CHHATTISGARH MINOR MINERAL RULES, 1996 NO. 110

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(41 3gO. frrÉr. 23 1996 fizit qqT. ft-e fiprr rrqT t (fi t) t firf« 220(69) z. 23 1996 (b) who is a resident Of Madhya Pra&sh: (c) who is above 18 years twt below 35 yers or age; (d) who to a family Of below IX»verty line; 22001) (e) who hß ncR availed Of any facility under any other scheme. for Educated Unemployed at any time. (Niv) "Form" means a form aprrnded to these rules; (xv) "Gram Parwhayat". "Janpad Panchayat". "Zila Panchayat" and

"Gram Sabha" have the same meanings respectively assigned to them in thc Pradesh Panchayat Raj Adhiniyam. 1993 (Nc I of 1994); (xvi) ' •l-æssee•• means a person who has been granted a quarry lease or quarry rrrrnit under these rules and include any contractor, sub-lessee, and agen t whether appointed as such Or not who acting or pirporting to act on behalf Of the lessee takes part in the management. sqrrvision. extraction and disßllch Of mineral: (xvii) • •Co-osrrative has the same meaning assigned to it under the Madhya Pradesh Societies Act, 1960 (No. 17 of 1961), and "Association" means a body or persons associated for its objects the promotion of the economic interest of its members and is so registered under the Madhya Pradesh Societies Act. 198); (xviii) • 'Memtr.r Of Scheduled Castes" means a member of any caste. race or tribe Or part Of Or group within a cßte. rwe or tribe specified as such with respect to the State of Madhya Pradesh under Article 341 Of the Constitution of India; (nix) ' •Mcmbcr of Scheduled Tribes" means a member of any trits•. tribal cornmunity or part of or group within a uibc or tribal community as such with respect to the State Of Madhya under Article 342 ot the Constitution of India. (xx) "Member Of Other Bxkward Classes" means a persorbclonging Io other backward classes as notified by lhe Slate Government from time to time; (xxi) • •Minor Minerals" means the minerals as specified in Schedule I and 11 appended to these rules and any Other mineral which the Government of India may, by notification in thc official gazette. declare to be a minor mineral under Section 3(e) of Lhe Act; (xxii) • •Mining Operetion•• and "Quarrying operaüon•• means any undertaken for the of winning any minor mineral and shall include erection of Machinery. construction of roads and preliminary cßrations for the punx»sc Of quarrying and concomitant OFI-auon of handling tian.srort of minerals up to the point of dispmch; (xxiii) • •Quarry means a Irrmission granted under these rules to extract and remove any minor mineral in any specified pcricd; (xxiv) • •Public Place" mears roads. public buildings. reservoirs. irrigation canals. Tanks, Natural Waler Courses. Villagc paths, religious places, Burial ground etc: (xxv) • •Quarry means a mining lease for minor minerals as mentioned tn section 01 Act; (xxvi) "Railway" and "Railway Administration" have the meanings respectively assigned to tirrn in the Indian Railways ACL, 1989 (No. 24 of 19sg); (xxvii) "Schedule" means a Schedule appended to these rules; (xxviii) "State Government" means the Government or Madhya Pracksh•. 220<72) 23 1996 (xxix) the expressions "Mine" and "Owner" have the meanings respectively assigned to them in the Mines Act. 1952 (35 of 1952); 3. Exemptions—Nothing in these rules shall apply to.— (i) the extraction of clay or sand, by hereditary kumhar, a member Of Scheduled Caste or a member Of a Scheduled Tribe or a Co-operative Scx•iety Of such kumhars or members Of Scheduled Castes or members of Scheduled Tribe for preparing tiles, pots or bricks by traditional means. but not by process or manufacture in kilns or by any mechanical means from the area that the Gram Panchayats may decide and earmark within their respective Panchayat area for extraction of clay and sand; Provided thtt r.o extraction shall be made from any public place or 50 meter from such public place. (ii) the remcW ef minor minerals from mines, whether situated in private or Government land. when such mines have not been appropriated to the use of a department of Lhe State Government and the minor minerals are not quarried for sale but are required for the construction or repairs Of wells, or Other agricultural works or for the construction or improvement Of the dwelling houses of agriculturists, Village artisans and labourers residing in revenue Or forest villages; (iii) the minor minerals removed from Government lands for public works by Gram Panchayats. Janpad Panchayats and Zila Panchayats for work undertaken by resrrctive Panchayats. However. the Government Departments shall be required to pay the royalty at the prescribed rate on consumption of minor minerals by them to the concemed Panchayats. (iv) the search for minor minerals at the surface not involving any substantial disturbance Of the soil by digging up pits. trenches or otherwise. The chipping of outcrops with a geological hammer for the purposes of taking samples shall not bc deemed to be a substantial distrubance of the soil : Provided that the aforesaid exemptions do not afford immunity from any action which might be taken under any existing rules or any Act of the State or Central Government for unauthorised removal of miror minerals from any land by private person. without the permission of Lhe State Government Or apy officer or Authority authorised by iL in this behalf

CHAPTER IL—GENERAL RESTRICTIONS ON UNDERTAKING MINING OPERATIONS 4. Prohibition of mining operation without a quarry permit or quarry lease :—(l) NO person shall undertake any mining operation in any area except under and in accordance with the terms and conditions Of a quarry permit or quarry lease granted under these rules • • Provided that nothing in this sub-rule shall affect any mining or quarrying opera ea in ecordarice with the terms and

conditions Of permit, a quarry lease, trade quarry Or royalty quarry granted before the commencement Of these rules which is in force at the time of such commencement. (2) No quarry permit or quarry lease shall be granted other than in accordance with the provisions of these alles

5. Restrictions on the grant of quarry permit or quarry lease HI) No quarry lease, or quarry pcrmit shall granted to any person unless such person is an Indian National or a company as defined in sub-section (l) Of sa:üon 3 of the Companies Act, 1956 (NO.I Of 1956) and satisfies such conditions prescribed in these rules. Explanation—n case of a firm or any other association of individuals. for the purpose of this sub-rule, a shall be deemed to be an Indian National only, if all the members of the firm Or associmicn are citimns of India. 23 1996 (2) No quarry leag, or quarry J*rmit shall be granted in respect of an area 22003) (a) notified by thc Government reserved for the use of Government. Authorities for any Other public Or for special purvoæs except with the previous approval Of tile Stale Government ; (b) in forest land without thc permission Of appropriate authority as prescribed in Lhe Forest (Conservation) Act. 1980 (No. 69 of 1980) ; (c) within a distance of 75 metre from any bridge. National Or State Highways. Railway line Or 50 metre from any public place etc.; (d) except for the mineral sand or bajri in respect of land within a dislance Of SO metre from river banks. nala (small water course) canal or any natural *'Ner course. dams Or any water impounding Structure; (e) which is not comvzc;t and contiguous

CHAPTER Ill—POWERS TO GRANT QUARRY LEASES AND QUARRY PERMITS 6. Power to grant quarry lease—Quarry lease in respect Of minerals specified in Sctwdule I and Shedulc 11 shall be granted and renewed by the authority mentioned in column (l) for the minerals specified in column (2) subject to the extent as specified in the corresponding entry in column (3) thereof of the Table below 2

3. Authority State Government Director Collector Table Minerals Minerals specified at S.NO. I to 5 of Schcdulc I. (i) Minerals s;rcified al S. No. 6 and 7 of Schedule l. (ii) Minerals specified in Schedule 11. Minerals specified in S. NO. 6 and 7 of Schedule I. Extent Of Powers Full powes. (i) where the area applied for exceeds 4.00 hectares for Industrial use. (ii) where the annual letting value Of the quarry exceÆds Rs. (Rs. Ten Lakh) and all clay quarries, for tiles and bricks in chimney bhaita. where the area applied for not exceed 4.00 hectares ror Industrial 7. Power to grant quarry permit.— Quarries of annual value upto Rs. (Rs. Two Lakh fifty thousand): above Rs. (Rs. Two Lakh fifty thousand) but upto Rs. (Rs. Five Lakh) and above Rs. upto Rs, (Rs. Ten Lakh) in resBX1 of minerals specified in Schedule 11 except stone quarries for crusher and clay quarries for tiles and bricks in chimney bhatta. shall for regulating the grant and renewal of quarry srrrnit and all puqX)seS connected therewith including collection of royalty. stand transferred to thc respective Gram Panchayats/Janpad Panchayats and Zila Panchayats respectively. Quarry permits shall gramed and renewed by the respective Panchayat. after obtaining prior approval Of the Gram Sabha of the Panchayat in which the quarry area is situated.. Explanation—For purpose of assessing the annual value of any quarry of mineral specified in Schedule 11. if Lhe quarry is a track or royalty quarry. Lhe average annual bid amotmt of lhe years 1992-93, 1993-94 and 1994•9S shall be taken into consideration and in cases of quarries granted as quarry leases average annual royalty for the years 1992, 1993 and 1994 shall be Laken into consideration. This xssessment Of value is for the pugx»se of ransfcr/sanctioning m)wer Of quarries to respective Zila, Janpad and Gram Panchayats at thc conmencemcnt of Ülese Rules. 220(74) 23 1996 8. Procedure ror demarcation of new quarries and grant Of quarry permits when the area ralk under different Gram PanchayaLs/Janpad If the area of any quarry, in of which X)wcrs to grant quarry 'ErmiLs. as sircified in rule 7 atx»ve, covers more than one Gram Panchayat Janpad Pancruyat, qlarry permit for such quarry shall granted by that Gram Panchayat which is authorised by Zila Panchayat. (2) Concerning Panchayat may demarcate and declare new quarry in Of mineral specified in Schedule 11 in ccytsulution with Director and thc Collector of the district corwern. CHAVIER IS'—GRANT OF QUARRY LEASE IN RESPECT OF MINERALS SPECIFIED IN SCHEDULE I AND SCHEDULE 11 9. Application for quarry lease.—An application for the grant or renewal of a quarry lease shall be mack in

Form I in triplicate for the minerals specified in Schedule I and 11. The application shall be affixed with a court fee stamp of the value of five rupees and shall contain thc following particulars togeüer with documents in support or the statements made therein (a) If thc applicant is an individual. his name. nationality. profession. caste. educational qualification. age. residence. present address and financial slatus: (b) If the applicanl is a company. its name. nature and plæe Of business and place of registration Or incoq»ration. list of directors and their nationality. financial status, registration/incorporation certificate; (c) If the applicant is a firm. its name. nature and of business, list 01' partners and their nationality, partnership (Eed. registration certificate. financial status; (d) If the applicant is a scxiety/associalion. its name, nature and piace of working. list of members and their caqe, education'dl quulificalion. lilliionality. registration certificate, bytblaws and financial status 01 individual member: (e) A description illustrated by a map plan showing accurately as possible the situaticn and Of the land in respect Of which quarry lease is required where the area is unsurveyed the Of the area should be shown by some physical feature. roads. tank, etc; (f) Copy Of latest Khaga Panchsala: (g) minerals or mineral which the applicant intends 10 quarry or mine; (h) The period for which the quarry lease is required; (i) The purpose for which the extracted mineral is 10 be used; O) Every application for thc grant or renewal Of a quarry lease shall be accomrxlnied by an affidavit showing particulars of areas mineral-wise in each district of 'he State. which the apphcant or persons Éintly with him :— (i) already tolds under quarry lease: (ii) has already applied for, but granted: and (iii) being applied for simultaneously: (k) An affidavit to the effect that the applicant has. where the land is not owned by him. surface rights over the area or has obtained the consent of the owner/owners for condLK:ting miningquarryrng Provided that no such affidavit shall be necessary where thc Land-rights vest with the 'Slate Government: 23 1996 220(75) (l) Every application for Lhe grant renewal of a quarry lease shall be æcompanied by a no dues cerificate in Form 11 granted by the Mining Officer or Assistant Mining Officer. incharge of the district in respect of payment of mining dues payable under the Act or rules made thereunder from all the districß where the applicant holds or held mineral concessions: Provided that it shall not be necessary for the applicant to prcxluce the no dues certificate if he has furnished an affidavit and such other evidence as may be required to the satisfaction of Lhe concerned authority that he dæs not hold and has never held any mineral concession in any district of the State; Provided further that the grant Of no dues certificate shall not discharge a holder of sw•h certificate from the liability to pay the mining dues which may subsequently found to be payable by him under the Act Or Rules made thereunder. IO. Application Fee-HI) There shall be paid in respect of every application for grant or revewal Of a quarry lease in respect of a mineral in Schedule I, an application fee of Rs. (Rs. Five thousand) and Rs. 250/- (RS. TWO Hundred Fifty) in respect Of a mineral Specified in She-dule 11. (2) Where an application for the grant Or renewal of a quarry lease is refused or the applicant refuses to accept the lease on account of any special conditions immxsed therein under Rule 30 the fee paid by the applicant under sub-rule (l) shall be refunded to him and if the applicant refuses to accept the lease or withdraws the application Or fails to furnish the requisite information the application fee shall be forfeited to the State Goverment. (3) The amout of fee shall bc deposited in the Government treasury under the revenue receipt head— '0853 102-c Mines and Minerals Mineral concession fees, rent and royalties. other receipts receipt from minor minerals including fines and forfeitures' and the Original treasury receipted Challan shall be attached to thé' application, I I. Officer authorised to receive applications.—The Mining Officer or Assistant Mining Officer of the DiStrict shall receive the applications and shall enter on it thc date on which the application was received by him

12. Availability Of certain areas.—No applicaüon for quarry lease of minerals at serial No. I 4 Of Schedule I shall lie for areas previously held or which are being held under a quarry lease or in respect of which an order.had been made for the grant thereof but the applicant has died before the execution of lease deed or in respect of which lhe order granting a lease has been revoked or in respect of which an application [or quarry lease has been rejected on the ground that the area should be reserved for any purpose unless the dale from which the area shall be available for grant is notified in the Official Gazette at least thirty days in advance Provided that the State Government may by notification and for reasons to be recorded in writing relax the provisions Of this rule in any special case

13. Reservation of areas for exploitation in the public sector, State Government may.by notification in Lhe Official Gazette, reserve any area for conservation, Protection of environment. assessment of reserve by the State Government Or fo rnment. a Corporation established by

Central Or State Government Or a Govemment Company within the meaning of Section 617 of the Companies Act, 1956 (Act I of 1956)

14. Acknowledgement or application—I) Where an application for the grant or renewal Of a Quarry lease is delivered personally its receipt shall be acknowledged forthwith; and where such application is received by registered B)St. its receipt shall acknowleged on the Same day: and in other cases, the receipt shall be acknowledged within three days of the 22006) 23 196 (2) Tir receil* Of every of such shall Ekrowledged in

15. Regkter Of applications for quarry A register of applications fM quarry lear shall maintained by the mining Officer or Assistant Mining Officer Of the district in

Form IV.(2) Register Of for quarry leacs and [he register Of quarry leases shall ocrn to insi*ction by any on ßyrnent of the following fee:— Rs. IO.CX) (Rupees Ten) for first hour Or part thereof: Rs. 5.00 (Rupees Five) for next subsequent hou:r pan thereof

16. Premature applications.—Applica1ions the grant or a quarry lease in rcspeCt of areas who* availability for grant is required to bc notified under rule 12 shall if:— (a) no notification issued under that rule; (b) where any such 'V)tification has been issued.. the pericxi specified in notification has not expired: shall be deemed to be premature and shall not be entertained and the application fec thereon. if any paid, shall be 17. Renewal or quarry lease—Every application for the renewal Of a quarry lease shall made a! least one year before the date on which the lease is due to expire

18. Disp«al or applications for the grant or renewal or quarry iease.H1) On receipt Of an application for the grant or renewal of a quarry lease. its details shall first circulated for display on thc notice board Of the Zila Panchayat, Janpad Parrhayat and Gram Panchayat concerned of thc district and Collectorate or district concerned. (2) The Sarrtioning AuLh«ity. after making such irqu_iries as he may deem fit and after obtaining opinion Of Gram Panchayat. may sanctim renewal of a quarry lease to Lhe applicant Or refuse to sanction iL (3) Notwithstanding anything contained in sub-rule (2). all pending applications for the grant inclusive of such applications on which agreements have not been executed on thc date of commencement of these rules shall be (kerned to have bæn refused by the Sanctioning Auth«ity. Fresh applications in this t*half may be made acccording to the prxx:edure laid down under these rules

19. Reasons for refusal to be recorded—I) Wlx:re the Sanctioning Authority passes any order refusing to grant renew a lease. it shall communicate in writing the reasons for such order to the grrson against whom such order is passed. (2) Where it appears that the application is not complete in all material particular is not accompanied by the required (bcuments. Lhe Collector or any other Officer authorised by him in his behalf shall by a notice served by regisxered in writing. requiring thc applicant to make good the omission or as the case may te. to fumish the 'ExurnenLs. not later than 30 (nitty) days from the daw Of cornmunicalion Of the said notice. An application for the grant or renewal of a quarry lease made under rule 9 shall not be refused by the Sanctioning Authority Only on the ground that application is Mit complete in all material particulars or is not accompanied by the cmwnents. 20. or quarry register Of quarry shall be maintained by the Mining Officer/Assistant Minig Officer in

Form V

21. Preferential Rights—I) A quarry lease minerals in S. No. I of Schedule shall granted to Madhya Pr-xlesh Swe Mining Corporation Limited (A Government Of Madhya Pradesh Undertaking) for establishing cutting and unit in the State by itself or as a Joint Venture (2) Minerals specified at S. No. 2 to 7 of Schedule I minerals in Schedule 11— (i) Co•oszrative Scriety/Association Of Scheduled Tribe/Schedu!ed Caste(Backward Classes. Co-overative of educated uremployed you'hs individuals where more than fifty cenL of 23 1996 thc manbcrs tR10ng the category and also where the Chairman Of the S«iety is of thc concerned category and also where the executive committee have the representation in ratio of the members Of the corremed category hail frorn below Poverty Linc families listed in the District Rural Development Agency or educaLed unemployed youth tgionging to Scheduled Tribe/Scheduie Casteßackward Classes in that order. (ii) An ducated unemployed youth to poverty Line lised in the District Rural Development Agency: (iii) Any Other trimging to below Poverty Lirr farniiies listed in district Rural Devekvrnent Agency. (iv) Any other applicant: Provided that the above priorities shall hold good only if die applications received within ore month from the date of first application. (3) Whenever more than one application in any particular category are received for minerals of Schedule I ror an area. Che Sanctioning Authority shall while sanctioning a quarry lease take into consideration the following matters in respect of the applicants— (i) Any special knowledge Or experience Of mining and exp«t; (ii) Technical and special manegement exiErience of establishing, runnig and maintaining cuuing Plishing industry; and (iii) The nature and quality Of the technical staff and the plant and machinery deployed to be deployed by the applicant; (iv) The financial .csourccs of the ayvlicant; (v) Thc prorx»sed phased programme of establishing the indißtry: Notwithstanding anything contained in sub-rule (l) or (2). shall be combNtent for thc Sanctioning Authority for reasons to be recorded in writing and with the prior approval of the State Government to grant a lease in variance. with the order 01 priority specified in sub-rule (l) (2): Provided that in cases falling under category (i) to (iv) in sub-rule (2), grant of lease shall bc subject LO the condition that lessee shall work the quarry directly and shall not hand it over to any other party for working: Provided further that the Sanctioning Authority may refuse to accord preference to the application of a Co-operative Socie1y/Assoeiation if he finds thar the vnrticular society does work properly in the imcresl or the workers concerned: The lessee Shall give priority in employment to the resident of the village in which the quarry lease is granted. 22, Peril-xl Of quarry leaselquarry permit.— The for which a quarry lease/quarry rrrrnil may by granted or renewed shall be as shown in the table below S. No

2. Namc of the Minerals (2) Dimensional stone-Granite.dolerite. and other igneous and metamorphic rocks used ror cutting and 'X)hshing purpose for making blocks, slabs. tiles of specific dimension. Marble Lsed cutting and 'X)lishing purpose for making blecks. slabs. tiles or specific dimension. In case of individual (3) Twenty years with renewal clause. Ten years with renewal clause In of cooperative Society Twenty years with renewal clause. Ten years with renewal clause 220<78) (1) 3, 4. 5. 6. 7. 8. 9. IO. 11. 12. 13. 14. 15. 16. 17. 18. 19. (2) Marble Stone for other purpose Limestone when used in kilns for of lime used as building Flagstone-Natural sedimentary which is used for flooring, roof top etc. and used in cutting and industry. Stone for making gitLi by machanical crushing (i. e. use for crusher). Bentonite/Fu11er's earth Clay for chimney Bhatta and tiles Induszry. Ordinary Sand, Bajri Ordinary clay for making bricks. pots tiles etc. except chimney Bhatta. Stone, Boulder, Road metal. Gitti, Dhoka. Khanda Dressed stones, Rubble. Chips. Murrum Lime Kankar Gravel Lime shell Reh mitti Slate when used for building material Shale when used for building material Any other minor mineral not specified above. 23 1996 (3) Five years with renewal clause Ten years with renewal clause Ten years with renewal clause Ten years with renewal clause Five years with renewal clause Ten years with renewal clause Two years without renewal clause. Two years without renewal clause. Three years without renewal clause. Two years without renewal clause. Two years without renewal clause. Two years without clause. Two years without renewal Clause. Two ycars without renewal clause. TWO years without renewal clause. TWO years without renewal clause. Two years without renewal clause. Five years with renewal clause Ten years with renewal clause Ten years with renewal clause Ten years with renewal clause Five years with renewal clause Ten years with renewal clause Two years without renewal clause. Two years without renewal clause. Three years without renewal clause. TWO years without renewal clause. Two years without renewal clause. Two years

without renewal clause. Two years without renewal clause. Two years without renewal clause. Two years without renewal Clause. Two years without renewal clause. Two years without renewal clause

23. Restrictions on area of quarry No lessee by himself or with any person joint in interest with him shall ordinarily hold in the aggregate more than IO hectares Of area under lease in respect Of limestone, marble and flagstone.23 1996 22009) (ii) At the tirne Of renewal of the lease, the lessee shall bc entitled to surrender any compact part of the leased 24. Boundaries below the Surface.—The boundaries of area covered by a quarry lease shall run vertically downwards below the surface towards the centre of the earth

25. Security deposite and surety—I) An applicant for quarry lease shall before the deed referred to in rule 26. is excxuted, deposit security, a sum of rupees Ten thousand in respect of quarry lease for dimensional stones—Granite, dolerite, rhyolite, marble and other igneous and metamorphic rocks which are used for cuuing and for making blocks, slabs and tiles Of specific dimensions and Rs. One thousand in respect of quarry leases of limestone and Other minerals specified in Schedule I and minerals svecified in Schedule 11; (2) Thc applicant shall also submit the surety bond duly filled in

Form VI Or a bank guarantee for an amount equal to two years of dead rent: Provided in case of a Co-operative Society/Association the provision Of sub-rule (2) may be waived by the Authority; (3) Any deposit made under sub-rule (1) if not forfeited under these rules shali be refunded to the lessee on order of Director on the expiry of [he lease or iLs determination whichever is earlier

26. Lease io be executed within three months.—Where a quarry lease is granted or renewed, the lease deed in

Form VII shall be executed and registered under the Indian Registration Act. 1908 (NO. 16 of 1908) within three months Of the order of sanction Of the lease and if no such lease is executed within the aforesaid period. the order sanctioning the lease shall be deemed to have been revoked: Provided that where the Sanctioning Authority is satisfied that the applicant is not responsible for the delay in the execution Of the lease the Sanctioning Authority may permit the execution Of Lhe lease deed after Lhe expiry of lhe aforesaid period of three months

27. Survey of the area leased-HI) When a quarry lease is granted over any area.arrangement shall be made by the Mining Officer or Assistant Mining Officer at the expense Of the lessee for the preparation of a plan and the demarcation of lhe area granted under the lease, after collecting a fec calculated according to the rates specified in- the table below (a) Area nol exceeding 20 hectares (b) Area exceeding 20 hectares Rs. 25 per hectare or part thereof subject to a minimum of Rs. 100/- Rs. 50/- per hecter or part thereof. (2) The lessee shall, erect and maintain at his own expense, boundary pillars Of substantial material; standing not less than one metre above the surface of the ground at each corner or angle in thc line or the boundary, delineated in the plan attached to the lease deed: (3) The fee under sub-rule (1) shall be deposited in Lhe same manner as prescribed in sub rule (3) Of Rule IO

28. Information of agreements etc.to Panchayats.—The Collector shall send copy of every lease deed with plan Io the respective Janpad Panchayat and shall intimate the full details of area the resp:ctive Panchayat

29. Rent and When a quarry lease is granted or renewed—(a) dead rent shall be charged at the rates specified in Schedule IV; (b) royalty except for limestone shall be charged at the rates specified in Schedule Ill. (c) rate of royalty on limestone shall be the same as fixed by the Government of India from time to time for limestone in Schedule 11 of the Act; (d) surface rent shall be charged at the rates specified by the collector of the district from time to time for the area occupied or used by the lessee. 220<80) 23 1996 (2) On and from Lhe date of commencement of these rules. thc provisions of sub rule (l) shall also apply to the leases granted Or renewed prior to the date of such commencement and subsisting on such date: (3) If the lease permits the working Of more than one mineral in the same area separate dead rent in respect of each mineral may be charged: Provided that the lessee shall be liable to pay the dead rent or royalty in respect of cach mineral, whichever is higher in amount; (4) Notwithstanding anything contained in any instrument Of the lease, the lessee shall pay rent/royalty in respect of any mineral removed and/or consumed at the rate specified from time to time in Schedule Ill and I V; (5) The State Government may. by notification in the Official Gazette amend the Schedules Ill and IV so as to enhance or reduce the rate at which rents/royalties shall be payable in respect Of any mineral with effect from the date of publication of the notification in the Official Gazette: Provided that the rate of royalty/dead rent in respect of any mineral shall not revised more thul once during any period of three years; (6) No granite block either processed or in Lhe raw form or any other mineral shall be dispatched fron any of the leased areas without a valid transit pass issued by Mining Officer. The transit pass shall be issued on an application in

Form VIII after depositing royalty for the quantity intended to be transported out of thc minerals extracted. Contravention of this rule may result in forfeiture Of the security deposit by the Collector without prejudice to any other action that might lie against the lessee; (7) The Transit Pass shall be in Form [X

CHAPTER V—QUARRY LEASE—GENERAL CONDITIONS 30. Conditions of quarry leiße.—Every quarry lease shall bc subject to thc following conditions:— (a) The lessee shall pay, for every year except ror the first year of the lease, yearly dead rent at lhe rates specified in the Schedule IV' in advance for the whole year. on or before the 20th day of the first month Of the year: (b) lessee shall pay the dead rent or royalty in respect of each mineral whichever is higher in amount but not both. The lessee shall pay royalty in reslx•ct of quantities of mineral intended to bc consumed or transported from the leased area no sooner the amount of dead rent already paid ealuals thc royalty on mineral consumed Or transported by him. The dead rent or royalty shall be deposited in lhe Government treasury under the revenue receipt head specified in sub-rule (3) of rule IO, and original Treasury receipted Challan submitted alongwith application in

Form VIII: (c) The lessee shall also pay for the surface area occupied or used by him ror the purposes of mining operations, surface rent in advance for the whole year on or before the 20th day Of the first month every year; (d) Notwithstanding any other action thaunay be taken for default in the payment or dues as specified in clause (a), (b), (c) within Lime under these rules or under any Other condition Of ihe lease. the lessee shall pay interest at the rate of 24% per annum for all defaulted payments of dead rent, royalty and surface s renc (2) If any mineral not specified in the lease is discovered in lhe leased urea. the lessee shall report discovery without delay to the Collector and shall not win or dism)se of such mineral without obtaining a lease lherefor. [f hc fails to apply for such a lease within three months of the discovery of the mineral. the Competent Authority may sanction lease of such mineral. to any other person, who applied for it. 23 1996 220(81) (3) The lessee shall not pay wages less than the minimum wages as prescribed by the Slate or thc Central Government from time to time under the Minimum Wages Act, 1948 (NO. I I of 48). (4) The lessee shall take all measures for planting trees in quarried area or any other area selected by the Collector not less than twice the number of trees destroyed by reasons of mining or quarrying operation in addition to restoring and levelling the land. (5) the shall commence mining operation within one year from lhe date of execution of the lease deed and Shall thereafter conduct Such in a skillful and workman-like manner. (6) Subject to the other conditions of these rules. where mining have not commerwed within a period Of one year from the date of execution of the lease Or discontinued for a cumulative period of six months during any calender year after commencement of such operation. the Sanctioning Authority may. by an order. deciare the quarry lease as lapsed and communicate thc declaration to thc lessee. (7) Where Lhe lessee is unable to Commence mining orpration for a exceeding One year or unable to continue mining after commencement for the reasons beyond his control, he may submil an application to Sanctioning Authority explaining Lhe reasons at least ninety days tx:fore the expiry of Such [Efiod. (8) There shall be paid, in respect of every application under sub-rule a fee Of RS, 2(KV• (Rupees Two Hundred) The amount of fee shall be deposited in the Government treasury under the receipt head prescribed in sub-rule (3) Of rule IO. (9) The Sanctioning Authority of the lease may. om receipt of an application made under sub-rule (7) and on being satisfied about Lhe adequacy and genuineness of the reason for the non-commenccmcnt of mining operations or discontinuance thereof. pass an order before the date on which thc lease would have otherwi:æ lapsed; extending Or refusing to extend the period of Lhe lease: Provided that where the Sanctioning Authority on receipt of application under sub-rule (7) does pass any order before the expiry of the date on which the lease would have otherwise lapsed, the lease sahll bc deemed to have been extended until the onier is passed by the concerned authority or for a period or onc year whichever earlier. (IO) Where non-commencement of the mining operation within a lxriod Of onc year from thc date of execution of the lease deed is on account of delay in: (i) acquisition Of surface rights, or (ii) getting the possession of the leased area,or (iii) supply or installation Of machinery, or (iv) getting financial assistance from banks or any financial institution. and if the lessee is able to furnish documentary evidence supported by a duly sworn-in affidavit that there are sufficient reasons and/or reasons beyond their control for non-commencement of mining operations, the Sanctioning Authority may revoke Lhe deciaration/order through which the lease has lapsed. (11) The lessee shall, at his own expense erecl and at all times maintain and keep in good repairs boundary marks and pillars necessary to indicate thc demarcation shown in thc plan annexed 10 lhe lease. (12) lessee shall not carry on, or allowed to be carried on any mining operations— (a) at any point within a distance of 75 metre from any railway line, bridge or highway excep: under and in accordance with the written permission Of the railway administration or the administration concerned. (b) 50 metres from tank, river banks, reservoir, canal, road (IO metre from grameen kachha road), 220<82) 23 1996 (c) 100 metre from abadi, school, hospital and Other public places. buildings and habited sites; (d) 300 metre from sensitive area like radio station, doordarshan kendra. defence establishment etc. of the Central and State Government except under and in accordance with the previous written permission of the State/Ccntral Government; The Central or the State Government may in granting such permission irnJX)se such conditions as it may deem fit. (13) the lessee shall keep correct accourus showing thc quantity and other particulars of all minerals obtained from the mine, datewise quantities of dcspatchcs/consumptions from lhe lease hold, the price obtained for such minerals, the name of the purchaser. the receipts ror money received, the number Of persons employed therein and shall, allow all officers of the Directorate of Geology and Mining and any officer authorised by the Zila/Janpad/Gram Panchayat in this behalf to exmine at any time any accounts and record maintained

by him and shall furnish to Lhe Collector and respective Zila/Janpad/Gram Panchayat such information and returns as he or it may require. (14) The lessee shall issue a transit pass in Form IX to accompany every carrier for every trip carrying mineral, or product or products from leased area. The transit pass shall be prepared in duplicate in book Corm. Original shall given to lhe driver of the carrier after making Lhe necessary entries. The Mining Officer shall issue the transit pass book duly Stamped and signed by him On an application in Form VIII made by the lessee. The lessee shall surrender all previous duplicates of used transit pass books together with unused transit pass books issued to him before the royalty is paid by him under clause (b) of sub-rule (l) and fresh transit passscs are issued. •Ille Mining Officer will keep proper accounts of issued and used duplicate transit pass books and unused transit pass deposeted back by the lessee. (15) Whmsoever transports minerals or their products like bricks, tiles, lime, dressed stone. blocks. Stabs. tiles. chips, stone dust and ballast etc. without a valid pass in Form 'IX• or if thc transit pass is found to be incomplete, distorted or tampered with. the Collector. Additional Collecor. Chief Executive officer of Zila/Janpad Panchayat and Gram Panchayat/Dcputy Director, Mining Officer, Assistant Mining officer or Mining Inspector may sein the mineral or its products together with all tools and equipment and the vehicle used for transport. (16) Collector, Additional Collector, Chief Executive Officer Of Zila/Janpad Panchayat and Gram Panchayat/ Deputy Director. Mining Officer by an order in writing may imrose a penalty up to Rs. Ten Thousand which in no case shall be less thun rupees onc thousand. (17) The seized mineral or its products tools, equipment and •vehicle may be released when the penalty so imposed is deposited by thc offender. (18) If the penalty so imposed is not paid within 15 days from thc dale of lhe order, of imposing the penalty. all the minerals or its product, tools equipment and vehicles etc. so seized shall stand forfeited and shall the property of the State Government. (19) The lessee shall submit the rcxords and books of acounLs for thc purpose of msscssment of royalty to thc Assessing Authority concerned within thirty days from the 3()th June/31st December or whenever demanded by lhe Assesssing Authority concerned through a notice in writing. In Case if he fails to do so. a penalty Of rupees one thousand may be imposed for every month till he produces lhe said record. (20) The lessee shall— (a) Submit by the 10th day of every month to the Collector and Gram Panchayat a return in Form X giving the total quantity of mineral/minerals raised, removed/consurned in previous calender month; (b) Submit On Or before 15th day Of July and January to the Collector half yearly return for half year ending June and December in Form XI; (c) Submit by the 31st January every year Io the Collector a Statement giving information in Form XN regarding 23 1996 220(83) quantity and value Of mineral/minerals raised/removed/consumcd during last calender year. average nurnlX2r of labourers employed (men and women separately), number of days worked. (21) The lessee shall strengthen and support to the satisfaction of the Railway Administration or the Sanctioning Authority, as Lhe case may be. any part Of mine which in its opinion requires such strengthening or support for the safety Of any railway, bridge, national highway. reservoir. tank. canal. or any Other public works or buildings. (22) If the lessee or his transferee or assignee does not allow entry or inspection under sub-rule (23) the Sanctioning Authority may cancel the lease and forefeit in whole Or in part the security deposit luid by the lessee under Rule 25. (23) (i) The lessee shall allow officers authorised by the State or the Central Government and any officer authorised by the Zila/Janpad/Gram Panchayat to enter upon any building, excavation or land comprised in thc Ica.w for the purpose of inslrcting the same. (ii) Every owner. agent or manager of a quarry shall provide all necessary facilities to the persons deputed by the State Government for the purpose of undertaking research or training in Inalters relaung [0 •nining operations. (24) The lessee Shall immediately give to.—The Director General 01' Mines Safety, Government Of India. Dhanbad, the Controller General. Indian Bureau of Mines of Government of India. Nagpur and the District Magistrate of lhe District in which the mine is situated, a notice in wriung in Form XIII appended to these rules. as soon as— (a) Lhe working in the mine extends .below surerjacent ground. (b) the depth of any cast excavation measured from its highest to the lowest point exceeds six metres; or (c) the, number Of personS employed on any day exceed SO; Or (d) any explosive are used. (25) The Slate Government shall at all times have the right of pre-emption of thc minerals won from the land in resp:ct 01' which the lease has been granted: Provided that a fair market price prevailing at the time Of prc.cmption shall paid 10 thc lessee for all such minerals. (26) In case of breach by thc lessee or his transferee or assignee of any 01 the conditions srwcified in sub-rule (3), (4) (l l), (12) or (13) Of this rule. the Collector/Addilional Collector shall give notice in writing to thc lessee. or his transferee Or his assignee asking him IO show cause why he should

not be penalised Cor the breach committed and directing him to remedy the breach within sixty days from the date of the notice and iV the lessee or his transferee or assignee fails Io shown proper cause or if the breach is not remcdied within such period the Sanctioning Authority, without prejudice to any Other action, may determine thc lease and [orfcil the whole or part 01 thc security deposit or in the alternative may receive from the lessee such penally for thc breach not exceeding four times the amount or the said half yearly dead rent as the lessor may fix. (27) In case of breach by the lessee or his transferee or xgsignee 01' any other conditions of the lease. the Sanctioning Authority may require Lhe lessee to pay a penally not exceeding an amount equivalent to twice the amount of annual dead rent. (28) A quarrying lease may contain such Other conditions as the Sanctioning Authority may deem necessary in regard to the following. namely:— (a) the time limit. mode and place of payment of rents and royalties; (b) thc compensation for damage to the land covered by lease: (c) the felling Of trees; 22(Å84) 23 1996 (d) the restriction of surfæe %uations in any area prohibited by any authority; (e) thc notice by lessee for surfæe occupaticm; (i) the facilities to be given by the lessee 'or working (Aher minerals in thc leased area or adbcZnt arexs: (g) thc entering and working in a rcservcd or protected forest: (h) thc security pie; and shafts; (i) thc reponing Of (j) the indemnity to Stalc Government against clairns of third parties: (k) thc maintenance Of sanitary conditions in Lhe mining area; (l) the delivery Of over larxLs and mirrs on the surrender. expiration or determination Of the (m) the Corfeiture of prolx'rty left after determination or the lease; (n) the power 10 take or plant. machinery. premises, and mines in thc Cvent Of war or Crnergency: (o) the manner in which rights of third lx1rtics may protected (whether by way or payment Of compensation or otherwise) in ca.scs wlwrc any such party is affected by reason of any mining operauon: (p) the manner in which rehabilitation of nora and other vcgctation such as trees. shrubs and the likc destroyed by reason or any quarrying or mining 01x:raLim shall madc in the same area or in any other areas selected by thc State Government. (whether by way Of reimbursement Of the cost Of rehabilitation or otherwise) by thc vvrson holding thc quarry lease; (q) thc constnn:tion. maintenance and Of roads. IX»wer trammission lines. tramways, railways. aerial rope ways. pirx:linc.s and making Of passage for water for mining purpcm.s on any land comprised in a quarry or to oltw•r mineral concessiorus

31. Special Conditions—A quarry tease may contain any other special conditions as may be specified by thc Slatc Government

32. Fstablishment or cutting and polishing Notwithstanding anything contained in sub-rule (5) Of rule 30 in respect of qualTy Ica-ses Of granite gramed for the eszablishrnecu or a culling and polishing ur!it.if lhe unit is not established within a pericml Of one year from thc date Of Execution Of within Lhe Slate thc said shall deemed to bc terminated; (2) tessec can transtX)rt including inter slatc movement export thc rough blcx:ks within the year Of the quarry the qunatity as may jxrmilled by thc State Government

33. Rights of Lessee.—Subjec1 to the conditioms in rule 30 the lessee for the purposes of mining operations with respcct to thc land Icascd to him shall have righe— (i) to work the mines; (ii) to sink pits and construct buildings and (iii) to erect plant and machinery. (iv) Io quarry and Obtain building and road materials and make bricks, bul not for sale; (v) LO use water, 23 196 (vi) to use land for stæking (vii) to do any other thing specified in the 220(85) 34. Right to determine may decrmirr the at any time by giving less than six rnonths notice in writing to thc Sanctioning Authority after paying all chitstanding dues of the Government

35. Transfer of Quarry No shall transfer sub-let his lease to any Other person nor make any arrangement with any body, where by even indirecdy any right over thc areas is on to any other [Ersons.• Provided that the permission for transfer may be granted to the by the Sanctioning Authority on payment Of Rs. 1000/- One thou*lnd) and transferee has accepted all the conditions and liabilities which the transferor was having in respect of any such quarry I-case. (2) Tie Sanctimin g Au thority may by an Order in writi ng rminc lease at any Li me i f in o pinion Of the sanctioning authority Lhe lcssTc has committed a breach Of sub-rule (1 i. (3) Where on an application for transfer of quarry lease under sub-rule thc Sanctioning Authority has given consent tor transter ot such lease, a transfer lease deed in

Form XIV shall be executed within Lhrcc months from thc date Of permission or within such furtFEr pericxi as the Sanctioning Auttuyity may allow in this behalf

CHAPTER VI—GRANT OF QUARRY PERMIT 36. Quarry Permit—Quarry 'VI-nit shall be by Zila/Janrzd and Gram Panchayats as specified in Rule 7 and Rule 8

37. Application for quarry permit-—An application for grant Or renemal of quarry permit shall be made to the Competent Authority in

Form XV and Shall contain the following particulars:— (i) Name, profession. caste, educational qualification, age, residerwc. financial status and address. In case Of Co-operative Societies/Associa1ion, bylaws, list of rncmbcrs and their caste. financial status of individual member and their educational qualification: (ii) Name of the mineral for which is rcquirui; (iii) Description of thc land marked on a village map with khasra panchasala from which thc mineral is to be removed; (iv) Purpcxse for which the mineral is 10 be used: (v) Conx.nt of owner Of land. if Lhe land is a private land; (vi) Period for which the permit is required: (vii) An application fec of Twenty Five (Rs. 25.00) to der»siLcd in the manner as may bc prescribed by the authority and receipt thereof shall be cnctcuscd with thc application

38. Disprsal of application ror quarry On receipt of an application for the grant or renewal of quarry permit its details shall be first circulaied for display on the notice board of the Zila Panchayat. Janpad Panchayat and Gram Panchayat concerned or the disLrict and collectorate Of the district concerned. It shall disposed of by Sanctioning Authority within thirty days from thc date of iLs receipt. However a Gram Panchayat shall obtain prior approval Of its Gram Sabha before final Of the application. (2) The Sanctioning Authority shall grant quarry permit in

Form XVI (or extraction and removal from any slrcified quarry. any mineral under any onc permit. The agreernent shall bc executed and registered in Form XVII within 30 days Of sarwtion and if no such agreement is executed within the aforesaid 220(86) 23 1996 period. Lhe order of sanction shall be deemed to be revoked. The Iransit pass in Form IX shall be issued after deposition of royalty for the quantity of mineral intended to be transported every time. The royalty shall be calculated at the rates specified in Schedule Ill. The applicant shall deposit the amount of security which he may be directed Io deposit by the Authority such execution Of agreement. (3) If any application is rejected. the Sanctioning Authority shall inform the applieant, Slating the reasons of such rejection. (4) Preferential Rights.—A Quarry permit shall be granted only to the residents Of the Panchayat where the quarry is located in Lhe following order of preference:— (a) Co-operative Of Scheduled Tribe/Scheduled Caste/Backward Classes Educated unemployed youths or individuals where more than 50 per cem,of the members belong to the concerned category and thc chairman of thc society tvlong to the concerned category and also where the executive committee have representation in thc ralio of the rnemR•rs ot' lhe concerned category and hail from below poverty line families lisied in the District Rural Development Agency or educated unemployed youth belonging Io Schedule Tribe/Schedule Castc/Backward Classes in that order: (b) An educated unemployed youth belonging to below poverty line families listed in the District Rural Development Agency; (c) Any Other person to below poverty line families listed in thc District Rural Development Agency; (d) Any other applicant

39. Period of Quarry Permit.—lhe Of a quarry permit shall bc as specilcd in rule 22

40. Conditions of quarry conditions of quarry permit shall bc as follows, namely:—(i) The depth of quarry below the surface shall not exceed six metre: (ii) The permit is non-transferable; (iii) Mineral, other than for which quarry permit is granted, shall not be excavated. removed or transported without approval of the Sanctioning Authority; (ivy any major mineral is lound during quarrying operations, Lhe permit holder shall report the matter to the Sanctioning Authority and the Collector of the district, forthwith; (v) The quarry permit holder shall maintain complete and correct accounts of the mineral excavated and quantity removed from the arca: (vi) The quarry permit holder shall immediately report all accidenLs to thc Sanctioning Authority and the Collector of the district; (vii) The quarry permit holder shall have no right over the quarried material and other property lying in the permit area after expiry of the permit: (viii) the quarry permit holder shall not carry on the quarrying operation within the prohibited distances from any public roads, public building, temples, reservoirs. dams. burial ground and Raiiway track. etc. and cause any damage to any public and private properties; (ix) The quarry holder shall allow the sanctioning Authority or any Officer authorised by any Of them to inspect the quarrying operations and to check thc accounts and verily thc details or dispatches from the registers maintained by him. and (x) the quarry permit holder shall surrender on expiry of the permit all duplicates of transit passes issued to him to the Sanctioning Authority and furnish to him a complete Slatement indieating the quantities of minerals removed and other paniculars as may be required by the Sanctioning Authority. 23 1996' 220<87) 41. Register of quarry permit.—The Sanctioning Authority shall maintain a register of quarry permits in

Form XVIII

CHAPTER VII—QUARRYING OPERATIONS 42. Opencast working-HI) In opencast workings. thc benches formed shall bc so arranged that the benches in mineral and overburden are separated so as Lo avoid mixing of •vaste with mineral. (2) (i) In alluvial soil. murrum, gravel. clay or other similar ground. the sides shall be slopped at an angle of safety not exceeding 45 degrees from horizontal or such other angle as the Deputy Director may [Xtrmit by an order in writing. (ii) the sides shall kept benched, and the height Of any bench shall not exceed 1.5 metre and thc breadth thereof shall not bc less than thc height. (iii) the benches in overburden shall be kept sufficiently in advance so that thcir workings do not interfere with Lhe working of mineral. (iv) The Overburden and waste material obtained during mining operations shall not bc allowed to be mixed with non-salahle or sub-grade minerals. They shall be dumped and stacked separately. (v) The mining operations shall be carried out in workmen.like-manner and in accordance with the pro.'isions Of the Stale and Central Acts and rules wherever applicable. (Yi) The Collector of thc district concerned or any officer authorised by thc State Government ii in his opinion the compliance with the provisions thereof run reasonably practicable. may. by an order in writing and subject to such conditions as he may specify therein, exempt from the operation of these rules ror uny workings in those cases in which special difficulties exist: Provided that all sand quarries, operated by co-operative societies/associations of scheduled tribe/castc/backv•ard classes and cducated unemployed and an individual member Of scheduled and backward classes shall be exempted from compliance of these rules subject to the condition that loose stones and debris shall not bc allowed Io remain within a distance of three metre from the edge of excavation and no undercutting of any face or side is caused to permil any overhanging

43. Exemptions io be suLieet to Mines Act.1952 and rules made thereunder.—SubieC1 10 such exemptions granted under the Mines Act, 1952 and rules made thereunder. lhe lessees shali comply with all provisions ol- thc said Act and rules, CHAPTER VIN—PROTECTION OF ENVIRONMENT 44. Protection of Every holder or quarry lease shall take all possible precautions tor thc protection Of environment and control Of pollution while conducting quarrying operation in thc lollowing manner:— (a) Wherever top soil exists and is to bc excavated for quarrying operation, il shall be removed separately. (b) top soil so removcdD shall be stored for future use: (c) 'The dumps shall bc properly secured to prevent escape of material therefrom and cause land degradationor damage 10 agricultural fields. INIIution Of surface water bcxlies or cause floods; (d) Thc sile Of dumps shall be selected as as possible On impervious and barren ground Within the leased area: (e) The top SI'il dumps Shall be suitably terraced and Stablised through vegetation or otherwise. (2) The top soil so removed shall be ulilised for restoration or rehabililation of the land which is no longer required for quarrying operations. (3) Removal. Storage and utilisation Of overburden,elc. 220(88) 23 1996 (a) Evet' hoider Of an quarry lease/quarry permit shall take steps so that the over burden. waste rock.rejects and fines generated during quanying or during sizing shall be stored in separate dumps; Thc dumps shall properly secured and shall be suitably terraced and stabilised through vegetation 0,• otherw ise; (c) Wherever possible. the waste rock, over burden etc. shall be back-filled into thc quarry excavations wttlt view to restoring the land to its original as far as possible; (d) •the fines shaii be so deposited and disposed that they are not allowed to Ilow away and cause land degradation or damage to agricultural fields. pollution Of surface water bodies cause tlqxxl.s. 4.<_ and rehabilitation of lands.—Every holder of quarry lease shall— (i} undertake thc phased restoration. reclamation and rehabilitation of lands affected by quarrying operations and shall complete this work before thc conclusion of such operations and thc abandonment of quarry. (ii) Carry Oul quarrying operauovus in such a manner so as to cause datnagg to the flora ot' the area held under quarry lease and the nearby area: (iii) Every holder 01' a quarry lease/quarry permit shall— (a) take immediate measures (Or planting in the same area Or any Other area selected by the Collector nol less than twice thc number of trees destroycd by reason of uny quarrying operations: (b) look after them during the subsistence of the lease after which the trees shall handed over to the Gram Panchayat Of [he area in which thc quarry is situated; and (C) restore, to the extent possible other nora destroyed by quarrying operations. (iv) The State Government may prescribe rates at which the cost Of rehabilition and reclamation shall bc recoverable from thc holder Of a quary Ica_sc/quarry permit upon his failure to observe these rules. 46. precautions against damage to public places. air pollution and noise pollution etc.—Every holder Of a quarry lease shall,— (i) take adequate precautions against damage to public b ds. religious places either within lease

area or in proximity to the lease arca; (ii) air pollution due Io fines. dust,elc: shall be controlled, and kept within limits specified in the Air (Presenlion and Control of Pollution) Act. 1981 (No. 14 Of 1981) and Lhe Emmmrnent (Protection) Act. 1986 (No. 29 01' 1986) and rules made thereunder; (iii) noise arising out Of quarrying operations shall be abated or controlled at thc source so as 10 keep it within permissiblc limits

47. Penalty.—Whosoever contravenes any of the provisions of these rules shall bc with imprisonment i" a term which may extend up LO three months or with fine which may extend to five thousand rupees Or with both and in the case of continuing contravention, wilh an additional line which may extem up to live hundered ruvx.•es for every day during which such contravention continue after conviction for thc first such contravention

48. Returns.—(l) Every holder of a quarry lease Shail submit to the Colk.ctor of the conccmed or any officer authorised by him within a vvriod 01 days of [hc execution of [hc quarry agrcenwnt, a scheme an environment management incorporating prolxysais Ior the reclamation and rehabirltation of land Gisturbcd by the quarrying operations. a schelnc• for the plantation Of trees and a scheme far lycvention and 'f air water pollutton in

Form XIX•, (2) The under sub-rule shall bc prepared in consultation with the Deputy Direclor: 23 1996 220489) (3) collector Of the authorised Officer may direct such Other measures to bc Liken ror minimising thc adverse effect of quarrying operations on the environment; (4) The environmental scheme prepared under sub-rule (1) may bc modified at any time on geological considerations by the holder of a quarry lease subject to the approval of Director: (5) Every holder of a quarry lease shall submit to thc Collector a quarterly rem»rt in Form XX so as to teach him by 15th April, ISth July. 15th October and 15th January for thc quarters cnding March. June, September and ressutively. The Collector together with his comments shall Send thc to Panchayats 'hat tJiCy can exercise due control on protection of environment

49. Relaxation from protection or Notwithstanding anything contained iti these the provisions Of rule 44.45. 46. 47 and 48 shall not apply to sand and bajri quarrying; (2) Relaxations may be granted by thc Director, to a quarry lease. holder from all Or sonic of lhe provisions environmental protection on special considerations

50. Scheme to be Submitted by the quarrying operations have been undcnaketi the commencement of these rules without an approved scheme of an environment management.the holder of all such quarry leases including auction quarries shal submil a scheme within a period of 90 days from thc commencæn.ent of these rules to thc Collector of the district concerned. 51 , Approval of Collector shall within a period 'of 90 days from thc date Of receipt of thc >æhcmc, under rule 4S and 50 convey his approval or disapproval together with reasons Io thc lessee or holder; (2) If no decision is conveyed within the stipulated period under sub-rule il shall bc deemed to have provisionally apm)rvcd subject to thc final decision whenever communicated

CHAPTER IX—ASSESSMENT OF ROYALTY 52. Assessment and determination of Assessment and determination of royalty duc from an asscsscc during an assessmenv year or as required shall bc madc by the assessing authority ancr thc returns in respect of that year have been filed by thc assesscc as required under thc terms and conditions 01 thc deed or thc statement of production. dispatches or consumption has been submitted by thc Icasc/rrrrnit holder: Provided that the assessing authority may make a provisional for a particular period during thc assessment year after the receipt or returns in respect of that period. (2) For thc purpose Of assessment of royalty as mentioned in sub-rule (l) the asscssec shall subinit monthly returns in

Form X by lhe 10th Of the following month and annual return in the Form XII within one monlh from the expiry Of the assessment year. (3) If the assesseC fails to submit returns as requited under sub-rule (2) Or thc returns rtlcd appear to bc incorrect. lhe assessing authority may hold such inquiry as it may d.•etn and assess royalty of the asscsstncnt year: Provided that the assessing aulhority shall give reasonable opportunity Of being heard to an •asscssec lw•tOr, taking any action under Ihi.s sub-rule. (4) For Lhe purpose Of sub-rule (3) the assessing authority may serve a 15 days' notice upon lhc assessec requiring in writing on a date and at place specified in thc notice and Io produce any evidence 00 which the relics in support of the correctness Of thc returns, slatcmcm and records furnished by him and produce or caus.• bc produced such accounts pertaining to thc assessment year as the asscwsrncnl authority may require. (S) On thc. specified in the notice given in sub-rule (4) or on any other day thereafter which the auii101ity may the. assessing authority after hearing and considering the evidence as may be produced asseve in this 'nilke an order in writing of assessment of royalty payable by the assessec. 220(90) 23 1996 (6) notwithstanding any thing contained in these rules or in [he agreement of quarry lease/permit if the assessee comravence any of the provisions of sub-rule (4) and (5) or if he has not adopted any method Of regular accounting on the basis of which assessment can be made properly, the assessing authority shall assess the royalty Io the best of its judgement and may impuse for each of the contravention, penalty up to 20% of annual dead rery. (7) If an assessee fails to submit monthly returns in Form X under sub-rule (2) for any month within the prescribed time limit and if Lhe authority has reason to belive that the assessee has evaded or avoided payment of royalty. the assessing authority may after giving to assessee a reasonable opportunity of being heard and after making such inquiry as it may consider necessary. assess the royalty for the period to Lhe best Of iLs judgement. The amount so asssesse.d shall payable forthwith by the assessee

CHAPTER X—PENALTY FOR UN-AUTHORISED EXTRACTION AND TRANSPORTATION 53. Penalty for un-authorised extraction and Whenever any person is found extracting or transporting minerals or on whose behalf such extraction or transportation is being made otherwise than in accordance with these rules. shall bc presumed Lo bc a party to the illegal extraction of minerals and every such person shall tx punishable with Simple itnprisonmcnt a term which may extend to one year or with fine which may extend to live thousand rupees Or with (2) Whenever any person is found extracting or transporting mineral in contravention of the syovisions of these rules the Collector/Additionai Collector/.loint Director/Deputy Director/Mining Officer,/Assistan1 Mining Officer, Or any Officer aulhorised by him or ZiWJanpad,/Gram panchayat may seize the minor minerals and its txoducls together with all tools. equipments and vehicles used in committing such offence: (3) The officer seizing illegally eilracced cr transm»rted mineral Or its product. loots. equipments and vehicles shall give a receipt Of the same to the person (rom whose possession such things were so seized and shall make report to the Magistrate having jurisdiction 10 IVY such offence: (4) The property So seined under sub-rule (2) may be released by the Officer who seized such provx:rty on execuuotl oi a bond to thc satislåction ot' the officer by the persons from whose possession such was seized. It shall be produced at the time and at the place when such production is asked for by such officer: Provided that where a report has been madc to the Magistrate under sub-rule (3) then the seized prolx•rty shall be released only under the orders of such Magi.qrate, (5) the Collector/Additional Collector/J0inL Director/Dcputy Direclor/Mining Officer or Officer authorised by Zila/Janpad/Gram Panchayats may either before or after thc institution Of the prosecution, cornrk)und the offence so committed under sub-rule (l) 011 payment of such fine which may extend Io double the market value of mineral so extracted but in no casc it will be less than rupees one thousand or times of royalty 01 minerals so. extracted whichever is higher: Provided that in Case of continuing contravention Collector/Additional Director/Mining Officer in addition to the fine imposed may also recover an amount of Rs. for cach day till such contravention continues: (6) Any who trespasses on any land in contravention of these rules. such trespasser may served with an order of eviction by thc Collector/ Additional collector; (7) All property seized under sub-rule (2) be liable to be confiscated by an order of lhe Magistrate trying the offence if the amount Of the line and Other sums imposed are not paid within a vx.•riod Of one month from the date Of the order: Provided that on payment of such sum within one month of the Order all propcry so seized except tix." mineral or its producis shall releascd and the mineral or its products so seized under sub-rule (2) shall bc confiscated and shall be the properly or lhe Government. (8) The authorittes empowered to take action under this rule 'nay if deem necessary. request to thc JY'licC authority in writing for the help of pol hall render such assist•nce as-may be

necessary to enable lhe officer Io exercise the powers conlérred on them by this rule to stop illegal extraction and transportation 01 nunetals•. 23 1996 220(91) (9) (i) Sub#ct to such conditions as may be sircified. the Collector/Additional Collector may aulhorisc either generally or in respect of partucular case or class of cases any officer not the rank of Assistam Mining Ott-tcer to investigate all or any offence punishable under this rule: (ii) Every officer so authorised shall in conduct of such investigation exercise the powers conferred upon the officer-in-charge Of a police station by the Code of Criminal Procedure for Lhe investigation Of a cognizable offence. (iii) The investigation officer for the Of this rule shall exercise thc powers of the Code of Civil Procedure in respect of Lhe following matters:— (a) Enforcing the attendance Of any and examining him on Omh or affirmation. (b) Compelting production Of documents

CHAPTER XI—MINOR MINERAL OFFENCES PREVENTION AWARD 54. Any officer Directorate. Geology and Mining. Madhya Pradesh furnishig information leading to or otherwise contributing Io the prosecution of offence in respect 01' illegal mining and quarrying and transport, or of offences otherwise committed against the Act and the rules Inay be granted awards; (2) Awards may be granted only in case when the information [uriniscd is useful to impose penalty under thc rules; (3) Conditions and extent Of awards made under these rules Shall be in cash subject Io the following conditions— (i) Where minerals are seized.——The maximum arnuontof an award shall bc of the salc value of the seized mineral after realisation Or five hundred whichever is less; (ii) Where no mineral is sei7Æd.—A maximum amount of an award shall be of the penalty amount realised, may be awarded: (4) Award to he claimed as of right— (i) Awards under these rules can not be claimed as a matter Of right, (iii No appeal lies to any authority on any award made by thc Comrx•tent Authority under these rules

55. Authority and mode Of The power to grani awards shall vest with the Director; (2) Thc case or proposal Io make an award shall examined and decision taken Io gram thc awärd by u committee eonsisling Of the Director with two Other officers or his departtnenl nominated by him: (3) atward shall bc drawn on the

Form 34 of the Madhya Pradesh Tre*sury Codc Volume 11 by thc Drawing and Disbursing Officer who disburses the pay and allowances Of lhe Goverrntnent servant concerned.CHPATER XN— DISBURSEMENT OF REVENUE FROM MINOR MINERALS BETWEEN JANPAD PANCHAYATS AND GRAM PANCHAYATS 56. Revenue to be deposited in Madhya Pradesh Panchayat Raj Fund/Panchayat Ihe revenue from minor minerals under the provisions of these rules excepl of quarries under the control of Panchayats. like dead rent. royalty, surface rent and any other penalties etc.; shall be first deposited in the Consolidated Fund Of the State in the manner prescribed in these rules. Stale Government at the begining 01' the financial year if Legislative Assembly have so provided by an Appropriation shall draw from the Consolidated Fund all such amount which is 10 distributed from Che revenue Of lhe minor minerals meived in the preceding financial year. Such amount shall be deposited in a yæparate fund which shall bex•alled Madhya Pradesh Panchayat Rajya Fund as provided in the Madhya Pradesh Panchayat Raj Adhiniyam. 1993 (No. 1 or 1994). 220(92) 23 1996 (2) Revenue from minor minerals of quarries under control of Panchayats shall deposited in re;rvc-Live Panchayat Fund. (3) Every year in accordance with the rules governing the above said fund the Slate Govcrnmern sball distribute grant to the respective Janpad Panchayats and Gram Panchauyats in the following manner— (iy Revenue from minor minerals Shown at Scrial number Of Schedule l. 3333 percent to the respec"ve Gram Panchayat in which the area Of thc lease is situated: Provided Ihat if the leasc arca falls within more than One Gram Panchayat then Lhe disbursement shall made in prolx»rlion or the area Of 'casc falling in the respective Gram Panchayats. (iij Revenue from minor •nineral quarries except as specified in clause (i) Of sub-rule (3) Of this rule shall bc distributed in thc proportion or Io lhe respective Janpad Panchayal and Gram Panchayal. CHAPIER XIII--APPEAL REVIEW AND REVISION 57. Appeal. Review and Where any power is exercisable, by Gram Panchayat, Janpad Panchayat Panchayat under tules in rcialier any matter, an aprval shall lie from every order passed under these rules Io unthority mentioned in Madhya Panchayat (Appeal and Revision) Rules, 1995 and in Inanner Where any power is exercisable h3 'he Collector/Additi»nal Collector under rules, in relation Io any shall lie every order Io lhe Director, (3) W herc any i:. exercisable by the und'.•c these rules. in relmion to any matter an appeal shall lil; cvoy passed rules to the Slate Ciovevnnit'li. aggrieved by an order passed by the State C;ovcmmenl in exercise of thc powers conferred on it hy ,v..'y williin 60 days of date of communication of [he order Io him, apply to thc State Government [or review 01 order. (S) Slate Governliicnt may its own Inotion review any order passed by itse.ll and pass such Order in thereto as it thinks Revision—I) The Slate Government and Director may al any lime. On its own motion [or the purpose Of satisiymg itsell as Io the legality or proprie.l} of any order lus•scd by or as to the regularity of proceedings of any ofiil'.•v subordinate IO it cail tor and e,xantitic• the record Of any case pending before or disposed Of by such officer and such order in rctercnce lhcrclo as it thinks fit. '•rttv.dcd that no order under this rule shall bc passed against any person interested unless he has been g.vcn an ep;sirlunity Io reprcscni his Case. Notwithstanding under sub-rule a review on any matter is rvnding with thc State Government. a:nl'ority subordinate Io it shall take any action in the matter. -o. Limitation of Appeal. Review or Revision.—N0 appeal revision Of review under these rules shall be after sixty days of the date of conununicauon the order: that any such or review may be entertained by an appellale Or review authority after peri'xl. if lhe appellant salisfies him that he has sufficient cause for not making thc application within time. Application Appeal. Revision or An application shall bc made in triplicate in forni XXI. 23 1996 22003) apl,itcation for aprr.al revision or review shali accompained by a treasury receipt showing that a fee of one hundred rupees has paid into Government Treasury under the head Of account— '0853 102.c 800 — Mines and Minerals — Mineral Concession fees. reru and royalties — Other receipts — Receipts from minor minerals including fines and Meitures ' (2) The application for apEEal Or review or revision shall affixed with a court fee stamp Of the value Of RS. 5.00 (Rupees Five). (3) In every application under sub-rule (1) against the order refusing to grant a quarry lease, any person to whom a quarry lease was granted in respect or Lhe same area or pan thereof, Sahil be impleaded as party. (4) Along with the application under sub-rule (l).the applicant shall submit as many copies thereof as there are inpleaded under sub-rute 61. Copies Of application of appeal. revision or review to be sent to impleaded parties.—On receipt of lhe application and thc copies thereof the Appellate or Reviewing Authority shall send a copy of the application to each of the parties impleaded under sub-rule (3) of rule 60 sßcifying the date on or before which he may make his representation if any against the review/revision/appcal application

62. Order on appeal, revision or review application.—Where an application for aplx:al. revision or review is made under these rules the authority may confirm. modify or set aside thc order Or pass such other order in relation thereto as it may deem just and proper

63. Grant of stay.—The appellate or reviewing authority may at any time direct that the execution Of thc order ammled from or against which a review is pending be Slayed for such time as it may deem fit. Provided that no Stay for the recovery Of mining dues shall be granted unless the party seeking stay has paid die undisputed amounts of rents, royalties and interest due thereon and has furnished bank guarantee for the disputed amounts of such rent. royalty and interest

64. Opportu*y for being order under rule 62 shall be passed against any person interested unless he has given an to represent his case

CHAPTER XIV—MISCEL.LANEOUS 65. Power toectify apparent mistakes.—The Competent Authority may at any time within six months from the date Of the order passed by il under these rules on iLs own motion rectify any mistake or error apparent on lhe face Of Lhe record shall within the like pericxl rectify any such mistake Or errcg which has been brought to iLs notice by an appli— fcy Lhe yant Of quarry. Provided that such rectification having or purported to have a prejudical effect on another application for the grant Of lhe tease/quarry permit shall bc' made unless the Conwent Authority have given to such applicant notice of its intenti« to do so and have allowed him reasonable cvportunity of being heard

66. Relaxation Of rules in special eases.—ln any case or Class Of cases in which 'he State Government is Of the opinion that the public interest so requires iL may grant a quarry lease/quarry permit On thc terms and conditions other than those prescribed in these rules. Handing•ver possession of Where quarry leasc/quarry permit is cancelled or determined Or right ot pre-emption is exercised or the ;rriod for which the lease is granted has expired, thc lessee shall hand over possession of quarry to thc CollectoriAddi1ional Collector or any officer authorised by him or Zila/Janpad/Gram Panchayat within a IEriod of I.S (Fiftc€,i. Gays of lhe cancellation of the lease or determination Of the lease or exercise Of the right Of pre-emption or lhe day ii:n.ediately following date of expiry of the lease as the case may bc, (2) Where a lessee fails hand over possession or the quary in accordance with sub-rule the 220(94) Gträ, 23 1996 Collector/AddiLional Collector or the Officer authorised by him or ZilafJanpadtGram Panchayat shall Serve Or cause to be served a notice on the lessee either by post or by tendering or delivering a copy Of it personally to lhe lessee or one of his family members or servants or by affixing it to a conspicuous part of the place of his residence Of publishing it in at one newspaper having circulation in the locality where the lessee resides. (3) the notice under sub-rule (2) shall contain a statement that the lessee shall hand over possession of the quarry within a period of 15 (Fifteen) days of the date of service of Lhe noticc to an officer authorised by him under sub-rule (l) of rule 67. Where a lessee fails to hand over possession of a quarry within thc period specified in thc notice under sub-rule (2) to the officer authorised under sub-rule (l) of rule 67. he may lake possession of the quarry from the lessee and for that purposes may use such force as he necessary

68. Permission for removal of minor minerals for State Government works* l) Thc concerning Panchayat shall grant permission for extraction.removal and transport from any slx•cified quarry or land any minor mineral which may be required for the works of any Department of the State Government. Such IWrmission shall only be granted 10 either lhe concerned Departmental authority or its authorised contractor on furnishing proof of award of contract. (2) Such permission shall not exceed duration Of 30 days and a quantity of 500 cubic metre at any one time. (3) Such permission shall only bc granted on payment in advance of royalty calculated al the rates specified in Schedule Ill. The transit pass in

Form IX then shall be issued. (4) The permit shall be governed by the following conditions:— (i) The pennil holder shall maintain complete and correct :wcount Of ihe mineral removed and tntnsportcd from thc area; (ii) He shali allow any officer authorised by thc Zila/Janpad/Gram Panchayat to inspect quarrying operations and verily the accounts; (iii) No sooner lhe permitted quantity is transported within thc time period of thirty days or earlier. duplicates of all Ironsit pass such unused transit passes together with a complete statement of lhe quantities duly certified thc authorised officer of the concerned Department shall be rurnishcd to thc Sanctioning Authority

69. Delegation of powers and functions.—The State Govemmcnt may by notification in the official Gazette. direct that any power or function nich may. be exercised or performed hy under these :nlcs. may in relation to such matters subject to such conditions. if any. as il may specify in the notification, be or performed also by such officer or authority subordinate to thc State Government as may bc specified in lhe notification

70. Repeal.—All rules or executive •instructions corresponding to these rules in force immediately before the commencement Of these rules arc hereby repealed; Provided that anything done or any action taken under thc rules or Instructions So repealed shall. so far as they are not inconsistenl with the provisions of these rules. deemed to have bccn donc or taken under the corresponding provisions of these rules. By order and in the name of the Governor of Madhya Pradesh. S. LAKSHMINARAYANAN. Principal. Secretary. 220195) 2. 3. 4. 5. 6. 7. 2. 3. 4. 5. 6. 8. 9. 10. 11. 12. 23 1996 SCHEDULE 1 (See Rule 6) SPECIFIED MINERALS Dimensional stone-granite. dolerite, and other igneous and metamorphic rcxks which are used for cutting & polishing purpose for making blocks. slabs. tiles of specific dimension. Marble which is used for cutting and polishing purpose for making blocks, slabs, tiles of specific dimension. Marble stone for other purposes. Limestone when used in kilns for manufacture Of lime used as building material Flagstone-Natural sedimentary rock which is used ror flcoring. roof top etc. and used in cutting and polishing industry. Stone for making gitti by mechanical crushing (i. e. use Of crusher). Bentonite/Fuller's earth. SCHEDULE 11 (See Rule 6 & 7) OTHER MINERALS Otilianry Sand, Bajri. Ordinary clay for making bricks, pots, tiles etc. Stone, Boulder. Road Melal, Gitti. Dhoka, Khanda. Dressed Stones. Rubble. Chips. Murrum. Lime Kankar when used in kilns for manufacture of lime used as building material. Gravel. Lime shell when used in kilns for manufacture Of lime used as building material. Reh Mitti. Slate when used [or building material. Shale when used for building material. Quartzite and quartzitic sand when used for purposes of building or for making road metal or house.hold utensils Salt petre. Mineral 23 1996 SCHEDULE 111 (See rule 29) RATES OF ROYALTY Rates 2. 3. 4. 5. 6. 8. S.No

2. Dimensional Stone-Granite.dolerite. and Other igneous and metamorphic rocks which are used for cutting and polishing purpose for making blocks. slabs, Liles Of specific dimension :— (a) Black colour (b) Other colour Marble which is used for culling and polishing purpose for making blocks slabs, tiles of specific dimension. Marble stone for other puqx»se Flagstone-Natural sedimentary rock which is used for ncx»ring, roof Lop etc. Ordianry Sand. bajri Murrum Stone: — (a) Boulder (b) Gitli. roadmelal (c) Dressed stone. Khanda. Dhoka Other minor minerals— Rs. 750/ - per cu. mt. Rs. 400/- per cu. mt. Rs. 150/- per cu. mL Rs. 50/- per cu. Rs. 40/- per cu. mt. Rs. IS/- per cu. mt. Rs. 10/-per Cu. mL Rs. 15/- per cu.mt. Rs. 16/- per cu. mt. Rs. 25/- per cu. mt. Rs. IO/- per cu. mt. SCHEDULE IV (See rule 29) RATES OF DEAD RENT IN RUPEES PER HECTARE PER ANNUM Category of Mineral Dimensional stone-Granite, dclerite, and other igncows and metamorphic rocks which are used for cutting & polishing purpose for making blocks, slabs, tiles of specific dimension. Marble which is used for cutting & polishing purpose for making blocks, slabs. tiles of specific dimension and marble stone for Other purpose. 1st year of the quarry lease (3) Nil Nil 2nd year to 3rd year of the quarry 10.000 s.(XX) 4th year Of the quarry lease and onward 15.000 7500 23 1996 220(97) 3. 4. 5. 6

8. Limestone when used in kilns for manufacture of lime used as building material. Flagstone-Natural sedimentary rock which is used for flooring, roof top etc. Stone for crusher Ordinary Sand, bajri Murrum Stone for building purposes and other minor minerals. Nil Nil Nil Nil Nil Nil 3.000 5.000 2.0 2,000 FORM I (See rule 9) Application For Grant/RenewaI Or Quarry Lease Received at , To . . . (pixe) on Lhe . day of.. 5,000 7.5(0 7.500 7.500 3.000 3000 Here affix court fee sump Through; Dated the .. . 19 l. l/We beg to apply for grant of quarry Icase/rencwal of quarry lease for a Lerm of . . hectares of land in the area specified in the schedule

2. A Sum of Rs, or Rs.250/- as application fee payable under rules has bccn deposited vich challan No. ... ...at place 3. The required particulars are given below (i) Name of applicant (ii) Nationality Of Lhe applicant (partners. Directors. Members) (iii) Piace of registration or incorporation (firm, Cornany or Society/Association) (iv) Profession of individual. nature of business of firm or Company or Society/Association and place of business. (v) Addrcxss of the individual firm, Company or ScxicLy/Association 220(98) 23 1996 (vi) Caste (individual or members of society/Association) (vii) Educational qualification (individual or members of society/Association) (viii) Age (individual or members of society/Ass0ciation) (ix) Residence (individual or members of society/Association) (x) List Of Directors/Partners/Members (xi) Registration/in-corporation certificate (xii) Financial status (xiii) Articles Of memorandumhzrtnership deed/by-laws (xiv) Whether the application is for a fresh lease or for a renewal of a lease previously granted. Give details of previous lease held. (xv) Mineral/MineralS which the applicant intends to mine. (xvi) Period for which the quarry lease/renewal of quarry lease is required. (xvil) Approximate quantity Of mineral expected to be raised yearwise during lhe first three years. (xviii) Manner in which the mineral raised is Io be utilised (a) for manufacture (b) for sale (c) any Other purpose In Case Of manufacture the industries in connection with which il is required. should be specified. Details Of plant (s) owned, proposed 10 be set up be given. 4. (a) A plan (six copies) showing the situation and boundaries Of the area/areas applied for and concession if any. adjoining is/are enclosed. (If this plan/these plans be considered insufficient, l/wc request that lhe necessary plan/plans or the area/areas may be prepared in duplicate in your oi'frce at my/our cost.) (b) Khasra Panchsala, 5. A statement suprxlrted by an affidavit showing all the areas mineralwise in each district of thc state. (i) already held by me,/us in my/Our name/names (and jointly with others) under quarrying leases specifying thc names of minor minerals. (ii) already applied for but not yet granted and (iii) being applied for simultaneously. 6. an affidavit of obtaining surface rights. 7. no dues certificate in

Form 11

8. The plan should indicate imsxrtant features, viz—(i) if a railway; its full details i.e. whether Eastern Railway or Central Railway, whether a branch line or a main line or colliery tramway. 23 1996 (ii) if a rcxld. whether village or public works dcprtment or carurack (iii) wells, (iv) temples Or mosques, (v) burning ghat or burial ground. etc

9. In case thc renewal applied for is only for part of the lease hold, (a) the area applied for renewal (b) description of the arca applied for renewal (c) partculars of the lease hold with arca applied for renewal clearly marked on it (attached).IO. Means by which mineral is 10 be raised i.e. by hand labourers, mechanical or electric power. 220(99) I l. any Other particulars which thc applicant wishes to furnish. Schedule Description of the arca applied ror (i) Name of village and Panchayat. (ii) Khasra number and area of each field Of part thereof— Khasra N umtvr Area in Hectares (iii) Full description of the area applied for with regard Io natural feature— (iv) Tehsil and patwari circle (v) District Place _ Dale.... .... Your Faithfully, Name and Designation N.B.—If lhe application is signed by an authorised agent of Lhe applicnL, power Of attorney should be attached. If all the number coannot be entered on this form they should be continued on a separate sheet attached to it and signed. Where a portion of a khilsra number only is required the approximate area Of such portion will suffice. 220(100) Office of issue . in district.... 23 1996

FORM 11 (See rule NO Dues certificate District.... .... This is to certify that the following quarry leases/mining leases are held by ShrifM/s . . Village (1) Surface Rent Balance Dues 2

3. Tehsil Minerals Areas in Total Dues Assessed (in rupees) (2) (3) hectares (4) Surface Dead Royalty rent (7) Others (8) Amout paid during the period in rupees- Dead Rent Royalty Period (9) Total Other (4) 1. In case there has been no assessment in any year. it must be stated clearly with reasons therefor

2. It must stated whether any attachment or R.R.C. are pending in respect of this lease, 3. This is valid only for six months from thc date of issue. FORM Ill [See rule 14(2)) Signature and Designation of authorised officer wilh seal of Office. Reciept or application for quarry lease or renewal S. No. . , Received the applicatim with the following enclosures for grant renewal of quarry lease from Shri/Sar€ashri. Panchayat . . Enclosures :— Tehsil.. . for about . District . . hectares of land It-wated in village . . . for mining . . minerals. Signature of the receiving officer with seal of Office, 23 1996 FORM Iv [See 15(1)] Register or application for quarry leases 220(101) l. Serial NO. 2, name of applicant

3. Residence Of amilicants

4. Date on which application was received by receiving officer

5. Particulars Of minerals which the applicant desires to win

6. Name of village

7. Name Of panchayat

8. Tehsil

9. Kahsra NO

10. Area in hectares (khasrawise) 11. Period for which applied

12. Remarks (preferential right sought (or) 13. Final disposal Of applications togather with number and date of the order

FORM V [See rule Register Of quarry leases 1. Serial No. 2. name of the lessee with complete address

3. Date application & S. No. of application register. Mineral for which lease has been granted. 4. 5. (a) Number And date Of grant Of lease with authority. (b) Date of execution Of quarry lease. 6. period for which granted"renewed

7. Village, Panchayat & Tehsil where situated

8. Khasra NO.and area

9. Area in hectares for which lease has been granted IO. Khasra No. with area of each No. taken up for working with date when so taken up

11. Amount of compensation paid for Area—in col. No. 9 with date Of payment and wheduer through Government or by private negotiations together with No. and Order Of land acquisition or transfer Of lease. 12. amount Of surface rent fixed and date Of fixation

13. Date of expiry Or relinquishment or cancellation Of the lease. Remarks with particulars as to date of renewal, actual expiry or relinquishment

14. Date from which the area is available for grant (Notification No.& Date of availability). 15

16. Date Of assignment or transfer Of lease.if any, and the name and address of the assignee or transferee. 220002) 23 1996 17. date or change together with the details of change that iake place, in name nationality or other particulars of the holder Of quarrying lease

18. Signature Of the Officer

19. Remerks.FORM VI (See rule Surety Bond Stamp duty as against item 57 Of Sec. l. A. Of Indian Stamp Act. 1899. . . S/oShri . Resident of.. . village Details Of the property Value . . One Know all Men By These Presents, that I.. . in the Tehsil of the . District (herein after called the surety) am held and firmly bound to thc Governor of Madhya Pradesh (hereinafter called thc Governor) for the sum of Rs. . . . . only. to be paid to the Governor. his successors. Or assignees or their attorney or the Officer authorised by the Governor in this behalf. for which payment will and truly to be made, I hereby bind myself. my heirs, executors. administrators and representatives. firmly by these witnesses; As witness I have set out my hand, this day of , . one thousand nine hundred and Whereas Shri - . son of Shri . . . . resident of . . in the tehsil . . Lhe district (hereinafter called Ehe lessee) has at his own request t--een granted quarry lease for . . over an area of . lx:riod of . . hectares in . vide order No. . . Tehsil — . . dated . . district . . . (mineral) for a And whereas the lessee has agreed to escutc 'he prescribed agreement with the Government. And whereas by virtue Of the agreement to be executed between the Governor (lessor) and lessee. the Said lessee is required to pay reguiarly and timely the dead rent, royalty. surface rent and any other dues arising out Of lhe lease. And where as the Governor has asked Shri . .. . son Of . . . . . furnish surety of Rs. . . (Rupees . . . only). l, . stand as surety for him to the above amount and execulc this bond. and declare that own Lhe following immovabic property of which I am the absolute owner and that the properly is not mortgaged or gifted and it is free from all encumbrances. And thc conditions Of the Bond is such that if the lesscc shall die Or become insolvent or at any time ceases to !-ny the dead rem. royally. surface rent Or any other dues arising out of the said lease, any such due on this accoum under this lease shall immediately bccome duc and payable to thc Governor and the same will be recovered from my property detailed above as an arrear of land revenue in one instalment by virtue or this Bond. And I further declare that i will not sell. mangagc. gift or Iransfer in any Other manner and will not act in any way to dispose Off the above property till this bond is in rorce. In witness whereof the Said . Lhousand nine hundred and .. ... . Signature with full r.amc address and cxcupation of the witnes. . has signed hereinto on day of.. Signature Of the surety Verified and found correct has signed this Bond today in my presence. Magistrale. Executive 23 1996 FORM VII [See rule 261 Quarry lease deed 220003) THIS INDENTURE made this . . day Of . between thc Governor of Madhya Pradesh acting through the . . . (hereinafter referred 10 as the • 'lessor • • which expression shall where thc context so admits deemed 10 include the successors in office Of the one part and Shri . . . (Name of person with address,and occupaiion) (hereinafter referred as "the lessee" which expression shall where the context so admits be deemed to include his heirs. executors. administrators, representatives and permitted assignees) OR . (Name of society/Association with address and cxcupation) and . . (Name Of person with designation) (hereinafter referred to as • •the lessee" which expression shall where the context so admis bc deemed to include their respective heirs. executors. administrators. representatives and their

permitted assignees). OR (Names-and addresses Of panners), son of , Of ...sonof. of . . all carrying on business in partnership under the firm name and style of . . (Name Of the firm) registered under Indian Partnership Act. 1932 (9 or 1932) and having their regis!ercd office at . In the town of (hereinafter referred to as • '(he lessee which expression where thc context so admits be deemed to include all lhe said partners [heir respective heirs, executors, legal representatives and permitted assignees). OR , ... (Name of company) a company registered under thc company's Act, 1956 and having its registered Offtcc at . . . . . (address) (hereinaiicr referred to as ' •IIIC lessee which expression shall where thc context so adrniLs be deemed 10 include its successors and permitted assignees) 01 thc other pan. WHEREAS THE lesscc/lessces has/havc applied 10 the Compelenl Authority in Accordance with the Madhya Pradesh Minor Minera's Rules, 1996 (hereinafter reterrcd to as Ihe said Rules) for a quarry lease for . respect 01 lhe lands described in Part I of the Schedule hereunder written and has/have deposited with thc State Government the sum of Rs. . . . as security deposite. WITNFSSE'VII that in consideration of the renLS and royalties, covenants and agreements by and in these presents and the Schedule hereunder written reserved and contained and on the part of the lessee/lcssees to paid observed and vx•rfonnexl the Competent Authority hereby grams and demises unto le;sccs, All those Quarries .. . . . (here stale the mineral or minerals) lessee hereinafter and in the Schedule referred toxts thc said minerals) situated lying and being in or under lhe lands which are referred 10 in Part I Of the said Schedule together wilh the liberties. powers and privileges 10 bc exercised or enjoyed in connection herewith which arc mentioned in part 11 of thc said Schedule subject to lhe restrictions and conditions as to lhe cxccrcise and enjoyment Of such liberties. powers and privileges which arc mcnlioned in Pan Ill lhe said Schedule EXC.'EVYI' and reserving out Of Ihis demise unto thc Stace Governmenl the liberties. powers and privileges mentioned in part IV of the said Schedule TO IIOLD thc premises hereby granted and demiscd unlo lhe lcssec/lessees from the . . . . . for the term of . . day . . years thence next cnsuing YIELDING AND PAYING therefore unto the State Government the several rents and royalties mentioned in part V the said Schedule at the respective times there in %pccificd subject to the provisions contained in Part VI of thc said Schedule and the lessee/lcssees hereby covenanls/covcnant with the Slate Government as in Parl VII of the said Schedule ix explessed AND Itie State Government hereby covenants with lcssecncssccs as in Parl VIII of thc said Schedule as expressed and it is hereby mutually agreed betwccn Ehe parLies herclo as in part IX or the said Schedule is expressed. IN WlßF.ss WHEREOF lhcsc prcscnß have been executed i" manner hereunder appearing the day and year first above wrincn. The Schedule above referred to fiFIÄ 23 qré 1996 PART I—THE AREA OF THIS LEASE Location and area of the that tract of lands situated al village . , . . (Description of area or areas) . an area Of . . . Gram Panchayat beanng Khusra survey Nos. . . in Tehsil in . . . or thereabouts delineated on thc plan hcreto annexed and thereon coloured . . . conunntng . and txmnded as follows On the North by On South by On the Easl by and On the West by hereinafter referred to as "thc said lands" PART 11 Liberties. powers and previlcgcs iO be exercised and enjoyed by the lessee/lcssccs subject to the restrictions and conditions in Parl Ill. l, TO enter upon land and win, work and power at all limes during [he term hereby demised to enter upon the said lands and to win. work. dress. process. convert. carry away and dispose of lhe satd mineral/minerals

2. TO bring and use machinery equipment etc.—Liberty and power Ior or in connection with any of the purposes mentioned in this part to erect. construct. maintain and use on or under the said lands any engines, machinery. plant, dressing floors, bnck•kilns. workshops, store house, g(klowns. sheds and other buildings and other works and Convmenees of the like nature on or under the said lands

3. TO make roads and ways etc.and use existing roads and and vx»wer for Or in connection with any of thc purposes mentioned In this part to make any tramways, roads. and O'hcr ways in or ovel the said lands and to use maintain and go. and remass with or without horses cattle. wagons. or other vehvcics over the (or any existing tramways, roads and other ways in or over thc said lands) on such condiuons as may be agreed to

4. To get building and road materials etc.—Liberty and power for or in connection with any of the purposes mentioned in this part to quarry and get stone. gravel and other building and road matertals and clay and to use and employ the same and Io manuracture such clay into bricks or tiles and to use such bricks or liies but not to sell any such material bricks or Liles. S. To use water from streams etc.—Liberty and power for or In connection with any of the purpose mentioned in this part buv subject thc right Oi any existing or future lessees and with thc tor to appropriate and use water from

any streams, water-courses, spangs or other sources in or the said lands and 10 divert, step up or dam any such stream or water course and collect or impound any such water und to make. construct and maintain any water-coursc culverts. drams Or reservoirs but not as so Io deprive any cultivated lands. villages. buddings or watering places Ior livestock or a reasonable supply of water as before nor m any way to foul ov pollute any stream or springs. Provided ahat Ehe lessec/lessees shall nol interfere with thc navigation in any navigable stream or shall divert such stream without thc previous wriucn permission ot the Stale Government

6. TO use land for stacking.heaping, depositing purposes. —Liberty and power to upon and a sufficienl part 01 Lhe surface of thc said lands rot the purpose or stacking. heaping. stonng deposaung thetctn any produce of the quarries or works carried on and any tools, equipment. earth and materials and substances dug or raised under thc liberties and powers mentioned tn this part. 23 1996 PART 111 Restrictions and conditions as to the exercise of the liberties, Powers and Privileges in Part 11. 220005) 1. No building etc upon certain places.—No building Or thing shall be erected set up or placed and no surface (Verations shall carried on in or um)n any public pleasure ground. burning or burial ground or place held sacred by any class of persons or any house or village site. public road Or Other place which the State Government may detemine as public ground nor in such a manner as to injure or prejudicially effect any buildings. works. property or rights Of Other TErsons and no land shall be used for surface operations which is already occupied by persons other than the Slate Government for works or purposes not included in this lease. The lessee/lcssecs shall not also interfere with any right Of way. well Or tank

2. Permission ror surface operations in a land not already in use.—Before using for surface operations any land which has not already been used for such operations. the lessee/lessees shall give to the Collector Of the District *Qwo calendar months previous notice in writing specifying the name or other description of the situation and Lhe extent of the land proposed to be so used and the purpose for which the same is required and the said land shall not be so used if objection is issued by the Collector within two months after the receipt by him Of such notice unless the objecüon so stated shall on reference to the State Government be anulled or waived

3. NO mining operations within prohibited distances.—The lcssee/lessecs shall not work or carry on or allow Lo be worked or carried on any mining operations at or to any point within the prohibited distances specified in rule 30 (12)

4. Facilities for adjoining Government licences and leases.—The lessee./lessees shall allow existing and future iK)lders Of Government licenses or leases over any land which is comprised in or adjoins or is reached by the land held by the lessee/lessees reasonable facilities or access there to: Provided that rK) substantial hindrance or interference shall be caused by Such holders or licenses or leases to Lhe operations of Lhe lessee/lessees under these presents and fair compensation as may be mutually agrccd upon or in Lhe event of disagreement as may be decided by the State Government shall be made 10 lhe lessee/lessces for loss or damage sustained by the lessee/lcssees by reason of the exercise of this liberty

PART IV Literties. Powers and Privileges reserved to the State Government. l. To work other minerals.—Liberty and power for the State Government or to any lessee or persons authorised by it in Ehat behalf to enter into and upon the said lands and Lo search for. win, work. dig, get. raise. dress. process. convert and carry away minerals Other than the said minerals and any Other substances and for those purposes 10 sink. drive. make, erect. construct, maintain and use such pits, shafts, inclines, drifts, levels and o!hcr lines. w:llcr.vays, airways, water courses. drains, reservoirs, engines, machinery. plant, buildings, canals. tramways. railways: roadways and other works and conveniences as may be deemed necessary or convenient: Provided that in the exercise Of such liberty and power no substantial hindrance Or interference Shal! be caused to or with the liberties, power and privileges of the lessee/lessces under these presents and that fair cornpcnsuation as may be mutually agreed upon or in the event Of disagreement as may be decided by thc State Government shall by made to the lesseeaessees ror ail loss Or damage sustained by [he lessee/lcssees by reasons for ail loss Ot damages Sustained by the lessee/lessces by reasons or in consequence Of thc excrcisc Of such liberty and power

2. TO make railyays and roads.—Liberty and power (or lhe Slate Government Of any lessee or person authorised by in that behalf to enter into and upon thc said lands and to make upon over or Ihrough thc same any railways. tramways, roadways e other than those mentioned in part 11

of lhesc prcnsents and to gel from the said lands "Ones. gravel. earth and other materials for making, maintaining and repairing such railways. tramways and roads or any existing railways and roads and to repxss all times with or without horse, cattle or other animals carts, wagons carriages. locomotives or other vehicles over or along any such railways. "arnways. Toad lines and other ways for all purposes and as occasion may require, provided that in the exercise of such liberty ind power by such other lessee or person no substantial hindrance or interference shall bc caused to or 220006) 23 1996 with Lhe liberties, and privileges Of Lhe lesseenessees under Lhese presents and that fair compensation as may be mutually agreed upon or in the event Of as may be decided by the State Government shall be made to the lessee/lessees for all loss or damage sustained by the lessee/lessees by reason Or in consequence of the exercise Of such liberty and power

PART V Rents and royalties reserved by this lease 1. To pay dead rent or royalty whichever is higher.—The lessee shall pay for every year except the first year of the lease. dead rent as specified in clause 2 of this Parl: Provided that, where Lhe holder Of such quarry lease becomes liable under rule 30 Of the Rules to pay royalty for any mineral removed or consumed by him Or by his agent, manager, employee. contractor Or sub-lessee from Lhe leased area he shall be liable to pay either such royalty or the dead rent in respect Of that area, whichever is higher

2. Rate and mode of payment of dead rent.—Subject to the provisions of clause I of this Part during the subsisLence of the lease, the lessee/lessees shall pay to the Stale Government annual dead rent for Lhe lands demised and described in part I Of this Schedule at the rate for Lhe time being specified in the Schedule IV Of the Rules in such manner as specified in Rule 30 (1), (a)

3. Rate and mode of payment of royalty.—Subjcct to the provision of clause I of this part, the lessee/lcssees shall during the Subsistance of this lease pay to the State Government as specified in Rule 30 (l) (b) royalty in respect of any mineral/minerals removed by him/them from the leased area at the rate for the time being sgrcified in Lhe Schedule Ill to the Rules

4. Payment of surface rent.—The lessee/lessces shall pay rent to the Slate Government in respect of alt parts of the surface of the said lands which shall from Lime Io Lime be occupied or used by Lhe lessee/lessees under the authority of these presents at the rate of Rs. . . . . respectively per annum per heclare or pan thereof for area so cx.•cupied during the period from the commencement or such occupation or use until the area shall cease Io be so occupied or used and shall ås far as possible restore lhe surface land so used 10 iLS original condition. Surface rent shall be paid as detailed in Rule 30 (l) (c)

PART VI Provisions relating to the rents and royalties l. Rent and royalties to be free from deduction etc.—The rent and royalties mentioned in Part V Of this Schedule shall be paid free from any deductions to the State Government as specified in Rule 30 2. Mode Of computation of royalty—For the puqx•ses Of computing the said royalties the lesseenessees shall keep a Correct account of the mineral/minerals produced. consumed and despatched. The accounts as well as the volume of the mineral/minerals in stock or in lhe process of exi»rt may bc checked by an officer authorised under Rules

3. Course of action if rents and royalties are not paid in time—Should any rent. royalty or other sums due to the State Government under the terms and conditions of these presents noi paid by thc lessee/lessees within the prescribed time, the same, together with simple interest due lhereon at thc rate of twenty four per ceru per annum may recovered on a certificate of Mining Officer/Assis1ant Mining Officer in thc same manner as an arrear of revenue

PART VII The Covenants of the Lessee/Lessees l. Lesee to pay rents and royalties. taxes etc.—The lessee/lessees shall pay the rent and royalties reserved by this lease at such limes and in thc manner provided in PARTS V and VI Of these presents and shall also pay and discharge all taxes. rates. assessments and impositions whatsoever being in the nature of public demands which shall 23 1996 220(107) from time Io Lime be charged assessed or impose*] by the authority of the State Government upon or in respect Of the premises and works of the lessee/lesse.es in common with Other premises and works of a like nature except demands for land revenues

2. To maintain and keep boundary marks in good order.—The lessee/lessecs shall at his/tbeir own erect and at all umes maintain and keep in repair boundary marks and pillars according to the demarcation to tx shown in the plan annexed to this lease. Such marks and pillars shall bc sufficiently clear of the shrubs and other obstructions as to allow

3. TO commence operations within a year and work in a workman like manner.—Tbc lessee/iessecs shall commence operation within one year from the date of execution of the lease and shall thereafter at all times during the continuance of this lease win. work and develop, thc said minerals without voluntary intermission in a skilful and workman like manner and as prescribed under clause 12 hereinafter without doing or to be done any unnecessary or avoidable damage to the surface of the said lands or lhe crops. buildin5. structures or other property thereon. For thc purv»ses of this clause operations shall include thc erection of rnachjnery. laying of a tramway or construction Of a road in connection with the trune

4. TO indemnify Government againsi all claims.—Tlve lessee/lessees Shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the for all damage, injury or disturbance which may be done by him/them in exercise Of the granted by this lease and shall indemnify and keep indemnified fully and completely the Slatc Government against all claims which may be made by any person or persons in resvxct of any such damage. injury or disturbance and all cosLs and expenses in connection therewith

5. TO secure and keep in good condition pits, shafts.etc.—the lessee/lesSees Shall during the subsistence Of this lease well and sufficiently secure and keep open wi'h or Other durable means atl pis and workings thal may be made or tsed in thc said lands and make and mairuain sufficient fences to the sauslåction Of thc Collector round every such pit Ot working whelhcr thc Same is abandoned or not and shall during the same period keep all workings in the said lands except such as may be abandoned accessihlc Cree from water and foul air jar as possible, 6. To strengthen and support the mine to necessary extent.—The lessecnessees shall Strengthen and support 10 the satisfaction of the Railway Administration concerned or the State Government. as the case may be any part of the mine which in its opinion requires such sirenglhening or support for the safety of any railway. reservoir, canal. road and any other public works or Structures

7. To allow inspection or workings.—The lessee/lessees shall allow any officer authorised under these Rules to enter upon the premises including any building excavation Or land comprised in the lease ft-r the purpose of inspecting, examining. surveying, prospecting and making pians thereof sampling and coilecung any data and the lessee/lessees shall with proper person employed by the lessc•e/lessees and acquainted with the mines and works effectually assist such officx•r. agents, servants and workman in conducting every such inslxyetion and shall Safford them all facilities, informauon connected with the working of the tomes which they lnay require and also shall and will conform to and observe all orders and regulations which the Central and Siaw Governrncnl as the result Of such insFcuon Or otherwise may from time to time. to impose

8. To report accident.—lhe lesseenessees shall without delay send to the Collector a report of any aceidcm causing death or serious bodily injury or serious injury 'o property Or seriously affecting or endangenng life or property which may in the course Of thc operations under this lease

9. TO report discovery of other minerals—The lessee/lcssees shall report to thc Collector the discovery in the leased area of any mineral rK)t specltied in the lease wnttK)ui cieiay along with full paruculars of the nature and position of each such find. If any mineral not specified in thc lease is discovered in the leased area, thc lessce/lessees shall not win and dispose of such mineral unless such mineral is included in the lease or a separate lease obtained therefor. IO. TO keep records and accounts regarding production and employees etc.—The lessee/lessees shallot all time during the said term keep Ü cause to be kept at an office (o be situated upon or near the said lands correct and 23 1996 intelligible t»oks which shall contain accurate entries showing from time to time:— (1) Quantity and quality of the said mineral/mincraJs realised from the said lands. (2) Quantities Of the various qualities of Lhe said mineral/mincrals sold and exixyted (3) Quantities thc various qualities or the said mineral/mincrals otherwise dissx»scd or and manner and Of (4) EKices Md all aher particulars of all *des Of said mineral/rnirrrals. (5) Ibe nurntrr of persms employed in thc mines or works or the said lands smgcifying nationality. qualifications and Iny of the technical personnel. (6) Odwr fæts. particulars md circumstances the Central or the State Government may from Lime to time require and shall also furnish free of charge to such officers and at such times as the Central and State Government may appoint true and correct abstract of all or any such t»oks of accounLS and such inrortnatiul and returns to or any of the maucrs aforesaid as Stale Government may prescribe and shall at all reasonable times allow such officers as thc Central Government Or State

Governmcnt shall in that behalf apm)int to ener into and have free access to lhe said offices for thc purpose of cxuning and in.9æting thc said l»oks Of accounts plans and records and to make copies thereof and make extracts therefrom. To maintain plans, etc.—eme tesee/ lessees shall at ali times during the said term maintain at the mine Office Correct intelligibie up-to-date and complete plans Of the mines in Lhe said lands. They shall show all Lhe (Veralions, and workings and all the tretx•hes. pits made by him/Lhcrn in the course or Operations carried on by hirnAhem under the and geological data ard all such plans shall be amended and filled up by Jid from Xtuai surveys to Ip mtlde for that purpose at lije end of twelve months or uny tzriod specified from time time and the shall furnish free of charge to thc Stare Government Lruc and correct copies of such plans whenever required. Accurate records of all trenches. pits show— (a) sutMi1 aml strata through which dry pass. (b) Any mineral encountered. (c) Any Other matter Of interest and all data required by the Stalc Government from time to time. Tbc shall allow officer of the State Government authorised in this behalf 10 (he same at ail reasonable time. Heatley shall also supply when asked for by the Slate Government a composite plan of the area showing thickness. dip. inclination. etc. as also thc quantity of reserves quality Wisc- 12. TO pay compensation for injury or third parties.—The lesseeaessees shall make and pay reasonable and comfxusation for all damage. injury or disturbance to person or property which may done by or on thc pan of lcssee/lcssees in exercise of thc liberties and power grunted by these presents and shall at all Limes save harmles and keep indemnified Lhe SIZE: Govemmcnt from and against all Sui'S. clatrns and ck•.mands which may be broughL or made by any person or persons in of any such damage. Injury Or dEs1urbance. in case 01 Government land shall pay equal to 3-0 and 60 times Of land revenue in case Of leases up IO and 20 years 13. NM to Obstruct working of Other mineraK—The lessce,ties.secs will exercise the liberties and powers lureby granted in such a manner as to offer no unnecessary or reasonably avoidable obstruction or interruption to thc tkvelopmeni and working within said lands Of any minerals not included in this tease and shall at all times afford LO Lhe Cencral and Staw Government and to die holders of prospecting licences or quarry leases in respect of any minerals or any minerals wiihin any land adjacent 10 thc said lands thc casc may Incans Of xcess and sale and cmvenient sussage uB)n and across the said lands to such minerals for thc puq»se Of geuing 23 1996 220<109) working. developing and carrying away the same provided that the lessee/lessess shall receive reasonable compensation for any damage or injury which he/lhey may sustain by reason or in consequence of LIE use or such passage by such lessees or holders of prosguting licenses

14. Transfer of lease.—the lesseenessees shall not. without the previous consent in writing of the Sanctioning Authority— (a) Assign, sublet. mortgage, Or in any Other manner transfer the quarry or any right, title Or interest therein, or (b) Enter into or make any arrangement. contract or understanding whereby the lessee/lessees will or may be directly or indirectly financed to a substantial extent by, or under which thc lessee's 01kTaLion's or undertakings will or may be substantially controlled by, any person Or body Of persons other than the lessee/lessees : (c) Sanctioning Authority may by an order in writing determine the lease at any time if the lessee/lessees has/have in his opinion commited a breach of any of the above provisions or has/have transferreÅl lease or any right. title or interest therein otherwise Chan in accordance with rulc 35. provided that no such order shall be made without giving Lhe lessee/lcssees a reasooable opportunity of stating his/their case

15. Lessees shall deposit any additional amount the security deposit of Rs_ .any part thereof Or any further sum hereinafter deposited with Lhe State Government in replenishment thereof shall be forcfeiled or applied by the State Government pursuant 10 the power in hereinafter declared in that behalf thc lessee/lessees shall with the State Government such further Sum may be sufficient with the unappropriated part thereof to bring thc amount in deposit with the State Government up to lhe sum of Rs...

16. Delivery of working in good order to State Government arter determination of lease.—lhe lessee/lessecs shall at the expiration or sooner determination Of the said term or any renewal 11K.•rcof deliver up to the Slate Government ail mines, piLs, water ways. and other works now existing or hereinafter to bc sunk or madc on or under the said lands except such as have been abandoned with the sanction Of lhe Stale Government and in any ordinary and fair course Of working all engines, machinery. plant. buildings. structures. other works and conveniences whic" at the commencement Of the said term were upon Cr under the,said lands and all such machinery set up by thc lessee/lessees which cannol be removed without causing injury to the mines. works under the said lands (except such Of the same as may with the sanction of the State Govern) and all buildings and structures Of

bricks or stone erected by the lesee/lcssees above ground level in gcxxl repair Order and condition and fit in au respects for further working of Lhe *did mines and the said minerals

17. Right or pre-emption—(A) The State Government shall from Lime to time and all times during the said term have the right (to bc exercised by notice in writing to the lesseeaessees of the said minerals(and all products thereon lying in or upon the said lands hereby demised or elsewhere under the control of the lessee/lcxsees and the lessee(lessees shall with all possible expedition deliver all minerals or products or minerals purchased by the State Government under thc conferred by this provision in lhe quantities at the times in manner and at the place specified in the notice exercising the said rights. (B) The price to be paid for all minerals or products of minerals taken in pre-emption by the State Government in exercise Of the right hereby conferred shall be the fair market price prevailing at the time Of pre-emption. PROVIDED THAT in order to assist in arriving at the said fair market price the lessee/lessees shall if so required furnish to the Stale Government for thc confidential information of thc Government, particulars Of thc quantities, descriptions and prices of the said minerals or prcxlucts thereof sold to other customers and or charters entered into far freight. for carriage of the same and shall produce Lo such officer or officers as may be directed by the State Government original or authenticated coptcs of contracts and chancr parties entered inio for the saic or freightage of such minerals Or products. (C) in the event of the existance of a state Of war or emergerx:y (Of which existence and President of india shall be the sole judge and a notification to this effect in the Gazette Of India shall bc conclusive 220(110) 23 1996 proof), the State Government with the consent of lhe Central Government shall from time iO time and all limes during thc said term have lhe right (to bc exercised by a notice in writing to the lessce/lessees) forth with take possession and control or the works. plant, machinery and premised of the lessee/leszsees on or in connection with lhe said lands or operations under this Icase and during such possession or control the lessee/ lessees shall conform Io and obey all directions given by or on bcluif of lhe Central Govcrnmcni or Slate Government regarding the use or employment of such works. planus, premises and minerals; PROVIDED THAT fair compensation which shall be determined in default of agreement by the Government shall bc paid to the lessee/lessees for all loss or damage sustained by him/tlvm by reason or in consequence of the exercise of Lhe powers conferred by this clause and PROVIDED A1—SO that the •exercise of such powers shall not determine the said term hereby granted or affect the terms and provisions of Lhese presents further than may be necessary to give erect to the provisions of this 18. Recovery Of expenses incurred by the State Governmente—lf any Of the works or matters which in S accordance wilh the convenants in that behalf hcreinbeforc contained are to be carried or performed by the lessee/lessees be nol so carried out Or performed within thc time specified in that behalf. the State Government may cause the same Lo be carried out or performed and the lcssee/lessces shall pay the State Government on demand all expenses which shall be incurred in such cerrying out or performance Of thc same and the decision of the Stale Government as to Such shall be final. 19, Other obligations— (A) lessec,'lessees shall pay a wage nol less than the minimum wage prescribed by the Central Government or State Government from time to time under Minimum Wages Act. 1948. (B) The lesseenessecs shall comply with provisions Of the Mines Act, 1952 and the rules made thereunder; (c) The lessee/lessees shall take measures for the protection of environment like planting of Irees. reclamation Of land. use of pollution devices and such Other measures as may be prescribed by the Collector from time to Lime. at his Own expense: (D) The lessee/1esseeS shall pay compensation to thc occupier of [he land on the date and in Lhe manner laid down in the Rules: (E) The lessee/lessees shall in thc matter of employment give preference to the tribals and to thc local persons: (F) lessee/lcssees shall not transvx»rt any mineral or its preduct from thc teased area without a valid transil pass as provided in Lhe Rules

PART Vili The Convenants 01' the Slatc Government l. Lessee/lessees may hold and enjoy rights quietly.—The ics.scc/lcssces paying the rents and royalties hereby reserved and observing and performing ali Ille convenanls and agreemenLs herein contained and on the part of thc lessee/lessees to he observed and pc'

formcd Shall and may quicuy hold and enjoy lhe rights and premises hereby demised for and during the term hereby granted without any in lawful interruption from or by the State Government or any person rightfully claiming under it

2. Acquisition of land Of third parties and compensation thereof.—lf in accordance wilh the provision Of clause 4 of Part VII of this Schedule the lev;ec/lessces shall Offer to pay to an occupier of the surface of any part of the said lands compensation Cor any damage or injury which may arise from the proposed operations of the lessee/lessees and the said occupier shall relUse his consent to the exercise of the right and [Y'wers reserved to the State Government and demised to thc iesscenessees by these presents and the lessee/lessees shall report the mailer to thc State Government and shall deposit with il thc amount offered as and if thc State Government are satisfied that lhe amount of compensation offered is fair and reasonable or if it is not so satisfied and lhe lesseencssees shall have deposited wilh it such further amount as the State Government shall consider fair and reasonable the State Government shall Order the occupier to allow thc lessec./lessees LO enter the land and to carry 23 1996 220(111) Out such operalions as may be necessary for the puqX).sC Of this lease. In assessing thc amount Of such compensation the State Government shall be guickd by the principles of thc Land Acquisition Act

3. To renew.—The quarry lease is renewable in terms Of the IYOvisions Of the Rules

4. Liberty to determine the lessec/lessees may at any time determine thie lease by giving not less than six calenctir months notice in writing to the Sanctioning Authority and upon thc expiration Of such notice provided that the lesseenessees shall upon such expiration render and pay all rents.royalties, cornpcnsation for damages and Other moneys which may then due and payable under these presents 10 the lessor or any Other (Vson or and shall deliver these prescnLs to the Government then this lease and thc said term and the liberties. rx)wers and privileges hereby granted shall absclutely cease and determine but without prejudice to any right or remedy Of the lessor in respect Of any breach Of any Of the covenants or agreements contained in these prescn1S. (2) The Sanctioning Authority may on an application made by thc lesscc permit him to surrender one or morc minerals from his lease which is for a group of minerals on the ground that del»siLs of thal minerals have since exhauscd or deplcled to such an extent that it is no longer s»ssible 10 work the mineral economically. subject to thc condition that the lessee; (a) Makes an application for surrender Of mineral six months Ibe intended Of surrender. and. (b) Gives an undertaking that he will not any hindrance in the working Of the mineral so surrendered by any other person who is subsequently granted a quarry lc;Lse for that mineral 5. Refund or security deposits.—On such dale as the Collector may elect after the determination of this lease Of any renewal thereof. thc amount of thc security deposit paid in respect Of this lease and then remaining in deposit with the State Government and nol required to be applied to any of the purposes mentioned in this lease shall be refunded to (he lessee/lessccs. NO interest Shull on thc security PART GENERAL PROVISIONS l. Obstructions to inspection.—ln cxse the lesscene.ssecs Or his/thcir transferee/assignce d€Es/d0 not allow entry Ot inspection by the officers Julhoriscd by dk.• Central or Slatc Government under the said Rules. the Collector shall give notice in writing Io the lessee,'lessces requiring hi m,'thcrn 10 show cause within such (imc as may be specified in thc notice why the icase Should not determined and his,/thcir security deposit rodeitcd : if thc lcssce/lessees raiWfail show cause within the aforesaid time to thc saltsfaction of the Sanclioning Authority may determine thc lease and forfeit the whole Or part oc security deposit

2. Penalty in case or default in payment of royalty and breach or Lhe or hlsnheir transferee or assignec makes/make any dcfaull in payment Of rent or royalty as required by [he Rules, Act or commits a breach of any Of the conditions and convenants: other than thuge referred to in convcnam i above .thc Collector shall give notice to the lesscc/lcssees requiring himlihern to pay thc rent royalty Or remedy breach. thc case may be within sixty days from the date Of receipt Of thc nonce and if thc rent. and royalty are not paid or the breach is not remedied within such period. the Sanctioning Authority without prejudice to any proceedings that may be taken against him/thcm, decrrninc the lease and forfeit the whole or part of the security deix»sit or may imposc penalty srovidc.d in Rules

3. Failure to fulfil the terms of leases due to • 'Force on the part of thc lcssecncssees to fulfil any of the terms and conditions of this :ease shall not give thc State Government any claim against the Lcsscc,'lcssees or be deemed a breach 01" this lease.in so Car as such failure is constdered by thc said (Government LO arise from force majeure. and if through force tna#ure 4he fulfilment by the

lesseenessees Ot any Of thc terms and conditions 01 this lease be delayed. the period of such debay shall be added lhe period fixed by this lease, tn this Clause Lhe expression • 'Force Majeure" means of God, War. insurrection, riot. civil commotion. strike, carth quake. tide, Storm. tidal wave. lightining. e-lplosion. fire and any otbcr hapßning which {hc lessee,'lcssccs could not reasonably prevent or control. 23 1996 4. to properties the expiry or having first dictÜged rents. md royalties payable by virtue of these gresents may at thc expirauon or determination 01 •id within months thereafter (uniss Ibe lease be under clauss and 2 Of this and in caX at any less 15 days than three calendar nxmth.s ancr take ü.ywn md runove fcy hiVttrir own all (Y any engines. plant, building. stnCture.s. tranways works. which may have up planf by in the lands and which the lessee,'lessees Ware ncR bound Io &livcr to the Stac Government thcse S. Fwreiture or property len more than three months aner determination at end or three mcnhs after üw expiratiul determinati€n Of the term in 4 of Part VIII Of this Schedule becomgeffective shall remain in or Iwn land any engines. mxhinery. twikiing stnxturess runways Other work. convenience Other FosÜty run required by the in with OiMat-ions in any he" by if n« removed by the lessecnessees within otw calendar month after notiu: in writing requiring their renoval has Izen given to by thc Collectcy deemed to Yu-orne the Of the Stale Govanment and may .V)ld or dislx»scd Of in stch manner as thc Slate Government shall deem fit to ruy to tlr tiercof. 6. is exccuLcd at . . . and subject 10 the provision 01 Article 226 Of Mia. i' is hereby agræd upon by thc amf in thc event or any di»ute in retaiion to under lease. condition of lease. the dues realisablc under •he lease arui in rcSIVc:t Of all matters towhing ret*Äship lesre and the the suiß (or shall bc filed in thc civil courts at . . .. (nanr city) and it is hereby expressly agreed that neither turty shall c«nm.lcnt uy filc a hg my file any rrtition at any pl;rc than the couns named above, 7, Fix swmp royany from thc #misd . , yca, IN WITNESS WHEREOF been executed in first written. Witnes 2. and behalf of tie (Signature and Designation) FORM (See Rue 29(6) AppEc*ion Ésue or Transit Pasrrransit Pas Book ror döpatch Nne of 220013) 3. 4. 5. 6. 7. 8- 9. 10. 11. 23 1996 Scmrc.e Of the :— (i) Qtzrry at (ii) TdBi1 (iii) Parrhayat (iv) Nanw Of milrral Qnntity of mineral in slock and the quantity-proposed to Route Of transport of thc quantity (Own consumption/sale). In ca:ß of name and address of should furnishaj). In of Rail Trarusrxyt (i) Stmion of (ii) [Äination of the consignment with the name and thc address of consignee. Sale vahr Of mirwral Peruxi within thc applicant desires to ckspatch/trans- quantity. Inrticulus which the am)licant wishes to state. Uwe irreby ccrtify that Lhe rnrticuhrs given atxwe arc correct to thc best of my/our knowledge and belier. 2

FORM IX 1 See Rule 29 (7)1 TRANSIT PASS bcx»k NO. Trasit Pas NO. Nane of lesæRerrniL hol&r Nalw of MiEra1 Nane Of and Village Area of Qtzrry Pericd Of QÜry Dae of ikspach from quarry Time from thc Quarry Qinruity Of mineral being carried in cubic metres 220<114) 4. 5. 6. 23 1996 Name Of and destination Of the mineral being carried Truck,rrractor No. or name of the bullcrk cart owmer. Signature of Driver of the carrier. Signature of Lessee Contractor/ Munshi/Au1horised Agent. No over writing should be done and should be filled up in legible hand writing. (2) Original copy should be given to driver of the carrier and cartx»n copy should bc retained in this book for der%'siting the lxx»k back with the authority for issue of next pass book. (3) Omission to write date and time Or over writing attracts penalty. (4) Only One Transit Pass should issued to one carrier for each trip. FORM X (See Ruic 30(20) (0>1 MONTHLY RETURN (To tx submitted by 10th of ensuing month) To. (1) (2) 2. 3. 4. 5. 6

8. The Collector, Gran Panchayat figures bc given in cubic metres (1) (2) (3) (4) for thc month Of Name Of thc lessee . Address .. Location Of quarry (a) Village: (b) Tahsil : (c) Panchayat : Dclails Of lease (a) Khasra NO.. (b) Period of lease Oszning stock Prcxiuction or Mineral Total (1+2) Consumption Of Mineral Despatch Of Mineral consumptim Despatch (4+5) Closing (3—6) Transit pases used Book Nos. and Serial Nos. 9. 11. 12. 13. 14. 15. To, (1) 2. ProducLs from mineral consumed (a) OP2ning stock (b) Prcxiuction (c) Total (a+b) (d) Despatch (c) Closing stxk (c-d) Balance payablc royalty Royalty for this month Total royalty (10+11) Royalty paid vide challan No. . 23 1996 . änd FORM Rule 2200 IS) Signature of the lessee Or his authorised person Date. . Place Balance due (12—1.3) Remarks Thc Collector HALF YEARLY RETURN FOR THE PERIOD 1-1-19 to 30-6-19 1-7-19 to 31-12-19 (To submiued by 15th July') 5th Jantgtry) (2) (4) Name of thc lessee . . Address.. . Location Of quarry (a) Village: (b) Tahsil : (c) Panchayat : Details of lease (a) Khasra NO. . . (b) Period or Icasc Noce :—AII figures be given in cubic metres and rurxe.s Total rrodEtion in the Half Consumption 2XX1i6) 3. 4. 5. 6. 7. 8. 23 7Tå 1996 Total (2+3) Royalty Dead Rent Paid. Royalty (5—6) Royalty CtL No. (1) (2) (3) (4) (S) To, 2. 3. 4. 5. give details of :— pils rnouth valiE Saic price Average Of JV.rs«ms Onphyed per day Depth Of qtnrry Use of if any

FORM xn ISee Rule 30 (20) (c) 1 ANNUAL RETURN (To submitted by 31st January cvcry year) Collector. Part I—General atul *kitess Of Nane of Mine,/qu.nrry Details of lea": area— (i) Toul Mea with Khafra Nos. (ii) Date of Execution (iii) posession (iv) of (v) mxhayat (vi) Offre (viii) if Signature Of thc or his peruvi 6. 7. 8. 9. 10. 11. 12. 13. 23 1996 Ownership (Please Mark). (i) Schedule Trilw• Society (ii) Scheduled Caste Society (iii) unemployed Society (iv) Individual (Indicate sea'S. TIO.B.C. etc) (v) Any other Part 11—Utilisation of Area Lease area utilisation as at thc end of year— (i) Area already exploited and abandoned (iiy Arca covered under currenl operations (iii) Area u:-æd for waste dismi.sai (iv) Arca used [or any Other purpusc (Give details) Parl lil—Rents and Royaltyies Royalty paid during year— (a) Royalty during the year (b) Amount Of past arrears if any paid during the year Amount of dead rent paid during lhe year. Surface rent— (i) Arca for which surface rent is payable (ii) Amount paid for the year (iii) Amount paid Cor past arrears il any Part J V—production and Despatches. Production and Despatches (i) C)lwning stock Oil P«xluction (iii) Despatches (iv) Closing stcwk (ii) Over-head cost (iii) Interest (iv) Depreciation (v) Taxes, royalty etc. part or Production Cost per Explosives and machinery used (Givc details) 220017) Signature of lessee or his authorised rwrson 4. 220018) 2. 3. 4. 5. 6. ...19. (a) (b) (c) (d) (a) (b) (b) (c) 23 1996 FORM XIII (See Rule 30 (24)) NOTICE Name Of mine Name Of mineral worked Situation Of mine (village, Thana. Sub Division. District, State) Date when work was first started Name and postal address of present owner(s) name and postal address of agent. if any Name and postal addressr of Manager. if any His age His qualifications His experience in mining Whether working are likely to bc extended below ground. (a) (a) To be sent 10:— Maximum depth of open cast excavation measured from its highest to its lowest point. Date when depth first exceeded 6 metres. Nature, amount and kind Of explosives used, if any. Date when explosives were first used. Signature Of Owner/Agenl/Manager Date . l. The Director General, Mines Safety, Govt of India. Dhanbad. 2- The Controller General, Indian Bureau Of Mines, Govt. Of India, Nagpur

3. Ime District Magistrate of zhe District where Lhe mine situated

FORM Model form (Or transfer Of quarry lease When the transferor is an individual . [See Rule . The idenlure made this . . day between . ... (Name or the person with addrexs and occupation) hereinafter referred 10 as the "transferor" (which expression shall where the context so admits be deemed to include his heirs executors. administrators. representatives and assignees): OR When the transferor is a society/Ass0ciation . ... (Name of the society/Associåtion with address 23 Fré 1996 220019) and (Xcupation) and . . (Name of person with addres and xcupation) hereinafter referred lhe "transfemr" (which expression shall where the context so admits bc deemed to include their respective heirs. execulors administrators. representatives and their B?rmitLed assignees): OR When the transferor is a registered firm (Name Of the person with address of all the partners) all carrying on business in partnership under lhe firm name and style Of . , (Name Of the firm) registered under thc Indian Partnership Act, 1932 (9 Of 1932) and having their registered office at . _ . . hereinafter referred to the "Lransferor•• (which expression where the context so admiLs be deemed to include all the said partners. their resvvctive heirs. executors. legal representatives and permitted OR When thc transferor is a registered company . . . . (Name Of Company) a company regisle.red . . (Act under which incororated) and having its registered office at . . (Address) hereinafter referred to as the • •trnasferor•• (which expression shall where the context so admits be deemed to include its successors and permitted assignees) Of the firs' part. AND And when the tranfercc is an individual . . . (Name of ik•rson wilh address and occupation) hereinafter rclérred to as the ••transferce•• (which expression shall where the context so admiLs be deemed to include his heirs, executors, administrators representatives and permitted assignees,) OR When thc transferee is a sociC1y/Associati0n . . . . (Name of the society/associalion with address and cx.•cupation) and . (Namc of person with address and occupation) hcrcinafic•r rcferrcd to as the ' 'transferee." (which expression Shail where the context so admits bc deemed to include their respective heirs, excutors, administrators. representatives and their permitted assignees.): OR When lhe transferee is a registered firm . . (Name and address or all the partners) all carrying on business in partnership under the firm name and style of . . . , (Name 01 thc firm) registered under the Indian Partnership Act. 1932 (9 of 1932) and having their regiS1efcd Office at . . . . hereinafter referred to as the • •transferee' • (which expression where thc context so admits bc decmcd to include all said partners. their respective heirs. executors. legal representatives and permitted assignees). OR When the transferee is registered company . . . . (Name Of the Company) a company registered (Act under which incorporated) and having its registered office at . . (Address) hereinafter referred to the "transferee' • (which expression shall where the context so adrnits hc deemed to include its successors and permitted assignees) Of Che second pan. AND The Governor of Madhya Pradesh hereinafter referred to as thc • •State Government" (which expression Shal! where the Context so admils be deemed to include the successors and assignees) of Lhe third Whereas by virtue of an indenture of lease dated the . . . . and registered as No. . _ . . (date) in the office of the Sub-Registrar Of . (place) hereinafter referred LO as lease lhe original whereof is attached hereto and marked • A' entered into between the State Government (herein• called the lessor) and the transferor (therein called thc lessee), thc transferor is entitled to search for. win work . (name of mineral's) in thc lands described in Schedule thereto the mines and minerals in respect of and also in Schedule annexed hereto for lcrm and subject to the payment Of the rents and royalties and and performance of thc lessee's convenant and condition in thc said deed of lease reserved and contained includtng a convenant not to assign the lease or any interest thereunder without Lhe previous sanction of [he Compe.tanl Authority. 220(120) 23 1996 And Whereas the transferor is now desirous of transferring and assigning the lease to the transferee and the Comsptcnt Authority has at the request of the transferor. granted [Rrmission to the transferor vide order . to such a transfer and assignment of the lease upon the condition Of the transferee entering into an dated . agreement in and containing the terms and conditions hereinafter setf0rLh. Now this Deed Witnesseth as follows : 1. The transferee hereby convenants with the State Government that from and after the transfer and assignment of the lease the transferee shall be bound by, and be liable to perform, observe and conform and be subject to all the provisions of all the convenants, stipulations and conditions contained in said herein before recited lease in the same manner in all as if thc lease had gramed to the transferee as the lessee thereunder and hc had originally executed it as such

2. It is further hereby agreed and declared by thc transferor Of the one part and the transferee Of the Other part (i) The transferor and the transferee deciare that they have ensured thal the mineral rights over the area for which the quarry lease is being transfened vest in the Slate Government.(ii) The transferor hereby declares that he/she has not assigned, sublect; morLgaged Or in any other manner transferred the quarry lease now being transferred and that no other person or persons has any right. title Or interest whereunder in the present quarry lease being transferred. (iii) The transferor further declares that he/she has not entered into or made any agrccmcnts. contract or understanding whereby hc had been or is being directly or indirectly financed to a substantial extent by or under which lhe transléror's operation or understandings were or are being substantially controlled by any person or body of persons other than the transferer. (iv) The transferee hereby declares thal he/she has accepted ail the conditions and liabilities which the transferor was having in respect Of such "quarry lease. • • (v) The transferee further declares that he/shc is financially; capable of and will directly un(Ertake mining operations. (vi) The transferor has supplied to the transferee the Original or cenitied copies of all plans of abandoned workings in thc arca and ill a belt 6.5 metre wide surrounding 't. (vii) The transferee hereby further declares thal as a consequence 01 this the area which is held by him under quarry leases are not in contravention or the Madhya Pradesh Minor Minerals Rules. 1996. (viii) The transferer has paid all the rent. royalties and other dues towards Government till thc date. in respect of this lease. In witness whereof the parties hereto have signed on the date and year first above wriuen. SCHEDULE Location and area or the lease All that tract of lands situated at village . District bearing khusra Nos.. on the plan hereto annexed and thereon coloured . . (Description of area or areas) Tahsil . . or thereabout delineated , . containing an arca ot and bounded as Coliows : On thc North by . On the South by . On LheEastby..... And On the West by -4 23 1996 Signed by for and on tx:half of the State Govermenl in the presence of— 2. Signature Of Transferor in thc presence Of witnesses— Signature of transferee in the presence of— 2.

FORM XV (See Rule 37) FORM OF APPLICATION FOR QUARRY PERMIT . ..... (Date) Dale _ 220(121) Rcccived at . . Initial Of Receiving Officer . To, (Place) IIWe request that a quarry permit under thc Madhya Pradesh Minor Mineral Rules. 1996 bc granted to me/us. A sum oCRs. 25/- being the fee in respect of this application is delx)sited and cash receipt in original is enclosed. The following particulars are enclosed 1. Name Of applicant

2. Address of applicant. Registration certificate and by-laws Of the Society/AssOeiation. 3

4. Profession,'Naturc of business and place 01' working. Cast (Individual Or members or Society/Associa1i0n). 5

6. Educational qualification (individual or members Of Society/Association.) 7. Age (Individual or members of Socicty,/Association.) 8. Financial status (Individual or members Of Socie1y/Association.) 9. Name Of minor minerals applied for. 23 1996 220022) IO. Quantity in cu. mts. required. I l. Time within which the entire quantity will be removed and translx»rted. Purrx)se for which the minor mineral is to be used. 12

13. Consent of owner/owners in case oc private land

14. Certified copy of village plan wilh khasra panchsala indicating lhe land from which 'he minor mineral is to be removed and transported.I/We do hereby declare that the particulars furnished are correct and atn/are ready to furnish any other details may bc required by you. l/We do hereby further declare that l/We shall adhere to terms and conditions indicated in [X*rmit and rules in Madhya Pradesh Minor Minerals Rules. 1996 and any olhcr conditions imposed by Lhe competent authority, Yours faithlillly. Date : Signature of the applicant.

FORM xvi [See Rule FORM OF GRANT OF QUARRY PERMIT Quarry Permit No.. _ .. applied for grnat of quarry permit (or removal and transport 01' . Where as, Shri, . . Tahsil . (Minor Minerals) from Khasra No. . . . . Of Village. Panchayat . of thc Madhya Pradesh Minor Mineral Rules. 1996 and has paid an District .. . . . , under Rule .... application fee of Rs. 25/-. Permission is hereby granted to quarry, collect. remove and transpon , (mineral) from the aforesaid are4/areas indicated on the plan annexed hereto on the following conditions. l. quarry permit shall be valid for . . from the date issue

2. Thc quarry permit holders shall abide lhe conditions/providcd in lhe Madhya Pradesh MinG Mineral Rules

1996. Signature Of thc Competent Authority with scal of office. Shri . Copy to l. Mining Officer/Assistant Mining Officer 01' the District

2. Janpad PanchayaVGram Panchayat. Signature of thc Competent Authority with seal of office. 23 1996 FORM XVII iSee Rule QUARRY PERMIT AGREEMENT 220(123) This indenture made this . . . . . between thc Zila}Janpad/Gram Panchayat .19. . day Of (hereinafter called lhe 'Lessor' which expression shall where the context so admits, include his successors in office . . (hereinafter called the 'lessee' which expression shall. where the and assignees) of the one part, and . context so admits, include his heirs executors, administrators. representatives and assignees) of the other part. Where as the lessee has been granted a quarry permit by the lessor on his application in thc Gram Panchayat . . for thc purpose of quarrying . . District . Tahsil _ . Village . . area of . . . (Name of the Mineral) in the land comprising of Khasra Nn. . . . . Tor . hectares and lhe lessee has deposited thc application Cees of Rs. 25/- (Rs. Twenty five) and as security Rs. . . .) for thc due and faithful performance by the lessee of the convenants and conditions on Lhe (Rs. . purl of the lcsscc hereinafter contained. And whereas the Zila]Janpad/Gram Panchayat in resjx•ct of the lands so described and demised for a term of . . and subject to the convenants and conditions hereinafter contained now this indenture witness as follows The lessor hereby demises 10 thc lessee ail those lands being specifically described in the Schedule hereunder and delineated in the plan annexed hereunto and therein coloured . 2. there are included in the said demise and (or the purposes there of following liberties : (i) Minerals hereinafter authorised 10 be got l'rom lhe said lands by lhe lessee. (ii) Generally IO do all Ihings which shall be convenicnl or necessary gelling thc mineral and l•or removing and disposing thereto. (iii) The lessee hereby agrees 10 pay during lhe said terms royalty as spccitied in Schedule-Ill. (iv) To bear. pay and discharge all existing and future rates. assesstnent what so ever imposed or charged upon the demised land or thc produce thereof. (v) NOI to assign. sublet or pan with the possession of thc demised land. (vi) That the lessee shall keep correct accounts, in such t•orm as the Authority shall. from lime to' time, require and direct showing thc quantities and other particulars of the said mineral obtained by the lessee from the said lands. (vii) If in the course of quarrying any mineral not specified in this agreement is discovered the lessee shall at once report such discovery to thc Authority concerned and shall obtain orders or such comrx•tent Authority for working of the same. (viii) the lessor or their authorised officers shall be at liberty at all reasonable times to inspect and examine the works carried on by lhe lessee and may issue such orders and regulations as Inay be necessary as lhe result of such inspection 10 keep the lands in good order and condition or in the interest of public health and safety. (ix) Thc lessee shall not cut or injure any timber or trees. 220(124) 23 1996 caused to him or 10 his property by the lessee. Thc Authority shall bc competent to assess and fix any compensation payable by the lessee on this account. (xi) The lessee shall erect and maintain at his own expense boundary pillars of substantial material along the boudary as delineated in lhe plan annexed hereto. (xii) That this lease may be terminated in respect or the whole or any part of thc lands by a one month notice in writting on either side provided that the lessee has paid all outstanding dues before such notice is given by him. (xiii) That on such determination the lessee shall have no rights to compensation Of any kind. (xiv) The lessee shall immediately report all accidents to the competent authority and the collector Of the district. (xv)The lessee shall not transport any mineral without valid transit pass issued by thc competent authority in form IX. He/she shall surrender all duplicate of used transit and untLsed transit on expiry Of permil period

3. The lessor hereby convcnants wilh the lessee that on observing and performing thc several convenants and Stipulations herein md provided in the Madhya Pradesh Minor Mineral Rules, 1996, the lcssec shall peacelully hold and enjoy the demised land and the liberties hereby demised and granted during the said term without any intcruption by the lessor or any Ik'rson right fully

claiming under him.4. •Ihe said demised land shall be held by the lessee for the term Of . years from the . day of . . .19 to the. In witness where of . . day of . . 19 . acting for and on behalf Of and by an Order and direction Of thc said Zila/Janpad/Gram Panchayats and thc said lessee have hereto set their hands the day and year mentioned above. SCHEDULE Name Of village Witness : Witness : S.No. Khasra NO. (2) 2

2. Area in hectares Boundaries (4) Signed & delivered by thc above named, Lessor . Lcsscc . . . FORM XVIII ISec Rule 411 REGISTER OF QUARRY PERMITS l. Name Of the permit holder and address. fiFTi-qi 23 1996 Mineral for which permit has been granted. 3. 4. 5. 6. 9. No. & date of order. Period. Village

7. Tahs,l 8. Khasra & area. Signature of the Officer IO. Remarks. FORM [See Ruic Scheme of Environmental Management l. Name and Address of quarry lease holder

2. Particulars Of the area.(i) Date 01' execution of agreement. (ii) Period, (iii) Extent of area. (iv) Mineral. (v) Khasra Nos. (vi) Panchayat and tehsil Wii) District

3. Particulars or thc machines to be used 4.plan of the arca showing nurntx:r of pits already made showing all areas within metres or the lease boundary with details thereof. Details of quarriying oluations to bc undertaken. Scheme for plantation Of trees. 6

7. Scheme for progressive rcwlarnation and rehabilitation or the land disturbed

8. Scheme for prevention and control of air and water pollution. Any other matter which thc lessee desires 10 state

9. Place : Date : FORM XX I.see Ruic Quarterly report of Environment To, Thc Collector. Pin l. Name and Address Of lease holder

2. Particulars of lease.2201125) Signature Name in full