

# **Rules for The Quarrying of Stones, or The Collection of Stones, Gravel, Shingle or Sand from all Forests in Nagaland, 1969**

NAGALAND

India

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### **Rule**

### **RULES-FOR-THE-QUARRYING-OF-STONES-OR-THE-COLLECTION-OF of 1969**

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Rules for The Quarrying of Stones, or The Collection of Stones, Gravel, Shingle or Sand from all Forests in Nagaland, 1969Published vide Notification No. For-5 (Misc.) 43/67/(9), dated Kohima 1st March, 1969Last Updated 18th February, 2020Notification No. For-V (Misc.) 43/67/(9), dated Kohima the 1st March, 1969. - In exercise of the powers conferred by Clauses (i) and (h) of Sub-Section (2) of Section 34 of the Nagaland Forest Act, 1968 (Act No. 3 of 1968), the Governor of Nagaland is pleased to make the following rules for the quarrying of stones, gravel, shingle or sand from the forests in the State of Nagaland. These rules shall come into force with immediate effect. These rules shall apply to all areas to which the Nagaland Forest Act, 1968 applies.

### **1.**

No Railway Department or any other Department of the Government of India is permitted to quarry stones or collect stones, gravel, shingle or sand for its own use or for supply to others except with the sanction of the State Government to be obtained in each case and subject to such conditions and royalties and other dues as may be imposed in each case by the State Government. Note. - Royalties in vogue from time to time will be levied on all stones, boulders, ballast shingle and sand extracted by the Railway Department or any other Department of Government of India in the State of Nagaland. They should also follow the same procedure as prescribed for the Nagaland P.W. Department, under rule 2 below.

## 2.

Persons or companies who carry stones or collect stones, gravels, shingles or sand for domestic use or for use in any industry or for supply to a third party not himself entitled to quarry stones, or collect stones, gravels, shingles or sand under these rules shall obtain a permit thereof from the Forest Officer empowered to grant a permit and unless exempted under the provisions of the rules hereinafter or under the provisions of the Jhum-land Regulations applicable to the area concerned, shall be required to pay royalties and monopoly fee on all stones, gravels shingle or sad extracted, besides complying with any other conditions of the permit. The rate of royalties will be as prescribed under Section 34 (2) of the Nagaland Forest Act, 1968 from time to time. Provided that-(i) The Executive Engineer or the Chief Executive Officer of any local body may prepare a list of quarries or areas from which extraction of stones, gravel, shingle or sand is desired and will forward such list to the Divisional Forest Officer together with a statement showing the quantities of each item proposed to be taken from each quarry or area. The Divisional Forest Officer will on receipt of the list and statement accept them (where the quarry or area falls in an area governed by the Jhumland Regulation, the Divisional Forest Officer will arrange with the Deputy Commissioner of the District concerned for permission to quarry or collect stones in the area concerned) with or without modification regarding the area or quarry quantities, etc., and permit in the name of the Executive Engineer or the Chief Executive Officer, as the case may be, for each quarry up to the quantity agreed upon by him on payment of royalties. On receipt and acceptance of tenders the Executive Engineer or the Chief Executive Officer may issue passes with full details as to the names of contractors and quarry quantities, destination, particulars of works etc., to the contractors up to the limit of the consolidated permit granted for each quarry by the Divisional Forest Officer and will immediately send copies of these passes to the Divisional Forest Officer and will also immediately inform him of any subsequent cancellation or change in the passes. On completion of final measurement and before any payment of the work is made the contractor concerned or royalties in the case of large works, the Executive Engineer or the Chief Executive Officer will forward to the Divisional Forest Officer a statement showing the total quantity supplied by each contractor from each quarry. (ii) The Forest Officers will check the quantity extracted by the contractors from each quarry and will see that additional quantity is not collected by contractors for private sale or use without a permit granted by Forest Officer under these rules. If there is any discrepancy between the quantity removed from each quarry and the quantity for which the contractor has been granted a permit, the royalty on that difference will be recovered from the contractors' bill by the Executive Engineer or the Chief Executive Officer and credited into the treasury as forest revenue. (iii) All contractors, companies and their agents will carry their permits with them while quarrying or collecting or removing stones, gravel etc., and will produce such permits on demand by any Forest Officers for inspection.

## 3.

Person(s) allowed to quarry or collect stone, boulders, gravel, shingle or sand free of royalty for their domestic use under the Jhumland Regulation applicable in the State area to obtain a permit from the Divisional Forest Officer stating the purpose and quantity required by him for his domestic use. The Divisional Forest Officer will make enquiries to ascertain whether quantity required is

reasonable for the purpose and recommend to the Land Conservator. On receipt of approval from the Land Conservator, the Divisional Forest Officer will issue a free permit for the materials.

#### **4.**

Any person or company or department that quarry stones or collect stones, gravels, shingles or sand without sanction or obtaining permit required by the above rules, or in violation of conditions, if any, such person or persons responsible for violation of the rules, shall be punished with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both.