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Maharashtra Granite Extraction Rules, 1995

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The Maharashtra Granite Extraction Rules, 1995

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No.MMR.1093/CR.11/KH, dated the 22nd March, 1995.— In exercise of the powers conferred by Section 15 of the Mines and Minerals (Regulation and Development) Act, 1957, and of all other powers enabling it in this behalf, the Government of Maharashtra is pleased to frame the following Rules for regulating the extraction of granite, namely.—

The Maharashtra Granite Extraction Rules, 1995

CHAPTER I

Rule 1. Short title, extent and commencement,-

(1) These Rules may be called the Maharashtra Granite Extraction Rules, 1995 and shall extend to the whole of Maharashtra State.

(2) They shall come into force on and from the first day of April, 1995.

Rule 2. Definition,-

(A)(i) **“Competent Authority”** means the District Collector in case of all the lands belonging to the Government or private persons in the district.

(ii) **“The District Advisory Committee”** means a Committee consisting of.—

(i)	District Collector	Chairman
(ii)	General Manager, District Industries Centre	Member
(iii)	Divisional Forest Officer	Member
(iv)	Representative of Maharashtra Pollution Control Board	Member
(v)	Senior Geologist or Assistant Geologist of the Directorate of Geology and Mining working as “Mining Secretary, Officer”	Member

(iii) **“State Level Committee”** means a Committee consisting of.—

(i)	Secretary (Revenue)	Chairman
(ii)	Secretary (Forests)	Member
(iii)	Secretary (Environment)	Member
(iv)	Secretary (Industries)	Member
(v)	Principal Chief Conservator of Forests	Member
(vi)	Director of Geology and Mining	Member
(vii)	Collector of the concerned District	Member
(viii)	Joint/Deputy Secretary (Revenue)	Member Secretary

(iv) “**Director**” means the Director of Geology and Mining, Maharashtra State.

(v) “**Government**” means Maharashtra State Government.

(vi) “**granite**” is a building stone which means true granite and includes all other types of igneous and metamorphic rocks such as dolerites, syenite, diorite, etc. that are commonly or commercially known as “granite” which can be dressed into proper dimensions, take and maintain good polish and are capable of being used for decorative, constructional, monumental, inscriptional or ornamental works.

(vii) “**Mining lease**” means a lease to time, quarry, bore, dig, search for, win, work and carry away any dimensional rock specified therein.

(B) Words and expressions used but not defined in these Rules shall have the meanings respectively, assigned to them in the Mines and Minerals (Regulation and Development) Act, 1957.

CHAPTER II

GRANT OF MINING LEASE

Rule 3. Restriction on grant of mining lease,-

(1) Except with the prior approval of Government, no mining lease shall be granted to any person other than an Indian National who satisfies the conditions prescribed under these Rules.

Explanation.— For the purposes of this Rule.—

(1) person includes company, firm or other association of individuals;

(2) an Indian National with respect to—

(a) a company means a company as defined in sub-section (1) of Section 3 of the Companies Act, 1956;

(b) a firm or other association of individuals, only if all the members of the firm or members of the association are citizens of India; and

(c) an individual only if he is a citizen of India.

(2) No mining lease shall be granted in respect of lands notified by Government as reserved for use of the Government, local authorities or for any other public or special purpose.

(3) No mining lease shall be granted for the area declared as restricted under Coastal Regulation Zone and Coastal Zone Management Plan under Environment (Protection) Rules, 1986.

(4) If the State Government is of the opinion that it is necessary or expedient so to do for securing or maintaining proper sanitation or public health or the orderly development of any area or any like purposes, it may, by order in the Official Gazette prohibit for, the granting of mining lease to any person, in such area.

Rule 4. Application for a mining lease,-

(1) Every application for a mining lease in respect of any land in which the granite occurs shall be made to the Competent Authority in the prescribed form as per Annexure 'A' which shall be available with the Competent Authority on payment of rupees five hundred or such amount as may be prescribed by the Government from time-to-time.

(2) Every application shall be accompanied by.—

(a) A non-refundable fee or Rs. 500/- or such amount as may be prescribed by the Government from time-to-time, and certified copies of the relevant extracts of the records of rights pertaining to the lands in respect of which the mining lease is applied for;

(b) A certificate of financial standing of the applicant from any Scheduled Bank in this State or Co-operative Bank registered or deemed to have been registered under the Maharashtra Co-operative Societies Act, 1960;

(c) A description illustrated by a map or plan showing accurate situation of the boundaries and area of the land for which mining lease is required;

(d)(i) an affidavit affirming the location and capacity of the granite processing plant erected by the applicant; or

(ii) an affidavit giving an undertaking that the applicant shall install and commission a commercial scale granite processing plant within three years from the date of grant of lease within such district or anywhere else within the State.

(iii) in case of forest land a copy of proposal submitted by the applicant to the Competent Authority in pursuance of the Forest (Conservation) Act, 1980.

(3) Application for mining leases in lands recorded as forest shall be processed by the Competent Authority but sanction of the lease in respect of such land shall be subject to the clearance from the Government of India under the Forest (Conservation) Act, 1980.

Rule 5. Priorities for deciding applications,-

While deciding the applications for grant of granite leases, by the District Level Committees as well as by the State Level Committees the priorities shall be determined as follows:-

(a) the applicant, who has set up an export oriented granite processing unit in the State with time export commitments.

(b) the applicant, who has set up a processing unit in the State for catering to the domestic market and having a proven track record;

(c) the applicant, who gives an undertaking to start a granite processing unit within a period of 3 years within such district or anywhere within the State. Other things being equal preference will be given to local entrepreneurs.

Rule 6. Grant of mining lease and execution of lease,-

(1) The applications complete in all respects received by the Competent Authority during any quarter of the year shall be processed by the District Advisory Committee and forwarded by the Competent Authority to the State Level Committee during the following quarter.

(2) The State Level Committee shall decide the applications received from the District Advisory Committee within a period of 3 months:

Provided, however, the aforesaid time limit for disposing of the application by the State level Committee shall not apply to the applications in respect of lands recorded as forest lands.

(3) The Competent Authority shall issue the orders for grant of lease and execution of lease deed as per directions of the State Level Committee.

(4) **Execution of lease.**— Where a mining lease is granted by the Competent Authority under sub-rule (1), the lease shall be executed within six months of the order sanctioning the lease and if the lease is not executed within the aforesaid period, the order sanctioning the lease shall be deemed to have been revoked:

Provided that, where the Competent Authority is satisfied that the applicant is not responsible for the delay in execution of the formal lease he may permit the execution of lease after expiry of the aforesaid period of six months.

(5) The mining lease shall be executed in the form as may be prescribed by Government separately.

Rule 7. Consent of land owner,-

The lessee shall produce a written consent of the land owner of the area at the time of execution of lease-deed.

Rule 8. Quarrying Plan,-

(a) The lessee shall submit a quarrying plan duly approved by the Director, to the Competent Authority at the time of execution of lease-deed.

(b) The quarrying plan should be prepared by a qualified person authorised by Indian Bureau of Mines, Government of India, Nagpur.

(c) The lessee shall take prior permission of the Competent Authority to enter upon the leased area for collection of relevant data, to dig pits and trenches, to carry out drilling operations and to collect samples not more than one cubic metre for carrying out cutting and polishing test, for the purpose of preparation of quarrying plan.

(d) The quarrying plan shall contain:-

(a) the details of mining operation for every period of five years of the total period of lease.

(b) production plan showing the quality and quantity of granite to be mined.

(c) Environment Management and Rehabilitation Plan.

Rule 9. Intimation of refusal,-

When an applicant for mining lease is refused by the Competent Authority he shall inform the applicant in writing accordingly.

Rule 10. Register of applications,-

A register of applications for mining leases shall be maintained by each Competent Authority specifying therein the following particulars:-

(i) Name of the applicant;

(ii) Address of the applicant;

(iii) Particulars of the land applied for and its area;

(iv) The type of granite which the applicant desires to extract;

(v) Period for which mining lease is required;

(vi) Action taken on the application and date of order.

Rule 11. Security Deposit,-

(1) The applicant shall, before the execution of mining lease deposit as security a sum of Rs. 2,500/- or such amount as may be prescribed by the Government from time-to-time per hectare or part thereof for the lease for due observance of the terms and conditions of the lease.

(2) The applicant shall also deposit at the time of execution of lease deed separate security deposit of Rs. 2,000/- or such amount as may be prescribed by the Government from time-to-time per hectare or

part thereof, for the purposes of restoration of the lease area to the satisfaction of the Competent Authority:

Provided that, restoration and rehabilitation of defunct mines, if they are certified to be such by the Director, shall be undertaken by the leaseholder and completed within a period of one year from the date of certificate. If such restoration and rehabilitation is not carried out by the lease-holder within the time limit, the same shall be carried out at the risk and cost of lease-holder by the Competent Authority and expenditure involved shall be recovered from the lease-holder out of the security deposit. The security deposit can be refunded only after satisfactory completion of the restoration and rehabilitation work.

Rule 12. Survey of area leased,-

After the grant of lease by the Competent Authority arrangement shall be made at the expense of the lessee, for the survey and demarcation of the area granted under lease.

Rule 13. Register of Mining leases,-

A register of mining leases shall be maintained by the Competent Authority specifying the following particulars:-

(A)(i) Name of the lessee and his address.

(ii) Particulars and area of the land in respect of which the lease has been granted and the period of lease.

(iii) Date on which the lease is granted.

(iv) Date on which the lease is executed.

(v) Rate of royalty, surface rent and dead rent.

(vi) Type of granite for which lease is valid.

(vii) Amount of security deposit paid.

(viii) Amount of security deposit paid for restoration of land.

(B)(i) Date of renewal.

(ii) Period of renewal.

(iii) Total area under renewal.

(iv) Rate of royalty, surface rent and dead rent.

(v) Amount of security deposit.

(vi) Amount of security deposit for restoration of land.

(C) Date of expiry of lease.

Rule 14. Inspection of registers,-

The registers maintained by Competent Authority under Rules 10 and 13 shall be open for inspection by any person on payment of a fee of Rs. 100/- or such amount as may be prescribed by the Government from time-to-time.

Rule 15. Total area of mining lease,-

(1) No lessee by himself or with any person joint in interest with him shall hold under one or more leases in the aggregate more than 150 hectares of the area, within the State of Maharashtra subject to the condition that the area of Black Granite out of shall not be more than 50 hectares.

(2) Area under any single lease shall as far as possible be in a compact block.

Rule 16. Length and breadth of lease area,-

The length of an area held under lease shall not extend four times its breadth.

Rule 17. Boundaries below surface,-

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

Rule 18. Period of mining lease and its renewal,-

(1) The initial period for which mining lease is granted shall be 15 years and it shall be renewable for further two periods of 15 years each subject to the satisfaction of State Level Committee.

(2) The lessee shall be entitled to surrender any part of the lease area at the time of renewal.

(3)(i) Every application for renewal of the lease shall be made to the Competent Authority in the prescribed form as per Annexure- 'A' at least one year before the date of expiry of lease. Such forms shall be available with the Competent Officer on payment of Rs. 500/- or such amount as may be prescribed by the Government from time-to-time.

(ii) Every application for renewal shall be accompanied by a non-refundable fee equivalent to 5 times the application fee prevailing at the time of first renewal and for second renewal it shall be 10 times the application fee prevailing at the time of second renewal.

(iii) When renewal of the lease is refused in respect of any part or the whole of the area, the lessee will be informed accordingly.

(iv) If an application for renewal of a lease has been made within the prescribed period, but is not disposed of before the date of expiry of the lease, the period of lease shall be deemed to have been extended by a further period of one year or till such date on which the applicant is informed about the refusal to grant the renewal of the lease, whichever is earlier.

Rule 19. Transfer of Mining lease,-

The Competent Authority with the previous approval of the State Level Committee and subject to the conditions specified in sub-rule (1) of Rules 15 and 16 and such other condition as may have been prescribed in the original lease permit the transfer of leasehold rights, title or interest therein from one person to another eligible person on payment of fees of Rs. 10,000/- or such amount as may be prescribed by the Government from time-to-time, per hectare or part thereof provided that, no such transfer shall be permitted for a period of 3 years from the date of execution of lease.

Rule 20. Time, mode and place of payment of royalty and rents,-

Royalty.— Royalty shall be paid in advance in each quarter by the lessee. For the first year of the operation, such advance shall be calculated on the basis of the production plan (mentioned in the

quarrying plan). Thereafter, the advances shall be calculated depending upon the despatches made by the lessee in the preceding 3 quarters according to the production committed by the lessee in his application form and quarrying plan which is more, and such advance payments made shall be adjusted against royalty, accrued on the despatches of the granite made by the lessee at the end of each quarter.

Dead rent and surface rent.— The dead rent and surface rent shall be paid by the lessee for every six months period on 1st of January and 1st of July of each year.

Rule 21. Charges on delayed payments of rent and royalty,-

The Government shall, without prejudice to the provisions contained in the Rules, levy delayed payment charges at the rate of 24% per annum on any rent, royalty or fee other than the application fee or other sum due to the Government under these Rules from the sixtieth day of the expiry of the date fixed under Rule 20 until payment of such rents, royalty and fee or other sum is made.

Rule 22. Conditions,-

(1) Every mining lease shall include the following conditions:-

(i) the lessee shall pay royalty on granite despatched or consumed from the leased area at the rates specified in Schedule I to these Rules:

Provided that such rates shall be revised once every three years.

(ii) the lessee shall also pay for every year for the lease half yearly dead rent at rates specified in Schedule II to these Rules:

Provided that, the lessee shall be liable to pay the dead rent or royalty whichever is higher but not both:

Provided further that, the dead rent shall not be payable for the six months following the date of execution of the lease-deed.

(iii) the lessee shall also pay, for the surface area occupied by him for the purposes of mining, surface rent at such rate not exceeding land revenue at the rate of non-agricultural assessment, cesses assessable thereon and water rate, as may be fixed by the Collector. The area under mining shall include

area occupied for stocking, office, godown, processing and polishing unit, roads and other ancillary purposes.

(iv) lessee shall use certified transit passes printed at his own cost as per the proforma given in Annexure 'B' for the transport of granite from the leased area. Such transit passes will be certified by the Competent Authority at the time of payment of royalty in advance in each quarter for the quantity of granite to be despatched in that quarter.

(v) unless the Competent Authority for good cause permit otherwise, the lessee shall start mining operations within six months of the date of execution of the lease and shall thereafter carry them on in a proper, skilful and workmanlike manner.

(vi) the lessee shall at his own expense, erect and maintain boundary pillars and other marks necessary to indicate the leased area.

(vii) the lessee shall take adequate steps to ensure that.—

(a) heights and width of the benches and levels in the open mine do not exceed 3 metres, and are properly maintained.

(b) the slopes of the open mine are not more than 60 in case of soft rock/earth, etc. and 45 in case of hard rock from the horizontal plane.

(c) working faces are always kept clean.

(viii) if any mineral not specified in the leased area is discovered, the lessee shall immediately report the discovery to the Competent Authority and the Director and shall not dispose of such mineral. The lessee shall, in case of discovery of minor mineral report it within three months of the date of discovery to the Competent Authority, who may grant a lease in respect of such minor minerals. In case of the discovery of major mineral the lessee shall report the discovery within a fortnight to the Competent Authority. The lessee, if interested, may apply for grant of lease of such major minerals under Minerals Concession Rules, 1960.

(ix) the lessee shall arrange for the proper sanitation of the area leased to him.

(x) the lessee shall abide by such instructions and directions as may be issued by Government from time-to-time regarding conservation of granite and proper development of granite mine.

(xi) the lessee shall abide by provisions of any law for the time being in force relating to working of mines, matters affecting safety, health and convenience of the employees of the lessee or of the public and shall respect all existing rights of way and other easements..

(xii) the lessee shall not carry on or allow to be carried on any mining operations at any point within a distance of 50 metres, if not blasting is involved and 200 metres if blasting is involved from the boundary of any railway line, reservoir, canal, dam, road or public works or building.

(a) if blasting is involved, the lessee shall see that.-

(i) the blast hole is properly muffled.

(ii) sufficient warning to the public is given before blasting by an efficient system of signal and by putting red flags on the boundary of danger zone, i.e. at 200 metres from the point of blasting.

(iii) all persons in the vicinity have taken proper shelter.

(iv) suitable steps are taken to prevent any person approaching the place of blasting.

(v) the public is warned not to approach the mines within half-an hour after explosion.

(vi) free access is given to the Competent authority or any other person authorised by him in that behalf, to any place at which blasting operation is carried on and intended to be carried on for enabling him to ensure that all necessary precautions are taken to guard against the possibility of any danger to the public.

(xiii) the lessee shall keep correct accounts showing the quantity of granite obtained from and despatched from the mines along with other particulars, number of persons employed therein and complete plan of mines and shall furnish to the Director and Competent Authority such information, returns, reports and samples as they may be required from time to time during his operations.

(xiv) the lessee shall allow any officer authorised by Government or Competent Authority or the Director to enter upon any building excavations or land in the lease area for the purpose of inspecting the same or for the purpose of inspecting the accounts, plans, records which he shall make available to such officer. Such officer may issue any instruction or direction regarding working of mines and maintenance of records, etc, to which the lessee is bound to comply with within the period specified by the officer. If the lessee, his agent or manager fails to comply with the instructions or directions within

the specified period, the Competent Authority may determine his lease or may impose penalty @ Rs. 500/- or such amount as may be prescribed by the Government from time-to-time, per day until the instructions or the directions are complied with.

(xv) the lessee shall strengthen and support to the satisfaction of the Inspecting Officer, Competent Authority, Director, Government or the Railway Authority as the case may be any part of mine which in its opinion requires such strengthening or support for the safety of any railway, reservoir, dams, canals, road or any public work or structure:

Provided that, the lease shall not be cancelled if the lessee is prevented from working the mine owing to some natural calamity or some reasonable cause for which the lessee is not responsible or the lessee takes prior permission of the Competent Authority.

(xvi) if the lessee or his assignee, or his transferee does not allow any entry or inspection under clause (xiv), the Competent Authority may cancel the lease and forfeit the whole or any part of the security deposit paid by the lessee.

(xvii) the lessee shall report all the accidents to the District Magistrate, Director of Mines and safety and the District Superintendent of Police concerned.

(xix) the lessee shall also abide by the following conditions:-

(i) granite suitable for decorative purpose shall not be utilised for construction of road or any other similar purpose.

(ii) the lessee shall strictly comply with the provisions of Rule 26 in respect of disposal of rejects.

(iii) the lessee shall install granite processing unit within three years from the date of grant of lease within such district or anywhere within the State wherever such condition is prescribed. In case he fails to install a granite processing unit within the stipulated period, his lease shall be liable to be terminated without any notice.

(iv) the lessee shall not export more than 50% of the granite produced in unprocessed and unfinished condition to any other State or Country. He shall be entitled to export unprocessed granite to any other processing unit installed within the State.

(v) the lessee shall make available training facilities to local artisans in his processing unit nominated by the District Advisory Committee:

Provided that, the number of trainees shall not exceed 20% of the total employment potential.

(vi) the lessee shall give preference to the local persons in employment in granite mining and processing work and shall fill in all the posts in respect thereto through the Employment Exchange in accordance with Government Resolution, Education and Employment Department, No.EMP.1185/500471/(111)E-E 1, dated 10th April, 1991 with subsequent modifications, if any and any other directions issued by the Government from time-to-time in this behalf.

(xx) in case of breach by the lessee, his transferee or assignee of any conditions stipulated above, the Competent Authority shall issue notice to the lessee, his transferee or assignee asking him to remedy the breach within thirty days from the date of notice. If the breach is not remedied within such period, the Competent Authority shall, impose a penalty at the rate of Rs. 500/- or such amount as may be prescribed by the Government from time-to-time per day from the thirty first day of the issue of the notice until the breach is remedied or may determine the lease as he deems fit.

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

(xxii) the lessee or his transferee or assignee 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 orders issued by the officer or the authority competent to issue such orders under any such law within whose jurisdiction the leased area is situated.

(xxiii) Government shall at all times have the right of pre-emption of the granite 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 the granite.

(xxiv) the right of the State or Central Government to construct any road, railway, canal, reservoir or carry any electric or telephone lines in or over the lands under the lease is reserved:

Provided that, before such right is exercised, a notice of not less than 60 days shall be given to the lessee, and area utilised by Government for any of the aforesaid purpose shall be excluded from the area under lease.

(xxv) the lessee shall take all necessary steps for the protection of environment by preventing or controlling any pollution which may be caused by mining operation such as.—

(a) control of air pollution by sprinkling of water in the lease area and plantation of trees.

(b) prevention of flow of mine water or any toxic liquid to the natural sources of water.

(xxvi) the lessee shall.—

(a) take immediate measure for plantation in the same area or any other area selected by State Government not less than thrice the number of trees destroyed by reasons of any mining operation and look after them during the subsistence of the lease.

(b) the lessee shall restore to the extent possible, other flora destroyed by mining operations.

(c) the lessee shall carefully stack the top soil and overburden separately.

(2) A mining lease may also contain such other conditions as the Competent Authority may deem necessary in regard to the following:-

(i) compensation for damages to the land covered by lease.

(ii) felling of trees.

(iii) restriction of surface operation in any area prohibited by any authority.

(iv) notice by lessee for surface occupation.

(v) providing for proper measurement of blocks of granite.

(vi) facilities to be given by the lessee for working other minerals in the leased or adjacent area.

(vii) securing pits and shafts.

(viii) indemnity to Government against claims of third parties.

(ix) delivery of possession over lands and mines on the surrender, expiration or determination of lease.

(x) forfeiture of property left in the lease area if it is not lifted from the area within 6 months the date of surrender, expiry or determination of lease.

(xi) power to take possession of plant, machinery, premises and mines in the event of war or emergency.

(3) A mining lease may contain any other special condition which the Competent Authority may specify, subject to approval of Government.

Rule 23. Right of lessee,-

Subject to the conditions mentioned under Rule 22, the lessee shall have the right, for the purpose of his mining operations in his lease area to:-

(i) work mines or quarries.

(ii) sink pits and shafts and construct building and road.

(iii) erect plant and machinery.

(iv) use water.

(v) use land for stacking purposes.

Rule 24. Right to determine the lease,-

The lessee may terminate the lease at any time by giving not less than six months notice in writing to the Competent Authority.

Rule 25. Bar to grant of permits,-

The extraction of granite shall be done only under a lease granted under these Rules and no person shall be granted any permit for extraction of granite to be used for decorative, constructional, monumental, inscriptional or ornamental purpose for any area.

Rule 26. Disposal of rejects,-

No lessee shall dispose of the rejects of granite or any other minerals without obtaining prior permission from the Competent Authority while disposing of the rejects from his leased area. The lessee shall use separate transit passes duly certified after paying the royalty at a rate prescribed in the Minor Minerals Extraction Rules in force in the State for all other minor minerals for the quantity of rejects to be despatched from the lease area and shall submit a monthly return for despatch of rejects produced incidental to mining, to the Director and the Competent Authority.

Explanation.— “Rejects” means all the fragments of which cannot be sold in the market, whether domestic or international, as dimensional or decorative, constructional, monumental, inscriptional or ornamental granite:

Provided that, the quantity of rejects shall not exceed 10% of the despatched granite.

Rule 27. Punitive Action,-

Any excavation, mining or transport of granite done in contravention of these Rules shall be punishable either under Section 21 of the Mines and Minerals (Regulation and Development) Act, 1957.

CHAPTER III

Appeal and Review

Rule 28. Appeal,-

Any person aggrieved by an order of the Competent Authority:-

- (i) refusing to grant a mining lease;
- (ii) determining or cancelling such lease;

(iii) refusing to permit transfer of mining lease, within 60 days from the date of such order may appeal to the State Government.

Rule 29. Fee,-

The appeal under Rule 28 shall be accompanied by a fee of Rs. 500/-.

Rule 30. Review,-

(1) The State Level Committee may either *suo motu* or on the application of any party interested made within a period of sixty days review any order passed by itself and pass such order in reference thereto as it thinks fit:

Provided that, no orders shall be varied or reversed without giving the parties an opportunity to be heard.

(2) No order shall be reviewed except on the following grounds, namely:-

(i) discovery of new and important matter or evidence.

(ii) some mistake or error apparent on the face of the record, or

(iii) any other sufficient reason.

(3) An order which has been dealt with in appeal shall not be reviewed by the State Level Committee.

(4) Orders passed in review shall on no account be reviewed.

MISCELLANEOUS

Rule 31. Application of these rules to the lease already granted,-

(a)(i) Where a mining lease of granite is granted before the commencement of these Rules, these Rules shall apply in relation to such lease as they apply in relation to the lease granted after such commencement.

(ii) Where an application for grant of lease is pending before commencement of these Rules, these Rules shall apply in relation to such application as they apply in relation to the applications pending after such commencement. The date of original application shall be considered for deciding the priority in such cases subject to completion of application and provisions of Rule 5 of these Rules.

(b) The Competent Authority shall in case of such pending application issue a notice to the applicant asking him to complete all formalities in accordance with the provisions of these Rules within 30 days from date of issue of the notice. If the formalities are not completed within the stipulated period, the applicant shall lose his priority.

Rule 32. The existing Minor Mineral Extraction Rules in force in the State for all minor minerals shall not be applicable for grant of lease for Granite as dimensional stone.

SCHEDULE I

Rates of Royalties

[See Rule 22.1(i)]

(i)	Black Granite	Rs. 3,000/- per cubic metre
(ii)	Coloured Granite or any other granite	Rs. 2,000/- per cubic metre

SCHEDULE II

Rates of Dead Rent per annum

[See Rule 22.1(ii)]

(i)	Rs. 20,000/- per hectare or part thereof
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ANNEXURE-A

Price Rs.500/-

Serial No._____

Application for grant/renewal of granite lease

(To be submitted in duplicate)

Dated_____ Day of_____

To,

The Collector,

_____District

I/We undersigned request that the granite mining lease/renewal of lease may be granted to me/us.

1.	Name of the applicants	
2.	Full Address and Tel. No.	
3.	Name and address and Tel. No. of the Firm/ Company whether it is. – (i) Proprietary (ii) Partnership (iii) Private Ltd. (iv) Co-operative	
4.	Name of Directors/Partners/Members and their Nationality and profession. (Documentary evidence could be produced for Nationality)	
5.	Has the applicant filed up-to-date income-tax returns and whether he has paid the Income-tax assessed by the Income-Tax Authorities. (file in affidavit and copies)	
6.	Details of the area for the which the granite lease/renewal permission is required (Enclose 7/12 extracts) District Taluka Village Survey No. Area	

	Hectare Whether Govt. Forest/Private (1) (2) (3) (4) (5) (6)	
6.1	If the land is private whether the consent of the land owners is obtained. (Enclose copies of the consent if obtained)	
7.	Period for which granite mining lease or/renewal of lease is applied. (Max. initial period will not exceed 15 years) .	
8.	In case the applicant has existing granite processing unit.	
8.1	Location of the Unit.	
8.2	Category of the Industry i.e. SSI/Medium Scale/Large Scale and whether the Industry is 100% EOU).	
8.3	Licence No. SSI Registration No, and date (Enclose Copy).	
8.4	Total investment including cost of land, plant and machinery.	
8.5	Installed capacity/production	

	capacity of polished granite per year in sq. metres.	
8.6.	Date of commencement of production	
8.7.	Nature of Product (in sq.mts, or cubic metres).— (a) Building Slabs. (b) Monuments. (c) Tiles. (d) Other Items.	
8.8	Requirement of raw granite in cubic metres..	
8.9.	Plan of expansion if any (Furnish details)	
8.10.	Export commitment if any (furnish details).	
8.11.	If 100% EOU, exports during the previous three years (Furnish details) e.g. Quantum and value of exports, countries to which exported, etc.	
9.	For a proposed granite processing unit.	
9.1.	Proposed Location.	
9.2.	Category of Industry i.e. SSI/Medium/Large Scale and whether 100% EOU.	

9.3.	Licence/SSI Registration No.	
9.4.	Proposed total investment.	
9.5.	Proposed installed capacity of polished granite per year in square metres.	
9.6.	Present stage of implementation of the project.	
9.7.	Proposed date of commencement of production.	
9.8.	Nature of proposed production (in square metres or cubic metres).— (a) Building Slabs. (b) Monuments. (c) Tiles. (d) Other Items.	
9.9.	Requirement of raw granite in cubic metres.	
9.10.	Export commitments/tie-ups if any (furnish details).	
10.	Details of man-Power and Machinery.— Existing/proposed Machinery and Employment (with potential) details In Mining Machinery	

	<p>Labour employed Existing/Proposed Employment potential (a) Skilled (b) Unskilled (c)Total In Processing Unit Machinery Labour employed Existing/Proposed Employment potential (a) Skilled (b) Unskilled (c)Total</p>	
10.1.	Percentage of Local Labour	
11.	Sources of fund for the Projects.	
12.	Particulars of the area already held under granite mining lease in the State/outside State (Furnish details).	
13.	Whether any dues for the existing mining lease in the State is outstanding against the applicant. (Give details)	
14.	Previous experience or qualification if any in the granite mining and processing.	
15.	Any other particulars which the applicant desires to furnish.	
I/We do hereby		

declare that particulars furnished above are correct and am/are ready to furnish any further details and security deposits as may be required by the State Government. I further declare that I am ready to set up a processing unit based on the applied lease within a period of three years from grant of lease. I further declare that I have gone through the Maharashtra Granite Extraction Rules, 1995 carefully and undertake to abide by them.

Place:- Date:-

Signature of the applicant The form along with accompaniments shall be submitted in duplicate to the Competent Authority i.e. Collector of the District and a receipt obtained.

ANNEXURE-B

Proforma of Transit Pass for Transport of Granite

1.	Receipt No. Delivery Date:-	
2.	Name and address of lessee	
3.	Details of lease Kh. No. Village, district, total area of lease.	
4.	Order No. and Date, etc.	
5.	Truck No.	
6.	Name and address of purchaser.	
7.	Date:- and Time of Despatch:-	-
8.	Name:- and Address of Driver of the vehicle:-	-
9.	Quantity in cub. Metres	-
Signature of the lessee/Agent/Manager		

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