

**Government of Rajasthan**  
**Mines (Gr.II) Department**

No. F.14(9)Mines/Gr.II/2015-Pt. II

Jaipur, dated: \_\_\_\_\_

**NOTIFICATION**

In exercise of the powers conferred by section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the State Government hereby makes the following rules further to amend the Rajasthan Minor Mineral Concession Rules, 2017, namely:-

**1. Short title and commencement.-** (1) These rules may be called the Rajasthan Minor Mineral Concession (Second Amendment) Rules, 2017.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Amendment of rule 4.-** In rule 4 of the Rajasthan Minor Mineral Concession Rules, 2017, hereinafter referred to as the said rules,-

- (i) in clause (iv) of sub-rule (1), for the existing expression "premium amount equal to two and half times of the dead rent or as may be determined by the Government from time to time, which shall be payable every year", the expression "one time premium equal to two and half times of the dead rent which shall be payable" shall be substituted.;
- (ii) the existing first proviso to sub-rule (1) shall be deleted.; and
- (iii) in the existing second proviso to sub-rule (1), for the existing expression "Provided further", the expression "Provided" shall be substituted.

**3. Amendment of rule 5.-** In rule 5 of the said rules,-

- (i) in sub-rule (1), for the existing expression "premium amount equal to two and half times of the dead rent or as may be prescribed by the Government, from time to time, which shall be payable every year", the expression "one time premium equal to two and half times of the dead rent which shall be payable" shall be substituted.;
- (ii) the existing first proviso to sub-rule (1) shall be deleted.;
- (iii) in the existing second proviso to sub-rule (1),-
  - (a) for the existing expression "Provided further", the expression "Provided" shall be substituted.; and
  - (b) for the existing expression "within a period of three months from the date commencement of these rules, if such consent deed is not submitted within a period of said three months", the expression "before grant of mining lease, if such consent deed is not submitted" shall be substituted.; and
- (iv) after the existing sub-rule (2) and before the existing sub-rule (3), the following new sub-rule (2A) shall be inserted, namely:-

"(2A) Where the letter of intent has been issued through lottery or in khatedari land under the Rajasthan Minor Mineral Concession Rules, 1986

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and the application was deemed rejected as per the provisions of rule 89 of these rules, notwithstanding anything contained in these rules, such application shall be considered as if received under these rules subject to payment of one time premium equal to two and half times of the dead rent or licence fee which shall be payable in advance and shall not be adjusted against dead rent or royalty or rent. Such application shall be disposed off by the competent authority as per the provisions of rule 16 or by the Mining Engineer or Assistant Mining Engineer concerned as per the provisions of rule 17, as the case may be.”.

**4. Amendment of rule 6.-** In sub-rule (1) of rule 6 of the said rules,-

- (i) for the existing expression "premium amount equal to two and half times the dead rent or as prescribed by the Government, from time to time, which shall be payable every year", the expression "one time premium equal to two and half times of the dead rent which shall be payable" shall be substituted.;
- (ii) the existing first proviso shall be deleted.;
- (iii) in the existing second proviso, for the existing expression "Provided further", the expression "Provided" shall be substituted.;
- (iv) in the existing third proviso, for the existing expression "Provided also", the expression "Provided further" shall be substituted.

**5. Amendment of rule 20.-** The existing sub-rule (2) of rule 20 of the said rules shall be substituted by the following, namely:-

“(2). The amount of performance security deposit shall be,-

- (i) a sum equal to fifty percent of annual dead rent for mining lease; and
- (ii) a sum equal to fifty percent of annual licence fee for quarry licence.”

**6. Amendment of rule 23.-** The existing sub-rule (2) of rule 23 of the said rules shall be substituted by the following, namely:-

“(2) Notwithstanding anything contained in the instrument of the lease or any law or rules in force at the time of commencement of these rules, the holder of mining lease of any mineral granted under,-

- (i) the Mineral Concession Rules, 1960 and subsequently mineral declared as minor mineral shall pay to the Government, the dead rent at the rate prevailing on 01.09.2014, till 31.08.2017 and thereafter as per the rates specified in Schedule III, as amended from time to time, for all the areas included in the instrument of lease; or
- (ii) the Rajasthan Minor Mineral Concession Rules, 1986, shall pay to the Government, the dead rent at the prevailing rate on 28.02.2017, till 31.08.2017 and thereafter as per the rates specified in Schedule III, as amended from time to time, for all the areas included in the instrument of lease:

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Provided that the dead rent calculated as per the clause (i) or (ii) above, as the case may be, shall not exceed twice the existing dead rent and if exceed, shall be limited to the extent of twice of the existing dead rent.

Provided further that holder of mining lease paying existing dead rent upto rupees one thousand per hectare, shall have to pay minimum of rupees two thousand per hectare.

Provided also that in case of leases granted under the Rajasthan Minor Mineral Concession Rules, 1986, revision of dead rent as per clause (ii) shall only be applicable after the expiry of three years from the date of last revision made under sub-rule (3) of rule 18 of the Rajasthan Minor Mineral Concession Rules, 1986.”

**7. Amendment of rule 27.-** In sub-rule (9) of rule 27 of the said rules,-

- (i) after the existing first proviso and before the existing second proviso, the following new proviso shall be inserted, namely:-

“Provided further that where transferee is wife/husband or son/daughter of transferor, the premium amount shall be rupees fifty thousand.”; and

- (ii) in the existing last proviso, for the existing expression “Provided further”, the expression “Provided also” shall be substituted.

**8. Amendment of rule 28.-** In rule 28 of the said rules,-

- (i) in sub-rule (1), the existing sub-clause (b) of clause (ii) shall be substituted by the following, namely:-

“(b) The lessee or licensee of lease or licence granted through auction under these rules shall also pay premium amount as specified in rule 13”; and

- (ii) in sub-rule (2), in clause (ii), for the existing expression “such yearly dead rent in advance”, the expression “such annual dead rent in advance equated quarterly installments” shall be substituted.

**9. Amendment of rule 53.-** In rule 53 of the said rules,-

- (i) the existing sub-rule (2) shall be substituted by the following, namely:-

“(2) The quantity of brick earth for which permit may be granted shall be calculated on the basis of following formula:-

Annual quantity of brick earth (tonnes) = 150 x W x N

Where W means the weight of one thousand bricks of size 9" x 4.5" x 3" and shall be taken as two point eight tonnes and N means number of vertical columns (ghodies) of bricks between the outer and inner walls of brick kiln along its width. The royalty of the annual quantity of the permit shall be calculated by the above mentioned formula at the rates specified in Schedule II.”;

- (ii) in sub-rule (4),-

- (a) the existing clause (viii) shall be substituted by the following, namely:-

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“(viii) first installment equal to one fourth of annual royalty; and”;  
and

(b) in clause (ix), for the existing expression “of rupees fifteen thousand”, the expression “equal to fifty percent of annual royalty” shall be substituted.;

(iii) in sub-rule (8),-

(a) the existing clause (i) shall be substituted by the following, namely:-

“(i) The permit holder shall deposit annual royalty alongwith contribution to the District Mineral Foundation Trust fund in advance equated quarterly installments;”;

(b) the existing clause (v) shall be substituted by the following, namely:-

“(v) The permit holder shall deposit within sixty days from the date of enhancement of royalty, a further sum so as to make the total security deposit as mentioned in clause (ix) of sub-rule (4);” and

(c) in the existing clause (vii), for the existing expression "in such case surrender of permit may be accepted by the Mining Engineer or Assistant Mining Engineer concerned if there are no dues against permit holder", the expression "the permit holder may surrender the brick earth permit by making an application in this regard alongwith a no dues certificate to the Mining Engineer or Assistant Mining Engineer concerned mentioning the intended date of surrender:

Provided that application for surrender of permit shall only be allowed if it is for one or more complete year(s)." shall be substituted.

**10. Amendment of rule 74.-** After the existing clause (iv) and before the existing clause (v) of sub-rule (2) of rule 74 of the said rules, the following new clause (iv-a) shall be inserted, namely:-

“(iv-a) excavation of brick earth used in making bricks by way of awa kajawa for non commercial purpose;”

**11. Amendment of FORM-6.-** In FORM-6 appended to the said rules, in sub-clause (3) of clause 4, for the existing expression “the yearly dead rent in advance”, the expression “the annual dead rent in advance equated quarterly installments” shall be substituted.

**12. Amendment of FORM-28.-** In FORM-28 appended to the said rules,-

(i) in the heading of second table, for the existing expression “annual permit fee”, the expression “annual royalty” shall be substituted.;

(ii) in column 5 of second table, for the existing expression “fee”, the expression “royalty” shall be substituted.;

(iii) in the conditions,-

(a) the existing clause (i) shall be substituted by the following, namely:-

“(i) The permit holder shall deposit annual royalty alongwith contribution to the District Mineral Foundation Trust fund in advance equated quarterly installments;”;

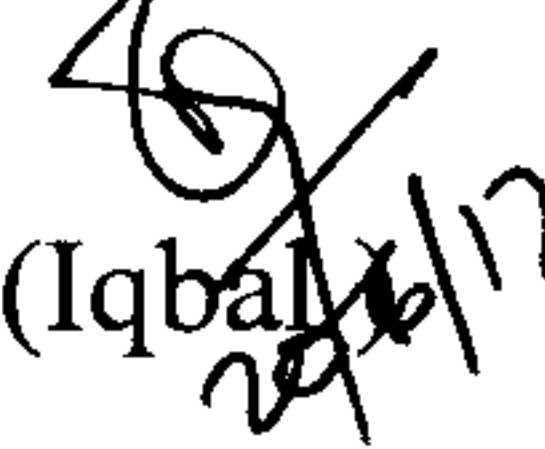
(b) the existing clause (v) shall be substituted by the following, namely:-

“(v) The permit holder shall deposit within sixty days from the date of enhancement of royalty, a further sum so as to make the total security deposit as mentioned in clause (ix) of sub-rule (4) of rule 53;” and

(c) in the existing clause (vii), for the existing expression "in such case surrender of permit may be accepted by the Mining Engineer or Assistant Mining Engineer concerned if there are no dues against permit holder", the expression "the permit holder may surrender the brick earth permit by making an application in this regard alongwith a no dues certificate to the Mining Engineer or Assistant Mining Engineer concerned mentioning the intended date of surrender:

Provided that application for surrender of permit shall only be allowed if it is for one or more complete year(s)." shall be substituted.

By order of the Governor,

  
(Iqbal)

Jt. Secretary to the Government

Copy forwarded to the following for information and necessary action:-

1. Pr. Secretary, HE Governor of Rajasthan, Jaipur
2. Secretary, Hon'ble Chief Minister, Rajasthan, Jaipur
3. Secretary, Rajasthan Legislative Assembly, Jaipur
4. Accountant General, Rajasthan, Jaipur
5. SA to State Minister, Mines Department, Rajasthan, Jaipur
6. JS to Chief Secretary, Rajasthan, Jaipur
7. PS to ACS, Forest, Environment & Mines (Co-ordination), Rajasthan, Jaipur
8. PS to Pr. Secretary, Mines & Petroleum Department, Rajasthan, Jaipur
9. Director, State Department of Revenue Intelligence (SDRI), Vitt Bhawan, Jaipur
10. Director, Mines & Geology Department, Rajasthan, Udaipur
11. DMGOMS cell, Directorate Mines & Geology, Rajasthan, Udaipur for uploading on Departmental website.
12. Director, Government Press, Jaipur (with one spare copy and CD) with the request to publish the above notification in "Extra ordinary Gazette" immediately.
13. Guard File.

  
Jt. Secretary to Government