

The Granite Conservation And Development Rules, 1999

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Rule

THE-GRANITE-CONSERVATION-AND-DEVELOPMENT-RULES-1999 of 1999

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16.

/750G.S.R. 398(E), dated 1st June 1999. - In exercise of the powers conferred by section 18 of the Mines and Minerals [(Development and Regulation)] [Substituted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] Act, 1957 (67 of 1957), the Central Government hereby makes the following rules for conservation and systematic development of and scientific mining to conserve, the granite resources and to prescribe a uniform frame-work with regard to systematic and scientific exploitation of granite throughout the country, namely:-

Chapter I Preliminary

1. Short title and commencement.

(1)These rules may be called The Granite Conservation and Development Rules, 1999.(2)They shall come into force from the date of their publication in the Official Gazette.

2. Application.

- These rules shall apply to prospecting and quarrying of granite.

3. Definitions.

(1) In these rules, unless the context otherwise requires, - (a) "Act" means the Mines and Minerals [(Development and Regulation)] [Substituted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] Act, 1957 (67 of 1957); (b) "agent" when used in relation to a quarry, means any person whether appointed as such or not, who acts as the representative of the owner in respect of the management of the quarry or any part thereof; (c) "development" means removing overburden or unproductive or waste materials as preparatory to mining; (d) "drilling" means the penetration of alluvial material, rocks or formations by holes for obtaining geological information and for drawing samples therefrom; (e) "environment" and "environmental pollution" shall have the same meanings, assigned respectively to these terms in the Environment (Protection) Act, 1986 (29 of 1986); (f) "Form" means a Form set forth in Schedule to these rules; (g) "geologist" means a person appointed in writing by the prospecting licensee, owner or agent to perform the duties of a geologist under these rules; (h) "granite" means dolerites, granite gneisses, migmatites, gabbros, anorthosites, rhyolites, syenites, leptynites, charnockites and any other igneous and orthometamorphic rock types which are - (i) amenable to be recovered a dimensional stone; (ii) capable of taking polish; and (iii) commercially exploitable; (i) "lease" means a lease granted for the purpose of undertaking mining or quarrying operations for granite; (j) "manager" when used in relation to a mine or a quarry, means any person appointed by the owner or agent and includes the owner or the agent if he appoints himself to be such manager, under section 17 of the Mines Act, 1952 (35 of 1952); (k) "mining engineer" means a person appointed in writing by the owner or agent to perform the duties of a mining engineer under these rules; (l) "prospect" means an area where existence of granite has been established; (m) "prospecting license" means a license granted for the purpose of undertaking any operation for the purpose of exploring, locating or proving granite deposits; (n) "quarry" means an open-cast working as defined in Mines Act, 1952 (35 of 1952); (o) "recognised person" means a qualified person granted recognition by the competent authority under these rules to prepare mining plan; (p) "sheet rock" means massive granite bodies but does not include boulders; (q) "year" means the twelve months period beginning from the first day of April and ending on the thirty-first day of March of the following year. (2) All other words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

Chapter II

Prospecting And Mining Of Granite

4. Prospecting to precede mining operations.

- No lease shall be granted by the State Government unless it is satisfied that there is evidence to show that the area for which the lease is applied for has been prospected earlier for granite of the

existence of granite therein has been established otherwise.

5. Period for which prospecting license may be granted or renewed.

- The period for which a prospecting license may be granted shall not exceed two years.

6. Period for which leases may be granted or renewed.

(1)The maximum period for which a lease may be granted shall not exceed thirty years:Provided that the minimum period for which any such lease may be granted shall not be less than twenty years.(2)A lease may be renewed for a period not exceeding twenty years.(3)Notwithstanding anything contained in sub-rule (2), if the State Government is of the opinion that in the interest of development of granite it is necessary to do so, it may, for reasons to be recorded, authorise the renewal of a lease for a further period or periods not exceeding twenty years in each case.

7. Minimum and maximum area for grant of a mining lease.

(1)The minimum area that may be granted or renewed under a lease for ensuring mining activities to optimum depth shall not be less than one hectare.(2)The maximum area that may be granted under a mining lease shall not exceed fifty hectares:Provided that the State Government, if it is satisfied on the basis of proposed production level, geological or topographical conditions, may for the reasons to be recorded in writing, grant or renew a lease over an area more than the maximum area or less than the minimum area specified under this rule.

Chapter III

Prospecting Operations

8. Scheme of prospecting.

(1)Every holder of a prospecting license for granite shall submit to the State Government or any person authorised in this behalf by that Government within a period of sixty days from the date of execution of the prospecting license, a scheme of prospecting indicating the manner in which he proposes to carry out the prospecting operation, in the area covered by the license and the scheme shall incorporate the following, namely:-(a)particulars of the area;(b)the scale of the plan and the area of geological mapping;(c)the number of pits, trenches, and bore-holes which he proposes to put in the area and the locations thereof;(d)the particulars of the machines to be used;(e)the details of exploratory mining to be undertaken;(f)the number of samples proposed to be drawn and tested;(g)baseline information of prevailing environmental conditions before the beginning of the prospecting operations;(h)any other matter relevant for the preparation of a scheme of prospecting, as directed by the State Government or any person so authorised from time to time by a general or specific order.(2)The prospecting scheme under sub-rule (1) shall be prepared by a recognised person or a geologist or a mining engineer employed under clause (a) of sub-rule (1) of rule 38.

9. Modification of scheme of prospecting.

(1) A prospecting scheme prepared and submitted under rule 8 may be modified at any time on geological considerations by the holder of a prospecting license during continuance of the prospecting license. (2) Any modification carried out under sub-rule (1) shall be intimated to the State Government or any person authorised in this behalf by that Government, by the holder of a prospecting license within a period of fifteen days.

10. Prospecting operations to be carried out in accordance with scheme of prospecting.

- Every holder of a prospecting license for granite shall carry out the prospecting operations in accordance with the scheme of prospecting submitted under rule 8 or with such modifications, if any, as intimated under rule 9 or as directed by the State Government or any person authorised by that Government in this behalf.

11. Report of prospecting operations.

(1) Every holder of a prospecting license for granite shall submit to the State Government or any person authorised in this behalf by that Government [* * *] [Certain words omitted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] an annual report in Form A so as to reach them by 30th April for the previous year: Provided that a report in Form A shall be submitted within a period of three months after the completion of abandonment of the prospecting operations or the expiry of the prospecting license, whichever is earlier. (2) Where prospecting operations for granite are carried out by any authority specified in the second proviso to sub-section (1) of section 4 of the Act without a prospecting license, such authority shall submit the annual report in Form A to the State Government or any person authorised by that Government [* * *] [Certain words omitted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] in respect of each area where prospecting operations for granite have been undertaken by them: Provided that this sub-rule shall not apply in a case where field operations consist of only geological mapping or geo-physical or geo-chemical investigations. (3) [The State Government or any person authorised in this behalf by that Government shall forward a copy, each of the annual report in Form A received under sub-rule (1) or sub-rule (2), as the case may be, to the Controller General, Indian Bureau of Mines, within thirty days from the date of such receipt.] [Inserted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).]

Chapter IV

Mining Plan

12. Mining plan as a pre-requisite to the grant of lease.

(1) No lease shall be granted or renewed by the State Government unless there is a mining plan duly approved by the State Government or any person authorised in this behalf by that Government for the development of the granite deposit in the area concerned.

13. Mining plan to be prepared by a recognised person.

(1) No mining plan shall be approved unless it is prepared by a qualified person recognised in this behalf by the State Government or any person authorised by that Government or by a recognised person under rule 22-B of the Mineral Concession Rules, 1960. (2) No person shall be granted recognition for the purposes of sub-rule (1) by the State Government or any person authorised by that Government unless he holds-(i) a degree in mining engineering or a post-graduate degree in geology granted by a university established or incorporated by or under an Act of Parliament or any institution recognised by the University Grants Commission established under section 4 of the University Grant Commission Act, 1956 (3 of 1956) or any qualification equivalent thereto; and (ii) professional experience of five years of working in a supervisory capacity in the field of mining or mineral administration after obtaining a degree or qualification required under clause (i).

14. Grant recognition by State Government.

(1) Any person possessing the qualifications and experience required under sub-rule (2) of rule 13 may apply for recognition to the competent authority designated by the State Government for this purpose. (2) The competent authority after making such enquiry as it deems fit, may grant or refuse to grant recognition and where recognition is refused, the competent authority shall record reasons in writing and communicate the same to the applicant. (3) A recognition shall be granted for an initial period of ten years and may be renewed for further periods not exceeding ten years at a time: Provided that the competent authority may refuse to renew recognition for reasons to be recorded in writing after giving an opportunity of hearing to the person concerned.

15. Approval and submission of mining plan.

- On receipt of the application for grant of mining lease for undertaking mining operations for granite, the State Government shall take decision to grant precise area for the said purpose and communicate such decision to the applicant and on receipt of the communication from the State Government of the precise area to be granted, the applicant shall submit a mining plan within a period of three months from the date on which such communication is received or such other period as may be allowed by the State Government for approval and the said mining plan shall incorporate-(i) the plan of the precise area showing the nature and extent of the granite body; spot or spots where the excavation is to be done in the first year and its extent; a detailed cross-section and detailed plan of spots of excavation based on the prospecting data gathered by the applicant; a tentative scheme of mining for the first five years of the lease; (ii) details of the geology and lithology of the precise area including granite reserves of the area; (iii) the extent of manual mining or mining

by the use of machinery and mechanical devices on the precise area;(iv)the plan of the precise area showing natural water courses, limits of reserved and other forest areas and density of trees, if any assessment of impact of mining activity on forest, land surface and environment including air and water pollution; details of scheme for restoration of the area by afforestation, land reclamation, use of pollution control devices and of such other measures as may be directed by the Central or the State Government from time to time;(v)annual programme and plan for excavation on the precise area from year to year for five years;(vi)any other matter which the State Government or any person so authorised may require the applicant to provide in the mining plan.

Chapter V

Mining Operations

16. Mining plan as a pre-requisite to the commencement of mining operations.

(1)No person shall commence mining operations for granite in any area except in accordance with a mining plan approved under these rules.(2)The State Government or any person authorised in this behalf by that Government may require the holder of a lease to make such modifications in the mining plan referred to in sub-rule (1) or impose such conditions as it considers necessary by an order in writing if such modifications or imposition of conditions are considered necessary in the light of the experience of operation of mining plan or in view of the change in the technological development.(3)A holder of a lease, desirous of seeking modifications in the approved mining plan as are considered expedient, in the interest of safe and scientific mining, conservation of granite, or for the protection of environment, shall apply to the State Government or any person authorised in this behalf by that Government, setting forth the intended modifications and explaining the reasons for the same.(4)The State Government or any person authorised in this behalf by that Government may approve the modifications under sub-rule (3) or approve with such alterations as it may consider expedient.

17. Mining plan to be submitted by the existing lessee.

(1)Where mining operations for granite have been undertaken before the commencement of these rules without an approved mining plan, the holder of such lease shall submit a mining plan within a period of one year from the date of commencement of these rules, to the State Government or any person authorised in this behalf by that Government for its approval.(2)If a holder of a lease has not been able to submit the mining plan within the specified time for reasons beyond his control, he may apply for extension of time giving reasons to the State Government or any person authorised in this behalf by that Government.(3)The State Government or any person authorised in this behalf by that Government on receiving an application made under sub-rule (2) may, on being satisfied, extend the period for submission of the mining plan for a period which may not exceed [four years] [Substituted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002)].(4)The State Government or any person authorised in this behalf by that Government may approve the mining plan submitted by the lessee under sub-rule (1), or may require modifications to be carried out in the mining plan and

the lessee shall carry out such modifications and resubmit the modified mining plan for approval of the State Government or the person so authorised, as the case may be.(5)The State Government or any person authorised in this behalf by that Government shall, within a period of ninety days from the date of receipt of the mining plan or the modified plan, convey its or his approval or disapproval to the applicant and in case of disapproval it or he shall also convey the reasons for disapproving the said mining plan or the modified mining plan.(6)If no decision is conveyed within the period stipulated under sub-rule (5), the mining plan or the modified mining plan, as the case may be, shall be deemed to have been provisionally approved and such approval shall be subject to the final decision whenever communicated.(7)The mining plan submitted under sub-rule (1) shall be prepared by a recognised person.

18. Review of mining plan.

(1)Every mining plan duly approved under these rules shall be valid for the entire duration of the lease.(2)The owner, agent, mining engineer or manager of every mine or quarry shall review the mining plan as prescribed under sub-rule (1) and submit a scheme of mining for the next five years of the lease to the State Government or any person authorised in this behalf by that Government for approval.(3)The scheme of mining shall be submitted to the State Government or any person authorised in this behalf by that Government at least one hundred twenty days before the expiry of the five years' period, for which it was approved on the last occasion.(4)The State Government or any person authorised in this behalf by that Government shall convey its or his approval or refusal to the scheme of mining within ninety days of the date of its receipt.(5)If approval or refusal of the scheme of mining is not conveyed to the holder of the lease within the stipulated period, the scheme of mining shall be deemed to have been provisionally approved and such approval shall be subject to final decision whenever communicated.(6)The provisions of rule 13 shall apply to the scheme of mining in the same way as they are applicable to the mining plan.(7)Every scheme of mining submitted under sub-rule (2) shall be prepared by a recognised person or a person employed under sub-rule (1) of rule 38.

19. Mining operations to be in accordance with mining plan.

(1)Every holder of a lease shall carry out mining operations for granite in accordance with the approved mining plan with such conditions as may have been prescribed under sub-rule (2) of rule 16 or with such modifications, if any, as permitted under sub-rule (4) of rule 16 or the mining plan or the scheme approved under rule 12 or 17 or 18 as the case may be.(2)If the mining operations are not carried out in accordance with the mining plan as referred to under sub-rule (1), the State Government or any person authorised in this behalf by that Government may order suspension of all or any of the mining operations and permit continuance of only such operations as may be necessary to restore the conditions in the quarry as envisaged under the said mining plan.

20. Prospecting and mining operations.

- The prospecting and mining operations shall be carried out in such a manner so as to ensure systematic development and conservation of granite deposits and protection of environment.

21. System of working.

(1) System of working in granite quarries in sheet rock shall be performed by formation of benches. (2) Such benches in granite and overburden including weathered granite shall be formed separately and the benches in overburden or weathered granite shall be kept sufficiently in advance so that their working does not interfere with the working of granite.

22. Separate stacking of non-saleable granite.

(1) The non-saleable granite rejects at quarry bottom should regularly be collected and transported to the surface and the quarry floor kept reasonably clear of debris. (2) Small granite blocks from such non-saleable granite suitable for possible use in manufacture of bricks as well as flooring or wall tiles by small scale industries sector shall not be used as road metal or stone aggregate and such material shall be segregated from the dumps of granite rejects and stored separately for future use as far as possible, whenever such dumps are worked for recovery of stone aggregate or used as quarry backfill. (3) The ground selected for dumping of top soil, overburden, waste material or non-saleable granite shall be away from working quarry. (4) Before starting mining or quarrying operations, conceptual ultimate limits of the quarry shall be determined and dumping ground shall be so selected that dumping is not carried out within the limits of the ultimate size of the quarry except where simultaneous back filling is proposed.

23. Notice for opening of a mine and intimation of existence of a mine.

- The owner, agent, mining engineer or manager of every granite quarry shall send to the State Government or any person authorised in this behalf by that Government [* * *] [Certain words omitted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] an intimation in Form B of the opening of a mine so as to reach them within fifteen days of such opening or of the existence of a mine at the time of the commencement of the rules within ninety days from such commencement, as the case may be.

24. Abandonment or surrender of quarries.

(1) The owner, agent, mining engineer, or manager of every granite quarry shall not abandon or surrender a granite quarry or a part of such quarry during the subsistence of the lease except with prior permission in writing of the State Government or any person authorised in this behalf by that Government. (2) Notice for abandonment or surrender of a granite quarry or a part thereof shall be given in Form C and shall be accompanied by plans and sections on a scale of not less than 1 cm = 10 metres showing accurately the work done in such quarry upto the date of submission of the notice. (3) The State Government or any person authorised in this behalf by that Government may by an order in writing prohibit abandonment or refuse surrender or allow the abandonment or surrender of a granite quarry or part thereof with such conditions as he may specify in the order. (4) Where an abandonment of a granite quarry or part thereof takes place as a result of the occurrence of a natural calamity beyond the control of the owner, agent, mining engineer or

manager of a such quarry, or the lease is terminated in compliance of any order or directions issued by any statutory authority established under any law for the time being in force or any Tribunal or a Court, an intimation shall be sent to the State Government or any person authorised in this behalf by that Government within a period of twenty-four hours of such abandonment or termination and the notice of abandonment as provided in sub-rule (2) shall be submitted to the State Government or any person in this behalf by that Government authorised within a period of fifteen days of such abandonment or termination.

25. Notice of temporary discontinuance of work in quarries.

- The owner, agent, mining engineer, or manager of every granite quarry shall send to the State Government or any person authorised in this behalf by that Government [* * *] [Certain words omitted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).], a notice in Form D when the work in such quarry is discontinued for a period exceeding sixty days of as to reach them within seventy-five days from the date of such temporary discontinuance.

26. Intimation of reopening of a quarry.

- The owner, agent mining engineer or manager of every granite quarry shall send to the State Government or any person authorised in this behalf by that Government [* * *] [Certain words omitted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).] an intimation in Form E of reopening of such quarry after temporary discontinuance so as to reach them within fifteen days from the date of such reopening.

27. Copies of plans and sections to be submitted.

- The owner, agent, mining engineer or manager of every granite quarry shall submit to the State Government or any person authorised in this behalf by that Government, a copy of the plans and sections maintained under these rules, as and when required by that Government or such person, as the case may be.

28. Preparation of plans.

(1)All plans, sections and tracings or copies thereof kept at the granite quarry shall be serially numbered or suitably indexed.(2)Every plan, section or part thereof prepared under these rules shall carry thereon a certificate for its correctness and shall be signed by the mining engineer with date.(3)Every copy of a plan and section or part thereof submitted or maintained under these rules shall bear a reference to the original plan or section from which it was copied and shall be certified thereon by the owner, agent, mining engineer or manager to be a true copy of the original plan or section.

Chapter VI

Systematic And Scientific Mining

29. Protection of environment.

- Every holder of a prospecting license or a lease shall take all possible precautions for the protection of environment and control of pollution while conducting prospecting, mining or processing of granite in the area for which such license or lease is granted.

30. Removal and utilisation of top soil.

(1)Where top soil exist and is to be excavated for prospecting or mining operations for granite, it should be removed separately.(2)The top soil so removed shall be utilised for restoration and rehabilitation of the land which is no longer required for prospecting or mining operations or for stabilising or landscaping the external dumps.(3)Where top soil cannot be used concurrently, it shall be stored separately for future use.

31. Storage of overburden, waste rock, etc.

(1)The overburden, waste rock and non-saleable granite generated during prospecting or mining operations for granite shall be stored separately in properly formed dumps on grounds earmarked.(2)Such dumps shall be properly secured to prevent the escape of material in harmful quantities which may cause degradation of the surrounding land or silting of water courses.(3)Wherever possible, such waste rock or overburden or other rejects, shall be backfilled into the worked out granite quarry, where granite has been recovered upto the optimum depth, with a view to restore land to its original use or desired alternate use, as far as possible and where the backfilling is not feasible, the waste dumps shall be suitable terraced and stabilised by planting vegetation or otherwise.

32. Reclamation and rehabilitation of lands.

- Every lease holder shall undertake in a phased manner restoration, reclamation and rehabilitation of lands affected by prospecting or mining operations and shall complete this work before the conclusion of such operations and the abandonment of the granite quarry.

33. Precaution against air pollution.

- Air pollution due to dust, exhaust emissions or fumes during prospecting, mining or processing operations for granite and related activities shall be controlled and kept within permissible limits specified under any environmental laws for the time being in force.

34. Discharge of effluents.

- Every holder of a prospecting license or a lease shall take all possible precautions to prevent or reduce to a minimum the discharge of toxic and objectionable liquid effluents from granite quarry, workshop or processing plant, into surface or ground water bodies, and usable lands. These effluents shall conform to the standards laid down in this regard.

35. Precaution against noise.

- Noise arising out of prospecting, mining and processing operations for granite shall be abated or controlled by the holder of prospecting license or a lease at the source so as to keep it within the permissible limit.

36. Permissible limits and standard.

- The standards and permissible limits of all pollutants, toxins and noise referred to in rules 33, 34 and 35 shall be those notified by the concerned authorities under the provisions of the relevant statutes from time to time.

37. Restoration of flora.

- Every lease holder shall take immediate measures for planting in the area held under the lease or any other area selected by the State Government for this purpose, such number of trees sufficient to improve the environment and to minimise effects of land degradation during the entire period of such lease. He shall look after such tree plantations during the subsistence of the lease.

Chapter VII

Employment Of Qualified Persons

38. Employment of mining engineer.

(1) For the purpose of carrying out prospecting and mining operations in accordance with these rules, every holder of a granite quarry lease shall employ, - (a) in the case of a mechanised granite quarry, a whole-time mining engineer qualifications, possessing the following, namely: - (i) Degree in mining engineering with minimum one year's experience of working in mines including granite quarries, or (ii) Post Graduate degree in geology with First Class Metalliferous Mines Manager's Certificate or Post Graduate Degree in geology with minimum three years' experience of working in supervisory capacity in mines including granite quarries, or (iii) Diploma in Mining with First Class Metalliferous Mines Manager's Certificate or Diploma in Mining with three year's experience in supervisory capacity in mines including granite quarries, or (iv) First Class Metalliferous Mines Manager's Certificate with minimum two year's experience of working in mines including granite quarries after obtaining the certificate. (b) in the case of a granite quarry lease other than the

mechanised granite quarry lease, -(i) a part-time mining engineer possessing qualification as prescribed under clause (a) above; or (ii) a part-time mining engineer, possessing a post graduate degree in geology or Second Class Metalliferous Mines Manager's Certificate, or (iii) a whole-time mining engineer possessing Secondary School Leaving Certificate and mine Foreman Certificate with minimum five years' experience of working as Mines Foreman or Mate in mines including granite quarries. Explanation .-For the purpose of this sub-rule, mechanised granite quarry means a granite quarry where machine capable of deep drilling is deployed or heavy machinery for excavation, handling or lifting or transporting of overburden and granite blocks is deployed. (2) A part-time mining engineer possessing qualifications prescribed in sub-clause (i) of clause (a) of sub-rule (1) may be employed to supervise upto a maximum of six granite quarries provided that all such granite quarries are located within a radius of fifty kilometers: Provided that a person possessing the qualifications other than those prescribed in sub-clause (i) of clause (a) of sub-rule (1) may be employed as part-time mining engineer in quarries upto a maximum of three granite quarries provided that such quarries are located within a radius of fifty kilometers.

39. Duties of mining engineer.

(1) It shall be the duty of the mining engineer to take all necessary steps to plan and conduct mining operations, so as to ensure conservation of granite, systematic development of the granite deposits and protection of environment in and around the granite quarry lease area in accordance with these rules. (2) He shall be responsible for the preparation and maintenance of plans, sections, reports and schemes in accordance with these rules. (3) He shall carry out all such orders and directions as may be given in writing under these rules by the State Government or any person authorised in this behalf by that Government and shall forward a copy of each of such orders or directions to the holder of prospecting license or, as the case may be, the granite quarry lease.

40. Supply of materials, appliances and facilities.

(1) The mining engineer shall ensure that there is sufficient provision of proper materials, appliances and facilities at all times at granite quarry for the purpose of carrying out the provisions of these rules and orders issued thereunder and where he is not the owner or agent of the granite quarry, he shall make requisition in writing to the owner or agent for anything required for the aforesaid purpose. A copy of every such requisition shall be recorded in bound paged book kept of the purpose. (2) On receipt of a requisition under sub-rule (1), the owner or agent shall provide as soon as possible the materials and facilities requisitioned by the mining engineer.

Chapter VIII

Notices And Returns

41. [Half yearly and annual returns. [Substituted by G.S.R. 706(E), dated 17.10.2002 (w.e.f. 17.10.2002).]

(1)The owner, agent, mining engineer or manager of every granite quarry shall submit to the State Government or any person authorised in this behalf by that Government returns in respect of such granite quarry within the time specified in respect of such returns, namely:-(a)a half yearly return in Form F for every half year ending 30th September and 31st March before the 15th of the following month for the preceding half yearly period;(b)an annual return in Form G which shall be submitted before the 1st July of each year for the preceding year:Provided that in case of abandonment or surrender of a granite quarry, such annual return shall be submitted within ninety days of the date of abandonment or surrender.(2)The State Government or any person authorised in this behalf by that Government shall forward a copy, each of the half yearly return in Form F and annual return in Form G received under clauses (a) and (b) of sub-rule (1), to the Controller General, Indian Bureau of Mines, within thirty days from the date of such receipt.]

42. Notice of certain appointments.

- When any new appointment is made of an agent, mining engineer, geologist and manager for the purpose of these rules or when the employment of any such person is terminated or any such person leaves the said employment or when any change occurs in the address of any such person, the owner of the granite quarry or the holder of the prospecting license, relating to such appointment, termination, living or change in address shall, within fifteen days from the date of such appointment, termination, leaving or change in address, give a notice in Form H to the State Government or any person authorised in this behalf by that Government.

43. Records of bore-holes.

- The owner, agent, mining engineer, geologist or manager of every granite quarry or the holder of a prospecting license shall keep a record of all bore-holes in Form I and shall retain all records and samples of the strata passed through. He shall not destroy such records of bore-holes and samples of strata except with the prior approval of the State Government or any person so authorised on this behalf.

44. Transfer of records of transferees.

- When the ownership of a prospecting license or a granite quarry lease is transferred, the previous owner or his agent shall make over to the new owner or his agent within a period of seven days of the transfer of the ownership, borehole cores preserved, if any, all plans, sections, reports, registers and other records maintained in pursuance of the Act, rules or orders made thereunder, and all correspondence relevant thereto relating to the prospecting license or granite quarry lease; and when the requirements of these rules have been duly complied with, both previous and the new owners or their respective agents shall forthwith send to the State Government or any person authorised in this behalf by that Government a detailed list of borehole cores, plans, sections reports, registers and other records that have been transferred.

45. Copies of notices and returns to be maintained.

- The owner, agent, mining engineer or manager of every granite quarry or a holder of a prospecting license shall maintain the labour attendance register, production and despatch register, explosives consumption register, test reports and details of mining machinery and copies of all notices and returns, plans, sections and schemes submitted to the State Government or any person authorised in this behalf by that Government under these rules, at an office established by the license or lessee and these shall be made available at a reasonable times to the State Government or any person authorised in this behalf by that Government for inspection.

Chapter IX

Revision And Penalty

46. Revision.

(1) Any person aggrieved by any order made or direction issued by any person authorised by the State Government to make or issue such order or direction under these rules may within ninety days of the communication of such order apply to the State Government for revision of the said order: Provided that any such application may be entertained after the said period of ninety days if the applicant satisfies the State Government that he had sufficient cause for not making the application within time. (2) Every order, against which a revision application is preferred under sub-rule (1), shall be complied with pending the decision of the State Government in such revision: Provided that the State Government may on an application by the applicant, suspend the operation of the order appealed against pending disposal of the revision application. (3) On receipt of an application for revision under sub-rule (1), the State Government after giving a reasonable opportunity of being heard to the aggrieved person, may confirm, modify or set aside the order or direction. (4) Every application submitted under the provisions of this rule shall be accompanied by a Treasury Receipt showing that a fee of five hundred rupees has been paid into a State Government Treasury or any branch of the State Bank of India doing Treasury Business to the credit of the State Government.

47. Penalty.

- Whoever contravenes any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees or with both and in the case of continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

Chapter X

Miscellaneous

48. Facilities for undertaking research or training.

- Every holder of a prospecting license or a lease shall afford all reasonable facilities to persons authorised by the Central Government or the State Government for the purpose of undertaking research or training in matters relating to mining or geology.

49. Territorial jurisdiction.

- The territorial jurisdiction of a person authorised by the Central Government or the State Government for the purpose of these rules shall be as notified by the Central Government or the State Government, as the case may be, in the Official Gazette from time to time.

50. Obligation to supply other information.

- The owner, agent, mining engineer, geologist or manager of every granite quarry shall furnish such information regarding such quarry or any matter connected therewith as the Central Government or the State Government or any person authorised in this behalf by the Central Government or the State Government, as the case may be, may require by an order in writing and the information shall be furnished within such time as may be specified in the aforesaid order.

51. Provisions of these rules to be applicable to Government.

- The Government or its agencies carrying out mining operations without a lease shall be bound by all the provisions of these rules in the same manner as they are applicable to holders of granite quarry leases.

52. Applicability of the provisions of Minor Mineral Concession Rules framed by the State Government.

- The provisions of the Minor Mineral Concession Rules or any other rules framed by the State Government under section 15 of the Act shall be applicable to granite quarry leases to the extent they are not repugnant to or inconsistent with these rules.

53. Delegation of powers.

- The State Government may, by notification in the Official Gazette, direct that any power exercisable by it under these rules may, in relation to such matters and subject to such conditions, if any, be exercisable also by such officer or authority subordinate to the State Government as may be specified in the notification.

Schedule

Form A Yearly Report Of Prospecting Operations Carried Out [See rule 11(1) and 11(2)] Important This report duly filed in must reach the concerned authorities by 30th April for the previous year of within 30 days from the date of abandonment or within three months after the expiry of prospecting licence or completion of prospecting operations, whichever is earlier. To

1. State Government concerned or any person so authorised under rule 49.

[***] [Omitted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).]

1. Type of the granite for which prospecting operations has been granted : (a)

(b)

2. Name and address of the license :

3. Particulars of the prospecting license :

(i) Date of execution.....

(ii) Period : Years..... From..... to.....

(iii) Area under license..... Hectares

(iv) No. and date assigned by State Government to Prospecting License. No..... Date.....

4. Location of the prospecting licenced area

(i) Topo Sheet Number : (ii) Cadastral Survey or Khasra

Number: (iii) Village..... Taluka/Tehsil..... District..... State..... (iv) Post Office..... Police Station

..... (v) Nearest railway station..... Distance..... (vi) Nearest Rest House/Dak Bungalow

5. Particulars of the Geologist or mining Engineer employed optionally, if any, for the prospecting licenced area

(i) Name and address (ii) Qualification (iii) Date of appointment

(iv) Status of employment :

Whole time : Part-time

6. Status of Prospecting Operation:

In Progress :

(Please tick (☐) mark one of the boxes whichever is applicable) Completed :

Abandoned

7. Total Surface area covered by prospecting work (hectare)

8. Prospecting work completed during the year

a. Geological mapping

Area in Hectare Scale

- b. Pitting (i) No. of Pits
(ii) Grid Pattern
(iii) Depth (Mts.) Average
Maximum
Minimum
- c. Trenching (i) No. of trenches (with interval)
(ii) Length (Mts.) Average
Maximum
Minimum

(d)No. and size of samples(e)Drilling(i)No. of boreholes completed during the year (with size of core)(ii)No. of boreholes in progress(iii)Total yearly drilling (Mts.)(f)Particulars of drilling machines, Type, Make, Capacity, No. of drills(g)Details of samples tested(i)No. of samples tested(ii)Complete report(Testing the suitability as per market requirement)Place.....Date.....Signature.....

in full.....Designation.....Note. - Please
enclose a geological report describing the prospecting operations undertaken so far accompanied by the detailed geological plans and sections showing structural details such as joints, fractures, folds, faults, grain size, texture etc. and also showing locations of (a) bore holes, (b) pits, (c) trenches (d) sample positions etc. The report shall also contain the bore hole logs and the inferences drawn as a result of the study of the geology of the area and the interpretation of the bore hole cores, pits, trenches, reserves of granite and complete report of at least two representative samples indicating stone quality and suitability as per market requirements and the blocks proposed for mining operations.
Form BNotice Of Intimation Of Opening Of Mine/Quarry(See rule 23)ImportantNotices in this Form shall reach the concerned authorities within 15 days of the date of opening of the quarry or within 90 days of coming into force of these rules to intimate existence of a quarry, as the case may be.To

1. State Government concerned or any person so authorised under rule 49.

[***] [Omitted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).]

1. (i) Name of granite worked

(ii)Name of other mineral(s) worked, if any

2. Name of the quarry/mine

3. Date of opening of quarry/mine

4. Letter No. and Date through which the mining plan was approved (Specify Authority)

5. Name and address of the Lessee/Owner

6. Ownership of the quarry

(a)Public sector(b)Joint Sector(c)Private Sector(In case of Joint sector, specify percentage share of each company)

7. In case the lessee is a Company or a Partnership firm or Co-operative, indicate name and address of the Director-in-Charge and the Registered office

8. Particulars of Quarry/Mining Lease (ML)v

(i)Date of execution(ii)Period: Years.....From.....to.....(iii)Area under licence.....Hectares

9. Location of the lease

(i)Topo-Sheet Number(ii)Cadastral Survey or Khasra Number(iii)Village.....Taluka/Tehsil.....District.....State.....(iv)Post Office.....Police Station.....(v)Nearest railway station.....Distance.....(vi)Nearest Rest House/Dak Bungalow

10. Name and address of previous owner, if any, and the date of abandonment

11. Particulars of Agent

(a)Name and address(b)Date of appointment

12. Particulars of Mining Engineer

(a)Name and address(b)Qualifications(c)Date of appointment

(d) Status of employment Whole time Part time :

13. Particulars of manager

(a) Name and Address (b) Date of appointment Place..... Date..... Signature.....
in full..... Designation..... Form C Notice
Of Intention Of Abandonment/surrender Of Mine/Quarry Or Part Of The Mine/Quarry [(See rule 24(2) and rule 24(4))] Mine/Quarry Code:..... Important Notice in this Form shall be sent under registered cover, If the abandonment/surrender is due to reasons beyond the control of the lessee, this notice shall be sent within 15 days of such abandonment/surrender. To State Government concerned or any person so authorised under rule 49. [***] [Omitted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).]

1. (i) Type of the granite worked

(ii) Name of other mineral(s) worked, if any

2. Name of the mine quarry

3. Name and Address of the Lessee/Owner

4. Particulars of Mining/Quarry Lease(QML)

(i) Date of execution (ii) Period: years..... from..... to..... (iii) Area under lease..... Hectares

5. Location of Quarry/Mine

(i) Topo Sheet Number (ii) Cadastral Survey of Khasra Number (iii) Village..... Taluka/Tehsil..... District..... State..... (iv) Post Office..... Police Station..... (v) Nearest railway station..... Distance..... (vi) Nearest Rest House/Dak Bungalow

6. Name and Address of Agent

7. Particulars of Mining Engineer

(a) Name and Address (b) Qualifications

8. Date by which mining operations are to be abandoned or mine to be surrendered

1. State Government concerned or any person so authorised under rule 49.

[***] [Omitted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).]

1. (i) Type of the granite worked

(ii) Name of other mineral(s) worked, if any

2. Name of the mine quarry

3. Name and Address of the Lessee/Owner

4. Particulars of quarry/mine Lease(QML)

(i) Date of execution (ii) Period: Years.....from.....to..... (iii) Area under lease.....Hectares

5. Location of Quarry/Mine

(i) Topo Sheet Number (ii) Cadastral Survey of Khasra Number (iii) Village.....Taluka/Tehsil.....District.....State..... (iv) Post Office.....Police Station..... (v) Nearest railway station.....Distance..... (vi) Nearest Rest House/Dak Bungalow

6. Name and Address of Agent

7. Name and Address of the Mining Engineer

8. Reasons for discontinuance

Lack of demand Non availability of Labour Rains Transport bottleneck Strike Lock out Operation becoming uneconomic Other reasons (specify) (Please tick (☐) whichever is applicable)

9. Date of discontinuance of mining operation

10. Probable date of reopening

Place.....Date.....Signature.....Name in full..... Designation : Owner/Agent/Mining Engineer/Manager Form E Notice Of Intimation Of Reopening Of Quarry/Mine (See rule 26) Mine/Quarry Code:..... Important Notice in this Form shall reach the concerned authorities within 15 days of the date of reopening of the quarry. To

1. State Government concerned or any person so authorised under rule 49.

[***] [Omitted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).]

1. (i) Type of the granite worked

(ii) Name of other mineral(s) worked, if any

2. Name of the quarry/mine

3. Name and address of the Lessee/Owner

4. Particulars of Quarry/Mining Lease(QML)

(i) Date of execution: (ii) Period : Years.....from.....to.....(iii) Area under lease.....Hectares

5. Location of Quarry/Mine

(i) Topo Sheet Number (ii) Cadastral Survey or Khasra Number (iii) Village.....Taluka/Tehsil.....District.....State.....(iv) Post Office.....Police Station.....(v) Nearest railway station.....Distance.....(vi) Nearest Rest House/Dak Bungalow

6. Name and Address of Agent

7. Name and Address of the Mining Engineer

8. Date on which the quarry/mine was

(a) Abandoned (b) Discontinued

9. Date of reopening

Place.....Date.....Signature.....Name in full.....Designation : Owner/Agent/Mining Engineer/Manager [Form F] [Substituted by G.S.R. 706(E), dated 17-10-2002 (w.e.f. 17-10-2002).] Half Yearly Return [See rule 41(l)(a)] Mine/Quarry Code :For the half year ending.....20.....(i) Type of the granite work: (ii) Name(s) of other mineral(s), if any: To, State Government concerned or any person so authorised under rule 49

1. Name and Location of the Quarry/Mine

Name of

Quarry/Mine Village.....Taluka/Tehsil.....District.....

2. Name and address of Lessee/Quarry/Mine Owner:

Name: Address:

3. Lease details

Area in hectares: Date of execution:

Period (years): Date of starting mining operations:

4. No. of days the Quarry/Mine worked during the half-yearly period :

5. Indicate reason(s) for work stoppage due to strike, lockout, monsoon, non availability of labour, less demand, etc., and number of days of work stoppage for each of these factors.

Reasons	No. of days
---------	-------------

6. Production, Despatches, Stocks and Pit's Mouth Value:

7. Production of Raw blocks, despatches, stocks and Pit's Mouth Value (Unit: cu.m/tonnes):

Items	Total Weight-wise/Size-wise break up
(a) Opening Stock	
(b) Production	
(c) Despatches	
(i) Direct Exports	
(ii) Domestic sale	
(d) Closing stock	
(e) Pit's Mouth Value (Rs.)	
7.1 Waste and Rejects (Unit: Cu.M/tonnes)	
Item	During the half year
(a) Quantity of waste generated as overburden	
(b) Quantity of waste generated incidental to mining or raw blocks	

Type of Machinery	No.of units	Engine Horse Power of each unit worked	No.of hours
(a)			
(b)			
(c)			
(d)			

Quantity (in MT):	Value (in Rs.):
11. Domestic Sale of Dimensional Blocks:	
During the half yearly period:	Value (in Rs.):
Quantity (in MT):	

Area in hectares:

Date of
execution:

Period (years):

4. No. of days the Quarry/Mine worked during the year:

5. Indicate reason(s) for work stoppage due to strike, lockout, monsoon, non availability of labour, less demand, etc. and number of days of work stoppage for each of these factors. Reasons No. of days

6. Employment of Qualified Personnel and Labour:

6.1 Number of technical and supervisory staff:

Description	Fully employed	Partly employed
(a) Graduate Mining Engineer		
(b) Diploma Mining Engineer		
(c) Geologist		
(d) Other administrative, clerical and technical supervisory staff		

6.2 Labour Employment:

Male Female

(a) Average daily employment

(b) Wages (Rs.)

7. Production, despatches, stocks and Pit's Mouth Value :

7.1 Production of Rew sizes blocks during the year (Unit: Cu. M):

Items	Total	Size-wise breakup
(a) Opening stock		
(b) Production		
(c) Despatches		
(i) Direct exports		
(ii) Domestic sale		
(d) Closing stock		
(e) Pit's Mouth Value (Rs.)		

7.2 Cumulative production:

(since opening of quarry in Cu.M/tonnes)

7.3 Waste and Rejects (Unit:Cu.M/tonnes)

Item	During the year	Cumulative total
(a) Quantity of waste generated as overburden		
(b) Quantity of waste generated incidental to mining or raw blocks		

(c) Quantity of waste generated as rejected blocks and dressing rejects

(d) Despatches of waste and rejects (in accordance with above classification)

8. Mining Machinery used during the year

Type of Machinery No.of units Engine Horse Power of each unit worked No.of hours

(a)

(b)

(c)

(d)

9. Reserves (proved, probable, possible) insitu and recoverable:

10. Quantity and cost of material consumed during the year

Quantity Cost (Rs.)

(i) Fuel (Lt.) :

(ii) Electricity (KWH) :

(iii) Other materials :

11. Amount of Rent and Royalty paid (Rs.)

12. Annual production (last 3 years) (Quantity in cubic metres):

13. Exports (last 3 years)

(Separately for dimensional blocks in tonnage):

14. Reasons for increase/decrease in production during the current year as compared to the preceding year:

I certify that the information furnished above is correct and complete in all

respects. Place.....Date.....Signature.....

in full.....Designation : Owner/Agent/Mining Engineer/ManagerNote. -

(a) In case there is stoppage of work, indicate reasons for work stoppage and number of days of work stoppage.(b)Average daily employment is obtained by dividing the number of mandays worked by the number of working days.(c)Wage includes all cash payments including bonuses. Employers' contributions to provident funds, welfare activities, etc., concessions in kind should not be included in wages.(d)The Pit's Mouth Value should represent the sale value of the granite at the pit head. In case of sales effected on F.O.R. or F.O.B. or any other basis, pit head sale value should be arrived at after deducting all the expenses incurred from quarry/mine to railway station or port or other point of sale, as the case may be (such as expenses on transportation, loading and unloading charges, railway freight, sampling and analysis, port handling, export duty and cess).]Form HNotice Of

Certain Appointment/Resignation/Termination/Change Of Address(See rule 42)Mine/Quarry Code:Important Notice in this Form shall be given to the concerned authorities within 15 days from the date of new appointment or termination from employment or resignation or change of address Agent/Mining Engineer/Geologist/Manager.To,State Government concerned or any person so authorised under rule 49.

1. Name and address of the Lessee/ Prospecting License

2. Name of granite for which Mine/Quarry/Lease/Prospecting License is granted

3. Name of Lease/Prospecting Licensed area

4. Location of lease/ prospecting Licensed area

(i)Topo-sheet Number(ii)Cadastral Survey or Khasra Number(iii)Village.....Taluka/Tehsil.....District.....State.....(iv)Post Office.....Police Station.....(v)Nearest Railway Station.....Distance.....(vi)Nearest Rest House/Dak Bungalow.....

5. Particulars of Lease/Prospecting license (Hectare)

(i)Date of execution.....(ii)Period.....Years.....from.....to.....(iii)Area under Quarry Lease/Prospecting license (Hectare)

6. Please indicate whether notice is given in respect of:

(i)New appointment(ii)Resignation/termination of employment(iii)Change of address(Strike out whichever is not applicable)

7. In case of appointment of Agent/Mining Engineer /Geologist Manager, please indicate:

(i)Name(ii)Designation(iii)Address(iv)Qualifications(v)University/Institution from which passed(vi)Date of appointment

8. If the appointment is that of a Mining Engineer or a Geologist, please indicate:

(i)Whether appointment is whole-time/part-time(Please tick mark whichever is applicable)(ii)Names, locations and ownership of all otherQuarry/prospecting license which he will supervise.

9. In case of resignation/termination of employment of Agent/Mining Engineer/Geologist/Manager, please indicate:

(i)Name(ii)Designation(iii)Date of resignation/termination of employment(in case the vacancy so created has been filled in please furnish the particulars of the same in columns 6 and 7).

10. In case of change of address of the lessee/Agent/Mining Engineer/Geologist/Manager, please indicate:

(i)Name(ii)Designation(iii)Present address(iv)Date of change of addressPlace.....Date.....Signature.....Name in full.....Designation : Owner/LicenseForm IParticulars To Be Recorded In A Durable Bound Paged Book In Respect Of Each Bore-Hole/Pit(See rule 43)

1. Type of the granite for which license or lease is granted

2. Name and Address of the Lessee/Licensee

3. Name of the mine/quarry/prospect

4. Location of lease /prospecting Licensed area

(i)Topo Sheet Number(ii)Cadastral Survey of Khasra Number(iii)Village.....Taluka/Tehsil.....District.....State.....(iv)Post Office.....Police Station.....(v)Nearest Railway StationDistance.....(vi)Nearest Rest House/Dak Bungalow

5. Type and make of the drill and size of core

6. Bore-hole/pit number and its location-

(a)Reduced levels at the collar of the borehole/pit(b)Inclination and bearing of the hole(c)Altitude of the formation

7. Duration of drilling/pitting

(a)Date of commencement(b)Date of completion

8. Total length of the hole/pit

9. Purpose of drilling/pitting

10. Total operating expenditure incurred (Rs.)

11. Details of intersection (as given below)

(a) Run Details To (Mt.)

Form(Mt.) True Width (Mt.)

Width(Mt.)

(b)Size of corepit(c)Percentage recovery of core(d)Lithology(e)Details of test carried out(indicate physical properties and stone

quality)Place.....Date.....Signature.....

in full.....Designation : Owner/Agent/Mining Engineer/Manager