

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Conservation and Development of Minor Minerals and Regulation of 31 newly declared Minor Minerals – Orders – Issued.

INDUSTRIES & COMMERCE (M.II) DEPARTMENT

G.O.Ms.No.

Dated:30-04-2016

Read the following:

1. A.P. Minor Mineral Concession Rules, 1966.
2. GSR No.423 (E), dt. 10-02-2015 from the Ministry of Mines, Govt. of India, New Delhi.
3. G.O.Ms.No.105, Industries & Commerce (M.II) Dept., dt. 13-11-2015.
4. MoEF, GoI, Notification No.141(E), dt.15-01-2016.
5. G.O.Ms.No.18, Industries & Commerce (M.II) Dept., dt. 13-01-2016.
6. G.O.Ms.No.34, Industries & Commerce (M.II) Dept., dt. 14.03.2016.
7. G.O.Ms.No.38, Industries & Commerce (M.II) Dept., dt. 17-03-2016.
8. From the Director of Mines and Geology, Lr.No.7836/P/2014, dt.01.04.2016.

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ORDER:

In the GSR 2nd read above, Government of India have notified 31 Major Minerals as Minor Minerals in addition to the minerals already declared by the notification under section 3 (e) of Mines & Minerals (Development & Regulation) Act, 1957. Therefore, suitable provisions for granting of mineral concessions and regulation of mining operations in respect of these 31 minerals have to be created under Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. In the G.O 3rd read above, Government have amended Rule 10 of Andhra Pradesh Minor Mineral Concession Rules, 1966 thereby incorporating the 31 minerals in Schedule-I to rule 10.

3. In the reference 4th read above, the Government of India notified guidelines for constitution of District Level Environmental Impact Assessment Authorities and other guidelines for issue of Environmental Clearances for Minor Mineral leases for an extent of less than 5.000 Hectares etc. Accordingly, Mining Plan has become a pre-requisite for obtaining Environmental Clearance. Hence, a provision to the effect that quarry operations for Minor Minerals shall be conducted in accordance with the Approved Mining Plan has to be incorporated.

4. In the G.O. 5th read above, the Government while Rechristening of DMRTUF Trust as MERIT, and ordered to collect 2% on seigniorage fee on all Minor Minerals as contribution to MERIT. As such, Andhra Pradesh Minor Mineral Concession Rules, 1966 has to be amended to enable the department to collect 2% on seigniorage fee from the Lease holders.

5. In the G.O. 6th read above, orders were issued delegating the powers to the Director of Mines and Geology, A.P., Hyderabad for grant of mining leases in respect of newly declared (31) minor minerals.

6. In the G.O. 7th read above, the Government have announced the Manufactured Sand Policy – 2016.

7. In the letter 8th read above, the Director of Mines and Geology has proposed certain amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 for providing for grant and regulation of mineral concession for 31 minerals and conduct of quarry operations of the all Minor Minerals other than Granite and Marble in accordance with the Approved Mining Plan.

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8. The Government after careful examination of the proposal have decided to amend the Andhra Pradesh Minor Mineral Concession Rules, 1966.

9. Accordingly, the following notification will be published in an Extra-ordinary issue of the Andhra Pradesh Gazette dated.30-04-2016.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 15 of the Mines & Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries and Commerce (M.I) Department, dated.04-09-1967 as subsequently amended from time to time.

AMENDMENTS

In the said rules, -

1. after sub-rule (f) of rule 4, the following shall be added, namely,-

“(g) ‘Mining Plan’ means a Mining Plan prepared under rule 7-A and scrutinized by Deputy Director of Mines and Geology for the development of mineral deposits in the area concerned.

(h) ‘Recognized Qualified Person’ means a person or an agency granted recognition by the Director of Mines and Geology or Indian Bureau of Mines (IBM) accredited person or consultancy to prepare Mining Plan.”
2. for the words ‘Granite and Marble’ wherever occur, the words ‘Granite, Marble and 31 Minerals mentioned at Sl.Nos. 18 to 48 in Schedule – I of rule 10,’ shall be substituted.
3. after rule 5 , the following shall be added namely,-

“ 5 A (i) All the Mining Leases granted for the 31 Major Minerals that are declared as Minor Minerals and incorporated at Sl.Nos. from 18 to 48 in Schedule-I of rule 10 shall be regulated in accordance with the Andhra Pradesh Minor Mineral Concession Rules, 1966.

(ii) The provisions of rule 9 (iii) and rule 12 (5) (a) (ii) shall not be applicable in respect of 31 minerals mentioned at Sl.Nos. from 18 to 48 in Schedule-I of rule 10”.
4. after rule 7, the following rule shall be added namely, -

“7 A (i) For systematic and scientific development of minor mineral deposits, quarry operations shall be under taken in accordance with the Mining Plan approved by the competent authority.

(ii) Mining Plan shall be prepared by a Recognized Qualified Person (RQP) in accordance with in Form –T for Minor Minerals other than Granite and Marble and submit to the authority authorized in this behalf for approval duly paying an amount of Rs.1,000/- towards processing fee.

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(iii) Every Mining Plan duly approved under these rules shall be valid for the entire duration of the lease. The lessee shall review the mining plan and submit the scheme of mining for the next five years of the lease, 120 days before the expiry of the every five years period, for approval wherever quarry lease is required beyond 5 years.

(iv) If the Approved Mining Plan requires modifications within the lease period, the lessee shall carry out such modifications and re-submit the modified mining plan to the officer duly authorized in this behalf for approval”.

5. after sub-rule (5) of rule 10, the following shall be added, namely,-

(6) When the quarry lease is granted, the lessee shall pay an amount equal to 2% on Seigniorage Fee towards contribution fund for Mineral Exploration, Research and Innovation Trust (MERIT)”.

6. in rule 12, -

(i) for sub-rule (3) of the following shall be substituted, namely, -

“(3) The quarry lease applications for minor minerals under [items at Sl.No.1 to 3(a)] of Schedule-I to rule 10 shall be disposed off by the Deputy Director in order specified below:

(i) Application filed by Manufactured Sand Units (Existing units without quarry and green field units).

(ii) Crusher owners who do not have quarries.

(iii) Applications of Societies of Professional/(local) Traditional stone cutters (Waddaras).

(iv) Others.

Provided that the above priorities shall prevail if the subsequent applications are received within 30 days of the receipt of the first application, otherwise the applications shall be disposed off in the order of their receipt.

Provided further that the Deputy Director may with the prior approval of the Government grant a quarry lease overlooking the above priorities for any special reasons to be recorded in writing.

Provided also that whenever more than one application falling under category (1) above are received for grant of quarry lease and have to be considered, the Deputy Director shall refer the matter to the Government with his recommendations for a direction”.

(ii) sub-rule (4) shall be omitted.

(iii) in item (a) of sub-rule (5) for sub item (i), the following shall be substituted, namely,-

“(i) A Prospecting License or a quarry lease for Granite useful for cutting and polishing, Marble and the 31 minerals mentioned at Sl.No.18 to 48 in schedule I of rule 10 shall be granted by the Director on an application made to the Assistant Director of Mines and Geology concerned in Form “N” or “P” and each application shall be accompanied by a sketch drawn to the scale demarcating the

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boundaries duly signed by the applicant and by a qualified surveyor and by a treasury challan for Rs.10,000/- (Rupees Ten Thousand) towards non refundable application fee and deposit of Rs.25,000/- (Rupees Twenty Five Thousand) for every hectare or part thereof in a bank account notified by the Director for this purpose. The deposit amount shall be refundable when the application is rejected on technical grounds like non availability of area, rejection of No Objection Certificate (NOC). The deposit amount shall be forfeited when the applicant fails to attend survey and inspection, withdrawal of the application by the applicant and non execution of the lease, and any other lapse on the part of the applicant.

Provided that the Andhra Pradesh Mineral Development Corporation Limited, (a wholly owned State Government Undertaking) is exempted from payment of deposit”.

7. in sub-rule (2) of rule 13,
 - (a) for the words “at least ninety days before”, the words “before ninety days” shall be substituted.
 - (b) after the words “.... it shall be disposed off before expiry of the lease period”, the words “the Director of Mines & Geology may condone the delay in filing the application for renewal of quarry lease after the time limit prescribed and such application is received before expiry of the lease period”.
8. in the Note available under Second renewal of Condition (xiv) of rule 31, for item (3), the following shall be substituted, namely,-

“(3) In case of leases for Minor Minerals useful for Road Metal, Ballast and Manufacture Sand serving as captive source for crushing unit/Manufactured Sand unit, the renewal may be granted as long as crushing/manufactured sand unit is in operation”.

Encl: Model Form-T

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M. GIRIJA SHANKAR,
SECRETARY TO GOVERNMENT (MINES & FP) (FAC)**

To

The Commissioner of Printing, Stationary (Ptg. Wing), A.P. Hyderabad. (He is requested to publish the above Notification in an Extra-ordinary issue of Andhra Pradesh, and arrange to send 1000 copies of the same to Government in Industries & Commerce (M.II) Department).

The Director of Mines and Geology, Andhra Pradesh, B.R.K.R. Complex, Hyderabad.
All the Joint Director/Deputy Director/Asst. Director of Mines and Geology (**through** the Director of Mines and Geology, Andhra Pradesh, Hyderabad)

Copy to:

The Secretary to Govt. Ministry of Mines, Govt. of India, Sashtri Bhavan, New Delhi.
The Law (H) Department. / The Finance Department.

The P.S. to Minister for Women Empowerment, Child Welfare and Disabled
& Senior Citizens Welfare and Mines & Geology.

The P.S. to Secretary to C.M.

SF/SC (C.No.14755/M.II(1)/2015)

//FORWARDED :: BY ORDER//

SECTION OFFICER