

The U.P. Minor Minerals (Concession) Rules, 1963

UTTAR PRADESH

India

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Rule THE-U-P-MINOR-MINERALS-CONCESSION-RULES-1963 of 1963

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The U.P. Minor Minerals (Concession) Rules, 1963Last Updated 9th March, 2020Chapter - I
Preliminary

1. Short title, extent, commencement and application.

- 1. These rules may be called the Uttar Pradesh Minor Minerals (Concession) Rules, 1963.

2. They shall extend to the whole of Uttar Pradesh.

3. They shall come into force with effect from the date of their publication in the Gazette.

4. They shall apply to all the minor minerals available in the state.

2. [Definitions. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

- In these rules, unless the context otherwise requires-(a)"Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957);(b)"Captive mines" shall mean the mining lease where more than 50 per cent of the entire quantity of mineral extracted from the lease is used in an industry owned by the lessee.(c)"Committee" means the Committee, consisting of the District Officer as Chairman and the representatives of the Director and the Divisional Forest Officer as members, constituted by the State Government Notification No. 4343/18-12-90601 /87, dated August 29,1990, whom the State Government has delegated its power under Rule 71 in respect of reserve forest areas;(d)"Director" means the Director of Geology and Mining Uttar Pradesh;(e)"District Officer" means the Collector or Deputy Commissioner of the district in which

the land is situated;(f)"Form" means a form set out in the Third Schedule to these rules;(g)"In situ rock deposit" means the mineral found in the form of rock and not displaced from the place of its origin;(h)"Mine" and "Owner" shall have the meanings respectively assigned to them in the Mines Act, 1952 (Act 35 of 1952);(i)"Mining operations" means any operations undertaken for the purpose of winning any minor mineral;(j)"Mining permit" means a permit granted under these rules to extract a specified quantity of minor mineral within the period stipulated in the permit;(k)"Minor minerals" means building stones, gravel, ordinary clay, ordinary sand other than sand used for prescribed purposes, and any other mineral which the Central Government has declared from time to time or may declare, by notification in the Official Gazette, to be a minor mineral, under clause (e) of Section 3 of the Mines and Minerals (Regulation and Development) Act, 1957 (Act 67 of 1957);(l)"Pits mouth value" means the sale price of the minor mineral at the pit head or at the point of production;(m)"Railway" and "Railway Administration" shall have the meanings respectively assigned to them in the Indian Railways Act, 1890 (Act 9 of 1890);(n)"Schedule" means a Schedule appended to these rules;(o)"State" and "State Government" respectively mean the State of Uttar Pradesh and Government of Uttar Pradesh.].

3. Mining operations to be under a mining lease or mining permit.

(1)No person shall undertake any mining operations in any area within the State of any minor minerals to which these rules are applicable except under and in accordance with the terms and conditions of a mining lease or mining permit granted under these rules:Provided that nothing shall affect any operations undertaken in accordance with the terms and conditions of mining lease or permit duly granted before the commencement of these rules.(2)No mining lease or mining permit shall be granted otherwise than in accordance with the provisions of these rules.

Chapter II

Grant of Mining Lease

4. Restriction on the grant of mining lease.

- No mining lease shall be granted to any person who is not an Indian National.Explanation. - For the purpose of the rule 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 percent of the share capital thereof is held by persons who are either citizens of India, or Companies as defined in the Companies Act, 1956:(b)in the case of a private company as defined in the companies Act, 1956 only if all the members of the company are citizen of India.(c)in the case of 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.

5. [Application for grant of mining lease. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017, (w.e.f. 26.8.1963).]

(1)An Application in form MM-1 for grant of a mining lease shall be addressed to the State Government.(2)The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorised in this behalf by the State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place time and date of receipt. One copy shall be returned immediately to the person presenting the application(3)The application referred to in sub-rule (1) shall be entered in a register of mining lease application in form MM-2.]

6. Application fee and deposit for grant of mining lease.

(1)Every application for grant of mining lease shall be accompanied by-(a)a fee of one thousand rupees;(b)a deposit of two thousand rupees for meeting the preliminary expenses, other than those specified in Rule 17, and(c)four copies of the cadastral survey map on which the area applied for is clearly marked and in case such area is not covered by cadastral survey, four copies of topographical survey map on a scale of at least 4" = 1 mile, on which the area applied for is accurately marked,(d)a certificate, issued by the District Officer or by such officer as may be authorised by the District Officer in this behalf, showing that no mining dues are outstanding against the applicant:Provided further that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the State Government, stating that he does not held or had not held any mining lease or any other mineral concession in the territory of the State;(e)[a certificate of caste and residence of the applicant, where the application is for mining lease of sand or morrum or bajri or boulder or any of these in mixed state;] [Inserted vide Notification No.859/77-5-2001-8 (204)/95 T.C., dated 01 March 2001 and published in the Gazette dated 31-03-2001, Part I](f)[a character certificate given by the District Officer of the District, where the applicant permanently resides] [Inserted vide Notification No.859/77-5-2001-8 (204)/95 T.C., dated 01 March 2001 and published in the Gazette dated 31-03-2001, Part I](g)in case the area applied for is having annual lease amount or dead rent, as the case may be ,of rupees two lacs or more ,then the applicant shall also furnish no objection certificate of the following authorities:-(i)Authorised officer of the Income Tax Department,(ii)Authorised Officer of the Trade Tax Department,(iii)District Magistrate of the District, where the applicant permanently resides,(iv)Senior Superintendent of Police/Superintendent of Police of the district, where the applicant resides.(2)[If the application is not complete in any respect or is not accompanied by the fee, deposit or the documents mentioned in sub-rule (1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice, require the applicant to complete the application in all respects or, to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.] [Substituted vide Notification No.859/77-5-2001-8 (204)/95 T.C. dated 01 March 2001 and published in the Gazette dated 31-03-2001, Part I]

6A. [*] [Omitted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017, (w.e.f. 26.8.1963).]**

6A. Application fee etc. for renewal of mining lease.- (1) An application for renewal of mining lease may be made at least six months before the date of expiry of the mining lease along with four copies of the map of lease hold area showing clearly the area applied for renewal and the provisions of clause (a) and (d) of sub-rule (1) of Rule 6 shall mutatis mutandis apply (2) [The State Government may condone the delay caused in making the application for renewal of mining lease after the period specified in sub-rule (1).] [Inserted vide above notification]

7. [Enquiry and reports. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017, (w.e.f. 26.8.1963).]

- The District officer shall, unless he is authorised to grant the mining lease cause an enquiry to be made into all relevant matter and, within two months from the date of receipt of application of mining lease forward two copies of the application alongwith his report to the State Government or to such other authority as the State Government may authorize in this behalf.]

8. [Disposal of application. [Substituted by Notification No. 2430/86-2015-278-2011, dated 14.7.2015.]

(1) The State Government or the authority authorised by it in this behalf may, subject to the provision of these rules and after making such further enquiry as it may consider necessary-(a) In case for application for grant of a mining lease, refuse or grant the mining lease for the whole or part of the area applied for and for such period as it may consider proper. (b) In case application for renewal of a mining lease, refuse or renew the mining lease for the whole or part of the area applied for and for such period, not exceeding the period of the original lease, as it may consider proper: Provided that where an application for grant or renewal of mining lease is refused or the area is reduced, reasons therefore shall be recorded and communicated to the applicant: Provided further that the State Government may permit second renewal only in those areas where minor mineral is found in mixed state exclusively in the river-bed but the period of such renewal shall not exceed the period of original lease: Provided also that in case of second renewal of mining lease the lessee shall pay two time annual lease amount or dead rent.]

9. Preferential right of certain persons.

(1) Where two or more persons have applied for a mining lease in respect of the same land the applicant whose application was received earlier shall have a preferential right for the grant of lease over the applicant whose application was received later: Provided that where such application are received on the same day, the State Government may, after taking into consideration the matters specified in sub-rule (2), grant the mining lease to such one of the applicants it may deem fit. (2) The matters referred to in sub-rule (1) are-(a) Any special knowledge or experience in mining operations possessed by the applicant; (b) The Financial resources of the applicant; (c) The nature and quality of the technical staff employed or to be employed by the applicant; (d) The conduct of the applicant in

carrying out mining operations on the basis of any previous lease or permit and in complying with conditions of such lease or permit or the provisions of any law in connection therewith; and(e)In respect of mining lease for sand or morrum or bajari or boulder or any of these in mixed state, exclusively found in the river bed, if other things are equal, preference shall be given to a person or group of persons, whether incorporated or not who belong to Socially Educationally Backward Classes (such as Mallah, Kewat, Bind, Nishad, Manjhi, Batham, Dhiwar, Themer, Chai, Sirahia, Turha, Raikwar, Kaiwrt, Khulwat, Tiya, Gaudia, Godia and Kashyap) and other such castes of citizens, as notified by the State Government from time to time who have obtained a certificate in From MM-14 from the concerned District Officer, or such other Officer authorized in this behalf by the State Government, certifying that such person/persons is/ are traditionally engaged in excavation of sand/morrum for their livelihood and who are resident of the District for which the application has been given;(f)Such other matters as may be considered necessary by the State Government.(3)Notwithstanding anything contained in sub-rule (1) and (2), the State Government may, for any special reasons to be recorded grant a mining lease to an applicant whose application was received later in preference to an applicant whose application was received earlier.

9A. [*] [Omitted by Notification No. 997/LXXXVI/-2017-57(Shamanya)2017, dated 18.6.2017 (w.e.f. 26.8.1963)]**

10. [Extent of area for which a mining lease may be granted. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)Minimum area for grant of a mining lease for sand or morrum or bajri or boulder or any of these in mixed state exclusively found in river bed shall ordinarily be five hectares and mineral found in the form of rock and not displaced from the place of its origin and other minor minerals shall be one hectare:Provided that in case of non availability of such extent of area, this sub rule does not apply.(2)No mining lease shall be granted in respect of any area which is not compact and contiguous or otherwise not suitable to scientific development:Provided that in respect of small deposits not suitable to scientific mining in isolated patches, a Mining lease may be granted for a cluster of such deposits without any division.(3)No person shall acquire in respect of any minor mineral, except sand or morrum or bajari or boulder or any of these in mixed state exclusively found in riverbed exceeding three mining leases, covering a total area of more than 25 Hectares:Provided that mining leases in respect of sand or morrum or bajari or boulder or any of these in mixed state, exclusively found in the riverbed exceeding two in number or total fifty hectares in area shall not be granted in favour of any person in the State of Uttar Pradesh:Provided further that if the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may for reasons to be recorded in writing permit any person to acquire one or more mining leases covering an area in excess of the limits mentioned above.Explanation. - For the purposes of these rules, a person acquiring by or in the name of another person a mining lease which is intended for himself shall be deemed to be acquiring it himself.]

11. Length and breadth of the area to be leased.

- The length of an area under a mining lease shall ordinarily not exceed four times its breadth.

12. [Period of mining lease. [Substituted by Notification No. 2430/86-2015-278-2011, dated 14.7.2015.]

(1) Except as provided in sub-rule (2), a mining lease in respect of sand or morrum or bajari or boulder or any of these in mixed state exclusively found in the riverbed shall be granted for a fixed period of five years and in respect of other minor minerals for a period not less than five years and not more than ten years. (2) If the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may, for reasons to be recorded in writing grant a mining lease for any period exceeding 10 years but not exceeding 15 years: Provided that the State Government may allow to extend the period of existing mining lease in respect of sand or morrum or bajari or boulder or any of these in mixed state exclusively found in the riverbed from the current period of three years to five years.

13. Security deposit.

- An application for a mining lease shall, before the deed referred to in rule 14 is executed and in such manner as the State Government may by order specify deposit as security, for the due observance of the terms and conditions of the lease, a sum equal to twenty five percent of the annual dead rent or annual lease amount of the leased area subject to the minimum of Rs. 2,000.00 No interest shall be payable on such security deposit.

14. Lease deed to be executed within three months.

(1) Where an order has been made for the grant of mining lease other than a mining lease for sand or morrum or bajari or boulder or any of these in mixed state a lease deed in Form MM-3 or in a form as near there to as the circumstances of each case may require, shall be executed within three months of the communication of the said order or within such further period as the State Government may allow in this behalf. If no such deed is executed within the aforesaid period due to any default on the part of the applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government. (2) The date of commencement of a mining lease referred to in sub rule (1) shall be the date on which the deed is executed under the said sub-rule. (3) Where an order has been made for the grant of a mining lease for sand or morrum or bajari or boulder or any of these in mixed state twenty five percent of the annual lease amount shall be deposited within seven days of the order or within such further - period as may be allowed by the District Officer not exceeding seven days and a lease deed in form MM-3 or in a Form as near there-to-as the circumstances of each case may require, shall be executed within one month of the communication of the said order or within such further period as the State Government may allow in this behalf The lease amount shall in respect of sand or morrum be determined on the basis of the average of the amount received during the last three

years from that area or the amount received in the preceding year from such area which ever is higher and in respect of sand, bajari, and boulder or any of these in mixed state be determined on the basis of the highest amount received during the last three years. If no lease amount is deposited or no lease deed is executed within the aforesaid period due to any default on the part of applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government.(4)The date of commencement of mining lease referred to in sub-rule (3) shall be the date on which the deed is executed under the said sub-rule or the date of actual commencement of mining operation which ever is earlier.(5)In case a lease referred to in sub-rule (3) is granted during the period of an year mentioned in column I of the schedule below, the annual lease amount shall be deposited in, respect of the first and subsequent years of the period of lease, in the instalments of such percentage of the annual lease amount and before such dates as are mentioned against each in the respective columns thereof namely:

of Deposit

Period During which lease is Granted	Percentage of lease amount deposited undersub-rule (3)	Instalments in the first Year	Instalments in the Subsequent years				
I	II	III	IV				
		1st	2nd	3rd	1st	2nd	3rd
January to March	25%	25% July, 1	25% Oct., 1	25% Jan., 1	50% April, 1	25% Oct., 1	25% Jan. 1
April to June	25%	25% Oct., 1	50% Jan., 1	--	25% Oct., 1	25% Jan., 1	50% April, 1
July to September	25%	25% Jan., 1	50% April, 1	--	25% Oct., 1	25% Jan., 1	50% April, 1
October to December	25%	50% April, 1	25% July, 1	--	25% Oct., 1	25% Jan., 1	50% April, 1

15. Refund of fee.

(1)Where an application for grant or renewal of a mining lease is refused, the fee paid by the applicant under clause (a) of sub-rule (1) rule 6 or under rule 6-A shall be refunded to him.(2)Where the whole or part of the amount deposited under clause (b) of sub-rule (1) of rule 6 has not been expended for the purposes specified in the said clause, it shall be refunded to the applicant:Provided that in case the amount to be expended for the purposes specified in the said clause (b) is more than the amount deposited under that clause, that applicant shall have to deposit the extra amount as may be determined by the State Government(3)Unless the State Government having regard to the facts of a particular case direct otherwise, the application fee shall not be refunded on an application being withdrawn.(4)Notwithstanding anything contained in sub-rules (1) and (2), where an application for grant or renewal of a mining lease is refused on account of any lapse on the part of

the applicant, the application fee and preliminary expenses shall not be refunded and forfeited to State Government.

16. Restriction on determination of mining lease.

- No lessee shall determine a mining lease except after giving a notice in writing of not less than six months to the State Government.

17. [Survey of the area leased. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)When a mining lease is granted, arrangement shall be made by the Director for survey and demarcation of the area granted under the lease for which lessees shall be charged at the following rates:(a)in the plains(i)for area up to 10 hectares Rs 5,000.00(ii)for areas beyond 10 hectares at the rate of Rs 500.00 per hectare subject to the minimum of Rs 6,000.00(b)in the hills(i)for areas up to 10 hectares Rs 8,000.00(ii)for areas beyond 10 hectares at the rate of Rs 800.00 per hectare subject to the minimum of Rs 10,000.00(2)The lessee shall, after the lease is granted to him, pay the demarcation charges through treasury challan and submit a map of the area granted under the lease, certified by the District Officer, to the concerned Mines Officer or to such other officer as may be authorised by the Director in this behalf. The Mines Officer or the officer so authorised shall, on receipt of the certified map and upon being satisfied that demarcation charges have been duly deposited, within fifteen days from the date of such receipt, survey and demarcate the area taking as reference at least two fixed points on the map and denoting the geo-coordinates of all the boundary pillars of the demarcated lease area.(3)The mines officer or the officer so authorised may, for the purpose of survey and demarcation of the area, take the help of such officer of the revenue and forest department of the district as he may consider necessary.(4)If any dispute arises in respect of demarcation of the area, the matter shall be referred to the Director, who shall, after giving the parties a reasonable opportunity of being heard, decide the matter.(5)The decision of the Director under under sub-rule (4) shall be final.].

18. Boundaries below the surface.

- The boundaries of the area covered by a mining lease shall run vertically downwards below the surface towards the centre of the earth.

19. Transfer of lease.

(1)A lessee shall not(a)assign, sublet, mortgage, or in any other manner transfer the mining lease, or any right, title or interest therein; or(b)enter into or make any arrangement, contract or understanding whereby the lessee may be directly or indirectly financed to a substantial extent or may be substantially controlled in mining operations by any person or body of persons other than himself:Provided that a lessee may, with the prior approval of the State Government and subject to such conditions and restrictions, as may be imposed by it, mortgage to a finance corporation owned

and controlled by the State Government or to a scheduled Bank as defined in clause (a) of Section 2 of the Reserve Bank of India Act, 1934 or a Bank specified in Column 2 of the First Schedule to the Banking Companies (Acquisition and transfer of undertaking) Act 1970; or, assign to any other person a mining lease or any right, title or interest therein.(2)The State Government, may by an order in writing, determine any lease at any time if the lessee has, in the opinion of the State Government assigned, sublet, mortgaged or in any other manner transferred the mining lease or any right, title or interest therein or entered into or made any arrangement, contract or understanding without its prior approval or has committed breach of any condition or restriction specified by the State Government in this behalf:Provided that no such order shall be made without giving the lessee a reasonable opportunity of stating his case."

20. Registers.

- The following registers shall be maintained in the office of the District Officer-(a)a register of applications for mining leases in Form MM-2, and(b)a register of mining leases in Form MM-4.Chapter -III Payment of Royalty and Dead Rent

21. [Royalty. [Substituted by Notification No. 306/ 35-86-2019-153(Sa.)-2017, dated 6.3.2019.]

(1)The holder of a mining lease granted on or after the commencement of these rules shall pay royalty in respect of any mineral removed by him from the lease area at the rates for the time being specified in the First Schedule to these rules.(1-a) Notwithstanding anything to the contrary contained in Rule 3, royalty should be payable by concerned brick klin owner or use of ordinary clay on ordinary earth at the rate, for the time being, specified in First Schedule to these rules:Provided that the State Government shall take fees to be known as regulating fees from brick klin owners in respect of districts categorised, on the basis of pay on at such rates as may be notified from time to time by it.(2)The State Government may, by notification in the Gazette, amend the First Schedule so as to include therein or exclude there from or enhance or reduce the rate of royalty in respect of any mineral with effect from such date as may be specified in the notification.Provided that the State Government shall not enhance the rate of royalty in respect of any mineral for more than once during any period of three years and shall not fix the royalty at the rate of more than 20 per cent of the pit's mouth value.(3)Where the royalty is to be charged on the pit's mouth value of the mineral, the State Government may assess such value at the time of the grant of the lease and the rate of royalty will be mentioned in the lease deed. It shall be open to the State Government to reassess not more than once in a year the pit's mouth value if it considers that an enhancement is necessary.]

22. Dead Rent.

- The holder of a mining lease shall, during the terms of the lease, pay advance, in instalments for every year of the lease, such amount as dead rent at the rates mentioned in the second schedule to these rules, as may be specified in the lease deed by the State Government, and if the terms of lease permit the working of more\than one mineral in the same area, the said dead rent shall be paid

separately for each such minerals. Provided that the lessee shall in respect of each mineral, pay the dead rent or the royalty, whichever is higher in amount and not the both. Chapter- IV Auction Lease

23. [Declaration of area for e-tender/e-auction/e-tender-cum-e-auction lease. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1) The State Government may by general or special order declare the area or areas with Geocoordinates which may be leased out by e-tender/e-auction/e-tender-cum-e-auction. (2) Subject to direction issued by the State Government from time to time in this behalf- (a) The area or areas for mining leases in respect of sand or morrum or bajari or boulder or any of these in mixed state exclusively found in the riverbed shall be leased out only by e-tender or e-auction or e-tender-cum-e-auction for the fixed period of five years at a time. (b) New area of natural rocks of building stones and earlier leased area/areas, which has/have been treated as redeemed after expiration of period of lease and will not be renewed, may be leased for a maximum period of twenty years only through the process of e-tender/e-auction/e-tender-cum-e-auction. Provided that the earlier leaseholder of the concerned lease area, whose lease had been determined recently, has to be accommodated an opportunity to offer bid of higher amount than the highest bid shorted out for the concerned lease, within one, working day after the finalization of the entire process of e-tender/e-auction/e-tender-cum-e-auction and before issuance of Letter of Intent, before the District Magistrate having territorial jurisdiction over the concerned lease area, however with conditions that- (I) The character of the earlier leaseholder bears good conduct; (II) He has abided fairly all the norms during the course of the entire lease period; (III) He has no any due amount concerning mineral/mining; (IV) His name is not mentioned inter alia black list; (V) He has been a lease - holder of the concerned area or more than (VI) that area and has produced certified document/s concerning the same; (VII) He has participated for bid as per the prescribed process/procedures through e-tender/e-auction/e-tender-cum-e-auction with the required proper document/s concerning the e-tender/e-auction/e-tender-cum-e-auction: Provided that the lease-holder of more than 2 hectare area will have to install stone crusher within 2 years from execution of lease deed. (c) Naturally available rock type such mining deposit which had been defined earlier as major mineral and that has been declared minor mineral, vide Notification No. 422, Dated 10-2-2015 issued by the Government of India and new mining area containing embedded Granites (sized dimensional) shall be leased out as prospecting license-cum-mining lease for the maximum period of thirty two (32) years in one term through the proper process of e-tender/e-auction/e-tender-cum-cum e-auction, however out of the abovementioned period of thirty two years, two years period will be reserved for prospecting works and on being proved availability of mining the lease period shall be for maximum thirty (30) years. If any area has remained on lease since before or availability of mineral has already been approved within the concerned area then in such cases the mining lease will be approved directly for a maximum period of thirty years: Provided that the earlier lease-holder of the concerned lease area whose lease had terminated recently has to be accommodated an opportunity to offer bid of higher amount than the highest bid shorted out for the concerned lease, within one working day after the finalization of the entire process of e-tender/e-auction/e-tender-cum e-auction and before issuance of Letter of Intent, before the District Magistrate having territorial jurisdiction over the concerned lease area however with conditions

that-(I)The character of the earlier lease-holder bears good conduct;(II)He has abided fairly all the norms during the course of the entire lease period;(III)He has no any due amount concerning mineral/mining;(IV)His name is not mentioned inter alia black list;(V)He has been a lease-holder of the concerned area or more than that area and has produced certified document/s concerning the same;(VI)He has participated for bid as per the prescribed process/procedures through e-tender/e-auction/e-tender-cum e-auction with the required proper document/s concerning the e-tender/e-auction/e-tender-cum e-auction.(d)Naturally available in-situ rock-type mineral found in private land of minimum area one hectare shall be leased out for a maximum period of 10 years through e-tender/e-auction/e-tender-cum e-auction;Provided that in respective mine area the District Magistrate after confirming the availability of mineral, suitability of area, certificate of land ownership, land owner's affidavit for consent, shall process e-tender/e-auction/e-tender cum e-auction after determination of quantity and period not exceeding ten years. The land owner/owners after completion of e-auction process of the area will take cognizance of the highest bid and within seven working days get an opportunity to present an offer higher than the highest bid before the District Magistrate having territorial jurisdiction over the concerned area. If this right of first refusal is not exercised by the land owner/owners, the lease will be approved in favour of the highest bidder and the land owner/owners will have the right to receive a compensation equal to the amount as decided by the State Government from time to time, which will be in addition to the amount payable to the State Government. Payment to land owner/owners will be mandatory along with the payment to the State Government.(e)Private land situated in the river bed of area minimum 1 hectare in which sand of morrum or Bajri or Boulder or any of these in mixed state is available shall be leased out for the maximum period of 6 months through e-tender/e-auction/ e-tender cum e-auction:Provided that in respective mine area the District Magistrate after confirming the availability of mineral, suitability of area, certificate of land ownership, land owner's affidavit for consent, shall process e-tender/e-auction/e-tender cum e-auction after determination of quantity and period not exceeding six months. The land owner/owners after completion of e-auction process of the area will take cognizance of the highest bid and within seven working days get an opportunity to present an offer higher than the highest bid before the District Magistrate having territorial jurisdiction over the concerned area. If this right of first refusal is not exercised by the land owner/owners, the lease will be approved in favour of the highest bidder and the land owner/owners will have the right to receive a compensation equal to the amount as decided by the State Government from time to time, which will be in addition to the amount payable to the State Government. Payment to land owner/owners will be mandatory along with the payment to the State Government.(3)On the declaration of the area under sub-rule (1) the provisions of chapters II, III, VI and IX except Rules 10, 12, 17 and 93 shall not apply to the area or areas in respect of which the declaration has been issued. Such area or areas may be leased out according to the procedure described in this chapter.(4)The District Officer shall get the area or areas declared under sub-rule (1), evaluated for quality and quantity of mineral for fixing minimum bid or offer by the Director, Geology and Mining, Uttar Pradesh or by an officer authorised by him before the date fixed for e-tender/e-auction/e-tender-cum e-auction:Provided that the District Magistrate, if the need so arises, may, through the technical committee setup by the Government, assess the amount of minor mineral available in the river bed, once in a year, post monsoon. In case of disagreement between parties, the Director, Geology and Mining shall decide the matter and such decision shall be final.].

24. [Withdrawal of area from e-auction or e-tender or e-auction cum e-tender. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

- The State Government may by declaration withdraw any area or areas declared under sub-rule (1) of rule 23 or part thereof from any system of lease referred to therein and from the fate of withdrawal specified in the declaration which shall not be the date during the subsistence of a lease granted under this chapter the provision of chapter II, III and VI of these rules shall become applicable to such area or areas.]

25. [Register of area or areas declared for e-tender/ e-auction/ e-tender cum e-auction lease. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

- The District Officer shall cause to be maintained a register of areas declared under sub-rule (1) of rule 23 in Form MM-5]

26. [Restriction on grant of lease. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

- No person shall be allowed to bid or take part in e-tender/e-auction/e-tender-cum e-auction for a lease-(a)Who is not an Indian National.(b)Against whom mining dues are outstanding.(c)Who has not obtained a character certificate from the District Magistrate or State Government or the Officer of the District duly authorised by it where he permanently resides, issued on the basis of concerned police verification.(d)Who has not produced his Aadhar Card.(e)Whose name has been mentioned in the Black List.(f)In the cases of Firm/Company, which has not produced/furnished its Pan No. and G.S.T. Registration Certificate.(g)Who has not submitted solvency certificate or solvency certificate with bank guarantee, of worth not less than 25% of the bid amount.].

27. [Procedure for approval/grant of Lease by E-tender/E-auction/E-tender-cum-E-auction. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)Where the granting of lease of e-tender/e-auction/e-tender-cum-e-auction is expedient, the District Magistrate or Committee, as the case may be, shall fix the date, time and web portal determined by the State Government for e-tender/e-auction/e-tender-cum-e-auction, the procedure of which shall be such as may be determined by the State Government from time to time.(2)Lease through e-tender/e-auction/e-tender-cum e-auction shall be granted in the following manner-(a)The Committee authorised by the District Magistrate or the State Government shall publish public notice at least thirty days earlier to the concerned e-tender/e-auction/e-tender-cum-e-auction mentioning inter alia Date, Time and Web-portal determined by the State Government for such e-tender/e-auction/ e-tender-cum-e-auction.Provided

that where e-tender/e-auction/e-tender-cum-e-auction has not been completed due to any reason, whatsoever, such e-tender/e-auction/e-tender-cum-e-auction may be completed again after giving short term notice of not less than seven days.(b)The Public Notice of e-tender/e-auction/e-tender-cum-e-auction shall be published in the manner given below-(i)copies of the notice shall be displayed/pasted at the notice board of the office of the District Magistrate;(ii)copy of the notice shall be displayed on the web portal or website determined by the State Government;(iii)the notice shall be published in at least two national newspapers having circulation in the District for the information of general public; and(iv)in such other manner as may be directed by the State Government from time to time.(c)The District Magistrate may appoint an officer subordinate to him not below the rank of Additional District Magistrate, as presiding officer, for the purpose of e-tender/e-auction/e-tender-cum-e-auction.(d)The details of area or areas and terms and conditions of the lease for e-tender/ e-auction/e-tender-cum-e-auction shall be mentioned in the notice to be issued.(e)Any person, who might be interested in participation with the proceedings concerning e-tender/e-auction/e-tender-cum-e-auction, will deposit Rupees Fifteen Thousand as fee which shall be non-refundable as prescribed and provided by the State Government.(f)Every bidder/tenderer desiring to participate in e-tender/e-auction/e-tender-cum-e-auction shall deposit such amount as earnest money as specified in the notice.(g)The earnest money deposited by the bidders/tenderers will be returned to them except the successful bidder/tenderer.(3)Upon grant of lease, the lease-holder of river bed minerals such as sand, morrum, bajri-boulder shall make payment of such amount as mentioned in the fifth schedule and the lease-holder of other minerals shall make payment of such amount as mentioned in the fourth schedule.].

27A. [*] [Omitted '27A' by Notification No.**

1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

27A. Procedure for grant of lease by tender.- (a) In respect of an area or areas declared under: sub-rule (1) of rule 23, as area for grant of lease by tender the following shall be procedure:(i) The District Officer or the Committee shall at least thirty days before the last date of submission of tenders, invite tender by publishing a tender notice in a daily Hindi News paper having circulation in the district, in which the area or areas is/are situate. The tender notice shall contain the term and conditions of the lease and details of area or areas along with the last date and time up to which and place where the tenders may be submitted.(ii) Copies of tender notice shall also be put on the Notice Board at the office of the District Officer and at some convenient place close to area.(b) The District Officer may appoint any officer subordinate to him as Presiding Officer for conducting the tender proceedings.(i) Any person who is not ineligible under rule 26 may submit a tender under his signature in a sealed cover addressed to the District Officer or the Committee as the case may be containing:(a) Name, father's name and address (permanent and temporary) of the tenderer.(b) Description of area and mineral for which he has submitted his tender.(c) The sum of money offered in words as well as in figures.(d) A bank draft of Rupees two thousand in favour of the District Officer Towards earnest money.(e) A declaration that no mining dues are outstanding against him along with a certificate of the District Officer or an affidavit to that effect.(f) Bank guarantee or property certificate or solvency certificate issued by a competent Revenue Officer and permanent address,(ii) If any information, certificate or document as required in sub-clause (1) is

not submitted the tender shall be rejected by the presiding Officer.(c) The Presiding Officer shall open the tenders in the presence of the tenderers if they are present at the time of opening of the tenders, and announce the amount given in different tenderers, The tenders who has offered the highest I sum of money shall have to deposit 25 percent of the amount offered in the tender immediately as security for execution of lease deed and observance of the terms and conditions of the lease and an equal amount as first instalment of royalty, The tender shall not be treated as accepted unless the State Government or the District Officer or the Committee, as the case may be, accept it.(d) The bank draft filed towards earnest money shall be refunded to the tenderers I except that which was filed by the tenderer whose offer is found to be highest in whose case it will be adjusted towards security.(e) The Presiding Officer shall submit the papers to the District Officer or the Committee as the case may be,

27B. [*] [Omitted '27B' by Notification No.**

1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

27B. Procedure for grant of lease by auction-cum-tender.- (1) Where the District Officer or the committee is of the opinion that it is expedient to grant the lease by auctioncum- tender he or it, as the case may be, shall simultaneously invite the tender and fix the date, time and place for auction.(2) The District Officer may appoint any officer subordinate to him as Presiding Officer. .(3) A tenderer shall also be eligible to participate in the bidding at an auction for the same area or areas.(4) The tenderer should be present at the place of auction.(5) The presiding officer before commencement of the auction shall declare the number of tenders received for areas or specific area.(6) A tender once submitted shall not be withdrawn before the expiration of sixty" days or until any bid or tender in respect of the area or areas in accepted by the Officer authorised.(7) The procedure or auction and inviting tenders shall be, as far as possible, be as specified in rules 27 and 27 A.

27C. [*] [Omitted '27C' by Notification No.**

1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

27C. Procedure for grant of lease by e-auction.- Where the District or the Committee is of the opinion that it is expedient to grant the lease by e-auction he or its as the case may be shall after obtaining the approval of the State Government fix the date and time for e-auction and procedure for e-auction shall be such as may be determined by the State Government by issuing Government order.

28. [Grant of lease. [Substituted by Notification No.

1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)The District Officer or the Committee, as the case may be, shall in the case of e-tender accept the highest offer in the case of e-auction accept the highest bid and in the case of e-auction-cum-e-tender accept the bid or offer whichever is highest.(2)The District Magistrate shall declare the highest bid/offer of concerned e-tender/ e-auction/e-tender-cum-e-auction and a letter of intent shall be issued to the person whose bid or offer is accepted which shall include-(i)The successful bidder shall immediately deposit 25 per cent of the amount of bid as security for

execution of the lease deed and due observance of the terms and conditions of the lease and an equal amount as first instalment of royalty within two working days. The amount of earnest money will be adjusted into the first instalment amount.(ii)The amount payable for the first year will be determined by multiplying Mineral quantity mentioned in the environment clearance certificate with the rate obtained in the e-tender/eauction.(iii)For the subsequent years the amount payable will be increased at the rate of ten per cent on the preceding year's payable amount.(iv)The amount of e-tender/e-auction shall be determined for river bed mineral such as sand, morrum, bajri-boulder as mentioned in the fifth schedule and for other mineral as mentioned in the fourth schedule.(v)Demarcation of an area granted under lease shall be done in accordance with the provisions of Rule 17 and boundary pillars shall be fixed in accordance with Rule 35 and maintenance thereof shall be done in accordance with the said rule.(vi)The conditions of lease shall be mentioned.(3)If any bid or offer in e-tender/e-auction/e-tender-cum-e-auction is not satisfactory in the opinion of the District Magistrate, he may reject all the bids and offers in e-tender/e-auction/e-tender-cum-e-auction and order for fresh e-auction or e-tender all e-tender-cum-e-auction after recording reasons therefore.].

29. [Execution of lease deed. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

(1)The successful bidder-tenderer after receiving letter of intent of concerned e-tender/ e-auction/ e-tender cum e-auction shall produce approved Mining Plan and Clean Environment Certificate Prescribed as per rule and a lease deed concerning the same will be executed in form MM-6 or in similar format. The registration of the said executed lease deed will be registered within three months period. The period of lease will be counted from the date of execution of the concerned lease deed. If due to fault on the part of lease holder, registration of the said executed lease deed is not registered within three months then the said lease deed will be treated as null and void and the amount of security will be seized by the District Magistrate.(2)[Omitted].(3)A copy of the lease deed together with the map of the area shall be sent by the District Officer or the Committee as the case may be to the Director Geology and Mining Uttar Pradesh within fifteen days from the date of execution thereof.]

29A. [Surrender of Mining Lease. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)lease-holder on the intended day of surrender, shall submit over and above security deposit, an amount equivalent to 25% of the annual instalment of that year and apply for surrender along with the following documents-(a)No objection for transfer of Environment Clearance Certificate obtained for the concerned lease area in favour of the State Government or subsequent proponent.(b)Certificate of money deposited for difference between quantity mentioned in Environment Clearance and mined out quantity or in case of no difference, a Certificate in this regard for the concerned lease issued by Mines Officer/Mines Inspector.In accordance with the above, lease-holder will be prohibited from carrying out mining activities from the date of application for surrender of lease and the area will be deemed to be vacant.].

30. Register of lease.

- A register of mining lease shall be maintained in the officer of the District Officer in Form MM-7 and a copy thereof shall be sent by the District Officer to the Director, Geology and Mining, Uttar Pradesh. Chapter-V Conditions of Mining Lease

31. [Conditions mentioned in this Chapter to apply to all leases. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

- Every mining lease shall be subject to the conditions mentioned in this chapter which shall be deemed to be incorporated in every mining lease granted under these rules.]

32. Discovery of other minerals.

(1)The lessee shall report to the State Government the discovery in the leased area of any minerals not specified in the lease, within thirty days of such discovery.(2)If any mineral not specified in the lease is discovered in the leased area the lessee shall not win and dispose of such mineral unless a separate lease is obtained therefor.

33. Foreign national not to be employed.

- Except with the prior approval of the State Government, the lessee shall not employ in connection with the mining operations are person who is not an Indian national.

34. [Mining operations to commence within six months. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.08.2019.]

(1)The Selected Applicant before the execution of mining lease deed under the provision of Chapter II, IV and IX or issuing a mining permit under Chapter VI of these rules, shall get prepared a mining plan by the person, recognised and registered by the Director, having the qualification and experience namely-(i)a degree in Mining Engineering or postgraduate degree in Geology granted by university established or incorporated by or under Central Act or a Provincial Act or a State Act, including any institution recognised by the University Grants Commission established under Section 4 of the University Grants Commission Act, 1956; and(ii)professional Experience of 5 years of working in a Supervisory Capacity in the 3-field of mining after obtaining the degree.(2)The Selected applicant shall, within one month of issuance of letter of intent, submit the mining plan for approval to the Officer authorised by notification in this behalf by the State Government, who may within thirty days from the date of receipt of mining plan approve, modify or reject it positively. The project proponent shall, within one month of approval of mining plan, submit the application for grant of Environment Clearance to the competent authority.(3)The mining plan once approved shall be valid for entire duration of the mining lease/permit or for five years whichever is earlier. If the lease period is more than five years, then in that case the lease-holder will resubmit mining plan before

the Officer authorised by notification in this behalf by the State Government.(4)Mining operations shall in respect of all minor mineral be undertaken in accordance with the mining plan, detailing yearly development scheme, aspect of reclamation and rehabilitation of mined out areas including progressive mine closure scheme duly approved by the Officer authorised by notification in this behalf by the State Government:Provided that the lessee shall start the mining operation after obtaining environmental clearance if required under the provisions of Environment Impact Assessment Notification, dated September 14, 2006 issued by the Ministry of Environment, Forest and climate change, Government of India as amended from time to time. During the process of grant of Environment clearance, the proponent shall be bound to complete all desired formalities to resolve the objections raised by the competent authority within the required time frame:Provided further that an application seeking prior environmental clearance in all cases shall be made by the project proponent or end-user agency as the case may be, in as provided in Paragraph 6 of the Environment Impact Assessment Notification, dated September 14, 2006 as Amended from time to time.(5)The mining lease deed will be executed only after approval of mining plan by the Officer authorised by notification in this behalf by the State Government and within one month from the date of issuance of environment clearance certificate in favour of the proponent. Mining operation shall commence, immediately for the lessee of river bed mineral within 3 (three) months from the date of the execution of the lease deed by the lessee of other minor minerals and the lessee shall thereafter conduct such operations without deliberate intermission in a proper, skillful in workman like manner.(6)Financial assurance has to be furnished by every lease-holder. The amount of financial assurance shall be Rupees Twenty five thousand for insitu-rock deposit and Rupees Fifteen thousand for sand or morrum or bajari or boulder or any of these in mixed state exclusively found in the river bed mines per acres of the mining lease area put to use for mining and allied activities. However, the minimum amount of financial assurance to be furnished in any of the forms referred to in sub-rule (7) shall be Rupees Two lakhs for each category of mines be respective of area.Provided that a lease-holder shall be required to enhance the amount of financial assurance with the increase in the area of mining and allied activities:Provided further that where a leaseholder undertakes reclamation and rehabilitation measures as part of the progressive closure of mine, the amount so spent shall be reckoned as sum of the financial assurance already spent by the leaseholder and the total amount of financial assurance, to be furnished by the lessee, shall be reduced to that extent.(7)The financial assurance shall be submitted by the lessee before the execution of lease deed in one of the following forms to the District Officer or the officer authorised by the State Government in this behalf, as the case may be, or any amendment to it.(a)Letter of Credit from any Scheduled Bank;(b)Performance or surety bond;(c)Any other form of security or any other guarantees acceptable to the competent authority.(8)Release of financial assurance shall be effective upon the notice given by the lessee for the satisfactory compliance of the provisions contained in the mine closure scheme and certified by the District officer or the Officer authorised by the State Government in this behalf, as the case may be.(9)If the District Officer or the Officer authorised by the State Government in this behalf, has reasonable grounds for believing that the protective, reclamation and rehabilitation measures as envisaged in the approved mine closure scheme as given in mining plan in respect of which financial assurance was given has not been or will not be carried out in accordance with the mine closure scheme either fully or partially, the District Officer or the Officer authorised by the State Government in this behalf shall give the lessee a written notice of his intention to issue the orders for forfeiting the sum assured at least thirty days

prior to the date of the order to be issued.(10)Within the thirty days of the receipt of notice referred in sub-rule (9), if no satisfactory reply has been received in writing from the lessee, the District Officer or the Officer authorised by the State Government in this behalf, as the case may be, shall pass an order for forfeiting the surety amount and a copy of such order shall be endorsed to the State Government.(11)Upon the issuance or order by the District Officer or the officer authorised by the State Government in this behalf, the State Government may realise any letter of credit or bond or any other surety, guarantee provided or obtained as financial assurance for the purpose of performance of protective reclamation, rehabilitation measures and shall carry out those measures, or appoint an agent to do so.Explanation. - for the purpose of this rule mining operations shall include the erection of machinery, use of machine laying of a tramway or construction of road in connection with the working of the mines.].

35. [Demarcation of leased area, erection of boundary marks, determination of coordinated and their maintenance. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

(1)At the time of the survey and demarcation of the area granted under the lease the coordinates will be marked on the demarcating map of the concerned mining lease area and earlier to the execution of lease deed lessee at his own expense erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the lease deed.(2)The mining lease holder whose mining lease area is more than five hectare will construct at his own expense, check post/gate for observation of the vehicles transportation with accommodations/ installation of four C.C.T.V. camera capable of recording visuals at the 360 degree angle. The lease holder will also keep R.F.I.D. scanner at the said check post/gate to facilitate read and save data of bar code scribed over e-form M.M 11 issued against each and every vehicles used for transportations of the concerned mining leased area and will care properly and maintain in working condition at all point of time. The lease holdershall preserve the entire recording done by the said C.C.T.V. Cameras and R.F.I.D. Scanners at least for the thirty days and will produced the said recording before the authorised officer as provided under the provisions of rule 66.]

36. Maintenance of correct accounts of minerals.

(1)The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained and dispatched from the mine, giving mode of transport registration number of vehicle, person incharge of vehicle or animal and nature and quantity of minerals carried, the prices and all other particulars of all sales of mineral, the number and nationality of persons employed therein, and complete plans of the mine, and shall allow any officer authorised by the Central or the State Government in this behalf to examine at any time any accounts, plans and records maintained by him and shall furnish to the Central or the State Government or any officer authorised by either in this behalf, may require.

37. Maintenance of record of trenches, pits, etc.

- The lessee shall keep accurate records of all trenches, pits and drilling made by him in the course of mining operations carried on by him under the lease, and shall allow any officer authorised by the Central or the State Government to inspect the same. Such records shall contain the following particulars, namely: (a) the sub-soil and strata through which such trenches, pits or drilling pass; (b) any mineral encountered; (c) such other particulars as the Central or the State Government may, from time to time, require.

38. Lessee to strengthen, support, etc.

- The lessee shall strength and support to the satisfaction of the Railway Administration concerned or the State Government, as case may be, any part of the mine which in the opinion of such administration or Government requires such strengthening or support for the safety of any railway, reservoir, canal, road or any other public works or buildings.

39. Right of pre-emption.

(1) The State Government shall at all times have the right of pre-emption of the minerals or products of minerals won from the land in respect of which the lease has been granted, the price to be paid being the fair market price prevailing at the time of pre-emption. (2) In order to assist in arriving at the said price the lessee shall, if so required furnish to the State Government for its confidential information, the description and prices of such minerals or products thereof sold to other customers and of charters entered in to of freight for carriage of the same.

40. [Liberties, powers and Privileges of the lessee. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

- Subject to the restrictions and conditions mentioned in Rule 41 and the directions issued from time to time, by the Ministry of Environment, Forest and Climate Change of Government of India, a person holding a mining lease under these rules may have the liberty, power and privilege which are as under: (a) to enter upon the lands mentioned in the lease and to search for mine, bore, dig, drill or win, work, dress, process, convert, carry away and dispose of the mineral for which the lease is held; (b) to make in the said lands any pits, shafts, inclines, levels, waterways or other works; (c) The lessee may quarry with the help of machine except in the stream of water, and may also use machine for loading and unloading as per the condition specified in the Environmental Clearance certificate. With prior approval from the District Magistrate the lessee may erect and construct on the land any machinery, plant, dressing, floors, furnaces, brick kiln, workshop, storehouse and other buildings of like nature. (d) to make any roads and other ways over the said lands and use and pass over the same; (e) to quarry and get stone gravel and other building and road materials and lay and to use the same and to manufacture such clay into bricks or tiles and to use such bricks or tiles but not to sell any such materials, bricks or tiles; (f) to use a sufficient part of the surface of the said lands for the purpose of storing or depositing any produce of the mines or works carried on and any tools,

equipment, earth and materials and substances dug or raised; and(g)subject to the existing rights of others and save as provided in clause (d) or Rule 41 to clear undergrowth and brushwood and to fell and utilise any itress or timber standing or found on the said lands, provided that the lessee may be asked by the Disrict Officer to pay for any trees or timber felled and utilised by him at the rates to be determined, having regard to their market value, by the District Officer;(h)in the event of disruption of mining operation in the lease area owing to any special circumstances, the District Magistrate with the prior approval of the State Government shall adjust the amount equivalent to the instalment payable during the disrupted period, online against the forthcoming instalment.].

41. [Restrictions and conditions as to exercise of the liberties, powers and privileges of. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

- The holder of a lease shall the liberties, power and privileges mentioned in Rule 40 subject to the following restrictions and conditions:(a)Nothing shall be erected or setup and no surface operations shall be-(1)in or upon any public pleasure ground, burning or burial ground, or any place held (sacred) by class of persons, or house or village site, public road and or other place which may be declared by the District Officer as public place; and(2)in such a manner as to injure or prejudicially affect any building work, property or rights of other persons;(b)No land shall be used for surface operations by persons, which is already occupied by persons, other than the State Government, for works or purposes not included in the lease;(c)No right of way, well or tank shall be interfered with;(d)No entry shall be made on any reserved, protected or vested forest without the previous sanction in writing of the Divisional Forest Officer nor shall any trees or timber be felled, cut or used without obtaining the sanction in writing of that Officer nor otherwise than in accordance with such conditions as the State Government may impose in this behalf;(e)No mining operation shall be carried on at or to any point within a distance 50 metres from any railway line except with the previous written permission of the Railway Administration concern, or from any reservoir, canal or other public works, such as public roads and buildings or inhabited site except with the previous written permission of the District Officer or any other officer authorised by the State Government in this behalf and otherwise than in accordance with such instructions and conditions either general or special, which may be attached to such permission. The said distance of 50 metres shall be measured in case of railway reservoir, canal or road horizontally from the outer toe of the Bank or the outer edge of the cutting, has the case may be, and in case of a building horizontally from plinth thereof; Provided that the distance in the case of a village road shall be 10 metres from the outer edge of the cutting; andExplanation. - For the purpose of this sub-rule, the expression publid road , shall mean a road which has been constructed after being artificially surfaced as distinct from a track resulting from repeated use, and village road will include any track shown in the revenue record as village road;(f)The existing and future holders of Government lease or permit in respect of any land which is comprised in or adjoins or is reached by the land held by the lease shall be allowed reasonable facilities of the access thereto. In case any loss or damage is caused by such lease or permit-holders by exercise of this liberty a fair compensation (as may be mutually agreed upon or in the event of disagreement as may be decided by the State Government) shall be payable therefor by such lease or permit-holder to the lessee;(g)The lessee is bound to keep vigilance for not polluting the environment of the lease-hold area and nearby area in connection with mining operation and

also maintain ecological balance of the area. If at any time it is found that the mining operation are leading to environment pollution or imbalance of ecology, then after giving an opportunity of being heard, the lease may be prematurely terminated.(h)(1) The lessee shall not do any mining operation beyond the depth of three meters or water level whichever is less in the river bed and no mining shall be carried out in the safety zone so worked out by the District Officer. Provided that no mining shall be carried out into the water stream with the help of suction machine or the lifter, etc.:(2) Lessee/permit holder will display the rate of sale price at the place where eMM-11/MM-11 is issued: Provided that if in the opinion of the State Government the maximum rate of sale price is to be fixed, it may be directed to the concession holder:(i) The lessee shall be bound to undertake the loading of minerals in his approved lease area in accordance with the norms laid down by the Government of India.].

42. Lessee to indemnify Government against all claims.

- The lessee shall guarantee the payment and pay such reasonable compensation as may be assessed by the State Government for all damage, injury or disturbance which may be done by him in exercise of the powers granted by the lease and shall indemnify and keep indemnified fully and completely the State Government from and against all claims, suits and demands which may be made or brought by any person or persons in respect of any such damage injury or disturbance and all costs and expenses in connection therewith.

43. Lessee to secure and keep in good condition pits, shafts, etc.

- The lessee shall during the subsistence of the lease sufficiently secure and keep open with timber or other durable means all pits, shafts and working that may be made or used in the land and make and maintain sufficient fences to the satisfaction of the State Government, round every such pit, shaft or working, whether the same is abandoned or not, and shall during the same period keep all working in the land, except such as may be abandoned, accessible and free from water and foul air, as far as possible.

44. Lessee to allow inspection of working.

- The lessee shall allow any Officer authorised by the Central Government or the State Government in that behalf to enter upon the premises including any building, excavation or land comprised in the lease for the purpose of inspecting, examining, surveying and making plans thereof, sampling and collecting any data and the lessee shall with suitable person in his employ and acquainted with the mines and work, properly assist, such officer and his agents, servants and workmen in conducting every such inspection, and shall afford and furnish to them all facilities information, etc. connected with the working of the mines, which they may reasonably require, and shall also confirm to and observe all orders and regulations which the Central Government or the State Government, as a result of such inspection or otherwise, may from time to time see fit to make.

45. Lessee to report accident.

- The lessee shall without delay, send to the District Officer a report of any accident, causing death or serious bodily injury or serious injury to property, or seriously affecting or endangering life or property, which may occur in the course or any operations under the lease.

46. Lessee to provide weighting machine.

- (Omitted)

47. Lessee to allow test of weighing machine.

- (Omitted)

48. Lessee shall deposit any additional amount necessary.

- Whenever the security deposit or any part thereof or any further sum deposited with the State Government in replenishment thereof is forfeited or applied by the State Government pursuant to the power given by these rules, the lessee shall deposit with the State Government such further sum as may be necessary to make good, the deficiency caused by such forfeiture or application.

49. Recovery of expenses incurred by the Government.

- If any of the works or matters which, in accordance with these rules, are to be carried out or performed by the lessee be not so carried out or performed within the time specified in that behalf, the State Government may cause the same to be carried out or performed and the lessee shall pay to the State Government on demand all expenses incurred by the State Government in connection therewith. The decision of the State Government as to such expenses shall be final.

50. Refund of security deposits.

- After the determination of a mining lease the amount of the security lying in deposit with the State Government and not required to be applied to any of the purposes mentioned in these rules shall be refunded to the lessee ordinarily within a period of six months from the date of the determination of the lease

Chapter VI

Mining Permit

51. Restrictions on grant of mining permit.

- No mining permit shall be granted to a person who is not an Indian national or for a period of more than six months.

52. Application for grant of mining permit.

- An application for the grant of a mining permit shall be submitted in form MM-8, in triplicate, to the District Officer or to such other authority who may be authorised by the State Government to grant such permit. It shall be accompanied by: (i) a fee of Rs. 400, and (ii) two copies of a cadastral survey map, or in case of area not covered by such survey two copies of a topographical survey map, on a scale of at least 4" = 1 mile, on which the area applied for is clearly marked.

52A. [Procedure for Grant of Mining Permit on Agricultural Land. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

(1) Notwithstanding anything contained in Rule 72, the bhumidhar of agricultural land may apply for grant of mining permit for removal of sand or morrum or Bajri or Boulder or any of these in mixed state accumulated due to flood on his agricultural land in Form MM-8, in triplicate to the District Officer, accompanied by a fee of Rs 2000 (Rupees Two thousand) Only, and two copies of a cadastral Survey map on which the area, applied for, is clearly marked. (2) The District Officer shall cause an enquiry, if deemed necessary, through concerned Tahsildar and Mines Officer/Mines Inspector on the following points - (a) Whether the sand or morrum or Bajri or Boulder or any of these in mixed state have been accumulated on the applied land due to floods; (b) Whether the name of the applicant/applicants is/are recorded as bhumidhars on the applied area; (c) Whether due to accumulation of sand or morrum or Bajri or Boulder or any of these in mixed state, the applicant/applicants is/are suffering loss on account of non-utilisation of such applied land; (d) Whether such land was utilised for agricultural purposes in the past 5 years; (e) Whether the quantity of the minor mineral, applied by the applicant, is available on the applied area. (f) Whether the applied area for mining permit is suitable for mining. (3) In the light of aforementioned point wise report submitted by the Tahsildar/Mines Officer or Mines Inspector, as the case may be, the District Officer may grant the mining permit for a period not more than three months in a Fasli year in favour of the bhumidhar, after realising double the amount of royalty in advance. (4) Except abovementioned provisions, the other provisions of these rules will apply mutatis mutandis to the mining permit granted under this rule.]

53. Deposal of application.

- The officer authorised to grant the permit may after making such enquiries as may be deemed necessary, refuse to grant the permit or by an order grant it for the whole or a part of the area applied for a subject to such terms and conditions as the said officer may consider necessary. Provided that an application for the grant of mining permit for such area which is already

held under a lease or mining permit shall be deemed to be premature and shall be refused and the application fee thereon is paid shall be refunded.

53A. [[Omitted vide Notification No.1666/77-5-2004 -8 (204)/95, dated 22 June 2004 and published in the Gazette dated 26-06-2004.]

***]

54. Deposit of royalty.

(1)When an order granting a mining permit has been made under rule 53, the applicant shall, within fifteen days of the communication of the order, deposit the royalty for the total quantity of the mineral permitted in the said order at the rate of the time being specified in the first Schedule to these rules and, if the holder of the permit, due to any reason attributable on his part, could not remove the mineral within the permitted time, any amount deposited as royalty shall not be refunded.(2)If the applicant fails to deposit the royalty within the period mentioned in sub rule (1) or within such further period, as may be allowed by the officer granting the permit, the order granting the permit shall stand revoked and the fee mentioned in clause (1) of the rule 52 shall be forfeited to the State Government.

55. Issue of mining permit.

- A mining permit in form MM-IO with such addition terms and conditions subject to which the order is made under rule 53 shall be issued to the applicant within fifteen days of the deposit of the royalty in accordance with sub-rule (1) of rule 54 and the permit so issued shall be valid until the date of expiry of the period specified in the permit or till such date when the permitted quantity of the mineral is removed, whichever is earlier.

56. Register of mining permits.

- A register of all applications for mining permits, with details of permits issued, shall be maintained in Form MM-9, in the office of District I Officer or the officer authorised to grant mining permits.

Chapter VII

Contraventions, Offences and Penalties

57. [Penalty for unauthorised mining. [Substituted by Notification No. 997/LXXXVI/-2017-57(Shamanya)2017, dated 18.6.2017 (w.e.f. 26.8.1963)]

- Whoever contravenes the provisions of rule 3 shall on conviction be punishable with imprisonment of either description for a term, which may extend up to five or with fine which shall not be less than 2 lac Rupees per hectare and which may extend to five rupees per hectare of the area, or with both.]

58. [Consequences of non-payment of royalty rent or other dues. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

(1)The State Government or any officer authorised by it in this behalf may terminate the mining lease after serving a notice on the lessee to pay within thirty days of the receipt of the notice any amount due or dead rent under the lease including the royalty due to the State Government if it was not paid within fifteen days next after the date fixed for such payment. This right shall be in addition to and without prejudice to the right of the State Government to realise such dues from the lessee as arrears of land revenue.(2)Without prejudice to the provisions of these rules, simple, interest at the rate of 18 per cent per annum may be charged on any rent, royalty, demarcation fee and any other dues under these rules, due to the State Government after the expiry of the period of notice under sub-rule (1).Provided that the District Magistrate, after adjusting the security money, against the total amount due, shall issue recovery certificate for recovery of the outstanding amount.].

59. [Consequences of contravention of certain conditions. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

(1)The proponent who has received letter of intent however has not produced mining plan or has not applied for grant of Environment Clearance within the stipulated period of one month as per the provisions mentioned in Rule 34 shall be liable for penalty of Rs Ten thousand per day. On failure to deposit the amount of penalty, the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease. In case the proponent fails to execute the lease deed within one month of obtaining environment clearance certificate, the District Magistrate shall, subsequent to cancelling the letter of intent, forfeit the first instalment and security money deposited by the proponent in favour of the State Government.(2)The lessee who does mining works contravening the terms and conditions mentioned in the approved mining plan and clean environment certificate issued as per the provisions provided under Rule 34, then he will be liable for penalty at the rate of Rs 50,000 per occasion of default that shall be recovered by the District Magistrate.(3)If the lease-holder disobeys the provisions of Rule 35 then penalty at the rate of Rupees Twenty five thousand per day for each and every default shall be levied by the concerned District Magistrate. In case of default on deposit of such levied penalty the concerned District Magistrate will deduct the said amount from the amount of security deposited against the said mining lease.(4)According to the provisions provided under Rule 41-H mining work through suction machine/lifter into the water stream will be prohibited. If any lessee is found contravening the provisions of the said rule then he will be liable for penalty at the rate of Rs five lakh per occasion of contravening act, which will be recovered on the order of District Magistrate or Director, Geology and Mining. On failure to deposit of the abovementioned amount of penalty the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease.(5)Any lessee holding a mining lease who commits a breach of any of the conditions provided in Rule 44 shall be liable for levy/penalty of Rs Fifty thousand. On failure to deposit the said amount of penalty the same shall be deducted by the District Magistrate From the security money deposited against the concerned lease.(6)Where the lease-holder fails to conform to the prescribed loading

norms, penalty of Rs 25,000.00 per occasion of default shall be imposed by the District Magistrate. Upon failure to deposit the said penalty, the same shall be deducted by the District Magistrate from the security money deposited against the concerned lease.(7)Where the proponent fails to complete all desired formalities for obtaining Environment Clearance as required by the competent authority within the stipulated time frame, District Magistrate may cancel the letter of intent issued in his favour.].

60. [Consequences of contravention of rules and conditions of lease generally. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

(1)In case of any breach or contravention by a lessee of any of these rules or conditions and covenants contained or deemed to be contained in the lease except those relating to payment of royalty, rent or other sums due to the State Government, the State Government may, after giving the lessee a reasonable opportunity to State his case, terminate the lease. The right shall be in addition to and without prejudice to the provisions of Rule 59(2)If a lease is terminated under sub-rule (1) or Rule 58, the lessee may be black listed by the District Officer for such period, not exceeding two years, as he may consider proper which shall be uploaded on the website of the department and during the said period no mineral concession under these rules shall be granted to him. An entry in this regard shall be made in the remarks column of the registers of mining lease or the auction lease, as the case may be.(3)If any person other than the mining lease-holder or entity held is convicted for the charge of illegal mining transportation, then beside the penalty/punishment, name of such person or entity will be listed into the blacklist by the State Government and will be uploaded and displayed on the website of the department and no mining lease under this rules shall be granted within such period in favour of the said person or entity.].

Chapter VIII Miscellaneous

61. Power to rectify apparent mistakes.

- Any clerical or arithmetical mistake in any order passed under these rules by the State Government or any other competent authority or officer may be corrected by the State Government, authority or officer, as I the case may be.

62. [Register to be open to inspection. [Substituted Notification No.859/77-5-2001-8 (204)/95 T.C. dated 01 March 2001 and published in the Gazette dated 31-03-2001, Part I.]

(1)All registers prescribed to be maintained by these rules shall be open to inspection on payment of a fee of twenty rupees for an entry.(2)Certified copy of an entry of the register referred to in sub-rule (1) and the orders passed by the District Officer on any application may be obtained by any person

on payment of a fee of -(a)Rs. 100.00 for obtaining the copy within seven days, and(b)Rs. 200.00 for obtaining the copy within twenty four hours.Explanation I. - 'An entry' means all entries in respect of one permit; or mining lease I or auction lease as the case may be.Explanation II. - The fee shall be paid in the manner prescribed under Rule 64 and the treasury challan shall be accompanied with the application for inspection or for certified copies, as the case may be.]

63. [Change of name, nationality, etc. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.] - (1) An applicant for or the holder of a mining lease shall intimate to the State Government within sixty days any change that may take place in his name, nationality or other particulars mentioned in the relevant Forms.

(2)In the case of the death of an applicant/leaseholder, application of the mining lease/ executed mining lease will be considered in favour of his legal heir. In this regard, after proper examination, order will be issued by the District Magistrate.].

64. Mode of payment of fees and deposit.

- Any amount payable under these rules shall be paid in such manner as the State Government may specify in this behalf

65. Facilities for training of students.

(1)Every owner agent or manager of a mine shall permit students of mining and geological institutions approved by the State Government to acquire practical training of the mines and plants operated by them and provide all necessary facilities requires for the training of such students(2)Applications for training from students of institution teaching mining or Geology should be forwarded to the owner, agent or manager of a mine through the Principal or Head of the institutions. Cases of refusal to provide facilities for practical training by any owner, agent or manager of a mine should be referred to the Director of Geology and Mining, Uttar Pradesh.

66. Power of assessment entry and inspection.

(1)For the purpose of assessment of royalty and for ascertaining the position of the working, actual or prospective, of any mine or abandoned mine or for any purposes connected with these rules, the District Officer or the officer of the Directorate of Geology and Mining, Uttar Pradesh, not below the rank of Mines inspectors appointed for such purposes by the Director or any other Officer authorised in his behalf by the State Government by general or special order may(a)enter and inspect any mine survey and take measurement in any such mine.(b)weigh, measure or take measurement of the stock of mineral laying at any mine.(c)examine any document, book, register or record in the possession or power of any person having the control of, or connected with any mine and place marks or identifications thereon and take extracts from or make copies of such documents, book, register or records:(d)summon or order the production of any such document,

book, register or record as is referred to in clause (d)(e) summon or examine any person having the control of, or connected with any mine; and (f) call for such information or return as may be considered necessary (2) Every person authorised by the State Government under sub-rule (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code and every person to whom an order or summons is issued by virtue of power conferred by clause (e) or clause (f) of the said sub-rule shall be legally bound to comply with such order or summons, as case may be.

67. No restriction etc. to be imposed by owner of land on mining operation except demand of compensation.

(1) No person, who has right in any capacity on the land covered by a mining lease or mining permit, shall be entitled to impose any prohibition or restriction on the mining operations by the holder of such lease or permit of such land or to demand any sum by way of premium or royalty for the removal of minor mineral. Provided that such person shall be entitled to get annual compensation from the said holder of mining lease or permit for the use of surface of the land for mining operations, as may be agreed upon between them. (2) Where the holder of a mining lease or permit and the owner of the surface of the land could not agree upon the amount of annual compensation and a dispute arises in respect thereof, it shall be determined by the District Officer in such manner that: (a) in the case of agricultural land, the amount of annual compensation shall be worked out on the basis of the average annual net income from the cultivation of similar land for the past three years, and (b) In the case of non-agricultural land, the amount of annual compensation shall be worked out on the basis of average annual letting value of similar land for the previous three years,

68. Relaxation of rules in special cases.

- The State Government may, if it is of opinion that in the interest of mineral development it is necessary so to do, by order in writing and for reasons to be recorded, authorise in any case the grant of any mining lease or the working of any mine for the purpose of winning any mineral on terms and conditions different from those laid down in these rules.

68A. [Power of State Government to reserve mines. [Substituted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]

(1) Notwithstanding anything to the contrary contained in these rules, the State Government may, by a written order, reserve any area to a Government organisation or any person/company in the interest of industrial promotion, for mining operation subject to such terms and conditions as may be specified in the said order. (2) Upon such reservation, mining lease or mining permit as the case may be for the area so reserved, shall be granted to the Government organisation or any person/company in the interest of industrial promotion, in whose favour the reservation has been made subject to such terms and conditions as may be decided by the State Government. (3) The mining lease for a period not exceeding 10 years may be granted under this rule, as may be decided, by the State Government. (4) The Lessee, to whom a lease has been granted under this rule, shall pay

to the Government all amount payable by a lessee under these rules and such additional charges as may be decided by the State Government from time to time. Explanation. - For the purposes of this rule, "Government organisation" shall mean a Government department or corporation established under any Central or State Act or a Government company within the meaning of clause (45) of Section 2 of the companies Act, 2013 and includes State authorities or organisation controlled substantially by Central or State Government.].

69. Royalty or dead rent may be collected through a contractor.

(1)The Government may arrange to collect the royalty or dead rent from the holders of mining leases through a contractor, and such holders when directed by the State Government to do so, shall pay the royalty or dead rent to such contractors at the rates specified in their lease during such period as may be directed.(2)The consequences of non-payment of the contractor of royalty or dead rent, as the case may be, by the holders of mining leases shall be the same as on default. of payment to the State Government, and the State Government shall in that case, have all the powers for the recovery of the arrears from the lessee and in respect of determination of the lease as provided in these rules.(3)The State Government may enter into agreement with any person who is considered suitable, whether by holding an auction or by inviting tenders or in any other manner to collect royalty or dead rent of the holders of mining leases in a specified area during a period not exceeding three years on such terms and conditions as are considered suitable.

70. [Restrictions on transport of the minerals. [Substituted by Notification No. 1956/LXXXVI-2017-57(Shamanaya)-2017, dated 14.8.2017 (w.e.f. 26.8.1963)]

(1)The holder of a mining lease or permit or a person authorised by him in this behalf shall issue a pass in Form MM-11 or Form e-MM-11 prepared through electronic process to every person carrying a consignment of minor mineral by a vehicle, animal or any other mode of transport. The State Government may, through the District Officer, make arrangements for the supply of printed MM-11 Form books on payment basis.(2)No person shall carry, within the State a minor mineral by a vehicles animal or any other mode or transport, excepting Railway, without carrying a pass in Form MM-11/ Form e-MM-11 issued under sub-rule (1), Form-C issued under rule 5(2) of Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and storage) Rules 2002 or similar valid transit pass issued by any other State:Provided that if the State Government enters into an agreement to collect the royalty or zero receipt as the case may be shall be issued by such contractor and in such cases carrying out such receipt with Form MM-11/ Form e-MM-11 will be mandatory for transportation.(3)Every person carrying any minor mineral shall on demand by any officer authorised under Rule 66 or such officer as may be authorised by the State Government in this behalf, so the said pass to such officer and allow him verify the correctness of the particulars of the pass with references to the quantity of the Minor Mineral.(4)The State Government may established a check post for any area included in any mining lease or permit and when a check post is so established public notice shall be given to this fact by publication in the Gazette and in such other manner as may be considered suitable by the State Government.(5)No person shall transport a

minor mineral for which these rules apply from such area without first presenting the mineral at the check post established for that area for verification of the Weight or measurement of the mineral.(6)Any person found to have contravened any provision of this rule then the District Magistrate will recover penalty of Rs, 25,000/- (twenty-five thousand) and the price of such mineral including royalty. After deposit of the entire amount mentioned above the vehicles etc. including mineral will be released].

71. Delegation.

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

72. Availability of area for regrant on mining lease to be notified.

(1)If any area, which was held under a mining lease under chapter-II or on reserved under section 17-A of the Act, becomes available for re-grant on mining lease, the District Officer shall notify the availability of the area through a notice inviting for applications for grant of mining lease specifying a date, which shall not be earlier than thirty days from the date of notice and giving description of such area and a copy of such notice shall be displayed on the notice board of his office and shall also be sent to the Tehsildar of such area and the Director.(2)The applications for grant of mining lease under sub-rule (1) shall be received within seven working days from the date specified in the notice referred to in the said sub-rule, if, however, the number of applications received for any area is less than three the District Officer may further extend the period for seven more working days and if even thereafter the number of applications remain less than three, the district officer shall notify the availability of the area a fresh in accordance with the said sub-rule.(3)An application for grant of mining lease for such area, which is already held under a lease or notified under sub-rule (1) or rule 23 or reserved under section-17A of the Act and whose availability has not been notified under sub-rule (1) shall be deemed to be premature and shall not be considered and the application fee thereon if paid shall be refunded.

73. Returns.

(1)The holder of a mineral concession under these rules shall submit quarterly return in respect of the preceding quarter in Form MM-12 to the District I Officer and to the Regional Office of the Director, in the second week of July, October, January and April every year.(2)Whenever any holder of mineral concession fails to submit the return within the time specified in sub-rule (1) he shall be liable to a penalty of Rs. 400.00.

74. Cognizance of offences.

(1)No court shall take cognizance of any offence punishable under these rules except on a complaint

in writing of the fact constituting such offence by the District Officer or by any officer authorised by him in this behalf.(2)No court inferior to that of a magistrate of the first class, shall try any offence under these rules.

75. Compounding of offence.

(1)Any offence punishable under these rules may, either before or after the institution of the prosecution be compounded by the District Officer or by such officer as the State Government may by general or special order authorise in this behalf on payment to the State Government of such sum as such officer may specify.Provided that in the case of an offence punishable with fine only, no such sum shall exceed the maximum amount of fine, which may be imposed for that offence.(2)Where an offence is compounded under sub-rule (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded and the offender if in custody, shall be released forthwith.(3)The officer compounding the offence under sub-rule (1) shall maintain a register showing the following details:(a)Serial number (by financial year),(b)Name and address of the offender,(c)Date and details of offence.(d)Sum of compounding amount and date of its payment.(e)Signature of the officer with date and seal.

76. Assistance of Police.

- The Officer referred to in rule 66 may requested for the help of the local police for lawful exercise of his powers under these rules and the local Police shall render all possible assistance, as may be necessary to enable the officer to exercise the powers under these rules.

77. Appeal.

- An appeal against an order passed under these rules by the District Officer or the Committee shall lie to the Divisional Commissioner within a period of sixty days from the date of communication of such order to the party aggrieved.

78. Revision.

- The State Government may, either suo moto at any time or on an application made within ninety days from the date of communication of the order, call for the examine the record relating to any order passed or proceeding taken by the District Officer, committee, Director or the Divisional Commissioner under these rules and pass such orders as it may think fit.

79. Fees.

- The appeal under rule 77 or an application under rule 78 shall be presented in form M11-13 in duplicate and be accompanied with a treasury receipt showing that a fee of five hundred rupees has been paid in Government treasury to the credit of the State Government under the head specified under rule 64.[Chapter IX] [Inserted by Notification No. 2229/LXXXVI/-2016-130-2015 T.C., dated

29.6.2017 (w.e.f 26.8.1963)] Grant of Prospecting License or Mining Lease for Diaspore, Pyrophyllite, Felspar, Calcite, Silica Sand China Clay, Quartz etc.

80.

The provisions of this chapter shall be applicable for diaspore, pyrophyllite, dolomite, felspar, calcite silica sand, china clay, quartz and any other minerals notified by the Government of India by notification no. S.O. 423(E), dated 10.2.2015 as a minor mineral.

81.

The provision of chapter II, IV and VI shall not be applicable to the lease granted under this chapter.

82. Restriction on the grant of prospecting license or mining lease.

- No mining lease or prospecting license shall be granted to any person who is not an Indian. National.Explanation. - For the purpose of this rule a person shall be deemed to be an Indian National-(a)in the case of a public company as defined in the Companies Act, 2013 only if a majority of the, directors of the company are citizens of India and not less than fifty-one percent of the share capital thereof is held by persons who are either citizens of India, or Companies as defined in the Companies Act, 2013;(b)in the case of a private company as defined in the companies Act, 2013 only if all the members of the company are citizens of India;(c)in the case of 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;Provided that no mining lease shall be granted unless it is being satisfied that there is evidence to show that the area for which the mining lease is applied for has been prospected earlier or existence of the mineral therein has been otherwise established.

83. Application for grant of prospecting license.

(1)An application in the form MM-15 for grant of prospecting license shall be addressed to the State Government.(2)The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorised in this behalf by the State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place, time and date of receipt. One copy shall be returned immediately to the person presenting the application.(3)The application referred to in sub-rule (1) shall be entered in a register of prospecting license application in form MM-19.

84. Application for grant of mining lease.

(1)An application in form MM-16 for grant of a mining lease or in Form MM-16 (A) for renewal shall be addressed to the State Government.(2)The application referred to in sub-rule (1) shall be submitted in quadruplicate to the District Officer or to the officer authorised in this behalf by the

State Government. Such officer shall endorse the receipt of the application on all the four copies entering the place, time and date of receipt. One copy shall be returned immediately to the person presenting the application.(3)The application referred to in sub-rule (1) shall be entered in a register of mining lease application in form MM-17.

85. Application fee and deposit for grant of prospecting license.

(1)Every application for grant of prospecting license shall be accompanied by-(a)a non refundable fee of ten thousand rupees, other than those specified in rule 101;(b)Four copies of the toposheet map on a scale of 1: 50000 which shows coordinates and corresponding cadastral survey map on which the area applied for is clearly marked or four copies of topographical survey map on a scale of atleast 4"=1 mile, on which the area applied for is accurately marked;(c)a certificate, issued by District Officer or by such officer as may be authorised by the District Officer in this behalf, showing that no mining dues are outstanding against the applicant :Provided that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the state Government, stating that he does not hold or had not held any mining lease or any other mineral concession in the territory of the state.(d)a certificate of residence of the applicant;(e)a character certificate given by the District Officer of the District, where the applicant permanently resides.(2)If the application is not complete in any respect or is not accompanied by the fee deposit or the documents mentioned in sub rule(1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice require the applicant to complete the application in all respects or, to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.

86. Application fee and deposit for grant of mining lease.

(1)Every application for grant, of mining lease shall be accompanied by (a)a non-refundable fee of twenty five thousand rupees, other than those specified in rule 101; and(b)Four copies of the toposheet map on a scale of 1: 50000 with coordinate and corresponding cadastral survey map cadastral survey map on which the area applied for is clearly marked or four copies of topographical survey map on a scale of atleast 4"=1 mile, on which the area applied for is accurately marked;(c)a certificate, issued by District Officer or by such officer as may be authorised by the District Officer in this behalf, showing that no mining dues are outstanding against the applicant :Provided that such certificate shall not be required where the applicant has furnished an affidavit to the satisfaction of the state Government, stating that he does not hold or had not held any mining lease or any other mineral concession in the territory of the state;(d)certificate of residence of the applicant;(e)a character certificate given by the District Officer of the District, where the applicant permanently resides;(f)Solvency certificate.(2)If the application is not complete in any respect or is not accompanied by the fee, deposit or the documents mentioned in sub-rule(1) the District Officer or the officer authorised by the State Government in this behalf, shall, by fifteen days notice require the applicant to complete the application in all respects or, to deposit the fee or furnish the documents within such time as may be specified in the notice and if the applicant fails to do so within the specified time, such application shall not be considered.

87. Application fee etc for renewal of mining lease.

(1)An application for renewal of mining lease may be made atleast six months before the date of expiry of the mining lease along with four copies of the map of lease hold area showing clearly the area applied for renewal and the provisions of clauses (a) and (c) of sub-rule (1) of rule 86 shall Mutatis mutantis apply.(2)The State Government may condone the delay cause in making the application for renewal of mining lease after the period specified in sub-rule(1).

88. Enquiry and reports.

- The District officer shall, unless he is authorised to grant or renew the mining lease or grant prospecting license cause an enquiry through Senior Mines Officer / Mines Officer / Mines Inspector of the concerned district to be made into all relevant and technical matters and, within two months from the date of receipt of application of mining lease, forward two copies of the application alongwith his report to the State Government or to such other authority as the State Government may authorise in this behalf.

89. Disposal of Application.

(1)The State Government or the authority authorised by it in the behalf may, subject to the provisions of these rules and after making such further enquiry as it may consider necessary-(a)in case of application for grant of a mining lease or prospecting licence refuse or grant the mining lease for the whole or part of the area applied for and for such period as it may consider proper.(b)in case of application for renewal of a mining lease, refuse or renew the mining lease for the whole or part of the area applied for and for such period, not exceeding the period of the original lease, as it may consider proper:Provided that where an application for grant or renewal of a mining lease or grant of prospecting license is refused or the area is reduced, reasons therefor shall be recorded and communicated to the applicant:Provided further that if the application for the grant of mining lease or prospecting license is not disposed off within 12 months from the date of receipt , it shall be deemed to be refused.

90. Preferential right for prospecting licence or mining lease where area has been declared under rule 104.

(1)Where the availability of area/areas are declared by the District Officer for grant of prospecting licence or mining lease under the provisions of rule 104, all the applications received during the period specified in such declaration shall be deemed to be received on the same day and shall be considered simultaneously after taking into consideration matters specified in sub-rule (2) and shall grant the mining lease to such one of the applicants as he/she may deem fit.(2)The matters referred to in sub-rule (1) are -(a)any special knowledge or experience possessed by the applicant.(b)an intent to establish any value addition or processing or manufacturing unit.(c)The Financial resources of the applicant.(d)The nature and quality of the technical staff employed or to be employed by the applicant.(e)The conduct of the applicant in carrying out mining operations on the

basis of any previous lease or Permit and complying with conditions of such lease or permit of the provisions of any law in connection therewith; and (f) Such other matters, as may be considered necessary by the State Government. (3) Notwithstanding anything contained in sub-rules (1) and (2) leases for one third of the mining areas of Naxal affected villages as declared by the State Government by general order may be granted to the Self Assistance groups containing the members of the local residents where such leases are situated and such one third areas shall be marked for the purpose by the District Officer of the district, after seeking such approval from the State Government: Provided that those Self Assistance groups will be entitled for getting preference under sub-rule (3) in which one third members belong to Scheduled caste/ Scheduled Tribe/ members of the casts traditionally engaged in sand mining such as Mallah, Kewat, etc. and are resident of the same village, where the lease areas are situated.

91. Preferential right for prospecting license where area is not declared for grant under rule 104 shall be as under.

(1) An application which has been received earlier shall have preference over subsequent application. (2) If the application is received on same day, the preference shall be decided on following matter: (a) any Special knowledge or experience in, prospecting operation and the nature and quality of technical staff employed or to be employed by the applicant; (b) such other matter as may be considered necessary by the State Government.

92. Preferential right for mining lease where prospecting licence has been granted in respect of any land.

- Where a prospecting licence has been granted in respect of any land, the licensee shall have a preferential right for obtaining a mining lease in respect of that land over any other person if the State Government is satisfied that the licensee has - (a) undertaken prospecting operations to establish mineral resources; (b) not committed any breach of, the terms and conditions of the prospecting licence.

93. Extent of area for which a mining lease or prospecting licence may be granted.

(1) Minimum area for grant of a prospecting licence or mining lease for minerals mentioned in Chapter IX shall be five hectare. (2) No mining lease shall be granted in respect of any area which is not compact and contiguous or otherwise not suitable to scientific development: Provided that in respect of small deposits not suitable to scientific mining in isolated patches a mining lease may be granted for a cluster of such deposits without any division. (3) No person shall acquire in respect of minor mineral mentioned in this chapter more than 3 mining lease, covering a total area of four hundred hectare. (4) No person shall acquire one or more prospecting licence, covering a total area of five hundred hectare: Provided further that if the State Government is of opinion that in the interest of mineral development, it is necessary so to do, it may for reasons to be recorded in writing permit any person to acquire one or more mining leases covering an area in excess of the limits mentioned

in this rule.Explanation. - For the purposes of these rules, a person acquiring by or in the name of another person a mining lease which is intended for himself shall be deemed to be acquiring, it himself.

94. Length and breadth of the area to be leased.

- The length of an area under a mining lease shall ordinarily not exceed four times its breadth.

95. Period of mining lease and prospecting license.

(1)A mining lease in respect of minerals shall be granted for a period not less than twenty years and not more than thirty years.(2)Prospecting license shall be granted for a fixed period of Two years.

96. Security deposit.

(1)An applicant for a mining lease shall, before the deed referred to in rule 99 is executed and in such manner as the State Government may by order specify deposit as security, for the due observance of the terms and conditions of the lease, a sum equal to twenty five percent of the annual deadrent of the leased area subject to the Minimum of Rs. 50,000.00 (fifty thousand rupees) and no interest shall be payable on such security deposit.(2)The security deposit for prospecting license shall be Rs. 25,000.00 (twenty five thousand rupees) and no interest shall be payable on such security ,deposit.

97. Prospecting license deed to be executed within three month.

- Where an order has been made for grant of prospecting license, the deed in form MM-3(A) shall be executed within 3 month and the date of commencement of prospecting license shall be effective from the date of execution or within Such further period as the District Officer or the Committee; as-the case may be, allow in this behalf.

98. Every prospecting license granted under these rules be subject to the following condition.

(1)The licensee shall pay a prospecting fee of Rupees 100.00 per hectare of land covered by the license for each year or part thereof for which the license is granted subject to minimum of Rupees 5000.00, which can be changed from time to time by the State Government.(2)The licensee may win and carry for purposes other than commercial purposes-(a)thirty cubic meter of such mineral without any payment;(b)hundred cubic meter of such mineral on payment of royalty;Provided that if any quantity in excess of the quantities mentioned above is won and carried away the State Government may recover the cost of the excess quantity of minerals mentioned in clause(b) above; won and carried away(3)With, the written approval of the State Govt, the licensee may carry away quantities of minerals in excess of the limits specified in sub-rule (2).(4)Save in the case of land in respect of which the licensee is granted a mining, lease, the licensee shall, within 90 days from the

date of determination of the licence or the date of abandonment of the prospecting operations, whichever is earlier, securely plug all bores and fill up or fence all excavations.(5)The licensee shall report to the State Government the discovery of any mineral not specified in the licence within sixty days from the date of such discovery.(6)The licensee shall not transfer his licence except with the previous sanction of the State Government.(7)The licensee shall restore, to the extent possible other flora destroyed by prospecting operation.(8)The licensee shall pay to the occupier of surface of land such compensation as may become payable under these rules.(9)The State Government may impose such further conditions as may be considered necessary in the interest of mineral development.(10)In case of breach of any condition imposed on any holder of prospecting licence under these rules, the State Government may by order in writing, cancel the licence and/or forfeit the security amount deposited by the licensee under rule 96(2) after giving opportunity of hearing.(11)Any security deposit made under rule 96(2) if not forfeited under these rules, shall be refunded to the applicant after expiry of the licence.(12)Every licensee shall maintain account of all expenses incurred, by him on prospecting operations and also the quantity and other particulars of all minerals obtained during such operations and there dispatch thereof. '(13)The licensee shall, after the survey and demarcation of the area granted under the licence and before executing the licence deed, at his own expense erect and at all times maintain land keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the licence deed.(14)The licensee shall pay such reasonable compensation as may be assessed by the State Government if any damage, injury or disturbance occurs by any action of the licensee.(15)The licensee shall allow any officer authorised under rule 66 or by the Central Government or the State Government in that behalf to enter upon the premises including any building, excavation or land comprised in the lease for the purpose of inspecting, examining surveying and making plans thereof, sampling and, collecting any data and the licensee shall with suitable person in his employment and acquainted with the mines and work, properly assist, such officer and his agents, servants and workmen in conducting every such inspection, and shall afford and furnish to them all facilities information, etc. connected with the working of the mines, which they may reasonably require, and shall also conform to and observe all orders and regulations which the Central Government or the State Government, as a result of such, inspection.Or otherwise, may from time to time deem fit to make.(16)The licensee shall without delay, send to the District Officer a report of any, accident, causing death or serious bodily injury or serious injury, to property, or seriously affecting or endangering life or property, which occur in the course or any operations under the licence.

99. Mining Lease deed to be executed within six month.

(1)Where an order has been made for the grant of mining lease, a lease deed in Form MM-3 or in a form as near thereto as the circumstances of each case may require, shall be executed within six months of the communication of the said order or within such further period as the State Government may allow, in this behalf. If no such deed is executed within the aforesaid period due to any default on the part of the applicant, the State Government may revoke the order granting the lease and in that event the application fee and security amount shall be forfeited to the State Government.(2)The date of commencement of a mining lease referred to in sub-rule (1) shall be the date on which the deed is executed under the said sub-rule.

100. Restriction on determination of mining lease.

- No lessee shall determine a mining lease except after giving a notice in writing of not less than six months to the State Government.

101. Survey of the area licenced or leased.

(1) When a mining lease or prospecting licence is granted, arrangement shall be made by the Director for survey and demarcation of the area granted under the lease or licence for which lessees/ licensees shall be charged at the following rates : For mining leases. - (i) for areas upto 10 hectares Rs. 10,000.00 (ii) for areas beyond 10 hectares at the rate of Rs. 500.00 per hectare subject to the minimum of Rs. 15,000.00 For prospecting licence (i) for areas upto 10 hectares Rs. 5,000.00 (ii) for areas beyond 10, hectares at the rate of Rs. 250.00 per hectare subject to the minimum of Rs. 10,000.00 (2) The lessee or licensee shall, after the lease or licence is granted to him, pay the demarcation charges through treasury challan and submit a map of the area granted under the lease or licence, certified by the District Officer, to the concerned Mines Officer or to such other officer as may be authorised by the Director in this behalf. The Mines Officer or the officer so authorised shall, on receipt of the certified map and satisfying that demarcation charges have been deposited, survey and demarcate the area within thirty days from the date of such receipt. (3) The Mines Officer or the officer so authorised may, for the purpose of survey and demarcation of the area, take the help of such officer of the revenue and forest department of the district as he may consider necessary. (4) If any dispute arises in respect of demarcation of the area, the matter shall be referred to the Director, who shall, after giving the parties a reasonable opportunity of being heard, decide the matter. (5) The decision of the Director under sub-rule (4) shall be final.

102. Boundaries below the surface.

- The boundaries of the area covered by a mining lease shall run vertically downwards below the surface towards the centre of the earth.

103. Registers.

- The following registers shall be maintained in the office of the District Officer - (a) a register of applications for prospecting licence in Form MM-19, and (b) a register of prospecting licence in Form MM-20, (c) a register of applications for mining leases in Form MM-17, and (d) a register of mining leases in Form MM-18.

104. Availability of area for regrant on prospecting license or mining lease to be notified.

(1) If any area which was held under a mining lease under Chapter IX or under Mineral Concession Rules, 1960 or reserved under section 17-A of the becomes available for regrant on prospecting license or mining lease the District Officer shall notify the availability of the area through a notice

inviting application for grant of prospecting license or mining lease specifying a date, which shall not be earlier than thirty days from the date of notice and giving description of such area and a copy of such notice shall be displayed on the notice board of his office and shall also be sent to the Tehsildar of such area and the Director.(2)The applications for grant of prospecting license or mining lease under sub-rule (1) shall be received within seven working days from the date specified in the notice referred to in the said sub-rule of however the number of application received for any area is less than three the District Officer may further extend the period for seven more working days and if even thereafter the number of application remain less than three the District Officer shall notify the availability of this area a fresh in accordance with the said sub-rule.(3)An application for grant of prospecting license or mining lease for such area which is already held under a lease or notified under sub-rule (1) of rule 23 or reserved under section 17 A of the Act and whose availability has not been notified under sub-rule (1) shall be deemed to be premature and shall not be considered.[First Schedule] [Substituted by Notification No. 306/ 35-86-2019-153(Sa.)-2017, dated 6.3.2019.]

SI. No.	Minerals	Rate of Royalty
1	2	3
1	Limestone	Rs 150.00 per tonne or Rs 275.00 per cubicmetre
2	Marble or Marble Chips (Sangmermer)	Rs 206.00 per tonne or Rs 405.00 per cubicmetre
3	Brick earth	Nil
4	Building Stone	
(i)	Granite(sized dimensional stone)	
	(a) 1 metre or above size	Rs 5000.00 per cubic metre
	(b) below 1 metre size	Rs 3000.00 per cubic metre
(ii)	Sized dimentional stoneincluding slabs and ashlar(sand stone, quartzite)	Rs 650.00 per cubic metre
(iii)	Milestone and HandChakis(sand stone, quartzite)	Rs 600.00 per cubic metre
(iv)	Khandas and Boulders	
	(a) Granite and Dolostone sized up to25cmx25cmx25cm	Rs 125.00 per cubic metre
	(b) Sand stone and quartzite sized up to25cmx25cmx25cm	Rs 100.00 per cubic metre
(v)	Bllasl (Gitti)	
	(a) Granite and Dolostone	Rs 160.00 per cubic metre
	(b) Sand Stone/Quartzite	Rs 110.00 per cubic metre
	(c) Stone Dust	Rs 100.00 per cubic metre
5	Morrum	

	(a) available in the river bed	Rs 150.00 per cubic metre
	(b) red morrum deposit due to erosion of hills	Rs 75.00 per cubic metre
6	Ordinary sand (Other than sand used for prescribed purposes)	
	(a) First Category (Found in districts mentioned in scheduled second)	Rs 65.00 per cubic metre
	(b) Second Category (Found in districts mentioned in scheduled second)	Rs 55.00 per cubic metre
7	Bajri (Single)	Rs 110.00 per cubic metre
8	Ordinary Clay or Ordinary earth	Nil
9	Pyrophyllite	Rs 300.00 per tonn
10	Diaspore	Rs 500.00 per tonn
11	Silica Sand	Rs 100.00 per tonn
12	China Clay	12% of pit's mouth value
13	Calcite	12% of pit's mouth value
14	Quartz	Rs 100 per tonn
15	Any other minor mineral for which the rate of royalty not specified	10% of pit's mouth value

[Second Schedule] [Substituted by Notification No. 243/86-2016-200/77-T.C.II, dated 19.1.2016.](See Rule 22)

Name of Minor Mineral	Name of Districts/river	Rate of dead rent per acre
1	2	3
1. Marble and Marble Chips	Sonebhadra and other district if any	Rs 40,000.00
2. Limestone	Sonebhadra and other district if any	Rs 40,000.00
A. Sand stone and Quartzite	Lalitpur, Banda, Mirzapur, Sonbhadra, Agra, Allahabad, Mathura and other districts if any	Rs 65,000.00
B. Granite/Dolostone	Jhansi, Lalitpur, Mohaba, Hamirpur, Banda, Jalaun, Sonbhadra and other districts if any	Rs 1,20,000.00
Such Building Stone, Ballast, Bajri and Ordinary Sand as are found in mixed form in the river bed.	Bijnor, Sharanpur, Bahraich, Lakhimpur Khiri, Balrampur and other districts, if any.	Boulder Rs 90,000.00 Bajri Rs 90,000.00 Ordinary Sand Rs 40,000.00 The separate rate will be charged on each minerals.
Morrum	Hamirpur, Mahoba, Jhansi, Banda, Jalaun, Lalitpur, Chitrakoot, Kausambi (Yamuna)	Rs 90,000.00

Fatehpur, Sonbhadra and other district, if any

(I) (River bed)

(II) Red

Morrum deposit due to erosion of hills All districts where available Rs 24,000.00

- | | | | |
|----|---|---|---------------|
| 6. | Ordinary Sand(I)
Category I | Allahabad (Yamuna) Mirzapur, Firozabad, Agra, Meerut, Mau, Ghaziabad Bagpat, Gautambudh Nagar, Varanasi, Gorakhpur, Chandauli, Bhadohi, Azamgarh, Kanpur Nagar, Bijnaur, Unnao, Etawah, Auraiya, Ballia, Faizabad, Bulandshahar, Muzaffargarh, Ambedkarnagar, Deoria, Kushinagar, Saharanpur, Basti, Santkabir nagar, Gonda, Maharajganj, Sidharthnagar Balrampur, Gazipur, Bahraich, Shravasti, Barabanki, Saharanpur, Shamli, Hapur, Kasganj, Sambhal, J.P. Nagar, Kanpur Dehat | Rs 50,000.00 |
| 7. | Ordinary Sand
Category II | Shahjahanpur, Mathura, Moradabad, Badaun, Rampur, Lucknow, Aligarh, Hardoi, Rae Bareilly, Fatehpur (Ganga) Kausambi, (Ganga) Allahabad (Ganga) Pratapgarh, Etah, Bareilly, Sultanpur, Sitapur, Farukhabad, Kannauj, Pilibhit, Mainpuri, Hathras, Jaunpur, Lakhimpur Kheri, Amethi | Rs. 30,000.00 |
| 8. | Ordinary Clay
or Ordinary earth
Pyrophyllite
Diaspore, Silica
Sand, China clay,
Calcite
and Other Minor
Minerals | In all districts where available | Rs 10,000.00 |
| 9. | Sand, China clay,
Calcite
and Other Minor
Minerals | In all districts where available | Rs 20,000.00 |

[Fifth Schedule [Inserted by Notification No. 1868/LXXXVI-2019-57(Sa)/2017, dated 13.8.2019.]
for E-tender/E-Auction amount deposited

[Rule 27(3)]

Period during which lease is Granted	Percentage of E-tender/ E-Auction Instalments amount to be deposited
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1	2	3	4						
January	First Year	20%	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	
	Subsequent years	20% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	
February	First year	20%	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	
	Subsequent years	20% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	
March	First year	20%	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	
	Subsequent years	20% 1 March	10% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	
April	First year	20%	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	
	Subsequent years	20% 1 April	10% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	
May	First year	20%	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	
	Subsequent years	20% 1 May	10% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	
June	First year	20%	10% 1 October	10% 1 Novem- ber	10% 1 December	10% 1 January	10% 1 February	10% 1 March	
	Subsequent years	20% 1 June	10% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	
July	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	
	Subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	
Aug	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	
	Subsequent years	20% 1 October	10% 1 Novem- ber	10% 1 Decem- ber	10% 1 January	10% 1 February	10% 1 March	10% 1 April	
September	First year	20%	10% 1 Novem- ber	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	
	Subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	

The U.P. Minor Minerals (Concession) Rules, 1963

October	First year	20%	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April
	Subsequent years	20% 1 October	10% 1 November	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April
November	First year	20%	10% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May
	Subsequent years	20% 1 November	10% 1 Decem- ber	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May
December	First year	20%	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 Jun
	Subsequent years	20% 1 December	10% 1 January	10% 1 February	10% 1 March	10% 1 April	10% 1 May	10% 1 Jun