



GOVERNMENT OF KERALA

Abstract

Industries Department – Mining & Geology – Order dated 27/2/2012 of Hon'ble Supreme Court in IA Nos.12-13 of 2011 in SLP No.19628-19629 of 2009 on the grant of Mineral Concessions to minor minerals – Issuance of permits for extraction of minor minerals in private holdings - Modified - Orders issued.

INDUSTRIES (A) DEPARTMENT

G.O.(MS) No.144/2012/ID

Dated, Thiruvananthapuram,11/12/2012

Read:- 1) G.O(Ms)140/12/ID dated 23/11/2012
2) Letter No.3889/M2/2012 dated 28/11/2012 of the Director of Mining and Geology, Thiruvananthapuram.

ORDER

As per order read as 1st paper above, Government accorded permission to grant short term permits for existing quarries for extraction of minor minerals from private holdings, for a period not exceeding one year, if the applicant concerned complied with all other conditions for issuance of such permit, as well as other conditions regarding environmental clearance stipulated in the Supreme Court Order read as 1st paper above, wherever applicable.

2. But as per letter read as 2nd paper above Director of Mining and Geology requests to clarify the following parts:

(1) Whether short term quarrying permit for a period of less than one year can be granted without obtaining environmental clearance stipulated in the order of the Supreme Court dated 27.02.2012, if the application is satisfactory in all other respects.

(2) What are the conditions/circumstances that invite environmental clearance in the case of issuance of short term quarrying permit for minor minerals?

(PTO)

3.The matter has been examined in consultation with the Law Department. The legal opinion received is that short term temporary permits can be granted to those persons who are eligible if all other legal requirements for doing mining operations are complied with. It is therefore clarified that short term permits can be granted in respect of minor minerals in private holdings which are not on leases on Government lands subject to satisfaction of the various requirements specified under the Kerala Minor Mineral Concessions Rules 1967.

4.This order will be subject to further orders, if any, that would be passed by the Supreme Court of India on the clarification petition proposed to be moved by the Government of Kerala in the Supreme Court on the order dated 27/02/2012 in SLP (C) No.19628/2009.

5.The G.O read as 1 st paper above, is revised to this extent.

By Order of the Governor,

TOM JOSE
Special Secretary (In charge)

To

The Director of Mining & Geology, Thiruvananthapuram.
The Advocate General, Ernakulam.
The Government of India, Ministry of Mines, New Delhi (with C/L)
The Government of India, Ministry of Environment and Forest (with C/L)
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
The Accountant General (A&E), Kerala, Thiruvananthapuram
The Controller, Indian Bureau of Mines, Nagpur (with C/L)
The Law Officer, Office of the Resident Commissioner,
Kerala House, New Delhi.

The Commissioner of Land Revenue, Thiruvananthapuram.

All District Collectors.

All District Geologists.

The Chairman, Kerala State Pollution Control Board,
Thiruvananthapuram.

The Law/Local Self Government/Home/Forest/Revenue/
Environment/Finance Departments.

Stock File, Office Copy

Copy to: The General Administration (SC) Department
(vide item No.2590 dated 15/11/2012)

PS to Minister (Industries)

PA to Additional Chief Secretary, Industries.

PA to Special Secretary, Industries (IP).

Industries.(A4/B) Department.

Forwarded/By Order,


Section Officer.