

The Haryana Regulation and Control of Crushers Rules, 1992

HARYANA

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Rule

THE-HARYANA-REGULATION-AND-CONTROL-OF-CRUSHERS-RULES of 1992

- Published on 28 September 1992
- Commenced on 28 September 1992
- [This is the version of this document from 28 September 1992.]
- [Note: The original publication document is not available and this content could not be verified.]

The Haryana Regulation and Control of Crushers Rules, 1992Published vide Haryana Government Notification No. G.S.R. 69/H.A./15/91/S.16/92, dated The 28th September, 1992Haryana Government, Mines and Geology DepartmentNo. G.S.R. 69/H.A. 15/91/S.16/92. - In exercise of the powers conferred by Section 16 of the Haryana Regulation and Control of Crushers Act, 1991, (Haryana Act 15 of 1992), the Governor of Haryana hereby makes the following rules regulating the grant of renewal of licences to the owner of crushers, namely :-

Chapter I Preliminary

1. Short title.

- These rules may be called the Haryana Regulation and Control of Crushers Rules, 1992.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Haryana Regulation and Control of Crushers Act, 1991;(b)"Form" means a form appended to these rules;(c)"section" means a section of the Act.

Chapter I

Preliminary

3. Application for grant of a licence and its renewal. Section 4.

(1)An application for the grant of a licence and its renewal shall be made to the Director in Form A.(2)Every application for grant or renewal of a licence shall be accompanied by :-(a)a fee of Rs. 10,000/- (Rupees ten thousand only);(b)a site plan of land on which crusher is installed or is to be installed to the scale, showing the location of stone crusher with reference to National Highway, State Highway, town, abadi, approved urban area, colony, village Abadi and tourist complex;(c)No objection certificate from Haryana State Board for the Prevention and Control of Water Pollution regarding the site of stone crusher specifying pollution control devices installed or to be installed by the crusher owner;(d)proof of ownership of land or a copy of the lease-deed entered into with the owner of land, leasing the land to the crusher owner.(3)In case of renewal of the licence, the licensee shall apply for the renewal atleast six months before the expiry of the licence in Form A, documents referred to in Clause (b) of sub-rule (2) need not accompany with the renewal application.

4. Power of grant, renewal or refusal of a licence. Section 4.

(1)The Director may grant a licence to the crusher owner in Form B for a period of three years.(2)The Director may renew the licence in Form C for a period of three years.(3)In case the Director is of the opinion that it is not expedient to grant a licence taking into consideration various factors relating to general health of public or crops or private or public properties or forest, nurseries and wildlife, he may after giving an opportunity of being heard and for reasons to be recorded in writing and communicated to the applicant, refuse to grant or renew a licence.(4)An application for grant or renewal of a licence made under Rule 3 shall not be refused by the Director only on the ground that Form A is not complete in all material particulars or is not accompanied by the documents referred to in Clauses (a), (b), (c) and (d) of sub-rule (2) of Rule 3.(5)Where it appears that the application is not complete in all material particulars and is not accompanied by the required documents, the Director shall, by notice, require the applicant to supply required information or documents, as the case may be without delay and in any case, not later than 15 days from the date of receipt of such notice by the applicant failing which his application shall be disposed of on its merit in accordance with sub-rule (3).(6)In case application for renewal submitted in term of sub-rule (3) of Rule 3 is not disposed of before the expiry of the period of licence, then it shall be deemed to have been refused.

5. Terms and conditions of a licence. Section 3.

(1)Every licence shall be subject to the following terms and conditions :-(a)A licensee shall observe the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules and notification framed or issued thereunder :-(b)the licensee shall not pay wages less than the minimum wages prescribed by the Central or State Governments from time to time under the Minimum Wages

Act, 1948, to the workers employed in the crushing operations;(c)the licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of the Director;(d)the licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer or Mining Officer of the district concerned about any accident which may take place during the course of crushing operations resulting in serious bodily injury; and(e)the licensee shall indemnify the State Government against the claims of the third party.(2)The Director may impose any such further conditions as he may deem fit.(3)If the licensee commits a breach of any conditions, the Director shall give notice to the licensee requiring him to remedy to breach(es) within 30 days from the date of receipt of the notice and if the breach is not remedied within such period, the Director may without prejudice to any proceedings that may be taken against the licensee cancel the licence.

6. Reports and returns of licensee. Section 7.

- The licensee shall submit a return in Form D by 10th of every month to the Director and also other officer(s) specified in that Form giving total quantity of minerals or minor minerals crushed pay day, electricity consumed, power generated in case of captive power generated run crusher, number of labour employed and wages paid.

7. Maintenance of Registers and record. Section 8.

- The licensee shall maintain registers in Form E for inspection by the Director relating to electricity consumed, power generated in case of captive power generated run crusher, number of labourers employed and wages paid.

8. Inspection of the Crusher. Section 6.

- The licensee shall allow the inspecting staff, access to the crusher and make available to them all the records relating to operation of crusher during an hour of a day viz., quantum of minerals or minor minerals crushed per day, electricity consumed, oil and lubricants used for captive generation of power, provisions of first aid facilities and arrangement for suppression of dust.

9. Appeals. Section 10.

(1)Any person aggrieved by any order made by the Director or any officer authorised by him in this behalf or against the deemed refusal of renewal application of license under sub-rule (6) of Rule 4 may within a period of 60 days of the communication to him of such order, prefer an appeal to the State Government in duplicate for revision of the order. The application should be accompanied by a bank draft for five hundred rupees drawn on a Nationalised Bank in the name of Accounts Officer, Department of Mines and Geology payable at Chandigarh or through a treasury challan for five hundred rupees under Head of Accounts "853 - Non-Ferrous Mining and Metallurgical Industries - 102 - Mineral Concession Fees and Royalties".(2)Where the fee under sub-rule (1) has been deposited but no appeal is preferred, the fee shall be refunded to the person concerned on

application being made by him in this behalf to the State Government.(3)Upon receipt of the appeal, the Government may call for the relevant record and other information and after giving the appellant an opportunity of being heard and considering any comments that might be offered by the Director or the officer, as the case may be, cancel or review the orders against which appeal has been preferred. The orders of the Government under this rule, shall be final. Form A (See Rule 3) Application for Grant/Renewal of Licence for Running a Crusher To The Director, Mines and Geology Department, Haryana. Through _____ Sir, I/We _____ have the honour to request that a licence under Sections 4 and 5 of the Haryana Regulation and Control of Crushers Act, 1991, be granted to run the crusher in Village _____, Tehsil _____, District _____, of Haryana State for a period of three years.

2. A fee of Rs. 10,000/- as application fee for the grant of licence is remitted through the Bank Draft/Demand Draft No. _____, dated _____, issued by _____ payable at Chandigarh has been deposited in (Name of issuing Branch) _____ treasury under head _____ vide challan No. _____ dated _____ and receipted challan wherefor is enclosed.

3. The required particulars are given below :-

- | | | |
|--------|---|-------|
| (i) | Name and address of the individual/firm/company | _____ |
| (ii) | Nationality of individual/members of the firm/company | _____ |
| (iii) | Place of registration or incorporation of the firm/company | _____ |
| (iv) | Address of the individual/firm/company/society | _____ |
| (v) | Whether the application is for fresh licence or for renewal of previous licence | _____ |
| (vi) | In case of renewal, the number and date of the previous licence and its date of expiry | _____ |
| (vii) | The name of mineral/minor mineral to be crushed at the crusher | _____ |
| (viii) | The quantity of raw material required annually as per installed capacity of the crusher | _____ |
| (ix) | The detail of the machinery installed/to be installed for the crusher | _____ |
| (x) | Total investment on land, building and machinery and working capital | _____ |
| (xi) | Distance from - | |
| | (i) National Highway | _____ |
| | (ii) State Highway | _____ |
| | (iii) Metalled road | _____ |

- (iv) Town or approved urban estate area _____
- (v) Village Abadi _____
- (vi) School _____
- (vii) Canal _____
- (viii) Government Hospital/Dispensary/Tourist complex _____
- (xii) Details of the first aid facilities available at the crusher _____
- (xiii) Total number of workers employed at the crusher _____
 Number of workers _____
 (i) Skilled _____
 (ii) Unskilled _____
- (xiv) Number of trucks/carriers engaged in transporting raw material from the quarry to the crusher _____
- (xv) Approximate annual production in quantity as well as its value _____
 Details of the steps taken for control of dust pollution and for ensuring compliance of the Water (Prevention and Control of Pollution) Act, 1874, the Air (Prevention and Control of Pollution) Act, 1981, the Environment Protection Act, 1986 and the rules and notification framed or issued thereunder _____
- (xvi) Source of water supply for sprinkler _____
- (xvii) Whether run on electricity supplied by State Electricity Board or by captive generated power. _____
- (xviii) Area of land where stone crusher is set up _____
 (i) For building and machinery _____
 (ii) For storage of raw material _____
 (iii) Total _____
- (xix) Village, tehsil and district in which the crusher is situated _____
- (xx) Khasra No./detail of land where crusher is installed/to be installed _____
- (xxi) Whether the crusher is situated in the zone earmarked by the Town and Country Planning Department or not. _____

Your faithfully, (Signature of applicant) Place _____ Dated _____ Form B (See Rule 4) Government of Haryana Department of Mines and Geology Standard form for licence for running a crusher Whereas Shri/M/s. _____ owner of _____ crusher has/have applied for the licence for running a crusher situated over an area of _____ in khasra Nos. _____ of village _____, tehsil _____, district _____ for a period of 3 years under Sections 4 and 5 of the Haryana Regulation and Control of Crusher Act, 1991, read with Rule 3 of the Haryana Regulation and Control of Crushers Rules, 1992, and has/have paid Rs. 10,000/- as application fee. Permission is hereby granted to Shri/M/s. _____ to run the crusher in village _____, tehsil _____, district _____, during the period from _____ to _____ subject to

the conditions given below :-(a)A licensee shall observe the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules and notifications framed or issued thereunder.(b)The licensee shall not pay wages less than the minimum wages prescribed by the Central or State Government from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing operations.(c)The licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of Director.(d)The licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer or Mining Officer of the district concerned about any accident which may take place during the course of crushing operation resulting in serious bodily injury.(e)The licensee shall indemnify the State Government against the claims of the third party.The licence expires on _____.

Director, Mines and Geology, Haryana. Dated _____ Form C (See Rule 4) Government of Haryana Department of Mines and Geology Standard form for renewal of Licence for running a crusher Whereas Shri/M/s. _____ owner of _____ crusher has/have applied for the renewal of licence No. _____ dated _____ granted for the period from _____ to _____ to run the crusher and has/have paid the renewal fee of Rs. 10,000/-. Permission is herewith granted to Shri/M/s. _____ to run crusher in village _____/Tehsil _____, district _____ for another three years with effect from _____ subject to the conditions given below :-(a)A licensee shall observe the provisions

of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution Act, 1981, the Environment (Protection) Act, 1986 and the rules and notifications framed or issued thereunder.(b)The licensee shall not pay wages less than the minimum wages prescribed by the Central or State Government from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing operations.(c)The licensee shall restore to the extent possible flora, if destroyed, by the crushing operations and shall plant trees around the periphery of the crusher to the satisfaction of the Director.(d)The licensee shall immediately report to the Deputy Commissioner and Assistant Mining Engineer or Mining Officer of the district concerned about any accident which may take place during the course of crushing co-operations resulting in serious bodily injury.(e)The licensee shall indemnify the State Government against the claims of the third party.The licence expires on _____ Sd/-Director Mines and Geology, Haryana Dated _____

Form D (See Rule 6) Monthly return for the month of _____

1. Name of crusher _____

3. Name and address of crusher owner _____

2. Location of Crusher _____

4. Name of the minerals or minor minerals being crushed _____

(a) Village _____

(b) Tehsil _____

(c) District _____

Name of minerals or minor minerals being crushed	Quantity crushed	Electricity consumed (Units)	Number of labour employed	Wages paid per day	Kilowatt generated in case of captive

power
generated
runcrusher

(Month in
question)(i) Quantity(ii)

Signature of the crusher owner of his authorised agent. Please send this report to -(a)The Director Mines and Geology, Haryana(b)The Mining Officer concerned. by 10th of the month following the month under report. Form E(See Rule 7)

Date	Serial No.	Particulars	
1	2	3	
	1	Quantity of (in Metric tonnes) minerals or minor mineralscrushed	_____
	2	Kilowatt of Electricity consumed for crushing minerals or minor minerals	_____
	3	Kilowatts generated in case of captive generated power runcrushers	_____
	4	Number of labour employed	_____
	5	Amount of wages paid per day	_____