

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI**

O.A. No. 561 of 2025

**IN THE MATTER OF:**

Rohit Singh and Ors.

**..Applicants**

Versus

State of Himachal Pradesh & Ors.

**...Respondents**

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1.	Reply to the Original Application filed by the Applicants on behalf of Respondent Nos 1, 2 & 4 along with affidavit.	
2.	Annexure R-1 to R-11	

**Filed By: -**



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behalf of Respondent Nos 1, 2 & 4 along with affidavit.**

**PAPER BOOK**

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Place: New Delhi  
Date: 02.02.2026

Through:



**Ketan Paul**  
Advocate for Respondent Nos. 1, 2 and 4

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**REPLY TO THE ORIGINAL APPLICATION FILED BY THE  
APPLICANTS ON BEHALF OF RESPONDENT NOS. 1, 2 & 4  
ALONGWITH AFFIDAVIT**

**MAY IT PLEASE YOUR LORDSHIPS:**

**PRELIMINARY SUBMISSIONS:**

1. At the outset, it is most respectfully submitted that the present Application has been filed for reasons wholly extraneous to its stated purpose without any factual basis, by knowingly making incorrect statements and in complete disregard of the material facts. The present Original Application is misconceived, factually incorrect and legally untenable and has been filed without appreciating the statutory framework governing District Survey Report, minor mineral mining in the State of Himachal Pradesh and is, therefore, liable to be dismissed.

2. The answering Respondents deny each and every averment, submission and contention raised in the present Original Application against themselves, except those which have been expressly and unambiguously admitted in this Reply.
3. That it is respectfully submitted that initially, the mining activities qua minor minerals were regulated as per the provisions contained under the Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971 framed by the State of Himachal Pradesh in exercise of the powers conferred under Section 15 & 23 (C) of Mines and Minerals (Development & Regulation) Act, 1957.
4. That in the year 2004, the State Government notified “River/Stream Bed Mining Policy Guidelines for the State of Himachal Pradesh, 2004” for Regulation and Control of mining operations in and upon the River/Streams beds with the object to ensure Scientific and systematic mining, Conservation of minerals, Protection of environment and ecology, Proper replenishment of River beds, Proper protection of River banks, Protection of soil erosion, Protection of public utility structures and checking of illegal mining etc. In the said guidelines, the preparation of District Survey

Report was also prescribed at Paragraph 9.2 Strategy 2, in the terms as under:

**“9.2 Strategy 2**

**District Level River/Stream Bed Mining  
Action Plan**

*The action plan for River/Stream bed mining shall be based on a survey document of the existing river/stream bed mining in each district and also to assess its direct and indirect benefits and identification of the potential threats to the individual rivers/streams in the state.*

*This survey shall be conducted by Geological Wing, Department of Industries, Himachal Pradesh and shall contain:*

- 1. District wise details of Rivers/Streams/Khallas.*
- 2. District-wise details of existing mining leases/contracts in River/Stream/Khalla beds.*

*Based on this survey, the action plan shall divide the rivers/streams of the state into the following two categories:-*

- I. Rivers/streams or the River/Stream sections selected for extraction of minor minerals.*

*II. Rivers/streams or the River/Stream sections prohibited for extraction of minor minerals.”*

For implementation of the provisions of Policy 2004, various amendments were carried out in the aforementioned Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971.

As such, much before the EIA Notification dated 14.09.2006 as amended vide Notifications dated 15.01.2016 & 25.07.2018 (**Annexure A/2 in OA**) and Sustainable Sand Mining Guidelines 2016 as well as the Enforcement & Monitoring Guidelines for Sand Mining Management Guidelines, 2020, issued by the Respondent No. 5 i.e. Ministry of Environment, Forest & Climate Change, Government of India, the State of Himachal Pradesh with the vision that that the natural resources must be utilized in environment friendly manner and with the objective of sustainable development, became a pioneer State in the Country to notify the above policy and had already evolved and implemented a robust regulatory framework governing riverbed mining, based on scientific assessment and environmental prudence. In pursuance to the guidelines contained in the said policy, District Survey Reports were prepared by the Geological Wing of Department of Industries after field verifications of the

various mining sites with due scientific assessment. Therefore, it is respectfully submitted that the District Survey Report for District Una is being prepared right from 2004 i.e. much prior to the issuance of the EIA Notification 2006 and has been updated thereafter from time to time as per the said notification. It is also important to mention here that the said guidelines were thereafter updated in the year 2013 and to implement the same, the State of Himachal Pradesh repealed the Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971 and came with new Rules, namely the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 ('**2015 Rules**'). Subsequently, in the year 2024, the said guidelines were again updated and in accordance with the same, the State of Himachal Pradesh amended the various provisions of the 2015 Rules.

A true copy of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 is annexed herewith and marked as **Annexure R-1** PAGE NO. 73-227.

5. That it is respectfully submitted that Appendix- X of the EIA Notification dated 14.09.2006 as amended vide

Notifications dated 15.01.2016 & 25.07.2018 **(Annexure A/2 in OA)** issued by the Respondent No. 5 i.e. Ministry of Environment, Forest & Climate Change, Government of India, provides detailed procedure & object of preparation of District Survey Report for Sand mining or River bed mining. As per the said Appendix, the main objective of the preparation of District Survey Report is to ensure the *“Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in the area.”*

The procedure for preparation of District Survey Report provides that the said report must contain the following structure:

- (1) Introduction;
- (2) Overview of Mining Activity in the District;
- (3) The list of Mining Leases in the District with location, area and period of validity;
- (4) Details of Royalty or Revenue received in last three years;
- (5) Detail of Production of Sand or Bajri or minor mineral in last three years;

- (6) Process of Deposition of Sediments in the rivers of the District;
- (7) General Profile of the District;
- (8) Land Utilization pattern in the district: Forest, Agriculture, Horticulture, Mining etc;
- (9) Physiography of the District;
- (10) Rainfall: month-wise;
- (11) Geology and Mineral Wealth;

In addition to the above, the procedure further provides that the District Survey Report must contain the following;

- (a) District wise detail of river or stream and other sand source;
- (b) District wise availability of sand or gravel or aggregate resources;
- (c) District wise detail of existing mining leases of sand and aggregates.

Apart from above, it also mandates that a survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district and it must include Drainage system with description of main rivers, salient features of Important Rivers and Streams.

It is pertinent to mention here that the said procedure itself provides that a Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) Officers from (a) Irrigation Department, (b) State Pollution Control Board or Committee, (c) Forest department, (d) Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

It is further submitted that the procedure also provides the methodology for calculation of Mineral Potential in the terms as under:

***“Methodology adopted for calculation of Mineral Potential:***

*The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and locations, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50% to 60% of the area of a particular river or stream. For Example, in some hill States mineral constituents like boulders, river born Bajri, sand up to a depth of one meter are considered as resource mineral. Other constituents like clay and silt*

*are excluded as waste while calculating the mineral potential of particular river or stream.*

*The District Survey Report shall be prepared in the district and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on the district's website for twenty-one days. The comments received shall be considered and if found correct, shall be incorporated in the final Report to be finalized within six months by the District Environment Impact Assessment Authority.*

*The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years."*

Similarly, Appendix-X also provides the procedure for preparation of District Survey Report of minor minerals other than Sand mining or River bed mining.

6. That it is humbly submitted that the perusal of District Survey Report 2024 of District Una (**Annexure A/4 in OA**), makes it amply clear that it has been prepared strictly in accordance with the aforementioned procedure i.e. mineral potential of District Una has been calculated as per the methodology as prescribed

therein and it also includes each and every feature/structure including drainage system & salient features of important Rivers and Streams. Moreover, after preparation of the said report, it was duly uploaded on 07.09.2024 on the official websites of the Department of Environment, Science Technology & Climate Change as well as Department of Industries, Himachal Pradesh for inviting comments/suggestions from the general public within 21 days and information in this regard was duly given by way of Public Notice on 07.09.2024 in the leading Newspapers. However, in this regard, no comments were received from the general public including applicants i.e. Sh. Rohit Singh and Sh. Deepak Kumar despite the fact that the applicants claim to be well versed with environmental challenges faced by the people of their area and further claim to be actively involved raising awareness and seeking resolution of such issues. Therefore, it appears that the present applicants have filed the present Original Application for some extraneous consideration rather than genuine environmental concern.

A true copy of Public Notice dated 07.09.2024 is annexed herewith and marked as **Annexure R-2**.PAGE NO. 228.

7. It is pertinent to note that Page No. 60 (Part of structure/feature No. 12 i.e. Drainage System) of District Survey Report 2024 of District Una itself provides the method of grant of mining lease in the terms as under:

*“... It is also important to mention here that, whenever, any of the area recommended for grant of mineral concession in District Survey Report is applied by the project proponent for the grant of mining lease, the same is further inspected by the committee constituted under the chairmanship of concerned Sub Divisional Officer (C) comprising members from Public Works Department, Irrigation and Public Health Department, Forest Department, Pollution Control Board and Mining Officer/Geologist etc. for submission of their recommendations. Thereafter, as per the site-specific recommendations of the committee, the concerned Mineral concession holder has to prepare the detailed “Mining Plan” for the allotted area through Registered Qualified Person and get in approved from authorized officer of Geological Wing of the State Government. The comprehensive mining plan are prepared by RQP giving details of minerals*

reserves, method of mining, progressive mine closure plan, extent of proposed mining and other related details. As such, the microlevel, site specific study of the area comprising the probable and proveable mineral reserve deposition at the particular site is again conducted before the grant of mining lease.”

8. That in fact, the preparation of District Survey Report is a broad study to identify areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in the area. As such, whenever any area, as recommended in the District Survey Report of 2024, is applied for grant of mining lease under the provisions of the 2015 Rules, the applied area is duly inspected by the same Sub-Divisional Committee as constituted under EIA Notifications, as per the mandate of Rule 10 of the 2015 Rules and after inspecting the area in light of various parameters as per Rule 6 & 34 of 2015 Rules, as per site specific observations, the final recommendations are made by the said committee for grant or non-grant of mining lease.

10. That if the Joint Inspection Committee recommends the area for grant of mining lease, then after taking the approval from the competent authority, the principal approval/Letter of Intent for grant of mining lease is issued to the applicant with the conditions that for processing the matter further, the applicant has to submit a Mining Plan duly prepared by Recognized Qualified Person as per the mandate of the provision contained under Rule 37, Environment Clearance duly issued by the competent authority and the demarcation report of applied area etc. It is only after fulfillment of all the conditions of Letter of Intent, the grant order for mining lease is issued.
11. That it is apt to mention here that a mining lease holder is bound to carry out the mining activities strictly in accordance with the provisions of the Mining Plan and cannot conduct mining activities in a manner beyond/contrary to the same. It is pertinent to mention here that a Mining Plan is made for a period of 5 years and thereafter, based upon the available mineral potential, the same is renewed from time to time. Further, the total mineable mineral deposits in the mining lease area is already mentioned in the mining plan which is further divided for a period of 5 years. As such, extraction of mineral from the mining lease area

is carried out as per the available reserve of minerals on annual basis.

A true copy of a sample Mining Plan is annexed herewith and marked as **Annexure R-3**. PAGE NO. 229-297.

12. That it is pertinent to mention here that to avoid any illegal activities or excessive crushing of minor minerals, the State Government has issued a Notification bearing dated 18.11.2023 whereby it has been made mandatory that royalty from all the stone crusher units shall be charged on the basis of their actual production and the same is computed at the factor of 5 units per metric tonne of grit/bajri. Moreover, as per Rule 18 of the 2015 Rules, every mining lease holder is bound to pay royalty in advance in respect of any mineral to be removed from the mining lease area at the rates specified in the second schedule of the said rules.

It is further important to mention here that Rule 19 (1) (b) of the 2015 Rules provides as under:

*“(b) for calculating the royalty the lessee shall submit by the 10<sup>th</sup> of every month to the Mining office, a return in **Form-‘G’** giving the total quantity of minor mineral (s) raised and despatched from the leased area in the preceding calendar month and its value and in*

*case of mineral based industry the monthly electricity consumption bill and other requisite details also. If the lessee does not deposit royalty due for the preceding month by 10<sup>th</sup> of month, 24% per annum simple interest shall be charged for the default period after 10<sup>th</sup> of month:"*

As such, every mining lease holder is bound to submit the Form-G to the concerned Mining Officer with the details as mentioned therein.

It is equally important to mention here that under the 2015 Rules, transit passes i.e. Form W & X are issued by the respective District Mining Officer in consonance to the advance royalty deposited by the mining lease holder and these transit passes are generated online wherein real date & time is mentioned. As such, from the deposit royalty or transit passes or electricity units, it can be easily ascertained how much minor minerals have been extracted from a mining lease area and further sold out by the stone crusher unit.

A true copy of Notification dated 18.11.2023, is annexed herewith and marked as **Annexure R-4**.PAGE NO. 298.

13. That it is apt to mention here that mining lease holders

are bound to carry out mining activities within the mining lease area as per the approved mining plan and mining leases of the respective mining lease holders are inspected time to time and if any irregularity in carrying out the mining operations over the mining lease area is observed, appropriate action can and is taken as per the 2015 Rules.

**PARA-WISE REPLY:**

1. That the contents of paras-1 and 2 are a matter of record and do not merit a reply. However, the personal statement of on the activities of the applicants are denied and it is submitted that the applicants have filed the present Original Application based on incorrect facts with an ulterior motive to create a controversy based on conjectures and surmises.

**REPLY TO BRIEF FACTS OF THE CASE**

1. That the contents of para-1 are admitted to the extent that District Survey Report (DSR) 2024, is a pre-requisite for granting mining leases. Rest of the contents of this para are incorrect, hence denied. It is respectfully submitted that in the respondent State, the mining leases are granted/executed after completion of all codal formalities including Environment Clearance,

mining plan, as required under the 2015 Rules framed by the State Government in exercise of the powers conferred under Section 15 & 23 (C) of Mines and Minerals (Development & Regulation) Act, 1957. Further, the stone crusher units are established after completion of siting criteria as mentioned in the Notifications issued by the Department of Environment, Science & Technology under the Environment Protection Act, 1986.

It is important to mention here that to ensure the implementation of the above Act & Rules on the ground, the Additional Chief Secretary (Industries) to the Government of Himachal Pradesh, in exercise of the power conferred under Section 26 (2) read with Section 21 (4) of the Mines and Minerals (Development and Regulation) Act, 1957, has issued Notification dated 01.12.2021 whereby various authorities have been authorized to seize any mineral raised or transported or caused to be raised or transported by any person without any lawful authority any mineral from any land and for that purpose uses any tool, equipment, vehicle or any other thing for this purpose.

Additionally, the Additional Chief Secretary (Industries) has also issued another Notification dated 01.12.2021 whereby in exercise of the powers conferred under Section 26 (2) read with Section 22 of the Mines and Minerals (Development and Regulation)

Act, 1957, another 25 authorities of various departments have been authorized to make complaints to the competent court of jurisdiction in respect of any offence punishable under the said Act or any rules made thereunder. As such, the authorized officials from time to time visit the mining lease area as well as stone crusher units and if any irregularity is found, appropriate action is taken against the offender strictly as per the provisions contained under the above 2015 Rules.

It is further important to mention here that the applicants have failed to mention any violation of the provisions of MMDR Act 1957 & 2015 Rules by mining lease holders, and only broad and vague unsubstantiated averments have been made in the present application which cannot stand judicial scrutiny.

It is also important to mention here that the District Survey Report (DSR) 2024 of District Una, has been prepared in accordance with the Sustainable Sand Mining Management Guidelines, 2016, the Enforcement and Monitoring Guidelines for Sand Mining, 2020, and the EIA Notification dated 14.09.2006 as amended vide Notifications dated 15.01.2016 & 25.07.2018. The perusal of District Survey Report makes it amply clear that the said report adequately addresses mineral potential assessment, annual replenishment,

environmental considerations and sustainable mining practices appropriate to the geographical and geological conditions of District Una. As such, the allegation of the Applicants to the effect that the District Survey Report 2024 of District Una is critically deficient as it is 85-90 % verbatim copy of District Survey Report 2017, is incorrect, superficial and misleading. It is respectfully submitted that river systems are governed by long-term geological and geomorphological processes. The major river channels in District Una have been flowing along substantially the same alignment for several hundreds of years. In the absence of any catastrophic geological event such as a high-magnitude earthquake, extreme flood, or other disaster-like conditions, there is no abrupt or remarkable change in the fundamental geomorphology of the river profile. It is further submitted that the river characteristics such as zones of aggradation and degradation, erosion-prone reaches, deposition areas, and meandering patterns are quasi-stable geomorphic features and tend to remain largely consistent over long temporal scales. These features do not undergo significant alteration within short time intervals unless triggered by extraordinary natural events, which admittedly have not occurred in the area in question during the relevant period. It is respectfully submitted that the District Survey Report-2024 has been prepared

afresh in strict conformity with the EIA Notification issued in this regard after conducting a comprehensive assessment of the complete river systems, taking into consideration updated production data, extraction quantities, sediment replenishment rates, and cumulative impacts of mining activities. The said analysis is duly reflected in the District Survey Report-2024 and clearly distinguishes it from the earlier report of 2017.

A true copy of Notification dated 01.12.2021 is annexed herewith and marked as **Annexure R-5**.PAGE NO. 299.

A true copy of Notification dated 01.12.2021 is annexed herewith and marked as **Annexure R-6**.PAGE NO. 300-301.

2. That the contents of paras-2 to 5 are a matter of record and do not merit a reply.
3. That the contents of para-6 are matter of record. However, it is relevant to mention here that before preparing the District Survey Report 2024 of District Una, the replenishment study has been duly conducted and annual replenishment data is available in the said DSR.
4. That the contents of para-7 and 8 are wholly incorrect, hence denied. It is respectfully submitted that the

District Survey Report 2024 of District Una has been approved by the Himachal Pradesh State Level Environment Impact Assessment Authority (HPSEIAA) after completion of all codal formalities as required under EIA Notification dated 14.09.2006 as amended vide Notifications dated 15.01.2016 & 25.07.2018 as well as Enforcement & Monitoring Guidelines for Sand Mining 2020 issued by the Respondent No. 5 i.e. Ministry of Environment, Forest & Climate Change, Government of India. It is further, submitted that Appendix- X of the EIA Notification dated 14.09.2006 as amended vide Notifications dated 15.01.2016 & 25.07.2018 issued by the Respondent No. 5 i.e. Ministry of Environment, Forest & Climate Change, Government of India, provides detailed procedure & object of preparation of District Survey Report for Sand mining or River bed mining. As per the said Appendix, the main objective of the preparation of District Survey Report is to ensure the *“Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in the area.”*

The procedure for preparation of District Survey Report provides that the said report must contain the following structure:

- i. Introduction;
- ii. Overview of Mining Activity in the District;
- iii. The list of Mining Leases in the District with location, area and period of validity;
- iv. Details of Royalty or Revenue received in last three years;
- v. Detail of Production of Sand or Bajri or minor mineral in last three years;
- vi. Process of Deposition of Sediments in the rivers of the District;
- vii. General Profile of the District;
- viii. Land Utilization pattern in the district: Forest, Agriculture, Horticulture, Mining etc;
- ix. Physiography of the District;
- x. Rainfall: month-wise;
- xi. Geology and Mineral Wealth;

In addition to the above, the procedure further provides that the District Survey Report must contain the following;

- (d) District wise detail of river or stream and other sand source;

- (e) District wise availability of sand or gravel or aggregate resources;
- (f) District wise detail of existing mining leases of sand and aggregates.

Apart from above, it also mandates that a survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district and it must include Drainage system with description of main rivers, salient features of Important Rivers and Streams.

It is pertinent to mention here that the said procedure itself provides that a Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) Officers from (a) Irrigation department, (b) State Pollution Control Board or Committee, (c) Forest department, (d) Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

It is further submitted that the procedure also provides the methodology for calculation of Mineral Potential in the terms as under:

***“Methodology adopted for calculation of Mineral Potential:***

*The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and locations, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50% to 60% of the area of a particular river or stream. For Example, in some hill States mineral constituents like boulders, river born Bajri, sand up to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.*

*The District Survey Report shall be prepared in the district and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on the district’s website for twenty-one days. The comments received shall be considered and if found correct, shall be incorporated in the final Report to be finalized within six months by the District Environment Impact Assessment Authority.*

*The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.”*

Similarly, Appendix-X also provides the procedure for preparation of District Survey Report of minor minerals other than Sand mining or River bed mining.

It is relevant to mention here that the perusal of District Survey Report 2024 of District Una, makes it amply clear that it has been prepared strictly in accordance with the aforementioned procedure i.e. mineral potential of District Una has been calculated as per the methodology as prescribed therein and it also includes each and every feature/structure including drainage system & salient features of important Rivers and Streams. Moreover, after preparation of the said report, it was duly uploaded on 07.09.2024 in the official websites of the Department of Environment, Science Technology & Climate Change as well as department of Industries, Himachal Pradesh for inviting comments/suggestions from the general public within 21 days and information in this regard was duly given by way of Public Notice on 07.09.2024 in the leading Newspapers. However, in this regard, no comments were received from the general public including applicants i.e. Sh. Rohit Singh and Sh. Deepak

Kumar who have instead opted to file this misconceived Original Application without any factual basis.

The reply to contentions (a to e), raised by the applicants in this para, are as under:

- a. That the contents of sub-para (a) have not been portrayed in the right perspective, hence denied. It is respectfully submitted that the applicants have placed facts selectively, without context (page No. 60, Part of structure/feature No. 12 i.e. Drainage System of DSR 2024) to the effect that “*Presently the mineral reserves have been calculated only upto a depth of 1.00 meter*”. It is pertinent to mention here that the very same page further provides as under:

*“... It is also important to mention here that there is a provision in the present river/stream bed mining policy guidelines that collection of material upto a depth of only 1 meter is allowed in a single season, where mineral concessions have been granted, but it is noticed that during flood season, whole of the pit, so excavated is completely filled up and as such the excavated area is replenished with new harvest of mineral. As such, mineral*

concession in such areas may be allowed up to a depth of 3 meters..."

Additionally, the concluding paragraph (page No. 90) of structure/feature No. 14 i.e. General recommendations of DSR 2024 of District Una, also provides as under:

*"Presently the mineral reserves have been calculated only upto a depth of 1.00 metre. Since, there are so many portions in the river beds such as channel bars, point bars and central islands, where the annual deposition is raising the level of river bed thus causing catastrophic conditions especially during the rainy seasons by shifting the rivers towards banks resulting in to cutting of banks. Therefore, removal of material at such locations upto the bed level or up to 3.00 meter depth as per the provisions of mining rules, is essential to control the river flow in its central part and to check the bank cutting. In such a manner, the mineral potential presently calculated only up to one meter depth will certainly be increased twice or thrice as per the depth allowed for mining in the area. While, calculating the mineral potentials, the mineral deposits lying in the sub-tributaries, of that*

*particular stream/river has not been taken into consideration. Since, these tributaries are also adding the mineral deposits annually and especially during the rainy season in to the main river, as such, the mineral deposits and annual replenishment which has been calculated presently will be much more. Further the Survey of India Topo-Sheets has been used as base map to know the extent of river courses”*

It is further submitted that in fact, the preparation of District Survey Report is a broad study to identify of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in the area. As such, whenever any area, as recommended in the District Survey Report of 2024, is applied for grant of mining lease under the 2015 Rules, the applied area is duly inspected by the same Sub-Divisional Committee as constituted under EIA Notifications, as per the mandate of Rule 10 of the 2015 Rules and after inspecting the area in the light of various parameters as per Rule 6 & 34 of 2015 Rules, as per site specific observations, the final recommendations are made by

the said committee for grant or non-grant of mining lease. It is relevant to point here that Rule 34(iv) provides as under:

*“(iv) The depth of mining in the river bed shall not exceed two (02) meter or water level whichever is less;*

*Provided where the Joint Inspection Committee certifies about excessive deposition or over accumulation of minerals in certain reaches requiring channelization, it can go up to three meters on defined reaches of the river.”*

As such, the Joint Inspection Committee/Sub-Divisional Committee is well empowered to allow the depth of mining over the granted mining lease upto 2 or 3 meter depending on the accumulation of minerals.

It is equally important to mention here that if the Joint Inspection Committee recommends the area for grant of mining lease, then after taking the approval from the competent authority, the principal approval/Letter of Intent for grant of mining lease is issued to the applicant with the conditions that for processing the matter further, the applicant has to submit a Mining Plan duly prepared by Recognized Qualified Person as per the mandate of Rule 37, Environment Clearance duly issued by the competent authority and the demarcation report of applied area

etc. It is only after fulfillment of all the conditions of Letter of Intent, the grant order for mining lease is issued. It is apt to mention here that a mining lease holder can only carry out mining activity strictly in accordance with the Mining Plan which is made for a period of 5 years and thereafter, based upon the available mineral potential, the same is renewed time to time. Further, the total mineable mineral deposits in the mining lease area is already mentioned in the Mining Plan which divided over a period of 5 years. As such, extraction of mineral from the mining lease area is carried out as per the available reserve of minerals on annual basis. Moreover, to avoid any illegal activities or excessive crushing of minor minerals, the State Government has issued a Notification bearing dated 18.11.2023 whereby it has been made mandatory that royalty from all the stone crusher units shall be charged on the basis of their actual production and the same is computed at the factor of 5 units per metric tonne of grit/bajri.

It is worthwhile to mention here that Page No. 60 (Part of structure/feature No. 12 i.e. Drainage System) of DSR 2024 itself provides the method of grant of mining lease in the terms as under:

*. It is also important to mention here that, whenever, any of the area recommended for grant of mineral concession in District Survey*

*Report is applied by the project proponent for the grant of mining lease, the same is further inspected by the committee constituted under the chairmanship of concerned Sub Divisional Officer (C) comprising members from Public Works Department, Irrigation and Public Health Department, Forest Department, Pollution Control Board and Mining Officer/Geologist etc. for submission of their recommendations. Thereafter, as per the site-specific recommendations of the committee, the concerned Mineral concession holder has to prepare the detailed "Mining Plan" for the allotted area through Registered Qualified Person and get in approved from authorized officer of Geological Wing of the State Government. The comprehensive mining plan are prepared by RQP giving details of minerals reserves, method of mining, progressive mine closure plan, extent of proposed mining and other related details. As such, the microlevel, site specific study of the area comprising the probable and provable mineral reserve deposition at the particular site is again conducted before the grant of mining lease."*

- b. That the contents of sub-para (b) have not been portrayed in the right perspective, hence denied. It is humbly submitted that the allegation made by the Applicants that the respondents have adopted percentage ranges of boulders (20–45%), bajri (15–35%), sand (20–40%), and silt and clay (25–30%) without any scientific sampling rationale has been misconceived and contrary to established principles of fluvial geomorphology and river science. In fact, the rivers flowing through District Una are natural, perennial and are governed by long-term geological, geomorphological and hydrological processes. The river channels in the district exhibit characteristics of young, mature and old stages of river development, depending upon gradient, discharge, lithology, and valley confinement. It is a settled scientific principle that the nature and composition of riverbed material are not uniform and vary spatially and temporally based on river velocity and discharge, channel slope and width, nature of bedrock and catchment geology, obstructions such as bends, bars, and local constrictions, seasonal variation in monsoon and non-monsoon flows. It is important to mention here that whenever the velocity of the river is reduced due to natural obstructions or geomorphic controls, the river deposits its load in accordance with the principle of hydraulic sorting, whereby boulders and cobbles are

deposited first, followed by bajri, sand, and finally silt and clay. Thus, the riverbed inherently exhibits heterogeneous sediment distribution, which cannot be represented by a single uniform percentage at all locations as alleged by the Applicants and hence has been taken as an average of the mineral constituents deposited in the entire River.

It is further submitted that the rivers flowing through District Una mostly originate in and traverse the Shivalik hill ranges, cutting through Shivalik formations in their upper, middle, and lower reaches. Due to this geological setting, the rivers naturally carry a mixed sediment load comprising boulders, cobbles, bajri, sand, silt, and clay, the proportion of which varies from reach to reach. The whole process of transportation, deposition, and erosion etc has broadly been elaborated especially at page no. 19 to 23 of District Survey Report of 2024 and while providing assistant in preparation of the District Survey Report (DSR), the Geological Wing of Department of Industries has undertaken extensive field inspections, carried out visual and physical assessments of river reaches, studied the historical data, past surveys and recurring field observations and analyzed sediment characteristics over multiple seasons and years as mandated under the Sustainable Sand Mining Guidelines. The percentage ranges indicated in the DSR

are not arbitrary averages, but represent observed ranges derived from site-specific field observations and sampling at multiple locations, reflecting the natural variability and heterogeneity of riverbed deposits. It is relevant to mention here that the very existence of a range rather than a fixed figure demonstrates adherence to scientific rationale, acknowledging natural variation rather than assuming uniformity. Further, insisting upon rigid, point-specific sampling values across an entire river stretch would itself be scientifically flawed and misleading, as river systems are dynamic and non-homogeneous by nature. Hence, the allegation of the Applicants that the District Survey Report lacks a scientific sampling rationale is untenable and the sediment composition ranges provided therein are reasonable, justified and based on sound scientific principles, extensive field experience and long-term observations of the river systems of District Una.

- c. That the contents of sub-para (c) have not been portrayed in the right perspective, hence denied. It is humbly submitted that use of "Survey of India Topographical Sheet" remains the authoritative and legally recognized base maps for all official purposes. These sheets are periodically updated by the Survey of India, and the versions used in the District Survey Report 2024 of District Una are the latest available

editions. The allegation that these maps do not reflect recent changes is wholly conjectural and unsupported by evidence.

- d. That the contents of sub-para (d) have not been portrayed in the right perspective, hence denied as per the submissions made in sub para (b), the perusal whereof clearly shows that clay and silt composition upto 25 to 30 percent mention in the District Survey Report 2024 of District Una, is a broad study and Mining Plan of a particular mining lease area, mentions the exact composition of clay and silt on the basis of site-specific observations. It is important to note that the main object of District Survey Report is to identify the areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in the area. Further, micro level study/observations are conducted by the "Recognised Qualified Person" at the time of inspection of applied area/site specific of mining lease, as explained in sub para (a) of this para, for preparation of Mining plan.
- e. That the contents of sub-para (e) have not been portrayed in the right perspective, hence denied. It is

humbly submitted that with regard to "Deficiency in Drainage System and Hydrology Data," the Respondents submit that the page No. 43 to 58 & 92 of District Survey Report 2024 of District Una provides the complete information regarding the drainage system and hydrological characteristics of the district. The level of detail provided is appropriate for a district-level planning document as per the mandate of MOEF Notifications. Detailed hydrological studies, where necessary, are conducted at the individual project level by the "Recognised Qualified Person", while preparation of mining plan before the grant of mining lease as well as issuance of environmental clearances.

5. That the contents of para-9 are incorrect, hence denied. It is respectfully submitted that the replenishment assessment for rivers and streams of District Una has been carried out through systematic field investigations, geomorphological analysis and hydrological evaluation, based on established principles of fluvial dynamics and sediment transport. It is further submitted that the rivers flowing through District Una are perennial to seasonal alluvial river systems, wherein sediment replenishment is governed by monsoonal discharge, catchment lithology, channel gradient, stream competence and sediment load. To assess these parameters, detailed field-based sediment

replenishment studies were undertaken prior to the monsoon season which finds mention at Page No. 71 of District Survey Report 2024 of District Una and the same is reproduced herein as under:

*“As already explained, during flood, the stream carries sediments comprising different components as per the lithology forming the catchment and these sediments are deposited in the bed of stream annually. This deposition for one year is known as the annual deposition. The deposition in a river bed is more pronounced during rainy season although the quantum of deposition varies from stream to stream depending upon numbers of factors such as catchment lithology, discharge, river profile and geomorphology of the river course. The particle size may vary depending upon the stage of river i.e. youth, mature and old age. In Una District during field survey, it is observed that annual deposition in various streams vary from 4 cms to 10 cms. However, there are certain geomorphological features developed in the river bed such as channel bars, point bars etc. where annual deposition is much more even two to three meters.”*

Additionally, Page No. 90 of District Survey Report 2024 of District Una also clearly show that

replenishment studies were undertaken prior to the monsoon season. The relevant para is reproduced herein as under:

*“Presently the mineral reserves have been calculated only upto a depth of 1.00 meter. Since, there are so many portions in the river beds such as channel bars, point bars and central islands, where the annual deposition is raising the level of river bed thus causing catastrophic conditions especially during the rainy seasons by shifting the rivers towards banks resulting in to cutting of banks. Therefore, removal of material at such locations upto the bed level or up to 3.00 metre depth as per the provisions of mining rules, is essential to control the river flow in its central part and to check the bank cutting. In such a manner, the mineral potential presently calculated only up to one meter depth will certainly be increased twice or thrice as per the depth allowed for mining in the area. While, calculating the mineral potentials, the mineral deposits lying in the sub-tributaries, of that particular stream/river has not been taken into consideration.”*

It is also submitted that during the field survey as explained above, the test pits of standard dimensions

measuring 1 meter × 1 meter × 1 meter were excavated as part of the scientific methodology, at representative locations within the active riverbed. These locations were selected after considering river cross-section, thalweg alignment, floodplain width, channel morphology and depositional zones, thereby ensuring that the assessment reflects actual sediment dynamics rather than isolated observations. Baseline data relating to bed material composition, sediment stratification and depth of existing alluvial deposits were recorded before the monsoon and post-monsoon season. The volumetric difference observed in the test pits was scientifically analyzed to determine net annual replenishment, sediment thickness and spatial distribution of deposits. The replenishment factor has therefore been calculated by correlating field observations with river hydrology, flow regime and depositional behavior and not on arbitrary assumptions or averages, as alleged by the applicants.

It is equally important to mention here that replenishment assessment is not confined to a generalized district-level exercise. For each mining lease application, a site-specific Mining Plan is prepared by a technically qualified professional as explained in preceding paras. Such mining plans include detailed evaluation of riverbed profile, mineable reserves, depth of extraction, width of channel and anticipated

replenishment, ensuring that localized hydrological and geomorphological conditions are duly considered. These site-specific studies further provide an additional layer of scientific scrutiny, thereby eliminating any possibility of indiscriminate or unsustainable extraction. As such, the replenishment studies conducted by the Geological Wing of Industries Department are scientifically robust, hydrologically justified and empirically validated. Hence, the District Survey Report 2024 of District Una has been rightly approved by the Himachal Pradesh State Level Environment Impact Assessment Authority (HPSEIAA) after completion of all codal formalities as required under para 5.0 5.1 & 5.2 of Enforcement & Monitoring Guidelines for Sand Mining 2020.

6. That the contents of para-10 are incorrect, hence denied. It is respectfully submitted that the contention of the Applicants to the effect that there is no section, table or annexure in the District Survey Report 2024 of District Una which presents a calculation modelling or scientific analysis of carrying capacity of hill slopes is unsupported by any statutory provision and devoid of any basis. Moreover, the applicants have themselves admitted that hill slopes, unlike river beds, do not undergo natural replenishment and hence replenishment studies on hill slopes cannot be

conducted or expected. It is relevant to mention here that the hills of Una District geologically form part of the Outer Himalayas (Shivalik Range), which are predominantly composed of conglomerate-rich Shivalik formations, including sandstone, pebbly sandstone, conglomerates, bajri and subordinate clay bands. These Shivalik rocks are well known for their natural occurrence of sandstone and bajri, which are the principal raw materials for dressed and undressed stone in the region. It is further submitted that the carrying capacity of hill slope mining areas is not assessed in an abstract or generalized manner but is scientifically evaluated on a site-specific basis through the Mining Plan approved by the competent authority. The Mining Plan which is prepared by the technical qualified persons contains detailed studies relating to geological reserves, method of mining, bench designing and slope stability, environmental management measures and annual production capacity consistent with ecological and safety considerations. Thus, the carrying capacity of the hills is duly examined and regulated through statutory mining plans prior to commencement of mining operations and continuous compliance is ensured through inspections by the concerned authorities. The feature/structure No. 15 of District Survey Report specifically records as under:

*“It is important to mention here that whenever any of the area is applied by any of the project proponent for the grant of mining lease, the same is further inspected by the committee constituted under the chairmanship of concerned Sub Divisional Officer(C) comprising members from Public Works Department, Irrigation and Public Health Department, Forest Department, Pollution Control Board and Mining Officer/Geologist etc. for submission of their recommendations as per the provisions of Mining Rules. Accordingly, as per the recommendations of the joint inspection committees, letter of Intents are issued to the applicants by the Competent Authorities for completion of other codal formalities required under law. After the issuance of the Letter of Intent the mineral concession holder has to prepare the detailed “Mining Plan” for the allotted area through Registered Qualified Person which is further required to be approved from authorized officer of Geological Wing of the State Government. The comprehensive mining plan are prepared by RQP wherein, details of mineral reserves, method of mining, progressive mine closure plan, extent of*

*proposed mining, impact of Environment due to mining and its remedial mitigation and other related details with respect to use of the mineral are required to be furnished. As such, the microlevel, site specific study of the area comprising the probable and provable mineral reserve deposition at the particular site is conducted before the grant of mining lease.”*

As such, it is clear that the District Survey Report does not merely list mineral occurrences, however, expressly envisages a detailed, site-specific technical and scientific exercise to determine the quantum of mineral reserves, methods of extraction, environmental impacts and mitigation measures. The preparation and approval of a detailed Mining plan by a Recognized Qualified Person necessarily provides environmental limits within which mining may be permitted. Such exercise constitutes a scientific assessment of the carrying capacity and sustainability of mineral extraction on hill slope as part of the statutory regime. Hence, the allegation of the applicants that carrying capacity of hill slopes has not been studied is incorrect. The very structure of the DSR and the requirement of a detailed Mining Plan, which forms an integral part of the DSR process for minor minerals other than sand and riverbed mining, ensures that carrying capacity consideration are built into the

assessment prior to grant of mining lease. As such, the Applicants' contention deserves to be rejected.

7. That the contents of para-11 are incorrect, hence denied. It is humbly submitted that the allegations as raised by the applicants are hereby addressed in the following paras:

a to c That the contents of these sub paras have not been portrayed in its correct perspective, hence denied. It is respectfully submitted that sub para (n) of para 4.1.1 of EMGSM-2020 stipulates that the State Government shall define and verify the transportation route from the mining lease area considering the size and location of the mining lease, the quantity of mineral to be excavated and the carrying capacity of the route, with a suggestion that movement through villages having habitation should be avoided. A plain reading of the said guideline clearly indicates that the determination and verification of the transportation route is linked to the specific mining lease, because at the stage of Joint Inspection of area applied for mining lease, the exact location of the lease, production capacity and surrounding habitations can only be exactly known. It is pertinent to submit that the aforesaid guidelines are duly complied with prior to the grant of mining lease and not necessarily at the stage of preparation of the

District Survey Report (DSR), as the DSR is a macro-level document identifying potential mineral-bearing areas within the district, whereas the transportation route is a site-specific requirement dependent upon the exact location of the mining lease and nearby villages.

It is further pertinent to mention here that in District Una, all the mining leases have been granted on private land after obtaining the consent of concerned land owners as well as Gram Panchayats. During the course of joint inspection of the mining lease sites, the applicant/lessee is mandatorily required to submit the transportation route for approval before the grant of the mining lease. The Joint Inspection Committee imposes specific conditions requiring submission and adherence to an approved transport route, duly verified by the Mining Officer, keeping in view habitation and carrying capacity. As such, it is only after fulfillment of these conditions, the mining leases are recommended by Joint Inspection Committee and granted accordingly. Hence, the applicable guidelines are duly complied with in letter and spirit at the appropriate stage of grant of mining lease. It is also important to mention here that public hearing/consultation is an integral part of the environmental clearance process for individual mining projects. Each mining proposal requiring environmental clearance undergoes a public hearing conducted by the Pollution Control Board, wherein

objections and suggestions from stakeholders are recorded and considered. The allegation that public hearings have not been conducted is factually incorrect, hence denied.

8. That the contents of para-12 are absolutely incorrect, hence denied. It is humbly submitted that the District Survey Report (DSR) 2024 of District Una, has been prepared in accordance with the Sustainable Sand Mining Management Guidelines, 2016, the Enforcement and Monitoring Guidelines for Sand Mining, 2020, and the EIA Notification dated 14.09.2006 as amended vide Notifications dated 15.01.2016 & 25.07.2018. The perusal of District Survey Report makes it amply clear that the said report adequately addresses mineral potential assessment, environmental considerations and sustainable mining practices appropriate to the geographical and geological conditions of District Una. As such, the comparison between DSR 2024 and DSR 2017 presented by the Applicants is superficial and misleading. It is respectfully submitted that river systems are governed by long-term geological and geomorphological processes. The major river channels in District Una have been flowing along substantially the same alignment for several hundreds of years. In the absence of any catastrophic geological event such as a high-magnitude earthquake, extreme flood, or other

disaster-like conditions, there is no abrupt or remarkable change in the fundamental geomorphology of the river profile. It is further submitted that the river characteristics such as zones of aggradation and degradation, erosion-prone reaches, deposition areas, and meandering patterns are quasi-stable geomorphic features and tend to remain largely consistent over long temporal scales. These features do not undergo significant alteration within short time intervals unless triggered by extraordinary natural events, which admittedly have not occurred in the area in question during the relevant period. It is respectfully submitted that the District Survey Report-2024 has been prepared afresh/updated in strict conformity with the EIA Notification issued in this regard after conducting a comprehensive assessment of the complete river systems, taking into consideration updated production data, extraction quantities, sediment replenishment rates, and cumulative impacts of mining activities. The said analysis is duly reflected in the District Survey Report-2024 and clearly distinguishes it from the earlier report of 2017. It is pertinent to mention here that the preparation of the DSR involves compilation of both historical data (which provides continuity and context) and updated information (which reflects current conditions). The methodology adopted is scientifically sound and ensures consistency in data

interpretation while incorporating new information as it becomes available. Further, the DSR 2024 has been prepared by qualified geologists and technical experts, reviewed by multiple departments, and approved by SEIAA after due scrutiny. The approval granted by the competent authority carries a presumption of correctness and cannot be invalidated based on a non-technical, superficial comparison with previous reports.

It is further pertinent to mention here that the District Survey Report 2024 of District Una has been prepared by using satellite images, Google Earth images, Toposheets and other latest available Technology. Moreover, micro level site specific study, is also conducted with the latest available technology by a highly 'Recognized Qualified Person' as per the mandate of Rule 37 of the 2015 Rules, while preparing the Mining Plan. Further, the District Survey Report is also updated after every 5 years after completion of all codal formalities as per the mandate and EIA Notifications.

9. That the contents of para-13 are incorrect, hence denied. It is humbly submitted that the present Applicants have made sweeping allegations without appreciating the geological characteristics of Una District and the statutory safeguards governing mining

and stone crusher operations. It is relevant to mention here that the hills of Una District geologically form part of the Outer Himalayas (Shivalik Range), which are predominantly composed of conglomerate-rich Shivalik formations, including sandstone, pebbly sandstone, conglomerates, bajri and subordinate clay bands. These Shivalik rocks are well known for their natural occurrence of sandstone and bajri, which are the principal raw materials for dressed and undressed stone in the region. It is further submitted that the carrying capacity of hill slope mining areas is not assessed in an abstract or generalized manner but is scientifically evaluated on a site-specific basis through the Mining Plan approved by the competent authority. The Mining Plan which is prepared by the technical qualified persons contains detailed studies relating to geological reserves, method of mining, bench designing and slope stability, Environmental management measures and annual production capacity consistent with ecological and safety considerations. Thus, the carrying capacity of the hills is duly examined and regulated through statutory mining plans prior to commencement of mining operations and continuous compliance is ensured through inspections by the concerned authorities.

With regard to the allegation as to the installation of stone crusher units and grant of mining leases in

forest areas, it is categorically submitted that all stone crusher units as well as mining leases in Una District are located on private land and no stone crusher/mining leases has been permitted within forest land. Moreover, the establishment and operation of stone crushers are strictly regulated and permitted only after ensuring compliance with the distance criteria and siting parameters prescribed under the Notifications and guidelines issued by the Department of Environment, Science and Technology for establishment of stone crusher unit in the State. It is important to mention here that before installation of stone crusher unit, the same is subjected to scrutiny with respect to fulfillment of distances from habitations, rivers, roads and educational institutions and compliance of environmental norms as prescribed under the said Notification. Further, all stone crushers operating in the district are required to obtain necessary clearances including Consent to Establish and Consent to Operate from the Himachal Pradesh Pollution Control Board and permanent registration from the department of Industries and to ensure the provisions mentioned in the said statutory clearances, the regular inspections are conducted by the field agencies of respective departments of State Government and whenever, any irregularity is found,

the appropriate action is taken against the defaulter in accordance with law.

A true copy of Notification dated 29.06.2021 is annexed herewith and marked as **Annexure R-7**. PAGE NO. 302-310.

10. That the contents of para-14 to the effect that District Survey Report 2024 of District Una, H.P., is deficient and legally untenable, are incorrect, hence denied as per the detailed submissions made in preceding paras. Rest of the contents of this para do not pertain to the answering Respondents, hence call for no reply.
11. That the contents of para-15 are incorrect, hence denied. It is respectfully submitted that all the stone crusher units in district Una, are running on the basis of valid mineral concessions/mining leases granted after completion of all codal formalities including Mining plan and Environment clearance as required under the 2015 Rules. Further, all mining lease holders are bound to carry out mining activities in accordance with Mining Plan and whenever, any irregularity is found, appropriate action is taken against the defaulters in accordance with the provisions of above Rules. It is important to mention here in district Una all stone crusher units are located on private land and no mining lease has been granted over the forest land.

The reply of individual complaint (a to g), is as under:

- a. That the contents of this sub paras (a) have not been portrayed in its correct perspective, hence denied. It is respectfully submitted that the averments made by the Applicants are selective, misleading, and do not reflect the complete factual position. It is important to mention here that immediately upon receipt of the complaint dated 07.03.2025, the Mining Officer, Una, conducted a surprise inspection of the site on 11.03.2025. During the course of inspection, certain violations were observed, inter alia, including that the bench/face height was not maintained as per the approved Mining Plan, the mandatory safety buffer zone from the lease boundary was not adequately maintained, and dumping of excavated material was found to be improper. In view of the said violations, the Mining Officer promptly issued a Show Cause Notice dated 12.03.2025 to the owner of the stone crusher-cum-mining lease, directing immediate rectification of the deficiencies. Simultaneously, the matter was taken up with the concerned Electricity Department, resulting in disconnection of the electricity supply and the operations of the unit were suspended. The prompt action taken by the District Administration, including suspension of operations, clearly demonstrates that the violations were not ignored, as falsely alleged by the

Applicants. Thereafter, on 19.03.2025, the project proponent informed the Mining Officer that the violations pointed out during inspection had been rectified and requested re-inspection of the site. Accordingly, the Mining Officer re-inspected the area on 25.03.2025 and found that the rectifications earlier directed had been carried out. On the basis of the site conditions prevailing at that time, the suspension was revoked conditionally, subject to continued compliance and review of the mining lease area after a period of one month. Thus, it is denied that any “clean chit” was granted; rather, the revocation was conditional and based on physical verification. It is further submitted that during a subsequent inspection conducted in the month of June 2025 by officers from the Headquarter of Geological wing along with the Mining Officer, Una, it was observed that all the violations had not been rectified satisfactorily, and certain deficiencies continued to persist at the site. In view of the continued non-compliance, the respondent department again took strict enforcement action, and the mining lease was re-suspended and the electricity connection was disconnected once again. Therefore, the allegation that the Mining Department failed to flag violations or deliberately allowed the stone crusher to operate in violation of mining and environmental norms is factually incorrect. On the contrary, the record clearly

establishes that the authorities acted promptly, conducted multiple inspections, imposed suspensions, and enforced compliance strictly in accordance with law. Hence, the allegations made by the Applicants against the answering Respondents in this regard are misconceived, exaggerated, and liable to be rejected.

- b. That the contents of sub-para (b) alleging inaction on the part of the Police authorities on the complaint made by the Applicant regarding alleged illegal mining in Hum Khad are wrong, misconceived and denied. It is respectfully submitted that as informed by the Police Department, in respect of the incident dated 07.03.2025 a complaint was registered by the Applicant on 03.05.2025. Immediately upon receipt of the said complaint, the field officials of the Police Department were deployed at the site and the Applicant was also requested to remain present at the spot to facilitate verification of the allegations made in the complaint. However, the Applicant failed to remain present at the site. During the inspection conducted by the field officials, no mining activity whatsoever was found to be taking place at the site and no evidence of illegal mining was recorded. As such, timely and prompt action was taken by the Police authorities on the complaint made by the Applicant and the allegation of inaction on the part of the police authorities is baseless and contrary to

the record. It is equally important to mention here that the interim stay order passed by the Hon'ble High Court of Himachal Pradesh in CWPIL No. 2/2025 titled as Raj Sharma V/s State of Himachal Pradesh & Ors, after having duly considered the detailed submissions made by the State Government, has vacated the said stay order vide order dated 23.12.2025.

A true copy of inquiry report dated 09.07.2025 alongwith translated copy is annexed herewith and marked as **Annexure R-8**.PAGE NO. 311-322.

- c to f. That the contents of sub-para (c to f) are misleading, hence denied. It is respectfully submitted that in the respondent State, the mining leases are granted/executed after completion of all codal formalities including mining plan, environment clearance as required under the 2015 Rules. Further, to curb illegal mining activities, various authorities are empowered to make complaints and seize any mineral raised or transported *vide* notifications dated 01.12.2021 as stated earlier.

Further, as and when, any complaint including any complaint of the Applicants, is received, the area under question is duly inspected and if any irregularity in carrying out the mining operations over the mining

lease area is observed, appropriate action is taken under the 2015 Rules.

It is important to mention that to ensure uninterrupted and lawful supply of minor minerals in District Una and simultaneously to curb illegal mining activities, the Department of Industries has granted a total of 90 mining leases in District Una after completion of all codal formalities required under the 2015 Rules. Out of these, 49 mining leases have been granted for extraction of minor minerals for feeding the stone crusher units located at Haroli Sub-Division of District Una. Out of the said 49 mining leases, 35 mining leases pertain to hill slope areas over the private land, while the remaining 14 mining leases cover riverbed areas. It is further pertinent to note that all the mining lease holders are bound to carry out mining activities in accordance with the provisions of the Mining Plan as well as terms & conditions of mining lease and to ensure the said provisions and terms & conditions, the field Officer & Officials as well as senior officers regularly inspect the lease area and where any irregularity is found, appropriate action is taken against the lease holder as per the provisions of the 2015 Rules. It is further important to mention here that after extraction of boulders and other minor minerals, the leaseholders are mandatorily required to undertake reclamation and stabilization measures as per the

approved Mining Plan. Upon completion of extraction and levelling, such private lands are rendered suitable for cultivation and other permissible land-use purposes, thereby restoring the utility of the land and minimizing long-term environmental impact.

A true copy of photographs of cultivated/planted areas developed after the expiry of validity period of mining lease, are annexed herewith and marked as **Annexure R-9 (Colly)**. PAGE NO. 323-327.

It is also important to mention here that upon receipt of complaints from the Applicants, the areas under question were inspected from time to time by the field officials. In addition, senior officers also conducted detailed inspections during the month of June 2025. During these inspections, all concerned stone crusher units and associated mining leases were physically verified and compliance of approved mining plans, lease conditions and environmental safeguards were examined and wherever any irregularity was found during the course of inspections, the concerned Mining Officer was directed to take necessary action for rectifying the irregularity pursuant to which, the Mining Officer has duly taken appropriate action in accordance with law.

As regards the allegation of illegal mining and hill cutting near the Bulk Drug Park project, it is specifically submitted that the activity referred to by the Applicant at the said site is developmental and construction-related activity and not mining activity. The earthwork being undertaken is associated with site development for the Bulk Drug Park project and does not involve extraction of minor minerals for commercial purposes. Therefore, the allegation of illegal mining in the vicinity of the Bulk Drug Park is factually incorrect and misconceived. It is pertinent to mention here that the officers of Department of Industries, in coordination with the district administration and enforcement agencies, remains vigilant and continues to undertake inspections, monitoring, and enforcement actions to prevent any illegal mining activity and to ensure compliance with environmental and mining laws and whoever is found to be involved in illegal mining activities, the appropriate action is taken against him in accordance with applicable laws. Hence, the allegations made in sub-paras (c) to (f) are devoid of merit, contrary to record, and are liable to be rejected.

- g. That the contents of sub-para (g) to the effect that the stone crusher units located along the border areas of Gondpur–Jaichand in District Una, Himachal Pradesh, are carrying out unscientific mining and illegally

transporting mined material to the State of Punjab, thereby causing massive revenue loss to the State, are wrong, misleading, conjectural and hence denied. It is respectfully submitted that transit passes i.e. Form W & X are issued by the respective District Mining Officer in consonance to the advance royalty deposited by the mining lease holder and these transit passes are generated online wherein real date & time is mentioned. As such, from the deposit royalty or transit passes or electricity units, it can be easily ascertained how much minor minerals have been extracted from a mining lease area and further sold out by the stone crusher unit.

It is also important to mention here that the District Administration has taken several effective and proactive measures to regulate mining operations and mineral transportation and to curb illegal mining in the district. In this regard, the District Administration has issued a district-wide prohibitory order dated 21.11.2025 under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, prescribing stringent restrictions and regulatory measures, which include the following:

1. Complete prohibition on all mining-related activities between 5:00 p.m. and 6:00 a.m.;
2. Extraction, loading and other mining activities are permitted only between 6:00 a.m. and 5:00 p.m.;

3. Transportation of mineral material by tippers/dumpers is permitted only between 10:00 a.m. and 5:00 p.m. and strictly through designated routes.

It is further submitted that the designated routes have been jointly identified and notified by the Police Department and the Mining Department to effectively prevent illegal mining and unauthorized transportation of minerals. In furtherance of effective enforcement, the Department of Industries has also established five (05) mining checkpoints at Bathri, Mehhatpur, Polian, Gagret and Pandoga in District Una, where mineral movement is monitored. Moreover, adequate deployment of police and mining personnel has been ensured, and any violation is dealt with strictly by lodging FIRs under the relevant provisions of the Bharatiya Nyaya Sanhita and other applicable laws. As such, the allegations made by the petitioner regarding unscientific mining, illegal transportation of minerals and revenue loss to the State are wholly unfounded, denied and liable to be rejected.

A true copy of order dated 21.11.2025 is annexed herewith and marked as **Annexure R-10**.PAGE NO. 328-329.

12. That the contents of para-16 in respect to the general recommendations of District Survey Report 2024 of District Una, are misconceived, hence denied. It is

respectfully submitted that the mineral being transported from the area under reference is neither boulder, nor cobble, nor hand-broken road ballast, as contemplated by the applicant under para 14 of the District Survey Report (DSR). Factually, the mineral which is transported is processed/crushed mineral aggregate produced by legally established stone crusher units, sourced exclusively from validly sanctioned mining leases, and is materially distinct from raw mineral extracted directly from river streams. The restriction contained in paragraph 14 of the DSR is limited only to boulders, cobbles and hand-broken road ballast extracted from river streams, and does not apply to the transportation of legally processed crusher material. Consequently, the provisions of the DSR are not violated by the transportation of such processed material to adjoining States, including the State of Punjab. It is further submitted that the allegation of the petitioner that 500 to 1,000 trucks/tippers are illegally transporting mineral material to the State of Punjab is based on mere assumptions and conjectures and entirely unsubstantiated.

13. That the contents of para-17 pertaining to the order passed by the Hon'ble National Green Tribunal in OA No. 52 of 2025, titled as Navjot Singh Sidhu and Others versus State of Punjab and Others, are matter of record.

Rest of the contents of this para are absolutely incorrect, hence denied. It is respectfully submitted that the mineral being transported from the area under reference is neither boulder, nor cobble, nor hand-broken road ballast, as contemplated by the applicant under paragraph 14 of the District Survey Report (DSR). Factually, the mineral which is transported is processed/crushed mineral aggregate produced by legally established stone crusher units, sourced exclusively from validly sanctioned mining leases, and is materially distinct from raw mineral extracted directly from river streams. The restriction contained in paragraph 14 of the DSR is limited only to boulders, cobbles and hand-broken road ballast extracted from river streams, and does not apply to the transportation of legally processed crusher material and the intent of the restriction is to reduce ecological pressure on river streams and riverbeds. Consequently, the provisions of the DSR are not violated by the transportation of such processed material to adjoining States, including the State of Punjab. It is submitted that no such riverbed material is being permitted by the Department of Industries for inter-state transportation from District Una and all movement of minor minerals is strictly regulated through statutory transit permits such as W and X forms and monitoring mechanism. It is important to mention here that the Applicants have completely

failed to distinguish between riverbed minerals, which are restricted under Para 14 of the DSR, and minerals sourced from legally approved mining leases in non-riverine areas, the transportation of which is governed by applicable rules and valid transit permits. Further, the State of Himachal Pradesh follows a strictly regulated and lease-linked mining regime, wherein each stone crusher unit is mandatorily tied to identified and lawful sources of raw material. No stone crusher in Himachal Pradesh is permitted to operate on the basis of self-certification alone and the source of raw material is governed by individual mining lease, approved mining plans, Environmental Clearances, Consent to Establish and Operate, and Compliance with the Mines and Minerals (Development and Regulation) Act, 1957 and the applicable State Minor Mineral Rules, 2015. As such, the Applicant's inference that the material supplied to stone crushers in Punjab is necessarily coming from District Una, Himachal Pradesh, is factually incorrect and misconceived and therefore deserves to be rejected.

14. The contents of paras 18 & 19 are incorrect and hence denied. It is submitted that the allegations made by the Applicants on the basis of the map contained in para 16 of the District Survey Report (DSR) for District Una, are misleading, speculative and are therefore denied. It is

respectfully that submitted that the map referred to by the Applicants merely depicts the spatial distribution of granted mining leases and stone crushers across the constituencies of Una, Bangana, Haroli, Gagret and Chintpurni, and does not, either expressly or impliedly, indicate any illegality in mining operations or transportation of minerals. The Applicant's attempt to attribute illegality solely on the basis of geographical proximity to the Punjab border is contrary to settled legal and technical principles governing grant of mining leases. At the outset, it is clarified that all mining leases presently operating in District Una are situated on private lands and are strictly governed by the availability of mineral deposits, which is scientifically and technically verified during the joint inspection of the applied for site which is conducted by the competent authorities, including officers from the Mining, Revenue and Forest departments, as per the applicable rules guidelines.

It is submitted that the distribution of mining leases across various constituencies depends upon multiple objective factors such as :

- a). Geological occurrence and mineral potential in riverbeds as well as hill slopes;
- b). Availability of sufficient private land suitable for mining activity;

- c) Compliance with environmental safeguards, distance criteria, and statutory clearances;
- d) Physical feasibility and sustainability of extraction as assessed during joint inspections.

Therefore, a higher concentration of leases in certain areas, such as Haroli or Gagret, is a natural outcome of mineral-bearing formations and land availability, and cannot, by itself, be construed as evidence of illegal mining or illegal transportation. The Applicant's allegation that stone crushers in border areas are "immediately and illegally" transporting raw material into Punjab is a bald assertion without any supporting material. Mere proximity to the Punjab border cannot give rise to a presumption of theft, tax evasion or loss of royalty. It is further submitted that the restrictions contained in Para 14 of the DSR are resource-specific, and apply only to boulders, cobbles and hand-broken road ballast sourced from riverbeds. No such riverbed material is permitted to be transported outside the State of Himachal Pradesh. All transportation of legally mined material is regulated through valid transit passes and statutory monitoring mechanisms, in conformity.

Moreover, to ensure systematic regulation, environmental protection and prevention of any misuse, the District Administration, Una, has already issued a comprehensive order dated 21.11.2025, laying

down regulatory measures governing operation of mining leases and stone crushers. The issuance of the said order itself demonstrates that the administration is actively monitoring and regulating mining activities, thereby negating the Applicant's allegation of administrative inaction or tacit facilitation of illegality. In view of the above, the allegations that mining leases in District Una are strategically located to facilitate illegal transportation to Punjab, resulting in theft of minerals, GST evasion or loss of royalty, are baseless, unsubstantiated and liable to be rejected. The reliance placed on the map contained in para 16 of the District Survey Report (DSR) and the description of the Lower Shivalik region do not establish any illegality in mining operations in District Una. The map merely reflects the distribution of mining leases and stone crushers and cannot be construed as evidence of illegal mining or transportation. All mining leases operating in District Una are lawfully granted on private land, based strictly on the availability of mineral certified during joint inspection by competent authorities, and in compliance with environmental and statutory requirements. The distribution of leases depends upon geological mineral potential in riverbeds and hill slopes, availability of suitable private land, and environmental conditions, and not on proximity to the Punjab border.

The allegations of illegal inter-state transportation, collusion of officials, deforestation, ecological degradation comparable to the Aravalli Hills, and loss of revenue or tax are bald assertions unsupported by any technical or documentary evidence. Transportation of minor minerals is regulated through statutory permits, and restrictions under Para 14 of the DSR apply only to riverbed-sourced material. Further, the mining activity in District Una is subject to continuous regulatory oversight, including the order issued by the District Administration dated 21.11.2025, which governs the operation of mining leases and stone crushers.

15. That the contents of para 20 are incorrect, hence denied as per the detailed submissions made in preceding paras, being repetitive, speculative and not based on facts. However, it is specifically added here that from Google Earth images, it cannot be ascertained whether the vehicle is carrying out legal or illegal material.
16. That the contents of the para 21 are absolutely incorrect, hence denied. It is submitted that the matter pertaining to the concerned official was accorded judicial consideration in CRMMO No. 922 of 2024 in the Hon'ble High Court of Himachal Pradesh and the same

was disposed of vide judgement dated 03.01.2025. The operative part of the said judgement is as under:

*“13. Faced with the aforesaid admitted facts and position of law, the learned Deputy Solicitor General of India fairly submits that no fault can be found with the aforesaid contentions so being raised. In view thereof, aforesaid complaint dated 11.03.2024, ECIR dated 20.06.2022, prosecution complaint dated 11.03.2024 and summoning order dated 05.04.2024 issued in the matter of State Versus Lakhwinder Singh in case bearing No.1/24, before the learned Special Court (PMLA) Dharamshala, are quashed... ”*

In view of the above judgement dated 03.01.2025, the Ld. Special Court (PMLA Dharamshala) has passed an order dated 21.01.2025, as under:

*“Certified copy of order of Hon’ble High Court of H.P. dated 03.01.2025 filed. Be placed on record. Perusal of this order reveals that ECIR dated 20.06.2022, complaint dated 11.03.2024 and summoning order dated 05.04.2024 have been quashed. The file, after due completion, be consigned to record room.”*

A true copy of order dated 21.01.2025 is annexed herewith and marked as **Annexure R-11**. PAGE NO. 330.

17. The contents of para 22 are wrong, hence denied. It is respectfully submitted complaint dated 06.07.2025, was duly taken up by the Police Department and upon verification, it was observed that the said complaint was general and non-specific in nature, containing sweeping allegations against all stone crusher units operating in the area, without identifying any particular unit, site, date, or instance of illegal mining. Further, it was found that all the stone crusher units referred to in the complaint were operating on legally sanctioned mining sources duly allotted to them in accordance with law and inspections did not reveal any violations. Therefore, the allegations made in the complaint were found to be factually incorrect. It is further submitted that the allegation that illegal mining has increased after 15.09.2025, when riverbed mining was permitted after the monsoon ban, is baseless and misconceived. The resumption of mining activities after the monsoon period is being strictly regulated and carried out only in accordance with the provisions contained under MMDR Act 1957 and Rules framed thereunder.

It is categorically submitted that the officers of the Mining Department and the Police Department are duty-bound to act against illegal mining, and such duty is being regularly and diligently discharged. Thus, the allegation of inaction, collusion, or deliberate non-registration of cases is false.

18. That the contents of para-23 are incorrect, hence denied. It is respectfully submitted that as and when any case of illegal mining or illegal transportation of minor mineral is found, the required action/fine is imposed against the defaulter as per the provisions of the 2015 Rules and thereafter, the cases of such defaulters are forwarded to the concerned Sub Divisional Magistrate for imposing the Environment compensation as per the notification dated 18.08.2022 issued by the Department of Environment, Science & Technology to the Government of Himachal Pradesh as per the directions passed by this Hon'ble Tribunal.

**Reply to the grounds:**

- 1 to 7. The contents of these paras are incorrect, hence denied as per the submissions made in preceding paras as well as in the paras of Preliminary Submissions, being repetitive.

**Limitation:**

It is most respectfully submitted that the reliefs being sought by the Applicants are barred by limitation. The Applicants seek quashing of the District Survey Report 2024 which came into force on 30.09.2024. As such, the present Original Application is barred by delay under

the provisions of the National Green Tribunal Act, 2010.

It is, therefore, in view of the submissions made herein-above, most respectfully prayed that the present Original Application is devoid of merits and the applicants do not merit grant of any relief, whether at the interim or final stage, and it is most respectfully prayed that the Original Application may kindly be dismissed.

Place: New Delhi  
Date: 02.02.2026

Through:



**Ketan Paul**  
Advocate for Respondent Nos. 1, 2 and 4

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
AT NEW DELHI  
OA NO. 561 OF 2025

ROHIT SINGH AND ORS..... APPLICANT

VERSUS

STATE OF HIMACHAL PRADESH & .....RESPONDENTS  
ORS.

AFFIDAVIT

I, Sangeev Kumar, Geologist, Geological wing, Directorate of Industries, Shimla, H.P.,  
do hereby solemnly affirm and state as under:

1. That I am for the Respondents no. 1, 2 and 4 in the above matter and as such I am well conversant with the facts and circumstances of the case and hence competent to swear this affidavit.
2. That the contents of the accompanying reply have been read over to me in vernacular, and I have understood the same and they are correct to the best of my knowledge and belief and no material fact has been suppressed.
3. That the annexures filed herewith are true copies of their respective originals.

*Jaswant Singh  
Identified by*

**ATTESTED.**

Oath Commissioner

*Sangeev Kumar*  
**DEPONENT**  
(Geological Wing)  
H.P. Shimla-1

VERIFICATION:

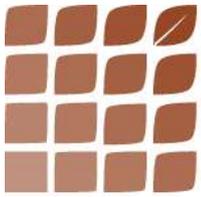
Verified at Shimla on this the 30<sup>th</sup> January, 2026 that

~~That the above content was declared~~  
the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

*Sangeev Kumar*  
Oath Commissioner  
H.P. High Court, Shimla

All Cuttings, Corrections & Additions  
are attested by me  
*Sangeev Kumar*  
Oath Commissioner

*Sangeev Kumar*  
**DEPONENT**  
(Geological Wing)  
H.P. Shimla-1



## **Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015**

This document is available at [ielrc.org/content/e1543.pdf](http://ielrc.org/content/e1543.pdf)

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(Authoritative English text of this Department notification number \_\_\_\_\_ dated \_\_\_\_\_ as required under clause (3) of article 348 of the Constitution of India)

**Government of Himachal Pradesh  
Department of Industries**

Dated, Shimla-171001

**Notification**

In exercise of powers conferred by section 15 read with section 23 C of the Mines and Minerals (Development and Regulation) Act, 1957, the Governor, Himachal Pradesh is pleased to make the following rules, namely:-

**CHAPTER-1**

**PRELIMINARY**

1. **Short title and commencement.-** (1) These rules may be called the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.  
  
(2) They shall come into force from the date of their publication in the Official Gazette.
  
2. **Definitions.-** (1) In these rules, unless the context otherwise requires,-
  - (a) **'Act'** means the Mines and Minerals (Development and Regulation) Act, 1957;
  - (b) **'assessee'** means a Mineral Concession Holder and includes a person who raises any minor mineral from any land without permission from the Department;
  - (c) **'Assessing Authority'** means a Mining Officer and includes any other authorized officer to make assessment under these rules;

- (d) **'assessment year'** means a period of twelve months commencing on the first day of April, every year;
- (e) **'auction'** means a system of competitive bidding by way of open auction, electronic auction (e-auction) including e-tenders.
- (f) **'Authorised Officer'** means any person authorized to perform such functions under these rules and for such area as specified in the Fourth Schedule; and includes any other official to carry out such functions as may be specified by the Competent Authority;
- (g) **'Competitive bids'** means an amount offered in an open auction or in tender process by the participants;
- (h) **'Competent Authority'** means such authority as the Government may declare to be the Competent Authority for the purpose of these rules;
- (i) **'contract'** means a contract given on behalf of the Government to quarry, win, work and carry away any mineral specified therein through auction or tender for certain specified areas, notified by the Director;
- (j) **'contractor'** means a person holding a mining contract under these rules;
- (k) **'contract money'** means amount to be paid by the contractor to the Department for raising/winning the mineral from the area allotted on contract;
- (l) **'dead rent'** means the minimum amount payable in a year by a person to whom a mining lease is granted under these rules irrespective of the fact whether such mining lease is operated or not.
- (m) **'dealer'** means any person who carries on business of buying, selling, supplying, distributing or delivering for sale of minerals and mineral products and includes any person,-
  - (i) who buys and processes mineral or minerals products for sale;
  - (ii) involved in excavation business, buying and storing the mineral more than 50 metric tonnes; and

- (iii) who holds a mining lease, contract or permit granted under the Mineral Concession Rule, 1960 or under these rules.
  
- (n) **'Department'** means Department of Industries, Himachal Pradesh;
- (o) **'Director'** means Director of Industries, Himachal Pradesh;
- (p) **'excavation'** means digging/collection of minerals on surface/sub-surface for the purpose of winning of minerals from any land;
- (q) **'financial assurance'** means the security furnished by the holder of mining lease/contract/permit/permission to the Director so as to indemnify the authorities against the reclamation and rehabilitation cost;
- (r) **'form'** means form appended to these rules;
- (s) **'Government'** means the Government of Himachal Pradesh;
- (t) **'Gram Sabha' or 'Sabha'** shall have the meaning assigned to it under clause (16) of section 2 of Himachal Pradesh Panchayati Raj Act, 1994;
- (u) **'Gram Panchayat'** shall have the meaning assigned to it under clause (15) of section 2 of Himachal Pradesh Panchayati Raj Act, 1994;
- (v) **'sanction order'** means order for grant of mining lease after fulfillment of conditions/stipulated in the Letter of Intent;
- (w) **'lessee'** when used in relation to a mine means a person to whom the lease has been granted by the Government, his transferee or assignee and in case of a mine the business whereof is being carried on by a liquidator or receiver, such liquidator or receiver and in case of a mine owned by a Company, the business whereof is being carried on by a managing agent, such "Managing Agent".
- (x) **'local authority'** means the Deputy Commissioner of the District or any other officer authorized by the State Government to exercise the powers of local authority for the purpose of these rules;

- (y) **‘Letter of Intent (LOI)’** means approval of Competent Authority in principle for grant of mineral concession in a precise area containing conditions for submission of requisite documents/clearances such as approved mining plan, environmental and forest clearances etc. required for grant of mineral concession;
- (z) **‘mineral concession’** means mining lease or mining contract or permit or any other permission in respect of minor mineral;
- (za) **‘mining dues’** means any of the dues on account of royalty, dead rent, contract money, amount payable towards the Mines and Minerals Development, Restoration and Rehabilitation fund, interest on delayed payments of any fees or any other sum due to the Government in respect of mineral concession granted under these rules;
- (zb) **‘mineral products’** means minerals in any raw or processed form, bricks, dressed stone, rock aggregates grit, chips, ballast, stone dust, sand, and/or any product to be prepared from minerals without involving any chemical changes;
- (zc) **‘minor mineral’** means building stones, gravel, ordinary clay, ordinary sand other than sand used for prescribed purposes, boulder, shingle, chalcedony pebbles used for ball mill purposes only, limeshell, kankar and limestone used in kilns for manufacture of lime used as building material, murrum, brick-earth, ordinary earth, fuller’s earth bentonite, road metal, rehmatti, slate and shale when used for building material, granite, quartzite and sand stone when used for purposes of construction/building or for making road metal and household utensils, quartzite pebbles used for ball mill purposes or filling for bore wells or for decoration purposes in buildings and any other mineral which the Central Government may, by notification in official Gazette, declare to be a minor mineral under clause (e) of section 3 of the Act;

- (zd) **'mining approach road/haulage road'** means a stretch of road existing in the mining area constructed mainly for mine development and transportation of mineral;
- (ze) **'mining plan'** means a mining plan prepared under these rules and duly approved by the Competent Authority for the scientific development of mine;
- (zf) **'Mining Officer'** means an Officer appointed by the Government to ensure enforcement of minerals rules and regulations at district level, holding charge of one or more districts;
- (zg) **'Presiding Officer'** means the Director or any other officer authorised by him for holding auction/calling tenders for contracts;
- (zh) **'royalty'** means amount payable to Government in respect of ore/mineral excavated from any land prescribed in the Second Schedule;
- (zi) **'Schedule'** means a Schedule appended to these rules;
- (zj) **'Scheduled areas'** means the Scheduled areas as referred to in clause (1) of article 244 of the Constitution of India;
- (zk) **'State Geologist'** means State Geologist for the State of Himachal Pradesh;
- (zl) **'stack-yard or sale depot'** means any place where a mineral or its products are stored and staked in any raw or processed form for commercial purposes;
- (zm) **'Stone Crusher'** means Stone Crusher to be registered under these rules and shall include a machine which use metal surface to break rock/ mineral or compress material to reduce particle size for the manufacturing of grit/bajri or further reducing to the finer size to be used as a raw material for manufacturing reinforced or pre-stressed cement concrete products or building material or for construction purpose, except pulverizing or grinding and crushing of rock for reducing size in a Cement Plant for the production

of clinker/cement; and converting rock fragments into sand without using conveyor belts.

**(zn)** 'transit pass' means a document issued by the Mining Officer or any other authorized officer to the mineral concession holder or dealer for lawful dispatch and transportation of any mineral(s) raised; and

**(zo)** 'un-authorized mining' means any mining operation undertaken without having valid mineral concession or permission granted by the Government or person authorized in this behalf.

**(2)** Words and expressions used but not defined in these rules shall have the meanings respectively as assigned to them in the Act and rules made by the Central Government.

**3. Exemption in certain cases.-** Notwithstanding anything contained in these rules, the following activities shall not be treated as mining activities and no rent, royalty or permit fee shall be charged for,

- (i) extraction of ordinary clay or ordinary sand by hereditary kumhars who prepare earthen pots on a cottage industry basis, whose turnover during a year does not exceed one lac rupees;
- (ii) extraction of masonry stones, ordinary clay and any other minor mineral by the right holders, in accordance with their rights recorded in the Wajib-ul-arz from the areas which are not occupied by any lessee or contractor, for their bonafide personal requirements, when such extraction is made under a permit, valid for two months issued by the Mining Officer or Mining Inspector or Assistant Mining Inspector:

Provided that the exemption under this rule shall not apply to excavation of minor mineral in any area where use of explosive is inevitable:

Provided further that excavation of building stones and sand from the area which is not occupied by a contractor or lessee, may be made by the

members of Scheduled Castes, Scheduled Tribes and Backward Classes whose monthly income does not exceed five thousand rupees per month and the persons who want to construct Dharamshala, Piao or other such construction for charitable or philanthropic purposes, under a permit, valid for two months, issued by Mining Officer or Mining Inspector or Assistant Mining Inspector.

4. **Supply of minerals for bonafide use.-** (1) The Contractors/lease holders shall supply or allow to extract building stone, limestone, kankar, sand and bajri to those persons whose rights as such are recorded in Wajib-Ul-Arz by charging royalty rates as specified in the Second Schedule for their bonafide personal use or for the construction of other buildings meant for charitable or philanthropic purposes.
- (2) For the purpose of sub-rule (1), the Mining Officer concerned shall be the authority to decide whether a person is extracting the minor minerals for his personal bonafide use or not.
5. **Certificate of Approval.-** (1) Any person who is an Indian citizen shall, on payment of an application fee as specified in First Schedule for obtaining long term concession like mining lease or contract or tender etc., as the case may be, be entitled to obtain a Certificate of Approval from the Director or any officer authorised by him. The application for Certificate of Approval shall be submitted to the Director or any Officer authorised by him in this behalf in **Form-'A'**.
- (2) The Director may, with the previous approval of the Government, grant a Certificate of Approval to any person who is not an Indian National, on payment of an application fee as specified in the First Schedule.
- (3) A Certificate of Approval shall be issued in **Form-'B'** and shall be valid for a period of five years or upto the mineral concession whichever is earlier from the date of grant of such certificate.

- (4) A Certificate of Approval shall be renewed in **Form-'B'** by the Competent Authority if a renewal fee as specified in the First Schedule is paid and an application for its renewal is submitted before the date of expiry of the Certificate.

Explanation: - For purpose of sub-rule (1), a lessee shall be deemed to be an Indian National,

- (a) in the case of a public company as defined in the Companies Act, 2013 (Act No. 18 of 2013), only if a majority of the Directors of the Company are citizens of India and not less than fifty-one percent of the share capital thereof is held by persons who are either citizens of India or companies as defined in the said Act;
- (b) in the case of a private company as defined in the said Act, only if all the members of the company are citizens of India;
- (c) in the case of a firm or other association of individuals, only if all the partners of the firm or members of the association are citizens of India; and
- (d) in the case of an individual, only if he is a citizen of India; and if any question arises as to whether a person is an Indian national or not, it shall be referred to the Central Government whose decision thereon shall be final.

## CHAPTER-II

### GRANT OF MINERAL CONCESSIONS AND CONDITIONS

#### GRANT OF MINING LEASE

6. **Restriction on grant of mining lease.-** (1) No mining lease shall be granted in respect of land within a distance of two kilometres from the immediate outer limits of Municipal Corporation/Municipal Committee, one kilometre from the immediate outer limits of Nagar Panchayat, except under special circumstances by the Competent Authority.
- (2) No mining lease shall be granted upto 100 metres from the edge of National Highway/Express way, 25 metres from the edge of State Highway and 10 metres from the edge of other roads except on special exemption by the Joint Inspection Committee.
- (3) No mining operation shall be permitted within a distance stipulated by the Joint Inspection Committee from public utilities.
- (4) No mineral concession shall be granted to a person who does not hold a Certificate of Approval.
- (5) No mining lease shall be granted to a person who is not a citizen of India.
- (6) No mining lease and installation of stone crusher shall be granted to a person in a Scheduled area without the prior recommendation of the concerned Gram Sabha.
- (7) In areas other than Scheduled area for granting mining lease and permission for installation of stone crusher, the concerned Gram Panchayat shall be consulted and it shall be incumbent upon the Gram Panchayat to convey its approval or refusal within a period of three months failing which it

shall be deemed that the Gram Panchayat has no objection. In case of refusal or any objection raised by the concerned Gram Panchayat, sufficient reasons for such refusal/objection shall be recorded in writing. The objection shall be reviewed/decided by the granting authority after taking input/opinion from the Joint Inspection Committee:

Provided that for grant of mining lease of brick earth and ordinary earth clay in private lands having an area less than 5-00 Hectares, no consultation and approval of the Gram Panchayat concerned shall be required.

- (8) No mining lease shall be granted in the forest area without forest clearance from the Central Government in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made thereunder.
- (9) No mining lease shall be granted in respect of any such minor mineral as the Government may notify in this behalf from time to time.

**7. Application for grant or renewal of mining lease.-** An application for grant or renewal of mining lease shall be made to the State Geologist in **Form-'C'** in triplicate and shall contain the following particulars:-

- (a) (i) if the applicant is an individual, his name, nationality, profession and residence; and  
(ii) if the applicant is a partnership firm, a company or an association or body of individuals, whether incorporated or not, its name, nature and place of business and place of registration or incorporation;
- (b) name of the minor mineral(s) for which the applicant intends to obtain the lease;
- (c) revenue record with Map (Tatima) of the area applied for mining lease, the period for which the lease is required and the purpose for which the extracted minor minerals are to be used; correct description, illustrated by a

revenue map or plan showing the situation, boundaries and area of the land in respect of which the lease is required;

- (d) certified copy of statement from the department showing dues outstanding, if any, against the applicant;
- (e) in the case of private land not occupied by the applicant an affidavit to the effect that applicant has obtained surface rights or consent of the concerned land owner(s) for carrying out the mining operation;
- (f) an undertaking in respect of Income Tax Clearance;
- (g) in case of proposal for setting up of mineral based Industry, a Technical report indicating the feasibility of proposal;
- (h)
  - (i) non-refundable fee as specified in the First Schedule; and
  - (ii) Certificate of Approval in **Form-‘B’**.

Note:- The application for mining lease shall be valid for a period of three years from the date of its receipt, which however may be extended further by the Director or any officer authorized in this behalf, where he is satisfied that the applicant is not responsible for the delay in completion of the requisite formalities.

**8. Acknowledgement of Application.-** (1) Where an application for grant or renewal of a mining lease is delivered personally, its receipt shall be acknowledged forthwith.

(2) When such application is received by registered post, its receipt shall be acknowledged within three days of the receipt.

(3) The receipt of every such application shall be acknowledged in **Form-‘D’**.

**9. Priority for grant of mining lease.-** (1) Priority in granting mining lease shall be given to the following:-

- (a) first priority shall be given to all agencies concerned with the implementation of infrastructure projects in the department of Multi-Purpose Projects and Power and National Highway Authority of India and other departments like Himachal Pradesh Public Works Department, Irrigation and Public Health Department etc. and projects of State importance and their authorised agents or contractors to whom works have been awarded on the recommendation of concerned Department;
- (b) second priority shall be given to discoverer of new mineral; and
- (c) third priority shall be given to a person who intends to set up a mineral based industry in the State:

Provided that where two or more persons of the same category have applied for a mining lease in respect of the same land, the applicant whose application is received earlier shall have a preferential right for the grant of the lease over an applicant whose application is received later:

Provided further that where such applications are received on the same day, the Government after taking into consideration the following factors, may grant mining lease to such one of the applicants as it may deem fit:-

- (a) experience of the applicant in mining;
  - (b) financial soundness, stability and special knowledge in the field of geology and mining of the applicant;
  - (c) special knowledge of geology and mining of the technical staff already employed or to be employed for the work;
  - (d) clearance of Government dues and royalties where the applicant or his/her family member has been engaged in the mining business previously; and
  - (e) satisfactory performance of the applicant where he has been engaged in the mining industry previously.
- (2) The Government may for special reasons to be recorded in writing, grant a mining lease to an applicant whose application is received later in preference to an applicant whose application is received earlier.

- (3) The State Government may, for reasons to be recorded in writing and communicated to the applicant, refuse to grant or renew a mining lease over the whole or over a part of the area applied for.
- (4) A priority register of mining lease application(s) shall be maintained.
- (5) The Applicant, for reasons to be recorded in writing can withdraw the priority at any stage.

**10. Joint Inspection Committee.-** (1) There shall be a Joint Inspection Committee

in every Sub-Division which shall consist of the following:-

- (i) concerned Sub-Divisional Officer (Civil) - Chairman;
- (ii) concerned Assistant Conservator of Forest/  
Range Forest Officer - Member;
- (iii) representative of Himachal Pradesh State  
Pollution Control Board - Member;
- (iv) concerned Executive Engineer,  
or Assistant Engineer, PWD - Member;
- (v) concerned Executive Engineer,  
or Assistant Engineer, I & PH - Member;
- (vi) Geologist or Assistant Geologist or  
concerned Mining Officer - Member Secretary;

- (2) The Joint Inspection Committee shall conduct inspection of mining/quarry site. However, for the purpose of inspection, presence of atleast four members viz. Chairman, Assistant Conservation of Forest/Range Forest Officer of Forest Department, Executive Engineer/Assistant Engineer of Irrigation & Public Health Department and Geologist/Assistant Geologist/ Mining Officer is necessary and other members may issue separate No

Objection Certificate (NOC). The Chairman may co-opt any other additional members in the said Committee as per the site requirement.

Provided that in case of excavation of brick earth and ordinary earth/clay in private lands having an area less than 5-00 Hectares, the Committee shall comprise only of the concerned Sub-Divisional Officer (Civil), representative of Himachal Pradesh State Pollution Control Board and Mining Officer concerned.

- (3) The Joint Inspection Committee shall appraise the mine/quarry site and send its observation and recommendation to the State Geologist. In case the area applied for mining lease falls in Government land or attracts the provisions of the Forest Conservation Act, 1980, the report shall be countersigned by the Divisional Forest Officer concerned.

**11. Register of mining lease.-** A register of mining leases shall be maintained in the office of the Mining Officer concerned in **Form-'E'**.

**12. Area of mining lease.-** (1) The minimum area granted for mining lease in river bed shall not be less than two hectares and not more than one hundred hectares for mineral based industry.

- (2) The minimum area required for grant of mining lease in hill slope shall not be less than 0.5 hectare:

Provided that in case of mining leases granted prior to the publication of these rules, the restriction of mining lease area at the time of their renewal shall not apply:

Provided further that the State Government, if it is satisfied on the basis of proposed production level, geological or topographical conditions may for the reasons to be recorded in writing relax the condition of area.

- (3) No lease holder individually or with any person joint in interest shall ordinarily hold in aggregate more than five square kilometres of area under mining lease in respect of one minor mineral within Himachal Pradesh:

Provided that at the time of the renewal of the mining lease, the lease holder shall be entitled to surrender any part of the area.

- 13. Length and breadth of the lease area.-** (1) The area proposed for mining lease, shall be such that it enables scientific mining as per the Metalliferous Mines Regulation, 1961.
- (2) An application for a mining lease except brick earth and ordinary earth/ clay shall relate to one compact area only.
- (3) If the State Government is of the opinion that in the interest of the development of any mineral, it is necessary to do so, it may for reasons to be recorded in writing allow the grant of mining lease in relation to any area which is not compact or contiguous.
- 14. Boundaries below the surface.-** Boundaries of the area covered by a mining lease shall run vertically downwards below the surface towards the centre of the earth.
- 15. Security deposit and refund of security.-** (1) The applicant shall deposit as security a sum as specified in the First Schedule in the shape of fixed deposit receipt (FDR) duly pledged in favour of the Director for due observance of terms and conditions of Lease deed.

- (2) On such date as the Government may fix within twelve calendar months after the expiry of mining lease, the amount of the security deposit paid in respect of mining lease shall be refunded to the lessee(s), if there is no violation of terms and conditions of lease deed.

**16. Period of mining lease.-** (1) The period of mining lease shall be,-

- (a) five years for open sale of minor minerals, which can be extracted without major equipments or investments like sand, stone and bajri available in river/stream;
- (b) ten years for minor minerals, which require investment and equipments to develop quarries of minerals such as limestone, slates and building stones available in hill slopes; and
- (c) fifteen years for minor minerals serving as captive source for a stone crushing unit, available either in river/stream beds or in hill slopes:

Provided that the mining lease period may depend upon the mineral reserves calculated in the Mining Plan:

Provided further that the working in the leased area after the expiry of every five years after the grant of mining lease may further be allowed by the Director of Industries on the basis of review and recommendations of the Committee constituted by him for the purpose and after being satisfied that the leased area has been developed by the lessee in a scientific manner and is paying all Government dues on regular basis. The lease holder shall submit an application for review of working in the lease area before six months of expiry of every five years. On review, if it is found that lessee has not developed the leased area in a systematic and scientific manner as per the provisions of Mining Plan and he is in arrears of

Government dues, the lease shall be liable to be terminated prematurely after affording an opportunity of being heard.

- (2) The procedure to be followed for renewal of mining lease shall be similar to the procedure as laid down for fresh grant of mining lease, except consultation with concerned Gram Panchayat. However, the application for renewal of mining lease shall be made in **Form-'C'** containing requisite documents before one year of the expiry of the lease and upon payment of a non refundable fee as specified in the First Schedule. This renewal shall be subject to satisfaction of the Authority as specified in the Fourth Schedule that the mines have been developed by the lessee in accordance to the terms and conditions of the lease deed and that the substantial investments in machinery, equipments have been made by him and that the mines have been worked and developed in a scientific manner and that the lessee has been paying the Government dues regularly under the rules.
- (3) If an application for the renewal of the mining lease is made within the time specified in sub-rule (2) alongwith all requisite documents after completion of codal formalities and not disposed of by the Authority before the expiry of lease period, the Director by recording the reasons in writing may allow the working in the mine by an order till the renewal of such mining lease.
- (4) When a renewal is granted, dead rent or royalty shall be charged at the rates in force at the time of renewal but the surface rent (if applicable) shall be charged separately.
- (5) The mining lease granted under these rules may be renewed for one or more periods not exceeding the original period of lease.

**17. Grant of mining lease and execution of mining lease deed.-** (1) On the basis of observations and recommendations made by the Joint Inspection Committee, Letter of Intent shall be issued by the Competent Authority in favour of Applicant for obtaining requisite environmental and other clearances from concerned Departments and completion of other required formalities for the grant of mining lease.

(2) After fulfillment of conditions as stipulated in the Letter of Intent by the applicant, order for grant of mining lease shall be issued.

(3) When order for grant of mining lease is issued, the lease deed in **Form-‘F’** shall be executed within three months from the date of issue of sanction order by the authority competent to sanction the lease under these rule and if the lease is not executed with in the aforesaid period the order sanctioning the lease shall be deemed to have been revoked and the application fee shall be forfeited by the government.

Provided that where the Government is satisfied that the lessee is not responsible for the delay in execution of the lease, the Government may permit the execution of the lease after the expiry of the said period and currency period of lease shall be effective from the date of its execution.

(4) In case of renewal, the renewal period of lease shall be on the next day of expiry of the original period unless otherwise stated.

**18. Royalties and interests, if any in respect of mining leases.-** (1) The holder of a mining lease shall pay royalty in advance in respect of any mineral to be removed by him from the leased area at the rates specified in the Second Schedule in respect of that minor mineral.

- (2) The Government may, by notification in the Official Gazette, amend the First, Second and Third Schedule so as to enhance or reduce the rate at which the royalty shall be payable in respect of any minor mineral with effect from such date as may be specified in the notification, either in respect of the whole State or any specified area.
- (3) The Government may, without prejudice to the provisions contained in the Act or any other rules, charge simple interest at the rate of twenty four percent per annum on any rent, royalty or fee (other than any application fee payable under these rules) or other sum due to the Government under these rules or under the terms and conditions of any mineral concession.

**19. Conditions of mining lease.- (1) Every mining lease shall be subject to the following conditions,-**

- (a) The lessee shall pay royalty in advance on the minor minerals to be removed from the leased area at the rate specified in the Second Schedule. However, as and when the limestone is supplied by the lessee to the Industries other than lime-kiln, royalty shall be paid by the lessee for the lime as major mineral, whichever is more. The lessee shall also pay for every year, such yearly dead rent within the limits specified in Third Schedule as may be fixed from time to time by the Government and if the lease permits the working of more than one mineral in the same area, the Government may charge separate dead rent in respect of each minor minerals:

Provided that the lessee shall be liable to pay either dead rent or royalty in respect of each mineral whichever is higher but not both,

however, he shall not be liable to pay dead rent or royalty, if mining operation has been suspended by the Government at its own.

- (b) for calculating the royalty the lessee shall submit by the 10<sup>th</sup> of every month to the Mining office, a return in **Form-'G'** giving the total quantity of minor mineral(s) raised and despatched from the leased area in the preceding calendar month and its value and in case of mineral based industry the monthly electricity consumption bill and other requisite details also. If the lessee does not deposit royalty due for the preceding month by 10<sup>th</sup> of month, 24% per annum simple interest shall be charged for the default period after 10<sup>th</sup> of month;
  - (c) the lessee shall also furnish by the 15<sup>th</sup> April, every year to the Director and also to the concerned Mining Officer, a statement giving information in **Form-'H'** regarding quantity and value of minor mineral(s) obtained during the last financial year, average number of regular labourers employed (men and women separately) and number of days worked and wages paid to them separately; and
  - (d) the lessee shall have to pay in addition to the royalty/dead rent, the surface rent at the rate as specified in the Third Schedule if the land of mining lease belongs to the Government.
- (2) The lessee shall report to the Government the discovery in the leased area of any mineral not specified in the lease within thirty days of such discovery:

Provided that if any mineral not specified in the lease is discovered in the leased area, the lessee shall not win and dispose of such mineral unless the permission is obtained from the Competent Authority thereof.

- (3) Except with the prior approval of the Government, the lessee shall not employ in connection with the mining operations any person who is not Citizen of India.
- (4) Except where the Government, for sufficient reasons, permits otherwise, the lessee shall commence mining operations within one year from the date of execution of the lease deed and shall, thereafter, conduct such operations without deliberate intermission in a proper, skilful and workman like manner.

Explanation:- For the purposes of this rule, mining operations shall include the erection of machinery, laying of a tramway or construction of a road in connection with the working of the mine.

- (5) The lessee shall at his own expense erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the lease.
- (6) The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained and dispatched from the mine, giving mode of transport, registration number of vehicle, person in-charge of vehicle or animal and nature and quantity of minerals carried, the sale price, the number and nationality of persons employed therein, and complete plans of the mine, and shall allow any officer authorised by the Central Government or the Government in this behalf to examine at any time any accounts, plans and records maintained by him and shall furnish to the

Central Government or the Government or any officer authorised by in this behalf, such information as may be required.

- (7) The lessee shall keep accurate records of all trenches, pits and drillings made by him in the course of mining operations carried on by him under the lease and shall allow any officer authorised by the Central Government or the Government to inspect the same. Such records shall contain the following particulars, namely:-
- a) the sub-soil and strata through which such trenches, pits or drillings pass;
  - b) any mineral encountered; and
  - c) such other particulars as the Central Government or the Government may, from time to time, require.
- (8) The lessee shall not carry on or allowed to be carried on any mining operation at any point within a distance of 100 metres from any railway line, except under and in accordance with the previous written permission of the Railway Administration or 100 metres from edge of National Highway or 25 metres from edge of State Highway or 10 metres from edge of other roads or 50 metres from edge of any reservoir, canal or buildings or inhabited sites except under and in accordance with the previous permission of the Competent Authority. The Railway Administration or the Joint Inspection Committee may in granting such permissions, impose such conditions as may deem fit.
- (9) The lessee shall allow existing and future lease holders or contractors of any land which is comprised in or adjoins or is reached by the land, held by the lessee, reasonable facilities for access thereto. The lessee shall allow any

officer authorised by the Government or the Central Government to enter upon any building or land comprised in the lease for the purpose of inspecting the mines and to abide by such instructions which may be issued by the Inspecting Officers from time to time for scientific working and conservation of minerals:

Provided that if the lessee does not allow entry or inspection under sub-rule (9), the Government may cancel the lease and forfeit in whole or in part the security deposit, paid by the lessee under rule 15.

- (10) The lessee shall strengthen and support to the satisfaction of the Railway Administration or the Government, as the case may be, any part of the mine which in its opinion requires such strengthening or support for the safety of any railway, bridge, national highway, reservoir, tank, canal, road or any other public works or buildings.
- (11) The Government shall from time to time and at all times during the term of the lease have the right (to be exercised by notice in writing to the lessee) of pre-emption of the said minor minerals and all products thereof lying in or upon the said lands hereby demised or elsewhere under the control of the lessee and the lessee shall deliver all minor minerals or products thereof to the Government at current market rates in such quantities and in such manner and at such places, specified in the notice exercising the said right;
- (12) The lessee shall immediately give an information in **Form-'I'** for use of explosive as soon as-

- (a) the workings in the mine extends below superjacent ground;

- (b) the depth of any open cast excavation measured from its highest to the lowest point reaches six metres;
  - (c) the number of persons employed on any day is more than 50(fifty); and
  - (d) the explosives are used.
- (13) When mining lease is granted by the Government, arrangements shall be made, if necessary, at the expense of the lessee, for the survey and demarcation of the area granted under the lease. The lessee shall have to bear actual expenses of the staff deputed for the work. Actual expenses shall include travelling allowance, daily allowance and salary of the staff plus ten percent as instruments charges.
- (14) The mining lease may contain such other conditions as the Government may deem necessary in regard to the following, namely:-
- (i) the time limit, mode and place of payment of rents and royalties;
  - (ii) the compensation for damage to the land covered by the lease;
  - (iii) the felling of trees;
  - (iv) the restriction of surface operations in any area prohibited by any authority;
  - (v) the notice by lessee for surface occupation;
  - (vi) the facilities to be given by the lessee for working other minor minerals in the leased area or adjacent areas;
  - (vii) the entering and working in a reserved or protected forest;
  - (viii) the securing of pits and shafts;
  - (ix) the reporting of accidents;
  - (x) the indemnity of Government against claims of third parties;
  - (xi) the maintenance of sanitary conditions in the mining area;
  - (xii) the forfeiture of property left after determination of the lease;
  - (xiii) the delivery of possession over lands and mines on the surrender, expiration or determination of the lease;

- (xiv) the power to take possession of plant, machinery, premises and mines in the event of war or emergency;
  - (xv) the mode and arrangement of transport of mineral from the leased area within the territory of Himachal Pradesh; and
  - (xvi) no boulders, cobbles and hand broken ballast shall be transported outside the State.
- (15) The mechanical mining in river/stream bed shall be allowed only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Competent Authority i.e. Director. The lease holder seeking such permission shall deposit a sum as specified in the First Schedule as security and the Director may permit the use of mechanical mining under following terms and conditions:-
- (i) Depth of the pit below the surface shall not exceed one metre from the adjoining ground in case of river/stream bed;
  - (ii) Natural flow of the water shall not be disturbed;
  - (iii) The excavation of mineral shall be done by way of uniform stripping of mineral in a scientific manner;
  - (iv) Any other condition imposed by the Competent Authority;
  - (v) Any violation of terms and conditions imposed while granting such permission shall result in cancelation of permission and forfeiture of security amount thereof:
- Provided that the lease holder may use any type of excavator in hill slope mining.
- (16) (i) In case of Government land, the Government may, by giving two months' prior notice in writing, determine the lease if the Government considers that the minor mineral(s) under the lease is required for establishing an industry beneficial to the public:

Provided that in the state of national emergency or war the lease may be determined without giving such notice;

- (ii) Where the Government is of the 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 communication or to ensure safety of building, monuments or other structures or for such other purposes, as the State Government may deem fit, it may, by an order, in respect of any minor mineral, make premature termination of mining lease with respect to the area or any part thereof covered by such lease:

Provided that no order making a premature termination of a mining lease shall be, made except after giving the holder of the lease a reasonable opportunity of being heard.

- (iii) The Government shall have the right to determine the lease after serving a notice on the lessee to pay the dues within thirty days from the date of receipt of the notice. If the dead rent or royalty or surface rent reserved or made payable by the lessee is not paid within fifteen days next after the date fixed in the lease deed for payment of the same, Government or any other Officer authorised by it in this behalf may also at any time after serving the aforesaid notice, enter upon the said premises and distrain all or any of the minor minerals or movable property therein and may carry away, detain or order the sale of the property so distrained, or so much of it as will suffice for the satisfaction of the rent or royalty due and all costs and expenses occasioned by the non-payment thereof. All immovable and movable

property erected in the leased area shall become the property of the Government after expiry of the lease.

(17) The mining lease may contain any other special conditions as may be specified by the Government.

**20. Rights of lessee.-** Subject to the conditions mentioned in rule 19, the lessee, with respect to the land leased to him, shall have the right for the purpose of mining operations on that land to,-

- (i) work the mine;
- (ii) sink pits and shafts and construct buildings and roads;
- (iii) erect plant and machinery;
- (ii) use land for stacking purposes;
- (iii) do any other things specified in the lease; and
- (iv) to sell sand, river borne bajri, crusher dust and ordinary earth/clay from the lease granted for the establishment of stone crusher.

**21. Transfer of mining lease.-** (1) The lessee may, with the previous approval of the sanctioning authority assign, sublet or transfer his lease or any right, title or interest therein to any person or body directly undertaking mining operation, holding a valid Certificate of Approval on payment of a sum as specified in the First Schedule.

(2) The applicant may also change the title or name of the already issued 'Letter of Intent' or 'Grant Order' in favour of any person holding a valid Certificate of Approval on the payment of a sum as specified in the First Schedule.

(3) Where an application for transfer of mining lease under sub-rule (1) is made and the Competent Authority has given approval for transfer of such lease, a transfer lease deed in **Form-'J'** shall be executed within three months from

the date of issue of the Order or within such further period as the Competent Authority may allow in this behalf.

- 22. Right to surrender lease.-** The lessee may surrender the lease at any time by giving notice of not less than six calendar months in writing to the Competent Authority after paying all outstanding dues of the Government and fulfilling conditions of mine closure plan.

## GRANT OF CONTRACTS

- 23. Grant of contracts by auction or tender.-** (1) In case the Government decide to grant the mineral concession in the form of Contract; it may grant the same for mining for a maximum period of ten years following a competitive bidding process by way of auction or tender:

Provided that in the case of forest land, the period of contract may be extended upto a maximum period of fifteen years.

- (2) No auction or tender or contract shall be considered as successful unless accepted by the Competent Authority. The amount of the successful bid/tender shall become the annual contract money payable by the Contractor to the Government for a period of two years and after completion of two years, the annual contract money determined at the time of initial grant shall be increased at the rate of 10% per annum in a compounding manner:

Provided that no auction or tender or contract, as the case may be, regarding exploitation of minor minerals in Scheduled area shall be

considered by the Government for acceptance unless recommended by Gram Sabha.

- (3) The amount to be paid annually by contractor under sub-rule (2) to the Government shall be payable in equal quarterly installments in advance.
- (4) The Agreement deed shall be executed by the successful bidder or tender with the Director or any other authorized officer in the **Form-'K'** and the mining operations shall be carried out in accordance with the terms and conditions of the agreement deed.
- (5) In the event of grant of contract, the party shall not be permitted to withdraw his bid or tender and in doing so the party will be liable to forfeiture of earnest money and security.
- (6) The mechanical mining in river and stream bed shall be allowed only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Director. The contractor seeking such permission shall deposit a sum as specified in the First Schedule as security and the Director may permit the use of mechanical mining under following terms and conditions:-
  - (i) depth of the pit below the surface shall not exceed 1 metre from the adjoining ground in case of river/stream bed;
  - (ii) natural flow of the water shall not be disturbed;
  - (iii) the excavation of mineral shall be done by way of uniform stripping of mineral in a scientific manner;
  - (iv) any other condition imposed by the Competent Authority; and
  - (v) any violation of terms and conditions imposed while granting such permission shall result in cancelation of contract and forfeiture of security amount thereof.

Provided that the contractor may use any type of excavator in hill slop mining.

- (7) The contractor shall furnish returns relating to production and other matters in **Form-'G'**
- (8) No contract shall be granted to a person who does not hold the Certificate of Approval in **Form-'B'**.

**24. Auction/Tender Committee.-** For conducting auction and its finalization, the State Government shall constitute Committee(s) for concerned district which may reject or accept any bid or tender without assigning any reason to the bidder or tenderer and in the case of rejection of bid or tender, the reason shall be reported to the Government.

**25. Notice of Auction or Tender.-** The auction or tender shall be notified by the Director in the following manner:-

- (i) on the notice Board of the Director, concerned Sub-Divisional Officer (Civil), the Mining Officer and atleast in two newspapers one being in Hindi having wide circulation in the area, where the mine/quarry is situated;
- (ii) in the Himachal Pradesh Government Gazette by publishing the auction notice atleast 30 days before the date of auction or tender. A copy of the auction or tender notice shall be sent to the local authority having jurisdiction over the area, where the mine is situated for giving wide publicity;
- (iii) the notice of auction or tender shall contain a brief description regarding the place, date, time and method including earnest money and mode of payment thereof of auction or tender. The detail of mine/quarry to be given on contract, the period of contract and the detailed description about the

reserve value, earnest money, terms and conditions of the auction or tender, location of mine and other relevant information shall be available in the Office of the State Geologist and Mining Officer concerned.

- (iv) The terms and conditions and description of the contract shall be read out for the intending bidders at the time of auction. In case of tender, the terms, conditions and the descriptions of the contract shall be annexed with the tender form.

**26. Procedure for grant of contract by auction.-** (1) The intending bidder shall deposit such earnest money as specified in clause (iii) of rule 25.

- (2) No bid shall be regarded as accepted unless confirmed by the Competent Authority. On completion of the auction the result will be announced and provisionally selected bidder shall immediately deposit 25 percent amount of highest bid as security for due observance of the terms and conditions of the contract.
- (3) The earnest money shall be refunded immediately at the completion of the auction to all excepting the person whose bid is provisionally accepted and his earnest money will be adjusted against the security under sub-rule (2).
- (4) Misbehaviour by any bidder during auction may lead to forfeiture of his earnest money or his removal from the auction process or if necessary, by debarring him for a period of three years from any future auction under these rules by the Presiding Officer.
- (5) If the provisionally selected bidder fails to deposit security money as required under sub-rule (2), the earnest money deposited under sub-rule (1) of this rule shall be forfeited to the Government.

- (6) The successful bidder shall be issued a “Letter of Intent” by the Competent Authority with the condition that, he shall procure environment clearance, approved mining plan and forest clearance (if required) from the Competent Authority and also complete the requisite formalities required under law before the bid is finally accepted within two years from the date of issue of Letter of Intent:

Provided that if the Director is satisfied that the holder of Letter of Intent is not responsible for the delay in procuring the various clearances, he shall extend the period for further one year. In case the holder of Letter of Intent fails to procure the requisite clearances even in the extended period, the Letter of Intent shall be withdrawn and security amount under sub-rule(2) of this rule shall be forfeited to the Government and the area shall be put to re-auction.

- (7) After completion of the conditions, stipulated in the “Letter of Intent” by the successful contractor/proponent, the final acceptance order shall be issued by the Competent Authority for execution of agreement deed and payment of 25% of annual bid as contract money as determined under sub-rule(2) of rule 23.

- (8) The agreement deed in **Form-‘K’** shall be executed between successful Contractor and the Competent Authority within 60 days from the date of communication of final acceptance of the bid to the successful Contractor and if no such contract is executed during this period, the order accepting the bid shall be deemed to have been revoked and the security amount paid under sub-rule (2) shall be forfeited to the Government:

Provided that where the Competent Authority is satisfied that the bidder is not responsible for the delay in the execution of the contract, the Competent

Authority may permit the execution of the contract, within a reasonable time after the expiry of the aforesaid period of 60 days.

- (9) After the expiry of the term of the contract, where the Government or authorized officer is satisfied that the Contractor has fulfilled all the terms of the agreement, the amount of the security shall be refunded to the Contractor.

**27. Procedure for calling tender.-** (1) Every tender shall be submitted to the Director or any other officer authorised by him in this behalf, in a sealed cover super scribed with the relevant details of the tenderer.

- (2) Every tender shall be accompanied with the earnest money as specified in the notice issued under clause (iii) of rule 25.
- (3) The tender shall be opened in the presence of tenderer(s) who may be present at the notified time and place for opening of tenders. After opening of tenders, the result will be announced and provisionally selected tenderer shall immediately deposit 25 percent amount of total amount of tender bid as security for due observance of the terms and conditions of the contract.
- (4) The earnest money shall be refunded immediately at the completion of the tender process to all excepting the person whose tender is provisionally accepted and his earnest money may be adjusted against the security under sub-rule (2).
- (5) Misbehaviour by any tenderer during tender process will be viewed seriously and his earnest money may be forfeited or he may be barred from the tender process and if necessary, by debarring him for another period of three years from any future tender under these rules by the auction/tender committee.

- (6) If the provisionally selected tenderer fails to deposit security money as required under sub-rule (3), the earnest money deposited under sub-rule (2) of this rule shall be forfeited to the Government.
- (7) The successful tenderer shall be issued a "Letter of Intent" by the Competent Authority with the condition that, he shall procure environment clearance, approved mining plan and forest clearance (if required) from the Competent Authority and also complete the requisite formalities required under the law applicable before the tender is finally accepted within two years from the date of issue of Letter of Intent:

Provided that if the Director is satisfied that the holder of Letter of Intent is not responsible for the delay in procuring the various clearances, he shall extend the period for further one year. In case the holder of Letter of Intent fails to procure the requisite clearances even in the extended period, the Letter of Intent shall be withdrawn and security amount under sub-rule(3) of this rule shall be forfeited to the Government and the area shall be put to auction or retendering.

- (8) After completion of the conditions, stipulated in the "Letter of Intent" by the successful contractor/proponent, the final acceptance order shall be issued by the Competent Authority for execution of agreement deed and payment of 25% of annual bid as contract money as determined under sub-rule (2) of rule 23.
- (9) The agreement deed in **Form-'K'** shall be executed between successful contractor and the Competent Authority within 60 days from the date of communication of final acceptance of the tender to the successful contractor and if no such contract is executed in the aforesaid period, the order accepting the tender shall be deemed to have been revoked and the security

amount paid under sub-rule (3) of this rule shall be forfeited to the Government:

Provided that where the Competent Authority is satisfied that the tenderer is not responsible for the delay in the execution of the contract, the Competent Authority may permit the execution of the contract, within a reasonable time after the expiry of the aforesaid period of sixty days.

- (10) After the expiry of the term of the contract, where the Government or authorized officer is satisfied that the contractor has fulfilled all the terms and conditions of the agreement, the amount of the security shall be refunded to the Contractor.

**28. Procedure for calling short term auction.-** (1) The procedure of short term auction shall be followed for quick disposal of the seized/unauthorized extracted minor mineral through notice depicting approximate quantity of the seized mineral, date and place of auction amount of earnest money which shall be issued by the concerned Mining Officer by way of wide publicity in the locality of seized mineral in question and shall be displayed on the notice board of the concerned Mining Officer, Sub Divisional Officer (Civil), Block Development Officer and concerned office of the local body of self governance.

- (2) The notice shall be displayed atleast one week before the date of short term auction. A copy of notice shall be sent to the local authority having jurisdiction over the area.

- (3) Every bidder shall deposit the Earnest money in cash or through crossed draft in favour of concerned Mining Officer. The reserve price shall be fixed

by the Auction Committee on case to case basis as per the prevailing rates and as per the quantity of mineral.

- (4) The Auction Committee shall comprise of concerned Mining Officer, Tehsildar and Assistant Engineer, H.P. Public Works Department for conducting the auction. The highest bidder who is provisionally selected shall deposit 25% of the amount of bid immediately after completion of auction and rest of the amount shall be deposited within 3 days from the date of auction. In case the highest bidder fails to deposit the balance amount within the stipulated period, the deposited amount shall be forfeited and in that eventuality re-auction process shall be initiated immediately.
- (5) After receiving the full amount from the successful bidder, the concerned Mining Officer or his representative shall hand over the possession of the auctioned minor mineral.
- (6) The period for the lifting/disposal of mineral shall invariably be fixed by the Auction Committee.

## **GRANT OF PERMITS**

**29. Application for extraction of minor minerals.-** (1) An application for the grant of permit for extraction of minor minerals in any private land shall be made to the Director or any other officer authorised by him in this behalf. It shall contain the following particulars alongwith the requisite documents:

- (i) name, address and profession of the applicant;
- (ii) quantity of the minor mineral(s) for which permit is required;
- (iii) name of the minor mineral(s) to be extracted and removed;

- (iv) description i.e. name of village(s), area and Khasra Nos. of the land from which the minor mineral is to be extracted and removed;
  - (v) purpose for which the minor mineral is to be used; and
  - (vi) number of labourers to be employed.
- (2) In case, the applicant is not the owner of land, then the application shall be accompanied by a letter from the occupant of such land to the effect that he has no objection to the extraction of the minor mineral by the applicant.
- (3) Every application shall be accompanied by a fee as specified in the First Schedule in respect of each minor mineral.

**30. Grant of permits for extraction of minor minerals.-** (1) The Director or any other officer, authorized by him in this behalf may grant permit in **Form-'L'** for any minor mineral to the applicant after approval of mining area, assessment thereof for minor mineral by the Joint Inspection Committee, necessary clearances and payment of full royalty in advance. Such permits shall be granted initially for a period of six months and shall be subsequently renewed further by the Competent Authority on being satisfied that the permit holder is adhering to the terms and conditions of the permit. The period of permit shall not exceed more than three years:

Provided that the Director may refuse to grant such permit for reasons to be recorded in writing:

Provided further that the Director or any other officer authorised by him in this behalf shall grant permit to any person in the Scheduled area, only after receiving due recommendation of the concerned Gram Sabha. In the areas, other than Scheduled area for granting permit the concerned Gram Panchayat shall be consulted and it shall be incumbent upon the Gram Panchayat to convey its approval or refusal within a period of three months failing which it shall be deemed that the Gram Panchayat has no objection.

In case of refusal or any objection raised by the concerned Gram Sabha or Gram Panchayat, as the case may be, the sufficient reason for such refusal/objection shall be recorded in writing. The objection shall be reviewed/decided by the Sanctioning Authority after taking inspection/objection from the Joint Inspection Committee.

- (2) No mining permit shall be granted to a person who is not an Indian National.

**31. Conditions on which the extraction of minor mineral permit shall be**

**granted.-** (1) The depth of mining in the river bed shall not exceed one metre or water level whichever is less:

Provided that where the Joint Inspection Committee certifies about excessive deposition or over accumulation of minerals in certain reaches requiring channelization, it can go upto two metres on defined reaches of the river.

- (2) The minor mineral permit granted under these rules may contain such other conditions as the officer granting the permit may deem necessary in regard to the following:-

- (i) the limit, mode and place of payment of rates and royalties;
- (ii) compensation of damage to the land covered by the permit;
- (iii) felling of trees;
- (iv) restriction of surface operations in any area prohibited by any authority;
- (v) entering and working in any reserved or protected forest;
- (vi) reporting all accidents;
- (vii) indemnity to Government against claim of third parties;
- (viii) period within which the minor mineral shall be extracted and removed and delivery of possession over lands on the expiry of such

period or on removal of the quantity of the minor mineral for which the permit is valid;

- (ix) deposit of security under Head "Revenue Deposits - Security Deposits" for due fulfilment of the conditions of the permit;
- (x) release of security by the authority issuing permit after having satisfied that the permit holder has fulfilled all the conditions of the permit satisfactorily;
- (xi) proper maintenance and clearance of the road where the quarries are located on the road-side;
- (xii) responsibility to safeguard the water pipe, electric poles and wiring and other public property on the area covered under the permit and in vicinity of the same;
- (xiii) mechanical mining in river and stream bed shall be allowed only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Director. The permit holder seeking such permission shall deposit security amount as specified in the First Schedule. The Director may permit the use of mechanical mining subject to the following terms and conditions:
  - (a) depth of the pit below the surface shall not exceed 1 metre from the adjoining ground in case of river/stream bed;
  - (b) natural flow of the water shall not be disturbed;
  - (c) the excavation of mineral shall be done by way of uniform stripping of mineral in a scientific manner;
  - (d) any other condition imposed by the competent authority; and
  - (e) any violation of terms and conditions imposed while granting such permission shall result in cancellation of permit and forfeiture of security amount thereof:

Provided that the permit holder may use any type of excavator in case of hill slope mining.

**32. Forfeiture of minor mineral left after cancellation of the permit.-** In case of breach of any of the conditions subject to which the permit has been granted, the Director or the authority issuing the permit, may cancel it. On cancellation of the permit, the extracted/removed material lying on the land from which they are extracted shall become absolute property of the Government.

**33. Permission for disposal of minor mineral generated due to non-mining activities.-** (1) Notwithstanding anything contained in these rules, the Director or any Officer authorized by him in this behalf, may grant permission for lifting/transportation of minor minerals generated during various developmental activities and natural calamities for a specific purpose and period. The permission will be given after the site is inspected by a Committee consisting of Tehsildar, Assistant Engineer (Public Works Department) and Mining Officer which may also assess the availability of stock thereof.

**Explanation:-** For the purpose of this rule the developmental activities shall means excavation of tunnel for hydro electric projects, construction of tunnels for connectivity of roads/railways track and construction of various National Highways/state highways, de-silting of reservoir, development of plots, excavation of fisheries ponds and any kind of other developmental activities.

(2) The aforesaid permission shall be subject to fulfillment of following conditions:-

- (i) the royalty shall be charged on the saleable mineral in advance as per the rates specified in the second schedule;

- (ii) the permission shall be granted on the forest land after getting specific clearance from the Forest Department;
- (iii) the permission shall be granted only for lifting/transportation of such stock which has been assessed by the Committee; and
- (iv) any other conditions as may be imposed by the sanctioning authority in this behalf.

**34. General conditions for grant of mineral concession.-** There shall be following general conditions for grant of mineral concession:-

- (i) the Government may decide the mode and nature of grant of Mineral Concession under these rules in different areas i.e. lease, contract, permit etc. from time to time;
- (ii) no river or stream bed mining shall be carried on or allowed to be carried on within two hundred metres upstream and downstream of water supply/irrigation scheme and within two hundred metres upstream and two hundred metres to five hundred metres downstream of bridge or the distances as specified by the Joint Inspection Committee whichever is more.
- (iii) no quarrying operations or mining shall be carried on or permitted to be carried on by a Mineral Concession holder upto any point within five metres from the outer periphery of adjoining land as a safety zone in case of hill slope mining;
- (iv) the depth of mining in the river bed shall not exceed one metre or water level whichever is less:

Provided that where the Joint Inspection Committee certifies about excessive deposition or over accumulation of minerals in certain reaches

requiring channelization, it can go upto two metres on defined reaches of the river.

- (v) mining site shall only be handed over to the lease holder, after it is duly demarcated by permanent boundary pillars and certified by concerned Mining Officer;
- (vi) junction at take off point of approach road with main road shall be developed with proper width and geometrics required for safe movement of traffic by concession holder at his own cost and in consultation with Executive Engineer, H.P. Public Works Department;
- (vii) no concession holder shall store/stack any material in the acquired width of PWD road without the specific permission of the competent authority;
- (viii) dumping of waste shall be done in earmarked places as per the proposals in the Mining Plans;
- (ix) no mining shall be allowed in forest land without permission from the Competent Authority of Forest Department including any other land where there is growth of trees;
- (x) no mining shall be allowed in areas, which may cause aesthetic/visual degradation near any known tourist spot;
- (xi) no mining shall be allowed where it is likely to cause danger to site of culture, religious, historical, archeological or scenic importance;

- (xii) no mining shall be allowed near habitation, where it is likely to cause noise beyond the permissible limit and vibration problems, due to blasting or operation of machinery;
- (xiii) no mining shall be allowed where proper disposal of mine waste cannot be arranged;
- (xiv) conditions shall be imposed that the concession holder will take adequate steps to control and check soil erosion, debris flow etc. by raising various engineering structures;
- (xv) in case of hill slope, no mining lease shall be granted where the ore to overburden ratio is not economical i.e. 1:0.2 that is the waste generation shall not be more than 20%;
- (xvi) proper appraisal of the deposit for its qualitative and quantitative assessment shall be made in the form of Geological and topographical plans;
- (xvii) in case of hill slope mining, the area shall not be highly jointed, fractured or consisting of weak planes and relation of slope angle to angle of repose shall be within mining parameters as per Metalliferous Mines Regulation, 1961;
- (xviii) no mining shall be allowed where subsidence of rocks is likely to occur due to steep angle of slope;
- (xix) no overhangs shall be allowed to be formed during the course of mining;

- (xx) the gradient of approach roads shall be gentle with hill-ward slope, side drains and parapet walls. Adequate number of waiting and crossing points shall be provided for safe plying of vehicles; and
- (xxi) no blasting shall be resorted to without taking proper licence under the Explosive Act, 1884:

Provided that the Competent Authority may relax any of the above conditions, wherever required in the interest of mineral conservation and development.

### CHAPTER-III

#### DEVELOPMENT AND CONSERVATION OF MINERAL

- 35. **Mining Plan.-** (1) No mining lease or contract shall be granted unless there is a mining plan approved from the Competent Authority. The said mining plan shall be prepared in **Form-'M'**.
- (2) Modification of the approved mining plan during the operation of a mining lease also requires prior approval of the competent authority.
- 36. **Officers authorised for approval of mining plan.-** The Officer authorised under the provisions of rule 22 (4A) of the Mineral Concession Rules, 1960 (here-in-after referred to as the "said officer" for the purposes of this Chapter), shall approve the mining plan of mineral concession area as submitted by the applicant.
- 37. **Mining plan to be prepared by Recognised Qualified Person.-** (1) No mining plan as required under sub-rule (1) and (2) of rule 35 shall be approved unless it is prepared by a Recognised Qualified Person.

- (2) No person shall be recognised for preparation of mining plan unless he holds:-

A degree in Mining Engineering or a Post Graduate Degree in Geology granted by a University established or incorporated by or under a Central Act, a Provincial Act, or a State Act, including any institutions recognised by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 or any equivalent qualification granted by any University or Institution outside India and have a professional experience of five years of working in a supervisory capacity in the field of mining after obtaining a degree.

- (3) A person recognised to prepare a mining plan may also carry out modification of an existing mining plan.

**38. Grant of recognition for preparation of mining plan.-** (1) Any person possessing the qualification and experience as required under sub-rule (2) of rule 37 may apply alongwith a fee as specified in the First Schedule for recognition to the State Geologist alongwith security amount of Rs. 25,000/- in the form of Fixed Deposit Receipt (FDR) duly pledged in favour of the State Geologist, Himachal Pradesh. The recognition shall be granted for an initial period of five years and may be renewed for further period of five years at a time on payment of renewal fee as applicable for grant of recognition:

Provided that the State Geologist may refuse to grant or renew recognition for reasons to be recorded in writing after giving an opportunity of being heard to the person concerned.

- (2) The State Geologist may terminate the recognition prematurely in case the mining plan is not prepared in accordance with the prescribed format and

field position and as per guidelines, if any, issued by the Government from time to time and security deposit shall be forfeited.

- 39. Submission and approval of mining plant.-** (1) To grant precise area under mining lease or contract or permit, the Letter of Intent shall be communicated to the applicant of such decision and on receipt of such communication of precise area to be granted the applicant through Recognised Qualified Person (RQP) shall submit to the State Geologist a Mining Plan within in a period of three months from the date on which Letter of Intent was issued or such other period as may be allowed by the Competent Authority.
- (2) The said officer shall convey his approval or refusal of mining plan under sub-rule (1) within 90 (ninety) days from the date of its receipt or may require requisite changes to be carried out in the mining plan and the applicant shall carry out such changes and resubmit the same.
- (3) Every mining plan duly approved under these rules shall be initially valid for a maximum period of five years and it shall be renewed for the remaining period of mineral concession. A fresh mining plan shall be submitted to the said officer for renewal atleast 120 (one hundred twenty) days only before the expiry period of Mining Plan.
- (4) In case of renewal of the mining plan, if approval is not conveyed to the concession holder within the period of 90 (ninety) days, the mining plan shall be deemed to have been provisionally approved and such approval shall be subject to final decision whenever communicated.

- 40. Modification of approved mining plan.-** (1) During the currency of approved mining plan the said officer may require the concession holder to make such modifications in the mining plan as referred to in sub-rule (1) of rule 35 or impose such conditions as he may consider necessary by an order in writing if such modifications or imposition of conditions are considered necessary in the light of the change in the geological and topographical conditions, protection of environment and on mineral conservation point of view for safe and scientific mining.
- (2) Mineral concession holder desirous of seeking modification(s) in the approved mining plan as are considered expedient, in the interest of safe and scientific mining, conservation of mineral, or for the protection of environment, shall apply alongwith a fee specified in the First Schedule to the State Geologist, setting forth the intended modification(s) and explaining the reasons for the same.
- (3) The said officer may approve the modifications under sub-rules 1 and 2 of this rule with such alterations he may consider expedient.
- 41. System of working.-** (1) System of working in minor minerals quarries in hill slope shall be performed by formation of benches as per provisions made under Metalliferous Mines Regulations, 1961.
- (2) Such benches in minor minerals and overburden including weathered minor minerals shall be formed separately and the benches in overburden shall be kept sufficiently in advance so that their working does not interfere with the working of minor minerals and inter mixing of minor minerals with overburden may be avoided.

- (3) The owner, agent, manager of every minor mineral quarry shall not abandon or surrender a minor mineral quarry during the subsistence of the concession except with prior permission in writing of the Government or any person authorised in this behalf by the Government.

**42. Separate stacking of non-saleable or low grade minor minerals.-** (1) The non-saleable minor mineral rejects at quarry bottom shall regularly be collected and transported to the surface and the quarry floor kept reasonably clear of debris.

- (2) Such non-saleable minor minerals suitable for possible use by small scale industries sector shall be properly recovered.
- (3) The ground selected for dumping of top soil, overburden, waste material or non-saleable minor mineral shall be away from working quarry.
- (4) Before starting mining or quarrying operations, conceptual ultimate limits of the quarry shall be determined and dumping ground shall be so selected that dumping is not carried out within the limits of the ultimate size of the quarry except where simultaneous back filling is proposed.

**43. Protection of environment.-** Every holder of a mining lease or contract as the case may be, shall take all possible precautions for the protection of environment and control of pollution while conducting mining or processing of minor mineral in the area for which such concession is granted.

**44. Removal and utilisation of top soil.-** (1) Where top soil exists and is to be excavated for mining operations for minor mineral, it shall be removed separately.

- (2) The top soil so removed shall be utilised for restoration and rehabilitation of the land which is no longer required for mining operations or for stabilising or landscaping the external dumps.
- (3) where top soil can not be used concurrently, it shall be stored separately for future use, keeping in view that the bacterial organism should not die and should be spread nearby area.

**45. Storage of overburden, waste rock etc.-** (1) The overburden, waste rock and non-saleable minor mineral generated during mining operations for minor mineral shall be stored separately in properly formed dumps on grounds earmarked.

- (2) Such dumps shall be properly secured to prevent the escape of material in harmful quantities which may cause degradation of the surrounding land or silting of water courses.
- (3) Wherever possible, such waste rock or overburden or other rejects, shall be backfilled into the worked out minor mineral quarry, where minor mineral has been recovered up to the optimum depth, with a view to restore the land to its original use or desired alternate use, as far as possible and where the backfilling is not feasible, the waste dumps shall be suitably terraced and stabilised by planting vegetation or otherwise.

**46. Reclamation and rehabilitation of lands.-** Every holder of mining lease or contract shall undertake the phased restoration, reclamation and rehabilitation of land affected by mining operation and shall complete this work before the conclusion of such operations and abandonment of mine.

47. **Restoration, reclamation and rehabilitation in a cluster.-** Where large numbers of small mines are situated and worked out in clusters, at such places the provisions of quarrying of minor minerals shall be done in a systematic and scientific manner. The programme of restoration and reclamation of the mined out area and rehabilitation shall be made jointly in phased manner in the abandoned areas in an entire cluster of the minor minerals.
48. **Precaution against air pollution.-** Air pollution due to dust, exhaust emissions or fumes during mining or processing operations for minor mineral and related activities shall be controlled and kept within permissible limits specified under any environmental laws for the time being in force.
49. **Discharge of effluents.-** Every holder of a mining lease or contract shall take all possible precautions to prevent or reduce to a minimum the discharge of toxic and objectionable liquid effluents from minor mineral quarry, workshop or processing plant into surface of ground water bodies and usable lands. These effluents shall conform to the standards laid down in this regard.
50. **Precaution against noise.-** Noise arising out of mining and processing operations shall be abated or controlled by the holder of a mining lease at the source so as to keep it within the permissible limit.
51. **Permissible limits and standards.-** The standards and permissible limits of all pollutants, toxins and noise referred in these rules shall be those notified by the concerned authorities under the provisions of the relevant Statutes from time to time.

- 52. Restoration of flora.-** Every holder of a mining lease or contract shall carry out mining operations, in such a manner so as to cause least damage to the flora of the area held under mineral concession and the mineral concession holder shall,-
- (i) take immediate measures for planting in the same area or any other area selected by concerned authority not less than twice the number of trees destroyed by reason of any mining operation;
  - (ii) look after them during the subsistence of the period of mineral concession after which these trees shall be handed over to the State Forest Department or any other authority as may be nominated by the State Government; and
  - (iii) restore, to the extent possible, other flora destroyed by mining operation.
- 53. Mine Closure Plan.-** (1) For every mine there shall be following Mine Closure Plans:
- (a) The owner, agent, manager or mining engineer shall, in case of fresh grant or renewal of mineral concession, submit a Progressive Mine Closure Plan as per **Form-“M”** as a component of mining plan to the said officer.
  - (b) The owner, agent, manager or mining engineer shall submit a Final Mine Closure Plan to the said Officer for approval one year prior to the proposed closure of the mine and the said officer shall convey his approval or refusal of the final mine closure plan within ninety days of the date of its receipt to the owner, agent, manager, mining engineer, as the case may be. If approval or refusal of the final mine closure plan is not conveyed to the owner, agent, manager or mining engineer, as the case may be, of the mine within the period as specified in sub rule (4) of Rule-39, the final mine closure plan shall be

deemed to have been provisionally approved, and such approval shall be subject to final decision whenever communicated.

- (2) The owner, agent, manager or mining engineer, as the case may be, shall be responsible to ensure that the protective measures contained in the mine closure plan referred in these rules including reclamation and rehabilitation work have been carried out in accordance with the approved mine closure plan.
- (3) The owner, agent, manager or mining engineer, as the case may be, shall submit to the State Geologist, a yearly report before 1<sup>st</sup> July of every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure plan, and if there is any deviation, reasons thereof.

**54. Financial assurance.-** (1) Financial assurance has to be furnished by every mineral concession holder. The amount of financial assurance shall be as per amount specified in the First Schedule:

Provided that the amount of financial assurance shall not be more than Rupees five Lacs.

- (2) The financial assurance shall be furnished in the form of Fixed Deposit Receipt from any scheduled bank.
- (3) The mineral concession holder shall submit the financial assurance to the State Geologist before execution of lease or contract.
- (4) In the case of lease holder(s) where the lease has been executed under the Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971, such

lease holder shall furnish the said financial assurance at the time of renewal of lease deed.

- (5) Release of financial assurance shall be effective from the date of submission of application by the mineral concession holder for the satisfactory compliance of the provisions contained in the mine closure plan certified by the Mining Officer of the concerned district and shall be released by the State Geologist.
- (6) If the State Geologist has reasonable ground for believing that the protective, reclamation and rehabilitation measures as envisaged in the approved mine closure plan in respect of which the financial assurance was given has not been or will not be carried out in accordance with the mine closure plan, either fully or partially, the State Geologist shall give the mineral concession holder a written notice of his intention to issue the orders for forfeiting the amount of financial assurance alongwith interest accrued thereon at least thirty days prior to the date of the order to be issued.
- (7) Within thirty days of the receipt of notice referred to in sub-rule (5), if no satisfactory reply has been received in writing from mineral concession holder, the State Geologist shall pass an order for forfeiting the financial assurance amount alongwith the interest accrued thereon.

**55. Employment of technical persons.-** (1) For the purpose of carrying out mining operation in accordance with approved mining plan, every mineral concession holder shall employ/retain consultant as per classification specified below:-

- (i) a whole-time Mining Engineer or the person possessing 2<sup>nd</sup> Class Mine Manager's Certificate of Competency issued by the Director General of Mines Safety, where mining operations are carried out by deployment of heavy mining machinery for deep hole drilling, excavation, loading and transport, or where the average employment exceeds one hundred per day or in case area of quarry is 50 hectare or more;
  - (ii) in case the quarry area is more than 25 hectares and less than 50 hectares, a person having diploma in mining with 10 years experience in mining operation or person possessing foreman certificate of competency issued by the Director General of Mines Safety or a Geologist having post graduate degree in Geology with 10 years experience in supervising capacity; and
  - (iii) in case where area of quarry is less than 25 hectares but not less than 2 hectares, where mining activities are carried out only by manual means, the person having qualification mentioned in clause (i) and (ii) can work for maximum of 10 mining lease or contract provided that all such mines/quarries are located within a radius of 100 kilometres.
- (2) If the holder of a mine possesses qualification as mentioned in sub-rule (1), he may appoint himself as the technical person for the purpose of sub-rule(1).

- (3) A Mining Engineer or Geologist employed/retained as consultant by the mine holder as technical person shall possess the qualifications specified below:-

**Geologist**

A Post Graduate degree in Geology granted by a University established or incorporated by or under a Central Act, or a State Act, including any institution recognized by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 or any equivalent qualification;

**Mining Engineer**

A degree in Mining Engineering granted by a University established or incorporated by or under a Central Act, or a State act, including any institution recognized by the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 or any equivalent qualification; or three years full time diploma certificate in mining engineering awarded by the State Technical Education Boards.

- (4) The mineral concession holder shall intimate to the concerned Mining Officer the details of qualified person employed by him together with consent of such person.

- 56. Duties of technical person.-** (1) It shall be the duty of the Technical person employed or retained under rule 55 to take all necessary steps to plan and facilitate the conduct of mining operations, so as to ensure conservation of minerals, systematic development of the mineral deposits and protection of environment in and around the mining area in accordance with these rules.

- (2) He shall,-
- (a) be responsible for the preparation and maintenance of plans, sections, report and schemes in accordance with these rules;
  - (b) be responsible for carrying out the study of the associated rocks and minerals, identifying them and stacking the various minerals produced separately;
  - (c) take affective steps for compliance of all such orders and directions as may be given in writing under these rules by any authorized officer and shall forward a copy of such orders or directions to the holder of mine;
  - (d) ensure that there is sufficient provision of proper materials, appliances and facilities at all times at mine for the purpose of carrying out the provisions of these rules and orders issued there under and where he is not the owner of the mine, he shall make requisition in writing to the owner for anything required for the aforesaid purpose. A copy of every such requisition shall be recorded in bound paged book kept for the purpose; and
  - (e) on receipt of a requisition under clause(d), the owner shall provide as soon as possible the materials and facilities requisitioned by the qualified person.

**57. Mining operations to be in a scientific and systematic manner and penalty thereof.-** (1) The Mining operation shall be undertaken in a scientific and systematic manner, in accordance with approved mining plan, and as per the terms and conditions of the Lease and Agreement deed.

- (2) If the mining operations are not carried out in accordance with the mining plan or Lease Deed or Agreement Deed as referred under sub-rule (1), the State Geologist or Geologist or Assistant Geologist or Mining Officer, as the case may be, may pass an order for suspension of all or any of the mining operation and permit continuance of only such operation as may be necessary to restore the conditions in the mine envisaged under the said mining plan or Lease Deed or Agreement Deed.
- (3) Any person who contravenes terms and conditions of mining plan or Lease Deed or Agreement Deed shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine which may extend to Rs. 50,000/- (Rupees Fifty thousand) only or with both and in case of continuing contravention with an additional fine which may extend to Rs. 5000/- (Rupees Five thousand) only after conviction for the first such contravention for every day during which such contravention continues:

Provided that any offence punishable under this sub-rule may, either before or after the institution of the prosecution, be compounded by the officer authorised to make a complaint in writing to the court with respect to such offence, on payment to that officer for credit to the Government, of such sum that officer may specify:

Provided further that in case of an offence punishable with fine only, such sum shall not exceed the maximum amount of fine which may be imposed for that offence

## CHAPTER-IV

### REVIEW AND DELEGATION OF POWERS

- 58. Delegation.-** The Government may by notification in the Official Gazette, direct that any powers exercisable by it under these rules, may, in relation to such matters and subject to such conditions, as may be specified in the notification, be exercisable by such officer or authority as may be specified in the notification:

Provided that the Government may, by notification in the Official Gazette, direct that any powers exercisable by the Director under these rules may be exercised, in such cases and subject to such conditions, as may be specified in the notification, by any officer of the Directorate of Industries, as may be specified in the notification.

- 59. Appeal.-** (1) Any person aggrieved by an order of the Director,-

- (i) cancelling or terminating of a mining lease or contract or forfeiting any deposit thereunder in whole or in part, or
- (ii) refusing to permit transfer of a mining lease,

may appeal to the Government against such order within two months of the date of the order:

Provided that any such application may be entertained after the said period of two months, if the applicant satisfies the Government that he had sufficient cause for not making the application within time.

- (2) Where the functions of the Director have been delegated to any other officer subordinate to him under rule 58, any person aggrieved by any order of any such officer of the nature specified in sub-rule (1) may appeal to the Director:

Provided that the appeal is filed within two months of the date of order, appealed against.

- 60. Fees for appeal and review.-** The memorandum of appeal or application for review shall be accompanied in every case by a fee as specified in the First Schedule to the credit of Government under the Head: 0853- Non-Ferrous Mining and Metallurgical Industries, 102- Mineral Concessions fees, Rent and Royalties, 01- Receipts from Mineral Concession Fees etc.
- 61. Review.-** Upon receipt of such application, the Government or the Director, as the case may be, may call for the relevant records and other information and after considering his explanation and giving the appellant an opportunity of hearing and considering any comments that might be offered by the officer, may cancel or review the order against which the appeal has been preferred. The order of the Government or the Director, as the case may be, under this rule shall be final.

## CHAPTER-V

### MISCELLANEOUS

- 62. Power to rectify apparent mistakes.-** The Government may, at any time within six months from the date of order passed by it under these rules, on its own motion rectify any mistake or error apparent on the face of the record, and shall within like period rectify any such mistake or error which has been brought to its notice by an applicant for the grant of the minor mineral concession:
- Provided that no such rectification having or purporting to have a prejudicial effect on another applicant for the grant of the mining lease shall be made unless the Government has given such applicant notice of its intention to do so, and have allowed him reasonable opportunity of being heard.

**63. Recovery of Government dues as arrears of land revenue.-** Any rent, royalty, fee, contract money or other sum due to the Government under these rules or under the terms and conditions of any mining lease or contract or permit, on a certificate in **Form-'N'** issued by an officer as may be specified by the Government in this behalf by general or special order, be recovered in the same manner as an arrears of land revenue.

**64. No restriction etc. to be imposed by owner or land on mining operation.-** No person having a right in any capacity in the land covered by a mineral concession, shall be entitled to impose any prohibition or restriction on the mining operation by the holder of mineral concession of such land or to demand any sum by way of premium or royalty for the removal of the minor mineral:

Provided that such person shall be entitled to get compensation from the said concession holder for the use of the surface which may be agreed upon between them. In the case of any dispute the amount of compensation shall be determined by the Collector and his order shall be final.

**65. Acquisition of land of third parties and compensation thereof.-** In case the occupier or owner of a land in respect of which minor mineral rights vest in the Government refuses his consent to the exercise of the right and powers, reserved to the Government and demised to the lessees or contractors, as the case may be, the lessees or contractors shall report to the Government and shall deposit with it the amount offered as compensation and if the Government is satisfied that the amount of compensation offered is fair and reasonable or if it is not so satisfied and the lessee or contractor shall have deposited with it such further amount as the Government shall consider fair and reasonable the Government shall order the

occupier to allow the lessee or contractor to enter the land and to carry out such operations as may be necessary for the purposes. In assessing the amount of such compensation, the Government shall be guided by the principles of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013).

**66. Status of the grant on death of applicant for mineral concession.- (1)**

Where an applicant for the grant of contract or mining lease or renewal of mining lease dies before the order, granting him a contract or mining lease or renewal of mining lease, is passed, the application for the grant of contract or mining lease or renewal of a mining lease shall be deemed to have been made by his legal representative.

(2) In the case of an applicant in respect of whom an order, granting of contract or mining lease or renewing a mining lease, is passed, but who dies before the agreement deed or lease deed is executed, the order shall be deemed to have been passed in the name of the legal representative of the deceased and such legal representative shall execute the requisite agreement deed or lease deed and its renewal thereof.

## CHAPTER-VI

### REGISTRATION, LOCATION, INSTALLATION AND WORKING OF STONE CRUSHERS

- 67. Mining lease mandatory for running a stone crusher.-** For running a stone crusher, a mining lease is mandatory to ensure legal and regular supply of minor mineral:

Provided that in the case of construction of Hydel Projects, road(s) and tunnel(s), the stone crusher shall be allowed to be installed, on the basis of material generated during such construction activities even without mining lease:

Provided further that the crushed material shall be utilized for the purposes of construction of such Hydel Project(s), road(s) and tunnel(s).

- 68. Requirement for provisional registration of stone crusher.-** (1) For installation of stone crusher a minimum working area between 2 to 5 Bighas shall be required, for raising machinery/plant and its ancillary activities like stacking of raw material/finished product, parking of vehicles, office, labour huts, etc. As far as possible, this area may be compact area at a single location.

Provided that in case the required land is not available at one location, the total land requirement can be met at different locations subject to the following conditions, namely:-

- (i) the main component of the stone crusher i.e. machinery/plant and provision for stacking of finished product may be at one location from where the siting parameters are to be measured in terms of Notification number STE-E(3)-17/2012 dated 29.05.2014 or as amended from time to time, by the Department of Environment, Science and Technology;

- (ii) for other ancillary activities, like stacking raw material, parking of vehicles, office, labour huts etc., the land requirement at different locations may be considered; provided the distance of such location from the proposed stone crusher site under sub-clause(i) above is within 500 metres; and
  - (iii) the area of mining lease shall be within 5 kilometres radius of the stone crusher.
- (2) For installing a stone crusher in any area within the State, an application shall be submitted by the applicant in **Form-'O'** with requisite fee as specified in the First Schedule.
- (3) After the submission of application under sub-rule (2) the case shall be sent to the Joint Inspection Committee constituted vide Notification No. STE-E(3)-17/2012 dated 29.05.2014 by the Department of Science & Technology and the joint inspection of the site of stone crusher will be conducted as per the provision of aforesaid Notification.
- (4) The Provisional Registration' shall be issued on **Form-'P'** by the Geological Wing, Department of Industries after the site is approved by the Joint Inspection Committee and mining lease deed is executed. The Provisional Registration shall form the basis for obtaining the Consent to establish for the Stone Crusher from the Himachal Pradesh State Pollution Control Board, to get electric connection from the State Electricity Board and pre-production clearance from other Government Departments.

- 69. Permanent registration of stone crusher.-** (1) After obtaining Consent to establish and operate of the Stone Crusher from Himachal Pradesh State Pollution Control Board and other requisite clearance from concerned Departments, the stone crusher owner shall apply for obtaining Permanent Registration of stone crusher in **Form-‘Q’** alongwith fee as specified in the First Schedule. The same shall be issued to the owner of the stone crusher on **Form-‘R’** which shall be valid for a period of two years.
- (2) In case the owner of the stone crusher intends to renew the Permanent Registration, he shall apply for the renewal atleast three months prior to the expiry of the Permanent Registration failing which Rs. 100/- per day shall be charged as late fee from the date of expiry of permanent registration till he applies for the same.
- (3) The Geological Wing, Department of Industries may renew the Permanent Registration for a further period of two years subject to proper functioning of the stone crusher as per terms and conditions of Permanent Registration and clearance of all dues.
- (4) The application submitted for renewal of Permanent Registration, if not disposed off before the expiry of the period of registration, then it shall be deemed to have been extended for further period.
- 70. Conditions for running stone crusher.-** (1) No person shall run/operate any stone crusher in any area within the State unless he obtains the required registration from the Geological Wing, Department of Industries.
- (2) Every stone crusher owner shall observe the provisions of,-

- (a) the Air (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder;
  - (b) the Water (Prevention and Control of Pollution) Act, 1974 and rules framed thereunder;
  - (c) the Environment (Protection) Act, 1986 and rules framed thereunder.
  - (d) the Noise Pollution (Regulation and Control) Rules, 2000;
  - (e) the emission standards as per the statute and rules framed thereunder and as notified vide Government notification dated 29.5.2014; and
  - (f) the pollution control measures as per the Government Notification dated 29.05.2014 or as amended from time to time.
- (3) The Geological Wing, Department of Industries may impose any other conditions as it may deem fit for the protection of environment, conservation and development of minerals.
  - (4) The stone crusher owner shall submit a return by 10<sup>th</sup> of every month, giving details of total quantity of minerals crushed, electricity consumed, power generated in case of captive power generated run crusher, fuel consumption in case of diesel run crusher, number of labour employed and wages paid etc.
  - (5) The stone crusher owner shall allow the inspecting staff, access to the crusher and make available all records relating to operation of the crusher and verification of source of legal supply of minor minerals and stocks.
  - (6) The stone crusher owner shall adhere to the terms and conditions of mining lease deed and any other permissions accorded to him for meeting out the demand of raw material.

71. **PENALTY.-** Any person who contravenes any of the provision of this chapter shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine which may extend to Rs. 50,000/- (Rupees Fifty thousand) only or with both and in case of continuing contravention with an additional fine which may extend to Rs. 5000/- (Rupees Five thousand) only after conviction for the first such contravention for every day during which such contravention continues:

Provided that any offence punishable under this Chapter may, either before or after the institution of the prosecution, be compounded by the officer authorized to make a complaint to the court with respect to the offence, on payment to that officer for credit to the Government, of such sum that officer may specify:

Provided further that in case of an offence punishable with fine only, such sum shall not exceed the maximum amount of fine which may be imposed for that offence.

## CHAPTER-VII

### PREVENTION OF ILLEGAL MINING, STORAGE AND TRANSPORTATION OF MINERALS

- 72. Prevention of illegal mining.-** No person shall undertake any mining operation in any area except under and in accordance with the terms and conditions of these rules.
- 73. Penalty provision for illegal mining.-** Any contravention of rule 72 shall be punishable with imprisonment for a terms which may extent to two years, or with fine which may extend to Rs. 25,000/- (Rupees Twenty five thousand only), or with both:

Provided that the contravention of rule 72 for the first and the second time may be compounded by an officer authorized by the Government under section 22 of the Act and the case in relation to the subsequent contravention shall be filed by the officer so authorized in the competent court of law. The manner of compounding of offence shall be as under:-

- (i) In case of illegal mining carried out manually the amount of compounding fee shall not be less than Rs. 10,000/- if the mineral extracted is upto 25 metric tonnes;
- (ii) If the quantity of illegal mining carried out exceeds 25 metric tonnes, additional compounding fee @ Rs. 400/- per metric tonne shall be charged;
- (iii) In case of second contravention a minimum compounding fee of Rs. 25,000/- shall be charged;
- (iv) In case of illegal mining done mechanically in the river/stream beds, the amount of compounding fee shall not be less than Rs. 25,000/-.

- 74. Grant of registration for storage of mineral.-** (1) Any person desirous of being registered as a dealer or for renewal of registration shall apply in **Form-‘S’** to the Mining Officer. The application shall be submitted in quadruplicate in his office;
- (2) Every application made under sub-rule (1) shall be accompanied by,-
- (a) a fee as specified in the First Schedule payable through treasury challan under following Head of Account:-  
“0853-Non Ferrous Mining and Metallurgical Industries,  
102-Mineral Concession Fees and Royalties,  
81-Other receipts”;
  - (b) an affidavit to the effect that he had not been convicted in any offence relating to illegal extraction or transportation of minerals; and
  - (c) a copy of the certificate issued by the Industries Department or any other Department of Government for establishment of the mineral based factory or beneficiation plant or any industry, if any.
- (3) On receipt of application for registration, the office of the Mining Officer shall acknowledge the receipt within a week in **Form-‘T’**.
- 75. Prevention of illegal storage.-** (1) No person shall store or cause to be stored any mineral by any means at any place without having valid permission or registration as a dealer with Department of Industries, Himachal Pradesh as per the provisions or these rules.
- (2) All the dealers shall register themselves as dealer with Department of Industries Himachal Pradesh as per the procedure laid down in these rules:
- Provided that the holder of a mining lease or contract or tender or permit holder, as the case may be, in respect of a mineral for which he holds a minerals concession shall not be required to register himself as a dealer separately:

Provided further that where the stock of mineral is less than 50 metric tonnes, the person shall not be required to register himself as dealer if the said mineral is stored for his bonafide use.

- 76. Processing of the application by the Mining Officer.-** (1) The Mining Officer shall maintain a register in his office in **Form-‘U’** wherein he shall made necessary entries about the application immediately after its receipt and its disposal in due course.
- (2) The Mining Officer shall grant to a dealer registration in **Form-‘V’** for a period of five years within thirty days from the date of receipt of the application. In case of refusal or rejection of the application, the reasons shall be recorded in writing and communicated to the applicant within thirty days from the date of receipt of the application.
- (3) The application for renewal shall be made in **Form-‘S’** to the Mining Officer ninety days prior to the date of expiry of the existing registration. If orders of renewal are not passed before the expiry, it shall be deemed to have been renewed for the further period subject to the final decision whenever communicated.
- 77. Conditions for the issue of registration.-** The registration shall be granted in **Form-‘V’** subject to the following conditions namely,-
- (i) the dealer shall deposit a sum as specified in the First Schedule in the shape of fixed deposit receipt duly pledged in favour of Mining Officer as security for due observance of terms and conditions of registration;
- (ii) the dealer shall maintain correct and legible monthly account of ores and mineral procured, processed and transported to different destinations;

- (iii) any person who transports the mineral and who is required to carry a transit pass in **Form-‘W’** or Supplementary **Form-‘X’** on demand shall produce such pass to any authorized officer in this behalf;
- (iv) every dealer shall submit a return in **Form-‘Y’** to the Mining Officer by the 10<sup>th</sup> of succeeding month;
- (v) while removing the ore or minerals from the stores or factories, the dealer shall obtain permission from the concerned authorized officer and transport the ore or mineral under transit pass **Form-‘W’** or Supplementary Pass **Form-X** obtained from his office;
- (vi) every dealer shall allow Director of Industries or State Geologist or Geologist or Assistant Geologist or Mining Officer or Mining Inspector to inspect the store and factories to verify the stocks of the minerals and take sample, abstract from the records maintained by him; and
- (vii) the registration shall be cancelled after serving a notice, if dealer commits a breach of any condition of this rule.

**78. Penalty provision for illegal storage.-** Any contravention of sub-rule (1) and (2) of rule 75 shall be punishable with imprisonment for a term which extend to two years, or with fine which may extend to Rs. 25,000/- (Rupees Twenty five thousand only), or with both:

Provided that the contravention of sub-rule (1) and (2) of rule 75 for the first and second time may be compounded by an officer authorized by the Government under section 22 of the Act and the case in relation to the subsequent contravention shall be filed by the officer so authorized in the competent court of law:

Provided further that the amount of compounding fee shall not be less than Rs. 25000/- plus the market sale price of the total material stored illegally at the spot.

**79. Transportation of minerals.-** (1) No person shall transport or cause to be transported any mineral otherwise than in accordance with the provisions of these rules.

- (2) The holder of a mining lease or contract or permit or permission or store or a person authorized by him in this behalf shall issue a transit pass in **Form-‘W’** or Supplementary Pass in **Form-‘X’** as the case may be duly countersigned by the concerned Mining Officer or any other Officer authorized by him in this behalf to every person carrying a consignment of minor mineral by a vehicle, animal or any other mode of transport.
- (3) For transportation of any mineral to any place, the dealer or holder of mining lease or contract or permit or permission shall make an application to the authorized officer for issue of transit pass.
- (4) The transit pass shall be in triplicate. Two copies of which shall be issued to the consignor while third shall remain with the dealer or holder of mining lease or contract or permit or permission and shall be produced before authorized officer as and when demanded by him. One copy of transit pass shall be retained by Inspecting Officer/In-charge of Check Post who shall endorse the second copy, which shall remain with the carrier during transportation and shall hand over the same to dealer or buyer, as the case may be:  
  
Provided that if mineral is being carried from other State, then the consignor should have proper document of that State, indicating the place and address of firm or supplier who happened to be supplier of that mineral.
- (5) Every person carrying any minor mineral shall on demand at any place including check post/barrier by any Officer of the State Government authorized in this behalf show the said Transit Pass in **Form-‘W’** or Supplementary Pass in **Form-‘X’** to such Officer and allow him to verify the correctness of the particulars of the Transit Pass **Form-‘W’** or

Supplementary Pass in **Form-‘X’** with reference to the quantity of the minor mineral.

- (6) Every dealer shall provide all reasonable facilities to the authorized officer in this behalf to inspect verify and check the stocks and accounts of mineral and any other documents pertaining thereto.

**80. Establishment of check posts and barriers for weighment and**

**inspection of mineral in transits.-** (1) If the Government considers it necessary to do so with a view to check the transport and storage of minerals raised without lawful authority, it may direct, the setting up of check post or erection of barriers or both at any place or places within the State by notifying in the Official Gazette.

- (2) Any authorized officer may check any vehicle carrying mineral at any place and the person in-charge of the carrier shall furnish a valid transit pass on **Form-‘W’** or Supplementary **Form-‘X’** as the case may be and other particulars such as bill or receipt or delivery note on demand by that Officer.

- (3) At every check post or barrier or at any other place when so required by the Officer in-charge of the check-post or the barrier or any other authorized Officer, the person in-charge of the carrier shall stop the same for examination of the mineral in transit and also inspect all records and documents relating to minerals. The person in-charge of the carrier shall, if so required by the officer in-charge of the check-post or the barrier or any other authorized officer, furnish his name and address and also that of the owner of the carrier and the name and address of both consignor and the

consignee. After checking the mineral and carrier, the officer in-charge of the check post or the barrier or any other authorized officer as aforesaid shall put his signature on the transit pass.

- (4) The Officer-in-charge of the check post or the barrier or authorized Officer shall have the power to seize the mineral alongwith the carrier in transit, if the dispatch is not in conformity with Transit pass.
- (5) Every Officer who initiates action for seizure of carrier or mineral or both as the case may be, under these rules shall prepare a list so seized and deliver a copy thereof signed by him to the person found in possession. He shall keep such property under his custody with proper official seal and with detailed information in **Form-'Z'**.
- (6) The Officer-in-charge of the check post or the barrier or authorized officer, as the case may be, may direct the person in-charge of the carrier to carry the mineral to the nearest police station or check post or barrier of the concerned Department:  
  
Provided that if the person in-charge refuses to carry the mineral and the carrier to the nearest police station or check post or barrier of the department, the officer in-charge or any other Authorized Officer under the sub-rule(4) may seize the carrier and take the same in his possession.
- (7) Whenever a carrier together with the mineral is seized under these rules, by an authorized officer, such officer shall give an option to the owner or in-charge of the carrier for compounding the offence as provided under these rules in lieu of such seizure. In case of failure of owner or person in-charge

of the carrier to exercise such option legal action shall be initiated against him by the Officer authorized in this behalf.

- 81. Penalty provision for illegal transportation.-** Any contravention of rule 79 and 80 shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Rs. 25,000/- (Rupees Twenty five thousand only), or with both:

Provided that the contravention of rule 79 and 80 for the first and the second time may be compounded by an officer authorized by the Government under section 22 of the Act and the case in relation to the subsequent contravention shall be filed by the officer so authorized in the competent court of law. The manner of compounding of offence shall be as under:-

The amount of compounding fee shall not be less than 4500/- (Rs. Four thousand & five hundred) only for tractor, Rs. 7000/- (Rs. Seven thousand) only for medium truck/tipper having capacity upto 7 metric tonnes, Rs. 15,000/- (Rs. Fifteen thousand) only for trucks having capacity upto 10 metric tonnes and 25,000/- (Rs. Twenty five thousand) only for trucks with capacity more than 10 metric tonnes and Rs. 200/- (Two hundred) only for mule/horse.

- 82. Seizure and confiscation.-** (1) whenever any person raises or causes to be raised without any lawful authority, any mineral from any land and for that purpose, uses any tool, equipment or any other thing shall be liable to be seized by an official or authority especially empowered in this behalf by the Government under sub-section (4) of the section 21 of the Act.

(2) Any mineral, tools, equipment or any other thing seized under sub-rule (1), shall be liable to be confiscated by an order of the court competent to take

cognizance of the offence under rules 73 & 78 and shall be disposed of in accordance with the directions of such court.

- 83. Offences cognizable only on written complaint.-** No court shall take cognizance of any offence punishable under these rules, except upon a complaint in writing made by the Director or any other officer authorised by him in this behalf.
- 84. Relaxation in special cases.-** The Government may, if it is of the opinion that in the interest of projects of the national Importance or in the interest of national security or in the interest of mineral development, it is necessary to do so, by order in writing and for reasons to be recorded, authorize in any case the grant of any mining lease or the working of any mine for the purpose of mining and mineral or setting up and working of stone crusher on terms and conditions different from those as laid down in these rules.
- 85. Repeal and Saving.-** (1) The Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971 and the Himachal Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2004 are hereby repealed.
- (2) Notwithstanding such repeal anything done or made or any action taken under the provisions of repealed rules shall be deemed to have been validly done or made or taken under the corresponding provisions of these rules.

**FIRST SCHEDULE****FEE REQUIRED UNDER THE RULES**

<b>S. No.</b>	<b>Rule</b>	<b>Particulars</b>	<b>Fee (in Rupees)</b>
1.	5 (1)	Application fee for Certificate of Approval	2,500/- for a period of five years
2.	7 (h)(i) and (16)(2)	Application fee for Mining Lease/Renewal of Mining Lease	5,000/- (non-refundable)
3.	15 (1)	Security Deposit upto 5 Hectares. Additional Security based on pro-rata basis for additional area	25,000/- (in shape of Fixed Deposit Receipt (FDR) duly pledged in favour of Competent Authority.
4.	19(15), 23(6) and 31(2)(xiii)	Security for Mechanical Mining	Rs. 2.00 lacs
5.	21 (1)	Fee for Transfer of Mining Lease	50,000/- (Non-refundable)
6.	21 (2)	Fee for Transfer of Letter of Intent and Grant Order	10,000/- (Non-refundable)
7.	29(3)	Application fee for Permit	2,500/- (Non-refundable)
8.	38(1)	Application fee for recognition as RQP	5,000/- (Non-refundable)
9.	40(2)	Fee for Modification of Mining Plan	10,000/-
10.	54	Financial Assurance per hectare on pro-rata basis	5,000/-
11.	60	Fees for Appeal	1,000/- (non-refundable)
12.	68	Application fee for Joint Inspection of Stone Crusher Site.	2,500/- (Non-refundable)
13.	69	Application fee for Permanent Registration of Stone Crusher	2,500/- (Non-refundable)
14.	74	Application fee for Registration as a dealer.	1,000/- (Non-refundable)
15.	77	Security for Dealer Registration	10,000/-

**SECOND SCHEDULE****RATES OF ROYALTY**

[See rule 4(1), 18(1) &amp; 19(1)(a)]

Sl. No.	Name of Mineral	Rates of Royalty/other fee required under Rule (Per tonne)
1.	Building stones, Masonary stone including Boulders and Shingle.	Rs. 60.00
2.	Limestone	Rs. 80.00
3.	Marble:	
	(a) Used for lime burning	Rs. 80.00
	(b) Dressed, carved and rough marble Slabs	Rs. 450.00
	(c) Marble chips, fine powder, Khandas.	Rs. 80.00
	(d) Coarse powder of not more than plus 20 mash.	Rs. 80.00
4.	Bajri.	Rs. 60.00
5.	Ordinary Sand/Stone Dust	Rs. 60.00
6.	Ordinary Soil/Shale	Rs. 30.00
7.	(a) Rough slab slate	Rs. 140.00
	(b) Slate	Rs. 340.00
	(c) Quartzite slate	Rs. 340.00
8.	Kankar, road metal, blast and rorri.	Rs. 60.00
9.	Cut or dressed blocks of granite and traps/basalt including rocks of other colours and shades (size 180x80x50 cms or more)	Rs.500.00
10.	Brick earth	Rs. 5000 per lac Bricks on pro-rata basis
11.	All other minor mineral not herein specified	25% of the sale value at pit mouth

**THIRD SCHEDULE**

[See rule 18(2) &amp; 19(1)(d)]

**A. RATES OF DEAD RENT IN RUPEES PER HECTARE PER ANNUM**

<b>Sr. No.</b>	<b>Name of the Minor Mineral</b>	<b>Rate of Dead Rent</b>
1.	Limestone as minor mineral	Rs. 25,000/- per hectare and part thereof per annum.
2.	Slate/cut stone	Rs. 2,000/- per hectare and part thereof per annum.
3.	Other Minor Minerals	<p>(i) <b>Private land</b> - Area of mining lease – Rs. 10,000/- per hectare and part thereof per annum</p> <p>(ii) <b>Government land</b> - Mining lease area - Rs. 10,000/- per hectare and part thereof per annum upto 5 Hects.</p> <p>Mining lease area - Rs. 15,000/- per hectare and part thereof per annum From 5 Hects. upto 10 Hects.</p> <p>Mining lease area - Rs. 20,000/- per hectare and part thereof per annum From 10 Hects. upto 20 Hects.</p> <p>Mining lease area - Rs. 25,000/- per hectare and part thereof per annum more than 20 Hects.</p>

**B. RATES OF SURFACE RENT IN RUPEES PER HECTARE PER ANNUM**

[see rule 19(1)(d)]

<b>Sr. No.</b>	<b>Name of the Minor Mineral</b>	<b>Rate of Dead Rent</b>
1.	Surface rent for Government Land	Rs. 1,000/- per hectare.

**FOURTH SCHEDULE****DELEGATION OF POWERS UNDER VARIOUS PROVISIONS OF THE HIMACHAL PRADESH MINOR MINERALS (CONCESSION) AND MINERALS (PREVENTION OF ILLEGAL MINING, TRANSPORTATION AND STORAGE) RULES, 2015**

<b>Rule</b>	<b>Limit</b>	<b>Authorised Officers</b>	<b>Limit</b>
5(1)	Power to receive application for Certificate of Approval.	Director of Industries/ State Geologist/Mining officer	In their respective jurisdiction
5(3) & 5(4)	Power to grant/renewal the Certificate of Approval.	Director of Industries/ State Geologist/Mining officer	In their respective jurisdiction
7 & 16(2)	Power to receive application of grant/renewal of mining lease.	State Geologist	Throughout State of Himachal Pradesh
8(3)	Power to Acknowledge Application	State Geologist	Throughout State of Himachal Pradesh
9	Power to assign priority for mining lease	State Geologist	Throughout State of Himachal Pradesh
9(4)	Power to refuse whole or part of area applied for mining lease.	State Geologist for an area upto 1.5 Hects. Director of Industries for an area from 1.5 Hects. to 3.0 Hects.	Throughout State of Himachal Pradesh
17	Power to issue Letter of Intent & grant of mining lease	State Geologist for an area upto 1.5 Hects. Director of Industries for an area from 1.5 Hects. to 3.0 Hects.	Throughout State of Himachal Pradesh
23(2) 26(6) 27(7)	Power to issue Letter of Intent & grant of contract	State Geologist upto value of Rs. 10 lacs. Director of Industries upto value of Rs. 25 lacs.	Throughout State of Himachal Pradesh
30	Power to grant permits for extraction of minor mineral.	Director of Industries	Throughout State of Himachal Pradesh
33	Power to grant permission for lifting/transportation of mineral.	State Geologist upto 20,000 Metric Tonnes per month. Director of Industries more than 20,000 metri Tonne per month.	Throughout State of Himachal Pradesh
57(3) & 71	Power to lodge complaints	State Geologist and Mining Officer	In their respective jurisdiction
63	Power to sign Form 'N'	Mining Officer	In their respective jurisdiction

**FORM-A**  
[See rule 5(1)]

**APPLICATION FOR CERTIFICATE OF APPROVAL**

To  
The Director of Industries,  
Himachal Pradesh

Through:

Sir,  
I/We \_\_\_\_\_ have the honour to request that a Certificate of Approval under the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 be granted to enable me/us to acquire Mining Lease under the said Rules.

1. The fee Rs. 2,500/- payable for the grant of certificate is remitted herewith through demand Draft No. \_\_\_\_\_ dated \_\_\_\_\_ Name of Bank \_\_\_\_\_ or has been deposited in the Government Treasury under Head: 0853-Non Ferrous Mining & Metallurgical Industries –102 Mineral Concession fee, Rent and Royalties and receipted challan where for is enclosed.
2. The required particulars are given below:-
  - i) Name and Address of the individual/  
Firm/Company with identification proof
  - ii) Nationality of the individual member of the  
Firm/Company with relevant documents:
  - iii) Place of registration of incorporation  
of the Firm/Company:
  - iv) Profession of the individual or  
Nature of business of the Firm/Company
  - v) Details of technical qualification & Mining  
Experience of the individual, firm or company  
If any;
  - vi) The amount of capital that the individual,  
Firm/Company can command to carry on  
well planned mining operation:
  - vii) Bank reference, if any :
  - viii) The amount of Income Tax or land:  
Revenue paid annually, if any
  - ix) Any other particulars which the  
Applicant wishes to furnish:

Yours faithfully

Place:  
Dated:

Signature of the applicant

**FORM B**

[See rule 5(3) &amp; (4) and 7 h (ii)]

Government of Himachal Pradesh  
Department of Industries

No. \_\_\_\_\_

Dated \_\_\_\_\_

**CERTIFICATE OF APPROVAL**

This is to certify that \_\_\_\_\_ is approved as a person/ company/Firm who is qualified to acquire mining lease/Contract/Tender of minor minerals in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.

This certificate shall be valid for a period of five years or upto the mineral concession whichever is earlier from the date of grant of such certificate.

This certificate already granted and which expired on \_\_\_\_\_ is renewed upto \_\_\_\_\_.

Issuing Authority  
Himachal Pradesh

**FORM-C**

[See rule 7 &amp; 16(2)]

**APPLICATION FOR GRANT/RENEWAL OF MINING LEASE**

Received at \_\_\_\_\_ (Place at) \_\_\_\_\_ (hour) on  
the \_\_\_\_\_ day of \_\_\_\_\_.

From: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Through

To

The State Geologist  
Himachal Pradesh.

- I. I/We beg to apply for mining/renewal lease for extraction/collection of \_\_\_\_\_ for a term of \_\_\_ years over \_\_\_\_ hectares of land in the area specified in the Schedule.
- II A sum of Rs. 5000/- as application fee payable under Rule 7 or 16(2) of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 has been deposited in the Government treasury and the receipted challan therefor is enclosed.
- III The required particulars are given below:

**PARTICULARS:**

- (1) Name of applicant individual(s), firm, :  
company or society with proof
- (2) Nationality of the Individual(s) or place of :  
registration or incorporations of firm,  
company or society, with relevant  
documents
- (3) Profession of individual(s) nature of :  
business of firm or company and place of  
business
- (4) Address of the individual(s), firm,  
company or society with address proof.

- (5) Whether the application is for a fresh :  
lease or for a renewal of a lease  
previously granted
- (6) Minor Mineral which the applicant :  
intends to mine
- (7) Period for which the lease is required :
- (8) Approximate quantity of minor mineral :  
expected to be raised during the first  
year
- (9) Manner in which the minor mineral  
raised is to be utilized  
(a) For Stone Crusher (b) For Open Sale  
(c) any other purpose

In case of any other purpose, the purpose in connection with which it is required should be specified clearly.

- (10) A description illustrated by a site plan  
(in triplicate) showing the situation,  
boundaries and area of the land in  
respect of which the lease is required.  
The location of the area should be  
shown by permanent physical features  
i.e. Road, Tanks, National Highway,  
State Highway, Village/Town, Water  
Supply Schemes and Bridges etc.  
indicating their distances from the  
applied area.
- (11) A statement showing the areas  
applied/granted within the jurisdiction  
of the Government –
  - (i) already held by me/us in  
my/our name/names (and  
jointly with others) under  
quarrying leases specifying  
the names of minor minerals.
  - (ii) Already applied for but not  
yet granted and
  - (iii) Applied for simultaneously or  
being applied for in other  
districts of this State is  
appended
- (12) In case of renewal, whether renewal is  
applied for the whole or part of the

lease held

- (13) Means by which the minor mineral is to be raised i.e. by hand labour or mechanical or electric power.
- (14) Any other particulars which the applicant wishes to furnish

**SCHEDULE**

Description of the area applied for

- (1) Name \_\_\_\_\_
- (a) Village/Town \_\_\_\_\_
- (b) Post Office \_\_\_\_\_
- (c) Tehsil \_\_\_\_\_
- (d) District \_\_\_\_\_ Himachal Pradesh.
- (2) The case of Forest Land:
- (a) Name of the range \_\_\_\_\_ sub-range
- (b) Working circle \_\_\_\_\_.
- (3) Detail of area applied for mining lease:
- \_\_\_\_\_
- a) Khasra number                      b) Mauza/Mohal                      c) Area in Hectares
- \_\_\_\_\_
- \_\_\_\_\_
- (The revenue record should be annexed in original)
- (4) Full description of the area applied for with regard to its natural features:
- \_\_\_\_\_
- \_\_\_\_\_

Yours faithfully,

Place: \_\_\_\_\_

Date: \_\_\_\_\_

(Signature of applicant)

- N.B.:** Note-
- (I) No application will be held to be complete for purposes of priority unless it furnishes correctly. All the particulars required and properly signed and stamped.
  - (II) If the application is signed by an authorised agent of the applicant, power of attorney should be attached.

**FORM-D**

[See rule 8(3)]

**RECIPT OF APPLICATION FOR MINING LEASE OR RENEWALS****GOVERNMENT OF HIMACHAL PRADESH**

Serial No. \_\_\_\_\_

Dated: \_\_\_\_\_

Received the application with the following enclosures for a mining lease/  
renewal of mining lease from Shri/Sarvshri \_\_\_\_\_  
\_\_\_\_\_ on  
\_\_\_\_\_ A.M./P.M. for an area measuring \_\_\_\_\_ Hects.  
\_\_\_\_\_ of land located in Village/forest block, range  
\_\_\_\_\_ Tehsil \_\_\_\_\_ District  
\_\_\_\_\_ for mining \_\_\_\_\_ [name of  
minor mineral(s)].

Place: \_\_\_\_\_

Dated \_\_\_\_\_

(State Geologist)  
Himachal Pradesh

Enclosures.

**FORM-E**  
(See rule 11)

**MINING LEASE REGISTER**

1. Serial number
2. Name and address of the applicant
3. Situation and boundaries of the land
4. The mineral under mining lease
5. The total area
6. Date of execution of the lease
7. Period for which granted, renewed or extended
8. Date of transfer of the lease, if any, and the names of the parties thereto
9. Date of expiry or relinquishment or cancellation
10. Signature of the officer, in charge, in token of attestation

**FORM 'F'**

[See rule 17(3)]

**FORM OF MINING LEASE DEED FOR MINOR MINERALS**

This indenture is made on this \_\_\_\_\_ day of \_\_\_\_\_ between the Governor, Himachal Pradesh, acting through \_\_\_\_\_ (hereinafter referred to as the 'Government' which expression shall where the context so admits, include the successors and assignees) of the one part and

**When the lessee is an individual** \_\_\_\_\_ (Name of person with address and occupation) (hereinafter referred to as the 'Lessee' which expression shall where the context so admits, include heirs, executors, administrators, representatives and permitted assignees)

**When the lessees are more than one individual** \_\_\_\_\_ (Name of person with address and occupation) and other part \_\_\_\_\_ (Name of person with address and occupation) (hereinafter referred to as the 'Lessee' which expression shall where the context so admits, include heirs, executors, administrators, representatives and permitted assignees)

**When the lessees is a registered firm** All carrying on business in partnership at \_\_\_\_\_ (address of the firm under the name and style person with address and occupation) (hereinafter referred to as the 'Lessee' which expression shall where the context so admits, include heirs, executors, administrators, representatives and permitted assignees)

**When the lessee is a registered company** \_\_\_\_\_ (Name of the Company) A Company incorporated under the Companies Act, 2013 through ..... duly authorized by the Company and having its registered office at \_\_\_\_\_ (Address) (hereinafter referred to as the 'Lessee' which expression shall where the context so admits, include heirs, executors, administrators, representatives and permitted assignees) of the other part.

WHEREAS the Lessee has applied to the Government in accordance with the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 (hereinafter referred to as the 'said Rules') for a

mining lease for \_\_\_\_\_ in respect of the lands hereinafter described in Clause (b) and has deposited with the Government the sum of Rs. \_\_\_\_\_ as security. (And whereas the lessee is in possession of a valid Certificate of Approval); and

Now, therefore, this deed witnesseth and the parties hereto hereby agree as follows:-

1.(a) In consideration of the rents and royalties, covenant and agreement hereinafter contained and on the part of the lessee to be paid, observed and performed, the Government hereby grants and demises unto the lessee all those mines/beds/veins/seams of \_\_\_\_\_ (hereinafter referred to as the 'said minor minerals' ) situated, lying and being in or under the lands which are referred to in clause (b) together with the liabilities, powers and privileges to be executed or enjoyed in connection herewith which are hereinafter mentioned in Part-I subject to the restrictions and conditions and to exercise and enjoyment of such liberties, powers and privileges which are hereinafter mentioned in Part-II and subject to other provisions of this lease.

(b) **The area of the said lands is as follows:**

All that tract of land situated at Village/Mauza/Mohal \_\_\_\_\_ in Tehsil \_\_\_\_\_, District \_\_\_\_\_, H.P. bearing Khasra Numbers \_\_\_\_\_ containing an area of \_\_\_\_\_ or thereabouts delineated on the revenue map (Tatima) or site plan hereto annexed and bounded as follows:

On the North by \_\_\_\_\_

On the South by \_\_\_\_\_

On the East by \_\_\_\_\_

On the West by \_\_\_\_\_

(hereinafter referred to as the 'said lands' or 'leased area').

(c) The lessee shall hold the premises hereby granted and demised from the \_\_\_\_\_ **day of** \_\_\_\_\_, \_\_\_\_\_ **for the term of** \_\_\_\_\_ **years** thence next ensuing.

**PART - I**

**LIBERTIES POWERS AND PRIVILEGES TO BE EXERCISED  
AND ENJOYED BY THE LESSEE (S)**

The following liberties, powers and privileges may be exercised and enjoyed by the lessee(s) subject to the other provisions of this lease deed:-

1. **To enter upon land and search for win, work etc:** Liberties and power at all times during the term hereby demised to enter upon the said lands and to search for mine, bore, dig, drill for win work, dress, process, convert, carry away and dispose of the said minor minerals.
2. **To sink drive and make pit, shaft and inclines etc.:** Liberty and power for or in connection with any of the purposes mentioned in this clause to sink, drive, make, maintain and use in the said lands and pits, shafts, inclines, drifts, levels, water ways, airways and other works (and to use, maintain, deepen or extend any existing works of the like nature in the said lands).
3. **To bring and use machinery, equipments:** Liberty and power for or in connection with any of the purposes mentioned in this clause to erect, construct, maintain and use on or under the said lands any engine, machinery, plant, dressing floors, furnaces, coke ovens, brick kilns, workshops, store-houses-banglows, godowns, shed and other buildings and other works and conveniences of the like nature on or under the said lands.
4. **To use water from streams, etc.:** Liberty and power for or in connection with any of the purposes mentioned in this clause but subject to the rights of any existing or future lessees and with the written permission of the Collector to appropriate and use water from any streams, water course, springs or other source in or upon the said lands and to divert, step up or dam any such stream or watercourse and collect or impound any such water and to make, construct and maintain any water-course, cultivated land, village buildings or watering places for livestock of a reasonable supply of water as before accustomed nor in any way to foul or pollute any streams or springs:

Provided that the lessee shall not interfere with navigation in any navigable stream nor shall divert such stream without the previous written permission of the Government.

5. **To fell undergrowth and utilize timber and trees, etc.:** Liberty and power for or in connection with any of the purposes mentioned in this lease deed, to clear undergrowth and brush-wood. Lessee shall not fell any trees or timber standing or found on the said lands without obtaining prior permission in writing from the concerned Competent Authority in case of the forest area as per requirement of the Forest Conservation Act, 1980.
6. **To get building and road materials, etc.:** Liberty and power for or in connection with any of the purposes, mentioned in this lease deed, to quarry and get stones, gravel and other building and road materials and ordinary clay and to use and employ the same and to manufacture such clay into bricks or tiles and to use such bricks or tiles but not to sell any such material, bricks, tiles.
7. **To use land for stacking purpose:** Liberty and power to enter upon and use a sufficient part of the surface of the said lands for the purposes of stacking, storing or depositing therein any produce of the mines and works carried on and tools, equipment and other materials needed for mining operations.

## PART-II

### RESTRICTIONS AS TO THE EXERCISE OF THE LIBERTIES

#### BY THE LESSEE

The liberties, powers and privileges granted under Part-I, are subject to the following restrictions and subject to the other provisions of this lease deed:-

1. **No mining operations within the limit of public works etc.:** The lessee shall not carry on, or allowed to carried on any mining operation at any point with in a distance of 100 (hundred) metres from any railway line except under and in accordance with the previous written permission of the Railway Administration, two kilometres from the limits of Municipal

Corporation/Committee, one kilometre from the limit of Nagar Panchayat or 100 (hundred) metres from National Highway/Express way or 25 (twenty five) metres from State Highway or 10 (ten) metres from other roads or 50 (fifty) metres from any reservoir, canal or buildings or inhabited sites except under and in accordance with the previous permission of the Competent Authority. The Railway Administration or the Joint Inspection Committee may in granting such permissions, impose such conditions as may deem fit.

2. **Notice for surface operation in land not already in use:** Before using for surface operations on any land which has not already been used for such operation, the lessee shall give to the Director of Industries, Himachal Pradesh and the Mining Officer, two calendar months, previous notice in writing, specifying the situation and the extent of the land proposed to be so used and the purpose for which the same is required.
3. **Not to use the land for other purposes:** The lessee shall not cultivate or use the land for purposes other than those specified in the lease deed.
4. **Use of Mechanical Excavator for Mining:** The mechanical mining in river/stream bed shall be undertaken only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Director of Industries.
5. **Mining Plan:** The lessee(s) shall carryout mining operation in accordance with the approved mining plan.

## PART – III

### COVENANTS OF THE LESSEE

The lessee hereby covenant(s) with the Government as follows:-

1. **Rate of Royalty:**
  - (a) The lessee shall pay royalty on the quantity of the said minor mineral removed from the leased area in advance at the rate specified in the Second Schedule. However, as and when the limestone is supplied by the lessee to the Industries other than lime-kiln, royalty shall be paid by the lessee for limestone as major mineral, whichever is more.

- (b) **Mode of determination of sale price at the pit's mouth:** The sale price of the minor minerals at the pit's mouth shall be the current market price for the mineral of the same grade less-
- (i) Transport charges from the mine head to the nearest rail head;
  - (ii) Railway freight from the rail head to the market; and
  - (iii) Estimated handling charges and other incidental expenditure not exceeding five percent of the market price.
- (c) For calculating the royalty, the lessee shall submit by the 10<sup>th</sup> of every month to the Mining office, a return in **Form-'G'** giving the total quantity of minor mineral(s) raised and despatched from the leased area in the preceding calendar month and its value and in case of mineral based industry the monthly electricity consumption bill and other requisite details also. If the lessee does not deposit royalty due for the preceding month by 10<sup>th</sup> of month, 24% per annum simple interest will be charged for the default period after 10<sup>th</sup> of month.
2. **Surface Rent:** - The lessee shall pay for the surface area occupied by him, surface rent at the rate of Rs. \_\_\_\_\_ per hectare per annum in two half yearly installments. No surface rent shall be charged in the private lands.
3. **Dead Rent:-**The lessee shall also pay for every year, yearly dead rent at the rate of Rupees \_\_\_\_\_ per hectare per annum:  
Provided that the lessee shall be liable to pay the dead rent or royalty in respect of each mineral, whichever be higher but not both.
4. **Working of newly discovered minerals:** If any minor mineral, not specified in the lease, is discovered in the leased area, the lessee shall report the discovery without delay to the Government and shall not win or dispose of such minor mineral without obtaining a lease therefore. If he fails to apply for such a lease within 6 months from the discovery of the minor mineral, the Government or the authorized officer may give the lease in respect of such mineral to any other person.
5. **To commence mining operations within one year and carry them on properly:** Unless the Government for sufficient cause permits otherwise, the lessee shall commence mining operations within one year, from the date of execution of the

lease deed and shall thereafter conduct such operations in a proper, skilful and workman like manner.

**EXPLANATION:** For the purpose of this clause 'Mining Operation' shall include the erection of machinery, laying of a tramway or construction of a road in connection with the working of the mine.

6. **To erect and maintain Boundary Pillars, etc.:** The lessee shall, at his own expense, erect and at all times maintain and keep in good repairs boundary marks and pillars according to the revenue map annexed to the lease.
7. **Accounts:** The lessee shall keep correct accounts showing the quantity and other particulars of all minerals obtained from the mines and the number of persons employed therein and a complete plan of the mine and shall allow any officer authorized by the Himachal Pradesh Government or the Central Government in that behalf to examine at any time any accounts and records maintained by him, and shall furnish to the Himachal Pradesh Government or the Central Government with such information and returns as it may require.
8. **To allow facilities to other lessees, etc.:** The lessee shall allow existing and future licensees or lease holders/contractors of any land which is comprised in or adjoins or is reached by the land, held by the lessee, reasonable facilities for access thereto.
9. **To allow entry to Officers:** The lessee shall allow any officer authorized by the Himachal Pradesh Government and the Central Government to enter upon any building, excavation or land comprised in the lease for the purpose of inspecting the mines.
10. **Returns - The lessee shall,-**
  - (a) for calculating the royalty the lessee shall submit by the 10<sup>th</sup> of every month to the Mining office, a return in **Form-'G'** giving the total quantity of minor mineral(s) raised and despatched from the leased area in the preceding calendar month and its value and in case of mineral based industry the monthly electricity consumption bill and other requisite details also. If the lessee does not deposit royalty due for the preceding month by 10<sup>th</sup> of

month, 24% per annum interest will be charged for the default period after 10<sup>th</sup> of month.

- (b) The lessee shall also furnish by the 15<sup>th</sup> April, every year to the Director and other Officer(s) specified in the lease deed, a statement giving information in **Form-'H'** regarding quantity and value of minor mineral(s) obtained during the last financial year, average number of regular labourers employed (men and women separately), number of accidents, compensation paid and number of days worked and wages paid to them separately.

**11. To strengthen and support the mines:** The lessee shall strengthen and support to the satisfaction of the State Government, any part of the mine which in its opinion, requires such strengthening or support for the safety of any railway, bridge, national highway, reservoir, tank, canal, road or any other public work or buildings.

**12. Information for using explosive:** The lessee shall immediately give an information in **Form-'I'** for use of explosive as soon as-

- (a) the workings in the mine extends below superjacent ground;
- (b) the depth of any open cast excavation measured from its highest to the lowest point reaches six metres;
- (c) the number of persons employed on any day is more than 50(fifty); and
- (d) the explosives which are used.

**13. Maintenance of Sanitary conditions:** The lessee shall maintain sanitary conditions in the area held in by him under the lease.

**14. To pay compensation for damage and indemnify the Government:** The lessee/lessees shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him/them in exercise of the powers granted by this lease and shall indemnify and keep indemnified fully and completely the State

Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.

15. **Abiding by rules:** The lessee shall abide by all existing Laws (Acts) and Rules made thereunder enforced by the Government of India or the Himachal Pradesh Government and all such other Laws (Acts) or Rules as may be enforced from time to time in respect of working of the mine and other matters affecting safety, health and convenience of the employees of the lessee or of the public.
16. **To report accident:** The lessee shall without delay report to the Deputy Commissioner of the District concerned and the Mining Officer or any other officer authorized by him, any accident which may occur at or in the leased area.
17. **Delivery of possession of Land and Mines on the surrender or sooner determination of the lease:** At the end or sooner determination or surrender of the lease, the lessee shall deliver up the said lands and all mines (if any dug therein) in a proper and workable state, save in respect of any working as to which the Government might have sanctioned abandonment.
18. **To provide weighing machine:** The lessee shall provide and at all times keep at or near the pit-head at which the said mineral shall be brought to bank a properly constructed and efficient weighing machine and shall weigh or cause to be weighed thereon all the said minor minerals from time to time brought to bank sold, exported and converted products, and shall at the close of each day cause the total weights, ascertained by such means of the said minor minerals, ores, products, raised, sold, exported and converted during the previous twenty four hours to be entered in the books of accounts. The lessee shall allow the Government at all times during the said term to employ any person or persons to be present at the weighing of said minor minerals as aforesaid and to keep accounts thereof and to check the accounts kept by the Lessee. The lessee shall give 15 (fifteen) days

previous notice in writing to the concerned Mining Officer of every such measuring or weighing in order that he or some officer on his behalf may be present thereat.

19. **To secure pits, shafts, not fill them up:** The lessee shall well and properly secure pits and shafts and will not without permission in writing willfully close, fill up or chock any mine or shafts.
20. **Not to enter upon or to commence operations in the forest land:** The lessee shall not enter upon or commence any mining operations in forest land comprised in the leased area except after previously obtaining permission in writing of the Competent Authority.
21. **To respect water rights and not injure adjoining property:** The lessee shall not injure or cause to deteriorate any sources of water, power or water supply and shall not in any other way render any spring or stream of water unfit to be used or do anything to injure adjoining land, villages or houses.
22. **Stocks lying at the end of the lease:** The lessee shall on the termination or sooner determination of the lease remove all extracted minerals from the premises of the leased areas within three months and thereafter all extracted minerals in the said lands left over indisposed, after the termination or determination of lease shall be deemed to be property of the Government.
23. **Payment of Taxes:** The lessee shall duly and regularly pay to the appropriate authority all taxes, cesses and local dues in respect of the leased area.

## PART-IV

### RIGHTS OF THE STATE GOVERNMENT

1. **Premature Termination of Lease:** Where the State Government is of the 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 communication or to ensure safety of building, monuments or other structures or for such other purposes, as the State Government may deem fit, it may, by an order, in respect of any minor mineral, make premature termination of mining lease with respect to the area or any part thereof covered by such lease:

Provided that no order making a premature termination of a mining lease shall be made except after giving the holder of the lease a reasonable opportunity of being heard.

2. **The Government may determine the lease:** The Government shall have the right to determine the lease after serving a notice on the lessee to pay the dues within 30 (thirty) days from the date of receipt of the notice. If the dead rent or royalty or surface rent reserved or made payable by the lessee is not paid within 15 (fifteen) days next after the date fixed in the lease for payment of the same, Government or any other officer authorized by it in this behalf may also at any time after serving the aforesaid notice, enter upon the said premises and distrains all or any of the minerals or movable property therein and may carry away, detain or order the sale of the property so distrained, or so much of it as will suffice for the satisfaction of the rent or royalty due and all costs and expenses occasioned by the non-payment thereof.
3. **Determination of lease in public interest:** The Government may by giving 6 (six) months' prior notice in writing determine the lease if the Government consider that the area under the lease is required for establishing an industry beneficial to the public in case of Government land:

Provided that in the state of National Emergency or war the lease may be determined without giving such notice.

4. **Right of pre-emption:** The Government shall from time to time and at all times during the term of lease shall have the right (to be exercised by notice in writing to the lessee of pre-emption of the said minerals and all products thereof lying) in or upon the said lands hereby demised or elsewhere under the control of the lessee and the lessee shall deliver all minerals or products thereof to the Government at current market rates in such quantities and in the manner, at the place specified in the notice exercising the said right.
5. **Penalty for not allowing entry to Officers:** If the lessee or his transferee or assignee does not allow any entry or inspection under clause (9) of Part-III, the Government may cancel the lease and forfeit in whole or in part the security deposit paid by the lessee under rule 15 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
6. **Acquisition of land of third parties and compensation thereof:** In case the occupier or owner of a land in respect of which minor mineral rights vest in the Government refuses his consent to the exercise of the right and powers, reserved to the Government and demised to the lessees or contractors, as the case may be, the lessees or contractors shall report to the Government and shall deposit with it the amount offered as compensation and if the Government is satisfied that the amount of compensation offered is fair and reasonable or if it is not so satisfied and the lessee or contractor shall have deposited with it such further amount as the Government shall consider fair and reasonable the Government shall order the occupier to allow the lessee or contractor to enter the land and to carry out such operations as may be necessary for the purposes. In assessing the amount of such compensation, the Government shall be guided by the principles of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013).

**PART-V****GENERAL**

1. **Cancellation:** The lease shall be liable to be cancelled by the Government if the lessee ceases to work the mine for a continued period of six months without obtaining written sanction of the Competent Authority.
2. **Notices:** Every notice by these presents required to be given to the lessee shall be given in writing to such person resident on the said lands as the lessee may appoint for the purpose of receiving such notices and if there shall have been no such appointment then every such notice shall be sent to the lessee by registered post addressed to the lessee at the address recorded in this lease or at such other address in India as the lessee may from time to time in writing to the Government designate for the receipt of notices and every such services shall be deemed to be proper and valid service upon the lessee and shall not be questioned or challenged by him/them.
3. **Recovery:** Without prejudice to any other mode of recovery authorized by any provision of this lease or by any law, all amounts, falling due hereunder against the lessee may be recovered as arrears of land revenue under the law in force for such recovery.
4. **Forfeiture of property:** The lessee should remove his property lying on the said lands within three months after the expiry or sooner determination of the lease or after the date from which any surrender by the lessee of the said lands under rule 22 of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 becomes effective, as the case may be. The property left after the aforesaid period of three months shall vest in the Government free from all encumbrances and may be sold or disposed of in such manner as the Government, shall deem fit without liability to pay compensation therefore, to the lessee.

**5. Security and forfeiture thereof:**

- (a) The Government may forfeit the whole or any part of the security amount of Rs. \_\_\_\_\_ deposited by the lessee on breach of any covenant to be performed by the lessee under this lease deed.
- (b) The rights conferred by this clause shall be without prejudice to the rights conferred on the State Government by any other provision or this lease or by any law.
- (c) On such date as the Government may appoint within twelve calendar months after the expiry of this lease the amount of security deposit paid in respect of this lease shall be refunded to the lessee in case there is no violation of terms & conditions of this lease deed. No interest shall run on the security deposit.

**6. Survey and demarcation of the area:** When a mining lease is granted by the Government, arrangements shall be made, if necessary, at the expense of the lessee, for the survey and demarcation of the area granted under the lease. The lessee shall have to bear actual expenses of the staff deputed for the work. Actual expense will include traveling allowances and daily allowances and salary of staff plus 10 percent as instruments charges.

**7. Rights of lessee to determine the lease:** The lessee may determine the lease at any time by giving not less than six calendar months notice in writing to the Government after paying all outstanding dues of the Government.

**8. Applicability of rules:** The lessee shall work according to Mines and Minerals (Development & Regulation) Act, 1957, the Metalliferous Mines Regulation, 1960, Mines Act, 1952, Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, Himachal Pradesh Minor Mineral Policy, 2013 including other rule of law applicable from time to time. The contravention of any provisions of Act or its sub-ordinate legislation shall amount to cancellation of contract.

IN WITNESS WHEREOF these presents have been executed in the manner hereunder appearing the day and year first above written.

For and on behalf of the lessee

For and on behalf of the  
Governor, Himachal Pradesh

Witnesses:

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

**FORM-G**

[See rule 19(1)(b)&amp; 23(7)]

**MONTHLY RETURN FOR THE MONTH OF \_\_\_\_\_**

1. Name and address of lease holder:
  2. Location of the mine:
    - a) Village
    - b) Tehsil
    - c) District
  3. Name of minor mineral(s) worked.
  4. Average number of persons employed daily:
 

(a) Male	(b) Female	(c) Total
----------	------------	-----------
  5. Average number of days worked
  6. Detail of Production & royalty
    - (a) Name of mineral(s).
    - (b) Closing stock brought forward from the previous month (tonnes).
    - (c) Production during the month (tonnes).
    - (d) Despatches during the month (in tonnes):
    - (e) Total Stock (tonnes)-(b+c)
    - (f) Closing stock (tonnes)-(e-d).
    - (g) Detail of royalty
      - i) Royalty due
      - ii) Royalty paid
      - iii) Royalty balance
    - (h) Remarks
- N.B.(1) Please furnish on the reverse of this form reason for rise or fall in production, despatches and labour employed etc. as compared with previous month.

Signature of the lessee or his authorised agent.

Date \_\_\_\_\_



**FORM-'I'**

[See rule 19(12)]

**INFORMATION FOR USING EXPLOSIVES**

1. Name & Address of the lessee \_\_\_\_\_
2. Area of lease \_\_\_\_\_  
 Village \_\_\_\_\_  
 Tehsil \_\_\_\_\_  
 District \_\_\_\_\_
3. Name of the minor mineral(s) worked
4. Date when work has first started.
5. (a) Name and postal address of present owner(s)  
 (b) Name and postal address of agent, if any
6. (a) Name and postal address of Manager, if any  
 (b) His age  
 (c) His qualification  
 (d) His experience in mining
7. Whether workings are likely to be extended below superjacent ground.
8. (a) Maximum depth of open cast excavation measured from its lowest point  
 (b) Date when depth first exceeded six metres
9. (a) Nature, amount and kind of explosives used, if any  
 (b) Date when explosives were first used
10. Date(s) on which the number of persons employed on any day exceeded 50.

Dated .....

Signature of Owner/ Agent /Manager.

To be sent to-

- (1) The Chief Inspector of Mines, Government of India, Dhanbad (ER).
- (2) The Director, Indian Bureau of Mines, Government of India, Nagpur.
- (3) The District Magistrate of the district where the mine is situated.
- (4) The Director of Industries, Himachal Pradesh, Shimla-I.
- (5) The Mining Officer concerned.

**FORM-‘J’**

[See rule 21(3)]

**Form for Transfer of Mining Lease**

When the transferor is an individual..... This indenture is made this..... day of..... 20..... between..... (Name of the person with address and occupation) (hereafter referred to as the "transferor" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, representatives and permitted assigns).

When the transferors are more than one individual.....(Name of person with address and occupation) and .....(Name of person with address and occupation) (hereinafter referred to as the "transferor" which expression shall where the context so admits be deemed to include their respective heirs, executors, administrators, representatives and permitted assigns).

When the transferor is a registered firm.....(Name of the person with address of all the partners) all carrying on business in partnership under the firm name and style of.....(Name of the firm) registered under the Indian Partnership Act, 1932(9 of 1932) and having their registered office at.....(hereinafter referred to as the "transferor" which expression where the context so admits be deemed to include all the said partners, their respective heirs, executors, legal representatives and permitted assigns).

When the transferor is a registered company..... (Name of Company) a company incorporated under the Companies Act, 2013 through ..... duly authorised by the Company and having its registered office at..... (Address) (hereinafter referred to as the "transferor" which expression shall where the context so admits be deemed to include its successors and permitted assigns) of the first part.

And

When the transferee is an individual..... (Name of person with address and occupation) (hereinafter referred to as the "transferee" which expression shall where the context so admits be deemed to include his heirs, executors, administrators, representatives and permitted assigns.).

When the transferees are more than one individual.....(Name of the person with address and occupation) and .....(Name of person with address and occupation)(hereinafter referred to as the "transferee" which expression shall where the context so admits be deemed to include their respective heirs, executors, administrators, representatives and permitted assigns).

When the transferee is a registered firm..... (Name and address of all the partners all carrying on business in partnership under the firm name and style of) ..... (Name of the firm) registered under the Indian Partnership Act, 1932 (9 of 1932) and having their registered office at..... (hereinafter referred to as the "transferee" which expression where the context so admits be deemed to include all the said partners, their respective heirs, executors, legal representatives and permitted assigns).

When the transferee is a registered company..... (Name of the Company) a company registered under (Act under which incorporated) and having its registered office at ..... (Address) (hereinafter referred to as the "transferee" which expression shall where the context so admits be deemed to include its successors and permitted assigns) of the second part.

And The Governor through ..... (hereinafter referred to as the 'State Government' which expression shall where the context so admits be deemed to include the successors and assigns) of the third part.

Whereas by virtues of an indenture of lease dated the ..... and registered as No. ....on ..... (date) in the office of the Sub-registrar of ..... (place) (hereinafter referred to as lessee) the original whereof is attached hereto and marked 'A' entered into between the State Government (therein called the lessor) and the transferor (therein called the lessee), the transferor is entitled to search for, win and work mines and minerals in respect of.....(Name of mineral/s) in the lands described in Schedule thereto and also in Schedule annexed hereto for the term and subject to the payment of the rents and royalties and observance and performance of the lessee's covenant and conditions in the said deed of lease reserved and contained including a covenant not to assign the lease or any interest thereunder without the previous sanction of the State Government;

And Whereas the transferor is now desirous of transferring and assigning the lease to the transferee and the State Government has, at the request of the transferor, granted (with the

prior approval of the State Government) permission to the transferor vide order No.....dated ..... to such a transfer and assignment of the lease upon the condition of the transferees entering into an agreement is and containing the terms and conditions hereinafter setforth.

Now this Deed Witnesseth as follows:

1. The transferee hereby covenants with the State Government that from and after the transfer and assignment of the lease the transferee shall be bound by, and be liable to perform, observe and conform and be subject to all the provisions of all the covenants, stipulations and conditions contained in said hereinbefore recited lease in the same manner in all respects as if the lease had been granted to the transferee as the lessee thereunder and he had originally executed it as such.
2. It is further hereby agreed and declared by the transferor of the one part and the transferee of the other part that
  - (i) The transferor and the transferee declare that they have ensured that the mineral rights over the area for which the mining lease is being transferred vest in the State Government.
  - (ii) The transferor hereby declares that he has not assigned, sublet, mortgaged or in any other manner transferred the mining lease now being transferred and that no other person or persons has any right, title or interest where under in the present mining lease being transferred.
  - (iii) The transferor further declares that he has not entered into or made any Agreements, contract or understanding whereby he had been or is being Directly or indirectly financed to a substantial extent by or under which the Transferor's operation or understandings were or are being substantially controlled by any person or body of persons other than the transferor.
  - (iv) The transferee hereby declares that he/she has accepted all the conditions and liabilities which the transferor was having in respect of such mining lease.
  - (v) The transferee further declares that he is financially capable of and will directly undertake mining operations.
  - (vi) The transferee further declares that he has filed an affidavit stating that he has filed up-to-date Income Tax returns.

- (vii) The transferor has supplied to the transferee the original or certified Copies of all plans of workings in the area.
- (viii) The transferor has paid all the rent, royalties, and other dues towards Government till the date, in respect of this lease.

In witness whereof the parties hereto have signed on the date and year first above written.

#### SCHEDULE

Location and area of the lease

All that tract of lands situated at .....  
 (Description of area or areas) ..... in (Pargana) in  
 .....the Registration Distt..... Sub  
 District.....and Thana.....bearing Cadestral Survey  
 Nos..... containing an area of .....or thereabout  
 delineated on the plan hereto annexed and thereon coloured .....  
 and bounded as follows:-

ON THE NORTH BY  
 ON THE SOUTH BY  
 ON THE EAST BY  
 AND  
 ON THE WEST BY

Signed by  
 for and on behalf of the Governor of Himachal Pradesh in the presence of  
 witnesses

1.

2.

Signature of transferor in the presence of witnesses

1.

2.

Signature of transferee in the presence of witnesses

1.

2.

**FORM 'K'**

[See rule 23(4), 26(8) &amp; 27(9)]

**AGREEMENT DEED**

THIS INDENTURE is made on this \_\_\_\_\_ day of \_\_\_\_\_ between the Governor of Himachal Pradesh through \_\_\_\_\_ Himachal Pradesh (hereinafter referred to as the 'Government' which expression shall where the context so admits be deemed to include the successors and assignees) of the one part, and

WHEN THE CONTRACTOR IS AN INDIVIDUAL \_\_\_\_\_ (Name of the person with address and occupation) \_\_\_\_\_ [Hereinafter referred to as the contractor(s) which expression shall where the context so admits be deemed to include their respective heirs, executors, administrators and representatives].

WHEN THE CONTRACTOR IS A REGISTERED FIRM \_\_\_\_\_ (Name and address of the partner) son of \_\_\_\_\_ of \_\_\_\_\_ all carrying on business in partnership under the firm name and style through duly authorized by the firm, \_\_\_\_\_ (name of the firm) registered under the Indian Partnership Act, 1932 (9 of 1932) and having their registered office at \_\_\_\_\_ in the town of \_\_\_\_\_ [Hereinafter referred to as for the contractor (s), which expression where the context so admits be deemed to include all the said partners their respective heirs, executors, legal representatives and permitted assignees].

WHEN THE CONTRACTOR IS A REGISTERED COMPANY \_\_\_\_\_ (Name of the Company) A Company incorporated under the Companies Act, 2013 through ..... duly authorized by the Company and having its registered office at \_\_\_\_\_ (Address) (hereinafter referred to as the 'Contractor' which expression shall where the context so admits, include heirs, executors, administrators, representatives and permitted assignees) of the other part.

WHEREAS THE bid/tender amount of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) of the Contractor(s) offered on \_\_\_\_\_ at \_\_\_\_\_ (name of the place) in accordance with the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal

Mining, Transportation and Storage) Rules, 2015 (hereinafter referred to as the 'said rules') for the extraction of \_\_\_\_\_ (name of the minor mineral) has been accepted by the Government for contract for \_\_\_\_\_ years from \_\_\_\_\_ to \_\_\_\_\_ in respect of the lands described in Part I of the Addendum hereunder written and has/have deposited with the State Government a sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) as security for the due fulfillment of the covenants herein contained. The Government is empowered to deduct from such security money any sum which may be due from the Contractor (s) whether in respect of the contract money or other sum payable to Government by him hereunder.

If not confiscated under the provisions of this contract the security money or such balance thereof and may be left after making the deductions above-mentioned will be returned to the Contractor(s) after the expiry of the term of this contract and after the Government have satisfied itself that the term of this contract have been duly and faithfully carried out by the Contractor(s).

Witness that in consideration of the contract money, covenants and agreements by and in these presents and the Addendum hereunder written reserved and contained and on the part of the contractor(s) to be paid, observed and performed, the Government hereby grants and demises unto the contractor(s).

All those the mines, beds veins, seams of \_\_\_\_\_ (hereinafter and in the Addendum referred to as the said minerals) situated, lying and being in or under the lands which are referred to in Part I of the said Addendum, together with the liberties, powers and privileges to be exercised or enjoyed in connection herewith subject to the restriction and conditions as to the exercise and enjoyment of such liberties, powers and privileges EXCEPT and reserving out of this demise unto the Government the liberties, powers and privileges mentioned in the said rules.

TO HOLD the premises granted and demised unto the contractor (s) from the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ for a term of \_\_\_\_ years.

AND the contractor(s) hereby covenant(s) with the Government and the Government hereby covenants with the contractor(s) as is expressed in the said rules.

AND it is hereby MUTUALLY AGREED between the parties hereto as in Part III of the said Addendum is expressed.

## ADDENDUM

### PART-I

#### LOCATION AND DESCRIPTION OF THE AREA OF THE MINE

For the purpose of mining, the tract or land situated in Village \_\_\_\_\_ in Tehsil \_\_\_\_\_ in the District of \_\_\_\_\_ and bearing Khasra Nos. \_\_\_\_\_ containing an area of \_\_\_\_\_ delineated on the revenue map (Tatima)/ Site Plan hereto annexed, (hereinafter referred to as the 'said lands').

### PART-II

#### AMOUNT AND MODE OF PAYMENT OF CONTRACT MONEY

- (1) The contractor(s) shall/will during the subsistence of the contract pay to the Government contract money mentioned below in respect of \_\_\_\_\_ (Name of the quarry) given to him/them on contract for a period of \_\_\_\_\_ years from \_\_\_\_\_ to \_\_\_\_\_ No. of installments Amount.. The date on which installment to be paid

#### COURSE OF ACTION IF CONTRACT MONEY IS NOT PAID IN TIME

- (2) Should any installment of contract money due to the Government under the terms and conditions of these presents be not paid by the Contractor(s) within the prescribed time, the same may be recovered on certificate in Form-'N' of such officer as may be specified by the Government by general or special order, in the same manner as the arrears of land revenue.
- (3) The Contractor(s) shall not remove from the mine site nor export the slates/minor minerals extracted from the mine until he has paid the installment of the contract money as laid down in clause (1) of this part.
- (4) (a) The Director of Industries/State Geologist/Mining Officer may at his discretion

extend the period of payment of any particular installment on payment of interest at the rate of Rs. 12% per annum.

(b) If the Contractor(s) fail(s) to pay any installment of contract money or any part thereof on the due date without permission of the competent authority in writing, they will be liable after the lapse of one week of grace at the discretion of the competent authority to pay as penalty at Rs. 24% per annum, which payment shall be realized from this security money here to aforementioned by the seizure and detention of his/their slates/minor minerals. If such failure extends to 30 days, the purchaser shall be liable to lose all claims to the slate/minor mineral quarry or slates/minor minerals, and to the retention by the Mining Officer, of all money already paid by the purchaser on their behalf under the terms of the agreement as liquidated damages and the Mining Officer, subject to the approval of the Competent Authority, may cancel the contract.

### **PART-III**

#### **GENERAL CONDITIONS:**

(1) **Discovery of other minerals:**

- (a) The contractor shall report to State Government the discovery in the mine area of any mineral not specified in the contract within thirty days of such discovery;
- (b) if any mineral not specified in the contract is discovered in the mine area, the contractor shall not win and dispose of such mineral unless the permission is obtained from the Competent Authority thereof.

(2) **Foreign National not to be employed:**

Except with the prior approval of the State Government, the contractor shall not employ in connection with the mining operations any person who is not an Indian National.

(3) **Erection and maintenance of boundary marks:**

The contractor shall at his own expense erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the contract.

(4) **Maintenance of correct accounts of minerals:**

The contractor shall keep correct accounts showing the quantity and other particulars of all minerals obtained and dispatched from the mine, giving mode of transport, registration number of vehicle, person in-charge of vehicle or animal and nature and quantity of minerals carried, the sale price, the number and nationality of persons employed therein, and complete plans of the mine, and shall allow any officer authorised by the Central or the State Government in this behalf to examine at any time any accounts, plans and records maintained by him and shall furnish to the Central Government or the State Government or any officer authorised by either, in this behalf, such information as may be required.

(5) **Maintenance of record of trenches, pits etc.:**

The contractor shall keep accurate records of all trenches, pits and drillings made by him in the course of mining operations carried on by him under the contract and shall allow any officer authorised by the Central or the State Government to inspect the same. Such records shall contain the following particulars, namely:

- a) the sub-soil and strata through which such trenches, pits or drillings pass;
- b) any mineral encountered;
- c) such other particulars as the Central or the State Government may, from time to time, require.

(6) **Restrictions:** The contractor shall not carry on or allowed to be carried on any mining operation at any point within a distance of 100 metres from any railway line except under and in accordance with the previous written permission of the Railway Administration or 100 metres from National Highway or 25 metres from State Highway or 10 metres from other roads or 50 metres from any reservoir, canal or buildings or inhabited sites except under and in accordance with the previous permission of the Competent Authority. The Railway Administration or the Joint Inspection Committee may in granting such permissions, impose such conditions as may deem fit.

(7) **Facilities for access:** (a) The Contractor shall allow existing and future licensees or lease holders or contractors of any land which is comprised in or

adjoins or is reached by the land, held by the lessee, reasonable facilities for access thereto.

- (b) The contractor shall allow any officer authorised by the Government or the Central Government to enter upon any building or land comprised in the lease for the purpose of inspecting the mines and to abide by such instruction which may be issued by the Inspecting Officers from time to time for scientific working and conservation of minerals:

Provided that if the contractor does not allow entry or inspection under clause-7(b) of Part-III, the Government may cancel the contract and forfeit in whole or in part the security deposit, paid by the contractor.

- (8) **Safety of public utilities:** The contractor shall strengthen and support to the satisfaction of the Railway Administration or the State Government as the case may be, any part of the mine which in its opinion requires such strengthening or support for the safety of any railway, bridge, national highway, reservoir, tank, canal, road or any other public works or buildings;
- (9) **Information for using of explosive:** The contractor shall immediately give an information in **Form-'I'** for use of explosive as soon as-
- (a) the workings in the mine extends below superjacent ground;
  - (b) the depth of any open cast excavation measured from its highest to the lowest point reaches six metres;
  - (c) the number of persons employed on any day is more than 50(fifty); and
  - (d) the explosives which are used.
- (10) **Expenses to be borne by the contractor:** When contract is granted by the Government arrangements shall be made, if necessary, at the expense of the contractor, for the survey and demarcation of the area granted under the contract. The contractor shall have to bear actual expenses of the staff deputed for the work. Actual expenses shall include travelling allowance, daily allowance and salary of the staff plus 10 percent as instruments charges.

**PART-IV****CONTRACT MAY BE DETERMINED ON BREACH OF RULES,  
COVENANTS AND CONDITIONS THEREOF**

- (1) If the Contractor(s) commits/commit a breach of any of the 'said rules' and any of the covenants/conditions of this contract, the Government may determine the contract, and forfeit the whole or part of the security deposit provided that the contractor(s) shall be given reasonable opportunity to explain the breach before the contract is determined.
- (2) If the contract is cancelled or determined under clause (1) above, the contractor(s) shall remain liable for the contract money due upto the time of such cancellation or sooner determination and the Government may re-auction/re-tender the 'said lands'.

- (3) **CONTRACTOR (S) TO REMOVE HIS/THEIR PROPERTIES ON THE EXPIRY OF THE CONTRACT**

The 'Contractor(s)' having first paid the contract money payable by virtue of these presents, may at the expiration or sooner determination of the said contract take down and remove his/their property etc. within three months, such as engines, machinery, plant, buildings, structures and other works, erections and conveniences which may have been created, set up or placed by the, Contractor(s)' in or upon the 'said lands'.

- (4) **FORFEITURE OF PROPERTY LEFT AFTER EXPIRATION OR SOONER DETERMINATION OF THE CONTRACT**

If at the end of the expiry or sooner determination of the said contract there shall remain in or upon the said lands any engines, machinery, plant, buildings, structures and other works, erections and conveniences or other property the same shall if not removed by the contractor(s) within three calendar month after NOTICE in writing requiring their removal has been given to the Contractor(s) by the Mining Officer be deemed to become the property of the Government and may be sold or disposed of in such manner as the Government shall deem fit without liability to pay any compensation to the contractor(s).

- (5) **Notices.** - Every notice by these present required to be given to the Contractor(s) shall be given in writing to such person resident on the said lands, as the Contractor(s) may appoint for the purpose of receiving such notices and if there shall have been no such appointment, then every such notice shall be sent to the Contractor(s) by registered post at the address recorded in this agreement or at such other address in India as the Contractor(s) may from time to time in writing to the Government designate for the receipt of notices and every such service shall be deemed to be proper and valid service upon the Contractor(s) and shall not be questioned or challenged by him/them.
- (6) That the Contractor(s) shall provide at the mine site two first aid boxes containing necessary medicines.
- (7) That the Contractor(s) shall carry out mining operation in accordance with the approved Mining Plan.
- (8) That the Contractor(s) shall make atleast three metres wide passage to the mine and shall maintain it in good condition.
- (9) That the Contractor(s) shall not employ any person below the age of 18.
- (10) That the Contractor(s) shall maintain record of employment of labour, production and use of explosives etc. and such other record, as may be specified by the Mining Officer concerned.
- (11) That in the event of the cancellation of this indenture under any terms and conditions of this contract, the Government hereby expressly reserve the right of re-auction or re-tendering of the quarry.
- (12) That the Contractor(s) holds/hold himself/themselves responsible for due observance, by himself or by his agents and servants of the terms and conditions of this indenture.
- (13) That the Contractor(s) will not be allowed to remove from the quarry site nor export the slates/minor minerals extracted from the quarry until he has paid the contract money in time as laid down in clause (1) of Part-II of this addendum

(14) It is further agreed that this indenture is for the performance of acts in which the public are interested within the meaning of section 74 of the Indian Contract Act, 1872.

(15) **ASSIGN, SUBLET OR TRANSFER OF THE CONTRACT**

The Contractor(s) shall not assign, sublet or transfer the contract to any person without obtaining prior permission in writing from the Government.

(16) **FENCING OF WORKING PLACE**

If the working place is found to be unsafe all persons shall be withdraw by the Contractor(s) immediately from the dangerous area and all access to such working place except for the purpose of removing the danger or saving life shall be prevented by securely fencing the full width of all entrances to the place, at his/their own cost. The Contractor(s) and not the Government shall be liable to pay any compensation to the labour employed by the Contractor on contracted works under the Workman's Compensation Act, 1923.

(17) **TO KEEP GOVERNMENT INDEMNIFIED FROM THIRD PARTY CLAIMS**

The Contractor(s) shall keep the Government indemnified from any third party claim and shall settle such claim at his/their own accord.

(18) **PAYMENT OF COMPENSATION TO LAND OWNERS**

The Contractor(s) shall pay compensation of damage to the owner of the land wherefrom the minor minerals will be extracted/quarried, at the rate fixed by the Collector under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013).

(19) **FELLING OF TREES**

The Contractor(s) shall not fell or cut any tree, standing on the land wherein the quarry is located without obtaining prior permission in writing from the Competent Authority in respect of those tree(s).

(20) **NOT TO CARRY ON SURFACE OPERATIONS IN PROHIBITED AREAS**

The Contractor(s) shall not carry on surface operations in any area, prohibited by any Authority, without obtaining prior permission in writing from the concerned Authority.

**(21) RESTRICTION ON MECHANICAL EXCAVATION IN RIVER OR STREAM BEDS**

The mechanical mining in river/stream bed shall be undertaken only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Competent Authority i.e. Director of Industries.

**(22) NOT TO ENTER AND WORK IN RESERVED AND PROTECTED FOREST AREAS**

The Contractor(s) shall not enter and work in any forest land without obtaining prior permission in writing from the Competent Authority.

**(23) APPLICATION OF ALL LAWS, RULES AND REGULATIONS TO THIS CONTRACT**

This contract is subject to all laws, rules and regulations which may from time to time be issued by the government regulating the work of mines and other matters affecting the safety, health and convenience of contractor(s) employees or of the public, whether under the Indian Mines Act or otherwise.

**(24) TO REPORT ACCIDENT**

The Contractor(s) shall without delay send to the collector concerned and the Mining officer a report of any accident, causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under this contract.

**(25) TO SUBMIT REPORTS AND RETURNS**

The contractor(s) shall furnish such reports and returns relating to production and other matters in Form-'G' appended to the said rules.

**(26) PENALTY FOR DEFAULT**

That in the event of breach of any of the terms or conditions of this contract by the Contractor(s) or servants, the contractor(s) in all these cases, shall be liable to pay

a penalty as per the provisions of the said rules.

- (27) In case of default in the due observance of the terms and conditions of the contract or in the payment of the contract money on the due date, the contract may be terminated by the Government or by any officer authorized by the Government in this behalf by giving one month's notice, with forfeiture of security deposit as also the installment, paid in advance, if any.

(28) **TERMINATION OF THE CONTRACT BY STATE GOVERNMENT IN PUBLIC INTEREST**

Where the State Government is of the 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 communication or to ensure safety of building, monuments or other structures or for such other purposes, as the State Government may deem fit, it may, by an order, in respect of any minor mineral, make premature termination of mining lease with respect to the area or any part thereof covered by such contract:

Provided that in the State of National emergency or war the contract may be terminated without giving such notice.

(29) **SECURITY DEPOSIT**

The security deposited by the Contractor(s) shall be in the shape of fixed deposit receipt duly pledged in the name of a Competent Authority.

(30) **DELIVERY OF THE POSSESSION OF THE MINE IN WORKABLE CONDITION**

The Contractor(s) shall deliver the possession of the mine to the Mining Officer in a workable condition. In case he/they fill it with debris the debris shall be cleared at the cost of the contractor(s) and the amount so spent, shall be deducted from his/their security deposit.

(31) **STATE GOVERNMENT NOT RESPONSIBLE FOR LOSS TO THE CONTRACTOR(S)**

The Government shall not be responsible for any kind of loss to the contractor(s).

**(32) STAMP DUTY AND REGISTRATION CHARGES**

The stamp duty or registration charges, if any, on this indenture shall be borne by the Contractor.

IN WITNESS WHERE OF Shri \_\_\_\_\_ Son of \_\_\_\_\_ caste  
 \_\_\_\_\_ of Village \_\_\_\_\_ Tehsil \_\_\_\_\_ District  
 \_\_\_\_\_ Himachal Pradesh

(Contractor)

AND \_\_\_\_\_ to the Himachal Pradesh Government for and on behalf of the Governor of Himachal Pradesh have signed these presents in token of acceptance of terms thereof on the day and the year first written above.

(When the Contractor is a registered firm)

IN WITNESS WHERE OF Shri \_\_\_\_\_ Son of \_\_\_\_\_ caste  
 \_\_\_\_\_ Village \_\_\_\_\_ Tehsil \_\_\_\_\_ District \_\_\_\_\_ a  
 partner of, and acting for and on behalf of the firm carrying on \_\_\_\_\_ business in partnership  
 under the Firm and style of \_\_\_\_\_ (Name of firm) registered under the Indian  
 Partnership Act, 1932, AND \_\_\_\_\_ to the Himachal Pradesh Government  
 \_\_\_\_\_ Department for and on behalf of the Governor of Himachal Pradesh  
 and acting under his authority, have signed these presents, in token of acceptance of  
 terms thereof on the day and the year written above.

(When the Contractor is a registered company)

IN WITNESS WHERE OF Shri \_\_\_\_\_ son of \_\_\_\_\_ Caste  
 \_\_\_\_\_ Village \_\_\_\_\_ Tehsil \_\_\_\_\_ District  
 \_\_\_\_\_ for and on behalf of the Company registered  
 under the name and style of  
 \_\_\_\_\_ and duly authorized in this behalf or under the statute  
 incorporating the said Company, AND \_\_\_\_\_ to the Himachal  
 Pradesh Government \_\_\_\_\_ Department, acting for and on behalf of the  
 Governor of Himachal Pradesh, have signed these presents in token of terms thereof on the day  
 the year first written above.

Signed by  
For and on behalf of the  
Governor of Himachal Pradesh.  
Address.....

.....

Witness (1).....

Address.....

Witness (2) .....

Address.....

.....

(Contractor)

For and on behalf of

.....

.....

(Name of the firm or Company

Address.....

.....

**FORM-'L'**

[See rule 30]

**FORM FOR PERMITS**

No. \_\_\_\_\_

Dated: \_\_\_\_\_

Whereas Sh. \_\_\_\_\_, S/o Sh. \_\_\_\_\_, Village \_\_\_\_\_, P.O. \_\_\_\_\_, Tehsil \_\_\_\_\_, District \_\_\_\_\_, H.P. has/have applied for a permit for excavation and removal of \_\_\_\_\_ M.T. of \_\_\_\_\_ from khasra number \_\_\_\_\_ Mauza \_\_\_\_\_ Tehsil \_\_\_\_\_ District \_\_\_\_\_ measuring an area \_\_\_\_\_ Hect./Bighas under Rule 29 of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 paid an application fee (\_\_\_\_\_) and have also paid royalty in advance amounting to Rs. \_\_\_\_\_ and security of Rs. \_\_\_\_\_. The permission is hereby granted for removal of \_\_\_\_\_ of \_\_\_\_\_ M.T. from the aforesaid khasra number and area subject to the conditions given below:

The permit shall be valid upto \_\_\_\_\_.

Copy to:

(i) State Geologist, H.P. Shimla-2.

(ii) Shri \_\_\_\_\_

Director or authorized officer  
Department of Industries,  
Himachal Pradesh

\_\_\_\_\_

**CONDITIONS**

1. The holder of permit shall keep the Government indemnified from any third party claim and shall settle such claim at his own, as soon as it arises.
2. The holder of the permit shall excavate the minor mineral in such a manner as not to disturb or damage any road, public ways, buildings, premises of public grounds.

3. The holder of the permit shall on expiry of the permit either fill up the excavation or suitably fence it for safety as instructed by the Director or Mining Officer concerned.
4. The holder of the permit shall pay in advance compensation of damage to the owner of the land where from the minor minerals will be extracted/quarried at the rate, fixed by the Collector under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013).
5. The holder of the permit shall not fell any tree without obtaining prior permission in writing from the Competent Authority in respect of forest areas as well from other areas.
6. The permit holder shall not carry on surface operation in any area prohibited by any authority, without obtaining prior permission in writing from the concerned authority.
7. The permit holder shall report immediately all accidents to the Deputy Commissioner and Mining Officer, concerned.
8. The depth of mining in the river bed shall not exceed one metre or water level whichever is less:  
  
Provided that where the Joint Inspection Committee certifies about excessive deposition or over accumulation of minerals in certain reaches requiring channelization, it can go upto two meters on defined reaches of the river.
9. On expiry or sooner cancellation of the permit, the quarries, materials lying on the end from which they are extracted, shall become the absolute property of the Government.
10. In case of default, the security deposited by him, shall stand forfeited to the Government.
11. The mechanical mining in river/stream bed shall be undertaken only with the help of tyre mounted front end loader upto 80 Horse Power without backhoe with the permission of the Competent Authority i.e. Director of Industries.
12. Any Other condition, imposed by the granting authority.

**FORM-'M'**  
[see rule 35]

**FORM FOR THE MINING PLAN**

**INTRODUCTION**

**1. General:**

1.1. Name and address of the applicant:-

Name of the applicant .....

Address of the applicant .....

P.O.....

Tehsil .....

District.....

Pin.....

Phone .....

Email.....

1.2. Status of the applicant

(Private individual/Private Company or any other):

1.3. Minerals which applicant intends to mine:

1.4. Period for which mining lease/ contract is granted  
Reference of Letter of Intent (photocopy to be annexed).

1.5. Name and address of the Registered Qualified Person (herein after referred to as ('RQP') preparing Mining Plan:

Address of the RQP.....

Name.....

Village.....

P. O.....

Tehsil.....

District.....

Pin.....

Phone.....

E-mail.....

Registration No. of RQP .....

Valid upto .....

- 1.6. Name and address of the prospecting agency.....  
 Name.....  
 Village.....  
 P. O.....  
 Tehsil.....  
 District.....  
 Pin.....  
 Phone.....  
 Email.....

**2. Location and approach of the area (Location Map to be annexed).**

- 2.1. Toposheet Number,  
 Latitude and longitude of the area.....  
 Location map of the area

2.2. Location details of the area

2.2.a Detail of the area, Revenue record to be appended in the following format:-

Sr. No.	Detail of Area					
	Khasra number	Area	Owner	Kism	Mauza	Panchayat
1						
2						

Address Details

- Village.....  
 Patwar Circle.....  
 P.O.....  
 Tehsil.....  
 District.....
- 3.3. Sub- Division Office (Civil).....  
 Sub Division Office (Forest).....Range office .....
- Sub Division Office (IPH).....  
 Sub Division Office (PWD) .....

- 2.4. Distance from Important places in Kms.
  - 1.
  - 2.
  - 3.
- 2.5. Approach of the area.....

### 3. **Physiographical aspect of the area**

- 3.1. General:
- 3.2. Altitude: General terrain description, with map and contours encompassing the mine area.
- 3.3. Climate of the area:
- 3.4. Rainfall of the area:
- 3.5. Any other important physical feature:
- 3.6. Description of Mining Area.

## **PART-1**

### **DESCRIPTION OF GEOMORPHOLOGY AND MINE DEVELOPMENT**

#### **A. In case of River Bed Mining:-**

(Mining Plan must be prepared in accordance to the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, Metaliferous Mines Regulation 1961 and other guidelines issued from time to time).

#### **(1) Description of the River/Stream bed on which the mine is situated**

- 1.1 General:
- 1.2 Name of river/stream in which the mine is situated:
- 1.3 Drainage system:
- 1.4 Type of drainage:
- 1.5 Origin of river/stream:
- 1.6 Altitude at origin:
- 1.7 Geometry of the catchment of the river impacting the replenishment of deposits.
  - Total area of catchment,
  - Area of catchment up to the mining site.
  - Profile of the river bed from origin to confluence.
  - Profile of the river bed up to the mining site.

Angle of slope of river bed near the mining site.

Cycle of erosion at mining site (Youthful, mature or old).

Width of river at the place of mining:

- 1.8. The annual deposition on river/stream bed:
- 1.9. The competency of river/stream at the mining site (i.e the weight of largest fragment which is transported by stream)

(Attach a map showing boundaries of the mine, adjoining area, point of public utility in the area/nearby (village footpath, road, school, residential house, hospital, cattle shed, charitable building, water channel, cemetery/cremation ground, place of worship etc., any activity of the forest department in the area such as soil conservation works, nursery plantations check dams, taming of nallas/stream etc type of road viz National Highway, State highway, link road, village road, any bridge any water supply scheme such as water supply tank, water supply bore well, Irrigation canal, water supply scheme gallery etc. boundary of nearby mine area, if any, the area susceptible to erosion and any other important feature).

- 1.10 Meandering pattern of the river near mining site, including:-
  - The level of High Flood Level:
  - The level of Low Flood Level:
  - The thread of deepest water in the meandering:
- 1.11 Altitude of mining area (Give the highest and lowest contour levels).
- 1.12 Description of Ground water table in the mining area, before and post monsoon.

**(2) Geology:**

- 2.1. The Geology of the catchment area:
- 2.2. Local Geology of the area:
- 2.3. The nature of boulders, cobbles, Sand etc.:
- 2.4. The nature of rocks of the bank and their attitude:
- 2.5. Description of annual deposition with respect to geology of catchment area and other factors.

**(3) Reserves Estimate**

- 3.1 Percentage wise distribution of stone, bajri (Gravel) and sand etc. in the mining area.

**(A geological map of the area with appropriate scale of mapping, showing position of pitting, trenching etc. to be annexed)**

- 3.2 Estimate of geological reserves of each mineral i.e. Sand, Stone, and River borne bajri (Gravel):

- 3.3 Estimate of mine able reserves of Sand, Stone, and River borne bajri (Gravel) in the lease area.
- 3.4 Estimated annual deposition of the mineral Sand, Stone and River borne bajri (Gravel) in the river bed: to show that the annual replenishment of sand and associated minerals in the mining lease area is sufficient to sustain the mining operation at level as planned for progressive mining for five years period.

**(4) Mine Development and plan of progressive mining:**

**Brief description of working method, development of mine (manual, semi-mechanical, mechanical)**

- 4.1 Development and production program for the first five years including precaution to be observed to prevent haphazard excavation, over exploitation, scattering of waste, if any:
- 4.2 Year wise production; with details of saleable/useable minerals, mine waste and removal of soil cover, to be given with charts and graphs.  
**(Year wise plans of excavation to be annexed)**
- 4.3 End use of Mineral. Year wise details of consumption of material for captive crusher and for free sale.
- 4.4 Details of road transportation of minerals to industrial unit and market. Give details of adequacy of road infrastructure.

**B. In case of Hill Slope Mining:-**

(Mining Plan must be prepared in accordance to the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, Metaliferous Mines Regulation 1961 and other guidelines issued from time to time).

**(1) Description of the area in which the mine is situated**

- 1.1 General:
- 1.2 Slope angle: Description of ridges & valleys
- 1.3 Type of drainage in the area, if any: and description of drainage of the area (Details of river/stream in the area),if any:
- 1.4 Susceptibility of area to land slide, if any:
- 1.5 Springs in the area if any:
- 1.6 Any other details:

(Attach a map showing boundaries of the mine, adjoining area, point of public utility in the area/nearby (village footpath, road, school, residential house, hospital, cattle shed, charitable building, water channel, cemetery/crimination ground, place of worship etc., any activity of the forest

department in the area such as soil conservation works, nursery plantation, check dams, taming of nallas/stream etc., type of road viz National Highway, State highway, link road, village road, any bridge any water supply scheme such as water supply tank, water supply bore well, Irrigation canal, water supply scheme gallery etc., boundary of nearby lease area, if any, the area susceptible to erosion and any other important information).

**(2) Geology:**

- 2.1 The Regional Geology of the area:
- 2.2 The Local Geology of the area:
- 2.3 Details of prospecting work undertaken in the mining area.
- 2.4 The nature of rocks and their attitude.

The description of characteristic and attitude of the rock (Give dip, strike, joint pattern, hardness, specific gravity etc. of the rock:

**A geological map of the area with appropriate scale of mapping, showing pitting, trenching etc. to be annexed)**

**(3) Reserves:**

- 3.1 Estimates of geological reserve of each mineral along with grade under proved, probable and possible category and mineable reserve by standard method of estimation supported by analytical reports:
- 3.2 Constraining considerations for mining, (Public roads, adjoining private land, forest, landslide prone area, electric poles or other points of public utility) and precautions proposed for their safety.
- 3.3 Estimated mineable deposits of the mine area.
- 3.4 Conceptual Scheme of Mining and life of mine.

**(4) Mine Development and plan of progressive mining:**

**Brief description of working method of mine process (manual, semi-mechanical, mechanical and/or if blasting to be resorted to)**

- 4.1 Briefly describe /existing/proposed method of development/working of the deposit with all parameters/considerations.
- 4.2 Development and production programme for the first five years including precaution to be observed to prevent haphazard excavation, over exploitation, scattering of waste scree, if any:
- 4.3 Year-wise production, overburden, run of mine, saleable mineral, mineral rejects/ mine waste details to be given with charts and graphs.  
**(Year wise plans of excavation to be annexed)**
- 4.4 Indicate proposed rate of production when mine is fully developed and the

expected life of the mine after its opening.

- 4.5 Balance material available in the area after five years of progressive mining and estimated year of mine closure.
- 4.6 Describe briefly the salient feature of mode of working (Manual, semi mechanical, mechanical and use of explosives).
- 4.7 Extent of mechanization: Describe with details the type of machinery/ equipment to be used.
- 4.8 Blasting: Describe broad parameters like charge per hole, blasting pattern, charge per delay, manner and sequence of firing, type of explosive to be used, storage capacity for explosives, type of magazine etc.
- 4.9 Mine drainage: Likely depth of water table, working expected to be above/below the water table, surface water drainage in the area, management of ground/surface water drains.
- 4.10 Waste Management: Indicate briefly the nature and quantity of top soil, overburden, mine waste/ mine rejects likely to be generated during the planned period of five years with details of dumping sites.
- 4.11 Describe the end use of minerals: Captive consumption, free sale to intermediary/consumers etc.
- 4.12 Details of density of road transportation of minerals to industrial unit and market. Give details of adequacy of road infrastructure.

**C. In case of Brick earth mining:**

**(1) Geology**

1.1 The Local Geology of the area:

**(A geological map of the area with appropriate scale of mapping, showing pitting, trenching etc. to be annexed)**

**(2) Reserves:**

- 2.1 Estimates of geological reserve of each mineral along with grade under proved & probable
- 2.2 Estimated mineable deposits of the mining area.
- 2.3 Conceptual Scheme of Mining and life of mine.

**(3) Mine Development and Plan of Progressive Mining**

**Brief description of working method development of mine**

- 4.2 Year wise production, run of mine plan with details of saleable/useable minerals, mine waste and removal of soil cover, to be given with charts and graphs.
- 4.3 End use of Mineral.
- 4.4 Balance material available in the area after five years progressive mining and estimated year of mine closure.

**(4) Waste Disposal Plan**

Details of waste to be generated in five years and its method of disposal.

**(5) Mine Closure and Reclamation Plan:**

Describe the year wise reclamation plan, giving proposed plantation plan and other mitigation measures.

**(6) Manpower Development**

Give average daily employment (skilled, semi-skilled and unskilled).

## **PART-II**

### **ENVIRONMENT MANAGEMENT**

**(1) Base line data (Detail of land use and social aspect of area)**

- 1.1 Details of Population distribution
- 1.2 Socio-economy of the villages/population.
- 1.3 Land use details with five kilometers radius map.
- 1.4 Agriculture:
- 1.5 Horticulture:
- 1.6 Animal husbandry:
- 1.7 Fisheries:
- 1.8 Flora and fauna of the area.
- 1.9 Climate.

**(2) Environment Management Plan:**

Discuss the likely impact of mining on the environment of the area and steps to be taken for its mitigation.

- 2.1 Impact on air,
- 2.2 Impact on water (Surface as well on ground water).

- 2.3 Impact on noise level.
- 2.4 Waste disposal arrangement, if any.
- 2.5 Socio-economic benefits
- 2.6 Transportation of mined material (Discuss in detail the type of transportation to be deployed for carriage of minerals to consuming centre/centres and its impact on existing road/railway system).

### **PART-III**

#### **Progressive Mine Closure Plan/Reclamation Plan**

- (1) Describe briefly the year wise reclamation and rehabilitation plan of land affected by abandoned and exhausted quarries/pits during the five years, giving detail of proposed back filling and plantation program to be marked on the relevant maps with estimated cost of reclamation.
  - 1.1 Mine Waste Disposal:
    - a) Year wise generation of mine waste and soil cover.
    - b) Year wise disposal of waste and soil cover.
    - c) Cost of the mine waste disposal scheme.
  - 1.2 Describe briefly the arrangements made for top soil utilization, if any, waste disposal along with their respective quantity likely to be generated for the five years indicating location on the maps.
  - 1.3. Preventive Check dams (Wherever necessary)
    - a) Year wise details of check dams to be constructed.
    - b) Year wise cost of construction of check dams.
  - 1.4 Plantation work (Description with location map)
    - a) Year wise area to be covered under forestation.
    - b) Year wise number of trees (Give the name of species) to be planted.
    - c) Year wise cost of plantation work.
    - d) Year wise survival rate.
- (2) **Strategy for protection of Point of public utility etc.(If any).**

Describe briefly the strategy for protection of point of public utility in the mining and

its adjoining areas such as village footpath, road, school, residential house, hospital, cattle shed, charitable building, water channel cemetery/crimination ground, place of worship including any activity of the forest department in the area such as soil conservation works, nursery plantation, check dams/walls, taming of nallas/stream etc., type of road viz. National Highway, State Highway, link road, village road, any bridge, any water supply scheme such as water supply tank, water supply bore well, Irrigation canal, water supply scheme, gallery etc., boundary of nearby lease area, if any, the area susceptible to erosion and any other important features which shall be marked on the relevant maps.

**(3) Manpower Development**

Give average daily employment (skilled, semi-skilled and unskilled).

**(4) Use of Mineral**

Describe the utilization of mineral and the type of downstream industry.

**(5) Any other relevant information**

**PART-IV  
Certificate**

Certified that the provisions of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 Matliferous Mines Regulation 1961 and other guidelines issued from time to time in this regard have been complied for the preparation of Mining Plan for (name of Mineral), mine falling in Khasra Nos. \_\_\_\_\_ measuring \_\_\_\_\_ Hectares/Bighas, Mauza \_\_\_\_\_ Tahsil \_\_\_\_\_ District \_\_\_\_\_ of M/s \_\_\_\_\_;

While preparing the mining plan including progressive mine closer plan all statutory rules, regulation, orders made by competent authorities of the State or Central Government or orders passed by Courts have been taken into consideration.

The information provided and the data furnished in this Mining Plan is correct to the best of my knowledge.

Date  
Place

Signature of H.P. RQP  
Registration No.  
Address of the H.P. RQP

**Declaration**

This is to declare that the Mining Plan including Progressive Mine Closure Plan of mine of (name of Mineral/Minerals) situated in Khasra Nos. \_\_\_\_\_ Measuring \_\_\_\_\_ Hectare/Bighas/ Kanal/Mauza \_\_\_\_\_ Tehsil \_\_\_\_\_ District \_\_\_\_\_ H.P. has been prepared with my consent and approval and that we/I shall abide by all commitment thereunder.

“The Mining Plan and ‘Progressive Mine Closure Plan’ complies all statutory rules, regulations, orders made by competent authorities of State or Central Government or orders passed by courts have been taken into consideration and wherever specific permission is required, shall be obtained.

We undertake to implement all the measures proposed in this Mining Plan and Progressive Mine Closure Plan’ in a time bound manner.

We have deposited a sum of Rs..... with the competent authority of the State Government in form of Fixed Deposit Receipt as financial assurance of the same.

In case of default on my/our part, the approval of Mining Plan may be withdrawn and the aforesaid sum assured may be forfeited.

Date:  
Place:

Signature of the Applicant.  
Name and address.

**FORM-‘N’**

[See rule 63]

**CERTIFICATE OF ARREARS OF LAND REVENUE**

In exercise of the powers conferred by rule 63 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, I \_\_\_\_\_ hereby certify that a sum of Rs. \_\_\_\_\_ is recoverable as Arrears of Land Revenue from Sh./M/s \_\_\_\_\_, R/o \_\_\_\_\_ on account of the following in respect of lease or contract or permit or other sum dues from minor mineral, namely \_\_\_\_\_.

- i) Royalty/dead rent
- ii) Surface rent
- iii) Contract money
- iv) Other sum dues

Total \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Issuing

Authority with designation

**FORM-'O'**

[See rule 68(2)]

APPLICATION FOR JOINT INSPECTION OF STONE CRUSHER SITE			
To The State Geologist Himachal Pradesh Shimla – 171001			
1	Name of the Applicant		
2	Address of the applicant / firm	Pin code .....	
3	Place of Registration of Firm		
4	Nationality of Applicant		
5	Telephone No	Office	Residence
6	Particulars of the fee deposited		Rs. 2500/-
		Treasury Challan/ receipt( T.R.-5) No	No..... Date.....
		Deposited at	..... ..... H.P.
7	The Name of the Minor Mineral to be crushed		
8	The detail of the area where stone crusher is to be installed	Khasra number	
		Ownership	
		Kism	
		Area	
		Mauza	
		Gram Panchyat	
	Tehsil & District		

9	If applying for lease, the particular of the area applied for	Kh. No	
		Ownership	
		Kism	
		Area	
		Mauza	
		Gram Panchayat	
		Tehsil & District	
		Date of application	
		Distance of Crusher site form the lease	
10	In case of other source, the detail thereof		
11	Any other information which the applicant wants to furnish		
	Date	Signature	

**FORM-‘P’**

[See rule 68(4)]

Provisional Registration  
 Department of Industries  
 Office of State Geologist  
 Shimla-1

-...-

Whereas Shri/Ms \_\_\_\_\_ Owner of  
 \_\_\_\_\_ Crusher/(to be established) has/have  
 applied for installation of Stone Crusher in khasra number \_\_\_\_\_  
 Mauza \_\_\_\_\_ measuring \_\_\_\_\_ Gram  
 Panchayat \_\_\_\_\_ P.O. \_\_\_\_\_ Tehsil \_\_\_\_\_ District  
 \_\_\_\_\_.

The Provisional registration is hereby granted to Shri/Ms \_\_\_\_\_

Subject to the following conditions:-

1. The Consent to Establish from the Himachal Pradesh State Pollution Control Board (HPSPCB) shall obtain before installation of stone crusher unit.
2. The applicant shall operate his stone crusher unit only after obtaining the COP from HP State Pollution Control Board and Permanent Registration from Geological Wing Department of Industries.
3. Based on mineral potential determined in approved Mining Plan, the stone crusher owner shall install the crusher machinery accordingly.

Date of Issue: .....

State Geologist  
 Himachal Pradesh

**FORM-'Q'**  
[See rule 69(1)]

**APPLICATION FOR GRANT/RENEWAL OF PERMANENT REGISTRATION  
OF STONE CRUSHER**

To			
The State Geologist Himachal Pradesh Shimla – 171001			
1	Name of the Applicant		
2	Address of the applicant/firm		
		Pin code .....	
3	Place of Registration of Firm		
4	Nationality of Applicant		
5	Telephone No	Office	Residence
6	Particulars of the fee deposited		Rs. 2500/-
		Treasury Challan/ receipt( T.R.-5) No	No..... Date.....
		Deposited at	..... ... H.P.
7	The Name of the Minor Mineral to be crushed		
8	The detail of the area where crusher is installed.	Kh. No	
		Ownership	
		Kism	
		Area	
		Mauza	
		Gram Panchyat	
		Tehsil & District	
Date of installation			

9	The detail of machinery installed viz number of Jaws/Roller, Sets & combination of Jaw cum Roller etc.		
10	Total investment on land, building and machinery		
11	Total number of worker to be employed.		Skilled ..... Unskilled .....
12	The approximate annual Production of Minerals in Stone Crusher		
13	The source of Mineral a) Mining lease b) Other sources		
(a)	The particular of lease	Kh. No	
		Ownership	
		Kism	
		Area	
		Mauza	
		Gram Panchyat	
		Tehsil & District	
		Date of execution	
		Period of lease	
		Distance of Crusher site from the lease area	
(b)	Detail of other source		
14	The detail of First Aid facility at stone crusher		

15	The detail of steps to be taken for ensuring compliance of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and The Environmental Protection Act, 1986 and the rules and notification framed or issued thereunder.	
16	Source of Water Supply	
17	Detail of consents	Date of Consent to Establish Date of Consent to Operate Date of Renewal of Consent
18	Any other information which the applicant wants to furnish	

Date:

Signature of the Applicant.

## FORM-'R'

[See rule 69(1)]

## Permanent Registration

Department of Industries  
Office of the State Geologist  
Shimla-171001

Whereas Shri/Ms \_\_\_\_\_ Owner \_\_\_\_\_ of  
\_\_\_\_\_ crusher has/have applied for the Permanent  
Registration of Stone Crusher installed in Khasra number \_\_\_\_\_ Mauza  
\_\_\_\_\_ measuring \_\_\_\_\_, Gram Panchayat \_\_\_\_\_ P.O.  
\_\_\_\_\_ Tehsil \_\_\_\_\_ District \_\_\_\_\_ vide application Dated  
\_\_\_\_\_ .

The Permanent Registration is hereby granted to Shri/ M/s \_\_\_\_\_  
subject to the following conditions:-

1. The owner of the stone crusher shall observe the provisions of;
  - i) The Air (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder.
  - ii) The Water (Prevention and Control of Pollution) Act 1974 and rules framed thereunder.
  - iii) The Environment (Protection) Act, 1986 and rules framed thereunder.
  - iv) The Noise Pollution (Regulation and Control) Rules 2000.
2. The expansion of a stone crusher shall not be allowed unless approved by Geological Wing, Department of Industries, Himachal Pradesh.
3. The stone crusher owner shall ensure that the, emission standards are as per the Statutes as notified by the Government vide Notification No. STE-E(3)-17/2012 dated 29.05.2014 or amended from time to time are adhered to.
4. The stone crusher owner shall adopt pollution control measures as per Government Notification No. STE-E(3)-17/2012 dated 29.05.2014 or as amended from time to time.
5. The stone crusher owner shall submit a return by 10<sup>th</sup> of every month to the concerned Mining Officer, giving details of total quantity of minerals crushed, electricity consumed, power generated in case of captive power generated run crusher, fuel consumption in case of diesel run crusher, number of labour employed and wages paid etc. .

6. Free access shall be given to the officer/official of the Geological Wing, Department of Industries, H.P. for the verification of plant & machinery, source/supply of raw material, sale record and stocks of raw material and finished goods.
7. The stone crusher Owner shall immediately report to the Deputy Commissioner and Mining officer of the district concerned about any accident which may take place during the course of crushing operation resulting in serious bodily injury.
8. The stone crusher Owner shall not pay wages less than the minimum wages prescribed by the Central or State Government from time to time under the Minimum Wages Act, 1948, to the workers employed in the crushing unit.
9. The stone crusher Owner shall indemnify the State Government against the claim of the third party.
10. The owner of the Stone Crusher shall apply for the renewal atleast three months before the expiry of the registration in 'Form-Q'.

The registration is valid upto \_\_\_\_\_.

Date of Issue \_\_\_\_\_

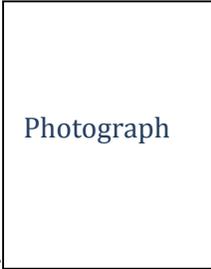
State Geologist  
Himachal Pradesh

**FORM-'S'**

[See rule 74(1) &amp; 76(3)]

**APPLICATION FOR REGISTRATION AS A DEALER**

1. **Name of applicant** .....  
(In case of firm give names & address of partners and person holding power of attorney to act on behalf of Firm)
2. **Father's Name** .....
3. **Profession**.....
- Address – Correspondence**.....
- Pin ..... Mobile No. ....
- Permanent Address .....
- .....Pin.....Phone .....
4. **Place of business**.....
5. **Specific purpose for which registration is applied for Processing/Sorting/Selling/Trading)** .....
6. **Name of Mineral/Ore for which registration is required**.....
7. **Detail of application fee and payment receipt**.....
8. **Period for which registration is required**.....
9. **In case of renewal the number & date of original registration**.....
10. **Any special ground for grant of registration in favour of applicant**.....


 Photograph
**DECLARATION:**

I/We hereby declare that I/we have read and understood all the provisions of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and conditions of the registration made thereunder and I agree to abide by the same.

Date of Application:  
Place:

Signature of Applicant

**FORM-T**

[See rule-74(3)]

**ACKNOWLEDGEMENT OF APPLICATION  
FOR REGISTRATION AS A DEALER**

Received \_\_\_\_\_ application for grant  
of registration for processing /Sorting/Selling/Trading \_\_\_\_\_ (Name of  
Mineral/Ore) from Shri/Smt. \_\_\_\_\_  
\_\_\_\_\_ Resident of \_\_\_\_\_ Post  
Office \_\_\_\_\_ Tehsil \_\_\_\_\_ District \_\_\_\_\_ Himachal  
Pradesh

With the following enclosures:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

Signature of the official of the  
office of the Mining Officer

Date : \_\_\_\_\_

**FORM-'U'**

[See rule 76(1)]

**REGISTER OF APPLICATIONS FOR DEALER**

<b>Sr. No.</b>	<b>Date of receipt of application</b>	<b>Name of applicant</b>	<b>Address of applicant</b>	<b>Name of Mineral/ Ore</b>	<b>Place of Processing/ Sorting/ Selling/ Trading</b>	<b>Date of grant/ refusal of registration</b>	<b>Date of appeal if any</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	<b>(7)</b>	<b>(8)</b>

<b>Date of disposal of appeal</b>	<b>Brief orders on appeal</b>	<b>Date of expiry of registration , if granted</b>	<b>Period of grant/renewal</b>	<b>Remarks</b>
<b>(9)</b>	<b>(10)</b>	<b>(11)</b>	<b>(12)</b>	<b>(13)</b>

**FORM-'V'**  
[See rule 76(2)]

**REGISTRATION OF DEALER**

Photograph

1. Name of the dealer (in full).....  
(in case of firm names and address of partner and persons holding power of attorney to act on behalf of the firm)
2. Father's Name .....
3. Address.....  
.....Pin..... Mobile No. ....
4. Profession of the dealer.....
5. Specific place or places of business.....
6. Specific purpose for which registration is granted .....
7. Name of Mineral/Ore covered under the registration .....
8. Challan number showing payment of application fee .....
9. Particulars of security deposit .....
10. Period of registration.....
11. If it is a case of renewal, the number and date of grant of the original registration.....
12. Number and date of application for registration.....
13. Registration valid upto.....

Date of issue\_\_\_\_\_

Signature and Seal of the Mining Officer

**DEPARTMENT OF INDUSTRIES  
(GEOLOGICAL WING)  
Himachal Pradesh**

**FORM-'W'**  
IN TRIPLICATE  
TRANSIT PASS  
[See rule 77(iii) & 79 (2)]

Sr. No.	Seal & Signature of Issuing Authority
Date of Issue _____	Date of Expiry _____
1. Name of Contractor/Lessee/ Permit/Permission holder _____	
2. Name and Location of Mine _____	
3. Place where Mineral is being sent _____	
4. Name of person/party to whom Mineral is, being dispatched _____	
5. Name of Mineral _____	
6. Volume/quantity of Mineral _____	
7. Mode of Transport _____ Vehicle No. _____	
8. Name of owner of Vehicle _____	
9. Name of Driver _____	
10. Page No. of the Production Register at which Transit Pass (Form-'W') has been entered _____	
11. Date of Dispatch _____	
12. Time of Dispatch _____	

Signature of the Driver

Signature of the Mine Owner/Manager

**Terms and Conditions:**

1. All columns of Form-'W' should be properly filled in especially serial number 11 and 12 pertaining to date and time of Issuance of Form-'W' from Mining site.

2. This Form 'W' is valid for one trip only.
3. This Form 'W' is valid only if it has the seal and signature of the issuing authority.
4. Any person found to have contravened the above shall, on conviction, be punishable with imprisonment of either description for term which may extend upto two years or with fine which may extend upto 25,000/- rupees or both.
5. Under Rule 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, any type of vehicle, involved in carrying/transporting the material without Form 'W' shall be seized and such vehicle shall be impounded and material shall be auctioned.

**FORM-'X'**

[See rule 77(iii) &amp; 79(2)]

**DEPARTMENT OF INDUSTRIES  
(GEOLOGICAL WING)  
Himachal Pradesh**

**SUPPLEMENTARY TRANSIT PASS  
(In Triplicate)**

Sr. No.	Seal & Signature of Issuing Authority
Date of Issue _____	Date of Expiry _____
1. Name of Contractor/Lessee/ Permit/Permission holder _____	
2. Name and Location of the stone crusher/ Stockyard _____	
3. Name and Quantity of finished Product to be transported _____	
2. Place where finished product of Mineral is being sent _____	
3. Mode of Transport _____ Vehicle No. _____	
4. Name and address of owner of Vehicle _____	
5. Name and address of Driver _____	
6. Weight/volume of finished product _____	
7. Page No. of the dispatch register at which Supplementary Transit Pass Form-'X' has been entered _____	
8. Date and time of Dispatch _____	

Signature of Driver

Signature of the Stone Crusher Owner/  
Manager**Terms and Conditions:**

1. All columns of Supplementary Transit Pass Form-'X' should be properly filled in especially serial number 8 pertaining to date and time of Issuance of Supplementary Transit Pass Form-'X' from Stone Crusher site.
2. This Supplementary Transit Pass Form-'X' is valid for one trip only.

3. This Supplementary Transit Pass Form-'X' is valid only if it has the seal and signature of the issuing authority.
4. Any person found to have contravened the above shall, on conviction, be punishable with imprisonment of either description for term which may extend upto two years or with fine which may extend upto 25,000/- rupees or both.
5. Under Rule 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, any type of vehicle, involved in carrying/transporting the material without Supplementary Transit Pass Form-'X' shall be seized and such vehicle shall be impounded and material shall be auctioned.



**FORM-Z**

[See rule 80(5)]

**LIST OF SEIZED MINERAL/ORE**

1. Name of the officer seizing the property .....
2. Designation and address of the officer.....
3. Details of property seized –
  - (a) Place of seizure with date and time.....
  - (b) Description of each property.....
4. Rule under which property is seized.....
5. Name and Address of person from whom the property is seized .....
6. Name and Address of any other claimant for the seized property.....
7. Name and Address of person under whose custody the seized property has been kept.....
8. Signature of the custodian. ....
9. Approximate value of the seized property.....
10. Remarks.....
11. Name and address of the witnesses with their signatures :
  - (i).....
  - (ii).....

Date :

Signature of Officer seizing the property with designation and address.

By Order

Principal Secretary (Inds.) to the  
Government of Himachal Pradesh

Endorsemen



Annexure - R-2

## ANNEXURE R-2

**State Environment Impact Assessment Authority**  
at Department of Environment, Science Technology & Climate Change  
Government of Himachal Pradesh

**PUBLIC NOTICE**

In order to streamline the mining activities & granting Environment Clearances to the mining projects in the State the "District Survey Reports" of three districts: Lahaul-Spiti, Una & Shimla have been prepared as per the EIA Notification, 2006 and its subsequent amendment vide S.O. 3611(E) dated 25th July, 2018 issued by MoEF&CC, Govt.

The DSRs have been made available at official websites of the Department of Environment, Science Technology & Climate Change and Department of Industries, Himachal Pradesh

Website URLs:  
<http://dest.hp.gov.in/>  
<https://emerginghimachal.hp.gov.in/miningstone/>

The suggestions & comments on "District Survey Reports" are invited from the general public upto within 21 days from the date of issuance of this public Notice. Comments & suggestions shall be emailed to [ms.hpseiaa@gmail.com](mailto:ms.hpseiaa@gmail.com).

(0397/07.09.24)  
Member Secretary (SEIAA)  
Himachal Pradesh

*H*  
Geologist  
Deptt. of Indust.  
(Geological Wing)  
H.P. Shimla-1

*Karan Paul*

**MINING PLAN**

**FOR EXTRACTION OF SAND, STONE AND BAJRI FROM THE AREA APPLIED FOR GRANT OF MINING LEASE (LETTER OF INTENT ISSUED) IN MAUZA/ MOHAL BADEHRA, TEHSIL HAROLI DISTRICT UNA OVER KHASRA NOS. 6522/2, 6523/2 AND 6524/2 MEASURING 02-25-47 HECTARES**

**APPLICANT:- SH. BAHADUR SINGH, S/O SH. DIDAR SINGH, VILLAGE AND POST OFFICE MOHALLA GALUA, TEHSIL AND DISTRICT UNA, HIMACHAL PRADESH**



**PREPARED BY: -**



**RAJNEESH SHARMA**  
 R.Q.P. No. H.P./R.Q.P./24/1/2019  
 STATE GEOLOGIST (Retd.)  
 STRAWBERRY COTTAGE, STRAWBERRY  
 HILLS  
 CHHOTA SHIMLA-171002

*[Handwritten Signature]*  
 Geologist  
 Dept. of Geology  
 (Geological Wing)  
 H.P. Shimla-1

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भौतिकीय शाखा  
उद्योग विभाग शिमला  
Geological wing  
Dept. of Industries  
Shimla

**APPROVED**

With Continer

कार्टों के साथ अनुमोदित

Vide Letter No.

Dated

दिनांक

*Indyog - Bdm (K. Lami-4) Lashu - 984/2020*

*(26/1/21)*

State Geologist,  
Shimla/1

*H*  
Geologist  
Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1

### MINING PLAN

**FOR EXTRACTION OF SAND, STONE AND BAJRI FROM THE AREA APPLIED FOR GRANT OF MINING LEASE (LETTER OF INTENT ISSUED) IN MAUZA/ MOHAL BADEHRA, TEHSIL HAROLI DISTRICT UNA OVER KHASRA NOs. 6522/2, 6523/2 AND 6524/2 MEASURING 02-25-47 HECTARES BY SH. BAHADUR SINGH, S/O SH. DIDAR SINGH, VILLAGE AND POST OFFICE MOHALLA GALUA, TEHSIL AND DISTRICT UNA, HIMACHAL PRADESH**

#### INTRODUCTION

Sh. Bahadur Singh S/o Sh. Didar Singh, Prop. M/s A & N Stone Crusher and Screening Plant, Village and Post Office Mohalla Galua, Tehsil and District Una has applied for grant of mining lease for extraction of sand, stone, and bajri falling over Khasra Nos. 6522, 6523, and 6524 measuring 61.14 Kanals (02-40-47 Hects) falling in Mauza/Mohal Badehra, Tehsil Haroli, District Una under the provisions of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2015 for manufacturing of grit in the proposed stone crusher unit. Accordingly, the case was referred to the Joint Inspection Committee for inspection of the applied for mining site. The Joint inspection Committee inspected the proposed site and during inspection, the Committee observed that the area bearing khasra nos. 6522/1, 6523/1 and 6524/1 measuring 00-45-00 Hects is falling within the safe distance from the embankments, as such the same area was deleted and recommended the remaining area measuring 02-25-47 hec. out of 02-40-47 hec. applied for grant of mining lease. On the basis of recommendation of Joint Inspection Committee, Letter of Intent has been issued by the Department vide letter No. Udyog-Bhu- (Khani-4) Laghu-984/2020 dated 1-2-2021 for grant of mining lease comprising Khasra Nos. 6522/2, 6523/2 and 6524/2 in Mauza and Mohal Badehra, Tehsil Haroli, District Una, measuring 2-25-47 hectares in a private piece of land forming river bed area of Swan river in favour of Sh. Bahadur Singh S/o Sh. Didar Singh, Prop. M/s A & N stone crusher and screening plant, Village and Post Office Mohalla Galua, Tehsil and District Una for collection/extraction of sand, stone and bajri from the proposed area. While granting letter of intent, the Department has imposed the following conditions: -

- 1 The party shall get the area demarcated from the revenue authorities and shall erect permanent boundary pillars to the satisfaction of the Mining Officer so as to clearly

  
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depict the provisional granted area. A copy of the demarcation report shall also be submitted to the Mining Officer.

2 The party shall have to submit the approved Mining Plan under Rule 35 of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2015.

3 The party shall have to obtain Environment Clearance under the provisions of Environment Protection Act, 1986 from the Competent Authority and Forest Clearance in case of Forest land.

4 The party shall submit a certificate from the revenue authority to the effect that Khasra Nos. 6522/2, 6523/2 and 6524/2 are free from all encumbrances and all the co-sharers of the above said land have given their consent.

In order to fulfil the requirement of condition No. 2, the holder of the letter of Intent approached the undersigned having R.O.P. No. / to prepare the Mining Plan of the area proposed for grant of mining lease. The Chapter - III of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of illegal Mining Transportation and Storage) Rules, 2015 deals with development and conservation of minerals and it is provided under Rule 35(1) that "No mining lease or contract shall be granted unless there is a mining plan approved from the Competent Authority". The said mining plan shall be prepared in accordance with Form "M" appended with the said Rules.

While preparing the mining plan, due consideration has been made to ensure that the relevant provisions under Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and other guidelines issued from time to time in this regard are adhered to. The preparation of mining Plan is broadly based on data collected from field as well as information provided by project proponent during consultation, and also by taking help of standard publications, books map etc. The mining plan is prepared in consonance to the Format prescribed in Form "M" in the ibid Rules.

## 1. General

### 1.1 Name and address of the applicant

1.1. a Name of the Applicant: - Sh. Bahadur singh

  
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(Geological Wing)  
H.P. Shimla-1

**1.1. b Address of the Applicant :-** Sh. Bahadur Singh S/o Sh. Didar Singh  
 Prop. M/s A & N Stone Crusher and Screening  
 Plant  
 Village and Post Office, Mohalla Galua  
 Tehsil and District Una  
 Himachal Pradesh

**1.2 Status of the Applicant: -** The applicant is a sole proprietor

**1.3 Mineral which the Applicant intends to Mine: -**

The mineral sand, stone and bajri is occurring in the area applied for grant of mining lease and the applicant is planning to mine the same in accordance with the approved mining plan after procuring environment clearance from the competent authority. The applicant is planning to install stone crusher unit for manufacturing of grit and screening plant for separation of different constituents of river borne material for sale of sand also as the same huge market demand.

**1.4 Period for which the mining lease is to be granted: -**

As per period specified in the Grant order to be issued by the State Government.

**1.5 Name and Address of H.P.R.Q.P. preparing the mining plan**

Rajneesh Sharma (Retd. State Geologist)  
 Strawberry Cottage, Strawberry Hill,  
 Chhota Shimla (Himachal Pradesh)  
 Email: rajneeshsharma@gmail.com  
 RQP No. H.P.RQP/24/1/2019  
 Valid upto 11-6-2024

**1.6 Name of Prospecting Agency**

For carrying out prospecting of the mineral deposit, the preliminary information regarding Geological set up and occurrence of mineral in the area applied for mining lease and in its surroundings has been gathered from the previous work done by the Geological Survey of India and State Government agencies from time to time. The site was visited along with the project proponent for identification of the site based on the demarcation already conducted by the revenue department in the presence of project proponent. The surface mapping of the area has

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been conducted by Sh. C.P. Negi, Sr. Surveyor, (Retd.) Department of Industries, Himachal Pradesh using survey instruments and occurrence of the sand, stone and bajri deposit in the study area and its adjoining have been established after conducting geological traversing.

**2.0 Location and approach of the area**

The location of the area is shown on the location map



**Figure No.1: Showing location of mining lease area on district map**

**2.1** The deposit is located in the river bed of Swan River (Soan River) near village Lal Singhi which is located on left bank on Una-Purana Hoshiarpur road, Tehsil and District Una. The Topo-sheet Numbers and co-ordinates of the area are as under: -

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Topo-sheet No		53A/3
Scale		1:50,000
Surveyed		1964-65
First Edition		
Point	Latitude	Longitude
Survey Station	31° 28' 06.00 " N	76° 14' 11.0 " E
Left bank point	31° 28' 3.38 " N	76° 14' 9.18 " E
Right bank Point	31° 27' 55.34 " N	76° 13' 53.82 " E

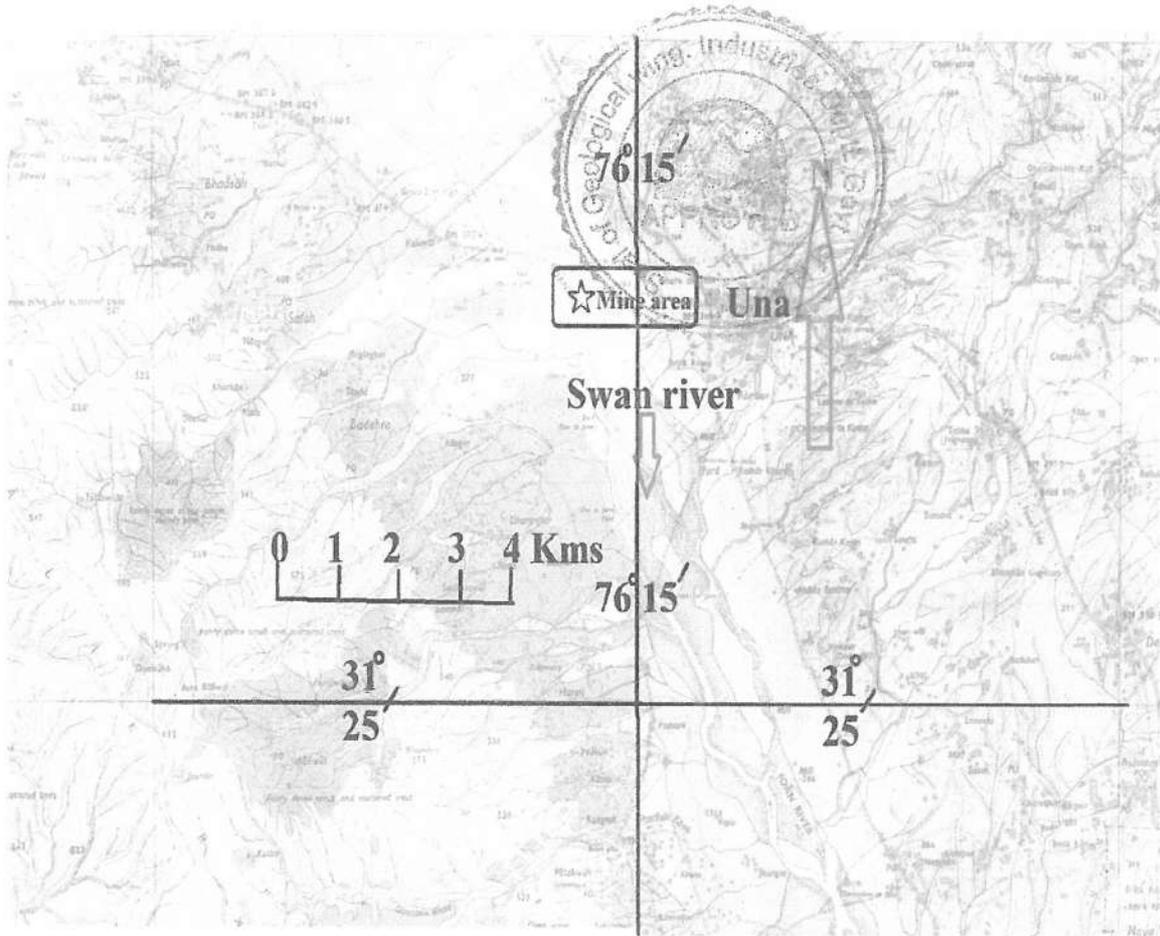


Figure No.2: Location of Mining Lease area on Survey of India Toposheet

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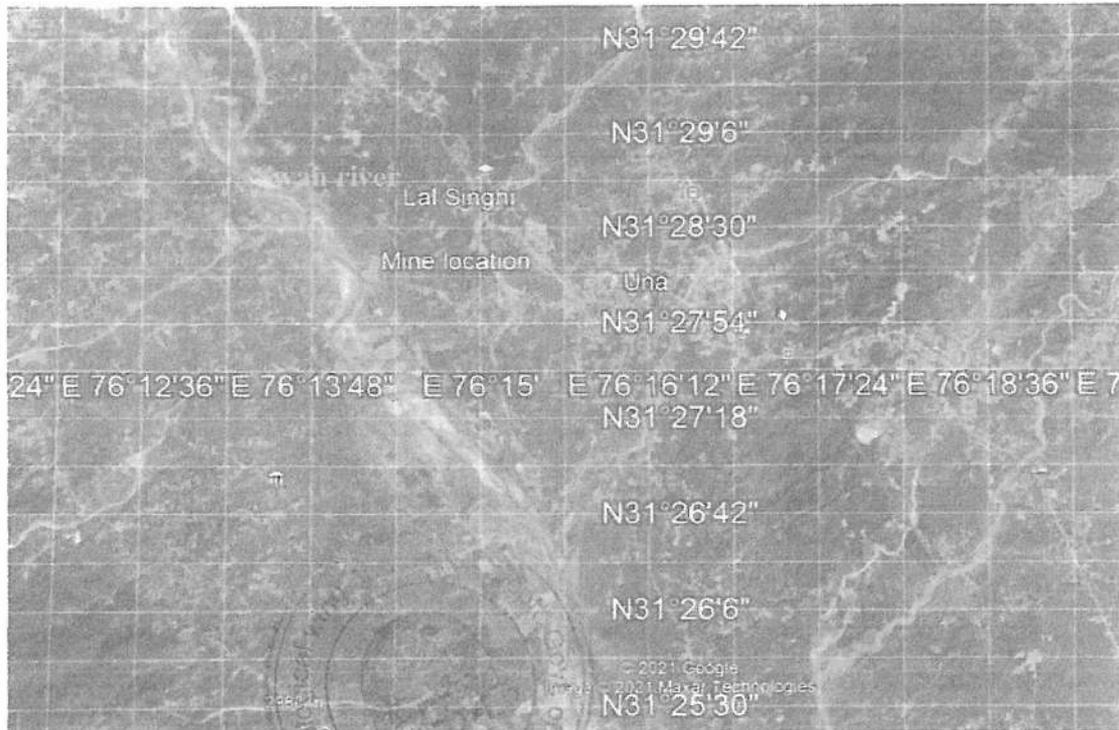


Figure No3: Location of Mining Lease area on google map

2.2 (a) Location detail of the Area

<b>Khasra Numbers</b>	6522/2, 6523/2 and 6524/2
<b>Name of the Owner</b>	The applicant has procured consent of land owner.
<b>Kism</b>	Private land
<b>Mauza/Mohal</b>	Badehra
<b>Area in Hectares</b>	02-25-47 Hects
<b>Name of the Panchayat</b>	Badehra

(b) Address Details

<b>Village</b>	Badehra
<b>Patwar Circle</b>	Badehra
<b>Post Office</b>	Badehra
<b>Tehsil</b>	Haroli
<b>District</b>	Una

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 (Geological Wing)  
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### 2.3 The Administrative set up are as under: -

Sub-Divisional Officer (Civil)	Haroli
Divisional Forest Officer	Haroli
Sub-Division Jal Shakti Department	Haroli
Sub-Division (PWD)	Haroli
Forest Range Officer	Gagret
Executive Engineer, Flood Protection Division	Haroli

### 2.4 Distance from important places in Kilometers

The distance from mine to the important nearby places are as under:-

1	Badehra	3.0 Kms.
2	Una	4 kms
3	Mehatpur	14 Kms.
4	Amb	25 Kms
5	Chandigarh	135 Kms
6	Shimla	170 Kms.

### 2.5 Approach of the Area: -

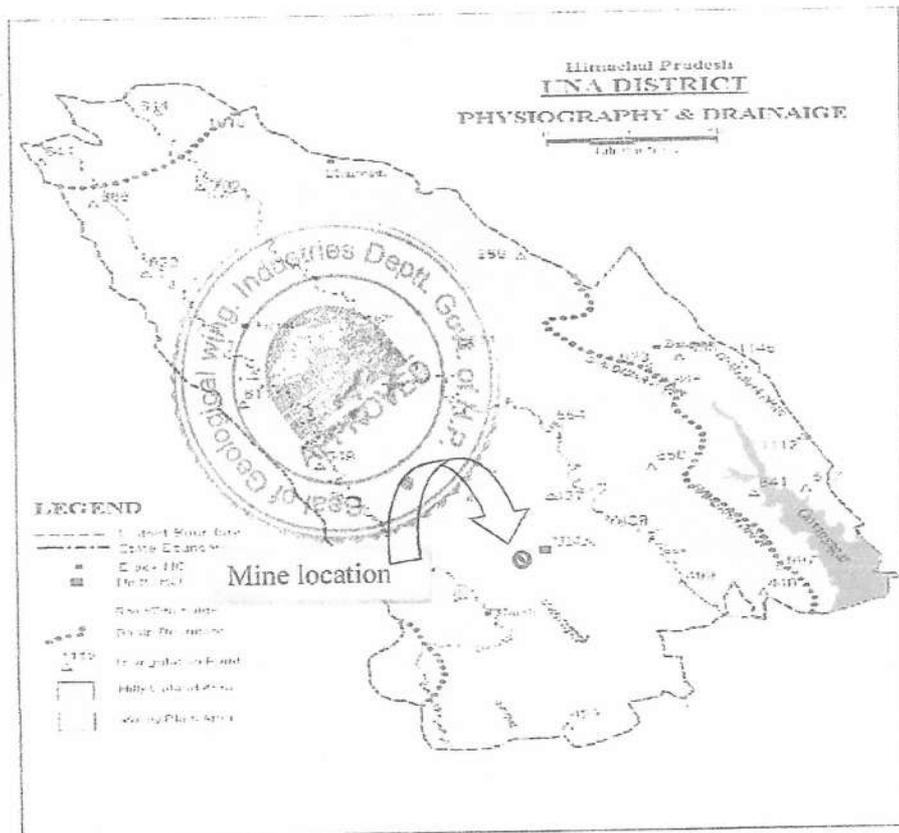
The site is situated in Mauza /Mohal Badehra, near village Lal Singhi which is located on left bank on Una -Purana Hoshiarpur road in Tehsil and District Una. The site can be approached from Una-Purana Hoshiarpur road near village Lal Singhi about 4 Kms from Una. From Lal Singhi there is a unmetalled road passing on embankment towards Swan river side leading towards lease area.

### 3.0 PHYSIOGRAPHIC ASPECTS OF THE AREA

3.1 In general the area is a part of Siwalik range. The Siwalik Hills are located within the political boundaries of Pakistan, India, Nepal, and Bhutan, and range between 6 to 90 km in width. They gradually become steeper and narrower in relief and width respectively, from northern Pakistan to Bhutan (over 2000 km in length). Ongoing erosion and tectonic activity has greatly affected the topography of the Siwaliks. Their present-day morphology is comprised of hogback ridges, consequent, subsequent, obsequent, and resquent valleys of various orders, gullies, choes (seasonal streams), earth-pillars, rilled earth buttresses of conglomerate formations, semi-circular choe-divides, talus cones, colluvial cones, water-gaps, and choe

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terraces. Associated badlands features include the lack of vegetation, steep slopes, high drainage density, and rapid erosion rates.



**Figure No.4: Showing Physiographic and Drainage Map of Una District**

To the South of the Siwaliks are the Indo-Gangetic plains and in the north, they are bordered by the Lesser Himalayas. Intermittently located between the Siwaliks and the Lesser Himalayas (exclusively in India and Nepal) are *duns*, flat-bottomed longitudinal structural valleys with their own drainage systems. These essentially comprise several large Himalayan piedmont alluvial fans and terraces, which formed as a result of tectonic episodes in the flanking Siwaliks. The *duns* also consist of lacustrine, fluvial, aeolian and swamp-environment deposits, and range from Middle Pleistocene to Holocene in age. During their formative stage, most of the *duns* were slightly narrower and have gradually expanded over time through the erosion of the adjacent Siwalik sediments (a continuing process). In Nepal, these *duns* were often naturally filled with

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alluvial sediments of lacustrine and fluvial deposits, thus burying palaeolithic sites that were later exposed through erosion.

The monsoon rains temporarily supply seasonal streams (locally known as choes, khads, or nalas) located both within the Siwalik hills and the adjacent *duns*. These stream banks and their terraces yield sizeable numbers of lithic artefacts, owing to the shared location for both water and raw material.

The district is bounded by plains of Punjab in the West and Sola Singhi Dhar (Siwalik Range). The ranges trend in general NW-SE direction and between there is a longitudinal valley of the Soan River. The altitude varies from 300 metres to over 1200 metres above MSL on Sola Singhi Dhar. The width of the Jaswan Dun Valley ranges from 7 Kms to 14 Kms and the town of Una, which is nearly in the middle of the Dun valley (Jaswan Valley) is on the elevation of 427 Mts above MSL. In general most of the district lies between 600-900 mts elevation and slope is less than 10°.

### 3.2 Altitude of the area:

The Una district can be divided into following three distinct zones as per altitude of the area.

- 1 Above 900 metres
- 2 600-900 metres
- 3 Less than 600 metres

### 3.3 Climate of the Area

The Climate of the Una District, can be classified into following three categories

1. Winter
2. Summer
3. Rainy

The general temperature and rainfall corresponding to each type is given.

**Table No.1: Showing Climate of Una District, Himachal Pradesh**

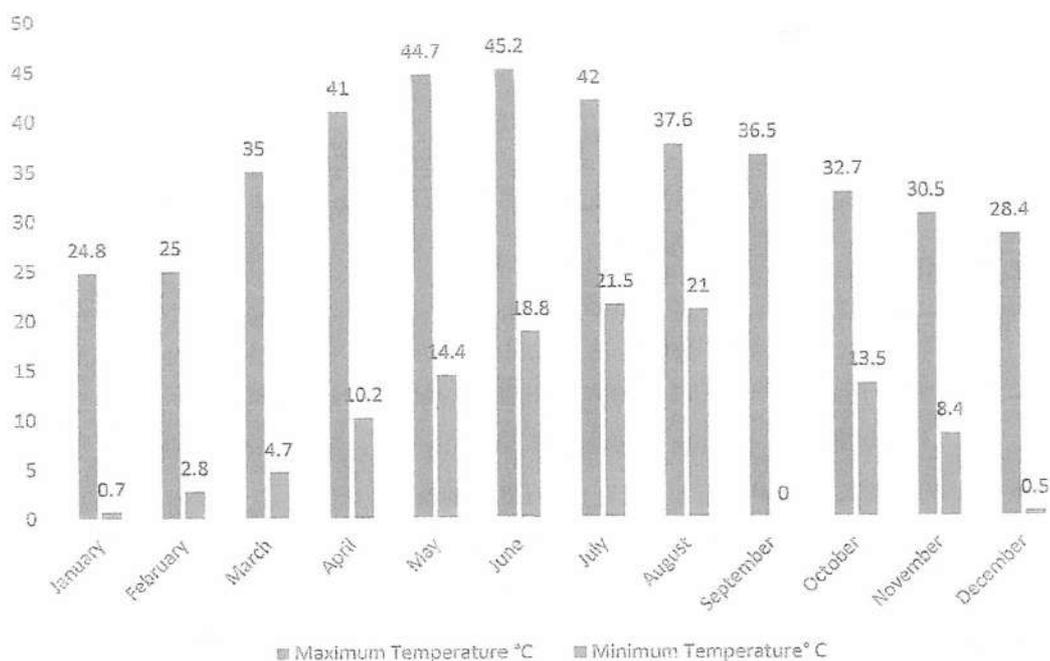
Climate	Winter	Summer	Rainy
Period	Oct.-Mid March	Mid.March-June	July-September
Weather	Cool	Hot	Humid
Humidity	84%	55%	99%
Temperature Max	22.9°C	44.2°C	21.1°C
Min	3.6°C	24.0°C	14.0°C

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**Table No. 2: Month wise Maximum and Minimum Temperature (in °C) of District Una  
Year- 2019**

Name of Month	Maximum Temperature °C	Minimum Temperature °C
January	24.8	0.7
February	25.0	2.8
March	35.0	4.7
April	41.0	10.2
May	44.7	14.4
June	45.2	18.8
July	42.0	21.5
August	37.6	21.0
September	36.5	19.2
October	32.7	13.5
November	30.5	8.4
December	28.4	0.5

Source – Statistical Abstract of Himachal Pradesh 2019-20



**Graph No. 1: Showing the Maximum and Minimum Temperature recorded in District Una**

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3.4 Rain fall data

The Una district can be divided into three rainfall zones as

High	above 1400 mm
Medium	between 1400 and 1200 mm
Low	less than 1200 mm

It is clear from the isohyetal map of the district that most of the area of the district lies in the zone of low rainfall.

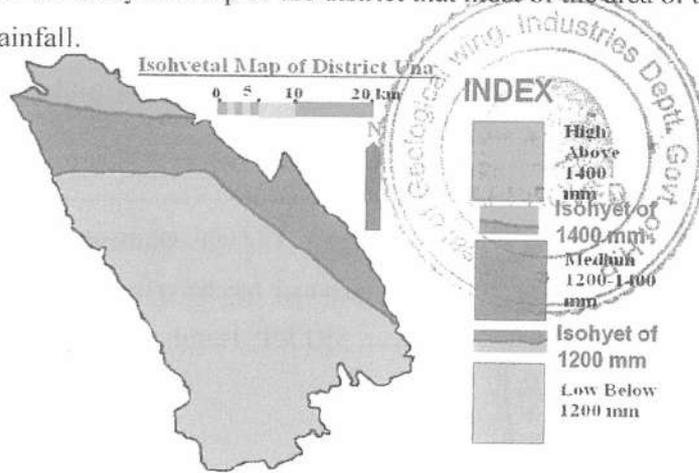
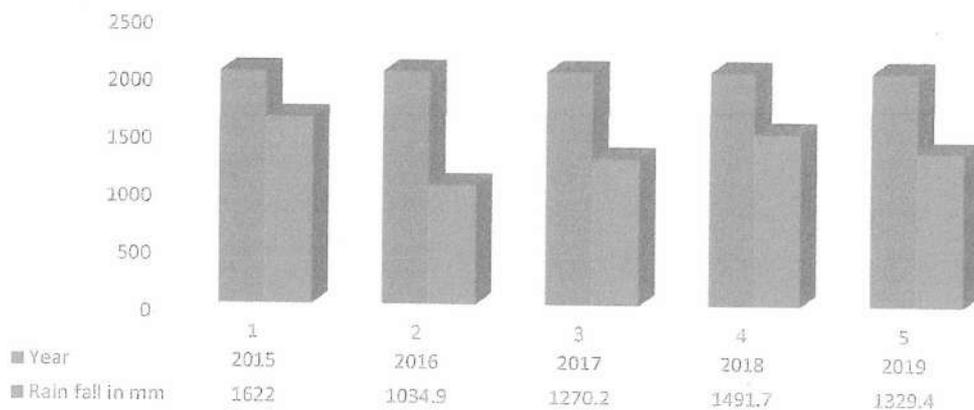


Figure No.5: Isohyetal Map of Una District

Table No.3: Average Annual Rainfall data of Una District

Year	2015	2016	2017	2018	2019
Rain fall in mm	1622	1034.9	1270.2	1491.7	1329.4

Source- Statistical Year Book of Himachal Pradesh 2019-20



Graph No. 2: Average Annual Rainfall of District una

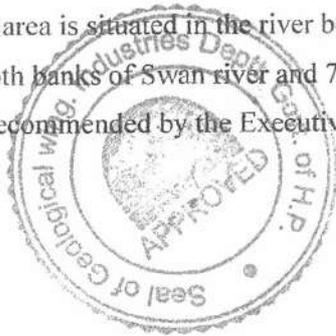
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### 3.5 Any other important physical feature

Swan river Flood Management and integrated Development Project was framed by IPH Department in 1984 and has given techno economic clearance/ approved by the Central Water Commission, Government of India, Ministry of Water Resources. The Swan river channelization project aims to regenerate forests, protect farmlands from flooding and reduce soil erosion mainly in Una district, bordering Punjab. Ministry for Water Resources had cleared a project of about Rs 922.48 crore for the channelization of all tributaries of the Swan. The channelization project of Swan river is under progress and large part of Channelization project has been completed.

### 3.6 Description of mining area

The mining lease area is situated in the river bed of Swan river. The embankments have been constructed on both banks of Swan river and 75mtrs safe distance has been maintained from each embankment as recommended by the Executive Engineer, SRFMP, Haroli for safety of these structures.



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## PART-1

## Description of the Area in which the Mine is Situated

## 1.1 General:

All rivers/streams flowing in Una District are forming part of two major river system catchments i.e. Beas river catchment and Satluj river catchment. The northern small portion of the District around 75 Sqkm area form the catchment of Beas river whereas remaining area of the District is forming catchment area of river Satluj.

The general salient features of the district are as under:-

Total area of the District	1540 Sq KM
Major catchments	Beas 77.75 Sqkm
	Satluj 1462.25 SqKm

The proposed mining area is situated in the river bed of Swan River. The Swan River has a total catchment area of 1222 SqKms and has a length of 65 Kms in Himachal Pradesh. There are 73 tributaries in the catchment area. The catchment area mainly comprises of loose fragile Siwalik hills with very little vegetative cover.

## 1.2 Name of the River System in which the Mine is Situated.

The proposed area is situated in the bed of Swan River a primary tributary of river Satluj.

## 1.3 Drainage System

The Swan River forms a part of Satluj river drainage system.

## 1.4 Type of Drainage

The river generally exhibits sub-dendritic to dendritic type of drainage pattern

## 1.5 Origin of River/Stream

The Swan river originates at a height of 980 metres near Kalu di Bad village located north east direction of Chintpurni town and leaves district near Santokh Garh and subsequently joins river Suttlej. It is an intermittent river and maintains base flow in the lower reaches, Swan river has about 80% catchment area in Una district and roughly divides the district into two parts. This river flows in south western direction and has a wide channel and exhibits braided nature. During monsoon the river gets flooded due to shallow banks heights and large area on both sides gets affected..

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### 1.6 The Altitude at Origin

The Swan river originates at a height of 980 metres near Kalu di Bad village located north east direction of Chintpurni town.

### 1.7 Geometry of the Catchment of the River Impacting the Replenishment of Deposit

Catchment area of Swan river	1222 Sq.Km
Altitude at origin	980 m above mean sea level
Altitude at confluence with Satluj River	330 m above mean sea level
Length of river in Himachal	65 Kms
Highest point of mining lease	348msl
Lowest point of mining lease	347msl
Length of river from origin to lease area	53.40Kms
Elevation loss up to lease area	633m
Elevation loss per Km up to lease area	11.85m per Km
Main tributaries joining left bank	33
Main tributary joining right bank	18

#### 1.7.a Area of Catchment

The Swan river is a primary tributary of river Satluj. It has a sub-catchment area of 1222 SqKm in Una District. The catchment of Swan river area up to mining lease area is around 875 sqKm.

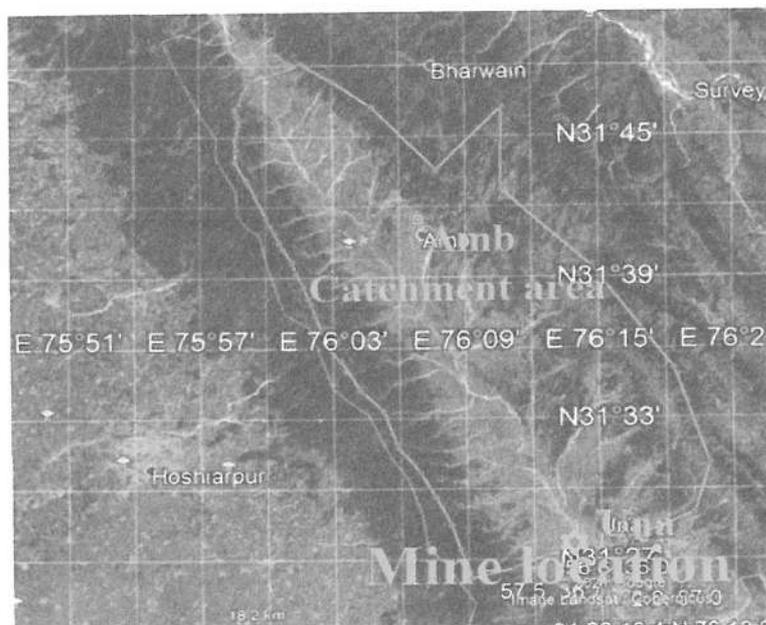


Figure 6: Showing catchment area of Swan river up to mine location

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### 1.7. b Profile of the River bed From Origin to Confluence

The river rises at a height of 980 metres above mean sea level. The level at mining site is 347 metres to 348 mtrs above mean sea level.

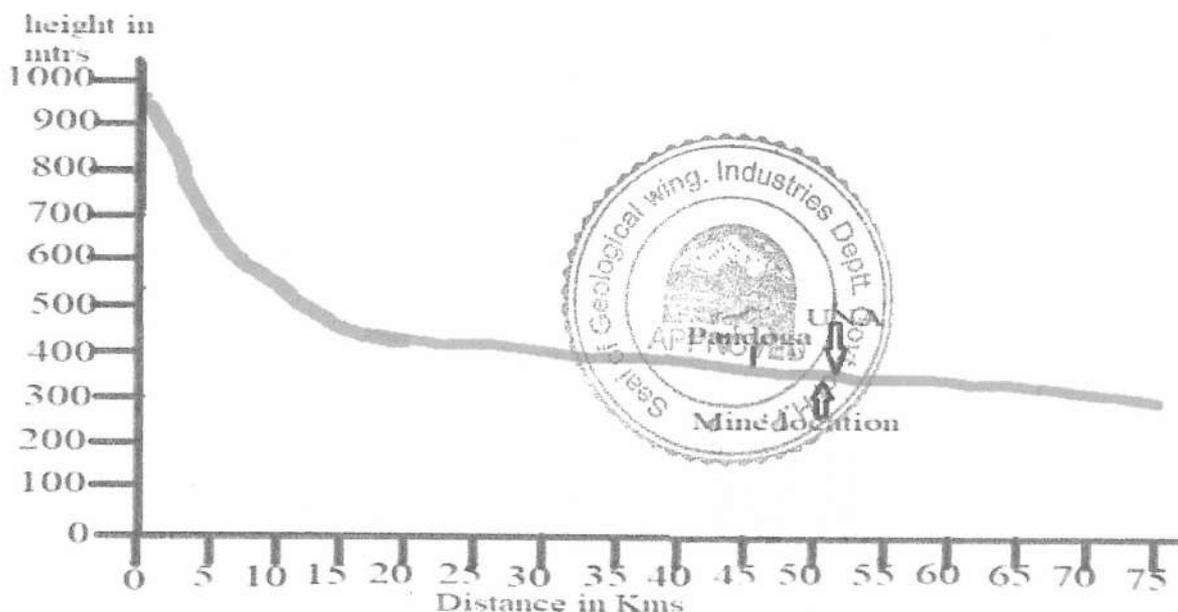


Figure 7: profile of river bed from origin to mine.

### 1.7. c Profile of the River bed up to Mining Site

The elevation of Swan river varies from 980 metre R.L. near origin to 347m R.L. near mining site.

### 1.7. d Cycle of erosion of Mining site

The river Swan flows in mature stage forming largely the zones of deposition.

### 1.7. e Width of river at the place of Mining

The width of river near the mining lease area varies from 620 metres to 680 metres.

## 1.8 The Annual Deposition on River/Stream

The catchment area of river Swan is covered with rocks of Siwalik formation. These rocks are soft in nature and prone to erosion. The rainfall in the catchment area is more than 1000mm and 80% rainfall is during monsoon season. As a result, during monsoon season, the high discharge in river is full of sediment load. The annual deposition is around 10 cms to 50 cms in general depending upon the location. However, the pits excavated during previous year mining are filled up completely with the deposition of new sediment load.

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### 1.9 The Competency of River/Stream at the Mining Site.

The general competency of the river in this stretch of mining area is in decreasing order as the grade is very gentle and most of the large rock fragments are found deposited upstream and largely sand size fragments are found deposited in this stretch with few coarse fragments. The largest boulders/pebbles vary from 8 to 5cm×4 to 6cm×4 to 10cm. The boulders are rounded to sub rounded in shape.

### 1.10 Meandering Pattern of River

A meander is produced by a stream or river when it erodes the sediments comprising an outer concave bank and deposits this and other sediment downstream on an inner convex bank which is typically a point bar. The river Swan in the Una valley has developed braided pattern. The braided pattern streams have a numerous sub parallel braided channel stream. At places the river also exhibits meandering pattern due to occurrence of flat beds with soils or sand that can be mobilized by the current.

### 1.11 The level of H.F.L

During Monsoon, the water level rises to about two to three metres and during lean period the water is not more than one metre.

### 1.12 Altitude at the Mining Lease Area.

The highest point of mining lease area is 348 m above mean sea level and lowest point is 347 mtrs above mean sea level.

### 1.13 Description of Ground Water Table in the Mining area before Post Monsoon.

The river Swan has carved a very wide valley and material comprises of river borne deposits. This river borne deposits act as a good aquifer for ground water occurrence.

## 2.0 Geology:

### 2.1 Regional Geology;

The Siwalik Group mainly represents the rocks of the District. In addition to above, at few places, the deposits of newer alluvium of Quaternary age are also present.

### 2.2 Siwalik Group

The Siwalik deposits are one of the most comprehensively studied fluvial sequences in the world. They comprise mudstones, sandstones, and coarsely bedded conglomerates laid down when the region was a vast basin during Middle Miocene, to Upper Pleistocene times. The sediments were deposited by rivers flowing southwards from the Greater Himalayas, resulting in

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extensive multi-ordered drainage systems. Following this deposition, the sediments were uplifted through intense tectonic regimes (commencing in Upper Miocene times), subsequently resulting in a unique topographical entity - the Siwalik hills. The Siwaliks are divided stratigraphically into three major subgroups - Lower, Middle, and Upper. These Subgroups are further divided into individual Formations that are all laterally and vertically exposed today in varying linear and random patterns.

Ongoing erosion and tectonic activity has greatly affected the topography of the Siwaliks. Their present-day morphology is comprised of hogback ridges, consequent, subsequent, obsequent, and resquent valleys of various orders, gullies, choes (seasonal streams), earth-pillars, rilled earth buttresses of conglomerate Formations, semi-circular choe-divides, talus cones, colluvial cones, water-gaps, and choe terraces. Associated badlands features include the lack of vegetation, steep slopes, high drainage density, and rapid erosion rates.

In the advent of Neogene, a depression was formed in front of the rising mountains (Proto-Himalaya). This depression becomes a repository of a thick sequence of molassic sediments of the Siwalik. The Siwalik Group comprising conglomerates, friable micaceous sandstone, siltstone and claystone.

**Table No 4: Showing lithostratigraphy of District Una**

Lithostratigraphy of District Una			
Group	Lithology	Age	Approx. Thickness
Never Alluvium	Sand, silt, gravel and pebbles	Quaternary	Variable
Siwalik Group	Upper Siwalik	B	2300 meters
		A	
	Middle Siwalik	B	1400 to 2000 meters
		A	
	Lower Siwalik	B	1600 meters
		A	

*Lithostratigraphy of Una District*

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The conglomerates in general are poorly cemented but at places they are very hard. These mainly consist of pebbles and cobbles of quartzite. The stray pebbles of granite, limestone, sandstone, breccia and lumps of claystone are also observed at places. Often the size of pebbles is large enough to be called as Boulders. The conglomerates not only occur as regular band but also as lenticular bands alternating with micaceous sandstone and clay beds. The sediments were brought down 2 to 25 million years ago by the numerous fast flowing rivers issuing forth from rapidly rising mountain mass of the Himalaya, in the north.

The Siwalik Group is divisible into three sub-groups respectively the Lower, Middle and Upper on the basis of the litho-stratigraphy.



Figure No.-8 Geological Map of District Una

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**2.2.a. Lower Siwalik: -**

The lower Siwalik consists essentially of a sandstone-clay alternation. In district Una, the lower sequence of the lower Siwalik consists of medium grained subgraywacke interbedded with thick red clay, but higher up in sequence, sandstones are coarser and clasts become more frequent while the clays are less developed. The uppermost horizon consists of conglomerate with well-rounded clasts of grey quartzite possibly derived from the Shali. The total thickness is 1600 mts.

**2.2. b. Middle Siwalik: -**

The Middle Siwalik Sub group comprises of large thickness of coarse micaceous sandstone along with some interbeds of earthy clay and conglomerate. It normally succeeds the Lower Siwalik along a gradational contact. The sandstone is less sorted than those in Lower Siwalik. Clay bands are dull coloured and silty. The general thickness is 1400 to 2000 mts

**2.2. c. Upper Siwalik: -**

The Upper Siwalik is mainly represented by sandstone interbedded with silt and conglomerate. The lower portion of the Upper Siwalik mainly consists of soft, massive, pebbly sandstone with intercalations of conglomerates. In the upper portion the conglomerate intercalation is replaced by the clays intercalations. The general thickness in the district is 2300 mts.

**2.2.d. Newer Alluvium:-**

The Newer alluvium deposit occupying the wide valleys including alluvium fans and terraces of unsorted sand, silt and clay and rock fragment and boulder beds.

**2.3 The Local Geology of the Area:**

The mining lease area is situated in the river course of Swan river. The Geological Survey of India has carried out systematic mapping of the area and as per Geological map prepared by the said agency; the rocks mainly belong to Neogene period to quaternary period forming rocks of Siwalik group and Newer Alluvium. Since the proposed area is situated in the river bed of Swan river, it is covered with river borne deposits comprising boulders, cobbles, pebbles, river borne bajri, sand, silt and clay deposits. The rocks along banks are forming terrace deposits comprising boulders, cobbles, pebbles, river borne bajri, sand, silt and clay deposits.

**2.4 Geology of the Mine Area**

The area is mainly occupied by the Siwalik formation of Tertiary age with narrow longitudinal tectonic valley i.e. Una valley . The Una valley extends from Daulatpur to Santokhgarh and

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beyond the northern border of Dun-Syncline in the area is a thrust plane called Soan Thrust. Apart from Una valley, the rest of the area of the district is hilly. The younger valley fill deposits comprising of sand, gravel, pebbles, cobbles and boulders occur along the Swan river bed.

### 2.5 The Nature of Rocks of the Banks and their Attitude

The pebbles, cobbles and boulders in the river borne material comprise of sandstone, and white to off white coloured quartzites. The coarse material is hard in nature suitable for manufacturing of grit. The bed rocks are exposed far away from the Swan river at higher elevations in the tributaries. To control the floods, the embankments have been constructed along the Swan River to train the river course for prevention of floods.

### 2.6 Description of Annual Deposition with Respect to Geology of Catchment area and other Factors

The catchment area comprises of Siwalik formation which is soft in nature. During rainy season, the discharge is high in the catchment tributaries of Swan River causing high erosion in the catchment area. The tributaries carry high sediment load which is deposited in the bed of Swan river annually. The deposits consist of sediments of quartzites, granite, sandstone, with fine nature of sand, silt and clay. The colour of sediments varies from white to off white and grey. The deposits are made up of quartzite of rounded to sub-rounded of white, off white and grey in colour. The upper surface in terrace area is covered with sandy soil where agriculture fields are developed. In order to demarcate different litho units, geological Plan on 1: 2000 scale with one metre contour interval is prepared. The following table shows the rock classification according to age:-

Channel deposit	Boulders, Cobbles, pebbles, sand, Silt and Clay
Terrace deposits	Boulders, Cobbles, pebbles, sand, Silt and Clay

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### 3.0 Reserve Estimates

The proponent has applied mining lease for open sale of mineral constituents of river borne deposit. As already explained, the proposed area is situated in the river course of Swan river and mineral in form of river borne material comprising boulders, cobbles pebbles, river borne bajri, sand, silt and clay deposits are available in plenty. The aforesaid constituents of river borne

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material except silt and clay are saleable in the open market. The boulders and river borne bajri and sand will be separated by using mechanical screener.

### 3.1 Percentage wise Distribution of Stone, Bajri and Sand in the Mining Lease Area

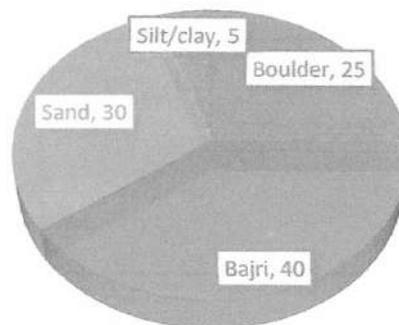
#### Geological plan

As already explained, the mining lease area is situated in the river course of Swan river and river borne sediments comprising boulders, cobbles, pebbles, river borne bajri, sand, silt and clay are uniformly occurring along the river course of Swan. To estimate the percentage wise distribution of various constituents, a test pit was dug with a dimension of 1m×1m×1m in the proposed area. The constituents were separated manually as per the size and market demand and weighed separately to know the percentage wise distribution of each constituent in the river borne material. The percentage wise distributions of each constituent as estimated are given in the following table. The percentage of each constituent of river borne material may vary as per flood conditions.

**Table No.5: Showing Percentage wise Mineral Constituents' distribution in the river borne material**

Name of Mineral constituents	Percentage wise distribution
Boulder	25
Bajri	40
Sand	30
Silt/clay	5

### PERCENTAGE WISE DISTRIBUTION



**Graph No. 3: Pie Diagramme Showing Percentage wise Mineral Distribution**

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Photograph No.1: General view of Swan River near mining site



Photograph No.2: Another view of Swan River near mining site

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### 3.2 Specific Gravity

The specific gravity of quartzite stone and other similar nature of boulders and bajri is 2.60 and wet sand/clay is 1.90. Hence average specific gravity of 2.25 is taken for calculation of mineral reserves

### 3.3 Estimates of Geological Reserves of each Mineral i.e Sand, Stone and Bajri

As per information gathered from the H.P.P.W.D. regarding material encountered during foundation testing of bridges etc., the depth of this river borne deposit is anticipated more than 10.0 metres. However, for calculation of Geological reserves, the depth has been taken only up to 5.0 metres depth. Since the river borne material is spread on the whole of the proposed area applied for mining lease, the geological reserves have been estimated for 22547 Sqm area. The Geological reserves calculated are as under-

**Table No.6: Showing Geological Reserves in metric Tonnes**

Area in Sqm	Specific gravity	Depth in metres	Geological Reserves (in MT)
22547	2.25	5.0	253654

### 3.4 Estimate of Mineable Reserves of Sand, Stone and River borne Bajri

For calculation of mineable reserves, a contour plan on 1:2000 scale with one metre contour interval, depicting the geology on the said plan has been prepared. The mineable area has been identified on the said plan in accordance with the provisions made under Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and other guidelines issued from time to time. The following points are taken into consideration while making calculation of reserves-

- The letter of intent for grant of mining lease in a private piece of land measuring 02-25-47 hectares has been issued.
- As per No Objection Certificate issued by the Executive Engineer, SRFMP Division, Haroli, Distt Una more than 75 mtrs safe distance has been maintained from the embankments for undertaking mining operation. In addition, area falling under instream has also been excluded from mining.
- As per Rule 34 (IV) of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015,

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it is provided that the depth of mining in the river bed shall not exceed one metre or water level whichever is less.

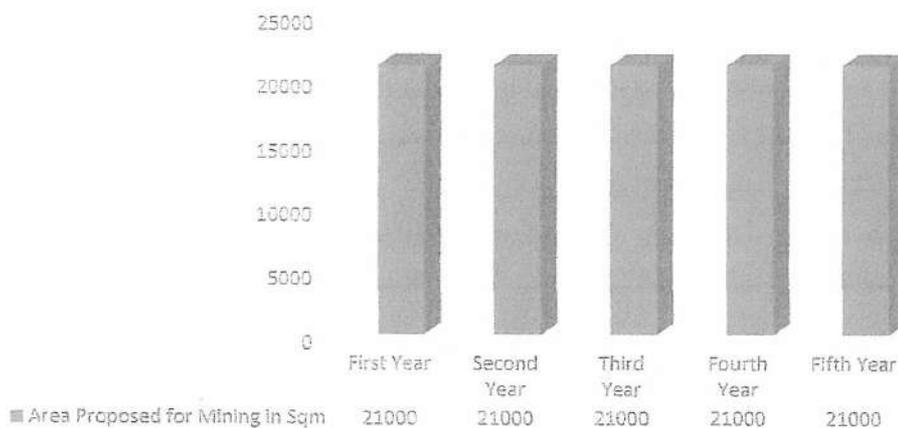
- The Swan river is a perennial river and during monsoon season, the discharge of water increases appreciably full of sediment load. It is anticipated that sediment load will be accumulated evenly in the entire river bed during monsoon season and as such entire mined-out area during previous year mining will be replenished fully and excavated pits will be filled up with new sediments.
- There is no any point of public utilities present in and around the mining lease area except embankment as discussed earlier.

Taking into consideration the aforementioned points, 21000 sqm area has been proposed for mining. The year wise mineable area proposed for mining is as under-

**Table No-7; Showing Year wise Area Proposed for Mining.**

Year	Area Proposed for Mining in Sqm
First Year	21000
Second Year	21000
Third Year	21000
Fourth Year	21000
Fifth Year	21000

**Area Proposed for Mining in Sqm**

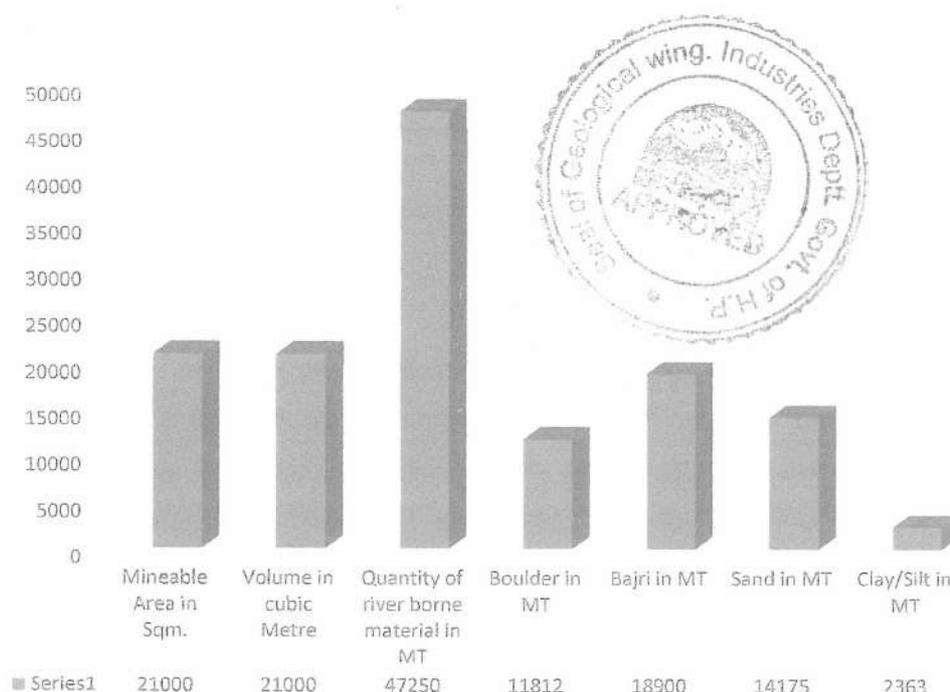


**Graph No.4: Showing Year wise Area Proposed for Mining**

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**Table No.8: Showing Total Mineable Reserves in Metric Tonnes**

Mineable Area in Sqm.	Volume in cubic Metre	Quantity of river borne material in MT	Boulder in MT	Bajri in MT	Sand in MT	Clay/Silt in MT
21000	21000	47250	11812	18900	14175	2363

**Graph No.5: Showing Total Mineable Reserves in Metric Tonnes****3.5 Estimated Annual Deposition of the Mineral Sand, Stone and Bajri in the River**

Replenishment Rate is the rate at which sediment load is transported into the river channel, which is subjected to sand and gravel extraction. This volume is often considered as sustainable yield of that river. It is important to be aware that a stream can both erode and deposit sediments at the same time. The rate of erosion depends upon many factors like climatic conditions, nature and type of lithology, slope of the area, topography and land use, hydro-physical conditions of the watershed which govern the capability of transporting the eroded material. A Swedish Geographer Filip Hjulstrom discovered in the 1940s, the relationship between grain size and the likelihood of a grain being eroded, transported, or deposited in the course of river as shown below.

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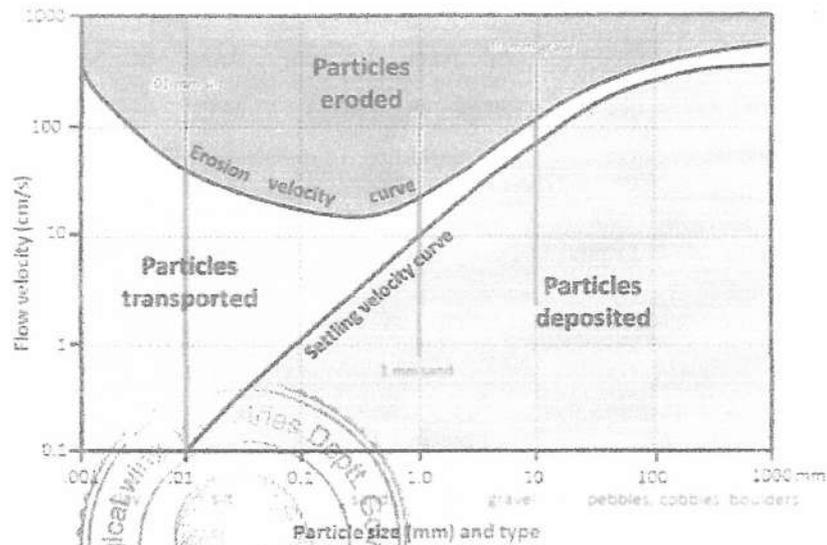


Figure 9: Showing relationship between grain size and the likelihood of a grain being eroded, transported, or deposited in the course of river.

Swan river is a Perennial stream and water flows throughout the year. The catchment area of swan river and its tributaries is around 875 sqkm up to mining lease area and it comprises Tertiary and Quaternary age of sandstone, conglomerate, clay, gravels beds, sand with pebbles of sandstone and lenses of clay. The banks also comprise of boulder beds. These rocks are soft in nature, unconsolidated, fractured and jointed due to structural discontinuities prone to erosion. Moreover, the precipitation in the catchment area is also high and as per previous years data revealed the rainfall around 1000mm per annum. As such during rainy season, the discharge in the stream is very high full of sediment load which is annually deposited in the stream bed. The annual deposition of 10.0cms to 50.0 cms is observed in the area, which is evident from the indications seen on the material exposed along banks/river terrace deposited in the past. As per provisions of rule only one metre excavation will be allowed and it is assumed that the excavated pit of previous year mining will get completely filled with the new crop of mineral during monsoon season as the discharge in the stream is very high full of sediment load which is annually deposited in the stream bed and as such the replenishment will be around one metre in such areas.

### 3.6 Mineral Reserves

The reserves of all the constituents of river bed have been calculated for the mineable area of 21000 Sqm area. The reserves have been calculated year wise basis for five years mining

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assuming that the excavated pits during previous year mining will be fully replenished with the new crop of mineral.

#### 4.0 Mine Development and Plan of Progressive Mining

##### 4.1 During development of Mine, following Points shall be kept in view-

- The mining shall involve collection of material from river bed manually.
- The excavated material will be manually/mechanically sorted as per size and market demand and further loading into tractors/trucks for sale in open market.
- The mining is proposed in river bed as such there is no requirement of blasting for breaking of the rock.
- The mining shall be resorted in such a way that pits are not made more than one metre from the surface.
- The mining activity shall be undertaken only during dry season.

##### 4.2 Year-Wise Mine development and Production of Mineral

The year wise planning of mine development, production of mineral and its utilization, is given below.

##### 4.3 Mine development and Production of Mineral during First Year

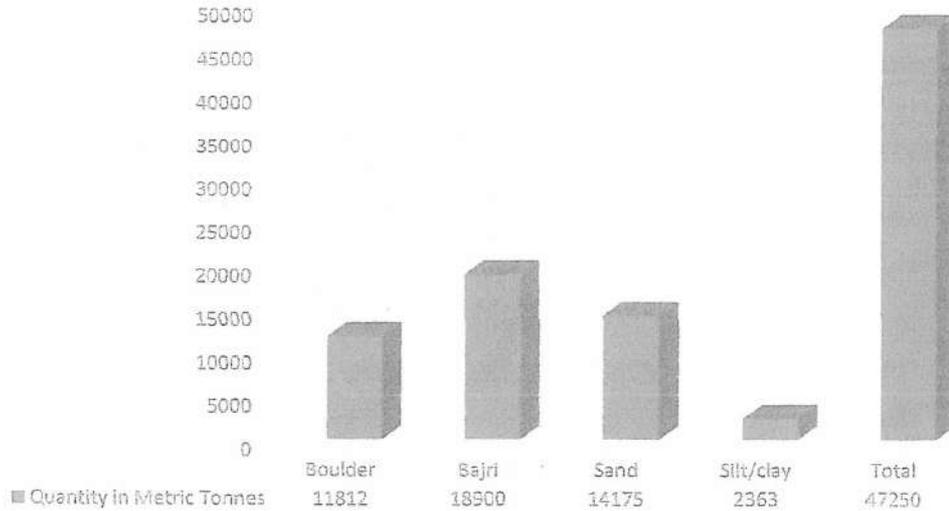
- Mining is proposed in 21000 Sqm area in the river bed.
- 11812 metric tonnes of boulders and 18900 metric tonnes of bajri will be produced.
- 14175 Metric tonnes of sand will be produced.
- 2363 MT mine waste will be generated.
- No top soil will be generated.

The production of each mineral constituent is as under: -

**Table No. 9: Showing Production of Mineral and mine waste during first year**

Name of Mineral Constituent	Quantity in Metric Tonnes
Boulder	11812
Bajri	18900
Sand	14175
Silt/clay	2363
<b>Total</b>	<b>47250</b>

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**Graph No.6: Production of Mineral and mine waste during first year**

**4.4 Mine development and Production of Mineral during Second Year**

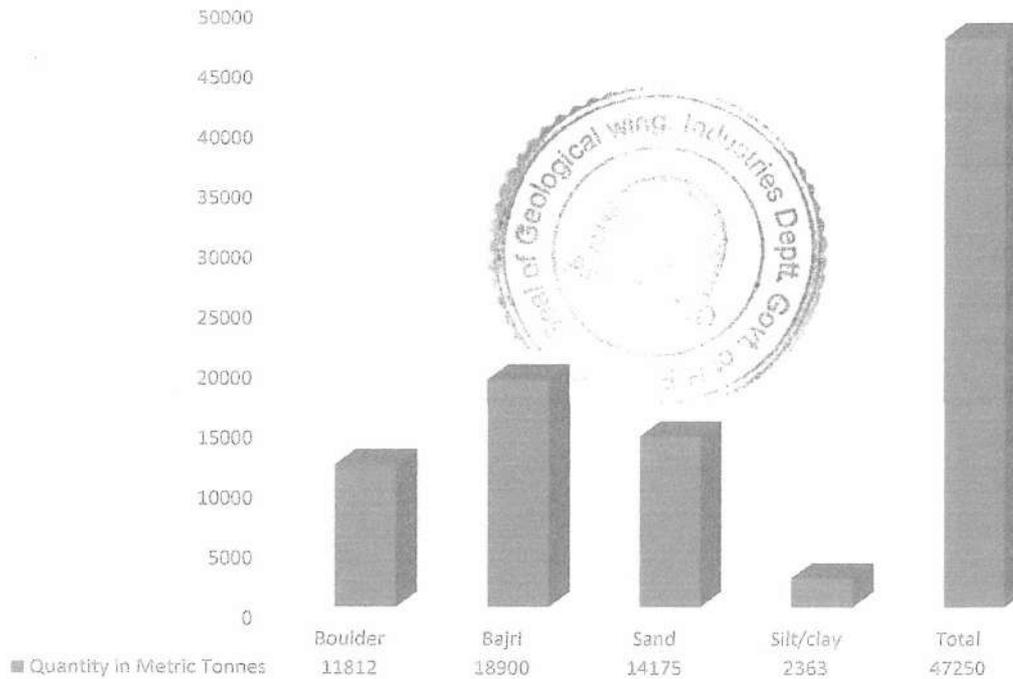
- Mining is proposed in 21000 Sqm area in the river bed.
- 11812 metric tonnes of boulders and 18900 metric tonnes of bajri will be produced.
- 14175 Metric tonnes of sand will be produced.
- 2363 MT mine waste will be generated.
- No top soil will be generated.

The production of each mineral constituent is as under-

**Table No.10: Production of Mineral and mine waste during Second year**

Name of Mineral Constituent	Quantity in Metric Tonnes
Boulder	11812
Bajri	18900
Sand	14175
Silt/clay	2363
Total	47250

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**Graph No.7: Production of Mineral and mine waste during Second Year**

#### 4.5 Mine development and Production of Mineral during Third Year

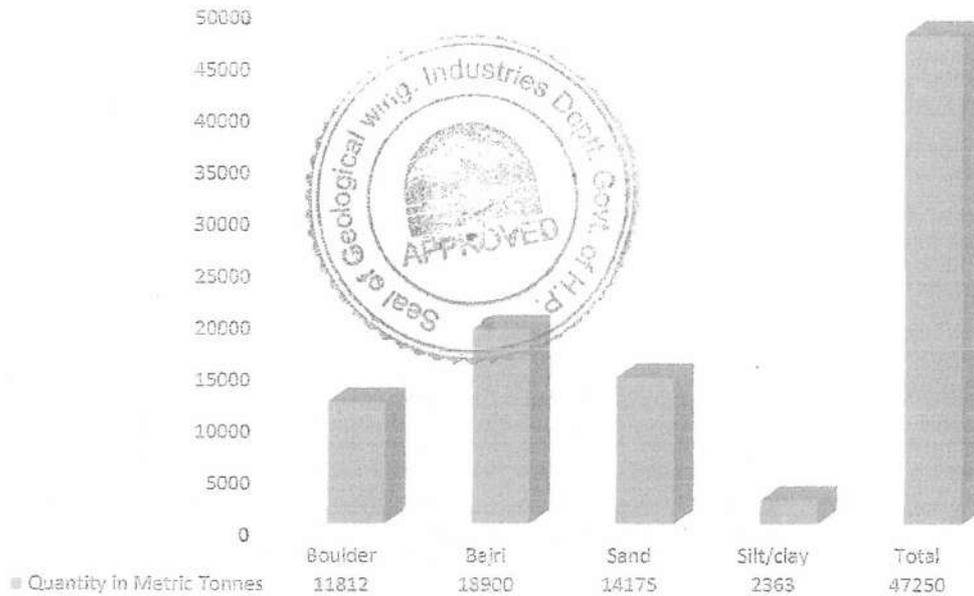
- Mining is proposed in 21000 Sqm area in the river bed.
- 11812 metric tonnes of boulders and 18900 metric tonnes of bajri will be produced.
- 14175 Metric tonnes of sand will be produced.
- 2363 MT mine waste will be generated.
- No top soil will be generated.

The production of each mineral constituent is as under—

**Table No.11: Showing Production of Mineral and mine waste during Third Year**

Name of Mineral Constituent	Quantity in Metric Tonnes
<b>Boulder</b>	11812
<b>Bajri</b>	18900
<b>Sand</b>	14175
<b>Silt/clay</b>	2363
<b>Total</b>	<b>47250</b>

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**Graph No.8: Showing Production of Mineral and mine waste during Third Year**

#### 4.6 Mine development and Production of Mineral during Fourth Year

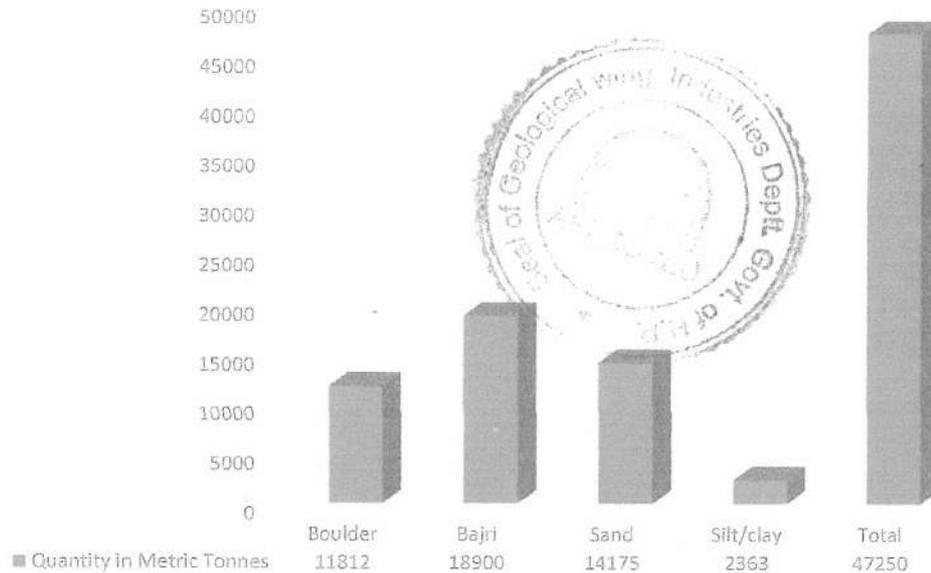
- Mining is proposed in 21000 Sqm area in the river bed.
- 11812 metric tonnes of boulders and 18900 metric tonnes of bajri will be produced.
- 14175 Metric tonnes of sand will be produced.
- 2363 MT mine waste will be generated.
- No top soil will be generated.

The production of each mineral constituent is as under-

**Table No.12: Showing Production of Mineral and mine waste during Fourth Year**

Name of Mineral Constituent	Quantity in Metric Tonnes
Boulder	11812
Bajri	18900
Sand	14175
Silt/clay	2363
Total	47250

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**Graph No. 9: Showing Production of Mineral and mine waste during Fourth Year**

#### 4.7 Mine development and Production of Mineral during Fifth Year

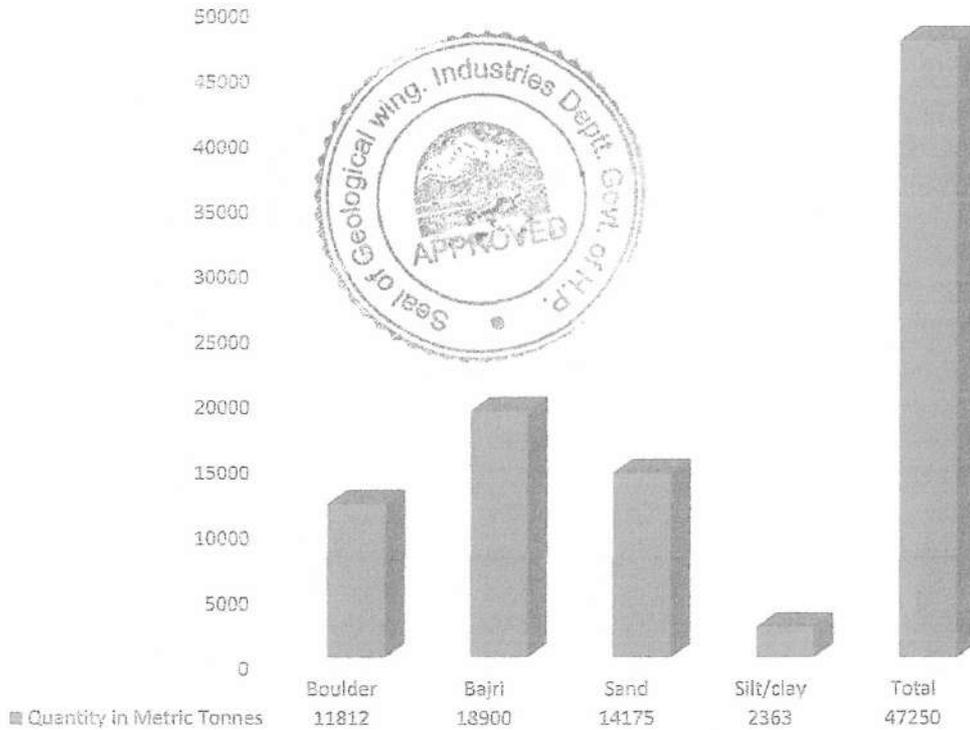
- Mining is proposed in 21000 Sqm area in the river bed.
- 11812 metric tonnes of boulders and 18900 metric tonnes of bajri will be produced.
- 14175 Metric tonnes of sand will be produced.
- 2363 MT mine waste will be generated.
- No top soil will be generated.

The production of each mineral constituent is as under-

**Table No.13: Showing Production of Mineral and mine waste during Fifth Year**

Name of Mineral Constituent	Quantity in Metric Tonnes
Boulder	11812
Bajri	18900
Sand	14175
Silt/clay	2363
<b>Total</b>	<b>47250</b>

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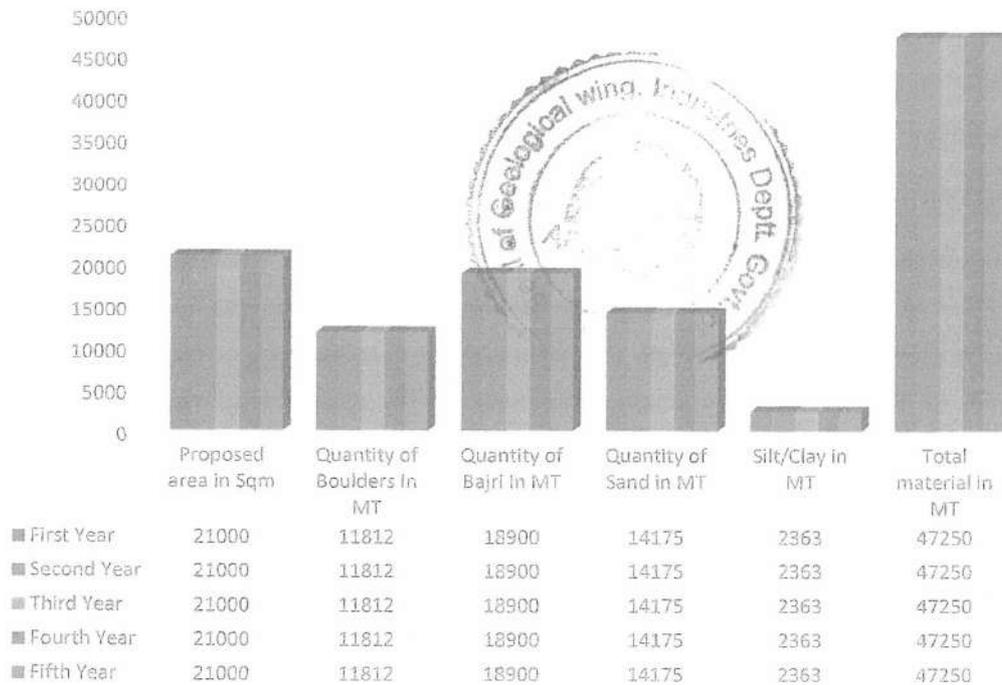
Graph No.10: Showing Production of Mineral and mine waste during Fifth Year

4.8 Production of Mineral during Five Years Working

Table No.14: Showing production of mineral and mine waste during five years working

Year	Proposed area in Sqm	Quantity of Boulders In MT	Quantity of Bajri In MT	Quantity of Sand in MT	Silt/Clay in MT	Total material in MT
First Year	21000	11812	18900	14175	2363	47250
Second Year	21000	11812	18900	14175	2363	47250
Third Year	21000	11812	18900	14175	2363	47250
Fourth Year	21000	11812	18900	14175	2363	47250
Fifth Year	21000	11812	18900	14175	2363	47250

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**Graph 11: Production of mineral and mine waste during five years working**

#### 4.9 Waste Management

The constituents like boulders, bajri (after making grit) and sand have the ready to sell market and it is believed that the excavated quantity of the said minerals are saleable in the open market. However, the low-grade minerals like silt and clay don't have ready to sell market. Initially after screening at stone crusher site, this material will be temporarily stacked in the stone crusher premises. The generation of mine waste are as under: -

**Table No. 15: Generation of Mine Waste**

Year	Mine Waste (MT)
First Year	2363
Second Year	2363
Third Year	2363
Fourth Year	2363
Fifth Year	2363
<b>Total</b>	<b>11815</b>

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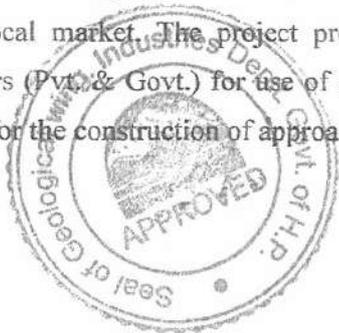
#### 4.10 End use of Mineral

The mining lease has been granted for collection/extraction of stone, bajri and sand. The stone and bajri shall be used for manufacturing of grit and mineral sand will be sold in the open market as per demand.

#### 4.11 Detail of Road Transportation Density

The mining lease area is located in the river bed of Swan river near village Lal Singhi. The nearest market of mineral is spreading to the villages located surrounding to Una, Gagret and neighbouring State Punjab for use in the domestic and commercial constructional activities. The mineral will be carried from the mining lease area to the nearest road i.e., on Una-Purana Hoshiarpur road for further transportation to the respective destinations.

The proposed average rate of production of various constituents of river borne deposit is around 47250 MT per year. Taking into consideration, 300 working days in a year, roughly 157.5 MT mineral will be produced per day for which about 17 to 18 Trucks of 9.0 metric tonnes capacity would be used to carry the finished product. The Una-Purana Hoshiarpur road is in good condition enough to bear the additional truck/ transport load to transport the finished product in the local market. The project proponent shall make necessary arrangements between land owners (Pvt. & Govt.) for use of approach road and will take care of other issues if any at his own for the construction of approach path.



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## Part-II

## Environment Management

## Base Line Data

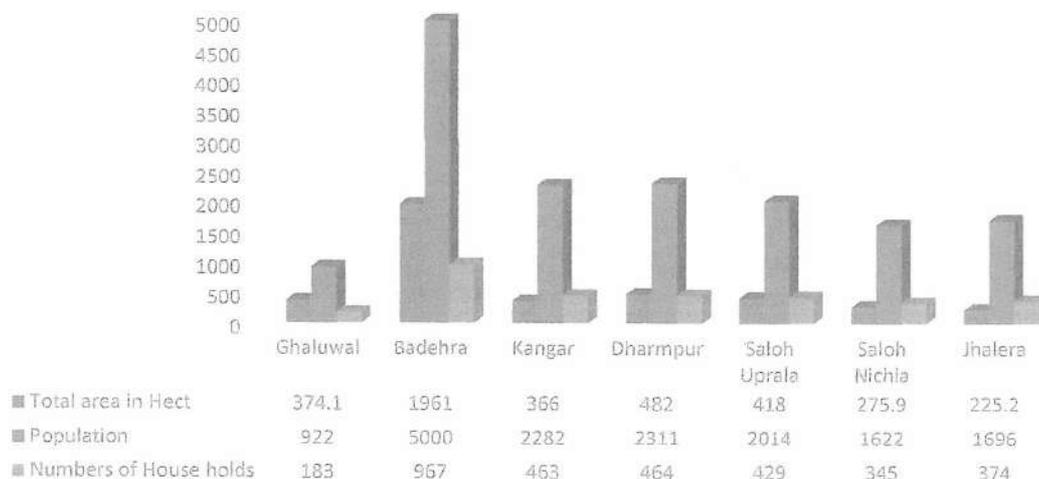
## 1.0 Detail of Population distribution

The detail of the population, village wise surrounding to the mining area is tabulated below

Table No.16: Showing village wise detail of population and total area in hect.

Name of village	Total area in Hect	Population	Numbers of House holds
Ghaluwal	374.1	922	183
Badehra	1961	5000	967
Kangar	366	2282	463
Dharmpur	482	2311	464
Saloh Uprala	418	2014	429
Saloh Nichla	275.9	1622	345
Jhalera	225.2	1696	374
Lal Singhi	524.5	2511	514

Source-District Census Handbook-2011



Graph No. 12: Showing village wise detail of population and total area in hect

## 1.1 Socio economy of the villages/population

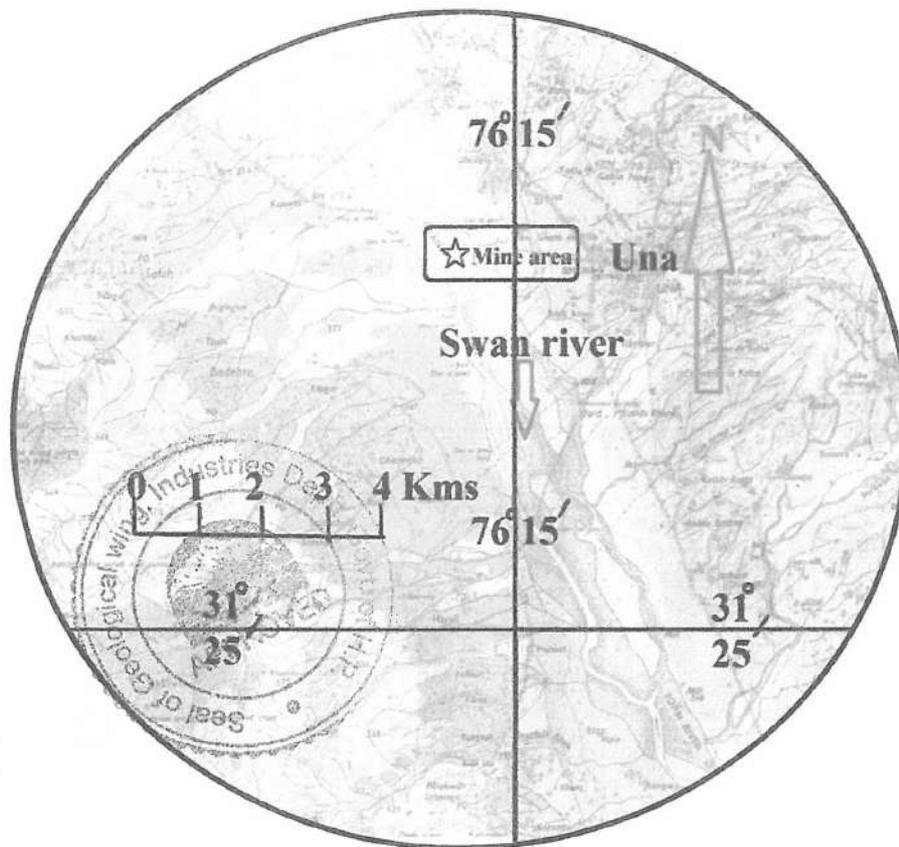
The economy of the villages surrounding to the mining lease area is mainly agriculture based. In recent years with the development of infrastructural activities in the area, the transport facilities have improved and villagers have started growing vegetables and transporting it to the nearest

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market. Some local residents are also finding some jobs in the industrial activity in the adjoining industrial areas to earn their livelihood for upliftment of their socio-economical conditions. The proposed mining activities in the area will benefit to the local inhabitants by providing direct or indirect additional employment.

**1.2 Land use detail**

Land use and land cover map surrounding to lease area (Toposheet Nos. 53A/3 and 53A/7)



INDEX

	Cultivated Lands		Forest
	Roads/ National Highway		Settlements
	River/ stream		Bench Height

Figure No. 10: Land use and land cover map Surrounding to Mining Lease Area

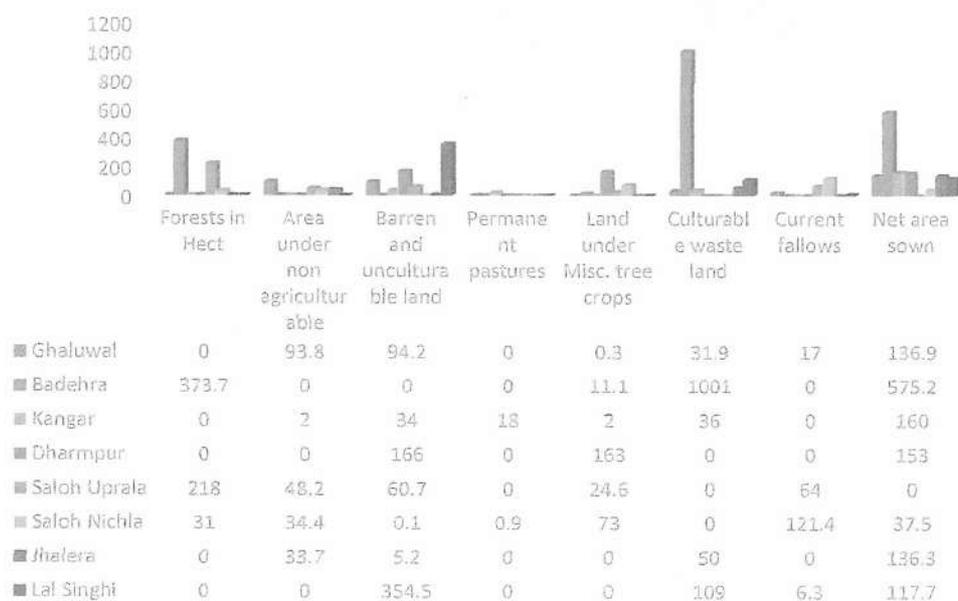
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The land use pattern showing area under forest, under non agriculture use, barren and unculturable land, permanent pastures and grazing lands, and other categories of land is tabulated below:-

**Table No.17: Showing Land use Detail of Surrounding Villages**

Name of village	Forests in Hect	Area under non agricultural able	Barren and unculturable land	Permanent pastures	Land under Misc. tree crops	Culturable waste land	Current fallows	Net area sown
Ghaluwal	0	93.8	94.2	0	0.3	31.9	17	136.9
Badehra	373.7	0	0	0	11.1	1001	0	575.2
Kangar	0	2	34	18	2	36	0	160
Dharmpur	0	0	166	0	163	0	0	153
Saloh Uprala	218	48.2	60.7	0	24.6	0	64	0
Saloh Nichla	31	34.4	0.1	0.9	73	0	121.4	37.5
Jhalera	0	33.7	5.2	0	0	50	0	136.3
Lal Singhi	0	0	354.5	0	0	109	6.3	117.7

Source-District Census Handbook-2011



**Graph No. 13: Land use and land cover map of surrounding village**

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### 1.3 Agriculture

Most of the area of District Una consists of foot hills and Swan valley up to elevation of 600 metres above mean sea level with sub-tropical climate. The soils are mostly sandy loam in texture with scattered loamy patches. The area is highly prone to erosion due to weak geological formations and scanty vegetation. The moisture retention capacity is poor. The crops usually face moisture stress due to inadequate and irregular rainfall. The irrigation facilities are provided by lifting water from streams, shallow dug wells and medium to deep tube wells in the valley area.

The source of water and irrigation in district Una can be classified into following five classes.

1. Lift Irrigation Scheme.
2. Kuhls
3. Well used for domestic purposes
4. Well used for irrigation
5. Tube wells
- 6.

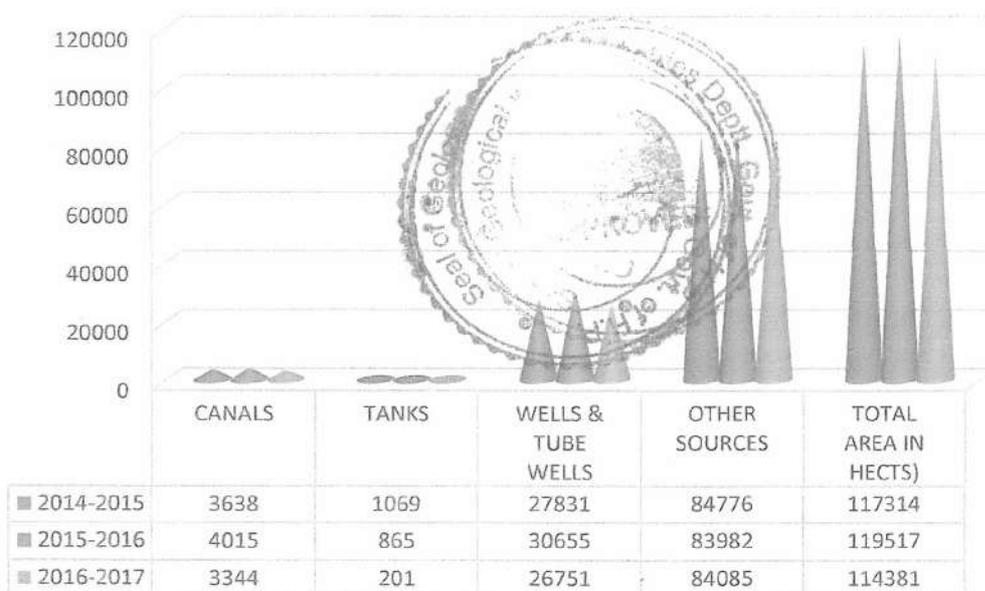
Table No. 18: Showing Net Irrigated Area (in Hectares) in the State by Source during 2016 - 2017

Table Showing Net Irrigated area by source					
YEAR	CANALS	TANKS	WELLS & TUBE WELLS	OTHER SOURCES	TOTAL AREA IN HECTS)
2014-2015	3638	1069	27831	84776	117314
2015-2016	4015	865	30655	83982	119517
2016-2017	3344	201	26751	84085	114381

Source-Statistical Abstract of Himachal Pradesh 2019-20

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### Net Irrigated area by Source in the State



Graph No.14: Showing Net Irrigated Area (in Hects) by Source in the State during 2016 –

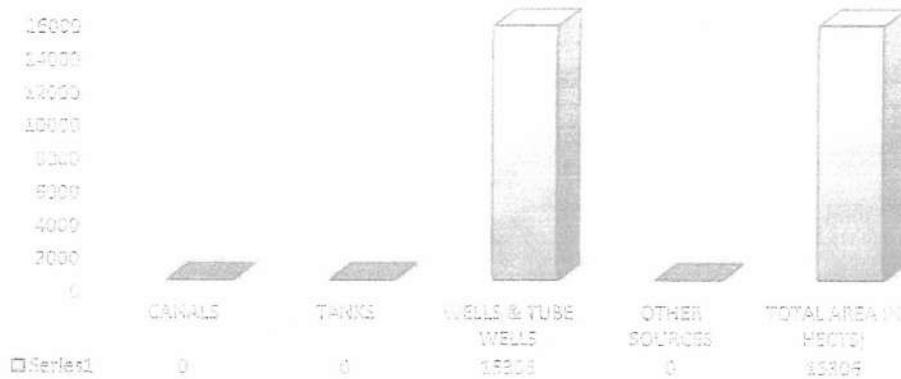
Table No. 19: Showing Net Irrigated Area (in Hects) by Source in District Una during 2016 – 2017

Table Showing Net Irrigated area by Source in District Una				
CANALS	TANKS	WELLS & TUBE WELLS	OTHER SOURCES	TOTAL AREA IN HECTS
0	0	15306	0	15306

Source-Statistical Abstract of Himachal Pradesh 2019-20

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Net Irrigated area by Source in District Una

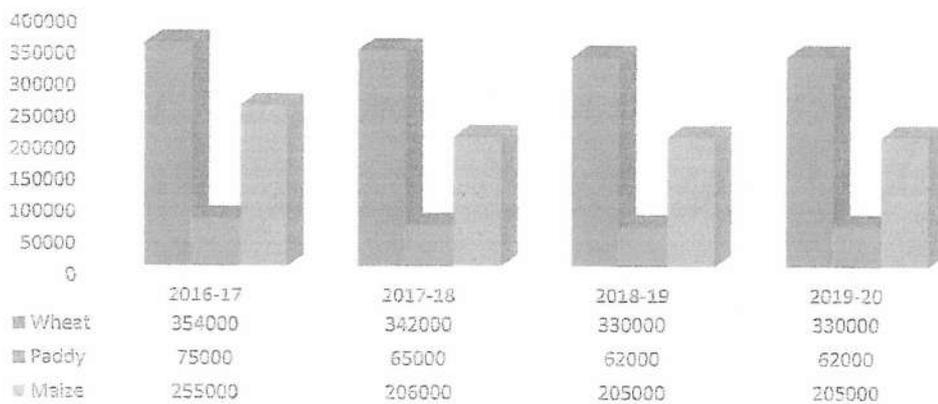


Graph No. 15 Showing Net Irrigated Area by Source in District Una during 2016 – 2017

Table No.20: Showing Area under High yielding Variety Crops in the State (in Hects)

year	Wheat	Paddy	Maize
2016-17	354000	75000	255000
2017-18	342000	65000	206000
2018-19	330000	62000	205000
2019-20	330000	62000	205000

Source-Statistical Abstract of Himachal Pradesh 2019-20



Graph No.16: Showing Area under High yielding Variety Crops in the State

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The main crops grown in the area are Wheat, Maize, Gram, Paddy, Mustard, Sugarcane, Patato, Vegetables, and Citrus etc. The area covered under crops in the District Una is given below:-

**Table No.21: Showing Area under High yielding Variety Crops in District Una during 2019-20 (in Hects)**

Name of Crops	Area in Hects.
Wheat	330000
Paddy	62000
Maize	205000

Source-Statistical Abstract of Himachal Pradesh 2019-20



**Graph No.17: Showing Area under High yielding Variety Crops in District Una –year 2019-20 (in Hects)**

**Table No.22: Showing Area and Production of Vegetables in District Una Year 2019-20**

Name of Vegetables	Area in Hects.	Production in M.T.
Potato	750	9440
Other Vegetables	2423	43314

Source-Statistical Abstract of Himachal Pradesh 2019-20

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Graph No. 18: Showing Area and Production of Vegetables in District Una Year- 2019-20

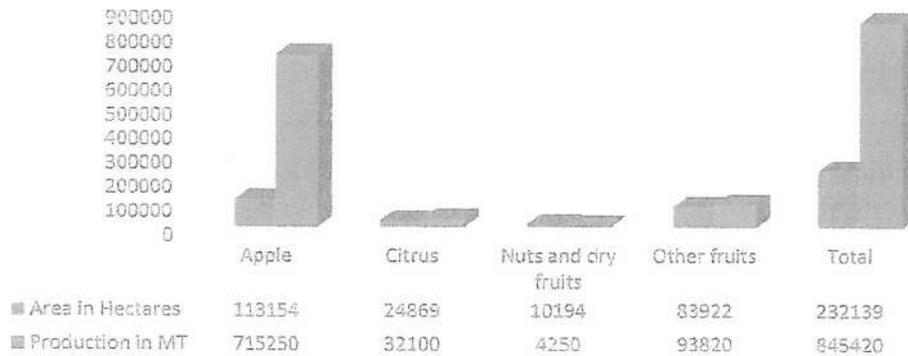
1.4 Horticulture

The main horticulture produce of the State can be classified into following categories. The area covered under each category and the total production of fruits is given below.

Table No.23: Showing Area and Production under Each Category of Fruits in the State

Name of Fruits	Area in Hectares	Production in MT
Apple	113154	715250
Citrus	24869	32100
Nuts and dry fruits	10194	4250
Other fruits	83922	93820
Total	232139	845420

Source-Statistical year book of Himachal Pradesh 2019-20



Graph No.19: Area and Production under each Category of Fruits in the State

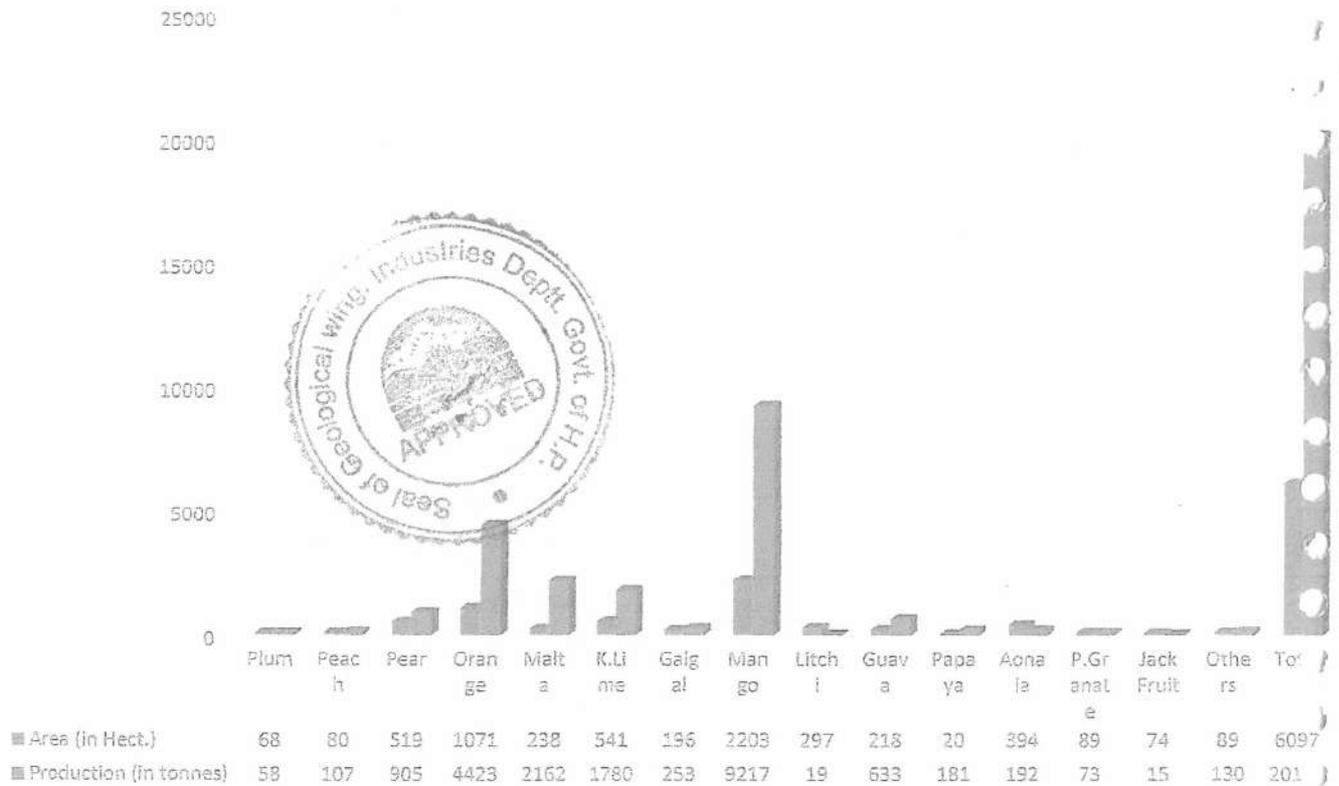
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Table No.24: Showing Production and Area in Hectares used for Growing the Fruits.

Name of Fruit	Area (in Hect.)	Production (in tonnes)
Plum	68	58
Peach	80	107
Pear	519	905
Orange	1071	4423
Malta	238	2162
K.Lime	541	1780
Galgal	196	253
Mango	2203	9217
Litchi	297	19
Guava	218	633
Papaya	20	181
Aonala	394	192
P.Granate	89	73
Jack Fruit	74	15
Others	89	130
<b>Total</b>	<b>6097</b>	<b>20148</b>

Source-Statistical Abstract of Himachal Pradesh 2019-20

  
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Graph No.20: Area and Production under each Category of Fruits in District Una

1.5 Animal Husbandry

Economy of the district is predominantly agrarian but role of Animal Husbandry is equally important as the farmers have to keep the cattle for the purpose of ploughing, manure for maintaining fertility of the fields and to meet daily need of milk of their family. The livestock census of the State are given below.

Table No.25: Livestock Census of the State

Sr. No.	Year	Livestock census
1	2003	5046044
2	2007	5216686
3	2012	4844431

Source-Statistical abstract of Himachal Pradesh 2019-20

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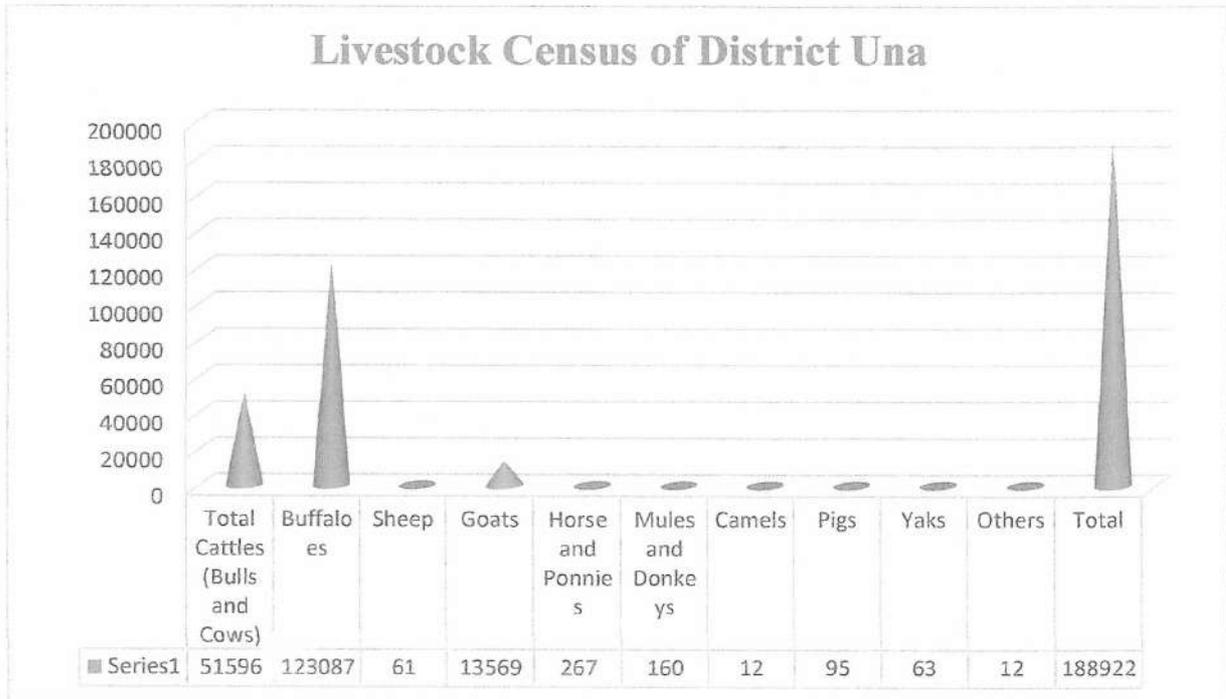


Graph No. 21: Livestock Census of the State

Table No. 26: Livestock Census of District Una

Total Cattles(Bulls and Cows)	Buffaloes	Sheep	Goats	Horse and Ponnies	Mules and Donkeys	Camels	Pigs	Yaks	Others	Total
51596	123087	61	13569	267	160	12	95	63	12	188922

Source-Statistical abstract of Himachal Pradesh 2019-20



Graph No. 22: Livestock Census of District Una

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### 1.6 Fisheries

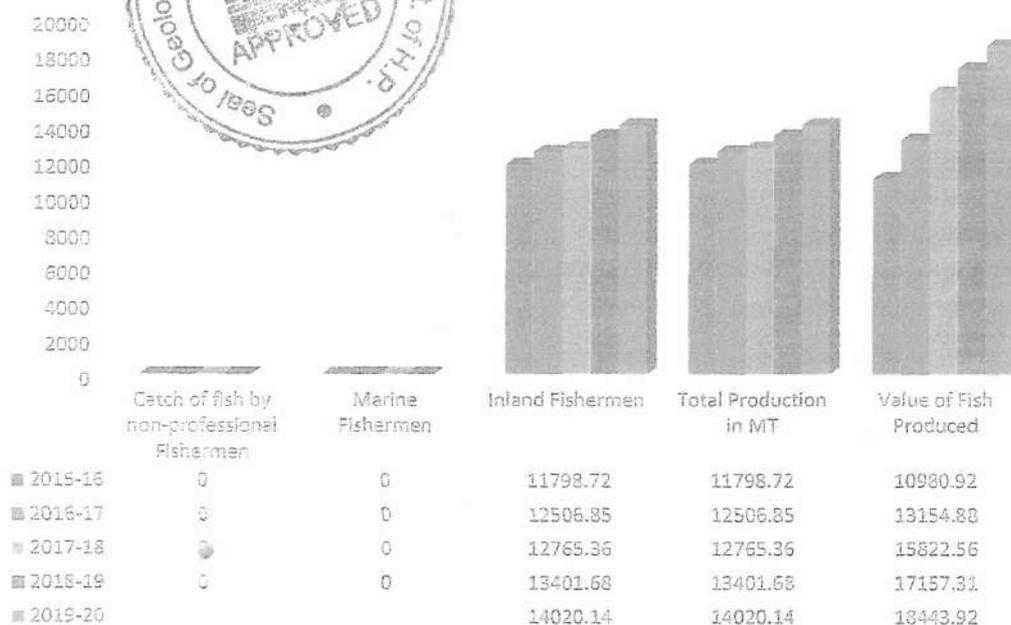
Una is a foot hill district with arid and scanty rains. In natural fisheries resources, this district comprises of a portion of Govind sagar reservoir falling in the district. Lunkar Khad spread from Dumkhar to Bhakra where considerable fish production is achieved.

There are about 130 seasonal and perennial ponds measuring about 65 hectares area in the district, which has been brought under the fish culture through different schemes.

**Table No.27: Year wise Fish Production and Value of its catch in the State**

year	Catch of fish by non-professional Fishermen	Marine Fishermen	Inland Fishermen	Total Production MT	Value of Fish in Produced
2015-16	-	-	11798.72	11798.72	10980.92
2016-17	-	-	12506.85	12506.85	13154.88
2017-18	-	-	12765.36	12765.36	15822.56
2018-19	-	-	13401.68	13401.68	17157.31
2019-20	-	-	14020.14	14020.14	18443.92

Source-Statistical abstract of Himachal Pradesh 2019-20



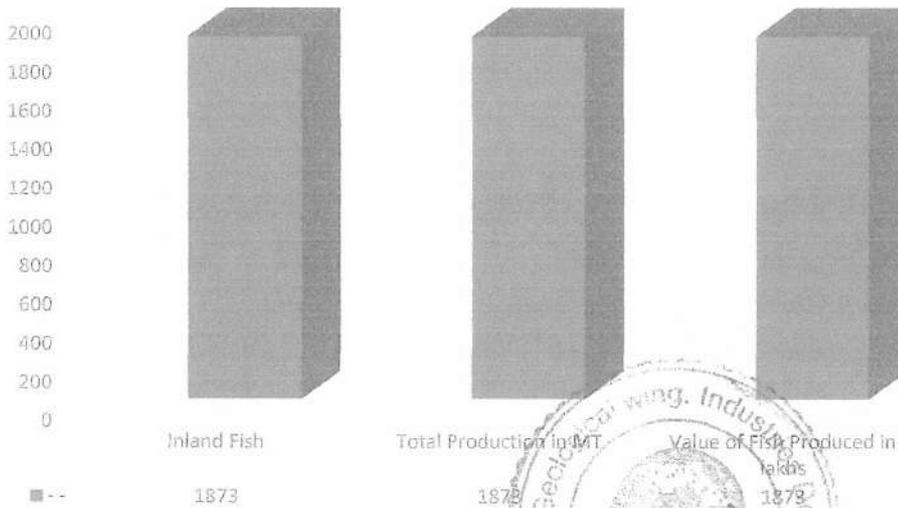
**Graph No. 23: Fish Production and Value of its catch in the State**

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**Table No.28: Year wise Fish Production and Value of its Catch in Una District**

Catch of fish by non-professional Fishermen	Marine Fishermen	Inland Fish	Total Production in MT	Value of Fish Produced in lakhs
-	-	1873	1873	1873

Source-Statistical abstract of Himachal Pradesh 2019-20



**Graph No. 24: Fish Production and Value of its catch in District Una**

**1.7 Flora**

- Tree**
- Khair
  - Siris
  - Kachnar
  - Semal
  - Tuni
  - Mango
  - Behul
  - Shisham
  - Ritha
  - Tut
  - Behera & Chil



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**Shrubs**

Vitex

Munj

Ber

Ipomea

Dodonea &amp;

Bamboo.

**Grasses**

Vetiver

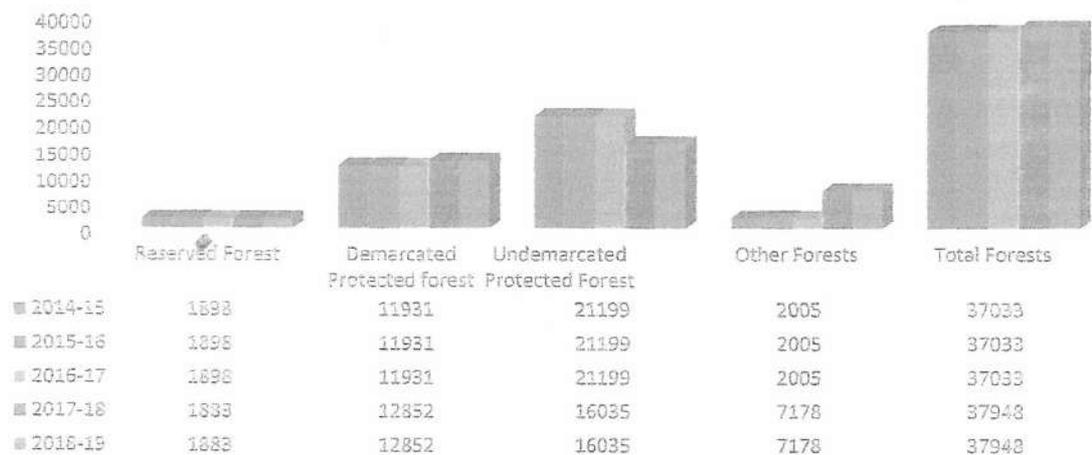
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Munjh.

**Table No. 29: Showing Classification of Forest area by Legal Status in H.P. (in sqKm )**

YEAR	Reserved Forest	Demarcated Protected forest	Undemarcated Protected Forest	Other Forests	Total Forests
2014-15	1898	11931	21199	2005	37033
2015-16	1898	11931	21199	2005	37033
2016-17	1898	11931	21199	2005	37033
2017-18	1883	12852	16035	7178	37948
2018-19	1883	12852	16035	7178	37948

Source-Statistical abstract of Himachal Pradesh 2019-20

**Graph No. 25: Classification of Forest area (in sqKm ) by Legal Status in the State**

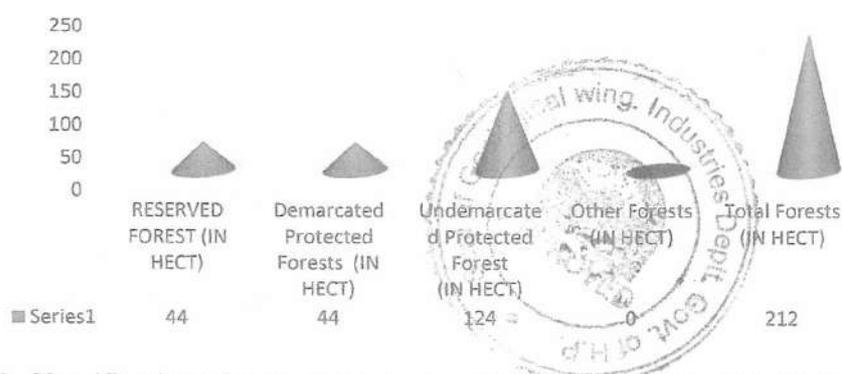
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(Geological Wing)  
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**Table No. 30: Showing Classification of Forest area by Legal Status in Una District  
(in SqKms)**

Year	Reserved Forest	Demarcated Protected Forest	Undemarcated Protected Forest	Other Forests	Total Forests
2018-19	44	44	124	0	212

Source-Statistical abstract of Himachal Pradesh 2019-20

**Classification of Forest area by Legal Status in District Una**



**Graph No. 26: Classification of Forest area by Legal Status in District Una (in SqKms)**

**1.8 FAUNA**

The species of animals and birds commonly found in the district are:-

- Leopard (Bagher)
- Hare
- Wild Bore (Jangli Soor)
- Jackal
- Barking Deer (Kakkar)
- Monkey
- Sambar
- Birds
- Chakor
- Crow
- Red Jungle Fowl (Jangli Murga)

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- Black Partridge (Kala Titar)
- Grey Partridge (Safed Titar)
- Woodpecker

### 1.9 Climate of the Area

#### General Climate

The Climate of the Una District, can be classified into following three categories

1. Winter

2. Summer

3. Rainy

The general temperature and rainfall corresponding to each type is given below.

**Table No.31: Showing Climate of Una District, Himachal Pradesh**

Climate	Winter	Summer	Rainy
Period	Oct.-Mid March	Mid.March-June	July-September
Weather	Cool	Hot	Humid
Humidity	84%	55%	99%
Temperature Max	22.9°C	44.2°C	21.1°C
Min	3.6°C	24.0°C	14.0°C

## 2) ENVIRONMENT MANAGEMENT PLAN

Like any developmental activity, the mining affects different environmental attributes. The extent and nature of damage caused by mining and associated activity depends upon the scale of activity and carrying capacity of the area. The environment management plan covers important tasks include impact description, prediction, evaluation and formulation of plan to mitigate adverse effects on environment and ecology. The important likely impact of mining on the ecology and environment of the area can be listed as under; -

- Land degradation and Visual Impact
- Impact on Air
- Impact on Water
- Impact on Noise Level

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- Waste Disposal Arrangement, if Any
- Soil Cover
- Impact on Flora and Fauna
- Socio -Economic Benefits
- Transportation of Mined Mineral

### 2.1 Land degradation and Visual Impact

The mining is proposed in river bed area and shall involve manually collection of material from the river bed by creating small pits up to a depth of one metre from the existing ground surface. The mining shall confine well within the river corridor and shall not be conducted outside high flood level. Since the river carries high sediment load during monsoon period, the excavated pits prior to monsoon period will be filled with the new river borne material and will not cause any change in topography and landscape. Moreover, the land involved under active mining would always remain as river bed during mining operation as well as post mining operation. Thus, due to mining operation no significant land degradation and visual impact is anticipated and as such require no mitigation measures.

### 2.2 Impact on Air

The mining is proposed in 21000 sqm area over a river bed up to a depth of one metre by excavating shallow pits manually without any use of machinery and blasting. Hence there is no generation of any dust pollution during mining operation leading to rise in suspended particulate matter. However, the dust emission to a very smaller extent is expected due to movement of vehicles. To mitigate this impact, it shall be ensured to suppress the dust emission by sprinkling water over the approach road to control the increase in suspended particulate matter. There is no habitation or point of important public utility nearby the mine area.

### 2.3 Impact on Water

The mining is proposed in the river bed of Swan river and confined to only one metre depth. The mining will be carried out manually and will not cause any adverse impact on the flow of surface water. Moreover, there is no any intake of Kuhl within the mine area or downstream of mine which could be affected.

  
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#### 2.4 Impact on Noise Level

The proposed area is forming a part of river bed and mining shall be undertaken by way of manual collection of river borne material without any use of blasting and machinery. There is no habitation nearby. Since the extent and magnitude of mining is small, the sound pollution in such manual mines is negligible during mining operation. However, to a smaller extent, the noise will be caused only by plying of tractors/tippers/trucks/loaders to carry mineral to the nearest market which shall be kept under control as per the permissible limit prescribed in the Environment Protection Act, 1986 by proper lubrication and maintenance of the vehicles. Moreover, the working would only be done during the day time to reduce the noise disturbance.

#### 2.5 Waste Disposal Arrangement, if Any

The waste disposal arrangement is being discussed in next Chapter.

#### 2.6 Soil cover

The site under question is located in the river bed and there is no possibility of presence of any organic soil cover.

#### 2.7 Impact on Flora and Fauna

The mining area is situated in river bed and there is no possibility for growth/presence of any flora and fauna on the river bed. As such there is no impact on flora and fauna of the area.

#### 2.8 Socio Economic benefits

The socio-economic benefits arising due to mining are as under: -

- ✓ generation of employment in the rural area.
- ✓ improvement in the living standards of the rural people
- ✓ creating of infrastructural facilities like road electricity, shops etc.
- ✓ development of transport facilities
- ✓ helping to improve literacy in the area
- ✓ exploiting natural mineral resources
- ✓ improving the greenery of the area
- ✓ contribution to the charitable activities

#### 2.9 Transport of Mineral

The proposed average rate of production of various constituents of river borne deposit is around 47250 MT per year. Taking into consideration, 300 working days in a year, roughly 157.5 MT

*[Handwritten Signature]*  
 Geologist  
 Deptt. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

mineral will be produced per day for which about 17 to 18 Trucks of 9.0 metric tonnes capacity would be used to carry the finished product. The Una-Purana Hoshiarpur road is in good condition enough to bear the additional truck/ transport load to transport the finished product in the local market. The project proponent shall make necessary arrangements between land owners (Pvt. & Govt.) for use of approach road and will take care of other issues if any at his own for the construction of approach path.



*[Handwritten Signature]*  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

## PART-III

## (1) PROGRESSIVE MINE CLOSURE PLAN/ RECLAMATION PLAN

The mine area is a part of river bed and after mining operation would remain as river bed. Moreover, there will be no change in topography and landscape, as the mined-out area will be replenished with fresh crop of mineral during monsoon season, thus reclaiming the area naturally to its original form. As such no reclamation plan is required for this area.

## 1.1 Mine Waste Disposal

## a) Year wise Generation of Mine waste and Top Soil.

During mining operation, low-grade mineral/material like silt and clay as waste are likely to be generated. Since the mining lease area is forming part of river bed as such there is no possibility of presence of any top soil. The year wise generation of mine waste is shown in the following table.

Table 32: Generation of Mine waste during five Years Working

Year	Mine Waste (MT)
First Year	2363
Second Year	2363
Third Year	2363
Fourth Year	2363
Fifth Year	2363
<b>Total</b>	<b>11815</b>

## b) Year wise disposal of mine waste

The size of less than 5mm is not used for the purpose of grit making. The sediments of sand size and smaller than sand is not separable unless these are separated by sand classifier. Possible ways to best utilize this wastage to fill the low-lying areas near the lease site or find out possibility to use this material in the road construction to lay down base layer which shall be in the interest of mineral conservation and also shall be source of additional revenue earning to the State. The mine waste likely to be generated has been calculated and shown in the table supra will

*[Signature]*  
 Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

be initially stacked at the stone crusher premises after screening and washing. Thereafter the stacked mine waste will be lifted in a phased manner for partly using for filling and leveling of approach road and partly for growing plantation and for other purposes as stated above. About 30% i.e. 3544 MT mine waste will be used for leveling and maintenance of approach road etc. and remaining material i.e. about 8271 MT will be stacked on the site identified by the project proponent outside high flood level. About 2100 Sqm area is needed for stacking about 8271 MT by keeping the dump height of around 2m. To prevent flowing of this material during rainy season, gabion structures will be raised around the dump yard.

#### **.e) Cost of Mine Waste Disposal**

As shown in the table 11815 MT of mine waste will be generated during five years and on an average 2363 MT will be generated annually. The mine waste generated shall be temporarily stacked in the premises of stone crusher site after screening. Thereafter, part of this material will be used for filling and haulage road construction and part of this material will be stacked at specified location for future use for filling and other purposes. However, for its transportation/disposal Rs. 50/- per tonne will be sufficient. As such a fund of about Rs.120000 per annum will be sufficient for transportation and disposal of mine waste.

#### **1.2 Top Soil Arrangement**

Since the applied for area is a part of river bed, as such there is no possibility of occurrence of any soil cover on such land form.

#### **1.3 Preventive check dam Structures**

The embankments have already been constructed on both banks for training of river course. As such there is no requirement of any additional preventive check dams.

#### **1.4 Plantation Work**

The proposed mining lease area is situated in the river course of Swan River within high flood level. As such, no plantation can grow on such land. However, the project proponent will identify area outside the high flood level for plantation work. The tree species in consultation with the experts will be raised in the area falling outside the high flood level based on the characteristics of soil, topography and climatic conditions. The year wise area proposed for plantation is as under: -

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Table No.33: Showing Area Proposed for Plantation

Sr.No.	Year	Area Proposed for Plantation (in Sq Mts.)	No of Plants to be Planted
1	First Year	300	15
2	Second Year	400	20
3	Third Year	500	25
4	Fourth Year	600	30
5	Fifth Year	700	35
	Total	2500	125

a) **Year wise Cost of Plantation**

The cost of plantation will include cost of plants, cost of manure and other labour activities like spreading of top soil on the abandoned benches, plantation work and regular watering and looking after the growth of plants.

Thus, by engaging a part-time Gardner shall cost around Rs 20,000 per year and in five years, the expenditure shall amount to Rs 1, 00,000.

b) **Year wise Survival Rate**

The Swan valley is fertile valley with adequate soil cover full of soil nutrients. As such 80% survival rate of tree can be achieved.

**1.5 Re-grassing of mined land**

In addition to afforestation programme planned in the area outside high flood level, the grasses in consultation with the expert agencies will be grown in the vacant land identified by the project proponent to provide fodder for the herbivorous animals. This activity will also improve the aesthetic value of the land. For growing grasses, budget of Rs 20,000 shall be made per annum to meet out the grass seeds and other expenditure

**2.0 Strategy for Protection of Point of Public Utility etc:-**

The embankments are constructed on both the banks for flood protection. A safety zone of 75 mtrs has been kept as no mining area as suggested by the flood protection Department. There is no other point of public utilities present in and around the mining lease area.

**3.0 Manpower Development: -**

The proposed mining area is located in the river bed and mining shall be undertaken by collecting river borne material manually by the labourers. After collection of the river borne

*H.P.*  
Geologist  
Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1

material, the same shall be transported to stone crusher unit for manufacturing of grit. Further the worker will be required for loading the mineral in the vehicle and there is also requirement of one supervisory staff for overall super vision of working. Two drivers will be required for transporting the mineral from mine to crusher site. Thus, there will be following man power requirement.

▪ Mine supervisor	1
▪ Drivers	2
▪ Unskilled worker	8

Thus, around 11 persons will be employed to carry on the mining operation and associated activities. In addition to above, the project proponent will also hire labour on contract basis as per requirement. The preference shall be given to employ 100% local people.

**4.0 Use of Mineral:** -The extracted mineral will be used for manufacturing of grit and sand after screening in the screening plant will be sold in the open market as the same has huge market demand.

#### 5.0. Disaster Management and Risk Assessment

Disasters are possible in any industry like mining. To meet with any kind of emergency on or off, site risks are assessed in advance and risk assessment plan is prepared. Assessing the possible hazards and planning, the procedures to be followed in case of emergency will reduce the intensity of impact, Proper bench design in mine and observing all kinds of safety measures, usage of proper Personal Protective equipment (PPE) on the site, attentiveness of the work force on site, following pre-defined traffic rules by all the people on site are some of the measures to be followed to reduce accidents on site. Proper communication is the key factor in maintaining the accidents on site.

Safety of all the working personnel will be the utmost priority of the lease holder. Lease holder will provide all the site personnel with necessary PPE like hard hats, safety goggles, earplugs, dust masks etc.

To meet any kind of emergency, readiness to shift the injured to the nearest hospital is necessary. All mining personnel should be aware of the nearest health centres and hospitals. All managing personnel will take the responsibility of taking the injured immediately to the nearest hospital in case of any accident.

*[Handwritten Signature]*  
 Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

### Certificate

Certified that the provisions of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, Metalliferous Mines Regulation Act 1961 and other guidelines issued from time to time in this regard have been complied for the preparation of Mining Plan including Progressive Mine Closure Plan of mine of sand, stone and bajri over an area situated in Mauza/Mohal Badehra, Tehsil Haroli, District Una, falling in Khasra Nos. 6522/2, 6523/2 and 6524/2 measuring 2-25-47 hectares applied for grant of mining lease by Sh. Bahadur Singh S/o Sh. Didar Singh, Prop. M/s A & N stone crusher and screening plant, Village and Post Office Mohalla Galua, Tehsil and District Una

While preparing the Mining Plan including Progressive Mine Closure plan, all statutory rules, regulation, orders made by competent authorities of the State or Central Government or orders passed by Courts have been taken into consideration. The information provided and the data furnished in this Mining Plan is correct to the best of my knowledge.



*Rajneesh*  
Rajneesh sharma  
ROP No. H.P./R.Q.P./24/1/2019  
State Geologist (Retd.)  
Strawberry Cottage  
Strawberry Hill  
Chhota, Shimla 171002

*Rajneesh*  
Geologist  
Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1

## Declaration

This is to declare that the Mining Plan including Progressive Mine Closure Plan of mine of sand, stone and bajri over an area situated in Mauza/Mohal Badehra, Tehsil Haroli District Una, falling in Khasra Nos. 6522/2, 6523/2 and 6524/2 measuring 2-25-47 hectares has been prepared with my consent and approval and that We shall abide by all commitment there under. "The Mining Plan and 'Progressive Mine Closure Plan' complies all statutory rules, regulations, orders made by competent authorities of State or Central Government or orders passed by courts have been taken into consideration and wherever specific permission is required, shall be obtained.

I, undertake to implement all the measures proposed in this Mining Plan and Progressive Mine Closure Plan' in a time bound manner. We have deposited a sum of Rs.....N.A..... with the competent authority of the State Government in form of Fixed Deposit Receipt as financial assurance of the same.

In case of default on my part, the approval of Mining Plan may be withdrawn and the aforesaid sum assured may be forfeited.



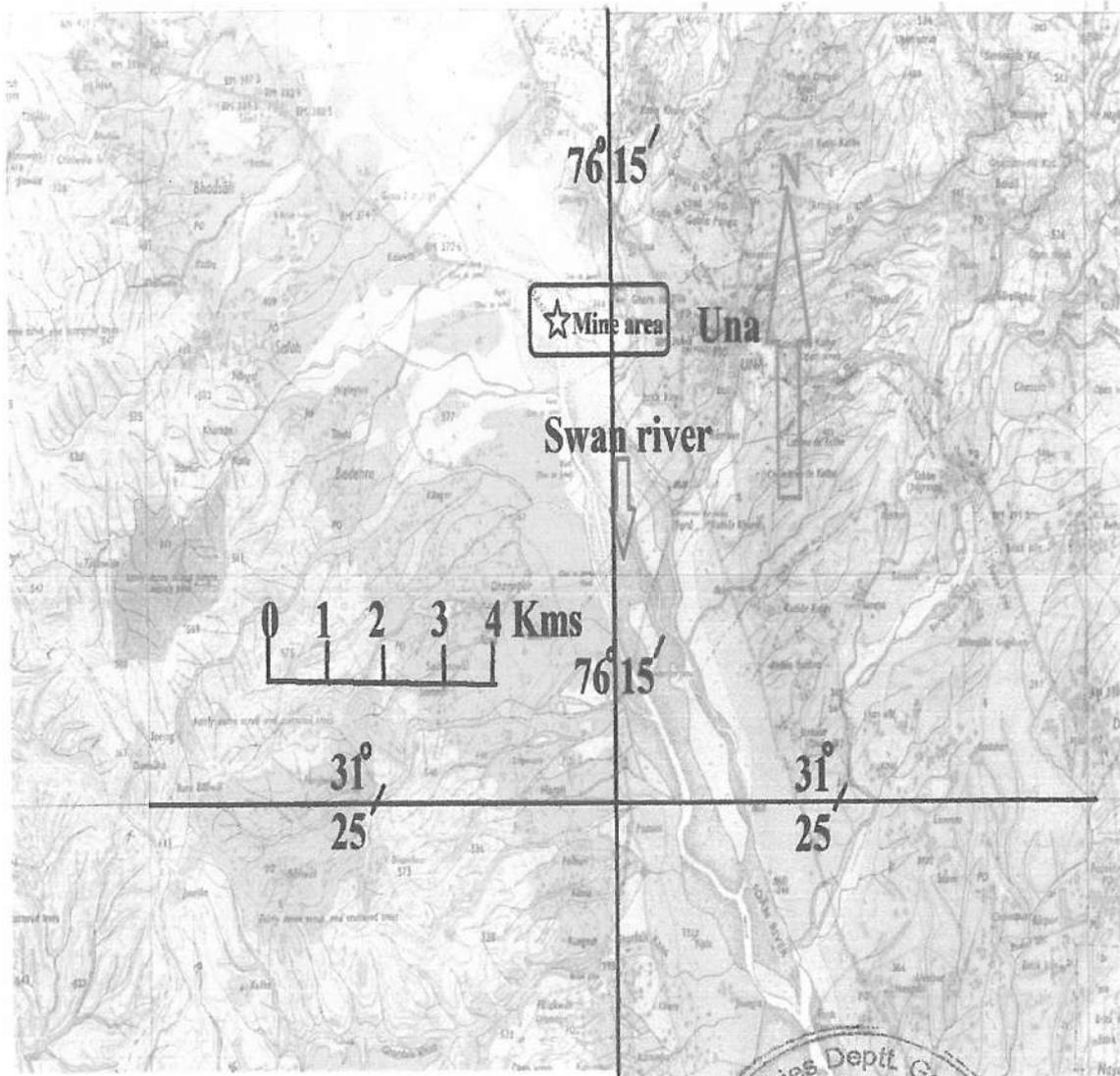
Bahadur Singh S/o Sh. Didar Singh,  
Prop. M/s A & N stone crusher and screening plant,  
Village and Post Office Mohalla Galua,  
Tehsil and District Una

*[Handwritten Signature]*  
Geol. Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

**MAP NO. 1**

**LOCATION OF MINING LEASE AREA**

**Toposheet No. 53A/3**



**APPLICANT :-**

Bahadur Singh S/o Sh. Didar Singh  
 Prop. M/s A & N stone crusher and screening plant,  
 Village and Post Office Mohalla Galua  
 Tehsil and District Una  
**HIMACHAL PRADESH**

*The*  
 Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1



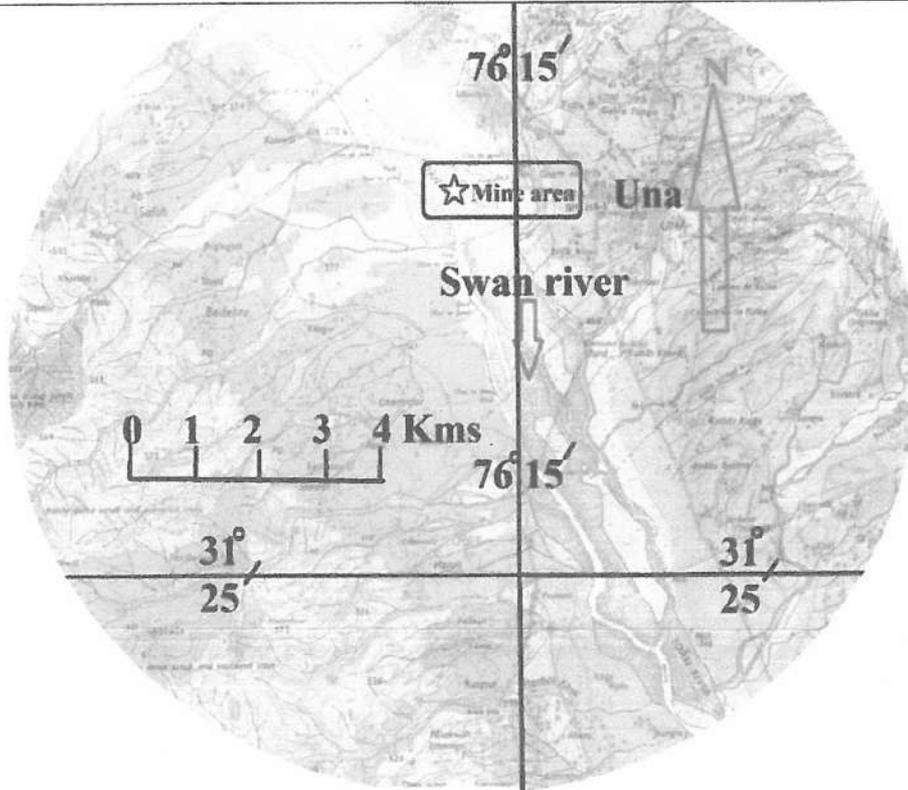
Certified that the plan is correct

*Rajesh Sharma*  
 Rajesh Sharma  
 State Geologist (Retd.)  
 Strawberry Cottage  
 Strawberry Hills, Chhota Shimla, Shimla-2  
 Regd. No.:- H.P./R.Q.P./24/2019

MAP NO. 4

**BUFFER MAP SURROUNDING TO MINING AREA**

(Part of Topo-Sheet No. 53A/3) and 53A/7



**INDEX**

	Cultivated Lands		Forest
	Roads/ National Highway		Settlements
	River/ stream		Bench Height

**APPLICANT:-**

Bahadur Singh S/o Sh. Didar Singh  
 Prop. M/s A & N stone crusher and screening plant,  
 Village and Post Office Mohalla, Galua  
 Tehsil and District Una  
 HIMACHAL PRADESH

Certified that the plan is correct  
*Rajneesh Sharma*  
 Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

**Rajneesh Sharma**  
 State Geologist (Retd.)  
 Strawberry Cottage  
 Strawberry Hills, Chhota Shimla, Shimla-2  
 Regd. No.:- H.P./R.Q.P./24/2019



*Kemur Paul*

Government of Himachal Pradesh  
Department of Industries

No. Ind-B-F(6)-14/2014-II

Dated Shimla-171002, the

18<sup>th</sup> November, 2023

NOTIFICATION

Whereas, in the year 2002, keeping in view the technology which was being used earlier in the stone crusher industry, it was decided by the Government that the royalty from all the stone crusher units, established in the State of Himachal Pradesh, shall be charged on the basis of their actual production and the same shall be computed on the basis of Electricity consumption as well as other Measures.

Whereas, in order to bring the uniformity, the Government had decided that royalty from all the stone crusher units shall be charged on the basis of their actual production and the same shall be computed on the basis of the consumption of Electricity and other Measures. As such, the directions were issued to all the field officers to take the factor of seven (7) units of electricity consumption for production of one (1) tonne of grit/bajri in order to calculate the royalty and the said factor of seven (7) units per tonne is in place for the last two decades.

Whereas, use of advanced technology and latest machinery in the stone crushers has resulted into higher production with less electricity/power consumption. Therefore, after taking into consideration the above facts, that the factor of seven (7) units is hereby reduced to five (5) units of electricity for production of one (1) metric tonne of grit/bajri for computing the production and thereafter calculation of royalty alongwith other measures in the interest of State exchequer with immediate effect.

By Order,

  
R.D. Nazeem

Principal Secretary (Inds.) to the  
Government of Himachal Pradesh

18.11.2023

Endst. No. as above Dated Shimla-171002, the

Copy to the following:-

1. The Director of Industries, Himachal Pradesh, Shimla-1 for information and necessary action.
2. The State Geologist, Zone-I, Geologist Zone-II, Geologist Zone-III and Geologist Zone-IV, Himachal Pradesh, Shimla-9 for information and necessary action.
3. All the Mining Officers of Himachal Pradesh for information and necessary compliance with immediate effect.
4. The Controller, Printing & Stationery, H.P. Shimla-5 for publication in Rajpatra.

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

  
(R.D. Nazeem)

Principal Secretary (Inds.) to the  
Government of Himachal Pradesh



## ANNEXURE R-5

5838

राजपत्र, हिमाचल प्रदेश, 08 दिसम्बर, 2021/17 मार्गशीर्ष, 1943

[Authoritative English text of this department notification number Ind-II(F)6-20/2005, dated 01-12-2021 as required under clause (3) of Article 348 of the Constitution of India].

## INDUSTRIES DEPARTMENT

## NOTIFICATION

Shimla-2, the 1st December, 2021

**No. Ind-II (F) 6-20/2005.**—In supersession of the Govt. Notification number Ind-II (F) 6-20/2005 dated 30-4-2011 and in exercise of the power conferred under Sub-Section (2) of Section 26 read with Section 21 (4) of the Mines and Minerals (Development and Regulation) Act, 1957 (Act No. 67 of 1957) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to empower/authorize the following Officers to seize any mineral raised or transported or caused to be raised or transported by any person without any lawful authority, any mineral from any land and for that purpose uses any tool, equipment, vehicle or any other thing for this purpose with immediate effect:—

1. All the Deputy Commissioners in H.P.	In their respective jurisdiction
2. All the Additional Deputy Commissioners in H.P.	--do--
3. All the Sub-Divisional Magistrates in H.P.	--do--
4. All the Executive Magistrates in H.P.	--do--
5. All the Superintendents of Police in H.P.	--do--
6. The Additional Superintendents of Police in H.P.	--do--
7. All the Deputy Superintendents of Police in H.P.	--do--
8. All the Conservator of Forests in H.P.	--do--
9. All the Divisional Forest Officers in H.P.	--do--
10. All the Assistant Conservator of Forests in H.P.	--do--
11. All the Range Officers of Forests in H.P.	--do--
12. All the General Managers, DIC in H.P.	--do--
13. All the Mining Officers in H.P.	--do--

This supersedes all the previous Notifications issued in this behalf.

By order,

R. D. DHIMAN,  
Addl. Chief Secretary (Industries).

Geology  
Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1

उद्योग विभाग

अधिसूचना

शिमला-171 002, 6 दिसम्बर, 2021

**संख्या इण्ड-II (बी)2-3/2020.**—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की अधिसूचना संख्या उद्योग-II (ख)2-26/95 तारीख 13-11-2000 द्वारा अधिसूचित हिमाचल प्रदेश

Ketan Paul

## ANNEXURE R-6

राजपत्र, हिमाचल प्रदेश, 08 दिसम्बर, 2021 / 17 मार्गशीर्ष, 1943

5845

[Authoritative English text of this department notification number Ind-II(F)6-20/2005 dated 01-12-2021 as required under clause (3) of article 348 of the Constitution of India].

## INDUSTRIES DEPARTMENT

## NOTIFICATION

Shimla-2, the 1st December, 2021

**No. Ind-II (F) 6-20/2005.**—In supersession of the Govt. Notification number Ind-II (F) 6-20/2005 dated 30.4.2011 and in exercise of the power conferred under Sub-Section (2) of Section 26 read with Section 22 of the Mines and Minerals (Development And Regulation) Act, 1957 (Act No. 67 of 1957) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to authorize the following Officers/Officials to make complaints in writing in the Court of competent jurisdiction in respect of any offence punishable under the said Act or any rules made there under, with immediate effect:—

1. The Director of Industries	Throughout Himachal Pradesh
2. All the Deputy Commissioner in H.P.	In their respective jurisdiction
3. All the Superintendent of Police in H.P.	--do--
4. The State Geologist	Throughout Himachal Pradesh
5. All the Geologists	--do--
6. All the Assistant Geologists	--do--
7. All the Technical Assistant (Geology)	--do--
8. All the General Managers, DIC in H.P.	In their respective jurisdiction
9. All the Mining Officers in H.P.	--do--
10. All the Mining Inspectors in H.P.	--do--
11. All the Assistant Mining Inspectors in H.P.	--do--
12. All the Managers, Industries in H.P.	--do--
13. All the Industrial Promotion Officers in H.P.	--do--
14. All the Economic Investigator, Industries in H.P.	--do--
15. All the Extension Officers, Industries in H.P.	--do--
16. All the Addition Deputy Commissioners in H.P.	--do--
17. All the Sub-Divisional Magistrates in H.P.	--do--
18. All the Tehsildars/Naib Tehsildar in H.P.	--do--
19. All the Additional Superintendents of Police in H.P.	--do--
20. All the Deputy Superintendents of Police in H.P.	--do--
21. All Inspectors/SIs/ASIs of Police Department in HP	--do--
22. All the Divisional Forest Officers in H.P.	--do--

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

5846

राजपत्र, हिमाचल प्रदेश, 08 दिसम्बर, 2021/17 मार्गशीर्ष, 1943

- |     |  |        |
|-----|--|--------|
| 23. | All the Conservator of Forests in H.P.           | --do-- |
| 24. | All the Assistant Conservator of Forests in H.P. | --do-- |
| 25. | All the Range Officers of Forests in H.P.        | --do-- |

This supersedes all the previous Notifications issued in this behalf.

By order,

R. D. DHIMAN,  
Addl. Chief Secretary (Industries).

Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

ब अदालत कार्यकारी दण्डाधिकारी, शाहपुर, जिला कांगड़ा, हि0 प्र0

मुकदमा : इन्द्राज मृत्यु तिथि

पेशी : 09-12-2021

आशा देवी पत्नी श्री उत्तम चन्द, गांव कुल्हाड (मंझग्रां), डाकघर द्रमण, तहसील शाहपुर, जिला कांगड़ा (हि0 प्र0)

बनाम

आम जनता

विषय.—जन्म एवं मृत्यु पंजीकरण अधिनियम की जेर धारा 13(3) पुनर्वालोकित 1969 के तहत मृत्यु प्रमाण-पत्र लेने बारे प्रार्थना-पत्र।

उपरोक्त मुकदमा बारे प्रार्थी ने इस न्यायालय में प्रार्थना-पत्र मय ब्यान हल्फिया गुजारा है जिसमें लिखा है कि उसके पुत्र श्री अभिषेक सिंह पुत्र श्री उत्तम चन्द, गांव कुल्हाड (मंझग्रां), डाकघर द्रमण, तहसील शाहपुर, जिला कांगड़ा का देहांत दिनांक 10-03-2020 को महाल कुल्हाड में हुआ है परन्तु अज्ञानतावश इसका इन्द्राज ग्राम पंचायत मंझग्रां के रिकार्ड में दर्ज नहीं हुआ है। प्रार्थिया उक्त मृत्यु तिथि को दर्ज करवाना चाहती है।

अतः उक्त प्रार्थना-पत्र के सन्दर्भ में यदि आम जनता या अन्य किसी को उक्त मृत्यु तिथि को ग्राम पंचायत मंझग्रां के रिकार्ड में दर्ज करवाने बारे कोई एतराज हो तो वह असालतन या वकालतन इस अदालत में दिनांक 09-12-2021 को दोपहर बाद 2.00 बजे हाजिर आ सकता है। हाजिर न आने की स्थिति में एकतरफा कार्यवाही अमल में लाई जाकर आगामी आदेश पारित कर दिए जाएंगे और बाद में कोई भी उजर या एतराज जेरे समायत न होगा।

आज दिनांक 15-11-2021 को मेरी मोहर व हस्ताक्षर सहित जारी हुआ।

मोहर।

हस्ताक्षरित/—  
कार्यकारी दण्डाधिकारी,  
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश।

Kern Paul

**1445** (Authoritative English text of the Department's nonfiction No. STE-E(5)-9/2018 dated 29-06-2021 as required under clause (3) of the Article 348 (3) of the constitution of India)

**Government of Himachal Pradesh  
Department of Environment, Science & Technology**

No. STE-E-(5)-9/2018

Dated: Shimla-2

29-06-2021.

**NOTIFICATION**

Whereas the Hon'ble High Court of Himachal Pradesh vide its order dated 01.06.2012 (daily order) in the matter of CWP Nos. 7949/2011 and 7951 titled as Desh Raj V/s State of HP & others and Yog Raj V/s State of H.P & Others respectively directed the State Government to consider the existing guidelines for setting up of Stone Crushing Units in Himachal Pradesh, afresh and in pursuance of the same the Department of Environment, Science & Technology issued the notification no. STE-E (3)-17/2012 dated 29.05.2014.

Whereas the Government of Himachal Pradesh, in view of the recommendations of the Expert Committee constituted by the Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh vs. Union of India & Ors. concerning to setting up of Stone Crusher Units close to the water bodies and orders dated 10.07.2019, based on views and recommendations submitted by said Hon'ble National Green Tribunal Expert Committee in its report submitted to the Hon'ble National Green Tribunal on dated 19.06.2019, has reassessed the various parameters notified for setting up of Stone Crusher Units in Himachal Pradesh.

Now therefore, keeping in view advancement in technologies and modernization of devices for controlling pollution for stone crusher industry, the Governor of Himachal Pradesh in supersession of this Department's Notification No. STE-E(3)-17/2012 dated 29.05.2014 and in exercise of the powers conferred by the Section 5 of the Environment (Protection) Act, 1986, and in pursuance of the provisions of Section 7 of the said Act, and Rule 4 of the Environment (Protection), Rules, 1986 and directions of Hon'ble High Court of HP issued in CWP No. 7949/2011, CWP No. 7951/2011 & also considering the recommendations of the Expert Committee constituted by Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh Vs. Union of India & Ors., is pleased to issue the guidelines/ directions as follows for all Stone Crusher Units (hereafter referred to as the Unit) so as to exercise greater control and vigil over the stone crushing operations to save the environment and ecology of the State, with immediate effect, namely:-

**1. Site Suitability:-**

**1.1 Norms:**

Taking into consideration the hill topography, availability of less land and requirement to maintain the fragile ecology of the hills, the units shall be set up keeping in view the following criteria, namely:-



Sr. No.	Criteria	Distance norms for existing stone crushers (crow flight, distance in meters) set up prior to year 2004	Distance norms for existing stone crushers (crow flight, distance in meters) set up after year 2004 to May, 2014	Distance for the Stone (crow flight, distance in meters) as per Notification dated 29.05.2014	Proposed distance for the Stone crushers to be set up in future, (crow flight, distance in meters) from the issuance of the Notification Dated 29.05.2021
1	2	3	4	5	6
1	Minimum distance from National Highway.	50 (Horizontal distance)	150	150	150
2	Minimum distance from State Highway	50	150	100	100
3	Minimum distance from link road (PMGSY, NABARD/World Bank sponsored/other District-roads)	-----	75	50	50 (condition will not be applicable to other roads except as specified in col. (2))
4	Minimum distance from District headquarters (distance to be measured from the outer of the municipal limit of the District Headquarters)	1500	1500	1500	1500 (may be read as 300 meters in col. (3) as per amendment vide notification no. STE-E(4)-1/ 2003-I dated 25-04-2006)
5	Minimum distance from town or Notified Area Committee (distance to be measured from the outer of the municipal limit/Nagar Nigam/Nagar Palika/Nagar Panchayat	1500	1500	1000	1000 (may be read as 300 meters in col. (3) as per amendment vide notification No. STE-E(4)-1/ 2003-I dated 25-04-2006)
6	Minimum distance from village abadi-deh	250	500	500	500
7	Minimum distance from Hospital & Educational Institutions	300 (Horizontal distance)	1000	1000	1000
8	a. Minimum distance from spring, canal, functional water supply scheme including its reservoir	100	----	100 (excluding spring, canal)	100 (excluding spring, canal)
	b. Minimum distance from a percolation well, sewerage treatment plant, water infiltration galleries.	-----	----	100	100
9	Minimum distance from lakes, wetlands and reservoir of irrigation scheme, hydro power projects.	500	500	500	500

10	Minimum distance from natural water spring	500	500	100 (as at Sr. No. 8 (a))	100 (as at Sr. No. 8 (a))
11	Minimum distance from notified parks	----	2000	2000	2000
12	Minimum distance from sanctuaries	----	1000	1000	1000
13	Minimum distance from bridge sight	----	200 upstream 300 downstream	200 upstream 300 downstream	200 upstream 300 downstream
14	Minimum distance from the canal and perennial rivulets	(100 for canal)	----	100	100

*Note:- Keeping in view the representations received from Stone Crusher Owners, Associations from time to time w.r.t. interpretation of above applicability of parameters committee felt imperative to clarify that:*

1. *The recommendations are prospective in nature and shall be imposed from date of notification for future.*
2. *Similarly, applicability of the earlier notifications issued on dated 29.04.2003, 10.09.2004, 25-04-2006 and 29.05.2014, are also of prospective e.g. the regulatory authorities must take note that the stone crushers set up prior to 29-04-2003 will be governed by the parameters of col. (3).*

## 1.2 Notes:

- 1.2.1** All distances shall be measured as crow flies from the highest node of the crusher conveyor belt to the outer periphery of the revenue unit or the municipal limits or the periphery of the feature concerned.
- 1.2.2** In the guidelines distances are relaxable in the case of any natural barrier between the site of the Unit and any of the features indicated in the guidelines Natural barrier may be defined as “any natural physical entity except any kind of River/Khad/Natural Stream/Tree Canopy which obstructs the physical view and /or prevents the movement of Air and Noise so as to keep Air and Noise Pollution within prescribed limits”.

The Government may relax the guidelines for a limited period in specific cases wherein setting up of stone crushing unit is necessary in public interest but it is not practically feasible to adhere to any or all of the guidelines, provided that such relaxation will be considered only on the recommendation of the Joint Inspection Committee as proposed in Para 1.3.2.

- 1.2.3** In case of Shimla Town the sitting norms shall be as per the directions of the Hon'ble High Court of Himachal Pradesh dated 26.07.1993 in CWP No. 51 of 199 titled as “Court on its own motion versus State of Himachal Pradesh & Others”.

## 1.3 Joint Inspection Committee for site appraisal:

- 1.3.1** The Unit shall apply /obtain “Provisional Registration” from the Department of Industries for obtaining pre-production clearances from other Government Departments.
- 1.3.2** The site for setting up the Unit shall be appraised and approved by the Joint Inspection Committee consisting of the following:--

- |  |          |
|--|----------|
| 1. Sub-Divisional Officer(Civil) concerned                     | Chairman |
| 2. Divisional Forest Officer or his representative             | Member   |
| 3. Representative of HP State Pollution Control Board.         | Member   |
| 4. Executive Engineer, HPPWD or his representative             | Member   |
| 5. Executive Engineer, Jal Shakti Vibhag or his representative | Member   |

- |  |                  |
|--|------------------|
| 6. Representative of Department of Tourism   | Member           |
| 7. Surveyor  | Member           |
| 8. Soil Conservation Expert from Agriculture Department equivalent or above Sub Divisional Soil Conservation Officer | Member           |
| 9. Geologist or Mining Officer   | Member Secretary |

**1.3.3** The Committee constituted in Para 1.3.2 is in supersession of the Industries Department Notification No. Udyog I (Chh) 4-1/85-II dated 26.04.1993, 24.12.1998 and STE-E(3)5/20014 dated 29.05.2014. The approval of the Committee shall be the basis for issue of clearance and approval including those of the Himachal Pradesh State Electricity Board Ltd., Himachal Pradesh State Pollution Control Board and permanent registration with the Department of Industries.

## **2. Emission Norms and Pollution Control Measures:**

### **2.1.1 Standards:-**

- 2.1.2** The suspended particulate matter measured between 3 meters and 10 meters from any process equipment of a unit shall not exceed 600 micrograms per cubic meter
- 2.1.3** The suspended particulate matter contribution value at a distance of 40 meters from a controlled isolation as well as from a unit located in a cluster shall be less than 600 mg/Nm<sup>3</sup>. The measurements are to be conducted at least twice a month for all the 12 months in a year.
- 2.1.4** The noise levels (leq.) shall be maintained within the standards for noise as specified in Schedule -III, of the Environment (Protection) Rules, 1986.

### **2.2 Pollution Control Measures:**

- 2.2.1** Every unit shall provide a wind breaking wall along with suitable enclosure to ensure adequate dust containment.
- 2.2.2** Every Unit shall have a dust suppression system with water spray and sprinkling system.
- 2.2.3** Dust extraction and collection system shall be provided at crusher and transfer points in every Unit.
- 2.2.4** Every Unit shall have adequate water supply along with at least two days water storage facility for running pollution control equipments.
- 2.2.5** Facility for regular cleaning and wetting of the ground shall be provided.
- 2.2.6** Trees of suitable species shall be planted to develop a green belt within and along the boundary of the premises.
- 2.2.7** Every Unit shall have a separate energy meters for pollution control devices wherever the energy is consumed for operating them and record thereof shall be maintained and made available to the Himachal Pradesh State Environment Protection and Pollution Control Board (hereinafter referred to as State Board) whenever demanded.
- 2.2.8** The stone crushing unit shall be provided with acoustic enclosure near jaw sheds and shall be properly designed and approved by the State Pollution Control Board as per Central Pollution Control Board norms to control noise pollution in accordance with the Environment (Protection) Act, 1986.
- 2.2.9** Dust suppression system, water sprinkler used in stone crusher shall be of uniform technology as it was noticed that at different location different kind of sprinkler system were being used which were observed and found to be causing wastage of water and excessive use of water. The mist, spray nozal system being quite efficient in controlling the dust pollution, shall be installed for dust suppression.



- 2.2.10 The wind breaking walls shall be reconstructed scientifically with application of wind rose diagram for the unit i.e. towards, the predominant direction of wind and natural profile of the area.
- 2.2.11 The tree plantation shall be verified with comparison to the capacity, time of establishment of the unit, proper monitoring of growth of trees shall be recorded with photo monitoring on annual basis while giving renewal of Consent to Operate etc. linked with date of establishment of the units number of tree plants.
- 2.2.12 The water mists spray nozal system shall be interlocked with stone crushing unit main energy supply and water supply meter.

### 2.3 Further Advancement in pollution control devices for proposed and existing units:

- 2.3.1 Stone crushers unit project proponent shall cover all the conveyor belts as well as provide dusts skirt at material transfer point.
- 2.3.2 Stone Crusher unit project proponent shall provide wind breaking L shape wall of height more than the 3 ft from the highest conveyor belt to reduce noise pollution as well as air borne dust emission pollution due to wind velocity as designed by a qualified engineer.
- 2.3.3 All approach roads and ramps shall be properly paved so that it does not lead to dust pollution.
- 2.3.4 Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/ loading/ unloading activities.
- 2.3.5 Regular cleaning and wetting of the uncovered area, ground within the premises.
- 2.3.6 Growing of at least three rows canopy of evergreen species to be planted along the periphery of the crushing units to reduce noise as well as fugitive emission/dust pollution.
- 2.3.7 Speed control, low speed means less dust. For vehicles speeds limit 20 Km/h in 1 Km periphery of unit.
- 2.3.8 Housekeeping-clean up spills promptly. Adequate toilet facilities for manpower at stone crushers and mining lease area shall be provided by the stone crusher owners.
- 2.3.9 All the stone crushers shall have to construct a RCC/ concrete stone masonry wall on valley side wherever applicable to ensure that the downstream water sources etc. are not affected.

### 2.4 Parameters in the context of changing weather conditions in the face of Climate Change- Mitigation of impacts thereof:-

- 2.4.1 In order to mitigate the dust emission pollution impacts in surrounding areas of stone crushing units, the readjustment in setting up of conveyor belts, crushing units, screening units may be done by taking into consideration the GLC (Ground Level Concentration) values of SPM (Suspended Particulate Matter) PM2.5. The scenario of dispersion of RSPM 2.5/ 10 at ground level is important for risk assessment and mitigation. The monitoring of these parameters shall be undertaken on yearly basis and the proof of monitoring with geo-tagged photographs.
- 2.4.2 In case the GLC, wind rose assessment shall be done for all the stone crushing unit and readjustment shall be made in sitting the crushing units, the risks of dust pollution will be mitigated significantly by rebuilding the wind breaking walls.
- 2.4.3 Install rain water harvesting tanks of adequate capacity based on potential with rain water use system.
- 2.4.4 Registration of Stone Crusher Units with Ground Water Authority in case ground water is to be extracted.
- 2.4.5 The rainwater harvesting, tree plantation shall be essential/ mandatory for the stone crushing units in the State to mitigate the climate change impacts.

- 2.4.6 The stone crusher with the capacity >100000 tones per year shall install air quality measuring sensors e.g. purpleair.com and this shall be monitored by the HP State Pollution Control Board on real time basis.

*\*The proposed conditions/norms should be applicable retrospectively for all existing stone crushers of capacity >10,000 MT/ annum.*

**2.5. Impact of Stone Crusher Units location on the hydrological, soil & water conservation, environment aspects such as air, water, flora and fauna.**

- 2.5.1 In case of stone crusher units with washing plants, the sedimentation tanks commensurate to the plant's capacity needs shall be built immediately so that effluents are not drained in the open directly which ultimately feeds the river.
- 2.5.2 In that case, the effluents from sedimentation tank shall be treated and the usable raw material such as silt, soil shall be reused in field, road construction, brick making etc.
- 2.5.3 Provisions for proper drainage scheme for evacuation of storm water needs shall be in place.
- 2.5.4 The crusher units using ground water shall register their ground water abstraction structures with the State Ground Water Authority under the H.P. Ground Water (Regulation & Control of Development and Management) Act, 2005. The process is online at [emerginghimachal.gov.in](http://emerginghimachal.gov.in).
- 2.5.5 Those crushers using surface water from rivers, khads, nallahs shall get the requisite permission from the concerned Executive Engineer of Jal Shakti Vibhag.
- 2.5.6 The regular water sprinkling in and around the stone crushing units is of utmost relevance to minimize the dust pollution impact on flora through rain water harvesting shall be done.
- 2.5.7 The effective water sprinklers shall be installed at crushing units to suppress the dust generated at the crushing unit.
- 2.5.8 Dumping of waste material in river water source shall be completely prohibited.

**2.6. Washing units-waste water treatment:**

- 2.6.1 Washing unit Stone crushers shall construct adequate no. of earthen de silting chambers followed by a Cement concrete (Pucca) storage tank of adequate capacity from where the wash water shall be re-circulated back in the washing activities lifted through a sludge pump. The size of tanks to be decided based on capacity of unit.
- 2.6.2 The stone crusher units having washing plants shall construct sedimentation tanks as per the plant capacity based on following calculations:
- For washing units regular water supply is required which needs to be regulated through Ground Water Board/ Jal Shakti Vibhag concerned through meeting and registration.
  - 100 CFT washing of sand leads to ~ 1250 lt. water is required i.e. about 1100 lt. waste water is generated from production of sand.

e.g. A washing unit of a Stone Crusher with capacity of  $2\frac{1}{2}$  inch / second water supply takes 30 minutes to produce 400 CFT sand which means about:

$$\begin{aligned}
 &= 2\frac{1}{2} \text{ inch} \times 30'' \times 60'' \\
 &= 1800 \times 2\frac{1}{2} \text{ inch} \\
 &= 4500-5000 \text{ ltrs. of water is required for production of } \sim \\
 &\quad 400 \text{ CFT sand.}
 \end{aligned}$$

*lim*

Every washing unit is required to built waste water de-silting chamber of rational capacity i.e. for example, if the capacity of unit is

- ~ 10 Truck per day = waste water chamber of minimum 25,000 lts. of at least half of the expected waste water quantity in one go shall be provided.
- ~20 truck per day = Minimum of 50,000 lts. of at least half of the expected waste water quantity in one go shall be provided.

The water would be 100% recycled and there would be zero liquid discharge. Verification of waste water silting chamber and recycling would be a mandatory condition for Consent to Establish & Renewal of Consent to Operate.

### 3 Procedure for establishment and operation to be followed by the State Board:

- 3.1.1 The State Board shall issue conditional "Consent to Establish" to the unit only after the Joint Inspection Committee has recommended the case and the unit agrees to fulfill the Pollution Control measures given in para-2.1 and 2.2.
- 3.1.2 The State Board shall issue "Consent to Operate" only if the unit has taken measure to comply with the conditions given in the "Consent to Establish".
- 3.1.3 Every unit shall get - monitoring for Air and Noise conducted regularly and submit the reports to the State Pollution Control Board.
- 3.1.4 The State Board shall be the Authority to ensure the compliance of the Pollution Control measures given on these guidelines/directions and shall do the necessary monitoring of the unit as per schedule of monitoring approved by the State Board/Department of Science & Technology, Himachal Pradesh, Shimla.
- 3.1.5 Every unit shall follow any other direction(s) issued by the State Government from time to time.

### 4. Latest technologies advancement and availability of modern machinery and equipments for setting up of stone crusher units:

Keeping in view the technological advancements, availability of modern machinery and equipment, in the state following technologies shall be specifically linked with capacity of the plant in following manner:-

Sr. No.	Capacity of Stone Crushing Unit	Technology	Covered shed
1	Up to 20000 Tons/year	Conventional stone crusher technologies, jaw crushing with or without screening rolling screening	Yes
2	>20,000 to 1,00,000 Tones/year	Jaw crushing with wetting of raw material at hoper with water spray nozal of ¼ inch per second capacity.	To cover conveyor belts as well with nozal sprayer on conveyor belts acoustic ends.
3	>1,00,000 tones / year and above	Jaw plus Cone crushing unit with Screener with wetting of raw material at hoper with water spray nozal of ½ inch per second capacity.	Closed loop system to cover conveyor belts with acoustic enclosures. Nozals sprayer on conveyor belts.

The amendments in the notification shall be subject to any other order passed by Hon'ble High Court in CMP No. 8459 of 2019 of CWP No. 2067 of 2019 State of Himachal Pradesh & ors. Petitioners/ applicants versus Bhag Singh & others. CWP No. 4342 of 2019 M/s Jai Mateshwari Stone Crusher Petitioner/ applicant versus State of Himachal Pradesh & ors.

By order

Kamlesh Kumar Pant, IAS  
Principal Secretary (Env. S&T) to the  
Government of Himachal Pradesh

Endst. No. STE-E-(5)-9/2018

Dated: Shimla-2,

29-06-2021.

Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-171002.
2. The SPS/PS to the Chief Minister/Ministers, H.P Shimla-2.
3. The Sr. Private Secretary to the Chief Secretary to the Government of H.P.
4. All the Administrative Secretaries to the Government of H.P.
5. All the Divisional Commissioners in HP.
6. All the Heads of Department in H.P.
7. All the Deputy Commissioners in H.P.
8. All the Superintendents of Police in H.P.
9. The Director (Env., Sci. & Tech.), Himachal Pradesh.
10. The Member Secretary, State Council for Science & Technology, HP.
11. The Member Secretary, HP State Pollution Control Board, Shimla-9
12. ALR-cum-Under Secretary (Law) to the Govt. of H.P Shimla-171002.
13. All the Municipal Corporations H.P.
14. All the Executive Officers/Secretaries of Municipal Councils/ Nagar Panchayats in Himachal Pradesh.
15. Guard file.

  
(Satpal Dhiman) 29-6-2021  
Joint secretary (Env.,Sci.&Tech.) to the  
Govt. of Himachal Pradesh  
Phone No.0177-2621874

Government of Himachal Pradesh  
Department of Environment of Science & Technology

No. STE-E(5)-9/2018 Dated: Shimla-2, the

04-08-2021.

CORRIGENDUM

In the notification No. STE-E(5)-9/2018 Dated 29/06/2021 vide which the guidelines/directions for all Stone Crusher Units were notified, the note below para 1.1 stands omitted.

**Further, the word "proposed" in the column no. 6 of the table below Para 1.1 is omitted being mentioned inadvertently.**

By Order

**Kamlesh Kumar Pant, IAS  
Pr. Secretary (Env.S&T) to the  
Government of Himachal Pradesh**

Endst. No. STE-E-(5)-9/2018 Dated: Shimla-2,

04-08-2021.

Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-171002.
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6. All the Heads of Department in HP.
7. All the Deputy Commissioners in HP.
8. All the Superintendents of Police in H.P.
9. The Director (Env.Sci. &Tech), HP.
10. The Member Secretary, State Council for Science & Technology, HP.
11. The Member Secretary, HP State Pollution Control Board, Shimla-9
12. ALR-cum-Under Secretary (Law) to the Govt. of H.P Shimla -171002.
13. All the Municipal Corporation H.P.
14. All the Executive Officers/Secretaries of Municipal Councils/Nagar Panchayats in Himachal Pradesh.
15. Guard File.

(Sat Pal Dhiman)

Joint Secretary (Env.S&T) to the  
Government of Himachal Pradesh  
Phone No. 0177-2621874

*Kamlesh Pant*



सेवा में,

पुलिस अधीक्षक महोदय,  
ऊना, जिला ऊना (हि० प्र०)।

विषय:- शिकायत पत्र संख्या 47/PC, दिनांक 09.05.2025 (SP OFFICE ऊना) के संदर्भ में जांच रिपोर्ट।

श्रीमान जी,

सविनय निवेदन है कि आपके कार्यालय से प्राप्त उपरोक्त शिकायत पत्र, जिसमें शिकायतकर्ता श्री रोहित कटवाल द्वारा बाथड़ी वैली में अवैध माइनिंग, निर्धारित सीमा से अधिक खनन, खनन नियमों की अवहेलना तथा दिनांक 03.05.2025 को पुलिस थाना टाहलीवाल को सूचना देने के बावजूद FIR दर्ज न किए जाने के संबंध में आरोप लगाए गए हैं, की जांच थाना टाहलीवाल के सहायक उप निरीक्षक शमशेर दीन द्वारा की गई है।

आरोप:-

शिकायतकर्ता रोहित कटवाल द्वारा आरोप लगाये गये हैं कि बाथड़ी वैली में स्टोन क्रशर ऑपरेटरों अवैध रूप से माइनिंग की जा रही है तथा क्रशर संचालकों द्वारा तय सीमा से अधिक खुदाई की गई है। कोई भी पक्की-सड़क क्रशर के रास्तों के लिये नहीं बनाई गई है तथा माइनिंग के अन्य नियमों की अवहेलना की जा रही है। इसके अलावा आरोप लगाये हैं कि 03.05.2025 को इसने टाहलीवाल थाना पुलिस को अवैध खनन की सूचना दी थी तथा इस संबंध में पुलिस द्वारा FIR दर्ज नहीं की गई है।

जांच विवरण:

दिनांक 03/04.05.2025 की रात्रि लगभग 11:00 बजे, शिकायतकर्ता द्वारा टेलीफोन पर अवैध खनन की सूचना थाना टाहलीवाल को दी गई। तत्काल प्रभाव से ASI शमशेर दीन व आ० जसवंत सिंह को सरकारी मोटरसाइकिल पर तस्दीक हेतु रवाना किया गया। बाथु-बाथड़ी खड्ड क्षेत्र में मौके पर गहन जांच के बावजूद कोई भी अवैध माइनिंग गतिविधि, टिप्पर, मशीन अथवा संबंधित व्यक्ति उपस्थित नहीं पाए गए। यह भी उल्लेखनीय है कि माइनिंग गतिविधियों में संलिप्त व्यक्तियों द्वारा आमतौर पर अपने स्रोतों से पुलिस की गतिविधियों पर नजर रखी जाती है तथा पुलिस कार्यवाई से बचने के लिये थाना के आसपास अपने तौर पर गुप्त तरीके से पुलिस के थाना से आने जाने वारे अपने गुप्त सूत्र तैनात किये जाते हैं। जिससे कई बार पुलिस कार्यवाई की सफलता प्रभावित होती है। शिकायतकर्ता द्वारा पूर्व में किए गए आरोपों के संबंध में, उससे मोबाइल नंबर 70180-13195 पर संपर्क किया गया, परंतु शिकायतकर्ता न तो थाना में उपस्थित हुआ तथा बतलाया कि यह अपना जबाब थाना में लिखित तौर पर भेज देगा। परिणामस्वरूप शिकायत की जांच में विलंब होना पाया गया है।

श्रीमान जी, अवैध खनन के विरुद्ध थाना टाहलीवाल द्वारा नियमित रूप से कार्यवाई की जा रही है। जिस में माह अप्रैल एवं मई 2025 में कुल 27 चालान कर ₹8,55,000/- का जुर्माना वसूला गया है। अब तक वर्ष 2025 में जून माह तक कुल 93 चालान, जिनमें 04 ट्रक, 34 टिप्पर, 48 ट्रैक्टर, 03 JCB व 04 पोकलेन

Genl. Secy  
Deputy  
(Genl. Secy)  
H.P. S...

मशीनें शामिल हैं, किए गए हैं तथा कुल ₹11,85,000/- जुर्माना वसूला गया है एवं 10 चालान आगामी कार्रवाई माननीय न्यायालय में प्रस्तुत किए गए हैं। पुलिस द्वारा समय-समय पर विभिन्न स्थानों पर नाकाबंदी एवं रेड कार्रवाई के माध्यम से माइनिंग के विरुद्ध प्रभावी कदम उठाए जा रहे हैं।

### निष्कर्ष:

शिकायतकर्ता द्वारा लगाए गए आरोपों की जांच के दौरान दिनांक 03/04.05.2025 को बताई गई जगह पर अवैध माइनिंग नहीं पाई गई, और ना ही कोई खनन सामग्री अथवा वाहन मौके पर मिला है। शिकायतकर्ता भी जांच में सहयोग हेतु उपस्थित नहीं हुआ है। अतः शिकायत पत्र को तथ्यों के अभाव में दाखिल-दफ्तर किया जाना उचित है। इसके अलावा क्रशर संचालकों द्वारा क्रशर के अन्दर की जा रही क्रशर से संबंधित नियमों की अवहेलना के संबंध में थाना क्षेत्र के विभिन्न क्रशरों की एक संयुक्त जांच खनन विभाग, वन विभाग, उद्योग विभाग व पुलिस विभाग इत्यादि से करवाया जाना आवश्यक है।

अतः उपरोक्त रिपोर्ट आपके कार्यालय के अवलोकनार्थ एवं आवश्यक आदेशार्थ प्रेषित की जाती है।

### संलग्न:

1. मूल शिकायत पत्र - 02 पृष्ठ
2. नकल रपट - 03 पृष्ठ

  
ASI शमशेर दान  
IO, थाना टाहलीवाल,  
जिला ऊना (हि०प्र०)

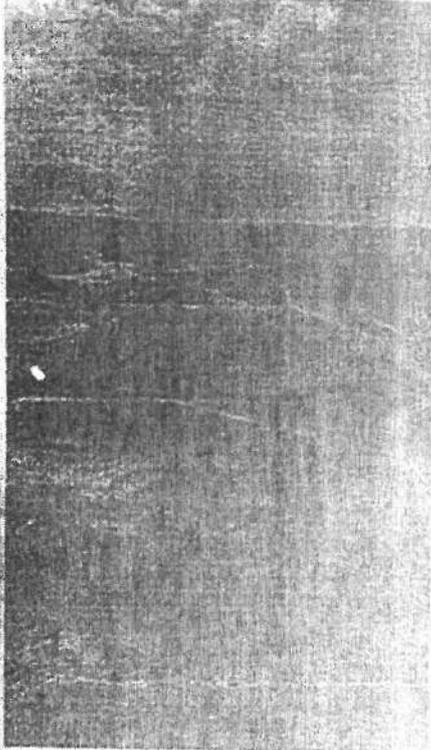
  
Geologist  
Dept. of Industries  
(Geological Survey)  
H.P.C.

भवदीय

प्रभारी   
थाना टाहलीवाल, हलीवाल  
जिला ऊना (हि०प्र०)  
दिनांक: 09.07.2025

At 01:24 PM I called PS Tahlwal again to know the status of the complaint and I was told that they did not find anything in the Hum Valley. We have the call recordings with said officer where we have specifically asked for the FIR to be registered.

Furthermore, I would also like to draw your attention to stone crusher operating in broad day light in Hum Valley of Bathri, Haroli that is unscientific and in violation of various provisions of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.



47/PC-SP office Una  
dt 09-05-25, PST/wal

66/PC  
9/5/25

1. The Hum valley has been mined beyond permissible depth.
2. There are no metallic or concrete roads maintained by the stone crusher.
3. The stone crusher is further mining the mountain and, in the process, cutting trees.
4. The area adjacent to stone crusher has been either mined to such an extent that water has come up or polluted water is being stored in dugs created by stone crusher.
5. There are no visible sprinklers or dust suppression systems.
6. There is no visible triple tree lines as mandated by the rules.
7. There is no wall upto the height of the stone crusher machines.
8. Besides, police station Tahlwal including officer Rinku and other officers are accomplice in day and night robbery of the Himachal Pradesh resources. They had adequate information on the night of 03.05.2025 to act against illegal mining, for which we have corroborating proof by ways of recording and our phone location data, yet their claims that they could not find any thing in the hum valley means they are hand in gloves with the illegal elements in tahlwal and are facilitating the whole mining mafia nexus.
9. Mining officer has deliberately failed in his duty to ensure that the stone crusher and mining happen as per the rules and regulation laid by government. The fact that mining has happened to such devastating level and mining officer has not yet given proper report on the matter to authorities speaks volume of his involvement in the nexus.

I request you to kindly register an FIR against the people responsible for the illegal mining on the night of 03.05.2025, register my complaint against Tahlwal Police Station for being an accomplice in facilitating illegal mining mafia and against Mining Officer for dereliction of his official duty as public servant.

Please note I will be asking for Action Taken Report on the matter after 14 days and will use content of such report as a proof in appropriate courts in pursuit of justice.

Rohit Katwal  
70180-13195

Asst. Chamberlain  
for n/a

13/5/2025  
M.P. Sharma

## General Diary Details (रोजनामचा का विवरण)



P.S. (थाना): TAHLIWAL

State (राज्य): HIMACHAL PRADESH

District (जिला): UNA

- a) G.D. No. (रोजनामचा सं.): 023  
 b) G.D. Date (रोजनामचा दिनांक): 31/05/2025 1:36:00 AM  
 c) G.D. Type (रोजनामचा प्रकार): Others  
 d) Name of Writer and Rank (लेखक का नाम और रैंक): PC/ Shama Choudhary  
 e) Entry (for Officer) प्रविष्टि (अधिकारी के लिए): Asst. SI/Shamsher Deen /NA/  
 f) GD Subject (रोजनामचा विषय): हत्याकाण्ड PC नम्बर 47 दिनांक 09.05.2025 वारा  
 g) G.D. Brief (रोजनामचा संक्षिप्त):

इस समय दर्ज है कि मनु ASI ने PC नम्बर 47 दिनांक 09.05.2025 अजाने रोहित कटवाल की पूछताछ के लिये रोहित कटवाल के मोबाईल नम्बर 7018013195 पर सम्पर्क करके थाना पर आने के वारा कहा तो रोहित कटवाल ने थाना आने से मना कर दिया और कहा कि मैंने जिस दिन फोन पर शिकायत करी थी उस दिन बाथडी खड्ड में दो JCB व 10-12 टिप्परों से माईनिंग हो रही थी जब मैंने दोबारा से सपय करीव 1.24 मिनट PM पर काम करके पूछा तो थाना टाहलीवाल से मुझे जवाब मिला कि कोई भी JCB व टिप्पर माईनिंग नहीं कर रहे है मैं अपना जवाब लिखित तौर पर थाना को भेज दूंगा मैं न तो थाना में आऊंगा न ही बाथडी खड्ड में जाऊंगा जिस कारण से PC उपरोक्त की छानबीन न की जा सकती है। जिसके वारे में अलग से विस्तृत रिपोर्ट तैयार करके जलाह पुलिस अधीक्षक के कार्यालय को भेजा जाएगा। अतः रपट दर्ज है।

  
 Geologist  
 Deptt. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

Signature (हस्ताक्षर):

Name (नाम): Shamsheer Deen

Rank (पद): Asst. SI

No. (सं.): NA

General Diary Details  
(रोजनामचा का विवरण)

State (राज्य): HIMACHAL PRADESH

P.S. (थाना): TAHLIWAL

District (जिला): UNA

- a) G.D. No. (रोजनामचा सं.): 031  
 b) G.D. Date (रोजनामचा दिनांक): 03/05/2020 11:13:08 PM  
 c) G.D. Type (रोजनामचा प्रकार): Citizen Information/Tip Received  
 d) Name of Writer and Rank (लेखक का नाम और रैंक): PC, Ravi Jasswal  
 e) Entry (for Officer) प्रविष्टि (अधिकारी के लिए): INSP/Rinku  
 f) GD Subject (रोजनामचा विषय): ईतलाह व खानगी बराये तहदीक हाजिर  
 g) G.D. Brief (रोजनामचा सक्षिप्त):

इस समय दर्ज है कि रोहित कश्यप ने वज्रिया दूरभाष न0 70180-13195 थाना मे सूचना दी है कि शिव शक्ति स्टोन केशर बाथू के नजदीक खड्ड मे अवैध माईनिंग हो रही है, मौका पर पुलिस भेजे। जो इसी आमदा ईतलाह पर ASI शमशेरदीन व आ0 जसवंत सिंह न0 351 को व सवारी सरकारी मोटरवाइकल न0 HP20F-0127 के वराये तहदीक मौका का खाना किया जाकर हिदायत मुनासिब करी गई। अतः रपट दर्ज है।

Signature (हस्ताक्षर):

Name (नाम): Rinku

Rank (पद): INSP.

No. (सं.):

  
 Geologist  
 Deptt. of Industries  
 (Geological Wing)  
 H.P. Sharma-1

General Diary Details  
(रोजनामचा का विवरण)

State (राज्य): HIMACHAL PRADESH

P.S. (थाना): TAHLIWAL

District (जिला): UNA

- a) G.D. No. (रोजनामचा सं.): 002  
 b) G.D. Date (रोजनामचा दिनांक): 04/05/2025 01:33:23 AM  
 c) G.D. Type (रोजनामचा प्रकार): Arrival  
 d) Name of Writer and Rank (लेखक का नाम और रैंक): PC/Ravi Jaswal  
 e) Entry (for Officer) प्रविष्टि (अधिकारी के लिए): Asst. SI/Shamsher Deen /NA/  
 f) GD Subject (रोजनामचा विषय): वापसी  
 g) G.D. Brief (रोजनामचा संक्षिप्त):

इस समय दर्ज है कि मन ASI मय आ० जसवंत सिंह न० 351 व सवारी सरकारी मोटरसाईकल न० HP20F-0127 व आ० अकुश ठाकुर न० 367 व सवारी सरकारी गाड़ी न० HP01U-0583 रफता व हवाला रफट न० 31 रोजनामचा दिनांक 04.05.2025 के बाद तसदीक मुकाम शिव शक्ति स्टोन क्रैशर वायू से वापिस हाजिर धाना आया हूँ। दौराने तसदीक हालात शिव शक्ति स्टोन क्रैशर वायू के नजदीक खड्ड व आस-पास के इलाका मे अवैध माईनिंग न होना पाई गई। हालात तसदीक के दौराने कोई भी मशीन व टिप्पर न मिले है। अतः रफट दर्ज है।

Signature (हस्ताक्षर):

Name (नाम): Shamsher Deen

Rank (पद): Asst. SI

No. (सं.): NA

  
 Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

To,

The Superintendent of Police,

Una, District Una (Himachal Pradesh).

Subject: Investigation report regarding complaint letter number 47/PC, dated 09.05.2025 (SP Office Una).

Sir,

Respectfully, it is submitted that the above-mentioned complaint letter received from your office, in which the complainant, Mr. Rohit Katwal, has alleged illegal mining in Bathedri Valley, mining beyond the prescribed limits, violation of mining rules, and failure to register an FIR despite informing the Tahliwal Police Station on 03.05.2025, has been investigated by Assistant Sub-Inspector Shamsher Din of Tahliwal Police Station.

Allegations:

The complainant, Rohit Katwal, has alleged that stone crusher operators are illegally mining in Bathri Valley and that the contractors have excavated beyond the stipulated limits. No proper roads have been constructed for the crusher routes, and other mining rules are being violated. He further alleges that on 03.05.2025, he informed the Tahliwal Police Station about the illegal mining, but the police did not register an FIR in this regard.

Investigation Details:

On the night of 03/04.05.2025, at approximately 11:00 PM, the complainant informed the Tahliwal Police Station about the illegal mining via telephone. Immediately, ASI Shamsher Deen and Constable Jaswant Singh were dispatched on a government motorcycle for verification. Despite a thorough investigation at the site in the Bathu-Bathedri khad area, no illegal mining activity, tippers, machinery, or related persons were found present. It is also noteworthy that individuals involved in mining activities typically monitor police movements through their sources, and to evade police action, they secretly deploy their informants around the police station to keep track of police movements. This often hinders the success of police operations. Regarding the allegations made earlier by the complainant, he was contacted on mobile number 70180-13195, but the complainant neither appeared at the police station nor provided a written response as promised. Consequently, the investigation of the complaint has been delayed.

Sir, the Tahliwal Police Station is regularly taking action against illegal mining. In April and May 2025, a total of 27 challans were issued, and a fine of ₹8,55,000/- was collected. Up to June 2025, a total of 93 vehicles have been seized, including 4 trucks, 34 tippers, 48 tractors, 3 JCBs, and 4 excavators.

*H*  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. S...

Machines were involved and a total fine of ₹11,85,000/- has been collected, and 10 challans have been submitted to the Hon'ble Court for further action. The police are taking effective steps against illegal mining through roadblocks and raids at various locations from time to time.

Conclusion:

During the investigation of the allegations made by the complainant, no illegal mining was found at the location mentioned on 03/04.05.2025, nor was any mining material or vehicle found at the site. The complainant also did not appear to cooperate with the investigation. Therefore, it is appropriate to close the complaint file due to lack of evidence. Furthermore, regarding the violation of rules related to crushing operations by the crusher operators, a joint investigation of various crushers in the police station area should be conducted by the Mining Department, Forest Department, Industries Department, and the Police Department.

Therefore, the above report is submitted to your office for your perusal and necessary orders.

Enclosures:

1. Original complaint letter - 2 pages
2. Spot report - 3 pages

Sd/  
ASI Shamsher Deen  
IO, Police Station Tahliwal,  
District Una (Himachal Pradesh)

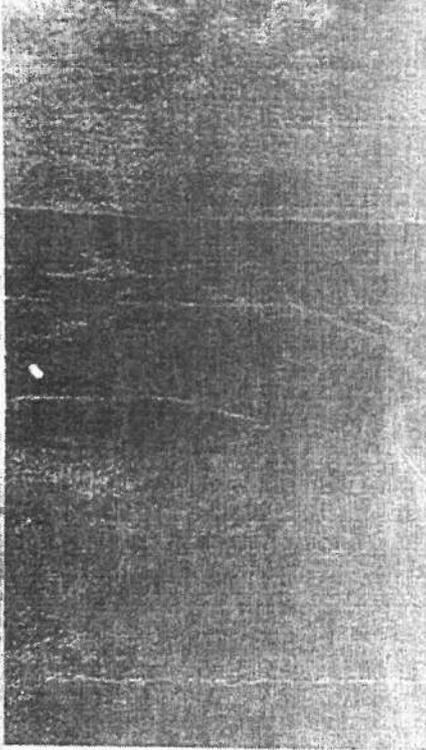
Sincerely,

In Charge,  
Station Tahliwal,  
Una (Himachal Pradesh)  
Dated 09.07.2023

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

At 01:24 PM I called PS Tahliwal again to know the status of the complaint and I was told that they did not find anything in the Hum Valley. We have the call recordings with said officer where we have specifically asked for the FIR to be registered.

Furthermore, I would also like to draw your attention to stone crusher operating in broad day light in Hum Valley of Bathri, Haroli that is unscientific and in violation of various provisions of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.



47/PC-SP office Una  
dt 09.05.25, PST/wal

66/PC  
9/5/25

1. The Hum valley has been mined beyond permissible depth.
2. There are no metallic or concrete roads maintained by the stone crusher.
3. The stone crusher is further mining the mountain and, in the process, cutting trees.
4. The area adjacent to stone crusher has been either mined to such an extent that water has come up or polluted water is being stored in dugs created by stone crusher.
5. There are no visible sprinklers or dust suppression systems.
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8. Besides, police station Tahliwal including officer Rinku and other officers are accomplice in day and night robbery of the Himachal Pradesh resources. They had adequate information on the night of 03.05.2025 to act against illegal mining, for which we have corroborating proof by ways of recording and our phone location data, yet their claims that they could not find any thing in the hum valley means they are hand in gloves with the illegal elements in tahliwal and are facilitating the whole mining mafia nexus.
9. Mining officer has deliberately failed in his duty to ensure that the stone crusher and mining happen as per the rules and regulation laid by government. The fact that mining has happened to such devastating level and mining officer has not yet given proper report on the matter to authorities speaks volume of his involvement in the nexus.

I request you to kindly register an FIR against the people responsible for the illegal mining on the night of 03.05.2025, register my complaint against Tahliwal Police Station for being an accomplice in facilitating illegal mining mafia and against Mining Officer for dereliction of his official duty as public servant.

Please note I will be asking for Action Taken Report on the matter after 14 days and will use content of such report as a proof in appropriate courts in pursuit of justice.

Rohit Katwal  
70180-13195

Asst. Shambhar Deen  
for n/a

13/5/2025  
ifh

## General Diary Details

State: HIMACHAL PRADESH

P.S. (Police Station): TAHLIWAL

District: UNA

a) G.D. No.: 023

b) G.D. Date: 31/05/2025 11:36:00 AM

c) G.D. Type: Others

d) Name of Writer and Rank: PC/ Shama Choudhary

e) Entry (for Officer): Asst SI/Shamsher Deen/NA/

f) GD Subject: Regarding PC No. 47 dated 09.05.2025

g) G.D. Brief:

It is recorded at this time that when ASI contacted Rohit Katwal on his mobile number 7018013195 regarding PC No. 47 dated 09.05.2025 for questioning, Rohit Katwal refused to come to the police station and said that on the day he filed the complaint over the phone, two JCBs and 10-12 tippers were engaged in mining in Baddi. When he inquired again at approximately 1:24 PM, he received a reply from Tahliwal Police Station that no JCBs or tippers were engaged in mining. He said he would send his reply in writing to the police station and would neither come to the police station nor go to Baddi. Due to this, the investigation of the above PC could not be conducted. A separate detailed report will be prepared and sent to the office of the Superintendent of Police. Therefore, the report is recorded.

Signature:

Name: Shamsher Deen

Rank: Asst. SI

No.: NA

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla

## General Diary Details

State: HIMACHAL PRADESH

P.S. (Police Station): TAHLIWAL

District: UNA

- a) G.D. No.: 031
- b) G.D. Date: 03/05/25 11:13:08 PM
- c) G.D. Type: Citizen Information/Tip Received
- d) Name of Writer and Rank: PC Ravi Jaswal
- e) Entry (for Officer): INSP/Rinku
- f) GD Subject: Information and instructions for verifying the situation.
- g) G.D. Brief:

It is recorded that Rohit Katwal informed the police station via telephone number 70180-13195 that illegal mining is taking place near Shiv Shakti Stone Crusher in Bathu. He requested that police be sent to the spot. Based on this information, ASI Shamsheer Deen and Constable Jaswant Singh No. 351 were dispatched to the spot on government motorcycle number HP20F-0127 with appropriate instructions. Therefore, this report is recorded.

Signature:

Name: Rinku

Rank: INSP

No.:

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

## General Diary Details

State: HIMACHAL PRADESH

P.S. (Police Station): TAHLIWAL

District: UNA

a) G.D. No.: 002

b) G.D. Date: 04/05/2025 01:33:23 AM

c) G.D. Type: Arrival

d) Name of Writer and Rank: PC/ Ravi Jaswal

e) Entry (for Officer): Asst. SI/Shamsher Deen /NA/

f) GD Subject: Return

g) G.D. Brief:

It is recorded at this time that I, ASI, along with Constable Jaswant Singh No. 351, riding government motorcycle No. HP20F-0127, and Constable Ankush Thakur No. 367, riding government vehicle No. HP01U-0583, have returned to the police station after verifying the report no. 31 of the General Diary dated 04.05.2025 at Shiv Shakti Stone Crusher, Vayu. During the verification, no illegal mining was found in the area near Shiv Shakti Stone Crusher, Vayu, and the surrounding areas of Badu. No machines or tippers were found during the verification. Therefore, the report is recorded.

Signature:

Name: Shamsher Deen

Rank: Asst. SI

No.: NA

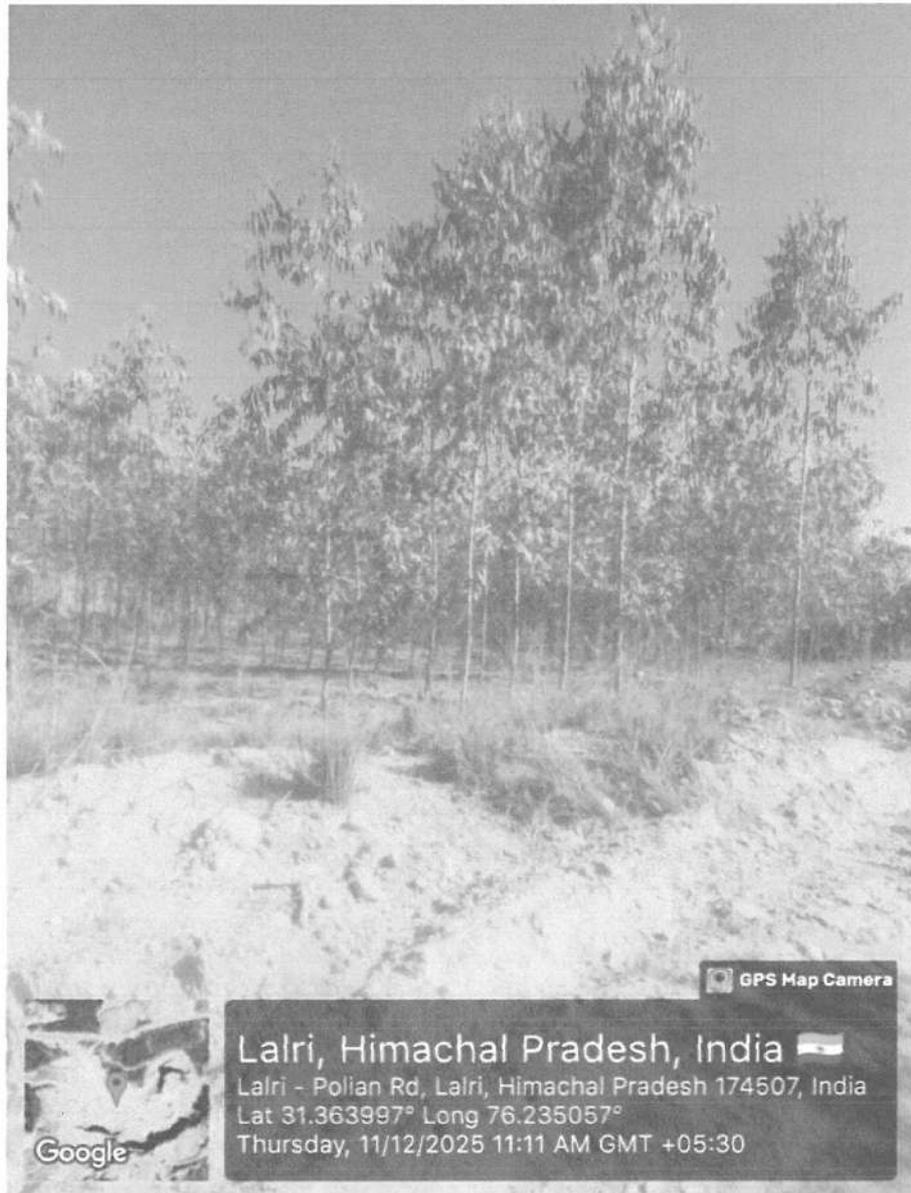
  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1



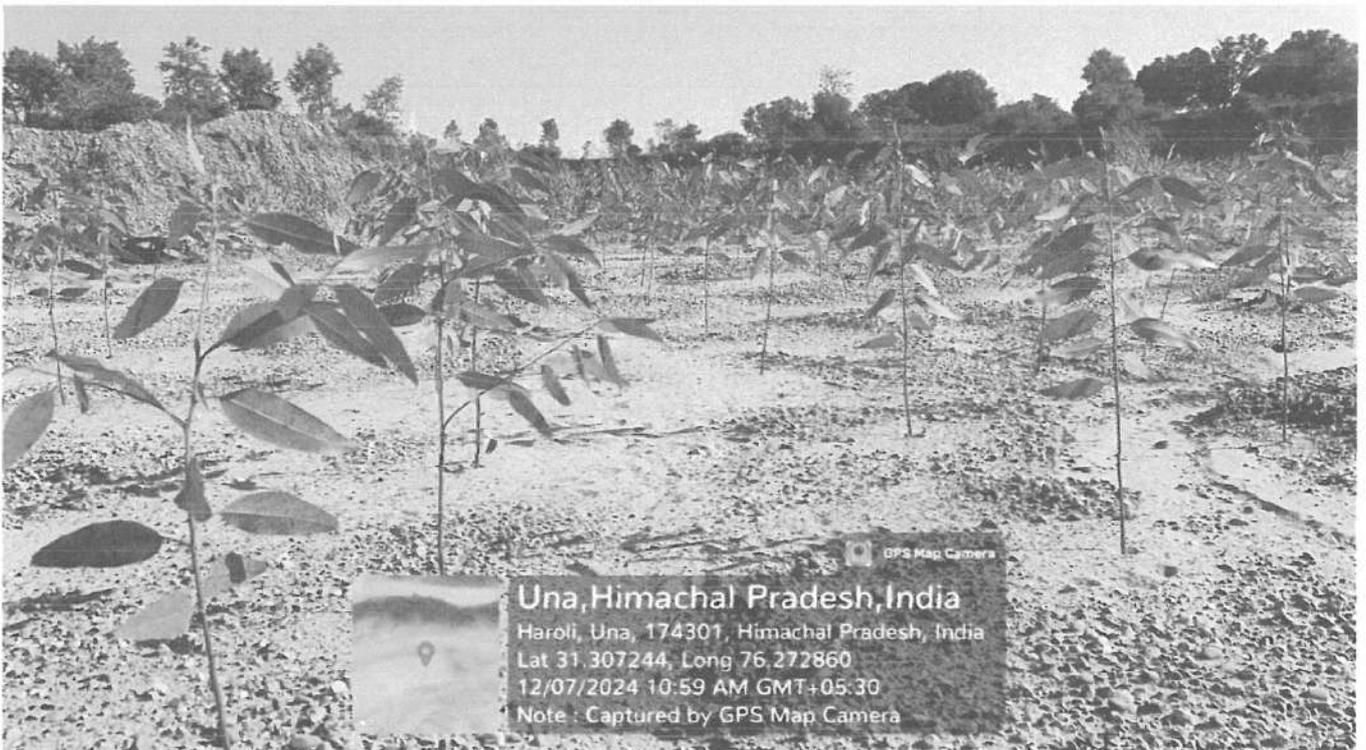
ANNEXURE R-9



Geologist  
Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1



  
Industries  
(Geological Wing)  
H.P. Shimla-1



Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1



GPS Map  
Camera Lite

Unnamed Road, Himachal Pradesh 174301, India

Latitude

31° 23' 7.806" N

Longitude

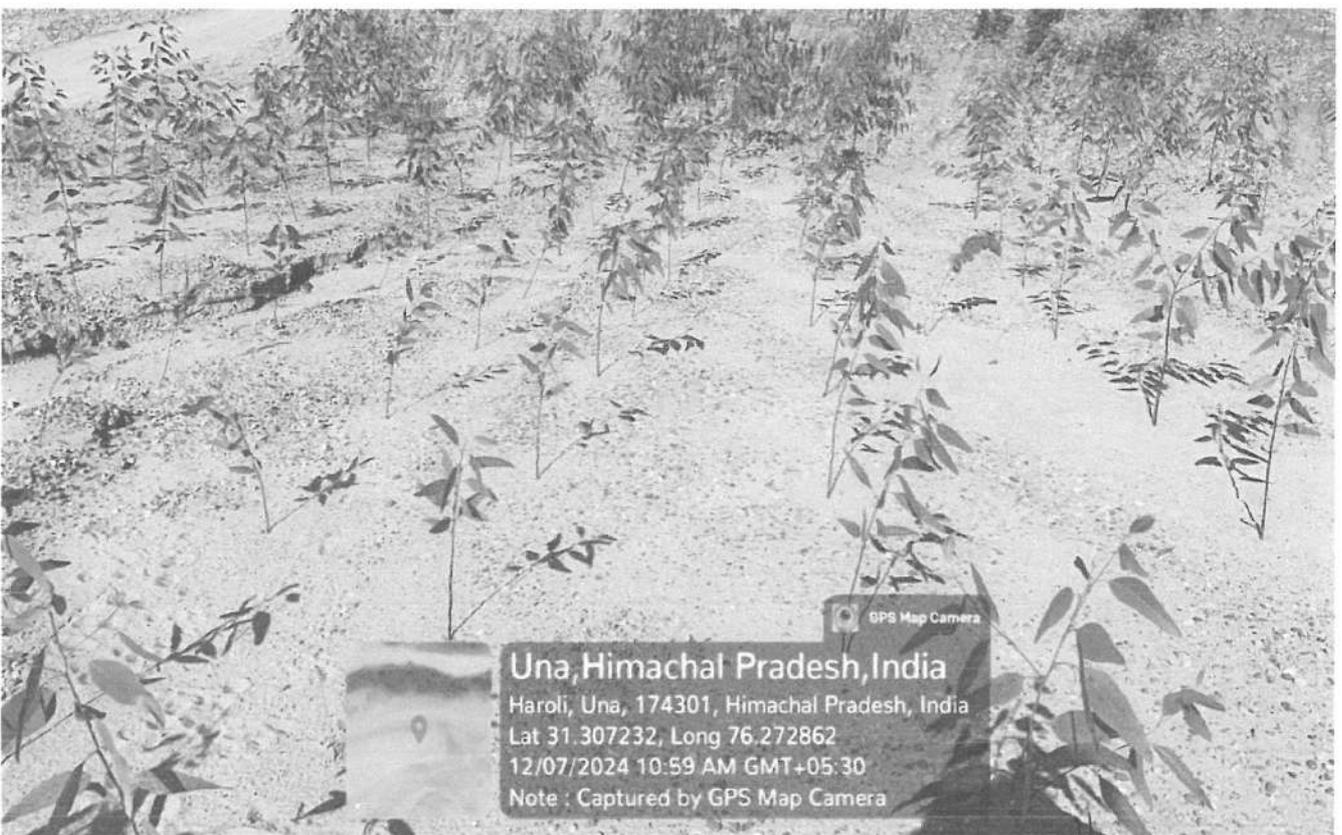
76° 14' 16.626" E

Local 11:59:54 AM

GMT 06:29:54 AM

Altitude 455 meters

Thursday, 24.07.2025



GPS Map Camera

Una, Himachal Pradesh, India

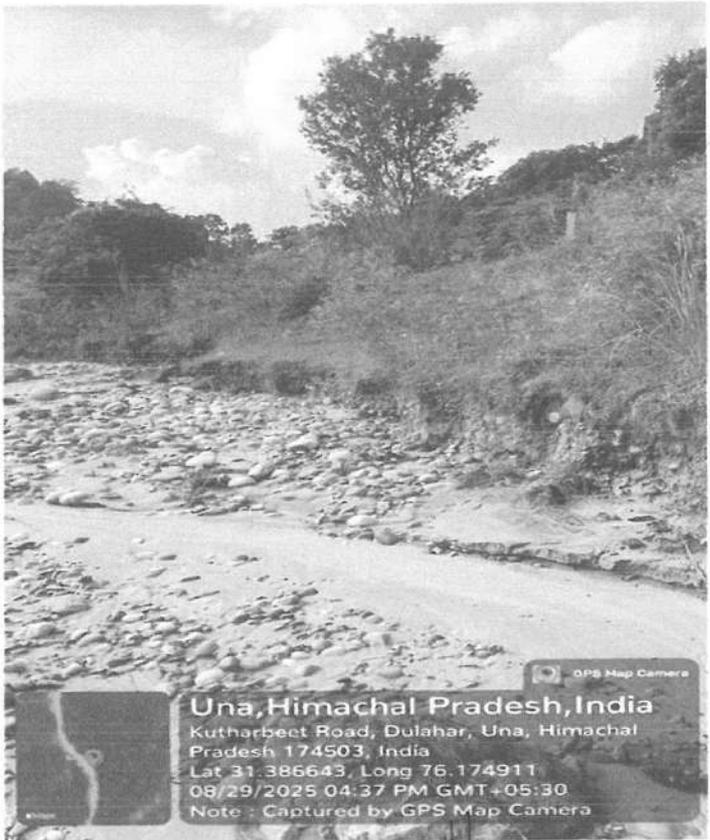
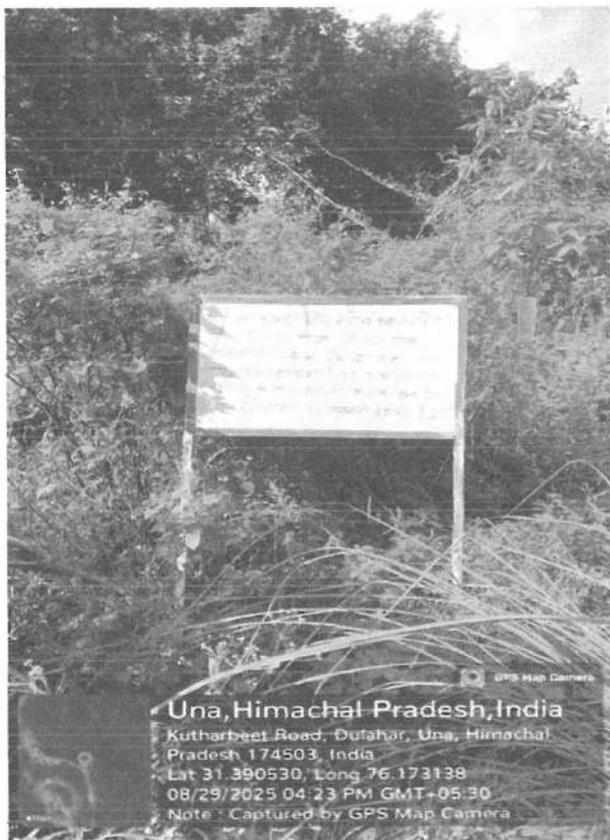
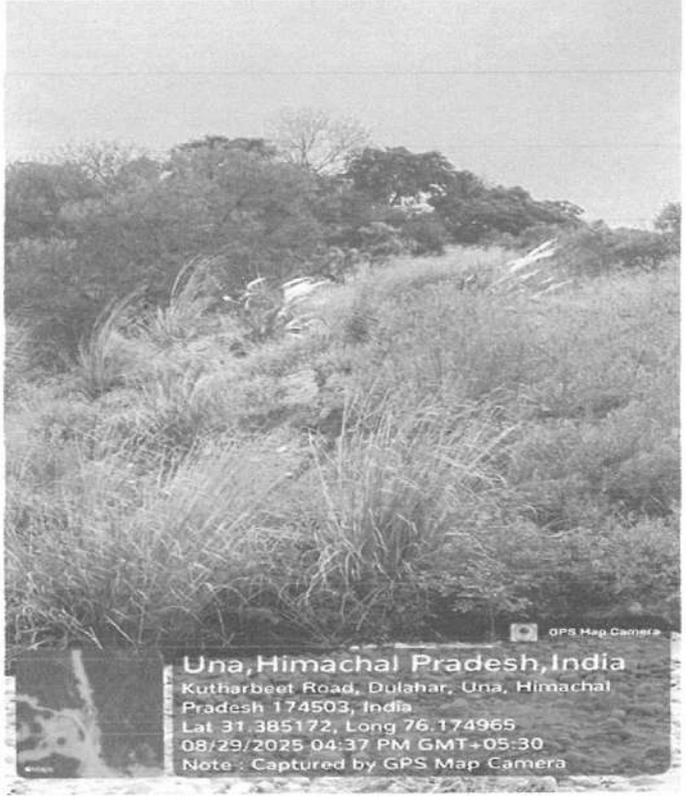
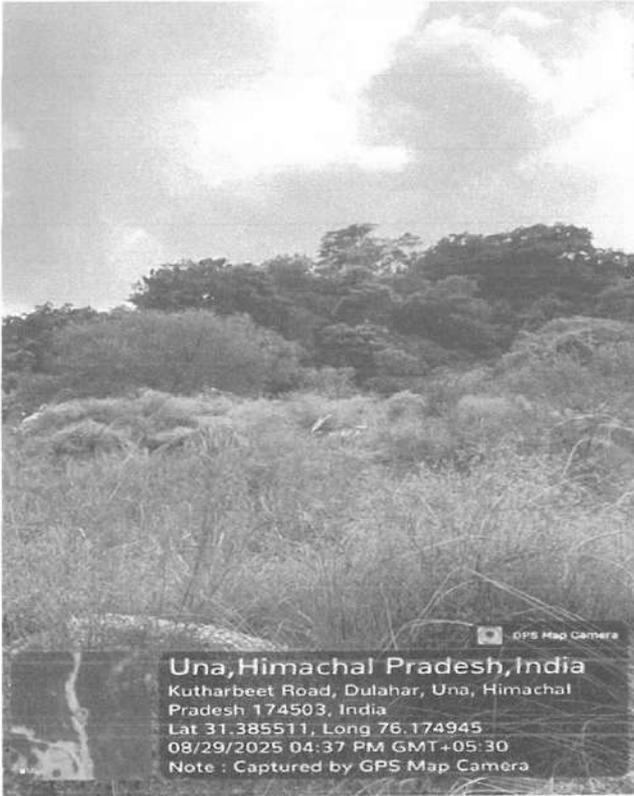
Haroli, Una, 174301, Himachal Pradesh, India

Lat 31.307232, Long 76.272862

12/07/2024 10:59 AM GMT+05:30

Note : Captured by GPS Map Camera

Dept. of Industries  
(Geological Wing)  
H.P. Shimla-1



Ketan Paul

Geologist  
 Dept. of Industries  
 (Geological Wing)  
 H.P. Shimla-1

## ANNEXURE R-10

OFFICE OF THE DISTRICT MAGISTRATE, UNA, DISTRICT UNA,  
HIMACHAL PRADESHOrder under Section 163 of the BNSS, 2023

Whereas, it has been brought to the notice of the undersigned that the due to illegal mining causing disturbance to public peace and tranquility and contributing to law and order concerns;

And Whereas several instances of public nuisance, altercations, and disturbances have occurred during late evening and night hours.

And whereas it is expedient and necessary, in the interest of maintaining public order and preventing potential breaches of peace, to regulate the mining within district:

Now, therefore, in exercise of the powers conferred under Section 163 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (corresponding to erstwhile Section 144 Cr. P.C.) I, Jatin Lal, IAS District Magistrate, Una do hereby order as follows:

1. There will be complete ban on mining related activities 05:00 PM to 06:00 AM.
2. All mining related activities including extraction, loading shall be permitted only between 06:00 AM to 05:00 PM.
3. Transportation of mining material by tippers/ trucks shall be allowed between 10:00 AM to 05:00 PM.

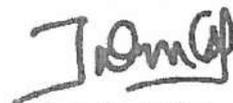
Whereas, transportation of mining shall be only permitted through designated routes attached as Annexure "A".

Whereas, all designated routes shall be jointly manned by Police and Mining Department to ensure ban on illegal mining.

Whereas, Police and mining personnel deployed shall lodge FIR under the relevant section of BNSS.

This order shall remain in force until further orders.

Issued under my hand and seal on this 21<sup>st</sup> day of November, 2025.



(Jatin Lal) IAS  
District Magistrate  
Una District Una (H.P.)

Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

**OFFICE OF THE DISTRICT MAGISTRATE, UNA, DISTRICT UNA, HIMACHAL PRADESH**

**Annexure-A**

**Designated Routes:-**

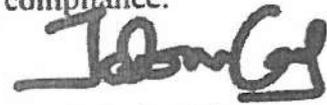
1. Una to Nangal via Mehatpur
2. Tahliwal to Gaddhankar / Bhangla Road via Bathri
3. Dulehar to Garhshankar via Gondpur Jaichand
4. Janani to Mehallpur via Janani Khadd
5. Ghalluwal to Hoshiarpur Road via Pandoga
6. Gagret to Hoshiarpur via Ashadevi Barrier
7. Virbhadrachowk to Nangal via Sehjowal Barrier
8. Ajauli Barrier route (towards Punjab)
9. Daulatpur to Talwara via Marwadi

Endst. No. 954-57 /ADC/Dev./Mining

Dated:- 21/11/2028

A copy is forwarded to the

- 1) The Divisional Commissioner Kangra at Dharamshala, District Kangra (H.P.) for information.
- 2) The Superintendent of Police Una, District Una (H.P.) for strict compliance.
- 3) The Sub-Divisional Officer (C) Una, Amb, Bangana, Haroli, Gagret, District Una (H.P.) for strict compliance.
- 4) The Mining Officer Una, District Una (H.P.) for strict compliance.



(Jatin Lal) IAS  
District Magistrate  
Una District Una (H.P.)

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1



## ANNEXURE R-11

Assistant Director E.D. Vs. Lakhwinder Singh. CR No. 1-2024

21.01.2025.

Present:- Shri C.B. Raina, Ld. Special Prosecutor for E.D.  
All accused on bail in person with Shri Sudhir  
Sambyal, Advocate.

Certified copy of order of Hon'ble High Court of H.P.  
dated 03.01.2025 filed. Be placed on record. Perusal of this  
order reveals that ECIR dated 20.06.2022, complaint dated  
11.03.2024 and summoning order dated 05.04.2024 have been  
quashed. The file, after due completion, be consigned to  
record room.

Announced:-  
21.01.2025.

(Rajeev Bali)  
Special Judge,  
Kangra at Dharamshala,  
Distt. Kangra, H.P.

  
Geologist  
Deptt. of Industries  
(Geological Wing)  
H.P. Shimla-1

*Kern Paul*

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**In the matter of Rohit Singh vs. State of H.P & ors. in OA no. 561 of 2025**

1 message

**KP Chambers** <office@kpchambers.com>

Mon, Feb 2, 2026 at 7:08 PM

To: "katwallegal@gmail.com" &lt;katwallegal@gmail.com&gt;, Deepak Kumar Sonu &lt;deepakkumarsonu60466@gmail.com&gt;

Sir,

Please find attached the reply filed on behalf of Respondents Nos. 1, 2 and 4 in the above-captioned matter, which is listed for hearing on 03.02.2026

Kindly take the same on record.

*Regards,*  
Shreya Pandey  
*For*

**Chambers of Ketan Paul**  
**Supreme Court of India**

*Office: J-29 (FF), Jangpura Extension, New Delhi - 110014*  
*Pb: +91-8800314564, 011-49868149*

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 **Rohit Singh vs. State of HP in OA no. 561 of 2025.pdf**  
14205K