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Government of Kerala
കേരള സർക്കാർ
2008



Reg. No. രജി. നമ്പർ
KL/TV(N)/12/2006-2008

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Industries (A) Department

NOTIFICATION

G. O. (P) No. 2/2008/ID.

Dated, Thiruvananthapuram, 2nd January, 2008.

S. R. O. No. 270/2008.—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 further to amend the Kerala Minor Minerals Concession Rules, 1967 issued under Notification No. 15203/E2/63/ID dated 24th November, 1967 and published as S. R. O. No. 364/67 in Part I of the Kerala Gazette No. 49 dated 12th December, 1967, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Minor Minerals Concession 2nd Amendment Rules, 2007.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Minor Minerals Concession Rules, 1967,—

(i) In rule 3, after clause (iv) in the following clause shall be inserted, namely:—

(iv A) Consolidated Royalty Payment System (CRP System) means quarries of Granite/Laterite building stone opted for payment of consolidated royalty per annum @ specified in schedule V.

(ii) after sub-rule (i) of Rule 4, the following sub-rule shall be inserted, namely:—

(1A) In respect of application of persons opted under consolidated royalty payment system, the permit shall be valid for one year from the date of issue within the respective area granted under the above system. The Senior Geologist/Geologist of the District Office of the Department of Mining and Geology in their respective area are duly authorized to grant/renew the quarrying permit under Consolidated Royalty Payment System as per schedule V. On expiry of Form 'P' granted for a stipulated period, if the Consolidated Royalty Payment System holder requires additional Form 'P', it shall be issued on payment of Rs. 5,000 (five thousand only) per 100 'P' Forms or multiples of the said amount subject to a maximum of 1000 'P' Forms.

(iii) after Rule 5, the following rule shall be added, namely:—

5(A) In the case of application for quarrying permit under Consolidated Royalty Payment System, the application shall be made in Form-T in duplicate along with Possession and Enjoyment Certificate and survey map of the area duly attested by an officer not below the rank of a Village Officer.

Provided as (a), (b), (c) and (d), the applicant is not the land owner, consent letter shall be submitted in stamp paper worth Rs. 50 from the land owner.

(iv) In sub-rule (1) of rule 8,—

(1) item (a) shall be deleted;

(2) the existing entries (b), (c), (d) and (e) shall be renumbered as (a), (b), (c) and (d).

(3) after item (d) so renumbered the following item shall be inserted, namely:—

“(e) Quarrying permit holder shall have the right for the purpose of the quarrying to use any mechanical devices including jackhammer and pump”.

(v) In rule 9—

(1) sub-rule (1) shall be deleted;

(2) The existing sub-rule (2) and (3) shall be renumbered as (1) and (2).

(vi) after sub-rule (1) of rule 17, the following sub-rule shall be inserted, namely:—

“(1A) The holder of quarrying lease for Granite Building Stone may opt for the Consolidated Royalty Payment System as per schedule V provided the leaseholder is not having metal crusher unit.”

(vii) in item (c) of sub-rule (1) of rule 29, the following shall be inserted at the end; provided that in the case of quarrying leaseholder, those who opt for consolidated royalty payment system, need to remit the amount prescribed in the higher slab of the schedule V, i.e., Rs. 1,00,000 per annum.”

(viii) for rule 48 K, the following rule shall be substituted, namely:—

“48K Every dealer or producer under these Rules, while selling minor minerals shall give to the purchaser a cash memorandum in Form-P prepared in duplicate duly with seal and signature of the competent authority or any other officer duly authorised in this behalf and every purchaser, owner, driver, and the person in charge of any vessel, vehicle, etc., it shall produce the Cash Memorandum *at the time of inspection and verification* as required by the competent authority or by any other person authorised by the competent authority or Government in this behalf. Any consignment of minor mineral without a valid cash memorandum shall be considered as illicit and the competent authority or such authorized person may recover the minor mineral from the person and also seize the receptacles in which the same is found and the carts, vehicles or other conveyances used in carrying the same. The date and time on each Form ‘P’ issued shall be entered in words and figures by the dealer or producer at the time of despatch of the consignment:

Provided that the owner/driver and the person in charge of any “Vessel”, vehicle shall cause it to stop and to remain stationary so long as it may do so by any officer of the department of Mining and Geology or Police or any other person duly authorized by the Government or the competent authority in that behalf for the purpose of making any recovery under this rule”.

(ix) after rule 48X, the following rule shall be inserted, namely:—

“48 Y *Cash memorandum for despatch of granite building stone from a registered metal crusher unit*:— The owner or agent of a registered

metal crusher unit shall issue a valid cash memorandum for every consignment despatched from the crusher unit in Form 'P' of these rules duly authenticated by the competent authority or the persons authorized in this behalf as stipulated in rule 48K";

(x) In sub-rule (2) of rule 58,—

(1) the words 'price thereof' shall be omitted;

(2) after sub-rule (2), the following provisos shall be inserted, namely:—

Provided that in case of Government land seigniorage shall be realized in addition to the royalty:

Provided further that in the case of those who opted for Consolidated Royalty Payment System exceeds the permitted extent of land shall pay the next higher slab of royalty in addition to the amount already paid."

(xi) for Form P, the following Form shall be substituted, namely:—

Book No.

Sl. No.

FORM P

CASH MEMORANDUM

(See Rule 48-K)

ISSUED UNDER RULE 48-K OF THE KERALA MINOR MINERAL
CONCESSION RULES, 1967

- (1) Name of producer and permit/lease No. :
- (2) Name of Dealer and Licence No. :
- (3) Details of the location of the quarry
 - (a) District :
 - (b) Taluk :
 - (c) Village :
 - (d) Survey No. :
 - (e) Area :
- (4) Date of Expiry :
- (5) Name of Minor Mineral sold :
- (6) Price realized :

- (7) Sales-tax :
 - (8) Other items :
 - (9) Total amount realized :
 - (10) Name of the purchaser (if the purchaser is a dealer, his licence No. should be shown) :
 - (11) Description of the Vallom, Barge, Lorry, Tractor or other Conveyance in which the consignment is loaded including Registration number :
 - (12) To be transported from.....to.....
- Place:
- Date:
- Time:
- (Date and time shall be recorded in figures and words)

Signature of the Producer/Dealer.

(Seal and Signature of the Authority)

(xii) after Form S, the following Forms shall be added, namely:—

FORM T

[See Rule 3, 4 (1A), 5(A)]

APPLICATION FOR GRANT/RENEWAL OF QUARRYING PERMIT UNDER THE CONSOLIDATED ROYALTY PAYMENT SYSTEM FOR GRANITE/LATERITE, BUILDING STONE QUARRY

To

The Geologist,
District Office.....

Sir,

I/We request that a Quarrying Permit may be granted under Consolidated Royalty Payment System to extract Granite/Laterite Building Stones for sale in any form under Kerala Minor Mineral Concession Rules, 1967.

The required particulars are given below

1. Name of the applicant with complete address
2. Status of the applicant
3. In case the applicant is—
 - (a) an individual, his nationality
 - (b) a private company, the nationality of all members of the company, along with place of registration of the Company
 - (c) A public company, the nationality of Directors, the percentage of share capital held by Indian Nationals along with place of incorporation
 - (d) A firm or association, the names and nationality of all partners of the firm or members of association and place of registration
4. Details of the location of the quarry
 - (a) District
 - (b) Taluk
 - (c) Village
 - (d) Survey No.
 - (e) Area
 - (f) Slab of remittance
5.
 - (a) Details of Possession Certificate
 - (b) Details of Survey map
6. Particulars of previous permit, if applying for renewal

3. The permit holder shall at all times during the term of the permit keep or cause to be kept correct and intelligible books of accounts which shall contain accurate entries showing from time to time the quantity of minerals extracted and if sold, to whom sold, place, cash memorandum No..... etc.....
4. The quarry and the account kept there shall be open for inspection by the Officers of the Department of Mining and Geology during all reasonable time.
5. The permit holder shall give on demand information pertaining to the quarrying, that may be called for by the undersigned or the officer duly authorized by him in that behalf and comply with the provisions of the Kerala Minor Mineral Concession Rules, 1967 and failing which the permit is liable to be cancelled and suitable action taken as provided for in the Rules.
6. The permit holder shall not be eligible for refund of any of the amount paid by way of consolidated royalty, etc.....
7. This permit is subject to all rules and regulations which may from time to time to be issued by the State Government regulating the working of the quarries and other matters affecting the safety, health of employees or of the public whether under the Mines Act, 1952 or otherwise.
8. The permit holder shall without delay send to the District Collector, the undersigned and the Officer duly authorized by him in this regard the report of any accident causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under the strength of this permit.
9. The permit holder shall make and pay such reasonable compensations as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injuries or disturbances which may be done by him in exercise of the powers granted by this permit and shall indemnify and shall keep indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
10. Any condition prescribed in the Kerala Minor Mineral Concession Rules, 1967 but left out in the permit, which may be found applicable to the permit holder, shall be treated as binding on the permit holder.

11. The permit holder shall give a cash memorandum in Form-P while selling minor mineral to any purchaser and the duplicate copy retained by the permit holder.
12. On any account, the quarrying operations shall not cause any damage to life and property in the nearby areas and it should not cause any kind of environmental hazard. If any violations are noticed by the competent authority, or any person duly authorized in this behalf he has the right to suspend/cancel the permit.

Dated this day of 2007.

Geologist/Senior Geologist.

(Seal of the competent authority)

To

.....

Copy to

The Director of Mining and Geology.

The District Collector,

(xiii) after Schedule iv, the following schedule shall be added, namely:—

SCHEDULE V
CONSOLIDATED ROYALTY
[Rule 3, 4 (1A)]

A. Granite Building Stone

<i>Sl. No.</i>	<i>Extent in Hectares</i>	<i>No. of P-Forms</i>	<i>Annual consolidated royalty per unit area (Rs.)</i>
1	Up to 5 Ares	300	15000
2	5 to 10 Ares	600	25000
3	10 to 15 Ares	1500	50000
4	Above 15 Ares	4000	1,00,000

B. Laterite Building Stone

<i>Sl. No.</i>	<i>Extent in Hectares</i>	<i>No. of P-Forms</i>	<i>Annual consolidated royalty per unit area (Rs.)</i>
1	Up to 10 Ares	300	10000
2	10 to 20 Ares	600	25000
3	20 to 30 Ares	1500	50000
4	Above 30 Ares	4000	1,00,000

By order of the Governor,

T. BALAKRISHNAN,
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, 1967 were framed by the Government of Kerala to regulate the extraction and movement of all Minor Minerals in the State. Government found that the present rule is complicated for the public as well as the implementing authority. Therefore, the rules shall be made simple, transparent and easy to enforce. Government found it necessary to amend the rules by introducing a Consolidated Royalty Payment System (CRP System) for quarries of granite/laterite building stone, in order to deal with minor mineral concessions in a simple, easy and transparent manner.

This notification is intended to achieve the above object.