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GOVERNMENT OF MANIPUR  
SECRETARIAT : COMMERCE & INDUSTRIES DEPARTMENT

**NOTIFICATION**

Imphal, the 7th March, 2013

No. 43/3/2012-C & I : In exercise of the powers conferred by Section 15(1) of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957), the Governor of Manipur hereby makes the following rules, namely, "The Manipur Minor Mineral Concession Rules, 2012", which is attached as annexure.

O. NABAKISHORE SINGH,  
Principal Secretary (Commerce & Industries),  
Government of Manipur.

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**THE MANIPUR MINOR MINERAL CONCESSION RULES, 2012**

**CHAPTER - I**

**PRELIMINARY**

1. **Short title, extent and commencement:-**

- (1) These rules may be called the Manipur Minor Mineral Concession Rules, 2012.
- (2) They shall extend to the whole of the State of Manipur.
- (3) They shall come into force from the date of their publication in the Official Gazette.

2. **Definitions:-** In these rules, unless the context otherwise requires.-

- (a) "Act" means the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957);
- (b) "Competent Officer" in relation to any provision of these rules, means any such officer appointed by the State Government to be the Competent Officer for the purposes of that provision;
- (c) "Deputy Commissioner" means the Deputy Commissioner of a revenue district and includes any officer appointed by the State Government to exercise and perform all or any of the powers and function of a Deputy Commissioner under these rules;
- (d) "Directorate" means the Directorate of Commerce & Industries, Government of Manipur;
- (e) "Director" means the Director of Commerce & Industries, Government of Manipur, or any officer empowered by the State Government to exercise and perform the powers and duties of the Director under these rules;
- (f) "forest" may as understood in Indian Forest Act, 1927;
- (g) "Form" means a form set out in Schedule -IV appended to these rules;
- (h) "Licensee", Lessee", "Permit holder", and "Contractor" means a person holding a prospecting licence, a quarrying lease, a quarrying permit, a quarrying contract, respectively under these rules;
- (i) "Local body" means a Municipal Committee, District Board or other authority legally entitled to, or entrusted, by the Government with, the control or management of a municipal or local fund;

- (j) "minor minerals" means minor minerals as defined in sub-clause (e) of section 3 of the Act;
- (k) "Owner of Land" or " occupier of surface land" means an individual or body or authority who , by lawfully being the owner of a land, owns the right to its surface and other properties than the mines, minerals, and mineral products in and over the same;
- (l) "person" means an individual , a firm, a company, an association or body of individuals, an institution or department of the State or Central Government;
- (m) "Presiding Officer" means the Director or any other officer nominated or authorised by the Director for holding auction / calling tenders under these rules;
- (n) "prospecting operations" means any operations undertaken for the purpose of exploring, locating or proving minor mineral deposits;
- (o) "Quarrying operation" means any operation undertaken for the purpose of quarrying or mining any minor mineral;
- (p) "Quarrying concession" means any of the types of concessions such as quarrying lease, permit, or contract, granted under these rules;
- (q) "Quarrying lease" means a mining lease for minor minerals granted under these rules;
- (r) "Quarrying permit" means a permit granted to extract and remove a minor mineral in specified quantity from specified area during specified period;
- (s) "Quarrying contract" means a contract granted, through auction or tenders, to extract and remove a minor mineral during specified period from specified areas notified by the Government;
- (t) "Schedule" means a schedule appended to these rules;
- (u) "State Government" means the State Government of Manipur;
- (v) Words or expression used but not defined in these rules shall have the same meaning as are respectively assigned to them in the Act.

**3. Limitation of application of Rules :-**

(1) Notwithstanding anything contained in these rules, no rent, royalty or permit fee for extraction of ordinary clay, ordinary sand, masonry stones, as the case may be, from areas which are not held by lessee or permit holder or contractor shall be charged for-

- (a) making earthen pots on a cottage industry scale by a hereditary or traditional potter whose annual turnover does not exceed ten thousand rupees.
  - (b) bonafide personal requirements, such as betterment of agricultural land, construction of house, etc. of the owners of the surface land.
- (2) Nothing in these rules shall affect the provisions of any Central Act or Rules or Regulations made thereunder for the purposes of regulation and development of mines and minerals and of the safety of the persons working in the quarries or mines.

**CHAPTER-II**

**GENERAL RESTRICTIONS AND CONDITIONS ON UNDERTAKING PROSPECTING AND QUARRYING OPERATIONS**

**4. Prospecting or quarrying operations to be under licence or concession:-**

(1) No person shall undertake any prospecting or quarrying operation in any area, except under and in accordance with the terms and conditions of a prospecting licence or, as the case may be, a quarrying concession, granted under these rules:

Provided that nothing in this sub-rule shall affect any prospecting or quarrying operation undertaken in any area in accordance with the terms and conditions of a prospecting licence, or as the case may be, a quarrying concession, granted before the commencement of these rules which are in force at such commencement;

Provided further that nothing in this sub-rule shall apply to any prospecting operations undertaken by the Directorate or its agent, the Geological Survey of India, the Indian Bureau of Mines, the Atomic Minerals Division of the Department of Atomic Energy of the Central Government and the Mineral Exploration Corporation Limited, and any other such Central or State Government organisation, or Company (within the meaning of Section 617 of the Companies Act, 1956) as may be exempted by the State Government from the application of this sub-rule.

(2) No prospecting licence or quarrying concession shall be granted otherwise than in accordance with the provisions of these rules.

**5. Restrictions on the grant of prospecting licence or quarrying concession:-**

(1) No prospecting licence or quarrying concession shall be granted to a person who is not an Indian National, except with the previous approval of the Central Government.

(2) The State Government as it deems fit may, by notification in the Official Gazette, reserve lands for the purpose of the grant of quarrying concessions, the type of which being specified or not, and no quarrying lease shall be granted in such lands so specified for quarrying permit or contract.

(3) No quarrying contract shall be granted in respect of any land of which the property right to its surface does not vest in the Government, either permanently, or temporarily at least for the period prescribed for such contract.

(4) No prospecting licence or quarrying concession shall be granted in respect of lands notified by the Government as reserved for the use of the Government, or local Authorities, or for any other public or special purposes except with the previous approval of the Government.

(5) No prospecting licence or quarrying concession shall be granted in any forest areas without the concurrence of the Ministry of Environment and Forest, Government of India, under Section 2 of the Forest (Conservation), Act, 1980;

(6) No extraction of minor mineral from river bed shall be granted if the river is in National Park/Wild Life Sanctuary/Wildlife protected areas/Biosphere Reserve/Eco-sensitive zones;

(7) No prospecting licence or quarrying concession under these rules shall be granted in respect of an area or a mineral in respect of which a prospecting licence or mining lease granted under the Mineral Concession Rules, 1960 subsists.

(8) Where there subsists during the subsistence of an application for prospecting licence or quarrying concession under these rules an application for prospecting licence or mining lease under the Mineral Concession Rules, 1960 in respect of the same mineral or different mineral in the same area, the application under these rules shall not be considered till the application under the Mineral Concession Rules, 1960 is not decided.

**6. Minimum and Maximum area for which a prospecting licence or quarrying concession may be granted:-**

(1) Where the mining area is homogeneous, it should not be broken into smaller sizes and that the minimum area for grant of quarrying concession should be five hectares.

Provided that in cases of isolated, discontinued mineral deposits in less than five hectares, lesser areas may be considered but keeping in view the mineral conservation. However, the area should not be less than one hectare.

Provided that cluster approach in cases of smaller mine leases will be adopted considering the economic conditions of the lessees and the likely difficulties to be faced in monitoring the environmental impacts and implementation of necessary mitigation measures.

Provided that the sum total of minor mineral leases granted in an area of 5 km radius from the core zone of mining, less than 50 hectares area shall be defined as cluster of minor mineral mining for which environmental clearance shall be required on regional level by a separate corporate body whose composition and framework as given in Indian bureau of Mine's "Framework of Cluster of Mining of Minor Mineral".

(2) No person shall acquire in the State in respect of any minor mineral -

- (a) one or more prospecting licences covering a total area of more than three hundred hectares; or
- (b) one or more quarrying concessions covering a total area of more than fifty hectares:

Provided that if the State Government is of opinion that in the interest of the development of any minor mineral, it is necessary so to do, it may, for reasons to be recorded by it in writing, permit any person to acquire one or more prospecting licences or quarrying concessions covering an area in excess of the aforesaid total area;

**Explanation:-** Where a person has acquired more than one prospecting licence or quarrying concession in the State and the aggregate area covered by such licences or quarrying concessions, as the case may be, exceeds the maximum area permissible under these rules, only that prospecting licence or quarrying concession the acquisition of which has resulted in such maximum area being exceeded shall be deemed to be void.

- (c) any quarrying concession or prospecting licence in respect of any area which is not compact or contiguous:

Provided that if the State Government is of opinion that in the interest of the development of any minor mineral, it is necessary so to do, it may, for reasons to be recorded in writing, permit any person to acquire a prospecting licence or quarrying concession in relation to any area which is not compact or contiguous.

(3) For the purposes of determining the total area referred to in sub-rule (1), the area held under a prospecting licence or quarrying concession by a person as a member of a co-operative society, company or other corporation, or a Hindu undivided family or a partner of a firm, shall be deducted from the area referred to in sub-rule (1) so that the sum total of the area held by such person, under a prospecting licence or

\* This Gazette contains 82 pages, the remaining pages may kindly be obtained from the Library of this Directorate.