

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.194 of 2020 (SZ).

IN THE MATTER OF:

Dr. Sarvabhouna Bagali

...APPLICANT

Versus

State of Karnataka & Others

..RESPONDENTS

Next Date

INDEX

Sr.No	Description	Pages No.
1.	Additional Statement of Objection for the State of Karnataka	1-4
2.	True Copy of Notification on dated 30.06.2020 (Government of Karnataka)	5-24

New Delhi
Date 28/07/2022,

Filled By :-


(Mr. DARPAN KM Adv.)
Advocate for the Respondent .
(Bangalore Development Authority .)
Kar/1053/2009.
Office K-6, LGF, Lajpat Nagar-3,
New Delhi - 110024
Mob. 9899125060/9968638862

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**CHENNAI****Original Application No.194/2020****BETWEEN****Dr. Sarvabhouma Bagali** ... **Applicant****AND****State of Karnataka & Others** ... **Respondents****Additional statement of objection for the state of
Karnataka**

It is submitted that the respondent Government of Karnataka has filed Additional Objection statement in the top noted Original Application No.194/2020. It is learnt that now the case is posted for orders, that during arguments, it came to light that clerical mistake has crept in, in Additional Objection Statement.

It is submitted that clerical mistake/typing mistake has crept in, in the Additional Objection Statement by oversight. It may kindly be condoned.

It is submitted that in the Additional Objection Statement Rule-43 and 43A of the KMMCR are reproduced as amended on 16.11.2017.

But there is further amendment to Rule-43 and 43A in No. CI 115 MMN 2019 dated 30.06.2020. Thus permission of the

Hon'ble Tribunal is prayed to substitute the amended provision. It is prayed to read Rule 43 and 43A of KMMCR as amended in 2020, as under.

Rule-43. (5) *The officer in charge of the check post or the barrier or the authorized officer under the sub rule(3), shall seize any minor minerals including the vehicle or carrier used for transit of such minor mineral, if the driver or person in charge of such vehicle or carrier fails to produce a valid permit.*

(6) *Vehicle or carrier seized under sub-section(5), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-rule (1) of rule 44 and shall be disposed of in accordance with the directions of such court.*

Provided further that authorized officer, authorized under sub-rule(3), may either before or after the institution of the prosecution, compound the offence committed in contravention of sub-rule(5) on payment of compounding fee in addition to royalty as specified in schedule I-C.

Provided that the seized vehicle shall be released only upon payment of regulation fee specified below in addition to the compounding fee specified in schedule-I-C.

Sl. No.	Type of vehicle /carrier	Regulation fee in Rs.
1.	Bullock cart	5000/-
2.	Tractor and other small laden vehicle	10,000/-
3.	Vehicle below 10 M. T capacity	20,000/-
4.	Vehicle above 10 M. T capacity	30,000/-

(7) The Authorized officer empowered under sub-rule(3) to take action under this rule may request in writing for the help of the police and the police authorities shall render such assistance, as may be necessary, to enable the officer or official to exercise the powers conferred on them by these rules to stop the illegal movement of minerals.

Rule-43-A:(2) Any Minor Mineral, tool, equipment seized under sub-section (1), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-rule (1) of Rule 44 and shall be disposed of in accordance with the directions of such court.

Provided that authorized officer, authorized under Rule 54, may either before or after the institution of the prosecution, compound the offence committed in contravention of sub-rule(5) on payment of compounding fee in addition to royalty as specified in schedule I-C.

Provided further that, the seized equipment, tool or machinery shall be released only upon payment or regulation fee specified below in addition to the compounding fee specified in schedule I-C.

Sl. No.	Name of the Equipment /tool/Machinery	Regulation fee (in Rs)
1.	Drilling machine, compressor, power tiller and other tool	10,000/-
2.	Crane dumper	30,000/-
3.	Heavy duty dumper, excavator (JCB, Hitachi, power hammer)	50,000/-
4.	Any other equipment, tools, machine.	20,000/-

Provided that, illegally extracted and stored mineral shall be seized and disposed of by public auction as specified in chapter-VIII of these rules.

Explanation any offence under these rules shall be tried by the Court of Sessions in accordance with the Procedure laid down under the Code of criminal Procedure, 1973.



Joint Director (MA)



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೩೦, ಜೂನ್, ೨೦೨೦ (ಆಷಾಢ, ೯, ಶಕವರ್ಷ ೧೯೪೨) Bengaluru, TUESDAY, 30, JUNE, 2020 (Ashadha, 9, ShakaVarsha 1942)	ನಂ. ೨೬೫ No. 265
------------------------	---	--------------------

GOVERNMENT OF KARNATAKA

No: CI 115 MMN 2019

Karnataka Government Secretariat,
Vikasa Soudha,
Bengaluru, dated 30.06.2020.

NOTIFICATION

In exercise of the powers conferred by section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), the Government of Karnataka, hereby makes the following rules further to amend the Karnataka Minor Mineral Concession Rules, 1994, namely:-

RULES

1. Title and commencement.- (1) These rules may be called the Karnataka Minor Mineral Concession (Amendment) Rules, 2020.

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

2. Amendment of rule 3A.- In rule 3A of the Karnataka Minor Mineral Concession Rules, 1994, (hereinafter referred to as the said rules), in sub rule (b) for the words "minor mineral except sand" the words, "Laterite or fullers earth or murrum" shall be substituted.

3. Amendment of rule 3B.- In rule 3B, of the said rules,-

- (i) in sub-rule (1), for the words "Notwithstanding anything contained in these rules, the District Task Force may, after obtaining approval of the State Government, grant quarry lease or licence for minor minerals," the words, "Notwithstanding anything contained in these

(೧)

rules, the Deputy Director or Senior Geologist of Concerned district shall grant quarry lease or licence for minor minerals only on the recommendation of the District Task Force and approval of State Government." shall be substituted.

- (ii) after sub-rule (4), the following sub rule (5) shall be inserted, namely:-

"(5) Notwithstanding anything contained in this rule, those lease granted under the sub-rule (1), during the lease period, the lessee shall dispatch minor minerals along with Royalty Exempted Mineral Dispatch permit to be issued by the concerned Deputy Director or Senior Geologist duly mentioning the details of works, place of activity and name of the Work Executing Department for transportation of minor minerals from the leased quarry.

Provided that at the time of payment of bill to the contractor the Work Executing Department shall deduct Royalty, Average Additional Periodic payment and payment to District Mineral Foundation.

Provided further that the quantity of Minor Mineral supplied under royalty exempted Mineral Dispatch permit to Government work, shall be reconciled with Royalty recovery statement furnished by the work executing department for accountability of annual audit."

4. Amendment of rule 3E.- In rule 3E of the said rules, after sub-rule (3), the following shall be inserted, namely:-

"(4) If new mineral so discovered under sub-rule (1) is specified minor mineral, the lessee or licensee is entitled to win and dispose the discovered minor mineral for a period of thirty years from the date of original grant of lease or licence or ten years from the date of inclusion of the discovered mineral to original lease deed or whichever is later.

Provided that, in case if the new mineral discovered under sub-rule (1) is non-specified minor mineral, the period of lease shall be co-terminus with the original grant of lease or license.

Provided further that, when such grant of quarrying lease or licence for the new mineral discovered under sub-rule (1) is made the lessee or licensee shall pay, in addition to royalty applicable to the new mineral discovered as under sub-rule (1) as given in Schedule II, an amount which shall be equal to the Average Additional Periodic Payment payable by the holders of quarry lease or license of the new mineral discovered granted through auction within the Taluk, if such average is available for the Taluk or within the District if such average is not available for the District, and if such average is not available within the neighboring Districts, such Average Additional Periodic Payment shall be deemed to be fifty percent of Royalty of the new mineral discovered. This deemed percentage shall be reset after three years based on average obtained in auctions

by 31.3.2019, and if no neighboring districts, as the case may be, then the deemed rate will become the final rate for the Average Additional Periodic Payment.

Provided also that, the Royalty and Average Additional Periodic Payment payable as under the above proviso, shall not be less than that what he was paying before such inclusion or as payable as per his bid in auction.”

5. Amendment of rule 3G.- In rule 3G of the said rules, in sub rule (1),-

(i) the second proviso shall be omitted.

(ii) for third proviso, the following shall be substituted, namely:-

“Provided also that if the average quantity of the of minor mineral is sold in domestic market more than seventy five percent during any two financial year of lease period, then lease shall be cancelled and fresh process of grant of lease shall be undertaken.”

6. Amendment of rule 8.- In rule 8 of the said rules, for sub rule (6), shall be omitted.

7. Amendment of rule 8B.- In rule 8B of the said rules, in clause (e), of sub-rule (2) for the words, “if any and registration of leases or license deed within a period of twenty-four months from the date of commencement of the Karnataka Minor Mineral concession (Amendment) Rules, 2016.”, the words “with the approval of the State Government” shall be substituted.

8. Amendment of rule 19A.- For rule 19A of the said rules, the following shall be substituted, namely:-

“19A. Transfer of mineral concession:- (1) The lessee or licensee shall not, without the previous consent in writing of the competent authority.-

- (i) assign, sublet, mortgage or in any other manner transfer the lease or license or any right, title or interest therein;
- (ii) enter into or make any agreement or bona-fide arrangement, contract or understanding whereby the lessee or licensee will or may be directly or indirectly financed to a substantial extent by or under which the quarrying operations or undertakings will or may be substantially controlled by, any person or body of persons other than the lessee or licensee;

Provided that, nothing in sub-rule (1) shall apply to a corporation or an undertaking or owned or controlled by the State Government or to a mortgage made by a lessee or licensee in favour of the institutions specified in Schedule-VI for transfer the lease or licence.

(2) Every application for transfer of quarry lease or quarry licence shall be submitted to the Commissioner or Director or Deputy Director or Senior Geologist of the concerned District, as the case may be, along with,--

(i) a non-refundable application fee of rupees twenty five thousand for quarry lease and quarry licence.

(ii) undertaking to pay one time premium on the basis of residual period of lease as per sub-rule (7):

(iii) a valid no dues certificate of transferor, transferee and their family members from the Deputy Director or Senior Geologist concerned if they hold or has held any quarry lease or licence in the State:

Provided that, in case the transferor and transferee is an association of person, a partnership firm or a private limited company, such certificate shall also be furnished by all the members of association of person, all the partners of the partnership firm or all the directors of the private limited company, as the case may be. No dues certificate is to be submitted by the company or undertaking in case of limited company or Government undertaking, as the case may be.

(iv) an affidavit giving particulars of mineral-wise areas already held under quarry lease, prospecting licence or quarry licence by the transferor and transferee.

(v) an affidavit by the transferee stating that he shall abide by all the terms, conditions and liabilities of lease or licence;

Provided that where transfer application for quarry lease or quarry licence is not complete in all material particulars or is not accompanied by the required documents or any additional information or documents as specified by the Government, a thirty days notice shall be given by the Commissioner or Director or Deputy Director or Senior Geologist requiring the applicant to complete the application or provide documents, as the case may be, failing which the transfer application shall be rejected with forfeiture of application fee.

(3) Where order for transfer of a quarry lease has been issued, a transfer lease deed in Form-T shall be executed within three months from the date of the order or within such period as the Commissioner/Director or Deputy Director or Senior Geologist may allow:

(4) The transfer of lease or licence shall be effective from the day of registration of transfer lease deed:

Provided that, if transfer deed has not been registered within the stipulated time, the order for transfer shall be revoked by the Commissioner or Director or Deputy Director or Senior Geologist with forfeiture of transfer application fee and premium.

(5) The following cases shall also be treated as transfer:-

(i) change from one form of business organization to another form of business organization i.e, partnership, limited liability partnership, private limited company, public limited company or any law to another form of business organization;

(ii) Change in partner of a partnership firm;

(iii) the transfer of shares in a company, resulting in the change of control of management or ownership right of the said company;

(iv) merger or amalgamation of the lessee's or licensee's company into another company; and

(v) change of a private limited company to limited company:

Provided that in case of death of any partner or director in a firm or company and mutation has been made in favour of this legal heir, it shall not be treated as transfer but if application of mutation is not made, it shall be treated as transfer.

(6) The lessee or licensee shall inform regarding any change as mentioned in sub-rule (5) to the Commissioner or Director or Deputy Director or Senior Geologist concerned within sixty days along with the application fee and premium amount as per sub-rule (7). In such case, the transfer shall be effective from the date of such change of partner or director, as the case may be, under relevant law.

Provided that lease or composite licence granted through tender cum auction and licence granted under rule 32 shall not require to pay premium amount as per sub-rule (7).

(7) Transfer of lease shall be permitted subject to payment of one time premium at the time of transfer and shall not be adjusted against dead rent, annual license fees or Royalty, as the case may be, as mentioned below,-

Sl. No.	Residual period of lease	Premium per Acre
(1)	(2)	(3)
1	Upto five years	Two times of annual dead rent.
2	More than five years and upto ten years	Three times of annual dead rent.
3	More than ten years and upto fifteen years	Four times of annual dead rent.
4	More than fifteen years and upto twenty years	Five times of annual dead rent.
5	More than twenty years	Six times of annual dead rent.

(8) Lock-in period for transfer of mineral concession granted other than through auction shall be for two years and subsequent transfer shall be allowed subject to condition that at least two year has elapsed since last transfer:

Provided that above lock-in period shall not be applicable to quarry licence granted under rule 32.

Provided also that, the transfer of leases shall be allowed among the same category of people or business entities under which such grant was made.

Explanation: If lease is granted as provided under rule 12 of these rules that existed before the commencement of the Karnataka Minor Mineral Concession (amendment) Rule, 2016, the transferee claiming the transfer of lease shall belongs to the same category for which the transferor was considered during grant.”

9. Amendment of rule 19B.- In rule 19B of the said rules, after sub rule (3), the following shall be inserted, namely:-

“(4) The Competent Authority may, in the interest of mineral development and with reasons to be recorded in writing permit amalgamation of two or more adjoining leases held by different lessees to operate as single lease subject to fulfilment of following conditions:-

- (i) The intended lessees shall form association involving all the lessees who are planning to amalgamate their leases or licence and run under single entity.
- (ii) All lessee or licensee shall give consent for amalgamation of their lease or licence to such association.
- (iii) The competent Authority after satisfying that a scientific quarrying can be taken up under such amalgamated lease or licence may allow amalgamation of such lease or licences after obtaining modified quarrying plan and environmental clearance.

Provided that, the period or tenure of the amalgamated lease or licence shall be co-terminus with the lease or licence whose period will expire first.”

10. Amendment of rule 31A.- In rule 31A of the said rules, in sub-rule (1),-

- (i) for the words “Competent Authority” the words and brocket “District Task Force Committee (Mines)” shall be substituted.
- (ii) after the words “after obtaining” the words “No objection certificate from the concerned authorities prescribed under sub-rule (5) of Rule 8.” shall be inserted.

11. Amendment of rule 31R.- In rule 31R of the said rules,-

(i) in sub-rule (4) for item (xii), the following shall be substituted, namely:-

“(xii) If sand found to be stored or transported illegally shall be seized and confiscated by any member of the District or Taluk Sand Monitoring Committee through a mahajar and be handed over to the Public Works Department or any other department as decided by the District Sand Monitoring Committee who in turn dispose the same to the Central or State Government works at the rate as fixed by the District Sand Monitoring Committee with computerized mineral Dispatch Permit issued by the Department of Mines and Geology of the Concerned District.”

(ii) in sub-rule (7), the words “and additional periodic payment” shall be omitted.

12. Amendment of rule 31ZB.- In rule 31ZB of the said rules, in sub rule (2), the words “twenty five percent of the royalty so collected shall be provided to the concerned gram panchayats through the District Committee” shall be Omitted.

13. Amendment of rule 32.- In rule 32 of the said rules, after sub-rule (9), the following proviso shall be inserted, namely:-

“Provided that, if no recommendation is received from the District Task Force Committee within forty five days from the date of receipt of no objection certificates as specified under sub-rule (5) of rule 8, recommendation for grant of quarrying licence shall be deemed to have been made by the District Task Force Committee.”

14. Amendment of rule 36.- In rule 36 of the said rules, in sub-rule (5), the words “fixed deposit receipts or Demand draft or in any other manner as may specified by the Government from time to time” shall be omitted.

15. Amendment of rule 40.- In rule 40 of the said rules, in first proviso, in seventh line, for the words "the competent authority shall finalise the annual audit report to the best of its judgement" the words “the competent Authority may finalize the annual audit report by obtaining Drone or Light Detection and Ranging (LIDAR) or total station survey or any other suitable survey report from the concerned lessee or license” shall be substituted.

16. Amendment of rule 42.- In rule 42, of the said rules,-

(i) in sub-rule (2), the words, “along with rupees fifty as processing fees for each Mineral Dispatch Release Order (MDRO) for specified Bulk quantity of specified or non-specified minor mineral intended to transport” shall be omitted.

- (ii) Sub-rule (3), shall be omitted.
- (iii) In sub rule (5), for the word “ten kilometer” the word “thirty kilometer” shall be substituted, and the words, “and two hours of additional time together for loading and unloading of the minor mineral” shall be omitted.
- (iv) After sub-rule (5), the following shall be inserted, namely:-
- “(6) If the permit holder is unable to transport the mineral for reasons beyond his control after obtaining MDP through ILMS, the permit holder shall apply for revalidation of the MDP before expiry of its validity period to the Competent Authority giving valid reasons in an application which shall be accompanied by a process fee of Rupees five hundred. Such MDP shall be revalidated by the Competent Authority.
- (7) Transportation of processed building stones from other States: An amount of rupees seventy per metric ton shall be collected from the person who transports the processed building stone materials like aggregates or jelly, size stone, boulders, M-sand and other varieties from other States with valid permit.”

17. Amendment of rule 42A.- In rule 42A of the said rules,-

- (i) in the second line, for the words “the competent Authority shall issue one permit per take wise computerized Mineral Dispatch permit mentioning the quantity of the mineral and place from to which it is transported in the Form-RKP(Rake permit).” the words, “lessee or license shall generate rake permit in the Form-RKP(Rake Permit) by following the procedure to generate permit as specified in sub rule (2) of Rule 42” shall be substituted.
- (ii) after the rule the following proviso shall be inserted, at the end. namely:-

“Provided that validity of Rake Permit shall be maximum of fifteen days for transportation minerals through rail.”

18. Amendment of rule 43.- In rule 43, of the said rules, for sub-rule (5) to sub rule (11) the following shall be substituted, namely,-

“(5) The Officer- in charge of the check post or the barrier or the authorized officer under the sub rule (3), shall seize any minor minerals including the vehicle or carrier used for transit of such minor Mineral, if the driver or person in charge of such vehicle or carrier fails to produce a valid permit.

(6) Vehicle or carrier seized under sub-section (5), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-rule (1) of rule 44 and shall be disposed of in accordance with the directions of such court.

Provided further that authorized officer, authorized under sub-rule (3), may either before or after the institution of the prosecution, compound the offence committed in contravention of sub-rule (5) on payment of compounding fee in addition to royalty as specified in schedule I-C.

Provided that, the seized vehicle shall be released only upon payment of regulation fee specified below in addition to the compounding fee specified in schedule I-C.

Sl. No	Type of vehicle/carrier	Regulation fee in Rs.
1	Bullock cart	5000/-
2	Tractor and other small laden vehicle	10,000/-
3	Vehicle below 10 M.T capacity	20,000/-
4	Vehicle above 10 M.T capacity	30,000/-

(7) The Authorized officer empowered under sub-rule (3) to take action under this rule may request in writing for the help of the police and the police authorities shall render such assistance, as may be necessary, to enable the officer or official to exercise the powers conferred on them by these rules to stop the illegal movement of minerals.”

19. Amendment of rule 43A.- In rule 43A, of the said rules, for sub-rule (2) the following shall be substituted, namely,-

“(2) Any Minor Mineral, tool, equipment seized under sub-section (1), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-rule (1) of Rule 44 and shall be disposed of in accordance with the directions of such court.

Provided that authorized officer, authorized under Rule 54, may either before or after the institution of the prosecution, compound the offence committed in contravention of sub-rule (5) on payment of compounding fee in addition to royalty as specified in schedule I-C.

Provided further that, the seized equipment, tool or machinery shall be released only upon payment of regulation fee specified below in addition to the compounding fee specified in schedule I-C.

Sl. No	Name of the Equipment/tool/Machinery	Regulation fee (in Rs.)
1	Drilling machine, compressor, power tiller and other tool	10,000
2.	Crane, dumper	30,000
3	Heavy duty dumper, excavator (JCB, Hitachi), power hammer.	50,000
4	Any other equipment, tools, machine.	20,000

Provided that, illegally extracted and stored mineral shall be seized and disposed of by public auction as specified in chapter-VIII of these rules.

Explanation: Any offence under these rules shall be tried by the Court of Sessions in accordance with the Procedure laid down under the Code of Criminal Procedure, 1973;

20. Amendment of rule 44.- In rule 44, of the said rules,-

(i) for sub-rule (1) to (3) the following shall be substituted, namely,-

“(1) Whoever contravenes the provision of rule 3 or sub-rule (1) of rule 42, shall, on conviction be punished with imprisonment for term which may extend to two years or with fine five lakhs rupees per hectare of the area used to extract minerals illegally, and in case of continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention is continued.

(2) Lease or licensee who undertakes any quarrying operation in respect of any minor mineral by violating the terms and conditions of any lease or licence shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to fifty thousand rupees or with both and in case of a continuing contravention, with an additional fine which may extend to five hundred rupee for every day during which such contravention is continued.”

Provided further that no such order making a premature termination shall be made without giving reasonable opportunity to the Lessee or Licensee.”

21. Amendment of rule 45.- After rule 45 of the said rules, the following proviso shall be inserted, namely:-

“Provided that, where the Commissioner or Director of Mines and Geology, after consulting the State Government, is of opinion that it is expedient in the interest of regulation of mines and mineral development, preservation of natural environment, control of floods, prevention of pollution or to avoid danger to public health or communications or to ensure safety of buildings, monuments or other structures for conservation of mineral resources or for maintaining safety in

the mines or for such other purposes, or encumbered the quarry lease otherwise than in accordance with these rules or the terms of the quarry lease deed as the Commissioner/ Director may deem fit, it may, by an order in respect of any minor minerals, make premature termination of a lease or license or composite license with respect to the area or any part thereof covered by such license or lease.

Provided further that, no such order making a premature termination shall be made without giving reasonable opportunity to the Lessee or Licensee.”

22. Amendment of rule 51.- In rule 51 of the said rules, in sub-rule (7), after the word “auctioned mineral” the words “The bidder shall transport the mineral from the auction site within the time prescribed in the tender document.” shall be inserted.

23. Amendment of rule 59.- In rule 59 of the said rules, for the words the evidence of major mineral” the words, “availability of major mineral above the threshold value as specified by the Indian Bureau of Mines or any Competent Authority from time to time” shall be substituted.

24. Amendment of SCHEDULE I-C.- After schedule IB, the following SCHEDULE I-C shall be inserted

SCHEDULE I-C
Compound fee for seized minor mineral
(See sub-rule (6) of Rule 43 and sub-rule (2) of 43-A)

Sl.No	Name of the Mineral	Compounding fee (in Rs per Metric tonne.)
1	Ornamental and Decorative Building Stones as defined under clause(m) of Rule 2 A)Dyke Rock, Granite and their variety	4000
2	Felsite and its varieties suitable for use as Ornamental Stone-Entire State	3000
3	Quartzite and sand stone and their varieties suitable for use as Ornamental Stones-Entire State.	3000
4	Marable and Crystalline Limestone as ornamental stone-Entire State.	5000
5	Bentonite-Entire State	1000
6	Fuller Earth-Entire State	1500
7	Buff colour (waste) the permits not exceed 20% of permit issued for Fullers Earth	500

8	Limestone under the title "Shahabad Stone"	1000
9	Limestone(non-cement)when used for building stone- Entire State	1500
10	Ordinary Building Stone(Entire State as defined under clause(g) of Rule 2(1)	1500
11	Lime shell-Entire State	2000
12	Lime Kankar (non cement) Entire State	1000
13	Agate, Chalcedony, Flint-Entire State	2000
14	Ordinary Sand-Entire State	3000
15	Steatite and sandstone used for making household utensils/articles-Entire State.	2000
16	(i)Murrum (All types of soils)-Entire State	300
	(ii)Clay used for manufacturing tiles and bricks	500
17	Waste rocks generated in ornamental stone quarry-which is suitable for ornamental purpose Entire State (See explanation under Rule 36)	3000
18	Irregular shaped waste rock generated in Ornamental stone quarry, which is not suitable for ornamental purpose (used for making aggregates and m-sand) Entire State.	1500
19	Waste rocks generated in Shahabad stone quarry-Entire State (See explanation under Rule- 36)	600
20	Finished Kerb stones/cubes not exceeding 30cms each face-Entire State.	1500
21	Barytes	5000
	i) A Grade(Grey colour	
	ii) B Grade(Grey colour)	
	iii) C, D Grade & Waste	
22	Calcite	5000
23	China clay and Kaolin(including Ball clay, White shell, Fire clay and white clay)	2000
	i) Crude/Raw ii) Processed	
24	Corundum	1000/KG
25	Dolomite	1500
26	Dunite and Pyroxenite	1500
27	Felsite (Other than for ornamental purpose)	1500

०३

28	Gypsum	1500
29	Jasper	3000
30	Quartz, feldspar	3000
31	Mica i)Crude ii)Waste	4000
32	Quartzite& Fuchsite Quartzite not suitable for use as Ornamental/Gem Stones	3000
33	Laterite i)/dispatched for use in cement or chemical industries or Abrasive or Refractory purpose (below threshold value as specified by IBM from time to time) ii) for use as building stone (below threshold value as specified by IBM)	1500
34	Ochre	2000
35	Pyrophyllite	2500
36	Shale	1500
37	Slate	1500
38	Silica Sand	3000
39	Steatite or Soapstone (Other than for household articles)	5000
	Talc	2000
40	All other minerals (which is not specified in schedule-II) Entire State	1500

25. Amendment of SCHEDULE II.- For schedule II of the said rules, the following shall be substituted, namely:-

SCHEDULE II

(See sub-rule(1) of Rule 36)

Sl. No.	Name of the Mineral	Present Rate of Royalty	Royalty to be revised	
			Export	Domestic
1	Ornamental and Decorative Building Stones as defined under clause(m) of Rule 2			
	A)Dyke Rock			
	(i) Black granites: (a)Chamarajanagar District:	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.4,500 per m3 which is higher.	Rs.1,200 per MT	Rs.600 per MT
	(b)All other Districts other than (a)above	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,500 per m3 which is higher.	Rs.1700 per MT	Rs.400 per MT
	(ii)Other varieties of dyke other than black granites(Entire State)	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,500 per m3 which is higher.	Rs.500 per MT	Rs.375 per MT
	(B) (1)Pink and Red Granites (Ilkal Pink Variety)			
	(i) Hungunda and Badami Taluk of Bagalkot District, Kustagi of Koppal District.	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,200 per m3 which is higher.	Rs.1,000 per MT	Rs.400 per MT
	(ii) Pink and Red granites, Gneissess and their structutal Varieties(Other than Ilkal Pink Variety)	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,800 per m3 which is higher	Rs.600 per MT	Rs.350 per MT

೧೩

	(C) Grey and White Granites and their varieties: (i) Very fine grained Grey granite (Sira grey Variety) Chintanmani, Siddlaghatta of Chikkaballapura District Hoskote of Bangalore District. (ii) Grey and white granites and their textural varieties having shades of grey, balck and white colours (Other than (i) above)Entire State. (iii) Grey Granite of Devanahalli Taluk of Bangalore Rural District and Chikballapur taluk of Chikballapur District.	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,350 per m3 which is higher. 15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,050 per m3 which is higher. 15% of Sale Value or of Average Selling Price on advalorem basis or Rs.600 per m3 which is higher	Rs.500 per MT Rs.375 per MT Rs.300 per MT	Rs.350 per MT Rs.250 per MT Rs.200 per MT
2	Felsite and its varieties suitable for use as Ornamental Stone-Entire State	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,800 per m3 which is higher	Rs.900 per MT	
3	Quartzite and sand stone and their varieties suitable for use as Ornamental Stones-Entire State.	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,800 per m3 which is higher	Rs.900 per MT	
4	Marable and Crystalline Limestone as ornamental stone-Entire State.	15% of Sale Value or of Average Selling Price on advalorem basis or Rs.1,800 per m3 which is higher	Rs.1000 per MT	
5	Bentonite-Entire State	Rs.400 per MT	Rs.500 per MT	
6	Fuller Earth-Entire State	Rs.125 per MT	Rs.125 per MT	
7	Buff colour (waste) the permits not exceed 20% of permit issued for Fullers Earth	Rs.60 per MT	Rs.70 per MT	
8	Limestone under the title "Shahabad Stone"	Rs.70 per 10 Sq meters or Rs.70 per MT	Rs.50 per 10 Sq meters or Rs.50 per MT	
9	Limestone(non-cement)when used for building stone-Entire State	Rs.25 per MT	Rs.60 per MT	
10	Ordinary Building Stone(Entire State as defined under clause(g) of Rule 2(1)	Rs.60 per MT	Rs.70 per MT	
11	Lime shell-Entire State	100 Per MT	120 Per MT	
12	Lime Kankar (non cement) Entire State	50 per MT	80 per MT	
13	Agate, Chalcedony, Flint-Entire State	240 per MT	300 per MT	

ॐ

14	Ordinary Sand-Entire State	60 Per MT	80 Per MT
15	Steatite and sandstone used for making household utensils/articles-Entire State.	40 per MT	80 per MT
16	(i)Murrum(All types of soils)-Entire State	20 per MT	40 per MT
	(ii)Clay used for manufacturing tiles and bricks	40 per MT	60 per MT
17	Waste rocks generated in ornamental stone quarry-which is suitable for ornamental purpose Entire State(See explanation under Rule 36)	300 per MT or 850 CUM	300 per MT
18	Irregular shaped waste rock generated in Ornamental stone quarry, which is not suitable for ornamental purpose (used for making aggregates and m-sand) Entire State.	60 per MT	40 per MT
19	Waste rocks generated in Shahabad stone quarry-Entire State (See explanation under Rule-36)	60 per MT	40 per MT
20	Finished Kerb stones/cubes not exceeding 30cms each face-Entire State.	110per MT	150 per MT
21	Barytes	6.5% of average selling price or of sale value whichever is higher on ad-valorem basis	400 per MT 300 per MT 200 per MT
	(i) A Grade (Grey colour)		
	(ii) B Grade (Grey colour)		
22	Calcite	15% of average selling price or of sale value whichever is higher on ad-valorem basis	80 per MT
23	China clay and Kaolin(including Ball clay, White shell, Fire clay and white clay)	8% of average selling price or of sale value whichever is higher on ad-valorem basis.	80 Per MT
	i)Crude/Raw		
	ii)Processed	12% of average selling price or of sale value whichever is higher on ad-valorem basis	600 per MT
24	Corundum	12% of average selling price or of sale value whichever is higher on ad-valorem basis	15% of Sale Value or of Average Selling Price on advalorem basis which is higher.
25	Dolomite	Rs.75 per MT	100 per MT
26	Dunite and Pyroxenite	Rs.30 per MT	60 per MT

27	Felsite (Other than for ornamental purpose)	12% of average selling price or of sale value whichever is higher on ad-valorem basis	120 per MT
28	Gypsum	20% of average selling price or of sale value whichever is higher on ad-valorem basis	150 per MT
29	Jasper	12% of average selling price or of sale value whichever is higher on ad-valorem basis	150 per MT
30	Quartz, feldspar	15% of average selling price or of sale value whichever is higher on ad-valorem basis	100 per MT
31	Mica i)Crude ii)Waste	4% of average selling price or of sale value whichever is higher on ad-valorem basis	1500 per MT 500 per MT
32	Quartzite& Fuchsite Quartzite not suitable for use as Ornamental/Gem Stones	12% of average selling price or of sale value whichever is higher on ad-valorem basis	100 per MT
33	Laterite i)/dispatched for use in cement or chemical industries or Abrasive or Refractory purpose (below threshold value as specified by IBM from time to time) ii) for use as building stone (below threshold value as specified by IBM)	Rs.60 per MT	160 per MT 60 per MT
34	Ochre	Rs.24 per MT	60 per MT
35	Pyrophyllite	20% of average selling price or of sale value whichever is higher on ad-valorem basis	200 per MT
36	Shale	Rs.60 per MT	150 per MT
37	Slate	Rs.45 per MT	150 per MT
38	Silica Sand	10% of average selling price or of sale value whichever is higher on ad-valorem basis	100 per MT
39	Steatite or Soapstone (Other than for household articles)	18% of average selling price or of sale value whichever is higher on ad-valorem basis	200 per MT
	Talc	---	200 per MT
40	All other minerals (which is not specified in schedule-II) Entire State	30% of Sale Value on advalorem basis	30% of Sale Value or of Average Selling Price on advalorem basis which is higher.

26. Amendment of Form.- For Form- AP and Form - MDP of the said rules, the following shall be substituted, namely:-

FORM -AP
(see rule 42 (2))

Government of Karnataka Department of Mines and Geology Form AP for CMDP Form AP (Printed Date: & Time:)	
Form AP No	: Date:
Type of Stake holder	: Lease/License/Work
Lease/license holder	: Permission/Auction/Seized Sand Code
Lease/license holder name	:
Mineral /Grade	:
Buyer Name	:
Destination	:
Mode of Transportation	: Check post :
Route(Road, Rail, Road)	:
Total Quantity (in CUM/MT/Sq.mt)	:
Mineral rate	: Total amount :
Purpose	:
DSC No/Name	:
Crushing/Mineral based Unit	:
GSTIN	:

Block Detail:				
Total Blocks :				
Block	Length (CM)	Breadth(CM)	Height(CM)	Area in Cu Meter

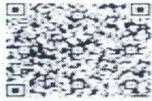
Declaration: I/we hereby declare that the particular furnished above are correct.

Note: This is a Form AP not valid for the transportation of Minerals. This form is digitally and electronically signed.

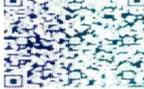
ॐ

FORM -- (MDP)

(see rule-42 (1))

Government of Karnataka Department of Mines and Geology Mineral Dispatch Permit(MDP) (See Rule 42-1 of KMMCR-1994)			
MDP NO.	:		
Form AP No	:		Sr No.:
Lease/license No.	:		Barcode :
Lease/license Name	:		Type of Land/Sy No:
DSC No/Name	:		GST No.
Village/Taluk/District	:		Loading Place:
Quantity/Unit	:		
MDRO Purpose	:		
Mineral/Grade	:		Sign & Seal of Lessee
Total Amount Paid	:	(Royalty:DMF: /AAPP:	
Buyer	:		
Route /Distance	:	0	Sign & Seal of Check post officer
Crushing/Mineral Based Unit	:		Check post :
Vehicle NO./Type/Mobile No	:		
Validity /Hrs	:		
Destination	:		Lease holder copy

Block	Length(CM)	Breadth (CM)	Height (CM)	Volume. Cu. Mt
Total volume				
Total Blocks				

Government of Karnataka Department of mines and geology Mineral Dispatch Permit (MDP)			
(See Rule 42-1) of KMMCR-1994)			
MDP No	:		
Form AP No	:		Sr No.:
Lease/license No.	:		Barcode :
Lease/license Name	:		Type of Land/Sy No:
DSC No/Name	:		GST No.
Village/Taluk/District	:		Loading Place:
Quantity/Unit	:		Sign & Seal of Lessee
MDRO Purpose	:		
Mineral/Grade	:		
Total Amount Paid	:	(Royalty: DMF: APP/AAPP:	Sign & Seal of Check post officer
Buyer	:		
Route/Distance	:		
Crushing/Mineral based Unit	:		Check post :
Vehicle NO./Type/Mobile No	:		
Validity/Hrs	:		
Destination	:		Destination copy

Block	Length(CM)	Breadth(CM)	Height (CM)	Volume. Cu. mt
Total volume				
Total Blocks				

27. Amendment of Form E (part-V) – In Form E (part-V) in clause 4, for the words “fifteen times” the words, “five times” shall be substituted.

By Oder and in the name of the
Governor of Karnataka

(SHIVAPRAKASH)
DESK OFFICER (MINES)
COMMERCE AND INDUSTRIES DEPARTMENT

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:- ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರಿಕೆ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ, ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು