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Haryana Regulation and Control of Crushers Rules, 1992

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[Authorised English Translation]

HARYANA GOVERNMENT
MINES AND GEOLOGY DEPARTMENT

Notification

The 28th September, 1992

No. GSR69/H.A.15/91/S.16/92.—In exercise of the powers conferred by section 16 of the Haryana Regulation and Control of Crushers Act, 1991, (Haryana Act 15 of 1992), the Governor of Haryana hereby makes the following rules regulating the grant or renewal of licences to the owners of crushers, namely :—

CHAPTER I

Preliminary

1. These rules may be called the Haryana Regulation and Control of Crushers Rules, 1992. Short title.

2. In these rules, unless the context otherwise requires,—

Definitions.

(a) "Act" means the Haryana Regulation and Control of Crushers Act, 1991 ;

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

(c) "section" means a section of the Act.

CHAPTER II

Grant of Licence to Owners of Crushers

3. (1) An application for the grant of a licence and its renewal shall be made to the Director in Form A.

Application for grant of a licence and its renewal, section 4.

(2) Every application for grant or renewal of a licence shall be accompanied by.—

(a) a fee of Rs. 10,000 (Rupees ten thousand only) ;

(b) a site plan of land on which crusher is installed or is to be installed to the scale, showing the location of stone crusher with reference to National Highway, State Highway, town, abadi, approved urban area, colony, village Abadi and tourist complex ;

(c) No objection certificate from Haryana State Board for the Prevention and Control of Water Pollution regarding the site of stone crusher specifying pollution control devices installed or to be installed by the crusher owner ;

(d) proof of ownership of land or a copy of the lease deed entered into with the owner of land, leasing the land to the crusher owner .

Power of
grant,
renewal or
refusal of
a licence.
section 4.

(3) In case of renewal of the licence, the licensee shall apply for the renewal at least six months before the expiry of the licence in Form A, documents referred to in clause (b) of sub-rule (2) need not accompany with the renewal application.

4. (1) The Director may grant a licence to the crusher owner in Form B for a period of three years.

(2) The Director may renew the licence in Form C for a period of three years.

(3) In case the Director is of the opinion that it is not expedient to grant a licence taking into consideration various factors relating to general health of public or crops or private or public properties or forest, nurseries and wildlife, he may after giving an opportunity of being heard and for reasons to be recorded in writing and communicated to the applicant, refuse to grant or renew a licence.

(4) An application for grant or renewal of a licence made under rule 3 shall not be refused by the Director only on the ground that Form A is not complete in all material particulars or is not accompanied by the documents referred to in clauses (a), (b), (c) and (d) of sub-rule (2) of rule 3.

(5) Where it appears that the application is not complete in all material particulars and is not accompanied by the required documents, the Director shall, by notice, require the applicant to supply required information or documents, as the case may be without delay and in any case, not later than 15 days from the date of receipt of such notice by the applicant failing which his application shall be disposed of on its merit in accordance with sub-rule (3).

(6) In case application for renewal submitted in term of sub-rule (3) of rule 3 is not disposed of before the expiry of the period of 'licence, then it shall be deemed to have been refused.

Terms and
conditions
of a
licence.
section 3.

5. (1) Every licence shall be subject to the following terms and conditions :—

(a) A licensee shall observe the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules and notification framed or issued thereunder ;

(b) the licensee shall not pay wages less than the minimum wages prescribed by the Central or State Governments from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing operations ;

(c) the licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of the Director ;

- (d) the licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer or Mining Officer of the district concerned about any accident which may take place during the course of crushing operations resulting in serious bodily injury; and
- (e) the licensee shall indemnify the State Government against the claims of the third party.

(2) The Director may impose any such further conditions as he may deem fit.

(3) If the licensee commits a breach of any conditions, the Director shall give notice to the licensee requiring him to remedy the breach(s) within 30 days from the date of receipt of the notice and if the breach is not remedied within such period, the Director may without prejudice to any proceedings that may be taken against the licensee cancel the licence.

6. The licensee shall submit a return in Form D by 10th of every month to the Director and also other officer(s) specified in that Form giving total quantity of minerals or minor minerals crushed per day, electricity consumed, power generated in case of captive power generated run crusher, number of labour employed and wages paid.

Reports
and returns
of licensee.
section 7.

7. The licensee shall maintain registers in Form E for inspection by the Director relating to electricity consumed, power generated in case of captive power generated run crusher, number of labourers employed and wages paid.

Maintenance
of Registers
and record.
section 8.

8. The licensee shall allow the inspecting staff, access to the crusher and make available to them all the records relating to operation of crusher during an hour of a day viz, quantum of minerals or minor minerals crushed per day, electricity consumed, oil and lubricants used, for captive generation of power, provisions of first aid facilities and arrangement for suppression of dust.

Inspection of
the Crusher.
section 6.

9.(1) Any person aggrieved by any order made by the Director or any officer authorised by him in this behalf or against the deemed refusal of renewal application of license under sub-rule (6) of Rule 4 may within a period of 60 days of the communication to him of such order, prefer an appeal to the State Government in duplicate for revision of the order. The application should be accompanied by a bank draft for five hundred rupees drawn on a Nationalised Bank in the name of Accounts Officer, Department of Mines and Geology payable at Chandigarh or through at treasury challan for five hundred rupees under Head of Account "853—Non-Ferrous Mining and Metallurgical Industries—102—Mineral Concession Fees and Royalties".

Appeals.
section- 10.

(2) Where the fee under sub-rule (1) has been deposited but no appeal is preferred, the fee shall be refunded to the person concerned on application being made by him in this behalf to the State Government.

(3) Upon receipt of the appeal, the Government may call for the relevant record and other information and after giving the appellant an opportunity of being heard and considering any comments that might be offered by the Director or the officer, as the case may be, cancel or review the orders against which appeal has been preferred. The orders of the Government under this rule, shall be final.

FORM A

(See rule 3)

Application for Grant/Renewal of Licence for Running a Crusher

To

The Director,
Mines and Geology Department,
Haryana.

Through _____

Sir,

I/We _____

have the honour to request that a licence under sections 4 and 5 of the Haryana Regulation and Control of Crushers Act, 1991, be granted to run the crusher in Village _____, Tehsil _____, district _____, of Haryana State for a period of three years.

2. A fee of Rs. 10,000 as application fee for the grant of licence is remitted through the Bank Draft/Demand Draft No. _____, dated _____, issued by _____ payable at Chandigarh has been deposited in _____ (name of issuing Branch) _____ treasury under head _____, vide challan No. _____ dated _____ and receipted challan wherefor is enclosed.

3. The required particulars are given below :—

- (i) Name and address of the individual/firm/company _____
- (ii) Nationality of individual/members of the firm/company _____
- (iii) Place of registration or in corporation of the firm/company _____
- (iv) Address of the individual/firm/company/society _____
- (v) Whether the application is for fresh licence or for its renewal of previous licence _____
- (vi) In case of renewal, the number and date of the previous licence and its date of expiry _____

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- (vii) The name of mineral/minor mineral to be crushed at the crusher _____
- (viii) The quantity of raw material required annually as per installed capacity of the crusher _____

- (ix) The detail of the machinery installed/ to be installed for the crusher _____
- (x) Total investment on land, building and machinery and working capital _____

- (xi) Distance from—
 (i) National Highway _____
 (ii) State Highway _____
 (iii) Metalled road _____
 (iv) Town or approved urban estate area _____
 (v) Village Abadi _____
 (vi) School _____
 (vii) Canal _____
 (viii) Government Hospital/Dispensary/Tourist complex _____
- (xii) Detail of the first aid facilities available at the crusher _____
- (xiii) Total number of workers employed at the crusher _____
 Number of worker _____
 (i) Skilled _____
 (ii) Unskilled _____
- (xiv) Number of trucks/carriers engaged in transporting raw material from the quarry to the crusher _____
- (xv) Approximate annual production in quantity as well as its value _____

- (xvi) Detail of the steps taken for control of dust pollution and for ensuring compliance of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981. The Environment Protection Act, 1986 and the rules and notification framed or issued thereunder.
- (xvii) Source of water supply for sprinkler
- (xviii) Whether run on electricity supplied by State Electricity Board or by captive generated power.
- (xix) Area of land where stone crusher is set up
- (i) For building and machinery
- (ii) For storage of raw material
- (iii) Total
- (xx) Village, tehsil and district in which the crusher is situated
- (xxi) Khasra No/detail of land where crusher is installed/to be installed
- (xxii) Whether the crusher is situated in the zone earmarked by the Town and Country Planning Department or not.

Yours faithfully,

(Signature of applicant)

Place _____

Dated _____

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FORM B
(See rule 4)

GOVERNMENT OF HARYANA
DEPARTMENT OF MINES AND GEOLOGY
Standard form for licence for running a crusher

Whereas Shri/M/s

owner of

crusher has/have applied for the licence for running a crusher situated over an area of in khasra Nos. of village, tehsil, district

for a period of 3 years under sections 4 and 5 of the Haryana Regulation and Control of Crushers Act, 1991, read with rule 3 of the Haryana Regulation and Control of Crushers Rules, 1992, and has/have paid Rs. 10,000 as application fee. Permission is

hereby granted to Shri/M/s

to run the crusher in village, tehsil, district, during the period from

to subject to the condition given below:—

- (a) A licensee shall observe the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the and notifications framed rules or issued thereunder.
- (b) The licensee shall not pay wages less than the minimum wages prescribed by the Central or State Government from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing operations.
- (c) The licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of Director.
- (d) The licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer of Mining Officer of the district concerned about any accident which may take place during the course of crushing operation resulting in serious bodily injury.
- (e) The licensee shall indemnify the State Government against the claims of the third party.

The licence expires on

Director, Mines and Geology,
Haryana.

Dated

FORM C

(See rule 4)

GOVERNMENT OF HARYANA

DEPARTMENT OF MINES AND GEOLOGY

Standard form for renewal of Licence for running a crusher

Whereas Shri/M/s _____
owner of _____ crusher
has/have applied for the renewal of licence No. _____
dated _____ granted for the period from _____ to
_____ to run the crusher and has/have paid the renewal
fee of Rs. 10,000.

Permission is herewith granted to Shri/M/s _____
_____ to run crusher in village _____/tehsil
_____, district _____ for another three years with
effect from _____ subject to the conditions given
below :—

- (a) A licensee shall observe the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules and notifications framed or issued thereunder.
- (b) The licensee shall not pay wages less than the minimum wages prescribed by the Central or State Governments from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing operations.
- (c) The licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of the Director.
- (d) The licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer or Mining Officer of the district concerned about any accident which may take place during the course of crushing co-operations resulting in serious bodily injury.
- (e) The licensee shall indemnify the State Government against the claims of the third party.

The licence expires on _____

(Sd.)

Dated : _____

Director Mines and Geology,
Haryana.

FORM D

(See Rule 6)

Monthly return for the month of _____

1 Name of crusher _____

2 Location of Crusher—

(a) Village _____

(b) Tehsil _____

(c) District _____

3 Name and address of crusher owner _____

4 Name of the minerals or minor minerals being crushed _____

Name of minerals or minor minerals being crushed

Quantity crushed

(Month in question)

Quantity

(ii)

Electricity consumed (Units)

Number of labour employed

Wages paid per day

Kilowatt generated in case of captive power generated run crusher

Please send this report to—

- (a) The Director Mines and Geology, Haryana.
- (b) The Mining Officer concerned.

by 10th of the month following the month under report.

Signature of the crusher owner or his authorised agent.

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HARYANA GOVT GAZ. (EXTRA.) SEPT. 28, 1992
(ASVN. 6, 1914 SAKA)

FORM E

[See rule 7]

Date	Serial No.	Particulars
1	2	3
	1	Quantity of (in Metric tonnes) minerals or minor minerals crushed
	2	Kilowatt of Electricity consumed for crushing minerals or minor minerals
	3	Kilowatts generated in case of captive generated power run crushers
	4	Number of labour employed
	5	Amount of wages paid per day

R. L. SUDHIR,
Secretary to Government Haryana,
Mines & Geology Department.