

Granite Policy, 2002

RAJASTHAN

India

Granite Policy, 2002

Rule GRANITE-POLICY-2002 of 2002

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007.

GS.R 109 : In exercise of the powers conferred by the Rule 65A of the Rajasthan Minor Mineral Concession Rules, 1986, the State Government in the interest of mineral development, hereby Notification the procedure for grant of prospecting licence and mining lease for Granite as under, namely :

1. Grant of mining lease in Government land

: [(1) Mining lease in the Government land shall be granted after ensuring the availability of Granite deposit and delineating the area by Government. Availability of Granite deposit is to be ensured by a team consisting of Superintending Geologist and Superintending Mining Engineer and then the plots for Mining lease shall be delineated : Provided that applications pending in Government land prior to Notification number GSR 88 dated 28th January, 2011 shall be rejected.] [Substituted by G.S.R. 114 No. F. 12(78)Mines/GLIP91-11 dated 24-3-2011 Published in Rajasthan Gazette Part IV(C) dated 24-3-2011.](2)[50% of the delineated plots under sub-clause (1) shall be granted by auction and remaining 50% shall be allotted to the persons as mentioned in clause 12 of this Notification. The plots delineated under sub-clause (1) shall be Notification for grant of mining lease by the Superintending Mining Engineer in at least two daily newspapers having wide circulation in the State and same shall be published at least 30 days before the date of receipt of applications.] [Substituted by G.S.R. 114 No. F. 12(78)Mines/GLIP91-11 dated 24-3-2011 Published in Rajasthan Gazette Part IV(C) dated 24-3-2011.]

2. Restrictions on grant and renewal of mining lease

: (1) Restrictions provided under Rule 4 of the Rajasthan Minor Mineral Concession Rules, 1986 shall apply in respect of a mining lease granted or renewed under this Notification. (2) No mining lease shall be granted unless it is satisfied that there is evidence to show that the area for which the lease is applied for has been prospected earlier for granite or the existence of granite therein has been established otherwise. (3) Mining lease shall be granted only in favour of such applicant who undertakes to deploy the mine machinery prescribed under Annexure-1 within one year from the commencement of the lease : Provided that if mine machinery prescribed under Annexure-1 has not been deployed within the prescribed period of one year, the competent authority may allow a further period of six months on payment of a penalty equal to 50% of the annual dead rent. (4) No person shall acquire an area(s) exceeding 9.00 hectares in the entire State :- Provided that where mining lease(s) have already been granted for area(s) exceeding the aforesaid limit, it shall not be reduced : Provided further that where any person has installed in the State one or more diamond gang saw capable of sawing granite block of 2.5m x 1.5m x 1.5m or diamond circular saw having main motor capacity of 100 HP or more may be Granted area upto limits specified below :

No of diamond gang saw/circular saw	Area (Hectares)
One	15
Two	21
Three	27
Four or more	33

Provided also that an area upto 50.00 hectares may be granted by State Government to a person who has made an investment exceeding Rs. 10.00 Crores in mine mechanisation and/or installation of processing plant(s) in the State. [Provided also that the area limit prescribed in this sub-clause shall be irrespective of number of mining leases] [Added by G.S.R. 114 dated 24.3.2011]. Explanation : A person who has acquired land and has made atleast 50% of the capital investment envisaged in installation of gang saw/circular saw shall be deemed to have taken effective steps for the installation of such plant(s). (5) For the purpose of determining the total area referred to in sub-clause (4) the area already held under a mining lease by an applicant or by any member of his/her family individually or as a partner of a firm shall be deducted from the maximum area which could be granted. [3. Prospecting Licence: Provisions regarding grant of Prospecting Licence shall be in accordance with the provisions of Chapter IA of the Rajasthan Minor Mineral Concession Rules, 1986] [Substituted by G.S.R. 114 dated 24-3-2011] [Deleted Clause 4 to 10] [Deleted by G.S.R. 114 dated 24-3-2011]

11. Suitability of persons for grant of mining lease

: (I) Where applications are invited for grant of a mining lease in new area. all applications received within 30 days from the date of Notification in the News Papers shall be considered on the same footing irrespective of the date of submission of the application. Provided that during the aforesaid period of 30 days, all applications shall be received in sealed cover and open after completion of the said period. (2) Separate application shall be made for each plot. (3) Where two or

more applications of mining lease referred to in sub-clause (1) or otherwise are received for the same plot/area from the eligible person. the competent officer may grant mining lease to one of the applicant by method of lottery: Provided that where the applicant selected for grant of mining lease fails to execute agreement under Rajasthan Minor Mineral Concession Rules, 1986. or under this Notification the order of grant shall be revoked and the mining lease shall be granted to the applicant next in the panel of three applicants drawn during the lottery.

12. Reservation for grant of mining lease

: (1) Fifty per cent of the plots delineated in the Government land shall be kept reserved as under : (i) Fifteen per cent of the delineated plots shall be kept reserved for persons who have installed granite processing plant or circular saw or have taken effective steps to install such plant(s) as mentioned in sub-clause(4) of the clause-2 of this Notification. (ii) Five per cent of the delineated plots shall be kept reserved for persons who undertake to invest a minimum of Rupees Ten Crores for mechanisation of mines and/or installation of 100 per cent Export Oriented Unit (E.O.U.) processing plant(s) in the State or undertake to export 50% of the total produce. The applicant shall submit satisfactory proof of his capacity in this regard. Allotment of such plots shall be made by the State Government. (iii) Thirty per cent of the delineated plots shall be kept reserved for persons belonging to scheduled castes/scheduled tribes & other backward classes etc. as under :

[S. No.] [Substituted by G.S.R. 114 dated 24.3.2011.]	Category	Percentage
(a)	Scheduled Castes	7.50%
(b)	Scheduled Tribes	7.50%
(c)	Other Backward Classes	4.00%
(d)	Special Backward Classes	1.00%
(e)	Unemployed graduates	3.00%
(f)	Dependent of the Martyrs of Defence Forces, Freedom fighters	2.00%
(g)	General	5.00%

Provided that mining lease granted under this provisions shall not be transferred to a person belonging to other category and the mining lease has remained in force for atleast 5 years from its commencement.

13. The benefit of reservation under Clause 12 shall be given to an applicant only once.

14. Grant of prospecting licence or mining lease in Khatedari or other private land

: In case of Khatedari or other private land, prospecting licence/mining lease shall be granted or renewed 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-1. Provided that in case of khatedari and other private land, the area which was previously held or which is being held under a prospecting licence or mining lease or in respect of which the order of grant has been made but the same has been revoked shall be treated as available for grant after the date of termination or surrender or revocation of the prospecting licence or mining lease without a Notification issued under the provisions of the Rajasthan Minor Mineral Concession Rules, 1986, for declaring the area free for re-grant. Provided further that the size of area granted in the khatedari or other private land shall be as far as possible be 3.00 hectares subject to the condition that if the applicant is Khatedar or land owner himself where the size of area may be upto the land holdings in his favour but in no case it shall be less than 0.50 hectare. Provided also that where the available area is less than 0.50 hectare and surrounded by two or more existing leases as provided in rule 11 of the Rajasthan Minor Mineral Concession Rules, 1986 it shall be granted to any one adjoining lessee on the basis of no objection of the Khatedar/land holder to such person and the new area shall be added to the existing lease.

15. Applicability of Granite Conservation and Development Rules, 1999

: All provisions of Granite Conservation and Development Rules, 1999 shall be applicable in respect of prospecting licence and mining lease granted as per this Notification. [16. Grant of mining lease in the existing areas: (1) In the existing areas of mining lease, the area available shall be granted as per sub-clause (2) and sub-clause (3) of this clause with the condition that mine machinery' as prescribed in Annexure-1 shall be deployed. (2) Where the size of plot of the area available for grant is less than 1.5 hectares, lease shall be granted to any one adjoining lease holder by auction amongst them and it shall be added to the existing lease. (3) Where the size of plot/area available for grant is 1.5 hectare or more. the lease shall be granted by open auction. (4) Wherever possible the size of plot/area shall be increased up to 3.00 hectares by combining two or more plots : Provided that two or more existing mining leases may be combined to make an area up to 50.00 hectare to facilitate scientific and mechanized mining. (3) Where Government land is available, a strip of land up to 30 meters wide shall be kept reserved around the existing mining boundaries for allotment to the adjoining lessees to facilitate increase in the size of existing mining lease. The area of the strip shall be allotted by Mining Engineer/Assistant Mining Engineer concerned after approval of the Director (Mines) to the adjoining lessees by application on merit and may be added to their existing mining lease : Provided that the existing lessee in whose lease the strip is added shall pay, four time premium equivalent to dead rent of the area to be added, in addition to dead rent as per rules.] [Clause 16 Substituted by G.S.R. 114 dated 24-3-2011]

17. 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 for granite.

18.

This Notification shall come into force from the date of its publication in the Official Gazette. Annexure 1 Mine Machinery to be Deployed

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| 1. | Where one or more plots having total area upto 6.00 hectares is sanctioned, following machinery shall be deployed:- |
| (i) Composer | One |
| (ii) Rock Drill Machine | Two |
| (iii) Chain Pully Block | One |
| (iv) Wedge and feathers | As per requirement |
| (v) Jib Crane | One |
| 2. | Where plots having total area more than 6.00 hectares and upto 15.00 hectares are sanctioned, following machinery shall be deployed:- |
| (i) Composer | Two |
| (ii) Rock Drill Machine | Four |
| (iii) Derrick Jib Crane | One per 3 Hect. |
| (iv) Chain Pully Block/Mechanical Winches | As per requirement |
| (v) Mechanical Excavator cum loader | One |
| (vi) Flame jet burners | As per requirement |
| (vii) Dumper/Trucks | Two for each excavators |
| 3. | Where plots having total area more than 15.00 hectares are sanctioned, following machinery shall be deployed:- |
| (i) Composer | Three |
| (ii) Rock Drill Machine | Six |
| (iii) Deisel/Eletric Operated Crane | One per 3 hect. |
| (iv) Chain Pully Block/Mechanical Winches | As per requirement |
| (v) Mechanical Excavator cum loader | Two |
| (vi) Flame jet burners | As per requirement |
| (vii) Dumper/Trucks | Two for each excavators |

[Form A, Form B, Form C, Form D, Form E, Form F, and Form G Deleted by GSR 114 dated 23-3-2011]