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Uttar Pradesh Minor Minerals (Concession) (Forty-sixth Amendment) Rules, 2019

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IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 306/XXXV-86-2019-153(Sa.)-2017, dated March 6, 2019.

No. 306/XXXV-86-2019-153(Sa.)-2017

Dated Lucknow, March 6, 2019

IN exercise of the powers under sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Act no. 67 of 1957), the Governor is pleased to make the following rules, with a view to amending the Uttar Pradesh Minor Minerals (Concession) Rules, 1963.

**THE UTTAR PRADESH MINOR MINERALS (CONCESSION)
(FORTY-SIXTH AMENDMENT) RULES, 2019**

1. (1) These rules may be called the Uttar Pradesh Minor Minerals (Concession) (Forty-sixth Amendment) Rules, 2019. Short title and commencement

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

2. In the Uttar Pradesh Minor Minerals (Concession) Rules, 1963 hereinafter referred to as the said rules *for* rule 21 set out in Column-I below, the rule as set out in Column-II shall be *substituted*, namely:- Amendment of rule 21

COLUMN-I

Existing rule

21 Royalty

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

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

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

COLUMN-II

Rule as hereby substituted

21 Royalty

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

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

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

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

COLUMN-I*Existing rule*

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

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

Amendment of the
First Schedule

2. In the said rules, for the First Schedule set out in Column-I below, the Schedule as set out in Column-II shall be *substituted*, namely:-

COLUMN-I
Existing Schedule
First Schedule
(See rule 21)

Sl. No.	Minerals	Rate of Royalty
1	2	3
1.	Limestone	Rs. 150.00 per tonne or Rs. 275.00 per cubic metre
2.	Marble or Marble Chips (Sangmermer)	Rs. 206.00 per tonne or Rs. 405.00 per cubic metre
3.	Brick earth	Rs. 54.00 per thousand bricks produced
4.	Building Stone	
(i)	Granite (sized dimensional stone)	
	(a) 1 metre or above size	Rs. 5000.00 per cubic metre
	(b) below 1 metre size	Rs. 3000.00 per cubic metre
(ii)	Sized dimensional stone including slabs and ashlar, (sand stone, quartzite)	Rs. 650.00 per cubic metre
(iii)	Millstone and Hand Chakis (Sand Stone, Quartzite)	Rs. 600.00 per cubic metre
(iv)	Khandas and Boulders	
	(a) Granite and Dolostone sized up to 25cm. x 25cm. x 25cm.	Rs. 125.00 per cubic metre
	(b) Sand stone and Quartzite sized up to 25cm. x 25cm. x 25cm.	Rs. 100.00 per cubic metre

COLUMN-II*Rule as hereby substituted*

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

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

COLUMN-II
Schedule as hereby substituted
First Schedule
(See rule 21)

Sl. No.	Minerals	Rate of Royalty
1	2	3
1.	Limestone	Rs. 150.00 per tonne or Rs. 275.00 per cubic metre
2.	Marble or Marble Chips (Sangmermer)	Rs. 206.00 per tonne or Rs. 405.00 per cubic metre
3.	Brick earth	Rs. 54.00 per thousand bricks produced
4.	Building Stone	
(i)	Granite (sized dimensional stone)	
	(a) 1 metre or above size	Rs. 5000.00 per cubic metre
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(ii)	Sized dimensional stone including slabs and ashlar, (sand stone, quartzite)	Rs. 650.00 per cubic metre
(iii)	Millstone and Hand Chakis (Sand Stone, Quartzite)	Rs. 600.00 per cubic metre
(iv)	Khandas and Boulders	
	(a) Granite and Dolostone sized up to 25cm. x 25cm. x 25cm.	Rs. 125.00 per cubic metre
	(b) Sand stone and Quartzite sized up to 25cm. x 25cm. x 25cm.	Rs. 100.00 per cubic metre

COLUMN-I

Existing Schedule

First Schedule
(See rule 21)

1	2	3
(v)	Ballast (Gitti)	
	(a) Granite and Dolostone	Rs. 160.00 per cubic metre
	(b) Sand Stone/ Quartzite	Rs. 110.00 per cubic metre
	(c) Stone Dust	Rs. 100.00 per cubic metre
5.	Morrum	
	(a) available in the river bed	Rs. 150.00 per cubic metre
	(b) red morrum deposit due to erosion of hills	Rs. 75.00 per cubic metre
6.	Ordinary sand (Other than sand used for prescribed purposes)	
	(a) First Category (Found in districts mentioned in schedule second)	Rs. 65.00 per cubic metre
	(b) Second Category (Found in districts mentioned in schedule second)	Rs. 55.00 per cubic metre
7.	Bajri (Single)	Rs. 110.00 per cubic metre
8.	Ordinary Clay or Ordinary earth	Rs. 00.00
9.	Pyrophyllite	Rs. 300.00 per tonn
10.	Diaspore	Rs. 500.00 per tonn
11.	Silica Sand	Rs. 100.00 per tonn
12.	China Clay	12% of pit's mouth value
13.	Calcite	12% of pit's mouth value
14.	Quartz	Rs. 100 per tonn
15.	Any other minor mineral for which the rate of royalty not specified	10% of pit's mouth value

COLUMN-II

Schedule as hereby substituted

First Schedule
(See rule 21)

1	2	3
(v)	Ballast (Gitti)	
	(a) Granite and Dolostone	Rs. 160.00 per cubic metre
	(b) Sand Stone / Quartzite	Rs. 110.00 per cubic metre
	(c) Stone Dust	Rs. 100.00 per cubic metre
5.	Morrum	
	(a) available in the river bed	Rs. 150.00 per cubic metre
	(b) red morrum deposit due to erosion of hills	Rs. 75.00 per cubic metre
6.	Ordinary sand (Other than sand used for prescribed purposes)	
	(a) First Category (Found in districts mentioned in schedule second)	Rs. 65.00 per cubic metre
	(b) Second Category (Found in districts mentioned in schedule second)	Rs. 55.00 per cubic metre
7.	Bajri (Single)	Rs. 110.00 per cubic metre
8.	Ordinary Clay or Ordinary earth	Nil
9.	Pyrophyllite	Rs. 300.00 per tonn
10.	Diaspore	Rs. 500.00 per tonn
11.	Silica Sand	Rs. 100.00 per tonn
12.	China Clay	12% of pit's mouth value
13.	Calcite	12% of pit's mouth value
14.	Quartz	Rs. 100 per tonn
15.	Any other minor mineral for which the rate of royalty not specified	10% of pit's mouth value

By order,
SANJAY R. BIJUSREDDY,
Pramukh Sachiv.

N.B. :-

1. The Uttar Pradesh Minor Minerals (Concession) Rules, 1963, issued *vide* notification no. 1557-M/XVII B.M. 96-58, dated August 26, 1963 were published in the Uttar Pradesh *Gazette* dated September 14, 1963.
2. First Amendment was issued *vide* notification no. 331- M/XVII F.M. 331-66 dated November 16, 1968.
3. Second Amendment was issued *vide* notification no.1181- M/XVIII F.M. 21-1967, dated September 23, 1969.
4. Third Amendment was issued *vide* notification no. 3388- 1-M/XVIII F-15 MM-68, dated August 31, 1970.
5. Fourth Amendment was issued *vide* notification no. 2746- M/XVIII-12(3)(14)-72, dated December 28, 1972 Published in the U.P. Extra-ordinary *Gazette*, dated December 31, 1972.
6. Fifth Amendment was issued *vide* notification no. 4669- XVIII-12-57-75dated September 14, 1976. Published in the U.P. Extra-ordinary *Gazette*, dated September, 15, 1976.
7. Sixth Amendment was issued *vide* notification no. 1518-XVIII-12-200-77dated April 25, 1978. Published in the U.P. Extra-ordinary *Gazette*, dated May 01, 1978.
8. Seventh Amendment was issued *vide* notification no. 3157- XVII-12-57-75-C-A-67-1957, Rule 1957 A.M.(7)78 dated July 27, 1978. Published in the U.P. Extra-ordinary *Gazette*, dated August 01, 1978.
9. Eight Amendment was issued *vide* notification no. 3136-XVIII-12-C-A-67, 1957 Rule 1963 A.M.-67-195-77, dated January 09, 1979. Published in the U.P. Extra-ordinary *Gazette*, dated January 30, 1979.
10. Ninth Amendment was issued *vide* notification no. 8010-XVIII-12-332-79UPA-67-1957 Rule 1963 A.M.-9-1982 dated January 15, 1982. Published in the U.P. Extra-ordinary *Gazette*, dated February 01, 1982.
11. Tenth Amendment was issued *vide* notification no. 486/XVIII-12-85-76 UPA 67-1957 Rule 1963 A.M.-10-198, dated March 17, 1982. Published in the U.P. -Extra-ordinary *Gazette*, dated March 24, 1982.
12. Eleventh Amendment was issued *vide* notification no. 5379 /XVIII-12-200-77--UPA-67-1957 Rule 1963 A.M.-(11)-84-dated October 12, 1984. Published in the U.P. Extra-ordinary *Gazette* dated October 19, 1984.
13. Twelfth Amendment was issued *vide* notification no. 81-XVIII-12-213-79-UPA-67-1957 Rule 1963 A.M.-(12)-1985, dated January, 09, 1985. Published in the U.P. Extra-ordinary *Gazette*, dated January 11, 1985.
14. Thirteenth Amendment was issued *vide* notification no. 4678- XVIII-12-123-79-UPA-67-1957 Rule 1963 A.M.-(13)-1985, dated May 29, 1985. Published in the U.P. Extra-ordinary *Gazette*, dated May 31, 1985.
15. Fourteenth Amendment was issued *vide* notification no. 6689-XVIII-12-206-85 dated August 12, 1985. Published in the U.P. Extra-ordinary *Gazette*, dated August 20, 1985.
16. Fifteenth Amendment was issued *vide* notification no. 4996- XVIII-42-829-200-77 dated August 28, 1989. Published in the U.P. Extra-ordinary *Gazette*, dated August 28, 1989.
17. Sixteenth Amendment was issued *vide* notification no.2931-XVIII-12-90-03(16)-90 dated June 30, 1990. Published in the U.P. Extra-ordinary *Gazette*, dated July 7, 1990.
18. Seventeenth Amendment was issued *vide* notification no. 5233 /XVIII-12-90-10-90 dated September 1990. Published in the U.P. Extra-ordinary *Gazette*, dated October 20, 1990.
19. Eighteenth Amendment was issued *vide* notification no. 1862/XVIII-12-93-200-dated July 19, 1993. Published in the U.P. Extra-ordinary *Gazette*, dated August 14, 1993.

20. Nineteenth Amendment was issued *vide* notification no. 2855 /XVIII-12-93-200-70 dated November 25, 1993. Published in the U.P. Extra-ordinary *Gazette*, dated January 01, 1994.
21. Twentieth Amendment was issued *vide* notification no. 3871/XVIII-12-94-10-90 dated August 27, 1994. Published in the U.P. Extra-ordinary *Gazette*, dated August 27, 1994.
22. Twenty First Amendment was issued *vide* notification no. 5471/XVIII-12-94-10-90-TC dated February 02, 1995. Published in the U.P. Extra-ordinary *Gazette*, dated February 11, 1995.
23. Twenty Second Amendment was issued *vide* notification no. 4520/XVIII-11-94-200-77 dated January 09, 1997. Published in the U.P. Extra-ordinary *Gazette*, dated January 09, 1997.
24. Twenty Third Amendment was issued *vide* notification no. 859/77-5-2001-8(204)/95TC dated March 01, 2001. Published in the U.P. Extra-ordinary *Gazette*, dated March 31, 2001.
25. Twenty fourth Amendment was issued *vide* notification no. 1615/77-5-2001-200-77 dated March 28, 2001. Published in the U.P. Extra-ordinary *Gazette*, dated March 28, 2001.
26. Twenty fifth Amendment was issued *vide* notification no. 1773/77-5-2002-729SID(R)2-2001 dated April 12, 2002. Published in the U.P. Extra-ordinary *Gazette*, dated April 12, 2002.
27. Twenty sixth Amendment was issued *vide* notification no. 1666/77-5-2002-729 SID (R)/2001 dated June 22, 2004. Published in the U.P. Extra-ordinary *Gazette*, dated June 22, 2004.
28. Twenty seventh Amendments was issued *vide* notification no. 5666/77-5-2002-8(204)/95 dated October 16, 2004. Published in the U.P. Extra-ordinary *Gazette*, dated October 16, 2004.
29. Twenty eighth Amendments was issued *vide* notification no. 6714/77-5-2004-200-77 dated December 15, 2004. Published in the U.P. Extra-ordinary *Gazette*, dated December 15, 2004.
30. Twenty ninth Amendments was issued *vide* notification no. 476/77-5-2007-236-2005 dated February 15, 2007. Published in the U.P. Extra-ordinary *Gazette*, dated February 15, 2007.
31. Thirtieth Amendments was issued *vide* notification no.530/86-2009-200/77T.C. II, dated June 2, 2009. Published in the U.P. Extra-ordinary *Gazette*, dated June 2, 2009.
32. Thirty first Amendments was issued *vide* notification no. 336/86-10-141/07, dated January 29, 2010 Published in the U.P. Extra ordinary *Gazette* dated January 29, 2010.
33. Thirty second Amendments was issued *vide* notification no. 1704/86-2010-83-2010, Dated May 12, 2010. Published in the U.P. Extra ordinary *Gazette* dated May 12, 2010.
34. Thirty third Amendments was issued *vide* notification no. 7338/86-2011-183/2011, dated December 1, 2011.
35. Thirty fourth Amendments was issued *vide* notification no. 2974/XXXIV/86-2012-200/77 T.C., dated November 2, 2012. Published in the Extra-ordinary *Gazette* dated November 2, 2012.
36. Thirty Fifth Amendments was issued *vide* notification no. 2216/XXXIV/86-2012-235-2012, dated December 23, 2012. Published in the Extra-ordinary *Gazette* dated December 23, 2012.
37. Thirty Sixth Amendments was issued *vide* notification no. 1361/LXXXIV-2013-113-2013, dated February 26, 2014. Published in the Extra-ordinary *Gazette*, dated February 26, 2014.
38. Thirty Seventh Amendments was issued *vide* notification no. 3204/86-2014-278-2011, dated October 22, 2014. Published in the Extra-ordinary *Gazette* dated October 22, 2014 .
39. Thirty Eighth Amendments was issued *vide* notification no. 2430/86-2015-278/2011, dated July 14, 2015. Published in the Extra-ordinary *Gazette* dated July 14, 2015 .
40. Thirty ninth Amendments was issued *vide* notification no. 243/86-2016-277/T.C-ii, dated January 19, 2016 published in the Extra-ordinary *Gazette* dated January 19, 2016 .
41. Fortieth Amendments was issued *vide* notification no. 2229/LXXXVI-2016-130-2015 T.C. .dated June 29, 2016. Published in the Extra-ordinary *Gazette* dated June 29, 2016.

42. **Fourty one** Amendments was issued *vide* notification no. 626/LXXXVI-2017-57(Samanya) 2017. Published in the Extra-ordinary *Gazette* dated April 13, 2017.
43. **Fourty Second** Amendments was issued *vide* notification no. 626/LXXXVI-2017-57(Samanya) 2017. Published in the Extra-ordinary *Gazette* dated April 13, 2017.
44. **Fourty Third** Amendments was issued *vide* notification no. 1956/86-2017-57 (Samanya) 2017. Published in the Extra-ordinary *Gazette* dated August 14, 2017.
45. **Fourty fourth** Amendments was issued *vide* Notification no. 3207/86-2017-151 (Samanya) 2017. Published in the Extra-ordinary *Gazette* dated December 7, 2017.

By order,
ATMA RAM,
Vishesh Sachiv.