

**Government of Rajasthan
Mines (Gr.II) Department**

No. F-12(78) Mines/Gr.II/91 Pt.-II

Jaipur, dated:

24 MAR 2011

NOTIFICATION

In exercise of the powers conferred by rule 65A of the Rajasthan Minor Mineral Concession Rules 1986, the State Government in the interest of mineral development, hereby makes the following amendments in this Department's Notification No. 12(78) Khan/Gr-2/91 Dated 2nd March, 2002 published in G.S.R. 109 of Rajasthan Extraordinary Gazette, dated 2 March, 2002, namely:-

AMENDMENTS

In the said notification,-

1. in clause 1,-

(i) the existing sub-clause (1) shall be substituted by the following, namely:-

“(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 than 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.”

(ii) the existing sub-clause (2) shall be substituted by the following, namely:-

“(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 notified 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.”

2. in clause 2, after the existing third proviso to sub-clause (4) the following fourth proviso shall be added, namely:-

“Provided also that the area limit prescribed in this sub-clause shall be irrespective of number of mining leases.”

3. the existing clause 3 shall be substituted by the following, namely :-

“3. Provisions regarding grant of Prospecting Licence shall be in accordance with the provisions of Chapter-IA of the Rajasthan Minor Mineral Concession Rules, 1986.”

4. the existing clause 4 to 10 shall be deleted.

5. in item number (iii) of sub-clause (1) of clause 12, for the existing expression

"(a) Scheduled Castes	10%
(b) Scheduled Tribes	10%
(c) Other Backward Classes	5%
(d) Unemployed graduates	3%
(e) Dependant of the Martyers of Defence Forces, freedom fighters	2%

shall be substituted by the following, namely:-

S. No.	Category	Percentage
a)	Scheduled Castes	7.5%
b)	Scheduled Tribes	7.5%
c)	Other Backward Classes	4%
d)	Special Backward Classes	1%
e)	Unemployed graduates	3%
f)	Dependant of the Martyrs of	2%

	Defence Forces, Freedom fighters	
g)	General	5%

6. the existing clause 16 shall be substituted by the following, namely:-

“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 a 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.

(5) 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."

7. the existing Form A, Form B, Form C, Form D, Form E, Form F and Form G of shall be deleted.

By order of the Governor,

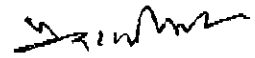


(Shiv Kumar Agrawal)

Deputy Secretary to the Government

Copy forwarded to the following for information and necessary action :-

1. Addl. Chief Secretary, Governor of Rajasthan, Jaipur
2. Pr. Secretary, Chief Minister of Rajasthan, Jaipur.
3. Secretary, Rajasthan Legislative Assembly, Jaipur.
4. P.S. to State Minister Mines.
5. P.S. to Chief Secretary, Rajasthan, Jaipur.
6. P.S. to Pr. Secretary to Govt., Mines & Petroleum Deptt, , Rajasthan, Jaipur.
7. Accountant General, Rajasthan, Jaipur.
8. Director, Mines & Geology, Rajasthan, Udaipur with request to circulate in all the offices of Mines Department.
9. Superintendent, Government Press, Rajasthan, Jaipur (with two spare copies & CD) with the request to kindly publish the above notification in "Extra ordinary Gazettee of Rajasthan".
- ✓ 10. Guard file.



Asstt. Secretary to Govt.

GOVERNMENT OF RAJASTHAN
MINES (Gr.II) DEPARTMENT. 24 MAR 2011

No. F.15 (20) Mines/Gr.2/94 part

Jaipur, Dated 2011

NOTIFICATION

In exercise of the powers conferred by rule 65A of the Rajasthan Minor Mineral Concession Rules 1986, the State Government in the interest of mineral development, hereby makes the following amendments in this Department's Notification No. 12(78) Khan/Gr-2/91 Dated 1st March, 2002 published in G.S.R. 108 of Rajasthan Extraordinary Gazette, dated 1st March, 2002, namely:-

AMENDMENTS

In the said notification,-

1. in clause 1,-

(i) the existing sub-clause (1) shall be substituted by the following, namely:-

“(1) Mining lease or quarry licence in the Government land shall be granted after ensuring the availability of Marble deposit and delineating the area by Government. Availability of Marble deposit is to be ensured by a team consisting of Superintending Geologist and Superintending Mining Engineer and than the plots for Mining lease/ quarry licence shall be delineated:

Provided that the applications pending on Government land on 27th January 2011 shall be disposed off in accordance with the provisions of Notification No. 12(78) Khan/Gr-2/91 Dated 1st March, 2002, as amended from time to time, and applications received from 28th January 2011 on Government land shall be rejected.”

(ii) the existing sub-clause (2) of clause 1 shall be substituted by the following, namely:-

”

“(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 14 of this notification. The plots delineated under sub-clause (1) shall be notified for grant of mining lease/ quarry licence 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.”

2. In clause 2,-

(i) in sub-clause (3) for the existing expression “Annexure-I”, the expression “sub-rule (3) of rule 21 of the Marble Development and Conservation Rules, 2002” shall be substituted.

(ii) the existing first proviso to sub-clause (3) shall be deleted.

(iii) in second proviso to sub-clause (3) for the existing expression “Provided further that if mine machinery prescribed under Annexure-I”, the expression “Provided that if mine machinery prescribed under sub-rule (3) of rule 21 of the Marble Development and Conservation Rules, 2002”.

(iv) after the existing third proviso to sub-clause (4), the following fourth proviso shall be added, namely:-

“Provided also that the area limit prescribed in this sub-clause shall be irrespective of number of mining leases / quarry licences.”

3. the existing clause 3 shall be substituted by following, namely :-

“3. Provisions regarding grant of Prospecting Licence shall be in accordance with the provisions of Chapter- I A of the Rajasthan Minor Mineral Concession Rules, 1986.”

4. the existing clause 4 to 10 shall be deleted.

5. in clause 12 for the existing expression “Annexure-I”, the expression “sub-rule (3) of rule 21 of the Marble Development and Conservation Rules, 2002”.

6. in clause 13,-

(i) the existing sub-clause (1) shall be substituted by the following, namely:-

“(1) In the existing areas of mining lease/ quarry licence, the area available shall be granted as per sub-clause (2) and (3) of this

clause with the condition that mine machinery, as prescribed in sub-rule (3) of rule 21 of the Marble Development and Conservation Rules, 2002, shall be deployed."

(ii) in the existing sub-clause (4) the existing expression "or otherwise and it shall be granted as per sub-clause (1)" shall be deleted.

(iii) in sub-clause (5) for the existing expression "upto 100 meters", the expression "upto 30 meters" shall be substituted.

(iv) in sub-clause (5) for the existing expression "The area of the strip shall be allotted to the adjoining lessees / licencees", the expression "The area of the strip shall be allotted by Mining Engineer / Assistant Mining Engineer concerned after prior approval of the Director to the adjoining lessees / licencees" shall be substituted.

(v) after the existing sub-clause (5) the following proviso shall be added, namely:-

"Provided that the existing lessee / licencee in whose lease/licence the strip is added shall pay, premium equivalent to four times of dead rent / rent of the area to be added, in addition to dead rent/ rent as per rules."

7. in clause 14, the existing table appearing below item number (iii) of sub-clause (1) shall be substituted by the following, namely:-

S. No.	Category	Percentage
a)	Scheduled Castes	7.5%
b)	Scheduled Tribes	7.5%
c)	Other Backward Classes	4%
d)	Special Backward Classes	1%
e)	Unemployed graduates	3%
f)	Dependant of the Martyrs of Defence Forces, Freedom fighters	2%
g)	General	5%

8. the existing clause 17 shall be deleted.
9. the existing clause 18 shall be substituted by the following, namely:-
 - “18. Every holder of a lease/licence shall carry out mining operations for Marble in accordance with Mining Plan / Mining Scheme as prescribed in Marble Development and Conservation Rules, 2002.”
10. in clause 19 for the existing expression “lease of an area of more than 4 hectare”, the expression “lease/licence” shall be substituted.:
11. after the existing clause 19 and before the existing clause 20, the following new clause 19(A) shall be inserted, namely:-
 - “19A. When a suitable person under this notification is selected/decided by competent authority for grant of precise area for marble and for the said purpose communicate such decision to the applicant and on receipt of the communication from the competent authority of the precise area to be granted, the applicant shall submit a mining plan within a period of three months from the date on which such communication is received or such other period as may be allowed by the competent authority for approval.”
12. in clause 21,-
 - (i) the existing expression “4.00 hectare”, the expression “1.00 hectare” shall be substituted.
 - (ii) after the existing proviso, the following new proviso shall be added, namely:-

“Provided further that in case of existing mining leases/ quarry licences upto 1 hectare, the Director shall specify a simplified scheme of mining and every lessee/licensee shall submit such scheme of mining to the State Government or any person authorized in this behalf by State Government for its approval.”
13. In sub-clause (3) of clause 22 for the existing expression “Annexure-I”, the expression “sub-rule (3) of rule 21 of the Marble Development and Conservation Rules, 2002” shall be substituted.
14. after the existing clause 23 and before the existing clause 24, the following new clause 23A shall be inserted, namely:-

"23A. Applicability of provisions of Marble Development and Conservation Rules, 2002.-The provisions of the Rajasthan Minor Mineral Concession Rules, 1986 and Notification No. 12(78) Khan/Gr-2/91 Dated 1st March, 2002, as amended from time to time, shall be applicable to the extent they are not repugnant to or inconsistent with the provisions of the Marble Development and Conservation Rules, 2002."

15. the existing Annexure-1, Form A, Form B, Form C, Form D, Form E, Form F and Form G shall be deleted.

By order of the Governor,



(Shiv Kumar Agrawal)

Deputy Secretary to the Government.

Copy forwarded to the following for information and necessary action :-

1. Addl. Chief Secretary, Governor of Rajasthan, Jaipur
2. Pr. Secretary, Chief Minister of Rajasthan, Jaipur.
3. Secretary, Rajasthan Legislative Assembly, Jaipur.
4. P.S. to State Minister Mines.
5. P.S. to Chief Secretary, Rajasthan, Jaipur.
6. P.S. to Pr. Secretary to Govt., Mines & Petroleum Deptt., Rajasthan, Jaipur.
7. Accountant General, Rajasthan, Jaipur.
8. Director, Mines & Geology, Rajasthan, Udaipur with request to circulate in all the offices of Mines Department.
9. Superintendent, Government Press, Rajasthan, Jaipur (with two spare copies & CD) with the request to kindly publish the above notification in "Extra ordinary Gazettee of Rajasthan".
- ✓ 10. Guard file.



Assistant Secretary to the Govt.

**Government of Rajasthan
Mines (Gr-II) Department**

No.F-14(1)Mines/Gr-II/2005-Pt.-II

Jaipur Dated: 24 MAR 2011

NOTIFICATION

In exercise of powers conferred by section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the State Government hereby makes the following rules further to amend the Rajasthan Minor Mineral Concession Rules, 1986, namely :-

1. Short title and commencement. - (1) These rules may be called the Rajasthan Minor Mineral Concession (Fourth Amendment) Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of rule 4.- In sub-rule (10) of rule 4 of the Rajasthan Minor Mineral Concession Rules, 1986, herein after refer to as the said rules,-

- (i) for the existing expression "land excluding mineral Marble and Granite shall", the expression "land shall" shall be substituted.
- (ii) in proviso for the existing expression "the date of this notification", the expression "27.01.2011" shall be substituted.

3. Amendment of rule 7.- In sub-rule (3) of rule 7 of the said rules,-

- (i) for the existing expression "for minerals other than Marble and Granite shall be reserved under rule 73, for allotment", the expression "shall be allotted" shall be substituted.
- (ii) for the existing expression "New System shall be effective from the date of the issue of the notification and the applications received prior to notification shall be disposed of as per prevailing rules in force prior to this notification.", the expression "New System shall be effective from the date

of issue of notification dated 28.01.2011 and the applications pending on 27.01.2011 shall be disposed off as per prevailing rules in force prior to notification dated 28.01.2011." shall be substituted.

- (iii) in clause (vi), for the existing expression "Ex-Soldiers", the expression "freedom fighter/Ex-soldiers" shall be substituted.

4. Amendment of rule 11.- The existing fourth proviso to sub-rule (1) of rule 11 of the said rules shall be substituted by following new proviso, namely:-

"Provided also that 30 meter wide strip of Government land shall be kept reserved around the existing mining lease for allotment to adjoining lessees to enhance size of lease for scientific and safe mining. The area of strip shall be allotted on an application submitted by the lessee to the Mining Engineer/ Assistant Mining Engineer concerned, after considering its merit and obtaining prior approval of the Director (Mines), area of strip may be added to his existing mining lease. The existing lessee in whose lease, the strip is added shall pay, premium equivalent to four times of dead rent of the area to be added, in addition to dead rent as per rules".

5. Amendment in rule 19.- In rule 19 of the said rules,-

- (i) in second proviso to sub-rule (4) for the existing expression "responsible and for the delay in the execution/registration of lease deed he may permit the execution/registration returned the lease deed", the expression "responsible for the delay in the execution/registration of lease deed, he may permit the execution/registration and return of the lease deed" shall be substituted.

- (ii) in sub-rule (5) after the existing second proviso, the following third and fourth proviso shall be added, namely:-

"Provided also that the lessee, after demarcation of the granted area, shall construct boundary pillars and maintain them throughout the period of lease.

Provided also that re-verification of boundary pillars shall also be carried out on the request of the lessee but the expenses of the re-verification shall be twice the amount of demarcation fee given in the Note below:"

6. Amendment of rule 21.- In rule 21 of the said rules,-

- (i) the existing sub-rule (2) shall be substituted by following, namely:-

“(2) Notwithstanding anything contained in the Schedule-II, the minimum annual amount to be paid in excess of prescribed dead rent, as per Schedule-II, shall be determined by the auction or the tender offered, as the case may be. Other terms and conditions of the lease shall be in accordance with rule 18:

Provided that the minimum annual amount in excess of dead rent determined from auction or tender shall not be adjusted against royalty and shall be charged extra every year.”

- (ii) the existing sub-rule (3) shall be deleted.

7. Amendment of rule 25.- After the existing fifth proviso to rule 25 of the said rules, the following sixth proviso shall be added, namely:-

“Provided also that 30 meter wide strip of Government land shall be kept reserved around the existing quarry boundaries or licences for allotment to adjoining quarry licensee to enhance quarry size for scientific and safe mining. The area of strip shall be allotted on an application submitted by the licensee to the Mining Engineer/ Assistant Mining Engineer concerned, after considering its merit and obtaining prior approval of the Director (Mines), area of strip may be added to his existing quarry license. The existing licensee in whose license, the strip is added shall pay, premium equivalent to four times of rent of the area to be added, in addition to rent as per rules.”

8. Amendment of rule 27.- In clause (x) of sub-rule (1) of rule 27 of the said rules, for the existing expression "Ex-Soldiers", the expression "Freedom fighter/ Ex-soldiers" shall be substituted.

9. Insertion of new rule 27E.- After existing rule 27D and before the existing rule 28 of the said rules, the following new rule 27E shall be inserted, namely:-

"27 E. Demarcation of quarry licence area :-(1) When a quarry licence is granted by the State Government or the Competent authority, arrangements shall be made at the expenses of the licensee for the survey and demarcation of the area granted under the licence:

Provided that where the Mining Engineer / Assistant Mining Engineer concerned feel it necessary to demarcate the area before issuing an order of grant for quarry licence, he may ask the applicant to deposit the demarcation charges within time specified by him and get the area demarcated.

Provided further that if the applicant fails to comply with such order the application for grant of quarry licence shall be rejected.

Provided also that the licensee, after demarcation of the granted area, shall construct boundary pillars and maintain them throughout the period of licence.

Provided also that re-verification of boundary pillar shall also be carried out on the request of the licensee but the expenses of the re-verification shall be twice the amount of demarcation fee given in the note below.

Note : Expenses for demarcation shall be-

- (a) Rs. 500/- per Hectare or part thereof for area up to one hectare.
- (b) Rs. 800/- per Hectare or part thereof for area more than one hectare but up to 5 hectare.
- (c) Rs. 200/- per Hectare or part thereof for the area more than 5 hectares subject to minimum Rs. 4,000/- and maximum Rs. 20,000/-."

10. Amendment of rule 37A.- The existing clause (xvi) of rule 37A shall be substituted by the following, namely:-

“(xvi) Cancellation / surrender of leases / quarry licences or sanctioning of new leases / quarry licences or revision of dead rent of existing leases or temporary / permanent closure of leases / quarry licences by Government / Court or due to any other reason in the area concerned shall not have any impact on yearly contract amount.”

11. Amendment of rule 65A.- In rule 65A of the said rules, for the existing marginal heading “Grant of mining leases by adopting procedure different from the given in the Rules”, the marginal heading “Grant of mineral concessions by adopting procedure different from the given in the Rules” shall be substituted.

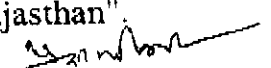
12. Amendment in rule 68.- In sub-rule (7) of rule 68 of the said rules, for the existing expression “amount equal to 10 times of royalty”, the expression “amount as per sub-rule (5)” shall be substituted.

By Order of the Governor.

(Shiv Kumar Agarwal)
Deputy Secretary to Government

Copy forwarded to the following for information and necessary action :-

1. Addl. Chief Secretary, Governor of Rajasthan, Jaipur
2. Pr. Secretary, Chief Minister of Rajasthan, Jaipur.
3. Secretary, Rajasthan Legislative Assembly, Jaipur.
4. P.S. to State Minister Mines.
5. P.S. to Chief Secretary, Rajasthan, Jaipur.
6. P.S. to Pr. Secretary to Govt., Mines & Petroleum Deptt., Rajasthan, Jaipur.
7. Accountant General, Rajasthan, Jaipur.
8. Director, Mines & Geology, Rajasthan, Udaipur with request to circulate in all the offices of Mines Department.
9. Superintendent, Government Press, Rajasthan, Jaipur (with two spare copies & CD) with the request to kindly publish the above notification in "Extra ordinary Gazettee of Rajasthan".
- ✓ 10. Guard file.


Assistant Secretary to Govt.