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GOVERNMENT OF INDIA

MINISTRY OF COAL AND MINES

DEPARTMENT OF MINES

N O T I F I C A T I O N

New Delhi , the 15th May,02.

G.S.R. 369(E)- In exercise of the powers conferred by section 18 read with sections 21 and 26 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules for conservation and systematic development of and scientific mining to conserve the marble resources and to provide a uniform frame-work with regard to systematic and scientific exploitation of marble throughout the country, namely:-

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**- (1) These rules may be called the Marble Development and Conservation Rules, 2002.

(2) They shall come into force from the date of their publication in the

2. **Application.**-These rules shall apply to prospecting and quarrying or mining of marble

3. **Definitions.**- (1) In these rules, unless the context otherwise requires,

(a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957)

(b) "agent", when used in relation to a quarry or mine, means any person whether appointed as such or not, who acts as the representative of the owner in respect of the management of the quarry or mine or any part thereof;

(c) "development" means removing overburden or unproductive or waste materials as preparatory to mining

(d) "drilling" means the penetration of alluvial material, rocks or formations by holes for obtaining geological information and for drawing samples therefrom

(e) "environment" and "environmental pollution" shall have the same meanings respectively assigned to them in the Environment (Protection) Act, 1986 (29 of 1986)

(f) "Form" means a Form set forth in Schedule to these rules,

(g) "geologist" means a person having a post graduate degree in Geology from a University established or incorporated by or under an Act of Parliament or any institution recognised by the University Grants Commission established under Section 4 of the University Grants Commission Act 1956(3 of 1956) or any qualification equivalent thereto and appointed in writing by the prospecting licensee, owner or agent to perform the duties of a geologist under these rules;

(h) "marble" means crystalline metamorphosed calcarious or dolomitic rocks and serpentine rock types which are -

(i) amenable to be recovered as dimensional stone; and

(ii) capable of taking polish.

(i) "lease" means a lease granted for the purpose of undertaking mining or quarrying operations for marble

(j) "manager" when used in relation to a mine or a quarry, means any person appointed by the owner or agent and includes the owner or the agent if he appoints himself to be such manager, under section 17 of the Mines Act, 1952 (35 of 1952);

(k) "mining engineer" means a person having a Bachelor degree in mining engineering from a University established or incorporated by or under an Act of Parliament or including any institution recognised by the University Grants Commission established under Section 4 of the University Grants Commission Act 1956(3 of 1956) or any qualification equivalent thereto and appointed in writing by the owner or agent to perform the duties of a mining engineer under these rules;

(l) "prospect" means an area where existence of marble has been established

(m) "prospecting licence" means a licence granted for the purpose of undertaking any operation for the purpose of exploring, locating or proving marble deposits;

(n) "quarry" means an opencast working as defined in Mines Act, 1952 (35 of 1952)

(o) "recognised person" means a qualified person granted recognition by the competent authority under these rules to prepare mining plan

(p) "year" means the twelve months period beginning from the first day of April and ending on the thirty first day of March of the following year.

(2) All other words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

CHAPTER II

PROSPECTING AND MINING OF MARBLE

4. Prospecting to precede mining operations.- No lease shall be granted by the State Government 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 marble or the existence of marble therein has been established otherwise.

5. Period for which prospecting licence may be granted.-The period for which a prospecting licence may be granted shall not exceed two years;

6. Period for which leases may be granted .- The maximum period for which a lease may be granted shall not exceed thirty years

Provided that the minimum period for which any such lease may be granted shall not be less than twenty years.

7. Minimum and maximum area for grant of a mining lease.- (1) The minimum area that may be granted under a lease for ensuring mining activities to optimum depth shall not be less than four hectares with the restriction that the dimension on any one side of such area shall not be less than 200 metres.

(2) The maximum area that may be granted under a mining lease shall not exceed fifty hectares;

Provided that the State Government, if it is satisfied on the basis of proposed production level, geological, topographical or other conditions, may for the reasons to be recorded in writing, grant a lease over an area more than the maximum area or less than the minimum area specified under this rule.

CHAPTER III

PROSPECTING OPERATIONS

8. Scheme of prospecting.- (1) Every holder of a prospecting licence for marble shall submit to the State Government or any person authorised in this behalf by that Government within a period of sixty days from the date of execution of the prospecting licence, a scheme of prospecting indicating the manner in which he proposes to carry out the prospecting operation, in the area covered by the licence and the scheme shall incorporate the following, namely:-

(a) particulars of the area

(b) the scale of the plan and the area of geological mapping;

(c) the number of pits, trenches, and bore holes which he proposes to put in the area and the locations thereof;

(d) the particulars of the machines to be used;

(e) the details of exploratory mining to be undertaken;

(f) the number of samples proposed to be drawn and tested;

(g) baseline information of prevailing environmental conditions before the beginning of the prospecting operations

(h) any other matter relevant for the preparation of a scheme of prospecting, as directed by the State Government or any person so authorised from time to time by a general or specific order

(2) The prospecting scheme under sub-rule (1) shall be prepared by a recognised person or a geologist or a mining engineer employed under clause (a) of sub-rule (1) of rule 34.

9. Modification of scheme of prospecting.- (1) A prospecting scheme prepared and submitted under rule 8 may be modified atany time on geological considerations by the holder of a prospecting licence during continuance of the prospecting licence.

(2) Any modification carried out under sub-rule (1) shall be intimated to the State Government or any person authorised in this behalf by that Government, by the holder of a prospecting licence within a period of fifteen days

10. Prospecting operations to be carried out in accordance with scheme of prospecting.- (1) Every holder of a prospecting licence for marble shall carry out the prospecting operations in accordance with the scheme of prospecting submitted under rule 8 or with such modifications, if any, as intimated under rule 9 or as directed by the State Government or any person authorised by that Government in this behalf.

(2) Every holder of a prospecting licence may win and carry two hundred tonnes of marble during the period of prospecting licence, after paying due royalty, under the law for the time being in force, for the purposes of tests and determiningits commercial viabili

(3) Every holder of a prospecting licence shall have priority to claim a mining lease over an area prospected by him, in case he applies for a mining lease atleast thirty days before the expiry of the prospecting licence.

11. Report of prospecting operations.- Every holder of a prospecting licence for marble shall submit to the State Government or any person authorised in this behalf by that Government an annual report in Form A so as to reach it or him, as the case may be, by 30th April for the previous year:

Provided that a report in Form-A shall be submitted within a period of three months after the completion or abandonment of the prospecting operations or the expiry of the prospecting licence, whichever is earlier.

CHAPTER IV

MINING PLAN

12. Mining Plan as a pre-requisite to the grant of lease.-(1) No lease shall be granted by the State Government unless there is a mining plan duly approved by the State Government or any person authorized in this behalf by that Government for the development of marble deposit in the area concerned.

(2)(a) For the renewal of any lease over an area exceeding one hectare the State Government shall require the lessee to submit a mining plan duly approved by the State Government or any person authorized in this behalf by that Government for the development of marble deposit in the area concerned.

(b) For the purpose of renewal of a mining lease up to an area of one hectare, the State Government shall specify a simplified scheme of mining to be submitted by the lessee for approval by the State Government or any other person authorized in this behalf.

13. Mining plan to be prepared by a recognised person.- (1) No mining plan shall be approved unless it is prepared by a qualified person recognised in this behalf by the State Government or any person authorised by that Government or by a recognised person under rule 22B of the Mineral Concession Rules, 1960.

(2) No person shall be granted recognition for the purposes of sub-rule (1) by the State Government or any person authorised by that Government unless he

holds

(i) a degree in mining engineering or a post-graduate degree in geology granted by a university established or incorporated by or under an Act of Parliament or any institution recognised by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956) or any qualification equivalent thereto; and

(ii) professional experience of five years of working in a supervisory capacity in the field of mining or mineral administration after obtaining a degree or qualification required under clause (i)

14. Grant of recognition by State Government.- (1) Any person possessing the qualifications and experience required under sub-rule (2) of rule 13 may apply for recognition to the competent authority designated by the State Government for this purpose.

(2) The competent authority after making such enquiry as it deems fit, may grant or refuse to grant recognition and where recognition is refused, the competent authority shall record reasons in writing and communicate the same to the applicant.

(3) A recognition shall be granted for an initial period of ten years and may be renewed for further periods not exceeding ten years at a time:

Provided that the competent authority may refuse to renew recognition for reasons to be recorded in writing after giving an opportunity of hearing to the person concerned

15. Approval and submission of mining plan.- On receipt ofthe application for grant of mining lease for undertaking mining operations for marble, the State Government shall take decision to grant precise area for the said purpose and communicate such decision to the applicant and on receipt of the communication from the State Government 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 State Government forapproval and the said mining plan shall incorporate -

(i) the plan of the precise area showing the nature and extent of the marble deposit, spot or spots where the excavation is to be done in the first year and its extent, a detailed cross-section and detailed plan of spots of excavation based on the prospecting data gathered by the applicant and a tentative scheme of mining for the first five years of the lease;

(ii) details of the geology and lithology of the precise area including marble reserves of the area;

(iii) the extent of manual mining or mining by the use of machinery and mechanical devices on the precise area;

(iv) the plan of the precise area showing natural water courses, limits of reserved and other forest areas and density of trees, if any, assessment of impact of mining activity on forest, land surface and environment including air and water pollution, details of scheme for restoration of the area by afforestation, land reclamation, use of pollution control devices and of such other measures as may be directed by the Central or the State Government from time to time;

(v) annual programme and plan for excavation on the precise area from year to year for five years; and

(vi) any other matter which the State Government or any person so authorised may require the applicant to provide in the mining plan

CHAPTER V

MINING OPERATIONS

16. Mining plan as a pre-requisite to the commencement of mining operations.-(1) No person shall commence mining operations for marble in any area except in accordance with a mining plan approved under these rules.

(2) The State Government or any person authorised in this behalf by that Government may require the holder of a lease to make such modifications in the mining plan referred to in sub-rule (1) or impose such conditions as it considers necessary by an order in writing if such modifications or imposition of conditions are considered necessary in the light of the experience of operation of mining plan or in view of the change in the technological development

(3) A holder of a lease, desirous of seeking modifications in the approved mining plan as are considered expedient, in the interest of safe and scientific mining, conservation of marble, or for the protection of environment, shall apply to the State Government or any person authorised in this behalf by that Government, setting forth the intended modifications and explaining the reasons for the same.

(4) The State Government or any person authorised in this behalf by that Government may approve the modifictions under sub-rule(3) or approve with such alterations as it may consider expedient.

17. Mining plan to be submitted by the existing lessee.-(1)(a) Where mining operations for marble covering leasehold areas exceeding one hectare have been undertaken before the commencement of these rules without an approved mining plan, the holder of such lease shall submit a mining plan within a period of one year from the date of commencement of these rules, to the State Government or any person authorised in this behalf by that Government for its approval

(b) In case of existing mining leases upto one hectare, the State Government shall specify a simplified scheme of mining and every lessee shall submit such scheme of mining within a period of one year fromthe date of commencement of these rules to the State Government or any person authorized in this behalf by that Government for its approval.

(2) If a holder of a lease has not been able to submit the mining plan or scheme of mining within the time specified in sub-rule (1) for reasons beyond his control, he may apply for extension of time giving reasons to the State Government or any person authorised in this behalf by that Government.

(3) The State Government or any person authorised in this behalf by that Government on receiving an application made under sub-rule (2) may, on being satisfied, extend the period for submission of the mining plan or scheme of mining for a period which may not exceed one year

(4) The State Government or any person authorised in this behalf by that Government may approve the mining plan or scheme of mining submitted by the lessee under sub-rule (1), or may require modifications to be carried out in the mining plan or scheme of mining and the lessee shall carry out such modifications and resubmit the modified mining plan or scheme of mining for approval of the State Government or the person so authorised, as the case may be

(5) The State Government or any person authorised in this behalf by that Government shall, within a period of ninety days from the date of receipt of the mining plan or scheme of mining or the modified plan or scheme of mining, convey its or his approval or disapproval to the applicant and in case of disapproval, it or he shall also convey the reasons for disapproving the said mining plan or scheme of mining or the modified mining plan or scheme of mining.

(6) If no decision is conveyed within the period stipulated under sub-rule (5), the mining plan or scheme of mining or the modified mining plan or scheme of mining, as the case may be, shall be deemed to have been provisionally approved and such approval shall be subject to the final decision whenever communicated.

(7) The mining plan or scheme of mining submitted under sub-rule (1) shall be prepared by a recognised person.

18. Review of mining plan.- (1) Every mining plan duly approved under these rules shall be valid for the entire duration of the lease.

(2) The owner, agent, mining ine or quarry

shall review the mining plan as referred to in sub-rule (1) and submit a scheme of mining for the next five years of the lease to the State Government or any person authorised in this behalf by that Government for approval

(3) The scheme of mining shall be submitted to the State Government or any person authorised in this behalf by that Government at least one hundred twenty days before the expiry of the five years' period, for which it was approved on the last occasion.

(4) The State Government or any person authorised in this behalf by that Government shall convey its or his approval or refusal to the scheme of mining within ninety days of the date of its receipt.

(5) If approval or refusal of the scheme of mining is not conveyed to the holder of the lease within the stipulated period , the scheme of mining shall be deemed to have been provisionally approved and such approval shall be subject to final decision whenever communicated.

(6) The provisions of rule 13 shall apply to the scheme of mining in the same way as they are applicable to the mining plan.

(7) Every scheme of mining submitted under sub-rule (2) shall be prepared by a recognised person or a person employed under sub-rule (1) of rule 34.

19. Mining operations to be in accordance with mining plan.- (1) Every holder of a lease shall carry out mining operations for marble in accordance with the approved mining plan with such conditions as may have been imposed under sub-rule (2) of rule 16 or with such modifications, if any, as approved under sub-rule (4) of rule 16 or in accordance with the mining plan or the scheme submitted or approved under rule 12 or 17 or 18 as the case may be.

(2) If the mining operations are not carried out in accordance with the mining plan as referred to under sub-rule (1), the State Government or any person authorised in this behalf by that Government may order suspension of all or any of the mining operations and permit continuance of only such operations as may be necessary to restore the conditions in the quarry or mine as envisaged under the said mining plan.

20. Prospecting and mining operations.-The prospecting and mining operations shall be carried out in such a manner so as to ensure systematic development and conservation of marble deposits and protection of environment

21. System of working.- (1) System of working in marble quarries shall be performed by formation of benches.

(2) Such benches in marble and overburden including weathered marble shall be formed separately and the benches in overburden or weathered marble shall be kept sufficiently in advance so that their working does not interfere with the working of marble.

(3) In order to ensure optimum production with minimum waste generation, every lease holder shall endeavour to deploy machinery and equipment as indicated below:-

(a) For small quarry or mine (having area upto one hectare)

(i) Compressor … one

(ii) Jack hammer or any other pneumatic or hydraulic drill … one

(iii) Chain pulley block … one

(iv) Winch or 8 to 10 tonnes capacity crane … one

(v) Wedges, chisels and hammers ….. as needed

(vi) Water pump … one

(b) For medium size quarry or mine (having area above one hectare and upto three hectares):

(i) Compressors … two

(ii) Jack hammer or any other pneumatic or hydraulic drill … as needed

(iii) Mobile cranes (15 to 20 tonnes) … one to two

(iv) Derrick crane or Loader … one

(v) Excavator (0.3 cu.m. to 0.9 cu.m.) … one

(vi) Tippers or Loaders … two

(vii) Wire saws or chain saws … as needed

(viii) Hydraulic jacks … as need

(c) For large quarry or mine (having area more than three hectares

(i) Compressors … three to four

(ii) Mobile cranes (15 to 20 tonnes) … as needed

(iii) Derrick crane (20 to 40 tonnes)or Loader … as needed

(iv) Excavator (0.9 cu.m. to 1.1 cu.m.) … as needed

(v) Tippers or Loaders … two for each excavator

(vi) Wagon drills

(vii) Slot liners

(viii) Line drilling machines as needed

(ix) Diamond wire saws

(x) Chain saws or diamond belt saws

(xi) Hydraulic jacks

(4) The State Government may, from time to time, notify scale of deployment of machinery indicated in clauses (a), (b) and (c) of sub-rule(3)

22. Separate stacking of non-saleable marble.- (1) The non-saleable marble rejects at quarry or mine bottom shall regularly be collected and transported to the surface and the quarry or mine floor kept reasonably clear of debris

(2) Small marble blocks from such non-saleable marble suitable for possible use in manufacture of bricks as well as flooring or wall tiles by small scale industries sector shall not be used as ballast, road metal or stone aggregate and such material shall be segregated from the dumps of marble rejects and stored separately for future use as far as possible, whenever such dumps are worked for recovery of stone aggregate or used as quarry or mine backfill.

(3) The ground selected for dumping of top soil, overburden, waste material or non-saleable marble shall be away from working quarry or mine

(4) Before starting mining or quarrying operations, conceptual ultimate limits of the quarry or mine shall be determined and dumping ground shall be so selected that dumping is not carried out within the limits of the ultimate size of the quarry or mine except where simultaneous back filling is proposed

23. Copies of plans and sections to be submitted.-The owner, agent, mining engineer or manager of every marble quarry and mine shall submit to the State Government or any person authorised in this behalf by that Government, a copy of the plans and sections maintained under these rules, as and when required by that Government or such person, as the case may be .

24. Preparation of plans.- (1) All plans, sections and tracings or copies thereof kept at the marble quarry or mine shall be serially numbered or suitably indexed.

(2) Every plan, section or part thereof prepared under these rules shall carry thereon a certificate for its correctness and shall be signed by the mining engineer with date.

(3) Every copy of a plan and section or part thereof submitted or maintained under these rules shall bear a reference to the original plan or section from which it was copied and shall be certified thereon by the owner, agent, mining engineer or manager to be a true copy of the original plan or section.

CHAPTER VI

SYSTEMATIC AND SCIENTIFIC MINING

25. Protection of environment.-Every holder of a prospecting licence or a lease shall take all possible precautions for the protection of environment and control of pollution while conducting prospecting, mining or processing of marble in the area for which such licence or lease is granted.

26. Removal and utilisation of top soil.- (1) Where top soil exists and is to be excavated for prospecting or mining operations for marble, it shall be removed separately.

(2) The top soil so removed shall be utilised for restoration and rehabilitation of the land which is no longer required for prospecting or mining operations or for stabilising or landscaping the external dumps.

(3) Where top soil cannot be used concurrently, it shall be stored separately for future use.

27. Storage of overburden waste rock, etc.- (1) The overburden, waste rock and non-saleable marble generated during prospecting or mining operations for marble shall be stored separately in properly formed dumps on grounds earmarked.

(2) Such dumps shall be properly secured to prevent the escape of material in harmful quantities which may cause degradation of the surrounding land or silting of water courses.

(3) Wherever possible, such waste rock or overburden or other rejects, shall be backfilled into the worked out marble quarry or mine, where marble has been recovered upto the optimum depth, with a view to restore the land to its original use or desired alternate use, as far as possible, and where the backfilling is not feasible, the waste dumps shall be suitably terraced and stabilised by planting

vegetation or otherwise.

28. Reclamation and Rehabilitation of lands.- Every lease holder shall undertake in a phased manner restoration, reclamation and rehabilitation of lands affected by prospecting or mining operations and shall complete this work before the conclusion of such operations and the abandonment of the marble quarry or mine.

29. Precaution against air pollution.-Air pollution due to dust, exhaust emissions or fumes during prospecting, mining or processing operations for marble and related activities shall be controlled and kept within permissible limits specified under any environmental laws for the time being in force.

30. Discharge of effluents.-Every holder of a prospecting licence or a lease shall take all possible precautions to prevent or reduce to a minimum the discharge of toxic and objectionable liquid effluents from marble quarry or mine, workshop or processing plant, into surface or ground water bodies, and usable lands. These effluents shall conform to the standards laid down in this regard

31. Precaution against noise.- Noisearising out of prospecting, mining and processing operations for marble shall be abated or controlled by the holder of prospecting licence or a lease at the source so as to keep it within the permissible limit.

32. Permissible limits and standards.- The standards and permissible limits of all pollutants, toxins and noise referred to in rule 29, 30 and 31 shall be those notified by the concerned authorities under the provisions of the relevant statutes from time to time.

33. Restoration of flora.- Every lease holder shall take immediate measures for planting in the area held under the lease or any other area selected by the State Government for this purpose, such number of trees sufficient to improve the environment and to minimise effects of land degradation during the entire period of such lease. He shall look after such tree plantations during the subsistence of the lease.

CHAPTER VII

EMPLOYMENT OF QUALIFIED PERSONS

34. Employment of mining engineer.- (1) For the purpose of carrying out mining operations in accordance with these rules, every holder of a marble quarry and mine lease shall employ, -

(a) in the case of a mechanised marble quarry or mine, a whole time mining engineer possessing the following qualifications, namely:

(i) degree in mining engineering with minimum one year's experience of working in mines including marble quarries or mines, or

(ii) post graduate degree in geology with first class metalliferous mines manager's certificate or post graduate degree in geology with minimumthree years' experience of working in supervisory capacity in mines including marble quarries or mines, or

(iii) diploma in mining with first class metalliferous mines manager's certificate or diploma in mining with three year's experience in supervisory capacity in mines including marble quarries or mines, or

(iv) first class metalliferous mines manager's certificate with minimum two years' experience of working in mines including marble quarries or mines after obtaining the certificate.

(b) in the case of a marble quarry or mine lease other than the mechanised marble quarry or mine lease, -

(i) a part time mining engineer possessing qualification as specified under clause (a) above; or

(ii) a part time mining engineer, possessing a post graduate degree in geology or second class metalliferous mines manager's certificate, or

(iii) a whole time mining engineer possessing secondary school leaving certificate and mine foreman certificate with minimum five years' experience of working asmines foreman or mate in mines including marble quarries or mines.

Explanation: - For the purpose of this sub-rule, mechanised marble quarry or mine means a marble quarry or mine where machine capable of deep drilling is deployed or heavy machinery for excavation, handling or lifting or transporting of overburden and marble blocks is deployed.

(2) A part time mining engineer possessing qualifications specified in sub-clause (i) of clause (a) of sub-rule (1) may be employed to supervise upto a maximum of six marble quarries or mines in case where all such marble quarries or mines are located within a radius of twenty kilometers

Provided that a person possessing the qualifications other than those specified in sub clause (i) of clause (a) of sub-rule (1) may be employed as part time mining engineer in quarries or mines upto a maximum of three marble quarries or mines in case where such quarries or mines are located within a radius of fifty kilometers.

35. Duties of mining engineer.- (1) It shall be the duty of the mining engineer to take all necessary steps to plan and conduct mining operations, so as to ensure conservation of marble, systematic development of the marble deposits and protection of environment in and around the marble quarry or mine lease area in accordance with these rules.

(2) He shall be responsible for the preparation and maintenance of plans, sections, reports and schemes in accordance with these rules.

(3) He shall carry out all such orders and directions as may be given in writing under these rules by the State Government or any person authorised in this behalf by that Government and shall forward a copy of each of such orders or directions to the holder of prospecting licence or, as the case may be, the marble quarry or mine lease.

36. Supply of materials, appliances and facilities.- (1) The mining engineer shall ensure that there is sufficient provision of proper materials, appliances and facilities at all times at marble quarry or mine for the purpose of carrying out the provisions of these rules and orders issued thereunder and where he is not the owner or agent of the marble quarry or mine, he shall make requisition in writing to the owner or agent for anything required for the aforesaid purpose. A copy of every such requisition shall be recorded in bound paged book kept for the purpose.

(2) On receipt of a requisition under sub-rule(1), the owner or agent shall provide as soon as possible the materials and facilities requisitioned by the mining engineer.

CHAPTER VIII

NOTICES AND RETURNS

37. Half yearly and annual returns.-(1) The owner, agent, mining engineer or manager of every marble quarry or mine shall submit to the State Government or any person authorised in this behalf by that Government returns in respect of such marble quarry or mine within the time specified in respect of such returns, namely :-

(a) a half yearly return in Form-B for every half year ending 30th September and 31st March before the 15thof the following month for the preceding half yearly period;

(b) an annual return in Form-C which shall be submitted before the Ist July of each year for the preceding year :

Provided that in case of abandonment or surrender of a marble quarry or mine,

such annual return shall be submitted within ninety days of the date of abandonment or surrender.

(2) The State Government or any person authorised in this behalf by that Government shall forward a copy, each of the half yearly return in form B and annual return in

Form C received under sub-rule(1), to the Controller General of Indian Bureau of Mines within thirty days from the date of such receipt.

38. Transfer of records of transferees.-When the ownership of a prospecting licence or a marble quarry or mine lease is transferred, the previous owner or his agent shall make over to the new owner or his agent within a period of seven days of the transfer of the ownership, borehole cores preserved if any, all plans, sections, reports, registers and other records maintained in pursuance of the Act, rules or orders made thereunder, and all correspondence relevant thereto relating to the prospecting licence or marble quarry or mine lease; and when the requirements of these rules have been duly complied with, both previous and the new owners or their respective agents shall forthwith send to the State Government or any person authorised in this behalf by that Government a detailed list of borehole cores, plans, sections, reports, registers and other records that have been transferred.

39. Copies of notices and returns to be maintained.-The owner, agent, mining engineer or manager of every marble quarry or mine or a holder of a prospecting licence shall maintain the labour attendance register, production and despatch register, explosives consumption register, test reports and details of mining machinery and copies of all notices and returns, plans, sections and schemes submitted to the State Government or any person authorised in this behalf by that Government under these rules, at an office established by the licensee or lessee and these shall be made available at all reasonable times to the State Government or any person authorised in this behalf by that Government for inspection.

CHAPTER IX

REVISION AND PENALTY

40. Revision.- (1) Any person aggrieved by any order made or direction issued by any person authorised by the State Government to make or issue such order or direction under these rules may within ninety days of the communication of such order apply to the State Government for revision of the said order :

Provided that any such application may be entertained after the said period of ninety days if the applicant satisfies the State Government that he had sufficient cause for not making the application within time.

(2) Every order,against which a revision application is preferred under sub-rule (1),shall be complied with pending the decision of the State Government in such revision

Provided that the State Government may on an application by the applicant, suspend the operation of the order appealed against pending disposal of the revision application

(3) On receipt of an application for revision under sub-rule (1), the State Government after giving a reasonable opportunity of being heard to the aggrieved person, may confirm, modify or set aside the order or direction

(4) Every application submitted under the provisions of this rule shall be accompanied by a Treasury Receipt showing that a fee of five hundred rupees has been paid into a State Government Treasury or any branch of the State Bank of India doing Treasury Business to the credit of the State Government

41. Penalty.-Whoever contravenes any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees or with both and in the case of continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

CHAPTER X

MISCELLANEOUS

42. Facilities for undertaking research or training.-Every holder of a prospecting licence or a lease shall afford all reasonable facilities to persons authorised by the Central Government or the State Government for the purpose of undertaking research or training in matters relating to mining or geology.

43. Territorial jurisdiction.-The territorial jurisdiction of a person authorised by the Central Government or the State Government for the purpose of these rules shall be as notified by the Central Government or the State Government, as the case may be, in the Official Gazette from time to time.

44. Obligation to supply other information.-The owner, agent, mining engineer, geologist or manager of every marble quarry or mine shall furnish such information regarding such quarry or mine or any matter connected therewith as the Central Government or the State Government or any person authorised in this behalf by the Central Government or the State Government, as the case may be, may require by an order in writing and the information shall be furnished within such time as may be specified in the aforesaid order

45. Provisions of these rules to be applicable to Government.-The Government or its agencies carrying out mining operations without a lease shall be bound by all the provisions of these rules in the same manner as they are applicable to holders of marble quarry or mine leases.

46. Applicability of the provisions of Minor Mineral Concession Rules framed by the State Government.- The provisions of the Minor Mineral Concession Rules or any other rules

framed by the State Government under section 15 of the Act shall be applicable to marble quarry or mine leases to the extent they are not repugnant to or inconsistent with these rules.

47. Delegation of powers.- The State Government may, by notification in the Official 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

SCHEDULES

SCHEDULE

FORM –A

(Yearly Report of Prospecting Operations carried out)

(See rule 11)

To

State Government concerned or any

person so authorised under rule 47

1. Type of the marble for which prospecting : (a)

operations has been granted (b)

2. Name and address of the licencee :

3. Particulars of the prospecting licencee :

(i) Date of execution :

(ii) Period : Years From : to :

(iii) Area under licence : Hectares

(iv) No. and date assigned by State Government

to Prospecting Licencee. No. Date :

4. Location of the prospecting licenced area :

(i) Topo Sheet Number :

(ii) Cadastral Survey or Khasra Number :

(iii) Village : Taluka/Tehsil : District : State :

(iv) Post Office : Police Station :

(v) Nearest railway station : Distance :

(vi) Nearest Rest House/Dak Bungalow :

5. Particulars of the Geologist or mining Engineer employed optionally, if any, for the prospecting licenced area:

(i) Name and address :

:

:

(ii) Qualification :

(iii) Date of appointment :

(iv) Status of employment : Whole time : Part time :

6. Status of Prospecting Operation: In Progress :

please tick mark one of the boxes Completed :

whichever is applicable Abandoned :

7. Total Surface area covered by prospecting work (hectare) :

8. Prospecting work completed during the year :

a. Geological mapping : Area in Hectare : Scale :

b. Pitting (i) No. of Pits :

(ii) Grid Pattern :

(iii) Depth (Mts.) Average :

Maximum :

Minimum :

c. Trenching (i) No. of trenches (with interval) :

(ii) Length (Mts) Average :

Maximum :

Minimum :

d. No. and size of samples :

e. Drilling :

(i) No. of boreholes completed during the year (with size of core) :

(ii) No. of boreholes in progress :

(iii) Total yearly drilling (Mts.) :

f. Particulars of drilling mac pacity No.of drills

g. Details of samples tested:

(i) No. of samples tested :

(ii) Complete report :

(Testing the suitability as per market requirement)

Place : Signature :

Date : Name in full :

Designation :

Note : Please enclose a geological report describing the prospecting operations undertaken so far accompanied by the detailed geological plans and sections showing structural details such as joints, fractures, folds, faults, grain size, texture etc. and also showing locations of (a) bore holes, (b) pits, (c) trenches (d) sample positions etc. The report shall also contain the bore hole logs and the inferences drawn as a result of the study of the geology of the area and the interpretation of the bore hole cores, pits, trenches,reserves of marble and complete report of at least two representative samples indicating stone quality and suitability as per market requirements and the blocks proposed for mining operations.

FORM-B

HALF YEARLY RETURN

MINE/QUARRY CODE ……..

(See rule 37(1)(a)

For the half year ending ……. 200

(i) Type of the marble worked:

(ii) Name(s) of other mineral(s), if any:

To,

State Government concerned or any

person so authorised under rule 47

1. Name and Location of the Quarry/mine

Name of quarry/mine:

Village: Post Office: Taluka/Tehsil: District: State:

2. Name and address of lessee/quarry/mine owner:

Name:

Address:

3. Lease Details

Area in hectares: Date of Execution:

Period(years): Date of starting mining operations:

4. No. of days the quarry/mine worked during the half yearly period:

5. Indicate reason(s) for work stoppage due to strike, lockout, monsoon, non-availability of labour, less demand etc. and number of days of work stoppage for each of these factors.

Reasons	No. of days

6. Production, Despatches, Stocks and Pit's Mouth Value:

7. Production of Raw blocks, despatches, stocks and Pit's Mouth Value (Unit : cu.m/tonnes):

Items	Total	Weight-wise/ Size-wise break up
a) Opening Stock		
b) Production		
c) Despatches		
(i) Direct Exports		
(ii) Domestic sale		
d) Closing stock		
e) Pit's Mouth Value(Rs.)		

7.1 Waste and Rejects (Unit : Cu.M/tonnes)

Item	During the half year
(a) Quantity of waste generated as overburden	
(b) Quantity of waste generated incidental to mining of raw blocks	
(c) Quantity of waste generated as rejected blocks and dressing rejects	
(d) Despatches of waste and rejects (in accordance with above classification)	

8. Mining Machinery used during the half yearly period

Type of Machinery	No. of units	Engine Horse Power of each unit	No. of hours worked

(a)
(b)
(c)
(d)

---

9. Details of processing activity undertaken by the lessee , if any.

10. Export of Dimensional Blocks:
During the half yearly period:
Quantity (in MT): value (in Rs.):

11. Domestic Sale of Dimensional Blocks:
During the half yearly period:
Quantity (in MT): value (in Rs.):

12. Reasons for increase/decrease in production during the current half year as compared to the
Preceding half year:

I certify that the information furnished above is correct and complete in all respects.

Place: Signature:
Date: Name in full:
Designation:Owner/Agent/Mining Engineer/Manager

FORM-C

ANNUAL RETURN

(See rule 37(1)(b)

MINE/QUARRY CODE ……..

(For the year 1st April,200… to 31st March , 200….

(To be submitted before 1st July each year for the preceding year or within 90 days of the date of abandonment/surrender)

i) Type of the marble worked:
ii) Name(s) of other mineral(s), if any:

To,
State Government concerned or any person so authorised under rule 47 1.

Name and Location of the quarry/mine:
Name of mine/quarry:
village: Post Office:
Taluka/Tehsil: District: State:

2. Name and Address of lessee/mine/quarry owner:

3. Lease Details
Area in hectares: Date of Execution:
Period(years):

4. No. of days the quarry/mine worked during the year:

5. Indicate reason(s) for work stoppage due to strike, lockout, monsoon, non-availability of labour, less demand etc. and number of days of work stoppage for each of these factors.

Reasons	No. of days

6. Employment of Qualified Personnel and Labour:

6.1 Number of technical and supervisory staff:

Description	Fully employed	Partly employed
a. Graduate Mining Engineer		
b. Diploma Mining Engineer		
c. Geologist		
d. Other administrative, clerical and technical supervisory staff		

6.2 Labour Employment : Male Female

a. Average daily employment

b. Wages (Rs.)

7. Production, Despatches, Stocks and Pit's Mouth Value:

7.1 Production of Raw sizes blocks during the year (Unit : Cu.M):

Items	Total
a. Opening Stock	
b. Production	
c. Despatches	
(i) Direct Exports	
(ii) Domestic sale	
d. Closing stock	
e. Pit's Mouth Value(Rs.)	

7.2 Cumulative Production:
(since opening of quarry/mine in Cu.M/tonnes)

7.3 Waste and Rejects (Unit : Cu.M/tonnes)

Item	During the year	Cumulative total
a) Quantity of waste generated as overburden		
b) Quantity of waste generated incidental to mining of raw blocks		
c) Quantity of waste generated as rejected blocks and dressing rejects		
d) Despatches of waste and rejects (in accordance with above classification)		

8. Mining Machinery used during the year

Type of Machinery	No. of units	Engine Horse Power of each unit	No. of hours worked
(a)			
(b)			
(c)			
(d)			

9. Reserves (proved, probable, possible) in-situ and recoverable:

10. Quantity and Cost of material consumed during the year

	Quantity	Cost(Rs.)
(i) Fuel(Lt.):		
(ii) Electricity (KWH)		
(iii) Other Materials:		

11. Amount of Rent and Royalty paid (Rs).

12. Annual production (last 3 years) (Quantity in cubic metres):

13. Exports (last 3 years)
(Separately for dimensional blocks in tonnage)

14. Reasons for increase/decrease in production during the current year as compared to the preceding year:

I certify that the information furnished above is correct and complete in all respects.

Place: Name and Signature of
Date: Owner/Agent/Mining Engineer/Manager

Note:

(a) In case there is stoppage of work, indicate reasons for work stoppage and number of days of work stoppage.

(b) Average daily employment is obtained by dividing the number of man days worked by the number of working days.

(c) Wage includes all cash payments including bonuses. Employers' contributions to provident funds, welfare activities etc. Concessions in kind should not be included in wages

(d) The Pit's Mouth Value should represent the sale value of the marble at the pit head.

In case of sales effected on F.O.R or F.O.B or any other basis,pit head sale value should be arrived at after deducting all the expenses incurred from quarry/mine to railway station or port or other point of sale, as the case may be (such as expenses on transportation, loading and unloading charges, railway freight, sampling and analysis, port handling, export duty and cess).

(F.No.1/2/99-MVI)

(**S.P.GUPTA)**

JOINT SECRETRY TO THE GOVERNMENT OF INDIA.