



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 94]

CHENNAI, FRIDAY, APRIL 22, 2016
Chithirai 9, Thunmugi, Thiruvalluvar Aandu-2047

Part III—Section 1(a)

**General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.**

NOTIFICATIONS BY GOVERNMENT

INDUSTRIES DEPARTMENT

AMENDMENTS TO THE TAMIL NADU MINOR MINERAL CONCESSION RULES, 1959

[G.O. (Ms.) No. 70, Industries (MMC.1), 22nd April 2016, சித்திரை 9, துன்முகி, திருவள்ளூர் ஆண்டு-2047.]

No. SRO A-8(a)/2016.

In exercise of the powers conferred by sub-sections (1) and (1-A) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Minor Mineral Concession Rules, 1959.

AMENDMENTS

In the said rules,-

(1) after rule 42, the following rule shall be added, namely:-

“43. Lease of lands for quarrying of the minor minerals specified in Appendix I-B.-

(1) The provisions of these rules shall apply to the minor minerals specified in Appendix I-B, to the extent they are not repugnant to or inconsistent with the following sub-rules.

(2) No prospecting licence shall be granted under this rule for the minor minerals specified in Appendix I-B.

(3) (i) The procedures laid down in rule 19-A of these rules shall apply for the grant of lease for quarrying of these minor minerals in ryotwari lands. The applications for grant of lease under this rule shall be made in the Form in Appendix – VII-B.

(ii) The maximum period for which a quarrying lease may be granted under this rule shall not exceed ten years and the minimum period for which any quarrying lease may be granted for the said minerals shall not be less than five years.

(iii) The maximum area that may be granted for lease under this rule shall not exceed five hundred hectares and the minimum area shall not be less than one hectare.

(iv) No lease granted under this rule shall be renewed.

(4) (i) The procedures laid down in rule 8-A of these rules shall apply for grant of lease to private persons in Government poramboke lands for quarrying of these minor minerals. The applications for tender and for grant of lease under this rule shall be made in the Form in Appendix – VI-D:

Provided that the conditions and procedure laid down under sub-rules (2)(a), (2)(b), 8(a)(ii), 8(a)(iii), 8(a)(iv), 9(g) and 9(h) and the proviso under sub -rule 6(b)(iii) of rule 8-A of these rules shall not apply for grant of lease under this rule.

(ii) The maximum period for which a quarrying lease may be granted under this rule shall not exceed ten years and the minimum period for which any quarrying lease may be granted for the said minerals shall not be less than five years.

(iii) The maximum area that may be granted for lease under this rule shall not exceed five hundred hectares and the minimum area shall not be less than one hectare.

(iv) No lease granted under this rule shall be renewed.

(5) (i) Quarry lease for these minerals to a State Government company or Corporation owned or controlled by the State Government in the Government poramboke lands shall be granted as per the procedure laid down in rule 8-C of these rules and applications for grant of lease under this rule shall be made in the Form in Appendix VII-B.

(ii) The maximum period for which a quarrying lease may be granted under this rule shall not exceed ten years and the minimum period for which any quarrying lease may be granted for the said minerals shall not be less than five years.

(iii) The maximum area that may be granted for lease under this rule shall not exceed five hundred hectares and the minimum area shall not be less than one hectare.

(iv) No lease granted under this rule shall be renewed.

(6) (i) The mining lease that may be granted under sub-rule (3), shall be executed in the Form in Appendix -IV or Appendix -V to these rules, as the case may be.

(ii) The mining lease that may be granted under sub-rule (4), shall be executed in the Form in Appendix -I to these rules.

(iii) The mining lease that may be granted under sub-rule (5), shall be executed in the Form in Appendix I-A to these rules.

(7) Seigniorage fee, area assessment and dead rent for the said minerals shall be as specified in Appendix -II and the amount shall be remitted at the rate fixed by the Government, from time to time”;

(2) after Appendix I-A, the following Appendix shall be inserted, namely:-

“APPENDIX I-B

(See rule 43)

<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>	<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>
(1)	(2)	(1)	(2)
1	Agate	10	Diaspore
2	Ball clay	11	Dolomite
3	Barytes	12	Dunite or Pyroxeniten
4	Calcareous sand	13	Felsite
5	Calcite	14	Felspar
6	Chalk	15	Fireclay
7	China clay	16	Fuschite Quartzite
8	Clay (others)	17	Gypsum
9	Corundum	18	Jasper

<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>	<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>
(1)	(2)	(1)	(2)
19	Kaolin	26	Quartzite
20	Laterite (Non-Metallurgical: Cement Grade, Chemical Grade)	27	Sand (others)
21	Limekankar	28	Shale
22	Crude Mica, Waste Mica, Scrap Mica	29	Silica sand
23	Ochre	30	Slate
24	Pyrophyllite	31	Steatite (or) Talc (or) Soap stone”;
25	Quartz		

(3) in Appendix – II, (i) after the heading “A. SEIGNIORAGE FEE”, the following heading and table shall be inserted, namely:-

“AA.SEIGNIORAGE FEE

<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>	<i>Seigniorage Fee per tonne (in Rs.)</i>
(1)	(2)	(3)
1	Ball clay	70
2	Barytes	400
3	Calcareous sand	80
4	Calcite	80
5	Chalk	75
6	China clay	70
7	Clay (others)	20
8	Diaspore	400
9	Dolomite	75
10	Dunite or Pyroxenite	30
11	Felsite	110
12	Felspar	100
13	Fireclay	30
14	Fuschite Quartzite	100
15	Gypsum	130
16	Jasper	170
17	Kaolin	30
18	Laterite (Non- Metallurgical: Cement Grade, Chemical Grade)	210
19	Limekankar	80
20	Crude Mica, Waste Mica, Scrap Mica	2000

<i>Sl.No.</i>	<i>Name of the Minor Mineral</i>	<i>Seigniorage Fee per tonne (in Rs.)</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
21	Ochre	24
22	Pyrophyllite	200
23	Quartz	170
24	Quartzite	75
25	Shale	60
26	Silica Sand	120
27	Slate	45
28	Steatite (or) Talc (or) Soap stone	70
29	Agate	100 per Carat
30	Corundum	2600 per Carat
31	Sand(others)**	—

** as applicable to the ordinary sand.”;

(ii) under the heading “B. RATE OF AREA ASSESSMENT”, after Sl. No.2, and the entries relating thereto, the following Sl.No. and the entries shall, respectively be inserted, namely:-

“2-A For the minerals specified in Appendix I-B 200.00”;

(iii) after the heading “C. DEAD RENT”, the following heading and table shall be inserted, namely:-

“CC. DEAD RENT

Rates of Dead Rent in Rupees per hectare per annum

<i>Minor Minerals (1)</i>	<i>From 2nd year of lease (2)</i>	<i>3rd and 4th year of lease (3)</i>	<i>5th year onwards (4)</i>
For the minerals specified in Appendix I-B.	400.00	1000.00	2000.00”;

(4) after Appendix VI-C to these rules, the following Appendix shall be inserted; namely:-

“APPENDIX VI – D

(See sub-rule (4) of rule 43)

TENDER APPLICATION FOR GRANT OF QUARRYING LEASE FOR MINOR MINERALS

(To be submitted in triplicate)

Dated _____ Day of _____ 20.. .

From

To

Sir,

A. I/We submit this application under sub rule 4 of rule 43 of the Tamil Nadu Minor Mineral Concession Rules, 1959, in respect of item No..... in District Gazette Notification No..... Dated or in newspaper advertisement dated

B. A sum of Rs...../- (.....) being the non-refundable application fee has been remitted under the following head of account.

"0853 Non-ferrous Mining and Metallurgical Industries-102. Mineral Concession Fees, Rent and Royalties-A. Quarries and Minerals – D.P. Code 0853-00- 102-AA-007"

C. The required particulars are given below:

1. Name of the applicant with full address.
2. Particulars of remittance of application fee (furnish challan No. and date. Enclose the original challan.)
3. Has the applicant filed an affidavit stating that the applicant
 - (a) has filed up-to-date income-tax returns.
 - (b) has paid the income-tax assessed on him and
 - (c) has paid the income-tax on the basis of self-assessment as prescribed in the Income-Tax Act,1961?.
4. (a) Whether Mining Dues Clearance Certificate towards payment of quarrying dues, if any, enclosed?
 (b) If on the date of application, the applicant does not hold any quarrying lease/mining lease whether an affidavit to this effect is furnished.
5. Minor mineral which the applicant intends to quarry with description:
6. Period for which quarrying lease is required:
7. Total extent of the area applied for:
8. Details of the area for which the tender application is made:

<i>District</i>	<i>Taluk</i>	<i>Village</i>	<i>Survey No.</i>	<i>Area in Hectare</i>
1	2	3	4	5
9. Maximum tender amount the applicant is willing to offer for getting quarrying lease (Specify both in figures and words)
10. Particulars of areas already held under quarrying lease in Tamil Nadu (Enclose an affidavit showing the particulars of areas mineral wise in each District of the State, which the applicant or any other person jointly with him already holds under a quarry lease;) already applied for but not yet granted; or being applied for simultaneously.
11. Any other particulars which the applicant wishes to furnish.

A copy of recent Passport size photo of the applicant shall be affixed

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details and security deposit as may be required by the Government or District Collector or District Forest Officer. I/We hereby swear and state that I/We know very well about the provisions contained in the Tamil Nadu Minor Mineral Concession Rules, 1959, in respect of granting of quarrying lease applied for and other conditions stipulated in connection with the quarrying and other operations.

Yours faithfully,

(Signature of the Applicant)";

Place:

Date :

5) After Appendix VII – A, the following Appendix shall be inserted; namely:-

“APPENDIX VII –B

(See sub rules (3) and (5) of rule 43)

APPLICATION FOR GRANT OF QUARRYING LEASE

(To be submitted in triplicate)

Dated _____ day of _____ 20 .

To

The Secretary to Government
Industries Department,
Fort St.George, Chennai-600 009.

Through: The District Collector / District Forest Officer

Sir,

A. I/We request that a quarrying lease under sub-rule (3) /sub-rule (5) of rule 43 of the Tamil Nadu Minor Mineral Concession Rules, 1959 may be granted to me /us.

B. A sum of Rs.5,000/- (Rupees Five thousand only) being non-refundable application fee for fresh grant or renewal of quarrying lease has been remitted under the following Head of Account:-

“0853 Non Ferrous Mining and Metallurgical Industries - 102 Mineral Concession Fees, rent, royalties-A. Quarries and Minerals-D.P.Code No.0853-00-102-AA-007.”

C. The required particulars are given below:-

1. Name of the applicant with full address:
2. Is the applicant a Government Company or Private Firm or Association?
3. Names of the Directors/Partners/Members and their Nationality:
(Documentary evidence should be produced)
4. Profession or nature of business of the applicant:
5. Particulars of remittance of non refundable application fee:
6. Has the applicant filed the latest income tax clearance certificate. If not whether the applicant has filed a sworn affidavit stating that the applicant:-
(a) has filed up-to-date income tax returns:

(b) has paid the income tax assessed on him; and

(c) has paid the income-tax on the basis of self-assessment as prescribed in the Income Tax Act 1961:
7. Minor mineral which the applicant intends to quarry with description:
8. Periods for which quarrying lease is required:
9. Total extent of area applied for:

A copy of recent
Passport size
photo of the
applicant shall
be affixed

10. Details of the area for which the quarrying lease is required:

<i>District</i>	<i>Taluk</i>	<i>Village</i>	<i>Survey No.</i>	<i>Extent (in Hectares)</i>	<i>Classification</i>
-----------------	--------------	----------------	-------------------	---------------------------------	-----------------------

(a) In case of patta lands whether documents in proof of having surface rights or consent of the registered holder have been enclosed?

11. Whether the F.M.B sketch and the topo sketch showing the area applied for have been enclosed?

12. Financial resources of the applicant: (enclose copy of the latest solvency certificate).

13. A sworn affidavit furnishing the particulars of areas already held under quarrying lease for minor minerals in each District of Tamil Nadu, already applied for but not granted and being applied for simultaneously:

14. (a) Latest Mining Dues Clearance Certificate as per Appendix-VIII:

(b) If on the date of application, the application does not hold any prospecting license and quarrying lease whether a sworn affidavit to this effect is furnished?

15. Whether any penal action taken/initiated against the lessee for violation of lease conditions. If so, furnish details and enclose supporting documents?

16. Any other particulars which the applicant desires to furnish:

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details and security deposit as may be required by the Government.

Place:

Yours faithfully,

Date:

(Signature of applicant)".

C.V. SANKAR,
Additional Chief Secretary to Government.