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Government of Kerala
2015



Regn. No. KERBIL/2012/45073
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Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Industries (A) Department

NOTIFICATION

G. O. (P) No. 69/2015/ID. *Dated, Thiruvananthapuram, 19th May, 2015*
5th Idavam, 1190.

S. R. O. No. 335/2015.—In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Government of Kerala hereby make the following rules to amend the Kerala Minor Mineral Concession Rules, 2015 issued under Notification G. O. (P.) No. 16/2015/ID, dated 7th February, 2015 and published as S. R. O. No. 72/2015 in the Kerala Gazette Extraordinary No. 288 dated 7th February, 2015, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Minor Mineral Concession (Amendment) Rules, 2015.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Minor Mineral Concession Rules, 2015,—

(1) In rule 10, in the second proviso to Clause (f), for the words and figures “within a distance of 100 metres” the words “within the distance as specified by the Kerala State Pollution Control Board, from time to time, for granting consent to operate such quarrying as approved by the Government” shall be substituted;

(2) In rule 12, in the first proviso, for the words and figures “in respect of quarries which had a valid permit as on 9th day of January, 2015” the words and figures “in respect of granite (building stone) quarries which had a valid permit during the financial year 2014-15” shall be substituted;

(3) In rule 40, in sub-rule (1), in the second proviso to clause (i), for the words and figures “within a distance of 100 metres” the words “within the distance as specified by the Kerala State Pollution Control Board, from time to time for granting consent to operate such quarrying as approved by the Government”, shall be substituted;

(4) In Form-H, in the second paragraph to condition No. 7 for the words “within a distance of 100 metres” the words, “within the distance as specified by the Kerala State Pollution Control Board, from time to time, for granting consent to operate for such quarrying as approved by the Government” shall be substituted.

By order of the Governor,

P. H. KURIAN,

Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Kerala Minor Mineral Concession Rules, 2015 were issued under Notification No. G. O. (P) 16/2015/ID dated 7th February, 2015 and published as S. R. O. No. 72/2015 in the Kerala Gazette Extraordinary No. 288 dated 7th February, 2015. The distance to be kept from a granite (building stone) quarry to the residential buildings, railway lines, bridges, reservoirs, tanks, rivers etc. has been changed by the Kerala State Pollution Control Board. In order to operate a granite (building stone) quarry, the operator shall obtain the "Consent to operate" from the said Board. Now the Government have understood that there is difference in the distance criteria stipulated by the Kerala State Pollution Control Board from the provisions contained in the Kerala Minor Mineral Concession Rules, 2015, in this respect. Hence in order to make these stipulations similar the Government have decided to amend the rules relating to such distance criteria.

Further, as per the second proviso to rule 12 of the said rules, environmental clearance required under rule 9 shall not be insisted in the case of renewal of quarrying permits in respect of quarries which had valid permit as on 9th January, 2015. This date was chosen for the purpose of providing validity to the permits granted by virtue of G. O. (Ms.) 5/2014/ID dated 10th January, 2014. But it is later understood that the validity of the permits granted consequent to G. O. (Ms.) 144/2012/ID dated 11th December, 2012, had expired much before 9th January, 2015. Such permit holders could not renew their permits without environmental clearance of without amendment of the Kerala Minor Mineral Concession Rules, 2015 by giving exemption for existing quarrying permit holders in producing environmental clearance. In order to overcome this situation Government have decided to amend the second proviso to rule 12.

The notification is intended to achieve the above object.