

**Government of Rajasthan
Mines (Gr.II) Department**

No. F.14(1)Mines/Gr.II/2011pt(kha)

Jaipur, dated : 28 OCT 2016

NOTIFICATION

In exercise of the powers conferred by section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the State Government hereby makes the following rules further to amend the Rajasthan Minor Mineral Concession Rules, 1986, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Minor Mineral Concession (Third Amendment) Rules, 2016.

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

2. Amendment of rule 63.- In sub-rule (2) of rule 63 of the Rajasthan Minor Mineral Concession Rules, 1986, hereinafter referred to as the said rules,-

- (i) in clause (vii), the existing expression "; and" shall be deleted;
- (ii) the existing clause (viii) shall be substituted by the following, namely:-

"(viii) all the minerals notified as minor mineral by the Government of India vide notification number S.O.423(E) dated 10th February, 2015; and

- (ix) other minerals notified by the Government."

3. Insertion of new rule 63C.- After the existing rule 63B and before the existing rule 64 of the said rules, following new rule 63C shall be inserted, namely:-

"63C. Grant of permit for mineral gypsum.- (1) Notwithstanding anything contained in these rules, permit for excavation and removal of gypsum from the khatadari land shall be granted to the khatedar for improvement of his land after approval of the committee consisting of,-

- (i) District Collector;
- (ii) Sub Divisional Officer of the area concerned;
- (iii) Mining Engineer/Assistant Mining Engineer; and
- (iv) Senior Geologist/Geologist.

The committee shall grant its approval after considering the recommendation made under sub-rule (4):

Provided that the committee shall not grant the approval where the deposition of the gypsum is more than two meters from the surface.

Provided further that the approval shall not be granted for an area exceeding five hectare and for a period exceeding five years.

(2) Superintending Mining Engineer concerned shall issue notification in two daily news papers, atleast one of which is state level and other having wide publicity in the area where permits are being granted, for inviting online application for grant of permit in khatedari land.

(3) Application for permit shall be made online by the khatedar as per the conditions mentioned in the notification issued under sub-rule (2).

(4) On receipt of application for permit, Mining Engineer/Assistant Mining Engineer shall inspect the area along with Senior Geologist/Geologist and Tehsildar and forward their recommendation regarding depth of gypsum deposition, quantity of gypsum, necessity of removal of gypsum from the land for which permit is sought to the committee specified in sub-rule (1) within fifteen days of receipt of the application.

(5) On receipt of the recommendation submitted under sub-rule (4), the committee specified in sub-rule (1), shall examine and communicate it's decision to the Mining Engineer/Assistant Mining Engineer concerned within thirty days.

(6) After approval of the Committee, the Mining Engineer/Assistant Mining Engineer concerned shall, within seven days, inform the applicant to submit environment clearance, if applicable, issued by the competent authority and deposit the security amount of Rs. 40,000/- (rupees forty thousand) in the form of fixed deposit receipt of any Nationalized/Scheduled bank or National Saving Certificates pledged in favour of the Mining Engineer/Assistant Mining Engineer concerned.

(7) On completion of the formalities mentioned in sub-rule (6), the Mining Engineer/Assistant Mining Engineer concerned shall issue permit to the khatedar and also issue ravanna for despatch of mineral after deposition of the following amount:-

- (i) permit fee @ Rs. 1000/- (rupees one thousand)+ Rs. 1/- (rupee one) per tonne of mineral to be despatched;
- (ii) royalty as per Schedule-I;
- (iii) premium amount @ Rs. 100/- per tonne of mineral to be despatched; and
- (iv) contribution to the District Mineral Foundation Trust as per the rates specified in the District Mineral Foundation Trust Rules, 2016, as amended from time to time.

Provided that where royalty collection contract/excess royalty collection contract is awarded, amount mentioned in clause (ii), (iii) and (iv) may be collected by the contractor at approved check post/nakas from vehicles carrying mineral gypsum.

Provided further that validity of ravanna shall not be more than six months from the date of issue.

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(8) The permit holder shall remove the mineral gypsum as per terms and conditions specified in the permit. The permit holder shall not despatch mineral in excess of quantity specified in the permit:

Provided that, if the permit holder has despatched mineral in the excess of ten percent of quantity specified in the permit, entire quantity in excess of quantity specified in the permit shall be treated as illegal and shall be charged at the rate of ten times of the royalty.

(9) The Mining Engineer/Assistant Mining Engineer may refuse to grant permit with the previous approval of the committee, specified in sub-rule (1), after recording the reasons and same shall be communicated in writing to the applicant.

(10) The permit holder khatedar shall not,-

- (i) assign, sublet, mortgage or transfer the permit in any other manner or any right, title or interest therein; and
- (ii) enter into, or make any arrangement, contract or understanding whereby the permit holder will or may be directly or indirectly financed to a substantial extent and by or under which the excavations will or may be substantially controlled by, any person or body of persons other than the permit holder.

(11) In case of any violations of terms and conditions of the permit, the permit shall be cancelled by the Mining Engineer concerned after taking approval of the committee mentioned in sub-rule (1) with forfeiture of security with immediate effect.

(12) The permit holder shall submit quarterly records to the Mining Engineer/Assistant Mining Engineer concerned for assessment of royalty and further ravanna shall only be issued after assessment of royalty and deposition of assessed amount."


By order of the Governor,


(Iqbal)

Jt. Secretary to the Government

Copy forwarded to the following for information and necessary action:-

1. Pr. Secretary, HE Governor of Rajasthan, Jaipur
2. Secretary, Hon'ble Chief Minister, Rajasthan, Jaipur
3. Secretary, Rajasthan Legislative Assembly, Jaipur
4. SA to State Minister, Mines Department, Rajasthan, Jaipur
5. JS to Chief Secretary, Rajasthan, Jaipur
6. PS to Pr. Secretary, Finance Department, Rajasthan, Jaipur
7. PS to Pr. Secretary, Mines & Petroleum Department, Rajasthan, Jaipur
8. Accountant General, Rajasthan, Jaipur
9. Director, State Department of Revenue Intelligence (SDRI), Vitt Bhawan, Jaipur
10. Director, Mines & Geology Department, Rajasthan, Udaipur
11. Director Government Press, Jaipur (with one spare copy and CD) with the request to publish the above notification in "Extra Ordinary Gazette" immediately.
12. Guard file


Jt. Secretary to Government