



# KERALA GAZETTE

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

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Vol. XXXVII] Thiruvananthapuram, Wednesday, 3rd June 1992 [No. 667  
13th Jyaistha 1914

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GOVERNMENT OF KERALA

Industries (L) Department

NOTIFICATION

G.O. (MS) No. 83/92/ID. Dated, Thiruvananthapuram, 3rd June, 1992.

**S. R. O. No. 685/92.**—In exercise of the powers conferred by sub-section (I) of section 15 of the Mines and Minerals (Regulation and Development), Act, 1957 (Central Act 67 of 1957), the Government of Kerala hereby make the following Rules further to amend the Kerala Minor Mineral Concession Rules, 1967, published under Notification No. 15203/E2/63 I.D dated 24th November, 1967 as S.R.O. No. 364/67 in Part I of the Kerala Gazette No. 49 dated 12th December, 1967, namely:—

## RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Minor Mineral Concession (Amendment) Rules, 1992.

(2) They shall come into force at once

2. *Amendment of the Rules.*—In the Kerala Minor Mineral Concession Rules, 1967—

(i) In rule 4, —the existing rule 4 shall be renumbered as sub rule (i) of that rule;

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(ii) in sub-rule (1) so renumbered after the words "any minor mineral" and before the words "not exceeding" the words "except for dimension stones as specified in rule 8A" shall be inserted.

(iii) after the existing provisos to sub-rule (1), the following shall be added as sub-rule (2), namely:—

"(2) In respect of dimension stones as specified in rule 8A, the quantity under one permit shall be limited to 500 cubic metre."

(iv) in sub-rule (i) of rule 6 for the letters, figures, brackets and words "Rs. 80 (eighty rupees only)" the letters, figures, brackets and words "Rs. 200 (Rupees two hundred only) for all minor minerals except for the dimension stones as stated in sub-rule (1A) below" shall be substituted.

(v) in rule 6, after sub-rule (i) the following shall be added as sub-rule (1A), namely:—

"(1A) The application fee in respect of dimension stones as specified in rule 8A shall be Rs. 5000 (Rupees Five thousand only) per hectare of area applied."

(vi) after rule 8, the following rule shall be added as rule 8A, namely:—

"8A *Classification of granite and other crystalline rocks.* The different varieties of granite and other crystalline rocks are classified as (i) Dimension stones which include all types of granites, dolerite, charnockite, leptynite and other crystalline rocks of Acid, Intermediate, basic and ultrabasic groups of igneous and metamorphic origin which are suitable for cutting to pre-determined sizes, polishing, carving and amenable for making value-added products in decorative monumental and ornamental fields of industry as a high-value item and (ii) all those group of rocks specified above in sub-item (1) which are not suitable for using as dimension stones as specified therein, but can be used as ordinary building stones, road metal, rubble and ballasts after breaking into irregular pieces by blasting or otherwise as low value item with different rates of royalty, dead rent."

*Note:*—Indulgence of quarrying or raising a high value item of dimension stone with the permit/lease taken for ordinary low value items of granite and other crystalline rocks attract provisions of Rule 58, besides the permit/lease is liable for cancellation without any notice.

(vii) in rule 18:—

(a) in sub-rule (i) after the words "grant of" and before the word "renewal" the words "quarrying lease or" shall be inserted;

(b) after sub-rule (1) the following shall be added as sub-rule (1A), namely:—

“(1A) The application fee for grant of quarrying lease or renewal of quarrying lease in respect of dimension stone as specified in the classification in rule 8A, shall be Rs 5000 (Rupees Five Thousand only) per hectare of area applied.”

(c) in sub-rule (2) (1) in item (a) for the words “one hundred rupees” following words shall be substituted, namely:—“Rupees Five hundred for all minor minerals, except dimension stones.”

(2) after item (b) the following items and note thereunder shall be added, namely:—

(c) The applicant should indicate in their application their plan for waste disposal and the area provided for the same.

(d) The applicants also should indicate their plan of reclamation and plans for minimising the adverse environmental and ecological impacts due to degradation of land and destruction of scenic beauty.

*Note:*—Non compliance of any of the conditions stipulated above is liable for rejection of the application without any refund of application fee.

(viii) in rule 28,—

in sub-rule (1) after the word “granted”, the words “for all minor minerals except for dimension stones” shall be added:

(2) after sub-rule (1) the following shall be added as sub-rule (1A), namely:—

“(1A) In respect of dimension stones as specified in classification under sub-item (1) in Rules 8A the lease period shall not exceed 10 years for those who establish cutting and polishing units within the State involving investment not less than a crore of rupees. In other cases, the lease period shall not exceed 3 years or for a quantity of 2000 cubic metres whichever event comes earlier, with provisions to renew the lease in deserving cases.”

(ix) in rule 31,—

(1) in sub-rule (1) for the words “One hundred rupees”, the words “One thousand rupees for all minor minerals except dimension stones” shall be substituted.

(2) after sub-rule (1), the following shall be added as sub-rule (2) namely:—

“In the case of dimension stones in rule 8A the security deposit shall be Rs. 10,000 (Rupees Ten thousand only) per hectare. The security amount shall be refundable on the expiry of period of lease after deducting penalties, if any”.

(x) in rule 48H, for the words “fifteen rupees” the words “One hundred rupees” shall be substituted.

(xi) in rule 49, in item (C) of sub-rule (1) for the letters, figures, words and brackets “Rs. 25 (Rupees Twenty Five only)”, the letters, figures, words and brackets, “Rs. 200 (Rupees Two hundred only)” shall be substituted.

(xii) in rule 58, in sub-rule (1) for the words “three months, or with a fine which may extend to five hundred rupees or with both and in the case of continuing contravention, with an additional fine which may extend to twenty five rupees” the words “one year, or with a fine which may extend to five thousand rupees or with both, and in the case of continuing contravention, with an additional fine which may extend to five hundred rupees” shall be substituted;

(2) after sub-rule (2), the following shall be added as sub-rules (3) and (4) namely:—

“(3) Whenever any person raises, without any lawful authority any minor minerals from any land, and for that purpose, brings on the land, any tool, equipment, vehicle or any other things, such mineral, tool, equipment, vehicle or other thing shall be liable to be seized by an officer or authority specially empowered in this behalf by the Government.”

“(4) Illegal transport of minor minerals without any valid permit issued by a competent authority is liable for seizure of the minor mineral along with the transport vehicle, equipment and tools and the owner and/or the driver shall be liable for punishment under rule 58, irrespective of the place from where the minor minerals have been raised.”

(xiii) for the existing Schedules I, II and III the following Schedules shall respectively be substituted, namely:—

## SCHEDULE I

**Rates of Royalty**

(See Rules 4 and 17)

<i>Name of minor mineral</i>	<i>Rate of Royalty</i>
(1)	(2)
1. Kankar and other forms of limestone and four kinds of limeshell, namely: <ul style="list-style-type: none"> <li>(i) White limeshell</li> <li>(ii) Black limeshell</li> <li>(iii) Drift limeshell or Sea shell and</li> <li>(iv) Shell of oyster</li> </ul>	Rs. 25 (twenty five rupees only) per tonne
2. Ordinary clay used for making bricks and tiles, ordinary sand used for non-industrial purposes and gravel	Rs. 10 (ten rupees only) per 1000 pieces or Rs. 5 (five rupees only) per tonne or Rs. 10 (ten rupees only) per cubic metre.
3. Dimension stones as specified in classification in rule 8A sub-item (i)	Rs. 2000 (two thousand rupees only) per cubic metre.
4. All those group of rocks as specified in classification vide rule 8A sub-item (ii) and laterite	Rs. 8 (eight rupees only) per tonne or Rs. 20 (twenty rupees only) per cubic metre.

## SCHEDULE II

**Dead Rent**

(See Rule 29)

<i>Name of minor mineral</i>	<i>Rate of Royalty</i>
(1)	(2)
1. Kaukar, limestone and limeshell	Rs. 2000 (two thousand rupees only) per hectare pe year
2. All other minerals except dimension stones stated in item (3) below	Rs. 1600 (rupees one thousand and six hundred only) per hectare per year.
3. Dimension stones as specified in classification in rule 8A, sub-item (i)	Rs. 30,000 (rupees thirty thousand only) per hectare per year

## SCHEDULE III

**Fees for Dealers' Licence and its Renewal**

(See Rule 48 B)

1. For Stocking upto 500 tonnes a year	Rs. 1000 (one thousand rupees only)
2. For stocking upto 1000 tonnes a year	Rs. 1500 (one thousand five hundred rupees only)
3. For stocking upto 2000 tonnes a year	Rs. 2000 (two thousand rupees only)
4. For stocking upto 4000 tonnes a year	Rs. 3000 (three thousand rupees only)
5. For stocking over 4000 tonnes a year	Rs. 3000 (three thousand rupees)
	Rs. 100 (one hundred rupees) for every 100 tonnes or part of it exceeding 4000 tonnes.

By order of the Governor,

K. M. CHANDRASEKHAR,

Secretary to Government.

## Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport.)

The Kerala Minor Mineral Concession Rules 1967 were framed by Government of Kerala to regulate the extraction and movement of all minor minerals in the State. Some provisions of the above rules were amended by Government by issue of notification No. 2571/K2/88/ID dated, 24-1-1989 and was published as S.R.O. No. 147/89 in the Kerala Gazette No. 95 dated 28th January 1989. Considering the present increased market value of the minor minerals and the increased expenditure involved in the regulatory functions under the Act and rules and in order to have strict control over the extraction and transportation of the minor minerals, Government find it necessary to amend the rules by increasing the rates of royalty, other fees for regulatory functions etc. and by including further clauses in the rules.

The notification is intended to achieve the above objective.