

# **The Procedure For Grant Of Mining Lease/Quarry Licence For Marble (Including Serpentine/ Green Marble Etc.)**

RAJASTHAN

India

## **The Procedure For Grant Of Mining Lease/Quarry Licence For Marble (Including Serpentine/ Green Marble Etc.)**

### **Rule**

### **THE-PROCEDURE-FOR-GRANT-OF-MINING-LEASE-QUARRY-LICENCE of 1994**

- Published on 6 October 1994
- Commenced on 6 October 1994
- [This is the version of this document from 6 October 1994.]
- [Note: The original publication document is not available and this content could not be verified.]

The Procedure For Grant Of Mining Lease/Quarry Licence For Marble (Including Serpentine/ Green Marble Etc.) Published vide Notification No. G.S.R. 81 dated 6-10-1994. published in Rajasthan Raj-patra. Part 4-C (Extraordinary), dated 6-10-1994. P.No. 301G.S.R. 81. - In exercise of the powers conferred by rule 65-A of the Rajasthan Minor Mineral Concession Rules, 1986 the State Government in the interest of mineral development, hereby notifies the procedure for grant of mining lease/quarry licence for marble (including serpentine/green marble etc.) as under, namely:-

#### **1. Delineation and notification of plots.**

(1) Mining lease/quarry licence in the Government land shall be granted by auction, tender of application as decided by Government after delineation of plots of prescribed size. (2) The plots so delineated shall be notified for grant of mining lease/quarry licence by the Director with the prior approval of the Government, in at least two daily news papers having wide circulation in the State. The notification shall be published at least 30 days before the date of receipt of applications, tenders or auction in respect of grant of mining lease/quarry licence. (3) The size of plot shall be 2.25 hectares but it may be changed by the Director for reasons to be recorded in writing.

#### **2. Restrictions on grant and renewal of mining lease/quarry licence.**

(1) Restrictions provided under rule 4 of the Rajasthan Minor Mineral Concession Rules, 1986 shall

apply in respect of a mining lease of quarry licence granted or renewed under this notification.(2)Mining lease or quarry licence shall be granted only in favour of such applicant who undertakes to deploy the mine machinery prescribed under Annexure 'A' within six months from commencement of lease/licence :Provided that as specified in clause 8 of this notification where plots are delineated for grant of mining lease/quarry licence for persons belonging to the category of scheduled castes/schedule tribes or other backward classes, deployment of prescribed machinery shall not be necessary.(3)No person shall acquire an area exceeding 4.50 hectares in the entire State :Provided that where mining lease/quarry licence have already been granted for areas exceeding the aforesaid limit, it shall not be reduced:Provided further that where any person has installed two or more gangsaws each having the main motor of a capacity of minimum 100 H.P. and capable of sawing marble block of 3m X 1.5m X 1.5m size or two or more automatic tiling plants each having main motor of a capacity of minimum 150 H.P. with one horizontal and five vertical cutters or has taken effective steps to install such gangsaws or automatic tiling plants, he may be granted area upto limits specified below:

No. of gangsaws/ automatic tiling plants.	Maximum area(in hectares)
Two	6.75
Three	9.00
Four or more	11.25

(4)For the purpose of determining the total area referred to in sub-clause (3) the area already held under a mining lease/quarry licence by an applicant individually or as a member of co-operative society, company or corporation or a Hindu Undivided Family or a partner of a firm shall be deducted from the maximum area which could be granted.

### **3. Suitability of person for grant of mining lease or quarry licence.**

(1)Where applications are invited for grant of a mining lease or quarry licence, all applications received within 30 days from the date notified in the news papers shall be considered on the same footing irrespective of date of submission of the applications :Provided that during aforesaid period of 30 days all applications shall be received in a sealed cover and opened after completion of the said period.(2)Separate application shall be made for each plot.(3)Where two or more applications referred to in Sub-clause (1) are received for the same plot from the eligible persons, the competent officer may grant mining lease/quarry licence to one of the applicants by the method of lottery :Provided that where the applicant selected for grant of mining lease or quarry licence fails to comply with the provisions of rule 19 or 28 of the Rajasthan Minor Mineral Concession Rules, 1986 as the case may be, the order of grant shall be revoked and lottery shall be drawn from amongst the remaining applications.

### **4. Grant of a mining lease or quarry licence in khatedari or other private land.**

- In case of khatedari or other private land mining lease/quarry licence shall be granted in favour of khatedar or private land holder or such other person having acquired surface rights from the khatedar or land owner on the basis of mutual legal agreement and subject to the conditions that the

applicant agrees to undertake mining operations by deploying the mine machinery prescribed in the Annexure 'A'.

## **5. Grant of a mining lease or quarry licence in the existing areas.**

(1) In the existing areas of mining lease/quarry licence the new lease/licence shall be granted by auction on the condition that mine machinery as prescribed in this notification shall be deployed. (2) Where the size of plot available for grant is less than one hectare, the lease licence shall be granted by auction amongst the adjoining lease/licence holders and it shall be added to the existing lease/licence. (3) Where the size of a plot available for grant is one hectare or more, the same may be granted by open auction. (4) Wherever possible the size of a plot shall be increased upto 2.25 hectares by combining two or more plots or otherwise and it shall be granted as per sub-clause (1).

## **6. Grant of mining lease/quarry licence to persons having processing plant(s).**

- Twenty five percent of the plots delineated in the Government land shall be kept reserved for applicants who have installed marble processing plant or tiling plant or have taken effective steps to install such plant(s) as mentioned in the second proviso to sub-clause (3) of clause 2 of this notification. Explanation. - A person who has acquired land and has made atleast 50% of the total capital investment envisaged in installation of gang saw/tiling plant(s), shall be deemed to have taken effective step for the installation of such plant(s).

## **7. Conditions of the mining lease/quarry licence.**

(1) Conditions applicable in lease/licence granted under the Rajasthan Minor Mineral Concession Rules, 1986 shall be applicable to the lease/licence granted under this notification. (2) Following conditions shall also be included in every lease/licence granted under this notification :- (i) The sides of the open cast pit shall be kept benched as per provisions of the Metalliferous Mines Regulation, 1961 and the other provisions in these regulations relating to safety of mines and the persons employed therein shall also be complied with. (ii) The provisions relating to the health, sanitation, first-aid, medical appliances, welfare amenities and the conditions of labour employment provided in the Mines Rules, 1955 and provisions of any other law applicable to the labour employed in mines shall be complied with. (iii) Top soil recovered during surface operations shall be properly stacked and used for plantation. (iv) Overburden shall be dumped on suitable land devoid of any mineral deposit and the site of waste/overburden disposal shall be approved by the Mining Engineer. (v) Restoration of mined out areas shall be done wherever considered proper by the Director.

## **8. Grant of mining lease/quarry licence in respect of low grade marble deposits.**

(1)The Director shall identify areas containing certain low grade marble deposits which are not suitable for blocks of adequate size where working will require less capital investment.(2)Delineation of plots shall be undertaken in Government land and kept reserved for persons belonging to scheduled caste/scheduled tribe and other backward class and mining lease/quarry licence in these areas shall be granted by method of application.(3)Where applications are invited for grant of a mining lease or quarry licence, all applications received within 30 days from the date notified in the news papers shall be considered on the same footing irrespective of date of submission of the applications :Provided that during aforesaid period of 30 days all applications shall be received in a sealed cover and opened after completion of the said period.(4)Separate application shall be made for each plot.(5)Where two or more applications referred to in sub-clause (3) are received for the same plot from the eligible persons, the competent officer may grant mining lease/quarry licence to one of the applicants by the method of lottery :Provided that where the applicant selected for grant of mining lease or quarry licence fails to comply with the provisions of rule 19 or 28 of the Rajasthan Minor Mineral Concession Rules, 1986 as the case may be, the order of grant shall be revoked and lottery shall be drawn from amongst the remaining applications.

## 9. Pending applications.

- Applications which have not been disposed of till the date of issue of this notification shall be rejected and application fee shall be refunded.

## 10. Supersession.

- This notification shall supersede all earlier notifications, circulars or any other directions what so ever issued in the matter of grant of mining lease or quarry licence for marble. Annexure-A Mine Machinery To Be Deployed

1. Where one or more plots having total area upto 2.25 hectares is sanctioned, following machinery shall be deployed :

(i) Compressor	One
(ii) Rock drills	Two
(iii) Derrick/jib crane	One
(iv) Diamond wire saw or chain saw	One
(v) Tractor with trolley/dumper	One

2. Where two or more plots having total area upto 4.50 hectares are sanctioned, following machinery shall be deployed :

(i) Compressor	One
(ii) Rock drills	Two
(iii) Diesel or electric driven crane	One per plot
(iv) Diamond wire saw or chain saw	Two for each plot
(v) Tractor with trolley/ dumper	One

3. Where more than two plots having total area upto 11.25 hectares are sanctioned, following machinery shall be deployed :

(i) Compressor	Two
(ii) Rock drills	Four
(iii) Diesel or electric operated crane	One per plot
(iv) Diamond wire saw/chain saw	Two for each plot
(v) Mechanical excavator cum loader of suitable capacity	One
(vi) Dumpers	Two for each excavator