) Average :
- Maximum :
- Minimum :
- (d) No. and size of samples :
- (e) Drilling :
- (i) No. of boreholes completed during the year (with size of core):
- (ii) No of boreholes in progress :
- (iii) Total yearly drilling (Mts.) :
- (f) Particulars of drilling machines Type Make Capacity No. of drills
- (g) Details of samples tested:
- (i) No. of samples tested :
- (ii) Complete report :
- (Testing the suitability as per market requirement)

Place :

Date :

Signature :

Name in full :

Designation :

Note. - Please enclose a geological report describing the prospecting operations undertaken so far accompanied by the detailed geological plans and sections showing structural details such as joints, fractures, folds, faults, grain size, texture etc. and also showing locations of (a) bore holes (b) pits, (c) trenches, (d) sample positions etc. The report shall also contain the bore hole logs and the inferences drawn as a results of the study of the geology of the area and

the interpretation of the bore hole core, pits, trenches, reserves of minor mineral and complete report of at least two representative samples indicating quality and suitability of mineral as per market requirements.

Form - B
(See rule 11(1))



Application For Quarry Lease.

Received:-

At :- (Place)

On :- (Date)

(Initials of Receiving Officer or the Official authorized for this purpose)

(Name and Designation)

Dated day of 20-----

To,

The Competent Officer (Designation)

At:- (Place)

Sir,

(1) I / We request that a quarry lease under 'The Maharashtra Minor Minerals Extraction (Development and Regulation) Rules, 2013 may be granted to me/us.

(2) A sum of Rs. /- (Rupees) , being the fee for of this application vide Treasury
Challan Number dated.....

(3) (i) Name of the applicant with Complete address :-

(Local as well as permanent addresses along with PH, Fax Nos. and email address)

(ii) Status of the applicant: -

a private individual /
private company/
public company/ firm
or association.

(iii) In case applicant is , -

(a) an individual, his nationality.:-

(b) a private company, the nationality of all members of the company along with place of registration, registration number and date.:-

(c) a public company, the nationality of the Directors, the percentage of share capital held by Indian nationals along-with place of incorporation.:- Affix here Court - Fee Stamp of Rs. 20/-

(d) Firm or association, the nationality of all the partners of the firms or members of the association.

(iv) Profession or nature of business of the applicant.:-

(v) Minor mineral or minerals which the applicant intends to mine.:-

- (vi) Purposes for which extracted minor minerals are to be used (to specify the 'end-use' of the mineral also):-
- (vii) Period for which quarrying lease is required:-
- (viii) Details of the area in respect of which quarrying lease is granted :-
- | | | | |
|-------------------|-------|---------|-------------|
| (a) | Area | (In | Hectares):- |
| Survey/Khasra/Gat | | Numbers | :- |
| Village | (with | p.c. | number) :- |
| District :- | | | |
- (b) A map, in duplicate, giving the description of the applied area, (or a plan) showing as accurately as possible, the situation, boundaries and area of the land in respect of which quarrying lease is required (adjoining survey numbers on the periphery of applied area must also be shown):-
- (ix) Number and date of valid, royalty clearance certificate of mineral - revenue dues or a property sworn - in affidavit regarding non-holding of any lease any where else in the State:-
- (x) Particulars of the mineral wise areas, within the jurisdiction of the State Government for which the applicant or any person joint in interest with him:-
- (a) is/ are already holding under quarrying lease/leases/permit/permits:-
- (b) has/have already applied for but not granted, so far/ refused:-
- (c) Is/are applying, simultaneously, beside this application:-
- (xi) Nature of joint interest, if any:-
- (xii) Financial resources of the applicant (viz. 'Solvency Certificate'/ Bank Guarantee as prescribed
- (a) PAN Card Copy
- (b) TIN CARD copy
- (c) Income Tax returns of the preceding Year.
- (xiii) Certified true copies of relevant extract of record of Rights pertaining to applied area.
- (xiv) Any other particulars which the applicant wishes to furnish:-

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

Yours faithfully,

Place:-
Date:-

(Signature of the applicant)

Note. - If the application is signed by an-authorized agent of the applicant, a certified true copy of the 'power of attorney' should be attached to this application.

Form-C
(See rule 11(3))

Application For Renewal of Quarry Lease.

To:

The Collector of -----

Sir,

I/We request for renewal of my/our quarrying lease under

(1) The Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013.

(2) A sum of Rs. 100/- (One hundred) being the fee in respect of this application has been deposited vide challan No.-----, dated-----.

(3) The required particulars are given below :-

(i) Name of the applicant with complete address.

(Local as well as permanent address along with phone, fax Nos. and email address to be given)

(ii) Is the applicant a private individual/private company/public company/firm or association. (A true copy of the documents in support to be enclosed)

(iii) In case applicant is :-

(a) an individual, his nationality.

(b) A private company, the nationality of all members of the company along with place of registration along with registration number and date.

(c) A public company the nationality of directors, the percentage of share capital held by Indian Nationals along with place of incorporation.

(d) A firm or association, the nationality of all the partners of the firm or members of the association.

(iv) Profession or nature of business of applicant.

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

(vi) (a) particulars of area of the quarrying lease of which renewal is desired.

(vii) (b) details of previous renewal granted, if any.

(vii) Period of which renewal of quarrying lease is required.

(viii) Whether renewal is applied for the whole or for the part of the lease- hold area.

(ix) In case the renewal applied for is only for part of the leasehold :

(a) The area applied for renewal: (in hectares)

(to be calculated by the applicant, as precisely, as possible)

(b) Descriptions of the area applied for renewal (description should be adequate for the purpose of demarcating the same) with copy of land plan showing Survey / Khasara No./Gat numbers applied for under renewal in duplicate, (Precisely also showing Survey /Khasara No./Gat Nos. previously held but not applied for under renewal.

(x) purpose for which extracted minor minerals are to be used.

(to specify the end use also).

(xi) Any other particulars which the applicant wishes to furnish.

I/We do here by declare that the particulars furnished above are correct and am/are ready to furnish any other details including accurate plans as required by you, before the grant of renewal of the lease.

Yours faithfully,

Place :

Date :

Signature and Designation of the applicant.

Note. - If the application is signed by an authorized agent of the applicant a true attested copy of power of attorney should be attached.

Form -D

(See rule 13(4))

Acknowledgement of Application for quarry lease

Sr. No.

Date:-

Received an application with the following enclosure for a Quarry lease/renewal of quarry lease from Shri On

.....for..... Hectares of land from Khasara

No.....from village.....District.....

for..... (Mineral)

Place:-

Date:-

Signature and Designation.
of Receiving Officer.

Form-E

(See Rule 14(3))

Agreement of Quarry Lease

This Indenture made at this Day of20.. Between the Governor of Maharashtra exercising the executive power of the State of Maharashtra hereinafter referred to as "*the Government*" (which expression shall unless the context dose not so admit be deemed to include his successors in office and assigns) of the One Part

And

(* when the lease is individual)

(1) Name of the person of (address and occupation)
..... hereinafter referred to as "the lessee (which expression shall unless the context dose not so so admit be deemed to include his heirs, executors, administrators, representatives and permitted assign) or

(* When the lessees are more than one individual)

(1) Name of the person of address and occupation
.....

(2) Name of the person of address and occupation
.....

(3) Name of the person of address and occupation
.....

All hereinafter collectively referred to as "*the lessee*" (which expression shall unless the context dose not so admit be deemed to include his heirs, executors, administrators, respective heirs, or executors, administrators, representative and their permitted assigns) or

(1) Name of the personOf (address and occupation)
.....

(2) Name of the personOf (address and occupation)
.....

(3) Name of the personOf (address and occupation)
.....

All carrying on business in partnership at (Address of the firm or syndicate)
..... registered under (Act under which registered)
.....

Having its registered office at Hereinafter referred to as "*the lessee*" hereinafter referred to as "*the lessees*" (which expression shall unless the context dose not so admit be deemed to include all the partners of the said firm, their representatives, executors, administrators and permitted assigns)

(4) Name of Company a company registered under
(Act under which incorporated) and having its
registered office at

(Address) hereinafter referred to as "*the lessees*"
(which expression shall unless the context dose not so admit be deemed to include its successors and permitted assigns) of the other part.

Whereas the Lessee or Lessees has or have applied to the (Designation) the competent authority concerned, (hereinafter referred to as " the competent authority") in accordance with the Maharashtra Minor Mineral Extraction(Development and Regulation) Rules, 2013 (hereinafter referred to as "the said rules") for a grant of mining lease for (purpose) in respect of the lands described in Part-I of the Schedule hereunder written, and whereas the competent authority by his Order No dated, issued under the said rules sanctioned the said application of the lessee or lessees for grant of mining lease, subject to the terms and conditions mentioned therein and whereas the Lessee or Lessees has or have arranged to get the mining lease are duly demarcated through Taluka Inspector of Land Record (TILR) and submitted a map duly certified by TILR to the Competent Authority for execution of mining lease in Part I of the Schedule;

And whereas at the time of execution of these presents the lessee has paid in cash to the competent authority security deposit of Rs./- being the amount calculated at the rate of Rs. 50,000/- per hectare or part thereof for the purpose of restoration and reclamation of the lease area to the satisfaction of the competent authority.

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 lessee or lessees to be paid, observed and performed the State Government doth hereby grants and demises unto the lessee or lessees. All those the quarries, mines strata or veins seams and beds (here state the Minor Mineral or Minerals (hereafter and in the schedule referred 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 said Schedule subject to the 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 of this demise unto the State Government the liabilities, powers and privileges mentioned in part IV of the said Schedule to hold the premises hereby granted and demised unto the lessee or lessees from the Day of20... for the term of Years, hence next ensuing yielding and paying therefore unto the State Government the several rents and royalties mentioned in Part-V of the said Schedule at the respective times therein specified subject to the provision contained In Part-VI of the said Schedule and the lessee or lessees hereby covenants or covenants with the State Government as in Part-VII of the said Schedule is expressed and the State Government hereby covenants with the lessee or lessees as in Part-VIII of the said Schedule is expressed and it is hereby mutually agreed between the parties hereto as in Part-IX of the said Schedule is expressed.

The Schedule

Part-I

The Area of This Lease

*Location and area of the lease.

All the tract of India situated at (Village/town) (Description of area or areas) in (Mahal/Taluka) in the Registration District of Sub-District and District bearing S. Nos./F.S. Nos./Forest Coupe Nos.

Containing an area of..... or thereabouts delineated on the plan hereto annexed and thereon coloured and bounded as follows:-

On the North by.....
On the South by
On the East by
On the West by
Hereinafter referred to as "the said lands".

Part-II

Liberties, Powers and Privileges To Be Exercised and Enjoyed By The Lessee or Lessees Subject To The Restrictions and Conditions In Part-III

To enter upon land and search for win work, etc.

1. Liberty and power at all time during the term hereby demises to enter upon the said lands and to search for mine/quarry, bore, dig, drill fox, win, work, dress, process, convert, carry away and dispose of the said minor mineral.

2. 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, waterways and other works.
3. Liberty and power for or in connection with any of the purposes mentioned in this part to erect, construct, maintain and use on or under the said lands any engines, machinery, plant dressing flowers furnaces, coke oven, brick kilns, workshop, store house, bungalows, godown's, sheds and other structure.
4. Liberty and power for or in connection with any of the purposes mentioned in this part to make any tramway, railways roads and other ways in or over the 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, roads and other ways in or over the said lands) or such conditions as may be agreed to.
5. Liberty and power for or in connection with any of the purposes mentioned in this Part to quarry and get minor mineral and to use the same and to use such bricks or tiles but not to sell any such material.
6. 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 leases and with the written permission of the Collector of (hereafter called "*the Collector*" which expression shall include any other officer authorized by the State Government in that behalf) to appropriate and use water from any streams, water courses, springs or other sources in or upon the said land and to 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, drain or reservoirs but not as so to deprive any cultivated lands, villages, buildings, or watering places for livestock of a reasonable supply of water as before accustomed nor in any way to foul or pollute any stream or springs.

Provided that, the lessee or lessees 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. Liberty and power to enter upon and use a sufficient part of the surface of the said land for the purpose of stacking, heaping, storing or depositing thereon any produce of the mines quarries on work carried on and any tools, equipment, earth and materials and substances dug or raised under the liberties and powers mentioned in this Part.
8. Liberty and power to enter upon and use a sufficient part of the said lands to beneficiate process, dress, convert the said mineral produced from the said land and to carry away such beneficiate process, dress, convert the said mineral produce from the said land and to carry away such beneficiated or processed, dressed, converted mineral.

9. Liberty and power for or in connection with any of the purposes mentioned in this part to fell timber or trees or brushwood now standing or which hereafter may be standing upon the Forest or reserved forest land included in the lease for the area for which clearances from forest department of Government of India has been obtained and for which prior permission in writing has been given by the concerned Divisional Forest Officer. The shall Keep a correct account of the number of trees or timer fell by him, from time to time, and shall hand it over the Forest Department.

Part-III

Restrictions and Conditions As To The Exercise of The Liberties, Power and Privileges In Part-II

1. No building or thing shall be erected, set up or placed and no surface operation shall be carried on in or upon any public pleasure ground, burning or burial ground or place held sacred by any class of person or any house or village site, public road or other place which the State Government may determine as public ground nor in such a manner as to injure or pre-judicially effect any building works, property or rights of other person an no land shall be used for surface operations which is already occupied by person other than the State Governor for works or purposes not included in this lease. The lease shall not also interfere with any right of way, well or tank.
2. Before using for surface operation any land which has not already been used for such operations the lessee or lessees shall give to the competent authority days/months/calendar previous notice in writing specifying the name or other description 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 objection so stated shall on reference to the State Government be annulled or waived.
3. The lessee or lessees shall not without the express sanction of the Competent Authority cut down or injure any timber or trees on the said lands but may without such sanctioned clear away any brushwood or undergrowth which interferes with any operations authorized by these Mining, the discovery in the areas , comprised in his or their lease, or any minerals not specified in these lease.

Part-IV

Liberties, Powers and Privileges Reserved To The State Government

1. Liberties and powers for the State Government or any lessee or person authorized by it in that behalf to enter into and upon the said lands and to search for win, work, dig, gel, raise, dress, process, convert and carry away any minerals other than 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 coarces, drains, reservoirs, engines, machinery, plant, buildings, canals, transways, railways, roads, ways and other and conveniences as may be deemed necessary or convenient:

Provided that, in exercise of such liberty and power no substantial hindrance or interferences shall be caused to or with the liberties, powers and privileges of the lessee or lessees under these presents and that the lessee or lessees shall be entitled to such fair compensation as may be mutually agreed upon or in the event of disagreement as may be determined by the Competent Authority or any other officer appointed by the State Government in respect of all loss or damage sustained by the lessee or lessees by reason or in consequences of the exercise of such liberty and power.

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

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

Part-V

Rents and Royalties Reserved By This Lease

1. The lessee or lessees shall not be liable to pay in respect of any half yearly period both the dead rent reserved by clause 2 of this Part and also the sum of the royalties reserved by clause 3 of this Part but shall pay the said sum only whichever is higher.
2. Subject to the provision of clause 1 of this part, as from the day of20.. during the substance of this lease the lessee or lessees shall pay to the State Government the dead rent for every six months period on 31st January and 31st July of every year and the rate specified by Government and as applicable on the date of this lease . These rates are subject to revision, from time to time.
3. Subject to the provision of clause 1 of this part the lessee or lessees shall during the substance of this lease pay royalty to the State Government at the rates specified. Such payment of royalty shall be made by the lessee in advance in each quarter in the manner prescribed in rule of the said rule.

Provided that the rate is liable to be revised by the State Government once in every three years and the lessee shall then pay to the State Government royalty at such revised rates. The privilege rate of royalty and manner of its payment.

4. The lessee or lessees shall pay surface rent to the State Government in respect of the said land at the rate as may be specified by Government, from time to time under the authority of these presents from the commencements of such occupation or use until the area shall cease to be so occupied or used and shall so far as possible be restored to its original condition or reclaimed. Such surface rent at much rate as prescribed shall

be paid upon each of the half yearly dates hereinbefore appointed for the payment of annual dead rent.

Part-VI

Provisions Relating To The Rents and Royalties

1. The royalties mention in Part-V of the Schedule shall be paid free from any deduction to the State Government.
2. For the purpose of computing the said royalties the lessee or lessees shall keep a correct account of the mineral or minerals actually produced from 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 expense in connection therewith.
3. The lessee or lessees shall during the substance of the lease well and sufficiently secure and keep open with timber or other durable means all pits, shafts and working that may be made or used in the said land and make and maintain sufficient fences to the satisfaction of the State Government round every such pit or working whether the same is abandoned or not and shall during the same period keep all working in the said land except such as maybe abandoned accessible free from water and foul air as far as possible. The lessee or lessees shall also take adequate steps to ensure that-
 - (a) Heights and width benches and levels do not exceed 3 meters and in open quarries are properly maintained to facilitate easy removal of the mineral and the muck;
 - (b) Slopes of open mine area not more than 45° in case of soft.
 - (c) The working faces are always kept clean;
 - (d) The Mineral and/or beneficiated, process, dressed products therefore won are stacked in suitable dimension and each such stack is numbered or marked in manner deemed fit by the competent authority;
 - (e) The proper sanitation of the area leased to him is maintained.
4. The Lessee or Lessees shall strengthen and support to the satisfaction of the railway administration concerned or the State Government or any other competent authority controlling the provision of any law for the time being in force relating to the working of mines and matters affecting surety, health and labour matters, as the case may be, any part of the mine which in its opinion, requires such strengthening or support for the safety of any railway, reservoir, canal, road and other public works or structures.
5. The lessee or lessees shall submit, from time to time, or when required, progress report to the collector and the District of Geology and Mining, along with analysis and representative sample of the mineral collected during the mining operations as also the annual return or prescribed return in the manner prescribed by them, from time to time.

6. The lessee or lessees shall allow any officer authorized by the Central Government or the State Government or the competent authority or the Director of Geology and Mining under the said rule in the behalf to enter upon the premises including any building excavation or land comprised in the lease for the purpose of inspecting , examining , surveying and making plan thereof, sampling and collecting any data and the lessee or lessees shall with proper person employed by the lessee or lessees acquainted with the mine and work effectively assist such officers, agent, servants and workman in conducting every such inspection and shall afford them all facilities information connected with the working of the mine which they reasonably require, such officer may issue such reasonable directions, as he may deem fit to prevent wasteful extraction of mineral and it shall be the duty of the lessee or lessees his or their agent or manager to carry out such directions within such period as the officer may specify. The lessee or lessees his or their agent or manager fails to carry out such direction within the specified period, the competent authority may determine the lessee or may impose a penalty at the rate of Rs.500 per day till such directions are complied by the lessee or lessees.
7. The lessee or lessees shall report all accident to the District Magistrate and Director of Mines and Safety and the District Superintendent of Police. 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, the lessee shall send a complete report without any delay of such an accident to the said officers.
8. Whenever the lessee or lessees shall find in the said land mineral other than the said minerals the lessee or lessees shall report such discovery in writing to the competent authority and to the Director of Geology and Mining with full particulars of the nature and position of each such find within a fortnight and shall not dispose of such mineral, in case of discovery of any other minor mineral, for which lease is not granted, the lessee shall report the discovery to the competent authority within eight days who may grant a lease in respect of such other minor mineral. In case discovery of major mineral, the lease shall report the discovery to the competent authority and the Director within a fortnight and shall not mine and dispatch such major mineral. The lessee, if interested, may apply for grant of lease of such minor mineral under Mineral Concession Rules, 1960.
9. The lessee or lessees shall at all time during the said term keep or cause to be kept at an office to be situated upon or near the said lands correct and intelligible books of account which shall contain accurate entries showing from time to time,-
 - (1) Quantity and quality of the said mineral realized from the said lands;

- (2) Quantity of the various qualities of the said minerals beneficiated, processed or converted;
 - (3) Quantities of the various qualities of the said mineral sold and disposed off separate and the manner and purpose of such sale and disposal;
 - (4) The price and all other production of all sale of the said mineral;
 - (5) The number of person employed in the mine or works or upon the said lands specifying nationality, qualification and pay of the technical personnel;
 - (6) Such other facts, particulars and circumstances as the competent authority or the Director of Geology & Mining may, from time to time , require and shall also furnish free of charge to such officers and at such times they may prescribe true and correct abstract of all or any such books of accounts and shall at all times allow such officers or any other officer as the State Government 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 make extracts there from.
10. The lessee or lessees shall at all time during the said term maintain at the mine office correct intelligible up-to-date and complete plans and sections of the mines in the said lands. They shall show all the operations and working and all the trenches, pits and drillings made by him or them in the course of operations carried on by him or them under the lease, faults and other disturbances encountered and geological data (and all such plans and section shall be amended and filled by end) from actual surveys to be made for that purpose at the end of twelve months or any period specified, from time to time, and all lessee or lessees shall furnish free of charge to the Competent Authority and to the Director of Geology and Mining true and correct couples of such plans and section whenever these are required. Accurate records of all trenches, pits and drilling shall show,-
- (a) the subsoil and strata through which they pass;
 - (b) any other mineral encountered;
 - (c) any other matter of interest and all data required by the State Government, the Competent Authority or Director of Geology and Mining to inspect the same at all times. The lessee or lessees shall also allow any officer authorized by the Central or State Government or the competent authority or the Director of Geology and Mining to inspect the at all times.
11. The lessee or lessees shall be bound by the provisions of any laws for the time being in force, relating to the working of the mines or quarries and matter affecting safety, health and convenience of the lessee or lessees employees or of the public.
12. The lessee or lessees shall respect all existing rights of way, water and other easement and shall not carry on mining or other operations. Under the said lease in any way, other than the prescribed under these rules.

13. The lessee or lessees shall make and pay reasonable satisfaction and compensation for all damage, injury or disturbances of person or property which may be done but or on the part of the lessee or lessees in exercise of the liberties and powers granted by these presents and shall at all times save harmless and keep indemnified the State Government from and against all suits, claims and demands which may be brought or made by any person or person in respect of any such damage, injury, injury or disturbances.
14. The lessee or lessees will exercise the liberties and powers hereby granted in such a manner as to offer no necessary or reasonably avoidable obstruction or interruption to the development and working within the said lands of any mineral not included in the lease and shall at all times affords to the Central and State Government and to the holders of mining lease, permits and prospecting license 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 the across the said lands to such minerals for the purpose of getting, working, developing and carrying away the same provided that the lessee or lessees shall 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 lessees or holders of prospecting license.
15. The lessee or lessees shall not without previous approval of the Competent Authority assign or subject, mortgage or in any other manner transfer mining lease as a whole or any right therein.
16. Whenever the security deposits as provide in rule 14 of the said rules 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 hereafter declared in that behalf the lessee or lessees shall deposit with the State Government such further sum as may be sufficient with the inappropriate part thereof to bring the amount in deposit with the State Government up to the sum equal to the said full security deposit amount. Lessee or lessees on or in connection with the said lands or operations under this lease and during such possession or control the lessee or lessees shall confirm and obey all directions given by or on behalf of the Central or State Government regarding the use or employment of such works, plants, premises and minerals.

Provided that after compensation which shall be determined in default or agreement by the State Government shall be paid to the lessee or lessees for all loss or damage sustained by him or them by reason or in consequences of the exercise of the power conferred by this clause and provided also that the exercise of such powers shall not determine the said term hereby granted or effect the terms and provisions of these presents further than may be necessary to give effect to the provisions of this clause.

17. The lessee or lessees shall not light any fire upon the said lands if lying within the reserved forest areas except under such conditions as the Divisional Forest Officer may in writing specifying and the lessee or lessees and his or their workmen and employees shall render prompt assistance in extinguishing any fire on the said land or in their vicinity. The lessee or lessees shall be liable for all damage resulting from fire caused by the act or omission of the lessee or lessees or his or their employees and shall pay such compensation for the said damage as may be assessed by the Divisional Forest Officer as to the amount of compensation payable by the lessee or lessees shall be final and binding on the lessee or lessees.
18. (a) The lessee or lessees shall not remove any other produce except the minor minerals mentioned in the lease. The lessee or lessees shall without mining, the discovery in the areas, comprised in his or their lease, or any minerals not specified in the lease.
- (b) If any mineral not specified in the lease is or are discovered in the leased area, he or they shall not win and dispose of such mineral without obtaining lease or leases therefore
19. The lessee or lessees shall make available to the Government of India beryl or any other "*substance prescribed*" under section 3 of the Atomic Energy Act (Act No. XXIX of 1948) if they are found to occur in the said lands.
20. The State Government shall be immune from the lessee or lessees claim for damage on account of any land having been included in this lease which may subsequently be discovered not to have been available for the lease.
21. The lessee or lessees or his or their transferred or 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 building or in contravention of any order issue by such orders under any such laws within whose jurisdiction the leased area is situated.
22. The lessee or lessees shall abide by such instructions and direction as may be issued by the State Government from time to time, regarding conservation and development of minor minerals.
23. The lessee or lessees shall bear and pay the stamp duty and registration charges on this documents.

Part VII

Systematic and Scientific Mining

1. Protection of environment:- Every holder of a prospecting license or a lease shall take all possible precautions for the protection of environment and control of pollution while conducting prospecting, mining or processing of minor mineral in the area for which such license or lease is granted.

2. Removal and utilization of top soil:-

- (1) Where top soil exists and is to be excavated for prospecting or mining operations for minor mineral, it should be removed separately.
- (2) The top soil so removed shall be utilized for restoration and rehabilitation of the land which is no longer required for prospecting or mining operations or for stabilizing or landscaping the external dump.
- (3) Where top soil cannot be used concurrently, it shall be stored separately for future use, keeping in view that the bacterial organism should not die and should be spread nearby area.

3. Storage of overburden, waste rock etc.:-

- (1) The overburden, waste rock and non-saleable minor mineral generated during prospecting or mining operations for minor mineral shall be stored separately in properly formed dumps on grounds earmarked.
- (2) Such dumps shall be properly secured to prevent the escape of material in harmful quantities which may cause degradation of the surrounding land or silting of water courses.
- (3) Wherever possible, such waste rock or overburden or other rejects, shall be back filled into the worked out minor mineral quarry, where minor mineral has been recovered up-to the optimum depth, with a view to restore the land to its original use or desired alternate use, as far as possible and where the back filling is not feasible, the waste dumps shall be suitably terraced and stabilized by planting vegetation or otherwise.

4. (i) Reclamation and Rehabilitation of lands :- Every holder of prospecting licence or mining lease shall undertake the phased restoration, reclamation and rehabilitation of land affected by prospecting or mining operation and shall complete this work before the completion of such operations and abandonment of prospecting or mine.

- (ii) Restoration, Reclamation and Rehabilitation in a cluster: - Where large number of small mines are situated and worked out in clusters, at such places the provisions of quarrying of minor minerals should be done in a systematic and scientific manner. The programme of restoration and reclamation of the mined out area and rehabilitation must be made jointly in phased manner in the abandoned areas in the entire cluster of the minor minerals. Environmental clearance may be obtained by corporate body or the concept of Regional Environmental Assessment (REA) and Regional Environmental Management Plan (REMP) prepared accordingly.

5. Precaution against air pollution: - Air pollution due to dust, exhaust emissions or fumes during prospecting, mining or processing operations for minor minerals and related activities shall be controlled and kept within permissible limits specified under any environmental laws for the time being in force.

6. Discharge of effluents:- Every holder of a prospecting license or a lease shall take all possible precautions to prevent or reduce to a minimum the discharge of toxic and

objectionable liquid effluents from minor mineral quarry, workshop or processing plant into surface of ground water bodies and usable lands. These effluents shall conform to the standards laid down in this regard.

7. Precaution against noise:- Noise arising out of prospecting, mining and processing operations for minor mineral shall be abated or controlled by the holder of prospecting licensee or a lessee at the source so as to keep it within the permissible limits.
8. Permissible limits and standards:- The standards and permissible limits of all pollutants, toxins and noise referred to in Rule 48, 49 and 50 above shall be those notified by the concerned authorities under the provisions of the relevant status from time to time.
9. Restoration of flora:- (1) Every holder of prospecting license or a mining lease shall carry out prospecting or mining operations as the case may be, in such a manner so as to cause least damage to the flora of the area held under prospecting license or mining lease in the nearby area.
 - (i) Take immediate measures for planting in the same area or any other area selected by concerned authority or Regional Office of MOEF or the authorized officer not less than twice the number of trees destroyed by reason of any prospecting or mining operation,
 - (ii) Look after them during the subsistence of the license or lessee after which these trees shall be handed over to the state Forest department or any other authority as may be nominated by the State Government.
 - (iii) Restore, to the extent possible, other flora destroyed by prospecting or mining operation.

Part - VIII

The Covenants of The State Government

- 1. Lessee may hold and enjoy right quietly.** - The lessee or lessees 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 or lessees 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. Acquisition of lands of third parties and compensation thereof.** - If in accordance with the provision of clause 4 of Part VII of this Schedule, the lessee or lessees shall offer to pay to an occupier of the surface or any part of the said lands compensation for any damage or injury which may arise from the proposed operations of the lessee or lessees and the said occupier shall refuse his consent to the exercise of the right and powers reserved to the State Government and demised to the lessee or lessees by these presents and the lessee or lessees shall report the matter to the State Government and shall deposit with it the amount offered as compensation and if the

State Government are satisfied that the amount of compensation offered is fair and reasonable or if it is not so satisfied and the lessee shall have deposited with it such further amount as the State Government shall consider fair and reasonable, the State Government shall order the occupier to allow the lessee or lessees to enter the land and to carry out such operations as may be necessary for the purpose of this lease. In assessing the amount of such compensation, the State Government shall be guided by the principles of the Land Acquisition Act, 1894.

3. To renew. - If the lessee or lessees be desirous of taking a renewed lease of the premises hereby demised or of any part of them for a further ten of.... Years from the expiration of the term hereby granted and of such desire shall at least 90 days prior to the expiration of the last mentioned term submit to the Competent Authority an application as provided in rule 19 of the said rules and such application shall be accompanied by non-refundable application fee of Rs. 500. The application so received for renewal of lease shall be disposed of by the Competent Authority before the expiry of the lease period. If the application is not disposed of before the expiry of lease, the period of this lease shall be deemed to have been extended for a further period of six months or till such date on which the applicant is informed about the refusal, whichever is earlier. The lessee shall continue to 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 or lessees during the period deemed to have been extended as aforesaid. The lease shall be renewable at the option of the lessee for one term not exceeding the duration of the original lease subject to the satisfaction of the Competent Authority. The Competent Authority, upon satisfaction, will, at the expense of the lessee or lessees and upon his or their executing and delivering to the State Government if required a counterpart thereof execute and deliver to the lessee or lessees a renewal lease of the said premises for the further term of At such rents and royalties and on such terms and subject to such covenants and agreements, including this present covenant to renew as shall be in accordance with the said rules applicable to minor minerals on the day next following the expiration of the term hereby granted.

4. Liberty to determine surrender or relinquish any part of the leased area. - The lessee or lessees shall be at liberty to determine the lease or surrender or relinquish any part or parts of the leased area on giving not less than six calendar months notice in writing to the Competent Authority and upon the expiration of such notice provided that all sums due on account of the lease or of the surrendered part or parts shall have been paid, the lease shall be determined in respect of the whole of the area or the surrendered part or parts, as the case may be. If the lessee or lessees does or do not

desire to surrender the whole of the area, a description of the part or parts which he desires to retain shall be made in the newly executed lease deed.

- 5. Refund of Security Deposit.** - On such date as the Competent Authority may elect within six calendar months after the determination of 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 purposes mentioned in this lease shall be refunded to the lessee or lessees. No interest shall be payable on the security deposits. The security deposits shall be refunded only after satisfactory completion of restoration and reclamation.

Part IX

General Provisions

1. (All the remaining conditions contained in rules 21, 22 and 23 of the said rules which have not been incorporated in Parts I to IX hereinabove are applicable.)
2. If the lessee or lessees ceases or cease to work the mine for a continuous period of six months the lease shall be liable to cancellation.

Provided that lease shall not be cancelled if the lessee or lessees is or are prevented from the mine owing to some reasonable cause or if the lessee or lessees Ceases or cease to work with the prior permission of the Competent Authority.

3. If there is any dispute regarding their lease or any other matter or thing, construction of term or condition in this lease or anything connected with the lease or that working or non-working of the lease, the amount of payment of royalty or dead rent or its mode of payment to the Competent Authority, it shall be referred to the Director (Designation of Government Officer.....) whose decision shall be final and binding on the lessee.
4. Failure on the part of the lessee or lessees to fulfill any of the terms and conditions of this lease shall not give the State Government any claim against the lessee or lessees or be deemed a breach of this lease, in so far as such failure is considered by the said Government to arise from force majeure, and if through force majeure the fulfillment by the lessee or lessees any of the terms and conditions of this lease be delayed, the period of such delay shall be added to the period fixed by this lease. In this clause the expression "*force majeure*" means act of God, war insurrection, riot, civil commotion, strike, earthquake, tide, storm, tidal wave, flood, lightening, explosion, fire, and any other happening which the lessee or lessees could not reasonably prevent or control.
5. The lessee or lessees having first paid and discharged the rents and royalties payable by virtue of these presents may at the expiration of sooner determination of the said term or within six calendar months thereafter take down and remove for his own benefit all or any engines, machinery, plants, buildings, structures, tramways, railways and other works, erection and conveniences which may have been erected, set up or placed by the lessee or lessees in or upon the said lands and which the lessee or

lessees is or are not bound to deliver to the State Government under clause 19 of Part VII of this schedule and which the State Government shall not desire to purchase.

6. Failure to fulfill the terms of lease due to "Force Majeure". - If at the end of six calendar months after the expiration or sooner determination of the said term or after the date from which any surrender by the lessee or lessees of a part or parts of the said lands under the provisions contained in clause 4 of Part IX of this Schedule become effective, there shall remain in or upon the said land or the surrendered part or parts thereof, as the case may be any engines, machinery, plant, buildings, structures, tramways, railways and other work erections and conveniences or other property which are not required by the lessee or lessees in connection with his or their operations in those parts of the said lands which he or they has or have not surrendered or in any other lands held by him or them under mining lease the same shall if not removed by the lessee or lessees within one calendar month after notice in writing requiring their removal has been given to the lessee or lessees 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 any compensation or to account to the lessee or lessees in respect thereof.

7. Lessee to remove his properties on the expiry to lease. - Every notice by these presents required to be given to the lessee or lessees shall be given in writing to such person resident on the said lands as the lessee or lessees may appoint for the purpose of receiving such notices and if there shall have no such appointment even every such notice shall be sent to the lessee or lessees by registered post addressed to the lessee or lessees at the address recorded in this lease or at such other address in India as the lessee or lessees 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 or lessees and shall not be questioned or challenged by him.

8. For failure of property left more than six months after determination of lease. - This Mining Lease is granted subject to the provisions relating to grant of mining lease contained in Chapter II of the Maharashtra Minor Mineral Extraction Rules, 1998.

Signed, Sealed and Delivered

By Shri------(Name) -----

-----Designation -----

For and on behalf of the Governor of Maharashtra in the presence of ----

(1)-----

(2) -----

(1) Signed and Delivered By The Within Named Shri/smt -----

The Lessee, In The Presence of -----

Or

(2) Signed and Delivered By The Within Named Sarvashri

(1) -----

(2) -----

(3) -----

The Lessees in the presence of -----

(1) -----

(2) -----

Or

(3) Signed and Delivered By The Within Named Sarvashri

(1) -----

(2) -----

(3) -----

The Lessees in the presence of -----

(1) -----

(2) -----

or

(4) The Common Seal of M/s -----

Limited Company was pursuant to the

Form F

(See Rule 34)

(Notice of Intimation of Opening of Mine /Quarry)

1. (i) Name of minor mineral worked :

(ii) Name of other mineral(s) worked, if any :

2. Name of the quarry/mine :

3. Date of opening of quarry / mine :

4 .Letter No. and Date through which the mining plan was approved :

(Specify Authority)

5. Name and address of the Lessee/Owner :

6. Ownership of the quarry :

a. Public sector :

b. Joint sector :

c. Private sector :

(In case of joint sector, specify percentage share of each company)

In case the lessee is a Company or a partnership firm or Co-operative indicate name and

7. address of the Director-in-Charge and the Registered Office :

8. Particulars of Quarry/Mining Lease (ML)

(i) Date of execution :

(ii) Period : Years From: to:

(iii) Area under licence : Hectares

9. Location of the lease :

(i) Topo Sheet Number :

(ii) Cadastral Survey or Khasra Number :

(iii) Village : Taluka/Tehsil : District : State :

(iv) Post Office : Police Station :

(v) Nearest railway station : Distance :

(vi) Nearest Rest House/Dak Bungalow :

10. Name and address of previous owner, if any, and the date of abandonment :

11. Particulars of Agent

(a) Name and address :

(b) Date of appointment :

12. Particulars of Mining Engineer

(a) Name and address :

(b) Qualifications :

(c) Date of appointment :

(d) Status of employment :

Whole time : Part time :

13. Particulars of manager:

(a) Name and address :

(b) Date of appointment :

Place:

Signature :

Date :

Name in full :

Designation: Owner / Agent/ Mining Engineer Manager.

Form G

(See rule 35(2))

**(Notice of Intention of Abandonment/Surrender of Mine/Quarry or part of the Mine/
Quarry)**

1. (i) Type of the minor mineral worked :
(ii) Name of other mineral(s) worked, if any :
2. Name of the mine quarry :
3. Name and Address of the Lessee/Owner:
4. Particulars of Mining/ Quarry Lease(OML) :
 - (i) Date of execution :
 - (ii) Period: Years From: to:
 - (iii) Area under lease.....Hectares
5. Location of Quarry/Mine :
 - (i) Topo Sheet number :
 - (ii) Cadastral Survey or Khasra Number :
 - (iii) Village: Taluka/Tehsil: District: State
 - (iv) Post Office: Police Station:
 - (v) Nearest railway station:
 - (vi) Nearest Rest House/Dak Bungalow :
6. Name and address of Agent :
7. Particulars of Mining Engineer :
 - (a) Name and Address :
 - (b) Qualifications :
8. Date by which mining operations are to be abandoned or mine to be surrendered:
9. Reasons for abandonment/surrender Exhaustion of minor mineral: Lack of Demand:
Uneconomic operations: Non availability of labour:
Land slide: Flooding of quarry:
Other calamity (specify): Other reasons (specify):
(Please tick whichever is applicable)
10. If the abandonment is due to natural calamities or order/directions issued by any statutory authority/tribunal/Court for abandoning mining operations the date of such abandonment.
11. Reserve of the minerals in the area.
 - (a) Proved :

(b) Probable :

(c) Possible :

12. Total production of the mineral since first opening of quarry/mine:

13. Number of workers employed in the Quarry : Male : Female :

Company Labour (Direct) :

Contract Labour :

Place :

Date :

Signature :

Name in full :

Designation :

Owner/Agent/Mining Engineer/Manager

Note 1. - In cases where part of the lease area is proposed to be abandoned/ surrendered, information relating only to such part shall be given in columns 11, 12 and 13.

2. Please enclose plans/sections of the lease areas on a scale not less than 1:1000 (1 centimetre = 10 meter) indicating accurately the work done in the quarry up to the time of submission of this notice including measures envisaged for protection of abandonment/surrendered quarry and approaches there to and the environment.

Form-H

(See Rule 36)

(Notice of Temporary Discontinuance of Quarry /Mine)

Mine Quarry Code-----

1. (i) Type of the minor mineral worked :

(ii) Name of the other mineral(s) worked, if any :

2. Name of the mine/ quarry :

3. Name and Address of the lessee/Owner :

4. Particulars of quarry mine Lease :

(i) Date of execution :

(ii) Period years from: to:

(iii) Area under lease..... Hectares

5. Location of Quarry Mine :

(i) Topo Sheet Number :

(ii) Cadastral Survey or Khasra Number :

(iii) Village Taluka/Tahsil : District: State :

(iv) Post Office : Police Station :

(v) Nearest Railway station : Distance :

(vi) Nearest Rest House Dak Bungalow :

6. Name and Address of Agent :

7. Name and Address of the Mining Engineer :

8. Reasons for discontinuance :

Lack of demand :

Non availability of Labour :

Rains :

Transport bottleneck :

Strike :

Lock out :

Operation becoming uneconomic :

Other reasons (specify) :

(Please tick whichever is applicable)

9. Date of discontinuance of mining operation :

10. Probable date of reopening :

Place :

Date :

Signature :

Name in full :

Designation: Owner/Agent/Mining Engineer/Manager

Form I

[See Rule 37]

(Notice of Intimation of Reopening of Quarry / Mine)

Mine Quarry Code.....

1. (i) Type of the minor mineral worked :

(ii) Name of other mineral(s) worked, if any :

2. Name of the quarry/ mine:

3. Name and address of the Lessee/Owner:

4. Particulars of Quarry/Mining Lease(QML):

(i) Date of execution:

(ii) Period: years from: to:

(iii) Area under lease.....Hectares

5. Location of Quarry/Mine

(i) Topo Sheet Number :

(ii) Cadastral Survey or Khasra Number :

(iii) Village: Taluka/Tehsil: District: State:

(iv) Post Office: Police Station:

- (v) Nearest railway station: Distance:
(vi) Nearest Rest House/Dak Bungalow:
6. Name and Address of Agent:
7. Name and Address of the Mining Engineer:
8. Date on which the quarry/mine was
(a) Abandoned:
(b) Discontinued:
9. Date of reopening:

Place:

Date:

Signature:

Name in full:

Designation: Owner/Agent/Mining Engineer/Manager

Form J

[See rule 39]

Register of Application for Quarry Lease

1. Serial No :-
2. Date of Application :-
3. Date on which application was received by the receiving officer.
4. Name of the applicant with full address :-
(Local as well as permanent address along with Phone, Fax and email address)
5. Date of completion of the application :-
6. Details of the area applied for :-
Village Taluka District
Khasara No. / Survey No / Gat No. Area (In hectares)
(Working circle to be stated in respect of forest lands)
7. Application fee paid, Rs. vide treasury Challan No dated
8. Date on which application is sent for enquiry / site inspection :-
9. Officer / official to whom the enquiry / site inspection is marked.:-
10. Date on which the enquiry report/ site inspection report is received :-
11. Final disposal of the application together with number and date of the order :-
12 Remarks :
(To state whether granted / refused, if granted , details of area granted)

Signature of the Competent Officer.

Form K
(See rule 41)
Register of Quarry Leases Granted .

1. Serial No.:-
2. Name of the lessee.:-
3. Residence with complete address of lessee:-
(Permanent and Local address along with PH, Fax Nos. & email address.)
4. No. and date of grant of lease:-
5. Date of execution of quarrying lease:-
6. Details of the area granted under lease:-
(1) Village (2) Taluka (3) District
Khasara No. / Survey No./ Gat No./ Area (in hectares)
7. Minor Mineral or minerals for which lease has been granted:-
8. Minor Mineral or minerals added to the quarry lease with No. and date of grant:-
9. Details of security Deposit:-
10. Period for which lease is granted: (i) Total years :.....
(ii) Date : From to
11. Rate of (1) Dead rent and (2) Royalty:-
12. Period for which leases is renewed: (i) Total years :.....
(ii) Date : From to
13. Date of commencement of quarrying operation:-
14. Amount of surface rent fixed and date of fixation:-
15. Number and date of assignment of transfer of the lease, if any, and the name of assignee/ transferee:-
16. Date of expiry of lease surrendered or cancelled:-
17. Date from which area is available for re grant:-
18. Refund of security deposit (No. and date with signature of lessee:-
19. Remark:-

Signature of Competent Officer.

From-L
[See rule 46(iv)]

**Quarterly returns for payment of royalty for the quarter ending 30th June/30th
September/31st December/31st March 20.....**
(To be submitted by 1st of August/1st of November/1st of February/1st May of every year)

- (1) Name and address of the lessee. :-
- (2) Location of the mine.
 - (a) Village/Forest WC :-
 - (b) P.C. No./ F.C. No. :-
 - (c) Area under lease in hectares :-
 - (d) Tehsil/ District :-
- (3) Name of Minerals. :-
- (4) Date of grant of lease. :-
- (5) Date of execution of the lease and period of the lease :-.
- (6) Balance at the beginning of the year Cu. Meters M. Tones.
- (7) Production during the year Cu. Meters M. Tones.
- (8) Total (of col. 6 and 7) Cu. Meters M. Tones.
- (9) Total cost of production during the year:-
- (10) Total sale during the year. Cu. Meters M. Tones.
- (11) Total cost of sold material Rs. :-
- (12) Balance at the close of the year. :-
- (13) Rate of royalty. :-
- (14) Total gross royalty due on the material sold during the year.
 - (a) Previous balance due as on 31-12-19---- Rs. -----
 - (b) Amount to be paid Rs. -----
 - (c) Amount paid Rs ----- Ch. No. ----- Date -----
 - (d) Balance due -----
- (15) Dead rent paid Rs. ----- vide Challan No. ----- Date -----
- (16) Particulars where working is done or progress :-
- (17) Maximum depth of the mine :-
- (18) Average labour employed during the year:-

Signature of lessee/ Agent

Form M

[See rule 46(xv) and 66(15)]

Monthly Return of Total Quantity of Material Raised For the Month of -----

*[To be submitted by 10th of every month to (i) Directorate of Geology and Mining,
Maharashtra State, Nagpur and (ii) Competent Officer]*

Name and Address of the lessee:-

Location of Mine:-

- (a) Village / F.W.C.
 (b) P.C. No. Felling Serial No :-
 (c) Tehsil.....District.....
 (d) Area under lease
 (e) Name of Mineral
 (f) Date of execution and period of the lessee

Balance of the Remark End of last month	Production during the month	Total	Sale during the Month	Balance at the end of the Month
(Brass/MT)	(Brass/MT)	(Brass/MT)	(Brass/MT)	(Brass/MT)

(1) Average daily no. of labours employed:-

- (i) in Mine
 (ii) at crusher site / Kiln:-

(2) Average labour employed during the month:-

(3) No of working days in the month:-

(4) Last rent / Royalty paid during the month

- (a) Rent paid Rs..... for the period.....Ch
 No.....Date.....
 (b) Royalty.....Rs.....for the
 period.....Ch.No.....Date.....

Signature of Lessee / Agent

From-N

[See rule 46(xv)]

Annual return of total quantity of material raised in preceding year and its value for the year-

To be submitted by 15th January every year to the (i) Director of Geology and Mining, Maharashtra State, Nagpur and (ii) Collector-----

(1) Name and address of the lessee :-

(2) Location of the mine.

- (a) Village/Forest WC :-
 (b) P.C. No./ F.C. No. :-
 (c) Area under lease in hectares :-
 (d) Tehsil/ District :-

(3) Name of Minerals. :-

- (4) Date of grant of lease :-
- (5) Date of execution of the lease and period of the lease:-
- (6) Balance at the beginning of the year Cu. Meters. M. Tones.
- (7) Production during the year Cu. Meters M. Tones.
- (8) Total (of col. 6 and 7) Cu. Meters M. Tones.
- (9) Total cost of production during the year :-
- (10) Total sale during the year. Cu. Meters M. Tones.
- (11) Total cost of sold material Rs :-
- (12) Balance at the close of the year:-
- (13) Rate of royalty :-
- (14) Total gross royalty due on the material sold during the year :-
 - (a) Previous balance due as on 31-12-20---- Rs. -----
 - (b) Amount to be paid Rs. -----
 - (c) Amount paid Rs ----- Ch. No. ----- Date -----
 - (d) Balance due -----
- (15) Dead rent paid Rs. ----- vide Challan No. ----- Date -----
- (16) Particulars where working is done or progress :-
- (17) Maximum depth of the mine :-
- (18) Average labour employed during the year:-

Signature of lessee/ Agent.

From - O

[See rule 46 (xxvi) and 66(14)]

Transit Pass

Serial No.:-

Date:-

Name of lessee or Licensee /
permit :

Holder/Auction.....purchaser
and address.

Location of lease/ Depot. -
Village/ Town :

Period of lease or license/Permit :

Name of Granting Authority and
order No. :

Truck/ vehicleNo. :

Name or person to whom material :
is sold
Time of dispatch from lease/ :
Depot.
Name of Driver :
Kind of Mineral dispatched :
Quantity of mineral dispatched :
Signature of receiver/ Driver :

Seal.

Signature of lessee/licensee/
Authorized Agent.

Received ----- (Place) on -----(Date)

Initial of receiving officer.
(Name) (Designation)

Form - P
[See rule 61(1)]
Application For Quarry Permit.



Dated day of 20-----

To,
The Competent Officer (Designation)

At:- (Place)
Sir,

- (1) I / We request that a quarry lease under 'the Maharashtra Minor Minerals Extraction (Development and Regulation) Rules, 2013 may be granted to me/us.
- (2) A sum of Rs. /- (Rupees), being the fee in respect of this application has been deposited vide Treasury Challan Number dated.....
- (3) (i) Name of the applicant with Complete address :- (Local as well as permanent addresses are to be stated) With details like PH/ Fax Nos. and email address
(ii) Status of the applicant: - a private individual /

(A true attested copy of document to be enclosed)
private company/ public company/ firm or association.

(iii) In case applicant is,-

(a) An individual, his nationality:-

(b) A private company, the nationality of all members of the company along with place of registration, registration number and date:-

- (c) A public company, the nationality of the Directors, the percentage of share capital held by Indian nationals along with place of incorporation:-
- (d) Firm or association, the nationality of all the partners of the firms or members of the association:-
- (iv) Profession or nature of business of the applicant:-
- (v) Minor mineral or minerals which the applicant intends to mine:-
- (vi) Purposes for which extracted minor minerals are to be used:-
(to specify the 'end-use' of the mineral also)
- (vii) Details of the area in respect of which quarrying lease is granted :-
 - (a) Area (In Hectares):-
Survey/Khasra/Gat Numbers:-
Village (with p.c. number) :-
District :-
 - (b) A map, in duplicate, giving the description of the applied area, (or a plan) showing as accurately as possible, the situation, boundaries and area of the land in respect of which quarrying lease is required (adjoining survey numbers on the periphery of applied area must also be shown)
- (viii) Quantity (brass/ tones) for which permit is required:-
- (ix) Details of consent letters from concerned land owners:-
(A list of all concerned land owner to be given and against each, Receipt or non receipt of consent letter is to be specified)
- (x) Certified true copies of relevant extract of record of rights pertaining to applied area:-
- (xi) Any other particulars which the applicant wishes to furnish:-

I we do hereby declare that, the particular furnished above are correct and that I/ We, am/ are ready to furnish any other details as may be assessed on the quantity of minerals is proposed to be quarried. I/We also agree to pay in advance any surface rent or ceases and any other mineral dues that may be demanded of me/us.

Place:-

Date:-

Yours faithfully
(Signature of the applicant)

Note. - If the applicant is signed by an authorized agent of the applicant, a certified true copy of the power 'power of attorney' should be attached to this application.

Form -Q

[See rule 63(1)]

Receipt of Acknowledgement For Application of Quarry Permits

(1) Serial No :-

(2) Date for Application :-

(3) Date on which application was received by the receiving officer :-

- (4) Name of the applicant with full address :-
(Local as well as permanent address to be stated)
- (5) Date of completion of the application :-
- (6) Details of the area applied for :-
Village Tehsil District Khasara No./ Survery No./ Gat No./ Area (in hectares)
(working circle to be stated in respect of forest lands)
- (7) Application fee paid, Rs..... vide Treasury Challan No..... Dated.....
- (8) Date on which application is sent for enquiry/ site inspection :-
- (9) Officer/ Official to whom the enquiry/ site inspections is marked:-
- (10) Date o which the enquiry report/site inspections report:-
- (11) Final disposal of the application together with number and date of the order :-
- (12) Remarks :-
(To state whether granted/ refused, If granted, details of area granted.)

Signature of the Competent Officer.

Form-R

[See rule 63(1)]

Register of Application for Quarrying Permit.

Date of Application :-			
Date of which application was received by the receiving officer :-			
Name of the applicant with full address (Local As well as Permanent):-			
Date of completion of the application :-			
Details of the area applied for :-			
Survey no	Village	Tehsil	District
.....			
.....			
Application fee paid :-			
(i)Rs.	(ii) Try. Challan No	(iii) Dated	
Grant Order No / Date :-			
Remarks:-			
(i) Granted / Refused			
(ii) If granted details of area :-			

Form-S

[See rule 71 (2)(a)]

Application for Grant or Renewal of Dealer's License

To,

The Competent Officer,

Sir,

I/We requested that a dealer's License to stock and sell minor minerals under the Maharashtra Minor Mineral Extraction(Development and Regulation) Rules, 2013 be granted/renewed to me/us.

The fee of Rs. 250/- payable for the grant/renewal of dealer's license has been paid and Treasury Challan Receipt. No..... dated Is enclosed in original.

The required particulars are given below:-

1. Name of applicant with complete address, PH, Fax Nos. and email address :
2. Is the applicant a private individual/private /public/company/firm or Association?
3. In case application is,
 - (a) an individuals , his nationality :
 - (b) a private company the nationality of all members of the company along with place of registration :
 - (c) A public company, the nationality of Directors, the percentage of share capital held by Indian Nationals along with place of incorporation.
 - (d) A firm or association, the nationality of all partners of the firm or members of association.
4. Name of Minor Minerals (s) to be sold :-
5. Quantity to be stocked during the year:-
(Mineral wise)
6. Details of the location of the Depot :-
(Address, Sy. No. etc. of the area in which
7. The depot is situated are to be furnished along
(With a location map.)
8. Particulars of the previous dealer's license
9. If applying for renewal

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

Place :

Date :

Yours faithfully,

Name and Designation of the applicant.

From-T

[See rule 71(3)(1)]

Grant or Renewal of Dealer License

[A Dealer's License to stock and exhibit for sale of minor mineral under the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules, 2013]

----- is hereby licensed to sell stock and exhibit for sale under mentioned minor mineral(s)

1. Name of minor mineral (s) :-

2. Quantity allowed to be stocked during the year :-
(Mineral-wise)

3. Location of the office and depot. :-

* This license will be in force for the financial year 20..... To. 20.....

* The license already granted and which expired in 31st March 20..... Is renewed up to 31st March 20.....

Conditions of The Licence

1. This license shall be displayed in a prominent place in a part of the premises open to the public.
2. The dealer shall comply with the provision of the Mines and Minerals Concession Rules, 41987 and all order issued by the competent Officer in this regard.
3. The dealer shall afford all facilities for seeking his accounts and verifying the stock of minor mineral(s) and shall furnish fully and correctly any information in his possession as may be required by the competent Officer or any person authorized by the competent Officer in that behalf.
4. The dealer shall display in a prominent palace in a part of the premise the price list of minor mineral(s) offered for sale by him.

Dated this Day of 20

Seal of the competent Officer

Signature of the competent Officer.

From-U

(See rule 74)

Maintenance of records of production and sale for inspection

Name of Dealer :

License No. :

Name of the minor minerals :

Date	Cash Memorandum	Particulars showing the name of minor Minerals(s) name and Source of purchase To whom sold.	Minor Purchased Tones. Kg.	Minerals Sold Tones Kg	Rate	Voucher No.	Purchase (price paid)	Sale (Price realized)
1	2	3	4	5	6	7	8	9

--	--	--	--	--	--	--	--	--

Form-V

Stack Register to be maintained by a dealer

Name of dealer :

License No :

Name of Minor Mineral:

Date	Opening Balance	Purchase	Total	Sale	Balance Stock	Initials of the Dealer
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Form-W

[See rule 75]

Statement of accounts to be furnished by dealer

Name of Dealer :-

License No :-

Name of Minor Mineral: -

for the Month of:-

Opening Balance	Quantity Purchased	From whom Purchased	price Paid	Quantity sold	to Whom sold	Price realized	Balance	Remark
1.	2.	3.	4.	5.	6.	7.	8.	9.

.....

Place:-

Date:- Signature of the Dealer.

Form-X

[See rule 78]

Transit Pass for Transporting of Minor Mineral

Transit Pass Book No Transit Pass/S. No.

.....

1. Name and address of the consignor (holder of ML/Mineral Dealers license)
2. Name and address of Consignor :
3. Name of Mineral :

4. Quantity (Weight/Volume) :
5. Approximate value of mineral being carried :
6. Date and Time of Dispatch :
7. (i) Mode of Transport :
(ii) Carrier Registration No. :
8. Name and Address of Vehicle Driver :

Signature With date (a) Consignor

Signature With date (b) driver

Signature and Designation of checking authority

Signature and seal of Issuing Authority

Note. - (1) No over writing should be done

(2) The original copy and the book has to be returned to the concerned authority after the book is exhausted

(3) The vehicle driver shall carry two copies of the transit pass during transit.

Form-Y

(See rule 82)

(Form of Appeal)

(To be submitted in Duplicate)

To:

The Collector / Commissioner

- (1) Name and Address of individual / Firm of Company applying:-
- (2) Profession of individual / Firm of company:-
- (3) Fee and date of the order of the competent authority against which the appeal is filed.
(Copy enclosed):-
- (4) Mineral or Minerals for which the appeal is filed:-
- (5) Details of the area in respect of which the appeal:-

District	Taluka	Village	Kh. No.	Area In Hect.	Total area claimed

- (6) Details of application fee with challan:-
- (7) Date of communication of the order passed by the competent officer:-
- (8) Grounds for Appeal:-

Yours faithfully,
Signature and Designation of the applicant.