

The Punjab Minor Mineral Concession Rules, 1964

PUNJAB

India

The Punjab Minor Mineral Concession Rules, 1964

Rule

THE-PUNJAB-MINOR-MINERAL-CONCESSION-RULES-1964 of 1964

- Published on 25 April 1964
- Commenced on 25 April 1964
- [This is the version of this document from 25 April 1964.]
- [Note: The original publication document is not available and this content could not be verified.]

The Punjab Minor Mineral Concession Rules, 1964Published vide Notification Punjab Government Industries Department, Notification No. GSR 123/CA/67/57/S. 15/64, dated 25.4.1964.Last Updated 24th January, 2020

Chapter I Preliminary

1. Short title.

- These rules may be called the Punjab Minor Mineral Concession Rules, 1964.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)['Act' means the Mines and Minerals (Regulation and Development) Act, 1957; [See Legislative Supplement Part III dated 14.9.1977.](b)'assessee' means a holder of a quarrying lease, mining lease or any other mineral concession and includes a person who raises without any lawful authority any minor mineral from any land;(c)'Assessing Authority' means a Mining Officer and includes any person authorised by the Government to make assessment under these rules;(d)'assessment year' means a period of twelve months commencing on the first day of April, every year;(e)'building stone' includes sand stone, quartzite, schists, Limestone Bajri, Marble, dolomite, slate and shale when used as building material;(f)'contract' means a contract given on behalf of the Government to carry, win work and carry away any mineral specified therein through open auction or by inviting tenders for certain specified areas, notified by the Director;(g)'Contractor' means a person holding a contract under

these rules;(h)'Department' means the Industries Department of the Punjab Government;(i)'Director' means the Director of Industries, Punjab;(k)'Government' means the Government of the State of Punjab;(l)'Mining Officer' means an officer appointed by the Government for the purposes of these rules for one or more districts;(m)'Presiding Officer' means the Director or any other Officer nominated or authorised by him for holding auction or calling tenders for contracts;(n)'Schedule' means a Schedule appended to these rules;(o)'Short Term Permit' means a permit granted by the Director to extract a certain quantity of minor minerals for the period specified in the permit;(p)'State Geologist' means State Geologist appointed by the Government].

3. Exemption.

- Notwithstanding anything contained in these rules no rent, royalty or permit fee shall be charged for -(i)extraction of ordinary clay of ordinary sand by hereditary kumhars who prepare earthen pots on a cottage industry basis, whose turnover during a year does not exceed five thousand rupees;(ii)excavation of masonry stones and ordinary clay from areas which are not occupied by lessee or contractor, for bona fide personal requirements of the inhabitants of the area :Provided that excavation of limestone or kankar from the areas which are not occupied by a contractor or lessee, may be made by the members of Scheduled Castes, Scheduled Tribes and Backward Classes whose monthly income does not exceed [Rs. 3000] per month and also the persons who want to build Dharamsala, Piao or other building for charitable or philanthropic purposes, under a permit, valid for two months, issued by the Director or any person authorised by him in this behalf on payment of [hundred rupees] [Substituted for 'Rs. 1,500' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.].

4. Supply of Minerals to Consumers.

- The contractors shall supply to consumers, or allow them to excavate building stone, limestone, kankar and bajri at the rates specified in the third schedule of these rules for their bona fide personal use or for the construction of buildings meant for charitable or philanthropic purposes.Note. - For purposes of sub-rule (ii) of rule 3 and rule 4, the mining officer concerned shall be the authority to decide whether a consumer is excavating the minor minerals for his personal bona fide use or not.

Chapter II

Grant of mining leases/contracts/short term permits in respect of land in which the minerals vest in the Government

A. - Grant of Mining Leases

5. Restriction on grant of mining lease.

(1)No mining lease shall be granted in respect of land within a distance of 60 meters from any village or national highway.(2)No mining lease shall be granted in respect of any such minor minerals as the Government may notify in this behalf. Such notification may be for the whole of Punjab or any part thereof.(3)No mining lease shall be granted to a person who does not hold a certificate of approval from the Director.

6. Certificate of approval.

(1)Any person who is an Indian national shall on payment of a fee of [Rs. 1000] [Substituted by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24-12-1999.] be entitled to obtain a certificate of approval from the Director. The application for certificate of approval shall be submitted to the Director in Form 'A'. An affidavit shall be obtained from the applicant of his being an Indian national.(2)The Director may, with the previous approval of the Government, grant a certificate of approval to any person who is not an Indian National, on payment of fee, specified in sub-rule (1).(3)A certificate of approval shall be in Form 'B' and shall be valid upto 31st day of December of the year [in which it is granted] [Substituted for 'next following' by GSR 239, dated 29.9.1965.] :Provided that a certificate granted in the last quarter of a year shall be valid until the 31st day of December of the year next following.(4)A certificate of approval shall be renewed by the Director if a renewal fee of [Rs. 500] [Substituted for 'Rs. 200' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] is paid and an application for its renewal is submitted before the date of expiry of the certificate.(5)Where a certificate of approval is not granted or renewed to any person, the fee paid by the applicant shall be refunded to him.Explanation. - For purposes of sub-rule (1) a person shall be deemed to be an Indian national :(a)in the case of a public company as defined in the Companies Act, 1956, only if a majority of the Directors of the company are citizens of India and not less than fifty one per cent of the share capital thereof is held by persons who are either citizens of India or companies as defined in the said Act;(b)in the case of private company as defined in the said Act, only if all the members of the company are citizens of India;(c)in the case of a firm or other association of individuals, only if all the partners of the firm or members of the association are citizens of India; and(d)in the case of an individual, only if he is a citizen of India; and if any question arises as to whether a person is an Indian national or not, it shall be referred to the Central Government whose decision shall be final.

7. Application for mining lease.

- An application for a mining lease shall be made to the State Government through the Director or any other officer, authorised by Government in this behalf, in form 'C' and shall contain the following particulars -(a)(i)if the applicant is an individual, his name, nationality, profession and residence, and(ii)if the applicant is a partnership firm, a company or an association or body of individuals whether incorporated or not, its name, nature and place of business and place of registration or incorporation.(b)name of the minor mineral or minor minerals for which the applicant intends to obtain the lease.(c)a description, illustrated by a map or plan showing as accurately as possible the situation, boundaries and area of the land in respect of which the lease is

required and where the area is unsurveyed, the location of the area should be shown by some permanent physical feature, roads, tanks, etc., the period for which the lease is required and the purpose for which the extracted minor minerals are to be used.

8. Application fee.

- Every application for the mining lease shall be accompanied by-(i)a fee of [Rs. 1000] [Substituted for 'Rs. 400' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.];(ii)an income-tax clearance certificate from the Income Tax Officer concerned.(iii)[A certificate of approval in Form B] [Clause (iii) added by GSR 239, dated 27.9.1965.].

9. Acknowledgement of Application.

(1)Where an application for grant or renewal of a mining lease is delivered personally, its receipt shall be acknowledged forthwith.(2)When such application is received by registered post, its receipt shall be acknowledged within three days of the receipt.(5)The receipt of every such application shall be acknowledged in form 'D'.

9A. Disposal of application for mining lease.

(1)An application for the grant of a mining lease shall be disposed of within a period of nine months from the date of its receipt, and if it is not disposed of within that period it shall be deemed to have been refused.(2)An application for the renewal of a mining lease shall be disposed of within a period of three months from the date of its receipt and if it is not disposed of within that period, it shall be deemed to have been refused.

9B. Refund of application fee.

- Where an application for the grant or renewal of a mining lease is refused or deemed to have been refused under these rules, the application fee paid by the applicant shall be refunded to applicant.

10. Priority.

(1)Priority in granting mining lease shall be given to the following:(i)First priority shall be given to the discoverer of the new mineral;(ii)Second priority shall be given to a person who intends to set up a mineral-based industry in the State, and(iii)third priority shall be given to a co-operative society :Provided that where two or more persons of the same category have applied for a mining lease in respect of the same land, the applicant whose application is received earlier shall have a preferential right for the grant of the lease over an applicant whose application is received later :Provided further that where such applications are received on the same day, the Government after taking into consideration the matters specified in sub-rule (2) may grant mining lease to such one of the applicants as it may deem fit.(2)The matters referred to in the second proviso to sub-rule (1) shall be the following, namely -(a)experience of the applicant in mining;(b)financial soundness, stability and

special knowledge of geology and mining of the applicant, and(c)special knowledge of geology and mining of the technical staff already employed or to be employed for the work.(3)The Government, may for special reasons to be recorded in writing, grant a mining lease to an applicant whose application is received later in preference to an applicant whose application is received earlier.(4)[The State Government may, for reasons to be recorded in writing, and communicated to the applicant, refuse to grant or renew a mining lease over the whole or the part of the area applied for] [Sub-rule (4) added by GSR 32, dated 22.2.1996.].

11. Register of mining leases.

- A register for mining lease shall be maintained in the office of the Mining Officer concerned in Form 'E'.

12. Inspection of register.

- The register of applications of mining leases shall be open to inspection by any person on payment of the following fee :-(i)[Rs. 40] [Substituted for 'Rs. 16' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] for the first hour or part thereof.(ii)[Re. 20] [Substituted for 'Rs. 8' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] per hour or part thereof for subsequent hours.

13. Area of Mining lease.

(1)A mining lease may be granted for such area as the Government may deem fit;(2)No lessee by himself or with any person joint in interest with him shall ordinarily hold in aggregate more than 5 square kilometers of area under lease in respect of one minor mineral within the State of Punjab :Provided that at the time of the renewal of the lease, the lessee shall be entitled to surrender any part of the area.

14. Length and breadth of the area leased.

- [(1) The length of an area held under a mining lease, shall be rectangular as far as possible and shall not exceed four times its breadth] [Rule 14 re-numbered as sub-rule (1) and sub-rule (2) added by GSR 239, dated 27.9.1965.] :Provided that the Government may in any particular case relax the provisions of this rule.(2)[An application for mining lease shall relate to one compact area only.] [Rule 14 re-numbered as sub-rule (1) and sub-rule (2) added by GSR 239, dated 27.9.1965.]

15. Boundaries below the surface.

- Boundaries of the area covered by a mining lease shall run vertically down-wards below the surface towards the centre of the earth.

16. Security deposit.

- The applicant shall, before the lease is granted, deposit as security a sum of [Rs. 10,000] [Substituted for 'Rs. 5000' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] for due observance of the terms and conditions of the lease.[16A. Refund of security.] [Rule 16-A inserted by GSR 239 dated 27.9.1965.] - On such date as the Government may elect within twelve calendar months after the determination of mining lease or any renewal thereof the amount of the security deposit paid in respect of the mining lease and then remaining in deposit with the Government and not required to be applied for any purposes mentioned in the mining lease shall be refunded to the lessee(s). No interest shall run on the security deposit.

17. Transfer of mining lease.

- The lessee, may, with the previous sanction of the Government, assign, sublet or transfer his lease or any right, title or interest therein, to any person holding a valid certificate of approval, on payment of a fee of [Rs. 5000] [Substituted for 'Rs. 800' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] to the Government.

18. Period of lease.

(1)The period for which a mining lease may be granted shall be five years in the first instance. Unless the Government allow a longer period not exceeding ten years. The mining lease may be renewed for one or two periods not exceeding the period for which the mining lease was originally granted.(2)The application for renewal of the mining lease shall be made in Form 'C' before six months of the expiry of the lease and upon payments of a fee of [Rs. 1000] [Substituted for 'Rs. 400' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.]. This renewal will be subject to the condition Government being satisfied that the mines have been developed by the lessee and that the substantial investments in machinery, equipments have been made by him.(3)When a renewal is granted, dead rent, royalty and surface rent shall be charged at the rates in force at the time of renewal.

19. Lease to be executed within 3 months.

- Where a mining lease is sanctioned, the lease deed in Form 'F' shall be executed within three months of the order sanctioning the lease and if the lease is not executed within the aforesaid period, the order sanctioning the lease shall be deemed to have been revoked and the application fee shall be forfeited to the Government :Provided that where the Government is satisfied that the applicant for the lease is not responsible for the delay in the execution of the lease deed, the Government may permit the execution of the lease deed after the expiry of the aforesaid period of three months.

20. Royalties in respect of mining leases.

(1) The holder of a mining lease granted before the commencement of these rules, shall, notwithstanding anything contained in the instrument of lease or in any law in force at such commencement, pay royalty in respect of any mineral removed by him from the leased area after such commencement, at the rates for the time being specified in the First Schedule in respect of that minor mineral. (2) The Government may, by notification in the official Gazette, amend the First and Third Schedules so as to enhance or reduce the rate at which the royalty shall be payable in respect of any minor mineral with effect from such date as may be specified in the notification, either in respect of the whole State or any specified area :[-] [Proviso omitted by GSR 30, dated 22.3.1968.]

21.

(1) Conditions of mining lease.- Every mining lease shall be subject to the following conditions :- (i) (a) The lessee shall pay royalty on minor minerals despatched from the leased area at the rates specified in the First Schedule. Provided that the lessee shall pay royalty at such revised rates as may be notified from time to time. (b) For calculating the royalty the lessee shall submit half- yearly returns for periods ending 30th September, and 31st March, in Form 'G'. (ii) The lessee shall pay for the surface area occupied by him at such rates not exceeding land revenue, water charges and cesses assessable on the land as may be fixed by the Government and specified in the lease deed. (iii) The lessee shall also pay for every year, such yearly dead rent within the limits specified in second Schedule as may be fixed by the Government and if the lease permits the working of more than one minor mineral in the same area the Government may charge separate dead rent in respect of each minor mineral : Provided that the mining of one minor mineral does not involve the mining of another minor mineral : Provided further that the lessee shall be liable to pay the dead rent or royalty in respect of each minor mineral whichever is higher in amount but not both. (iv) [if any minor mineral] [Substituted by GSR 239 dated 27.9.1965.] not specified in the lease is discovered in the leased area, the lessee shall report the discovery without delay to the Government and shall not win or dispose of such minor mineral without obtaining a lease within six months from the discovery of the minor mineral the Government may give the lease in respect of such mineral to any other person. (v) Unless the Government, for sufficient reasons permits otherwise, the lessee shall commence mining operations within six months from the date of [execution] [Substituted for 'execution' by GSR 239 dated 27.9.1965.] of the lease and shall thereafter conduct such operations in a proper, skillful and workman-like manner. Explanation. - For the purpose of this clause 'mining operation' shall include the erection of machinery, laying of a tramway or construction of a road in connection with the working of the mine. (vi) The lessee shall at his own expense, erect and at all times maintain and keep in good repairs boundary marks and pillars according to the plan annexed to the lease. (vii) The lessee shall not carry on, or allow to be carried on any mining operations at any point within a distance of 75 meters from any railways line, except under and in accordance with the written permission of the railway administration concerned, or bridges or 60 meters from national highway or 50 meters from any reservoir, tank, canal, roads or other public works or building or inhabited sites except under and in accordance with the previous permission of the Government. The Railway Administration or the Government may, in granting such permission, impose such conditions as it may deem fit : Provided that except in cases of ordinary sand, no minging operations

shall be carried on within 50 meters of any river banks.[Provided further that in case of mining lease of saltpetre, the lessee may carry on, or allow to be carried on the extraction of saltpetre at any point beyond a distance of 10 metres from any railway line, national highway, reservoir, tank canal, road or other public works or buildings etc. [Further proviso added by GSR 21, dated 16.2.1970.](viii)The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained from the mines and the number of persons employed therein, and a complete plan of the mine and shall allow any officer authorised by the Central and State Government in that behalf, to examine at any time any accounts and records maintained by him, and shall furnish the Central and State Government with such information and returns as it may require.(ix)The lessee shall allow existing and future licensees or lease-holders or contractors of any land which is comprised in or adjoins or is reached by the land, held by the lessee, reasonable facilities for access thereto.(x)The lessee shall allow any officer, authorised by the Government or the Central Government to enter upon any building excavation or land comprised in the lease for the purpose of inspecting the mines.(xi)The lessee shall-(a)submit by the 10th of every month to the Director and also to other officer(s) specified in the lease deed, a return in form 'H', giving the total quantity of minor mineral(s) raised and despatched from the leased area in the preceding calendar month and its value :(b)also furnish by the 15th April, every year to the Director and the other officer, specified in the lease deed, a statement giving information in Form 'T' regarding quantity and value of minor mineral(s) obtained during the last financial year, average number of regular labourers employed (men and women separately), number of accidents, compensation paid and number of days worked separately.(xii)The lessee shall strengthen and support to the satisfaction of the Railway Administration or the Government as the case may be, any part of the mine which in its opinion requires such strengthening or support for the safety of any railway, bridge, national highway, reservoir, tank, canal, road or any other public works or buildings.(xiii)If the lessee or his transferee or assignee does not allow entry or inspection under clause (x) the Government may cancel the lease and forfeit in whole or in part the security deposit, paid by the lessee under Rule 16.(xiv)The Government shall from time to time and at all times during the term of the lease have the right (to be exercised by notice in writing to the lessee) of pre-emption of the said minor minerals and all products thereof lying in or upon the said lands hereby demised or elsewhere under the control of the lessee and the lessee shall deliver all minor minerals or products thereof to the Government at current market rates in such quantities and in the manner at the places, specified in the notice exercising the said right.(xv)The Government may by giving six month's prior notice in writing determine the lease if the Government considers that the minor mineral(s) under the lease is required for establishing an industry beneficial to the public :Provided that in the state of national emergency or War the lease may be determined without giving such notice :(xvi)The Government shall have the right to determine the lease after serving a notice on the lessee to pay the dues within thirty days from the date of receipt of the notice. If the dead rent or royalty or surface rent reserved or made payable by the lessee is not paid within fifteen days next after the date fixed in the lease for payment of the same. Government or any other officer authorised by it in this behalf may also at any time after serving the aforesaid notice, enter upon the said premises and distrain all or any of the minor minerals or movable property therein and may carry away, detain or order the sale of the property so distrained, or so much of it as will suffice for the satisfaction of the rent or royalty due and all costs and expenses occasioned by the non-payment thereof.(xvii)The lessee shall immediately give to :-(1)The Chief Inspector of Mines, Government of India, Dhanbad.(2)The

Director, Indian Bureau of Mines, Government of India, Nagpur.(3)The District Magistrate of the District in which the mine is situated _____ a notice in writing in Form 'J' as soon as -(a)the working in the mine extend below superjacent ground; or(b)the depth any open cast excavation measured from its highest to the lowest point reaches six meters; or(c)the number of persons employed on any day is more than 50; or(d)any explosives are used.(xviii)(1) When mining lease is granted by the Government arrangements shall be made, if necessary, at the expense of the lessee, for the survey and demarcation of the area granted under the lease. The lessee shall have to bear actual expenses of the staff deputed for the work. Actual expenses shall include travelling allowance, daily allowance and salary of the staff plus [50 per cent] [Substituted for '40 per cen' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] as instruments charges.(2)The mining lease may contain such other conditions as the Government may deem necessary in regard to the following namely :-(i)the time limit, mode and place of payment of rents and royalties;(ii)the compensation for damage to the land covered by the lease;(iii)the felling of trees;(iv)the restriction of surface operations in any area prohibited by any authority;(v)the notice by lessee for surface occupation;(vi)the facilities to be given by the lessee for working other minor minerals in the leased area or adjacent areas;(vii)the entering and working in a reserved or protected forest;(viii)the securing of pits and shafts;(ix)the reporting of accidents;(x)the indemnity to Government against claims of third parties;(xi)the maintenance of sanitary conditions in the mining area;(xii)the forfeiture of property left after determination of the lease;(xiii)the delivery of possession over lands and mines on the surrender, expiration or determination of the lease; and(xiv)the power to take possession of plant, machinery, premises and mines in the event of war or emergency.(3)The mining lease may contain any other special conditions as may be specified by the Government.

22. Right of lessee.

- Subject to the conditions mentioned in rule 21 the lessee, with respect to the land leased to him, shall have the right for the purposes of mining operations on that land to -(i)work the mines;(ii)sink pits and shafts and construct building and roads;(iii)erect plant and machinery;(iv)quarry and obtain building and road materials and make bricks but not for sale;(v)use water and take timber;(vi)use land for stacking purposes;(vii)do any other thing specified in the lease.

23. Right to determine lease.

- The lessee may determine, the lease at any time by giving not less than six calendar months' notice in writing to the Government after paying all outstanding dues of the Government.B. Grant of Short term Permits

24. to 27.

[Rule 24 to 27 omitted.] [Omitted vide Legislative Supplement Part III, dated 21st January, 1994.]G-Grant of Contracts

28. Grant of contracts by auction or tender.

(1) Contracts may be granted by the Government by auction or tender for a maximum period of five years after which no extension shall be granted, [but no such contract shall be granted to a person who does not hold a certificate of approval in form 'B'] [See Legislative Supplement Part III, dated 14.9.1977.]. (2) [The amount to be paid annually by the contractor to the Government shall be determined by auction or by tender to be submitted for acceptance to the authority competent to grant the contract but no contractor shall remove any quantity of minor mineral in excess of the quantity worked out on the basis of the contract with respect to rates of royalty shown in the First Schedule] [See Legislative Supplement Part III, dated 14.9.1977.]. (3) Contract shall be granted only in such cases as the Government may, by general or special order, direct.

29. Power of the Presiding Officer.

- The Presiding Officer may reject or accept any bid or tender without assigning any reason to the bidders or tenderers. Where the highest bid or tender is rejected; the reason shall, however, be reported to the Government.

30. Period of contract.

(1) Each contract will ordinarily be auctioned for a period of three years unless the period is specifically stated. The successful bidder will be informed of the auction in his favour. (2) The auction shall be notified -(i) on the notice board of Directors, Mining Officers and at least in one newspaper having wide circulation in the locality nearest to the area in question, in the original language; (ii) in the Punjab Government Gazette by publishing the auction notice at least 30 days before the date of auction and it shall mention the terms and conditions of the auction of the contract. A copy of the auction notice shall be sent to the local authority having jurisdiction over the area in question for giving wide publicity in the area; (iii) the terms and conditions and description of the contract shall be read out to the intending bidders at the time of auction. The intending bidders shall deposit such earnest money as may be fixed by the Director. In each case such amount shall be notified in the Government Gazette; (iv) no bid shall be regarded as accepted unless confirmed by Government. On completion of the auction the result will be announced and provisional selected bidder shall immediately deposit 25 per cent amount of bid for one year and another 25 per cent as security for due observance of the terms and conditions of the contract; (v) the earnest money shall be refunded immediately at the completion of the auction to all excepting the person whose bid is provisionally accepted. The earnest money shall be adjusted against the security under clause (iv); (vi) misbehaviour by bidder during auction can be punished by forfeiting his earnest money or removal or if necessary, by debarring him for a period of three years from any future auction under these rules, at the discretion of the Presiding Officer. (vii) [In case the bid is not accepted by the Government or the execution of the agreement does not take place by one reason or the other, without any fault on the part of the bidder, the security and the amount of the bid by the contractor shall be refunded to him by the concerned Mining Officer; [See Legislative Supplement Part III, dated 14.9.1977.]] (viii) After the expiry of the term of the contract where the authority which has signed the agreement is satisfied that the contractor has fulfilled all the terms of the agreement, it

shall refund the amount of the security to the contractor in case the same does not exceed five hundred rupees and if the same so exceeds the matter shall be referred to the Government for decision].

31. Procedure for calling tenders.

(1)The tenders shall be invited through the Punjab Government Gazette and at least in one newspaper having wide circulation in the locality nearest to the area in question in the regional language and shall be displayed on the notice boards of the Director, Mining Officers and all District Industries Officers. The notification shall be published at least thirty days before the date of tender and it shall mention the terms and conditions of the tender and the contract. A copy of the notification shall be sent to the local authority, having jurisdiction over the area in question. Every tender shall be submitted to the Director or any other officer authorised by him in this behalf, in a sealed cover superscribed with the relevant details of the contract.(2)Every tender shall be accompanied with earnest money in cash or crossed payment draft in favour of the Director, the amount of which shall be fixed by the Director in each case and it shall be mentioned in the aforesaid notification. No tender shall be recorded as accepted unless approved by the Government.(3)Tenders shall be opened in the presence of tenderer or tenderers who may be present at the notified time for opening the tender. The tenderer who is provisionally selected shall deposit 25 per cent as security for due observance of the terms and conditions of the contract.(4)The earnest money shall be refunded within a period of three months from the date to final decision of the tenders excepting the person whose tender is accepted. The earnest money of the successful tenderer shall be adjusted against security under clause (3).(5)Misbehaviour of any tenderer during the course of offering tenders can be punished by forfeiting his earnest money or rejecting his tender, if necessary, debarring him for a period of three years from offering tender in future under these rules, at the discretion of the Director.

32. Payment of contract money.

- In case of contracts where the annual amount is not more than Rs. 1,000/-, the balance amount shall be deposited by the contractor on the date of auction or opening the tenders, as the case may be. In other cases the balance amount shall be deposited in equal quarterly instalments of the annual amount in advance on the due dates, prescribed in the agreement.

32A. [[Rule 32A inserted by GSR 21, dated 16.2.1970.]

Notwithstanding anything contained in rule 32 in the case of contracts of saltpetre, the balance amount shall be deposited by the contractor in the following manner, namely :-(i)In the case of contracts where the annual amount of contract money is not more than Rs. 1,000/- the entire balance amount for the first year shall be deposited by the contractor with the Presiding Officer immediately at the fall of hammer. The contract money for each of the subsequent years of the contract shall be deposited by the contractor with the District Industries Officer or Mining Officer concerned in advance, before or on the 15th of October, each year.(ii)In other case, the entire balance contract money for the first year shall be deposited by the contractor with the District

Industries Officer or Mining Officer concerned at the time of signing the agreement. The entire contract money for each of the subsequent years shall be deposited by the contractor with the District Industries Officer or Mining Officer concerned in advance, before or on the 15th of October each year.]

33. Execution of contract.

- When a bid is confirmed or a tender is accepted, the bidder or tenderer shall execute a deed in Form 'L'. The execution of the deed shall be made within [one month] [Substituted for 'three months' by GSR 21, dated 16.2.1970.] from the date of communication of acceptance of bid or tender to the bidder or tenderer and if no such contract is executed within the aforesaid period, the order accepting the bid or tender shall be deemed to have been revoked and the amounts paid under rule 30(2) (iv) or 31(3) as the case may be, shall be forfeited to the Government :Provided that where the Government or any officer authorised by it to accept bid or tender on its behalf, is satisfied that the bidder or tenderer is not responsible for the delay in the execution of the contract, the Government or other officer, as the case may be, may permit the execution of the contract within a reasonable time after the expiry of the aforesaid period of [one month] [Substituted for 'three months' by GSR 21, dated 16.2.1970.].

Chapter III

Grant of mineral concessions in respect of minor minerals in respect of land in which minor minerals vest in a person other than the Government.

34. Applicability of this Chapter.

- The provisions of this Chapter shall only apply to the grant of mining lease in respect of the land in which the minor minerals vest exclusively in a person other than the Government.

35. Restrictions on the grant of mining lease.

(1)No mining lease shall be granted to any person unless he -(a)holds a certificate of approval in Form 'B' from the Government;(b)produces an income-tax clearance from the Income-tax Officer concerned.(2)Except with the previous approval of the Government, no mining lease shall be granted to any person who is not an Indian national.Explanation. - The expression 'Indian national' has the same meaning as in the Explanation to rule 6 and if any question arises as to whether a person is an Indian national or not, it shall be referred to the Central Government for decision whose decision shall be final.

36. Renewal of mining lease.

- A mining lease may be renewed by the grantor for one or two periods each not exceeding the period for which the mining lease was originally granted.

37. Conditions of mining lease.

- Every mining lease shall be subject to the following conditions :-(i)The provisions of rules 15, 18(3), 20, clause (i) to (xv), (xvii) and (xviii) of rule 21(1) and 21(2) shall apply to such leases with the modification that the word "Government" occurring in clauses (ii) to (iv) and (xviii) of sub rule (1) of rule 21 shall be substituted by the word 'lessor'.(ii)The lease may contain such other conditions not being inconsistent with the provisions of these rules, as may be agreed upon between the parties.(iii)The period for which a mining lease may be granted shall be five years in the first instance, unless the Government allows a longer period not exceeding ten years.(iv)If the lessee makes any default in payment of royalty as required by rule 21(1)(i) or commits a breach of any of the conditions of the lease, the lessor shall give notice to the lessee requiring him to pay the royalty or remedy the breach, as the case may be within thirty days from the date of receipt of the notice and if the royalty is not paid or the breach is not remedied within such period the lessor without prejudice to any proceeding that may be taken against the lessee, determine the lease.(v)The lessee may determine lease at any time by giving not less than six calendar months' notice in writing to the lessor after paying all outstanding dues to the latter.(vi)The lessee shall furnish a bank guarantee of Rs. 1,000/- to the lessor for due observance of the terms and conditions of the lease, before the execution of the lease deed.

38. Transfer or assignment.

- No mining lease or any right, title or interest in such lease shall be transferred to a person unless he holds a certificate of approval in Form 'B' from the Government and unless he produces an income- tax clearance certificate from the Income-tax Officer concerned.

39. Communication of transfer or assignment.

- Every transferee or assignee of a mining lease or any right, title or interest therein shall, within one month of such transfer or assignment inform the Government of the transfer or assignment and of the terms and conditions of such transfer or assignment. He shall also furnish to the Government a certified copy of the transfer deed in duplicate.

40. Submission of copy of lease.

- Every person, obtaining a mining lease, shall within three months of the grant of such lease, submit to the Government a certified copy of the lease in duplicate.

41. Prohibition of premium.

- No person granting or transferring a mining lease or any right, title or interest therein, shall charge or pay any premium in addition to or in lieu of surface rent, dead rent or royalty payable under these rules or such proportionate part of such rent or royalty as is payable in respect of such right, title or interest.

42. Prohibition of working of mines.

- If the Government has reason to believe that the grant or transfer of mining lease or any right, title or interest in such lease is in contravention of any of the provisions of this chapter, the Government may, after giving the parties an opportunity to represent their views, direct the parties concerned not to undertake mining operations in the area to which the lease relates.

43. Returns and statements.

- The holder of a mining lease shall furnish to the Government such returns and statements and within such period as may be specified by it.

44. Grant of short term permit.

- The provisions of rules 24, 26 and 27 shall also apply in this case with the modification that the words 'Director' and 'Government' occurring in these rules shall be substituted by the word 'lessor'.

45. Penalty.

(1) If the holder of a mining lease [or a short term permit or the transferee or assignee of such mining lease or short term permit] [See Legislative Supplement Part III, dated 14.9.1977.] fails, without sufficient cause, to furnish the documents, information and returns, called for by the Government, he shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both. (2) If any person grants or transfers or obtains a mining lease [or a short term permit or any right, title or interest in such mining lease or short term permit] [Substituted vide Legislative Supplement Part III, dated 14.9.1977.] in contravention of any of the provisions of this chapter, he shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Chapter IV

Review and Delegation of Powers

46. Delegation.

- The Government may, by notification in the official Gazette, direct that any powers exercisable by the Director under these rules may also be exercised, in such cases and subject to such conditions, if any, as may be specified in the notification, by an officer of the Director of Industries, as may be specified therein.

47. Appeal when allowed

. - (1) Any person aggrieved by an order of the Director-(i)cancelling or terminating of a mining lease or forfeiting any deposit thereunder in whole or in part; or(ii)refusing to permit transfer of a mining lease may appeal to the Government against such order within two months of the date of the order :Provided that any such application may be entertained after the said period of two months, if the applicant satisfies the Government that he had sufficient cause for not making the application within time.(2)Where the functions of the Director have been delegated to any other officer subordinate to him under rule 46, any person aggrieved by any order of any such officer of the nature described in sub-rule (1) may appeal to the Director;Provided that the appeal is filed within two months of the date of the order appealed against.

48. Fees for appeal and review.

- The memorandum of appeal or application for review shall be accompanied in every case by a treasury receipt of [Rs. 500] [Substituted for 'Rs. 200' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] to the credit of Government under the head ["853 - Non-Ferrous Mining and Metallurgical industries - 102 - Mineal Concession Fee, Rents and Royalties."] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.]

49. Review.

- Upon receipt of such application the Government or the Director, as the case may be, may call for the relevant records and other information and after considering his explanation and giving the appellant an opportunity of hearing and considering any comments that might be offered by the officer, may cancel or review the order against which the appeal has been preferred. The order of the Government or the Director as the case may be, under this rule shall be final.

Chapter V

Miscellaneous

50. Power to rectify apparent mistakes.

- The Government may, at any time within six months from the date of the order passed by it under these rules, on its own motion rectify any mistake or error apparent on the face of the record, and

shall within the like period rectify any such mistake or error which has been brought to its notice by an applicant for the grant of the minor mineral concession; Provided that no such rectification having or purporting to have a prejudicial effect on another applicant for the grant of the mining lease shall be made unless the Government have given such applicant notice of its intention so to do, and have allowed him reasonable opportunity of being heard.

51. Application of rules to all leases granted or renewed before the commencement of these rules.

- These rules shall also apply to the mining leases or contracts granted or renewed before the commencement of these rules, as they apply in relation to mining leases or contracts, granted or renewed after such commencement.

52. Premature application.

- Application for grant of mining lease in respect of areas which have been previously held under a mining lease but in respect of which there is no entry in the register as provided for under rule 11 shall be deemed to be premature and shall be disposed of by the Government accordingly and the application fee paid shall be refunded.

53. Recovery of Government dues as arrears of land revenue.

- Any rent, royalty, fee, contract money or other sum due to the Government under these rules or under the terms and conditions of any mining lease or contract, on a certificate in form 'M' of such officer as may be specified by the Government in this behalf by general or special order, be recovered in the same manner as an arrear of land revenue.

54. Unauthorised working.

(1) No person shall undertake any mining operations in any area except under and in accordance with the terms and conditions of mining lease, contract or permit granted under these rules. (2) Any contravention of sub-rule (1) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both and in case of a continuing contravention, with an additional fine which may extend to one hundred rupees for every day during which the contravention continues after conviction for the first such contravention. [54A. Prohibition of under taking quarrying or mining operation -] [See Legislative Supplement Part III, dated 14.9.1977.] No person shall undertake quarrying or mining operation unless and until he holds a certificate of approval in Form "B" : Provided that no such certificate shall be necessary for undertaking quarrying or mining operation by a person exempted under rule 3.

54B. Returns.

- Every assessee shall for each month furnish a return in Form 'N' about the production and disposal of minor minerals, during that month by the 10th day of the month following that to which the return relates.

54C. Assessment of royalty.

(1) If the Assessing Authority is satisfied without requiring the presence of the assessee or the production by him of any evidence that the returns furnished in form 'N' in respect of any period are correct and complete, he shall assess the amount of royalty due from the assessee on the basis of such returns and record assessment order in Form 'O'. (2) If the assessing Authority is not satisfied without requiring the presence of the assessee who furnished the returns in Form 'N' or production of evidence that the returns furnished in Form 'N' in respect of any period are correct and complete, he shall serve on such assessee a notice in Form 'P', requiring him on a date and a place specified therein, to attend in person or to cause to be produced any evidence (on which such assessee may rely) in support of such returns. (3) In case the assessee having furnished the returns in respect of a period in Form 'N' fails to comply with the terms of the notice in Form 'P' issued under sub-rule (1), the Assessing Authority shall within three years after the expiry of such period proceed to assess to the best of his judgment, the amount of the royalty due from the assessee and record the assessment order in Form 'O'. (4) If an assessee does not furnish the returns in respect of any period by the due date, the Assessing Authority shall serve a notice upon the assessee in Form 'Q' and after giving the assessee a reasonable opportunity of being heard shall, within a period of three years after the expiry of the said period, proceed to assess to the best of his judgment the amount of royalty if any due from the assessee and record the assessment order in form 'O'. (5) If upon information which has come into his possession the Assessing Authority is satisfied that any person has raised, without any lawful authority, any minor mineral from any land and has not paid the royalty due thereon to the Government, the assessing Authority shall within three years after the expiry of the period during which the land was occupied by such person serve on such person in Form 'R' and after giving such person a reasonable opportunity of being heard, proceed to assess to the best of his judgment the amount of royalty due from him. The Assessing Authority may also pass an order for recovery from such person of the minor mineral so raised or where such minor mineral has already been disposed of the price thereof. (6) The amount of royalty due and the price of minor mineral, if any, shall be paid by the assessee into the government Treasury by such date as may be specified in the notice in Form 'S' issued by the Assessing Authority for this purpose and the date so specified shall not be less than thirty days from the date of service of such notice : Provided that the Assessing Authority may in respect of any particular assessee and for reasons to be recorded in writing extend the date of such payment or allow the payment of royalty and price, if any, by instalments not exceeding four. (7) If in consequence of definite information which has come into his possession the Assessing Authority discovers that an assessee has been under- assessed or escaped assessment of royalty in any year, the Assessing Authority may, at any time within three years after the expiry of that year re-assess the royalty in Form 'O' after giving the assessee a reasonable Opportunity of being heard. (8) The Assessing Authority may, at any time, within one year from the date of any order passed by him of his own motion, rectify any clerical or arithmetical mistake apparent from the

record and within a like time period rectify any such mistake which has been brought to his notice by any person, affected by such order.

54D. Refunds.

- The Assessing Authority shall refund to an assessee, royalty paid by such assessee under these rules, if the amount of royalty so paid is in excess of the amount due from him under these rules :-Provided that no refund under this rule shall be allowed unless a claim of refund is made within a period of three years from the date on which such claim becomes due.

54E.

- Inspection of minor minerals in transit :(1)The owner or person incharge of the goods vehicle shall carry with him a weighment slip in Form 'T' containing particulars such as description and weight of the minor minerals despatched, name of the quarry and address of the contractor and produce the same before an officer not below the rank of Mining Officer, checking the vehicle at any place in the State.(2)At any place when so required by any officer referred to in sub-rule (1), the driver or any other person incharge of the vehicle shall stop the vehicle and keep it stationery as long as may reasonably be necessary and allow the said officer to examine the minor minerals loaded in the vehicle and take measurement of the minerals, if necessary.(3)The owner or person incharge of a goods vehicle carrying minor minerals entering the State limits or passing through the State and bound for any place outside the State shall furnish a proof to the effect that the minor minerals have been raised in some other State. In case he fails to furnish proof to that effect, the minor minerals and the amount of royalty due thereon shall be recovered from him after giving his reasonable opportunity of being heard.(4)If the officer mentioned in sub-rule (1) has reasons to suspect that in respect of the minor minerals under transportation, the owner or the other person is evading royalty, he may for reasons to be recorded in writing, after hearing the said owner or person, order the unloading and detention of such minor minerals for twenty days and shall allow the same to be transported only on the owner of minerals or his representative or the driver or other person incharge of the goods vehicle paying such royalty and the price of the minor minerals. In the event of the owner of the minor minerals not paying the royalty and the price of the minor minerals within a period of twenty days from the date of the order made under this sub-rule the minor minerals detained shall be made liable to be sold by publication by the officer who detained the minor minerals for the realisation of the royalty and the price of the minor minerals and the sale of proceeds shall be deposited in the Government Treasury and the owner of the minor minerals shall be entitled to only the balance amount of sale proceeds after deducting the expenses and other incidental charges incurred in detaining minor minerals. In case the sale proceeds fall short of the sum due from him, the same shall be recovered as arrears of the land revenue. The officer detaining the minor minerals shall issue to the owner of the minor minerals or his representative or the driver the person incharge of the goods vehicle receipt specifying the description of minor minerals so obtained and an acknowledgement from such person or if such person refuses to give any acknowledgement, record the fact of refusal in the presence of two witnesses.

54F. Appeals.

(1)An appeal from every original order of assessment of royalty under these rules shall lie :-(a)If the order is made by an Assessing Authority, to the State Geologist;(b)If the order is made by the State Geologist to the Director; and(c)If the order is made by the Director, to the Government;(2)No appeal shall be entertained, unless it is filed within sixty days from the date of communication of the order appealed against or such longer period as the appellate authority may allow for reasons to be recorded in writing.(3)No appeal shall be entertained by the appellate authority unless such appeal is accompanied by satisfactory proof of payment of the royalty and the price of minor minerals:Provided that if such authority is satisfied that the assessee is unable to pay the royalty or the price of the minor minerals or both he may for reasons to be recorded in writing, entertain the appeal without the royalty or the price of the minor minerals or both having been paid].

55. Offences cognizable only on written complaint.

- No court shall take cognizance of any offence punishable under these rules except upon a complaint in writing made by the Director or any other officer authorised by him in this behalf within six months of the date on which said offence is alleged to have been committed.

56. Relaxation of rules in special cases.

- In any case or class of cases in which the Government is of the opinion that public interest so requires, it may grant a lease or contract on the terms and conditions other than those prescribed in these rules.

57. Preference.

- Notwithstanding anything contained in these rules, the Government may, after recording the reasons in writing give preference to one party over another for the grant of mining lease or contract, as the case may be, in case it considers that the working of these deposits by that party will be beneficial in the public interest.

58. Relaxation of rules.

- The Government may relax any provision of these rules in the interest of mineral development or better working of the mines.

59. Commencement of the mining lease or the contract.

- The mining lease or the contract, as the case may be, shall come into force from the date of execution of the agreement unless otherwise specified therein.

60. Permission to start mining operations.

- The Government may permit the lessee or the contractor, as the case may be, to start mining operations, pending execution of the agreement.

61. Acquisition of land of third parties and compensation thereof.

- In case the occupier or owner of a land in respect of which minor mineral right vest in the Government, refuses his consent to the exercise of the right and powers, reserved to the Government and demised to the lessees or contractors, as the case may be, the lessees or contractors shall report to the Government and shall deposit with it the amount offered as compensation and if the Government are satisfied that the amount of compensation offered is fair and reasonable or if it is not so satisfied and the lessee shall have deposited with it such further amount as the Government shall consider fair and reasonable the Government shall order the occupier to allow the lessee to enter the land and to carry out such operations as may be necessary for the purposes of this lease. In assessing the amount of such compensation the Government shall be guided by the principles of the Land Acquisition Act.

62. Repeal.

(1)The Punjab Minor Mineral Rule, 1934 and all rules corresponding to there rules in force in any part of Punjab shall stand repealed, but notwithstanding such repeal anything done, any action taken or proceedings commenced under the said rule shall be deemed to have been done, taken or commenced under these rules.[First Schedule] [Schedule substituted by GSR 125, dated 9.12.1977.].Rates of Royalty[See rules 20 and 21(ii)]

1	Building Stones -	
(a) Ashlar and sized dimensional stones	Rs. 2 per tonne	
(b) Masnry stones including Khandas, boulders, etc.	*Rs. 15 per tonne	
2	Limestone	Rs. 2 per tonne
3	Marble -	
(i)	Used for lime burning	Rs. 0.54 P. per quintal
(ii)	Dressed, Carved and rough and marble slabs	Rs. 5.31 P. per quintal
(iii)	Marble chips, fine powder khandas and ballast	Re. 0.64 P. per quintal
(iv)	Coarse powder of not more than plus 20 mesh	Rs. 0.32 P. per quintal

(v)	Kumari marble	Rs. 2.68 P. per quintal
4	Bajri, Gravel	*Rs. 15 per tonne
5	Kankar, Jhajra, Stones, road metal and ballast	Rs. 2 per tonne
**[6.	Brick earth.....	Rs. 4 per tonne;

The rate of royalty on bricks manufactured in case of brickkilns shall be as under :-

Category of brick kiln	Annual royalty (Rs.)	Number of bricks for which permit is to be issued
1	2	3
A.	Brick Kiln of capacity 28 ghoris or more of kachi bricks	12000
B.	Brick Kiln of capacity 22 to 27 ghoris of kachi bricks	10,000
C.	Brick Kiln of capacity below 22 ghoris of kachi bricks	13-33 lakhs
D.	Not covered by any of the above category	2500

Note:- 1. In case a permit holder brick kiln owner manufactures more than the number of bricks mentioned in the permit, then he shall be liable to pay further royalty @ Rs. 3 per thousand bricks manufactured on the excess number of bricks.

Note:- 2. The rates of royalty for brick earth to be charged for purposes other than the manufacture of bricks shall be as per entry at serial No. 6 of the first Schedule.

Explanation :- 'Ghori' is a vertical column of bricks of width equaling to the length of a bricks separated from the next similar vertical column by a distance about 4 to 5 inches and "number of ghoris, is the number of vertical column

of bricks capable of being accommodated between the inner and outer wall of the vessel of a brick kiln along its width.]

7	Fuller's earth	Rs. 49.00 per tonne
8	Bentonite	Rs. 51.00 per tonne
9	Ordinary clay	*Rs. 15 per tonne
10	Ordinary sand used for non-industrial purposes	*Rs. 15 per tonne
11	Slab slate when used for building materials	Rs. 1 per tonne
12	State when used for building material	Rs. 7.00 per tonne
13	Salt pelre	
(a)	Bearing earth	*Rs. 100 per tonne
(b)	Crude Semi finished	*Rs. 1000 per tonne
14	All other minor minerals	not hereinafter specified

*Substituted vide Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999. **Substituted vide Punjab Government Notification No.No. G.S.R. 3/C.A. 67/57/S. 15/Amd(19)/2002. dated 8.1.2002. Second Schedule [See Rule 21(1)(iii)]

Rate of Dead Rent Rate per acre per annum

All minor minerals * [Rs. 1500 per acre per annum]

*Substituted vide Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999. Third Schedule Rates Or Royalty (chargeable By The Contractor/contractors From The Local Cultivators) [See rules 4 and 20]

1 Building Stones. -

(a) Ashlar and sized dimensional stone.

Average quantity

R. P.

(i) in a cart drawn by 2 bullocks, 00.50

(ii) in a cart drawn by 4 bullocks 1

(iii) carried by one donkey 0.15

(iv) carried by one mule 0.4

(v) carried by one buffalo 0.2

(b) Masonary stones including Khandas	boulder	etc.,
(i) in a cart drawn by 2 bullocks	0.15	
(ii) in a cart drawn by 4 bullocks	00.25	
(iii) carried by one donkey	0.05	
(iv) carried by one mule	0.1	
(v) carried by one buffalo	0.1	
2	Limestone. -	

Average quantity

(i) in a cart drawn by 2 bullocks	0.5	
(ii) in a cart drawn by 4 bullocks	1.25	
(iii) carried by one donkey	0.15	
(iv) carried by one mule	0.45	
(v) carried by one buffalo	0.3	
3	Kankar and Bajri	
(i) in a cart drawn by 2 bullocks	0.3	
(ii) in a cart drawn by 4 bullocks	00.50	
(iii) carried by one donkey	0.1	
(iv) carried by one mule	0.2	
(v) carried by one buffalo	0.2	

Form 'A'[See rule 6(1)]Application for Certificate of ApprovalToThe Director of Industries,
Punjab.Through :Sir,I/We _____ have the honour to request that a
Certificate of Approval under the Punjab Minor Mineral Concession Rules, 1964, be granted to
enable me/us to acquire Mining Leases under the said rules.

2. The fee of [Rs. 400/-] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.] payable for the grant of the certificate is remitted herewith through Demand Draft No. _____ dated _____ on _____ or has been

(Name of the Bank)deposited in the Government Treasury under Head "0853 - Non-Ferrous Mining Metallurgical Industries-12-Mineal Concession Fee Rents and Royalties" and receipted challan whereof is encroesed.

3. The required particulars are given below :-

(i)Name and address of the individual/firm/company.(ii)Nationality of the individual members of the firm/company.(iii)Place of registration or incorporation of the firm or company.(vi)Profession of the individual or nature of business of the firm or company.(v)Details of technical qualifications and mining experience of the individual, firm or company, if any.(vi)The amount of capital that the

individual, firm or company can command to carry on a well planned mining operation.(vii)Bank reference, if any.(viii)The amount of income-tax or land revenue paid annually, if any.(ix)Any other particulars which the applicant wishes to furnish.Yours faithfully,Place

_____DatedSignature and designation of the applicantForm 'B'*[See rule 6(3) 25(2), 28(1) and 54-A)] [Cancel portion not applicable.]Government of Punjab(Department of Industries)Certificate of ApprovalNo. _____Dated

_____This is to certify that _____ is approved as a person who is qualified to acquire mining lease of minor minerals in the State of Punjab under Punjab Minor Mineral Concession Rules, 1964.[This certificate shall be valid up to 31st September, _____] [See Legislative Supplement Part III, dated 4.9.1977.][This certificate already granted and which expired on the 31st December, 19 _____ is renewed up to 31 December, 19 _____.] [See Legislative Supplement Part III, dated 4.9.1977.]Director of Industries, Punjab.Form 'C'[See rules 7 and 18(2)]Application for Grant/Renewal of Mining LeaseReceived at _____ (Place at) _____ (hour) _____ on the _____ day of _____.Here affix Court fee stampFrom _____ThroughToThe _____Dated the _____ 19I.

I/We beg to apply for a mining lease for _____ for a term of _____ years over hectares of land in the area specified in the Schedule.II. A sum of [Rs. 400] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.] as application fee payable under rule 7 of the Punjab Minor Mineral Concession Rules, 1964 has been deposited in the Government treasury and the receipted challan therefor is enclosed.III. The required particulars are given below :-Particulars(1)Name of applicant individual/s firm, company or society.(2)Nationality of the individual/s or place of registration or incorporation of firm, company or society.(3)Profession of individual/s, nature of business of firm or company and place of Business.(4)Address of the individual/s firm, company or society.(5)Whether the application is for a fresh lease or for renewal of a lease previously granted.(6)Minor Mineral for which the applicant intends to mine.(7)Period for which the original lease is required.(8)Approximate quantity of minor mineral expected to be raised during the first year.(9)Manner in which the minor mineral raised is to be utilised :-(a)for manufacture(b)for sale,(c)any other purpose.In case of manufacture, the industries in connection with which it is required, should be specified.(10)A description, illustrated a map or plan (in triplicate) showing as accurate as possible the situation, boundaries and area of the land in respect of which the lease is required and whether the area is unsurveyed, the location of the area should be shown by some permanent physical features, i.e., road, tanks, etc.(11)A statement showing all the areas within the jurisdiction of the Government-(i)already held by me/us in my/our names/names (and jointly with others) under quarrying leases specifying the names of minor minerals.(ii)already applied for but not yet granted, and(iii)applies for simultaneously or being applied for in other districts of this State, is appended.Note. - No application will be held to be completed for purposes of priority unless it furnishes correctly the particulars required by paragraphs I, II and III and is properly signed and stamped.(12)Period for which renewal of mining lease required.(13)Whether renewal is applied for the whole or part of the lease held.(14)In case the renewal applied for is only for part of the lease held:-(a)the area applied for renewal.....(b)description of the area applied for renewal(c)Map (in triplicate) of the lease held with area applied for renewal clearly marked on it (attached).(15)Means by which the

minor mineral is to be raised, i.e., by hard labour or mechanical or electric power.(16)Any other particulars which the applicant wishes to furnish.

Schedule

Description of the area applies for(1)Name of village or in the case of Government forest, the name of the range or sub-range(2)[Khasra Number and area of each field or part thereof] [This is not necessary if whole village or a well defined portion thereof is applied for or if the area lies in Government Forest, if all the numbers cannot be entered on this form they should be continued on a separate sheet attached to it and signed. Where a portion of a Khasra number only is required the approximate area of such portion will suffice.] :-

Khasra Number Area
 in

(3)Full description of the area applied for with regard to its natural features :- (4)[Tehsil and number] [For Forest area only.] felling series and working circle, if any

_____ (5)District _____ Yours faithfully, Place

_____ Dated _____ (Signature of applicant)N.B. - If

the application is signed by an authorised agent of the applicant power of Attorney should be attached. Form 'D' See rule 9(3) Receipt of application of mining lease or renewals in respect of minor Minerals Government of Punjab

S. No. _____ Dated _____

Received the application with the following enclosures for mining lease/renewal of mining lease in respect of minor minerals Shri/Saravshri _____ at _____ a.m./p.m.

on _____ 19 _____ for about _____ hectaers

_____ of land located in village/forest block, range _____ tehsil

_____ district _____ for mining _____. (Name of minor

mineral(s) Place _____ Dated _____ Signature and

Designation of the Receiving Officer. Form 'E' (See rule 11) Mining Lease Register

1. Serial number.

2. (a) Date of application.

(b) Date of receipt of the application

3. Name and address of the applicant.

4. Situation and boundaries of the land.

5. The mineral under mining lease.

6. The total area.

7. Date of grant of the lease.

8. Period for which granted, renewal or extended.

9. Application fee paid.

10. Amount of security deposit.

11. Particulars of disposal or refund of security deposit.

12. Date of assignment or transfer of the lease, if any, and fees paid therefor and the names of the parties thereto.

13. Date of expiry or relinquishment or cancellation.

14. Date from which the area is available for regrant.

15. Signature of the Officer, Incharge, in token of attestation.

Form 'F'(See rule 19)Form of mining lease for minor mineralsThis Indenture made this _____ day of _____ 19____ between the Governor of Punjab, acting through _____ (hereinafter referred to as the "Government" which expression shall where the context so admits, include the successors and assigns) of the one part and (1) _____.(1)When the lessees is an individual,

(Name of the person)

(Address and occupation)

(hereinafter referred to as the "lessee" which expression shall where the context so admits, include his heirs, executors, administrators, representatives and permitted assigns) (1).(2)When the lessee are more than one individual.

(Name of person)

of (Address and occupation)

(Name of person)

(Address and occupation)

(Name of person)

and (Address and occupation)

of

(hereinafter referred to as the 'Lessees' which expression shall where the context so admits, include their respective heirs, executors, administrators, representative and permitted assigns (2)(3)When the lessee is a firm.

(Name of person)

of

(Address)

and

(Name of person)

of

(Address)

and

(Name of person)

of

(Address)

All carrying on business in partnership at (address of the firm) under the name and style of (Name of the firm) (hereinafter referred to as the 'Lessees' which expression shall when the context so admits, include all the partners of the said firm, their representatives, heirs, executors, Administrator and permitted assigns) (3).(4)When the lessee is a registered Company. - (3)

(Name of Company)

a company registered under _____ (Act under which incorporated) and having its registered office at _____ (Address) _____ (hereinafter referred to as the 'Lessee' which expression shall where the context so admits, include its successors and permitted assigns).(4)_____ of the other part).Where the lessee/lessees has/have applied to the Government in accordance with the Punjab Minor Mineral Concession Rules, 1964 (hereinafter referred to as the 'said Rules') for a Mining lease for _____ in respect of the lands hereinafter described in clause 1(b) and has/have deposited with the Government the sum of [Rs. 5000] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.] as security. And whereas the lessee is in possession of a valid certificate of approval and Income-Tax clearance certificate.Now, therefore, this deed witnesses and the parties hereto hereby agree as follows-

1. Demised. - (a) In consideration of the rents and royalties, covenants and agreements hereinafter contained and on the part of the Lessee Lessees to be paid, observed and performed, the Government hereby grants and demises unto the Lessee/Lessees all those mines/beds/veins/seams of _____ (hereinafter referred to as the said minor minerals), situated, living and being in or under the lands which are referred to in clause 1(b), together with the liberties, powers and privileges to be executed or enjoyed in connection herewith which are hereinafter mentioned in par I

subject to the restrictions and conditions as to exercise and enjoyment of such liberties, powers and privileges which are hereinafter mentioned in Part II and subject to other provisions of this lease.

(b)The area of the said lands is as follows :-All the tract of land situated at _____ in tehsil _____ district _____, bring Khasra Nos. _____ containing, an area of _____ or there about delineated on the plan hereto annexed and bounded as follows :-on the North by _____;on the South by _____;on the East by _____;On the West by _____; and (hereinafter, referred to the 'said lands' or the 'leased area')(c)The lessee/lessees shall hold premises hereby granted and demised from the _____ day _____ for the term of _____ years thence next ensuing,

Part I – Liberties, powers and privileges to be exercised and enjoyed by the lessee(s).

The following liberties, powers and privileges may be exercised and enjoyed by the lessee/lessees subject to the other provisions of this lease :

- 1. To enter upon land search for win, work, etc. - Liberty and power at all times during the term hereby demised to enter upon the said lands and to search for mine, bore, dig, drill for win work, dress, process, convert, carry away and dispose of the said minor minerals.**
- 2. To sink, drive and make pit, shafts and inclines, etc. - Liberty and power for or in connection with any of the purposes mentioned in this clause to sink, drive, make, maintain and use in the said lands and pits, shafts, inclines, drifts, levels, waterways, airways, and other works (and to use, maintain, deepen or extend any existing works of the like nature in the said lands).**
- 3. To bring and use machinery, equipment. - Liberty and power for or in connection with any of the purposes mentioned in this clause to erect, construct, maintain and use on or under the said lands any engine, machinery, plant, dressing, floors, furnaces, coke, ovens, brick kilns, workshops, store-houses, bungalows, godowns, shed and other buildings and other works and conveniences of the like nature on or under the said**

lands.

4. To use water from streams, etc. - Liberty and power for or in connection with any of the purposes mentioned in this clause but subject to the rights of any existing or future, lessees and with the written permission of the Collector to appropriate and use water from any streams, water-course, springs or other source in or upon the said lands and to divert, step up or dam any such stream or water-course and collect or impound any such water and to make, construct and maintain any water-course, cultivated land, village buildings or watering places for livestock of a reasonable supply of water as before accustomed nor in any way to foul or pollute any streams or springs : Provided that the lessee/lessees shall not interfere with navigation in any navigable stream nor shall divert such stream without the previous written permission of the Government.

5. To fell undergrowth and utilise timber and trees, etc. - Liberty and power for or in connection with any of the purposes mentioned in this lease deed, to clear undergrowth and brushwood Lessee/Lessees shall not fell any trees or timber standing or found on the said lands without obtaining prior permission in writing from the Collector of the District or the Chief Conservator of Forests in case of Forest areas as the case may be. In case such permission is granted, he shall pay in advance, the price of the trees/timber to be felled to the said Officer at the rate, fixed by him.

6. To get building and roads material, etc. - Liberty and power for or in connection with any of the purposes, mentioned in this lease deed, to quarry and get stones, gravel and other building and road materials and ordinary clay and to use and employ the same and to manufacture such clay into bricks or tiles and to use such bricks, tiles but not to sell any such material, bricks, tiles.

7. To use land for stacking purpose. - Liberty and power to enter upon and use a sufficient part of the surface of the said lands for the purposes of stacking, storing or depositing therein any produce of the mines and works carried on and tools, equipment and other materials needed for mining operations.

Part II – Restrictions as to the exercise of the liberties by the lessee

The liberties, powers and privileges granted under Part I, are subject to the following restrictions and subject to the other provisions of this lease:-

1. No mining operations within the limit of public works, etc. - The lessee shall not carry on, or allow to be carried on any mining operations at any point within a distance of 75 meters from any railway line, except under and in accordance with the written permission of the railway administration concerned, or bridges, or 60 meters from national highways or 50 meters from any reservoir, tank, canal, roads or other public works or buildings or inhabited sites except under and in accordance with the previous permission of the Government. The Railways Administration or the Government may in granting such permission, impose such conditions as it may deem fit : Provided that except in cases of sand, no mining operations shall be carried on within 50 meters of any river banks.

Explanation. - For the purpose of this clause the expression Railways Administration shall have the same meaning as it is defined to have in the Indian Railways Act, 1890 by sub-section (4) of section 3 of that Act.

2. Permission for surface operation in land not already in use. - Before using for surface operations any land which has not already been used for such operation the lessee/lessees shall give to the Collector of the District, the Director of Industries, Punjab and the Mining Officer _____ two calendar months previous notice in writing, specifying the situation and the extent of the land proposed to be so used and the purpose for which the same is required and the said land shall not so used, if objection is issued by the Collector within two months after receipt by him of such notice unless the objections so stated shall on reference to the Government, be annulled or waived.

3. Not to use the land for other purposes. - The lessee/lessees shall not cultivate or use the land for purposes other than those specified in the lease deed.

Part III – Covenants of the Lessee

The lessee/lessees hereby covenant(s) with the Government as follows :-

1. Rate of royalty. - (a) - The lessee/lessees shall pay royalty on the quantity of the said minor mineral despatched from the leased area at the following rates of :-

(b) Mode of determination of sale price at the Pit's Mouth. - The sale price of the minor minerals at the pit's mouth shall be the current market price for the mineral of the same grade less -(i) transport charges from the mine head to the nearest rail head; (ii) railways freight from the rail head to the market; and (iii) estimated handling charges and other incidental expenditure not exceeding 5 per cent of the market price. (c) For calculating the royalty, the lessee/lessees shall submit half- yearly returns for the period pending 30th September and 31st March in form 'G' to the Director and the Mining Officer. _____

2. Surface rent. - The lessee/lessees shall pay for the surface area occupied by him/them, surface rent at the rate of Rs. _____ per acre per annum.

3. Dead Rent. - The lessee/lessees shall also pay for every year, nearly dead rent at the rate of Rs. _____ per acre per annum, and if the lease permits the working of more than one minor mineral in the same area, the Government may charge separate dead rent in respect of each minor mineral:

Provided that the mining of one minor/mineral does not involve the working of another minor mineral. Provided further that the lessee/lessees shall be liable to pay the dead rent or royalty in respect of each mineral, whichever be higher but not both.

4. Working of newly discovered minerals. - If any minor mineral, not specified in the lease, is discovered in the leased area, the lessee shall report the discovery without delay to the Government and shall not win or dispose of such minor mineral without obtaining a lease therefor. If he fails to apply for such a lease within six months from the discovery of the minor mineral, the Government or the authorised Officer may give the lease in respect of such mineral to any other person.

5. To commence mining operations within six months and carry them on properly. - Unless the Government for sufficient cause permits otherwise, the lessee shall commence mining operations within six months from the date of execution of the lease and shall thereafter conduct such operations in a proper, skillful and workman like manner.

Explanation. - For the purpose of this clause 'Mining operation' shall include the erection of machinery, laying of a tramway or construction of a road in connection with the working of the mine.

6. To erect and maintain boundary pillars, etc. - The lessee shall, at his own expense erect and at all times maintain and keep in good repairs boundary marks and pillars according to the Plan annexed to the lease.

7. Accounts. - The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained from the mines and the number of persons employed therein and a complete plan of the mine and shall allow any officer authorised by the Punjab Government or the Central Government in that behalf to examine at any time any accounts and records maintained by him, and shall furnish to the Punjab Government or the Central Government/with such information and returns as it may require.

8. To allow facilities to other lessees, etc. - The lessee shall allow existing and future licensees or lease-holders/contractors of any land which is comprised in or adjoins or reached by the land, held by the lessee, reasonable facilities for access thereto.

9. To allow entry to Officers. - The lessee shall allow any Officer authorised by the Punjab Government and the Central Government to enter upon and building, excavation or land comprised in the lease for the purpose of inspecting the mines.

10. Returns. - The lessee shall :-

(a)submit a return in form 'H' by the 10th of every month to the Director and also to other Officer(s), specified in that form giving the total quantity of minor mineral(s) raised and despatched from the leased area in the preceding calendar month and its value;(b)also furnish a statement giving information in form 'I' by the 15th April every year to the Director and the other Officer, specified in that form regarding quantity and value of minor mineral(s) obtained during last financial year,

average number of regular labourers employed (men and women separately) number of accidents, compensation paid and number of days worked separately.

11. To strengthen and support the mines. - The lessee shall strengthen and support to the satisfaction of the Railway Administration or the State Government, as the case may be, any part of the mine which in its opinion requires such strengthening or support, for the safety of any railway bridge national highway, reservoir, tank, canal, road or any other public work or buildings.

12. Notice for use of explosives, etc. - The lessee shall immediately give to :-

(i)The Chief Inspector of Mines, Government of India, Dhanbad;(ii)The Director, Indian Bureau of Mines, Government of India, Nagpur;(iii)The District Magistrate of the District in which the mine is situated, a notice in writing in form 'J' as soon as -(a)the workings in the mine extend below superjacent ground; or(b)the depth of any open cast excavation measured from its highest to the lowest point reaches six meters; or(c)the number of persons employed on any day is more than 50; or(d)any explosives are used.

13. Mode of payment of royalty/dead rent and surface rent. - The lessee/lessees shall pay in the office of the Officer authorised by the Director of Industries, Punjab in this behalf any dead rent/royalty and surface rent in two half-yearly instalments on the 15th April and 15th October each year during the subsistence of the lease -

[In case an instalment is not paid by the due date the lessee/lessees shall be liable to pay interest on such instalment at the rate of [eighteen per cent] [Added by GSR 51, dated 3.8.1971.] per annum for the period payment is delayed by the lessee/lessees.

14. Maintenance of Sanitary conditions. - The lessee/lessees shall maintain sanitary condition in the area held by him/them under the lease.

15. To pay compensation for damage and indemnify the Government. - The lessee/lessees shall make and pay such reasonable satisfaction and compensation for all damage, injury or disturbance which may be done by him/them in exercise of the powers granted by the lease and shall indemnify the Government against all claims which may be made by third parties in respect of such damage, injury or disturbance.

16. Abiding by rules. - The lessee/lessees shall abide by all existing Acts and Rules enforced by the Government of India or the Punjab Government and all such other Acts or Rules as may be enforced from time to time in respect of working of the mine and other matters affecting safety, health and convenience of the employees of the lessee/lessees or of the public.

17. To report accident. - The lessee/lessees shall without delay report to the Deputy Commissioner of the District concerned and the Director or any officer authorised by him, any accident which may occur at or in the leased area.

18. Delivery of possession of land and mines on the surrender or sooner determination of the lease. - At the end or sooner determination or surrender of the lease, the Lessee/Lessees shall deliver up the said lands and all mines (if any dug therein) in a proper and workable state, save in respect of any working as to which the Government might have sanctioned abandonment.

19. To provide weighing machine. - The lessee/lessees shall provide and at times keep at or near the pit-head at which the said mineral shall be brought to bank a properly constructed and efficient weighing machine and shall weigh or caused to be weighed thereon all the said minor minerals from time to time brought to bank sold, exported and converted products, and shall at the close of each day cause the total weights, ascertained by such means of the said minor minerals ores products, raised, sold, exported and converted during the previous twenty-four hours to be entered in the aforesaid books of accounts. The lessee/lessees shall permit the government at all times during the said term to employ any person or persons to be present at the weighing of the said minor minerals as aforesaid and to keep accounts thereof and to check the accounts kept by the lessee/lessees. The lessee/lessees shall give 15 days' previous notice in writing to the Mining Officer _____ of every such measuring or weighing in order that he or some officer on his behalf may be present thereat.

20. To secure pits shafts not fill them up. - The lessee/lessees shall well and properly secure pits and shafts and will not without permission in writing willfully close, fill up or choke any mine or shaft.

21. Not to enter upon or to commence operations in the Reserved or protected Forest. - The lessee/lessees shall not enter upon or commence any mining operations in any reserved or protected forest comprised in the leased area except after previously obtained permission in writing of the Chief Conservator of Forests, Punjab.

22. To respect water rights and not injure adjoining property. - The lessee/lessees shall not injure or cause to deteriorate any sources of water, power or water supply and shall not in any other way render any spring or stream of water unfit to be used or do anything to injure adjoining land, villages or houses.

23. Stocks lying at the end of the lease. - The lessee/lessees shall on the termination or sooner determination of the lease remove all extracted minerals from the premises of the leased areas. All extracted minerals in the said lands left over undisposed after the termination or determination of lease shall be deemed to be property of the Government.

24. Payment of taxes. - The lessee/lessees shall duly and regularly pay to the appropriate authority all taxes, cesses and local dues in respect of the leased area, said minor minerals or the working of the mines.

Part IV – Rights of the State Government

1. The Government may determine the lease. - The Government shall have the right to determine the lease after serving a notice on the lessee to pay the dues within 30 days from the date of receipt of the notice, if the dead rent or royalty or surface rent reserved or made payable by the lessee is not paid within 15 days next after the date fixed in the lease for payment of the same, Government or any other Officer authorised by it in this behalf may also at any time after serving the aforesaid notice, enter upon the said premises and distrain or any of the minerals or movable property therein and may carry away, detain or order the sale of the property so distrained, or so much of it as will suffice for the satisfaction of the rent or royalty due and all costs and expenses occasioned by the non-payment thereof.

2. Determination of lease in public interest. - The Government may by giving six months prior notice in writing determine the lease if the Government consider that the mineral under the lease is required for establishing an Industry beneficial to the public :

Provided that in the State of National Emergency or war the lease may be determined without giving such notice.

3. Right of pre-emption. - The Government shall from time to time and at all times during the terms of lease have the right (to be exercised by notice in writing to the lessee) of pre-emption of the said minerals (and all products thereof) lying in or upon the said lands hereby demised or elsewhere under the control of the lessee and the lessee shall deliver all minerals or products thereof to the Government at current market rates in such quantities and in the manner, at the place specified in the notice exercising the said right.

4. Penalty for not allowing entry to officers. - If the lessee or his transferee or assignee does not allow any entry or inspection under clause (9) of the Part III the Government may cancel the lease and forfeit in whole or in part the security deposit paid by the lessee under rule 16 of the Punjab Minor Mineral Concession Rules, 1964.

5. Acquisition of land of third parties and compensation thereof. - In case the occupier or owner of the said land refuses his consent to the exercise of the rights and powers reserved to the Government and demised to the lessee/lessees under these presents, the lessee/lessees shall report the matter to the Government who shall ask the Collector of the district concerned to direct the occupier or owner to allow the lessee/lessees to enter the said lands and to carry out such operations as may be necessary for working the mine, on payment in advance of such compensation to the occupier or, owner by the lessee/lessees, as may be fixed by the Collector under the Land Acquisition Act, 1894.

Part V – General

1. Cancellation. - The lease shall be liable to be cancelled by the Director if the lessee/lessees ceases to work the mine for a continued period of six months without obtaining written sanction of the Government.

2. Notices. - Every notice by these presents required to be given to the lessee/lessees shall be given in writing to such person/resident on the said lands as the lessee/lessees may appoint for the purpose of receiving such notices and if there shall have been no such appointment then every such notice shall be sent to the lessee/lessees by registered post addressed to the lessee/lessees at the address recorded in this lease or at such other address in India as the lessee/lessees may from time to time in writing to the Government designate for the receipt of notices and every such service shall be deemed to be proper and valid service upon the lessee/lessees and shall not be questioned or challenged by him/them.

3. Recovery under the public demands Act. - Without prejudice to any other mode of recovery authorised by any provision of this lease or by any law, all amounts, falling due hereunder against the lessee/lessees may be recovered as arrears of land revenue under the law in force for such recovery.

4. Forfeiture of property left more than three months after expiry or determination of lease. - The lessee/lessees should remove his/their property lying on the said lands within three months after the expiry or sooner determination of the lease or after the date from which any surrender by the lessee/lessees of the said lands under rule 23 of the Punjab Minor Minerals Concession Rules, 1964, becomes effective, as the case may be the property left after the aforesaid period of three months shall become the property of the Government and may be sold or disposed of in such manner as the Government shall deem fit without liability to pay any compensation therefor, to the lessee/lessees.

5. Security and forfeiture thereof. - (a) The Government may forfeit the whole or any part of the amount of [rupees five hundred] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.] deposited by the lessee/lessees as security under this lease, in case the lessee/lessees commits/commit a breach of any covenant to be performed by the lessee/lessees under this lease.

(b) Wherever the said security deposit or any part thereof or any further sum hereafter deposited with the Government in replenishment thereof shall be forfeited under sub-clause (a) or applied by the Government under this lease (which the Government is hereby authorised to do) the lessee/lessees shall immediately deposit with the un-appropriated part thereof to bring the amount

in deposit with the Government up to the sum of Rs. 200/-. (c) The rights conferred by this clause shall be without prejudice to the rights conferred on the State Government by any other provision of this lease or by any law. (d) [On such date as the Government may elect within twelve calendar months after the determination of this lease or any renewal thereof, the amount of security deposits paid in respect of this lease and then remaining in deposit with the Government and not required to be applied to any of the purposes mentioned in this lease shall be refunded to the lessee/lessees. No interest shall run on the security deposit.] [Inserted by GSR 239, dated 27.9.1965.]

6. Survey and demarcation of the area. - When a mining lease is granted by the Government arrangements shall be made, if necessary, at the expense of the lessee, for the survey and demarcation of the area granted under the lease. The lessee shall have to bear actual expenses of his staff deputed for the work. Actual expense will include travelling allowances and daily allowances and salary of staff plus [40 per cent] [Substituted vide Legislative Supplement Part III, dated 21st January 1994.] as instruments charges.

7. Right of the lessee/lessees to determine the lease. - The lessee may determine the lease at any time by giving not less than six calendar months' notice in writing to the Governments after paying all outstanding dues of the Government.

IN WITNESS WHEREOF these presents have been executed in the manner hereunder appearing the day and year first above written. Signature of the Lessee/Lessees For and on behalf of the Governor of Punjab Witness

1. _____ 1. _____
2. _____ 2. _____

Form 'G' [See Rule 21(1)(i)(b) Half-yearly Royalty Statement

1. Name of the lessee. 5. Rate of surface Rent.
2. Name of the Mine. 6. Rate of Dead rent.
3. Area 7. Period of lease with date of its commencement.
4. Rent of royalty.

Serial No.	Name of the Minor Mineral	Balance brought forward from the previous	Production	Dispatches from Mine had	Royalty/Dead Rent	Surface rent	Total	Remarks
			During the half year under report	Amount fell due during the half year under report				

half year

1 2 3 4 5 6 7 8 9

Signature of the lessee or his authorised agent DateNote. - (1) Royalty is chargeable on the minerals, despatched from the leased area.(2)This statement should be submitted to the Director and the Mining Officer concerned by the 10th of April and 10th of October, positively.Form 'H'[See rule (21)(i)(xi)(a)]MONTHLY RETURN FOR THE MONTH OF _____ 19

1. Name of the Mine 3. Name and address of lessee.
2. Location of the Mine. 4. Name of miner Mineral(s) for which lease has been granted.
(a)Village(b)District(c)State

Name of Mineral(s)	Closing stock brought forward from the previous month (TONS)	Production during the month (TONS)	Despatches during the month in (tons)				Closing Stock (TONS)	
			By truck	By Railway	By other means of transport	Total	Stock	
1	2	3	4	5	6	7	8	
Average daily No. of labourers employed			Wages paid					
Male			Female	Adolescent	Total	Male	Female	Adolescent
9			10	11	12	13	14	15
								16

Signature of the lessee or his authorised Agent. DateN.B. : (1) Please furnish on the reverse of this form reasons for rise or fall in production, despatches and labour employed, etc., as compared with the previous month.(2)Please send this report to :-(1)The Director of Industries, Punjab, Chandigarh.(2)The Mining Officer concerned, by the 10th of the month following month under report.Form 'I'[See rule 21(1)(x)(bd)]Annual statement of Minor Minerals obtained, Labour employed, etc. for the Financial Year ending _____ 19Name of the Lessee

Area of Lessee _____ Village

Tehsil

District

Average number of persons employed daily					
Name of the minor mineral	Output	Value	Male	Female	Total
1	2	3	4	5	6

Average No. of days worked	No. of accidents	Compensation paid	n.P.	Number of days worked	Remarks
		Rs.			
7	8	9	10	11	

Dated _____ Signature of the lessee or his authorised agent. This return is to be submitted by the 15th April each year for the preceding financial year, i.e. from first of April to 31st March, to the Mining Officer concerned. Form 'J' [See Rule 21(1)(xvii)]

1. (a) Name of mine. ...
- (b) Name of minor mineral worked ...
- (c) Situation of mine (Villagers, Thana, Sub-Division, District, State) ...
- (d) Date when work has first started ...
2. (a) Name and postal address of present owner(s) ...
- (b) Name and postal address of agent, if any ...
3. (a) Name and postal address Manager, if any ...
- (b) His age ...
- (c) His qualification ...
- (d) His experience in mining ...
4. Whether workings are likely to be extended below superjacent ground ...
5. Maximum depth of open cast excavation measured from its lowest point ...
- (b) Date when depth first exceeded six meters ...
6. (a) Nature, amount and kind of explosives used, if any ...
- (b) Date when explosives were first used. ...
7. Date(s) on which the number of persons employed on any day exceeded 50 ...

Signature of owner/Agent/Manager. Date _____ To be sent to - (1) The Chief Inspector of Mines, Government of India, Dhanbad Eastern Railway; (2) The Director, Indian Bureau of Mines, Government of India, Nagpur; (3) The District Magistrate of the District where the mine is situated; (4) The Director of Industries, Punjab, Chandigarh. (5) Mining Officer concerned. Form 'K' Form K omitted vide Legislative Supplement Part III, dated 21st January, 1994. Form 'L' (See rule 33) This Indenture made this _____ day of _____ 1996 _____ between the Governor of Punjab acting through _____ (hereinafter called the 'Government' which expression shall, where the context so admits, be deemed to include his successors in office and assigns) of the one part and _____ (hereinafter referred to as "the Contractor/Contractors" which expression shall where the context so admits include his/their heirs, executors, administrators, representatives and permitted assigns) of the other part. And whereas the Contractor/Contractors has/have offered the highest bid/tender for the contract of _____. (Name of the quarry) _____ (hereinafter referred to as the said lands) in

_____ Districts _____ And whereas the Contractor/Contractors has/have paid Rs. _____ as first quarterly instalment/contract money for the first year in full and as security of Rs. _____ for the due fulfilment of the terms and covenants hereinafter mentioned and the Government has agreed to grant him/them the aforesaid contract. Now these presents witnesses as follows :-

1. Period of the contract. - The period of the contract shall be

_____ years commencing on 1st April _____
1996 _____ and ending on the 31st March,
1996 _____.

2. Mode of payment of contract money. - In the case of contracts where the annual contract amount exceeds Rs. 1,000 the Contractor/Contractors shall deposit the balance contract money for the first year of the contract with the Mining Officer _____ in equal quarterly instalment in advance on the 15th July, 15th October and 15th January. The contract money for the subsequent years of the contract shall be paid by the Contractor/Contractors in advance in equal quarterly instalments on the 15th April, 15th July and 15th January in each year. In the case of contracts where the contract money does not exceed Rs. 1,000 the annual contract money for each of the subsequent years shall be paid by the Contractor/Contractors in advance on or before the 15th of April, each year.

[In case any amount is not paid by the due date and no action is taken under clause 16 the contractor/contractors shall be liable to pay interest on such amount at the rate of [eighteen per cent] [Added at the end by GSR 51, dated 3.8.1971.] per annum for the period payment is delayed by the contractor/contractors. [2-A. Notwithstanding anything contained in clause 2, in the case of contracts of saltpetre the contractor/contractors shall deposit the entire contract money for each of the subsequent years of the contract with the District Industries Officer/Mining Officer concerned in advance, before or on the 15th of October each year] [Inserted by GSR 21, dated 16.2.1970.].

3. No quarrying operations in certain areas. - No quarrying operations or working shall be carried on or permitted to be carried on by the Contractor/Contractors in or under the said lands at or to any point within a distance of 75 meters from any railway line except with the previous permission in writing of the Railway Administration concerned or 60 meters from any bridge or 60 meters from national highway or 50 meters from any reservoir tank, canal or other public works such as public roads and buildings or inhabited sites except with the previous permission in writing of

the Government or such other Officer, authorised by it in this behalf or otherwise than in accordance with such instruction, restrictions and conditions either general or special which may be attached to such permission. The said distance of 50 meters shall be measured in the case of a railway reservoir or canal horizontally from the outer toe of the bank or the outer edge of the cutting, as the case may be, and in the case of a building horizontally from the plinth thereof. In case of village roads no workings shall be carried on within a distance of 10 meters of the outer of the cutting except with the previous permission in writing of the Government or any Officer, duly authorised by it in this behalf.

[Provided that in the case of saltpetre, no quarrying operations on workings shall be carried on or permitted to be carried on by the contractor/contractors in or under the said land or to any point within a distance of 10 meters from any railway line a bridge, national highway, reservoir, tank, canal or other public works etc.] [Added at the end by GSR 51, dated 3.8.1971.]

4. To allow entry to Central Government and State Government Officers for inspection, etc. - The Contractor/Contractors shall at all reasonable times allow the Director of Industries, Punjab and other Officer, authorised by the Central Government or by the Punjab Government in that behalf to inspect the said lands and the buildings and plant, erected thereon and the Contractor/Contractors shall assist such person(s) in conducting the inspection and afford them all information they may reasonably require, and shall conform to and observe all order which the Central and the Punjab Government as the result of such inspection or otherwise, may from time to time pass.

5. Assign, sublet or transfer of the contract. - The Contractor/Contractors shall not assign, sublet or transfer the contract to any person without obtaining prior permission in writing from the Government.

6. Fencing of working place. - If a working place is found to be unsafe all persons shall be withdrawn by the Contractor/Contractors immediately from the dangerous area and all access to such working place except for the purpose of removing the danger or saving life shall be prevented by securely fencing the full width of all entrances to the place, at his/their own cost.

- 7. To keep Government indemnified from third party claims. - The Contractor/Contractors shall keep the Government indemnified from any third party claim and shall settle such claim of his/their own accord.**
- 8. Fencing of excavations after termination or sooner determination of the contract. - The Contractor/Contractors, or termination or sooner determination of the contract, shall at his/their own cost, suitably fence the excavations for safety, as instructed by the Director of Industries, Punjab or the Mining Officer.....**
- 9. [Payment of compensation to the land owners. [Substituted by Notification No. G. S. 51/C.A.67/1957/S.15/Amd.(25)/2012, 12.9.2012] - The contractor shall pay an amount equal to one third of the amount of contract as determined under sub-rule (2) of rule 28 as compensation of damage to the owner of land, wherefrom the minor minerals are extracted/quarried.]**
- 10. Felling of trees. - The Contractor/Contractors shall not fell or cut any tree, standing on the land wherein the quarry is located without obtaining prior permission in writing from the Collector of the District concerned or Chief Conservator of Forest, Punjab, in respect of Forest areas as the case may be and paying its price fixed by him.**
- 11. Not to carry on surface operation in prohibited areas. - The Contractor/Contractors shall not carry surface operations in any area, prohibited by any authority, without obtaining prior permission in writing from the concerned authority.**
- 12. Not to enter and work in reserved and protected Forest areas. - The Contractor/Contractors shall not enter and work in any reserved or protected forest without obtaining prior permission in writing from the Chief Conservator of Forest, Punjab or any other Officer, authorised by him in this behalf.**
- 13. Application of all rules and regulations to this Contract. - This Contract is subject to all rules and regulations which may from time to time be issued by the Government regulating the working of quarries and other matters affecting the safety, health and convenience of the Contractor/Contractors employees or of the public, whether under the Indian Mines Act or otherwise.**

14. To report accident. - The Contractor/Contractors shall without delay send to the Collector concerned and the Mining Officer (sic) a 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 this Contract.

15. To submit reports and returns. - The Contractor/Contractors shall furnish such reports and returns relating to output of labourers employed and other matters as the Government may prescribe.

16. Penalty for default. - (1) In case of default in the due observance of the terms and conditions of the contract or in payment of the contract money on the due date, the contract may be determined by the Government or by any officer authorised by it in this behalf, by giving one month's notice with forfeiture of instalment paid in advance, if any.

(2) Without prejudice to the power of the Government or any officer authorised by it under sub-clause (1), the security deposits may be forfeited, if the contractor makes default in the due observance of any terms and conditions of the contract].

17. Termination of the contract by State Government - The contract may be terminated by State Government if considered by it to be in public interest, by giving one month's notice :

Provided that in the State of national emergency or war the contract may be terminated without giving such notice.

18. Recovery of contract money as arrears of land revenue. - Any sum due from the Contractor/Contractors on account of contract money in respect of the contract, shall be recovered from him/them as arrears of land revenue.

19. Security deposit shall carry no interest. - The security, deposited by the Contractor/Contractors shall not carry any interest. It shall be refunded to the Contractor within three months from the date of expiry or sooner determination of the contract.

20. Delivery of possession of the quarry in workable condition. - The Contractor/Contractors shall deliver the possession of the quarry to the Mining Officer, _____ in a workable condition. In case

he/they fills/fill it with debris, the debris shall be cleared at the cost of the Contractor/Contractors and the amount so spent, shall be deducted from his/their security deposit.

21. Opening of new quarry. - The Contractor/Contractors shall not open any new quarry without obtaining prior permission in writing from the Directors of Industries, Punjab.

22. To allow facilities to other Contractors, etc. - The Contractor/Contractors shall allow existing and further contractors/mining lease holders/permit holders of any land which is comprised in or adjoins or is reached by the land, held by the Contractor/Contractors, reasonable facilities for access thereto.

23. Stock lying at the end of the contract. - The Contractor/Contractors shall on termination or sooner determination of the contract, remove all extracted minerals, from the premises of the quarry. All extracted minerals in the said lands, left over undisposed after seven days from the date of the termination or determination of the contract, shall be deemed to be the property of the Government who may dispose it of in any manner it may like, without paying anything therefor to the Contractor/Contractors.

24. State Government not responsible for loss to Contractor/Contractors. - The Government shall not be responsible for any kind of loss to the Contractor/Contractors.

25. Notices. - Every notice by these presents required to be given to the Contractor/Contractors shall be given in writing to such person, resident on the said lands, as the contractor/contractors may appoint for the purpose of receiving of such notices and if there shall have been no such appointment, then every such notice shall be sent to the contractor/contractors at the address, recorded in this deed or at such other address in India as the contractor/contractors may from time to time in writing to the Government designate for the receipt of notices and every such service shall be deemed to be proper, and valid service upon the contractor/contractors and shall not be questioned or challenged by him/there.

26. To supply minerals to consumers. - The Contractor/Contractors shall supply to consumers or allow them to excavate building stones, lime stone, kankar and bajri at the rates specified in the third schedule appended to the Punjab Minor Mineral Concession Rules, 1964 for their bona fide personal use or for the construction of buildings meant for charitable or philanthropic purposes.

27. Acquisition of land of third parties and compensation thereof. - In case the occupier or owner of the lands refuses his consent to the exercise of the rights and powers reserved to the Government and demised to the Contractor/Contractors under these presents, the Contractor/Contractors shall report the matter to the Government who shall ask the Collector of the district concerned to direct the occupier or owner to allow the Contractor/Contractors to enter the said land and to carry out such operation as may be necessary for working the mine, on payment, in advance, of such compensation to the occupier or owner by the Contractor/Contractors, as may be fixed by the Collector under the Land Acquisition Act, 1894.

IN WITNESS WHEREOF these presents have been executed in the manner hereunder appearing the day and year first above written.

Signature of Contractor/Contractors For and on behalf of the Governor of Punjab

Witness -

Witness -

1

1

2

2

[Form 'M'] [See Legislative Supplement Part III, dated 16.9.1977.](See Rule 53)In exercise of the powers, conferred by rule 43 of the Punjab Minor Mineral Concession Rules, 1964, read with Punjab Government Order No. _____, dated _____, I, _____ hereby certify that a sum of Rs. _____ (Rupees _____) (in words) is recoverable as arrears of land revenue from _____ on account of the following in respect of lease or contract of _____ deposits village(s) _____ in _____ District:-

Rs.

(i) Royalty/dead rent . . .

(ii) Surface Rent . . .

(iii) Contract money . . .

Total . . .

Place Signature of the Issuing

Dated Authority with Designation.

[Form 'N'] [See Legislative Supplement Part III, dated 16.9.1977.](See Rule 54-B)Return of Actual Production of Minor Minerals during The MonthName of owner of mine/quarry

_____ month of Production _____ Year 19Full
address _____

Serial No.	Opening stock on the 1st day of the month to which the returnpertains (MTs)	Output of minerals during the month (in MTs)	Total (in MTs)	Details of despatch during the month	Closing stock on the last day of the month	Calculation of royalty
1	2	3	4	5	6	7

Certified that the above statements are true to the best of my knowledge and belief and are based on the records maintained in mine/quarry.No.Date and

PlaceSignatureOwner/Partner/Director/Agent/ManagerForm 'O'[See Rule 54(c)]Order of AssessmentDistrict in which the mine/quarry is situated _____ Assessment case No. _____ of _____ 19_____.

1. Year of assessment - Month in which assessment is made

2. Name of the mine/quarry assessed.

3. Location of the mine/quarry.

4. Full Postal address.

5. Account books, etc. produced, if any.

6. Rule and sub-rule under which assessment is made.

7. Total tonnes of minerals produced as per return furnished by the assessee.

8. Total tones of minerals produced as determined on the basis of books of accounts produced or to the best judgment of the Assessing Authority - (reasons to be recorded).

9. Amount of royalty assessed at the rate _____ per tone of mineral produced on the basis of item-8 above.

Assessment order in brief.Seal of the Assessing Authority.Assessing Authority.No.

_____ Date _____ Place

_____. Certified copies of the assessment order may be obtained from the office of the assessing authority on payment to him a fee of [rupees one hundred] [Substituted for 'Rs. 40' by Punjab Government Notification No.G.S.R.93/C.A.67/57/S.15/Amd.(18)/99, dated 24.12.1999.] for each copy. The amount will be debited to "0853-Non-Ferrous Mining and Metallurgical Industries-102-Mineral Concession Fee, Rent and Royalties." Form 'P'[See rule 54-C(2) and

(3)]To _____ Whereas

I desire to satisfy myself that the return in Form 'N' filed by you for the month

_____ 19, is correct and complete. You are hereby directed to appear in person or through a duly authorised representative before

_____ and to produce on _____ at

_____ or cause to be produced at that time the accounts and documents specified below, together with any objection which you may wish to prefer and to produce any evidence you may wish to do in support thereof. In the event of your failure to comply with this notice, I shall proceed to assess the royalty to the best of my judgment under rule 54-C(3) of the Punjab Minor Mineral Concession Rules, 1964 without further reference to you. Seal of the Assessing Authority. Assessing Authority No. _____ Date _____

_____ Place _____ Particulars of accounts and documents required.

1. Books of accounts for the month(s) in question in general and records of production together with records in support of the figures entered therein.

2. Any other subsidiary record showing production of minerals during the month(s).

Form 'Q'[See Rule

54-C(4)]NoticeTo _____ Whereas you have not furnished a return in form 'N' in respect of the month(s) of _____ 19, by the due date. You are, therefore, required to submit a return within one calendar month from the date of issue of this notice for the month(s) of 19. in form 'N' of the Punjab Minor Mineral Concession Rules, 1964. In the event of your failure to comply with this notice, I shall proceed to assess the Royalty to the best of my judgment under rule 54-C(4) of the Punjab Minor Mineral Concession Rules, 1964 and you will also be liable to prosecution under rule 54. Assessing Authority. Seal of the Assessing Authority. No. _____ Date _____ Place _____

_____ Form 'R'[See Rule 54(c) (5)]NoticeTo _____

_____ Whereas it appears that you have raised _____ Minor Mineral without lawful authority and have removed _____ during the month _____ of _____ 19. You are, therefore, directed to appear, in person or through a duly authorised representative before _____ at _____ on _____ at _____ (time) and to produce or cause to be produced at that time the accounts and documents specified below, lodge at that time any objection which you may wish to prefer in support thereof, and produce any evidence in this regard. In the event of your failure to comply with

this notice, I shall proceed to assess the royalty to the best of my judgment under Rule 54(c)(5) of the Punjab Minor Mineral Concession Rules, 1964 and further more you will be liable to prosecution under Rule 54. Assessing Authority. Seal of the Assessing Authority. No.

_____ Date _____ Place _____
_____ Particulars of Accounts and Documents required.

1. Books of accounts for the month(s) in question in general and records of production together with records in support of the figures entered therein.

2. Any other record showing the production of minerals.

Form 'S'[See Rule 54-C(6)] Demand

notice To _____ In continuation of notice
_____ issued to you per registered post on the
_____ day of _____ 19 19- you are hereby informed that total
production of mineral during the month(s) of _____ 19, has been finally determined
at _____ tonnes and accordingly royalty amounting to Rs.
_____ (Rupees _____) and price of Rs. _____
only is payable by you. You are hereby directed to pay the sum of Rs. _____ (Rupees
_____) only as detailed below into the nearest Government Treasury on or before
the _____ day of _____ 19, and produce before the undersigned a
copy of the relevant Treasury Challan as proof of payment not later than the _____
day of _____ 19, failing which the said sum of Rs. _____ (Rupees
_____) only will be recoverable from you as an arrears of land revenue. Details of
assessed amount

1. Amount of royalty payable _____

2. Deduct amount already paid _____

3. Net amount payable _____

Assessing Authority. Seal of the Assessing Authority. No. _____ Date
_____ Place _____ Form 'T'[See Rule
54-E(i)] Weighment Slip No. _____ Date _____

1. Permit No. and date/date of Contract or Lease

2. Date of expiry of the permit/contract lease

- 3. Name of the quarry/mine**
- 4. Name and address of the permit/contract/lease holder**
- 5. Name and address of the consignee/**
- 6. Truck No. and name of the driver, carrying the material**
- 7. Description and weight of the material despatched**
- 8. Time of departure of the truck from the quarry/mine site**

Signature of the permit/Contract/Lease HolderStamp of the Mining Officer concerned.