

32A-A INSTRUCTION ON MINES AND MINERALS

**Government of West Bengal
Land and Land Reforms Department
Land Reforms Branch.**

NOTIFICATION

No.761-L.Ref.

dated, Calcutta, the 4th April, 1981.

Whereas in terms of Notification No.227-Edn(P). dated the 27th March, 1981 the provisions of Section 78 of the West Bengal Primary Education Act, 1973 (West Bengal Act XLIII of 1973) shall come into force in the whole of West Bengal with effect from the 1st day of April, 1981;

Now, therefore, in pursuance of the provisions of section 78 of the said Act, the Governor is pleased to notify that primary education cess shall be assessed and levied in each district for the cess year commencing from the 1st day of Baishakh, 1388 B.S. in respect of (i) lands and (ii) quarries and mines other than coal mines as mentioned under column (1) of the table below at the rates specified in the corresponding entry in column (2) of the table.

Table

	(1)	(2)
(i)	Lands	Ten paise on each rupee of the annual value thereof.
(ii)	Quarries and mines other than coal mines.	Twelve paise on each rupee of the annual net profits thereof.

By order of the Governor,
M.C. Datta.
Deputy Secretary
to the Government of W. Bengal.

No. 762(48)-L. Ref.

Calcutta, the 7th April, 1981

Copy forwarded to the :-

1 to 6) ***

7) Settlement Officer, Kochbihar-Jalpaiguri-Darjiling at Koch Bihar.

8)

for information

Sd/-Illegible
Deputy Secretary to the
Government of West Bengal.

●

**Government of West Bengal
Land and Land Reforms Department
Land Reforms Branch.**

NOTIFICATION

No.1503-L. Ref./6M-58/'82

Dated, Calcutta, the 7th August, 1982.

In exercise of the power conferred by section 39 read with Section of the Cess Act, 1880, (Bengal Act IX of 1880) the Governor is pleased hereby to determine in respect of lands, Coal-mines and mines other than Coal-mines and quarries specified in Column (1) of the Schedule below the rates shown in the corresponding entries in Column (2) of the schedule as the rates at which Public Works cess shall be assessed and levied in each district in the State of West Bengal for the Cess year commencing on the 1st of day Baishak, 1389 B.S.

SCHEDULE

(1)	(2)
Lands	25 paise on each rupee of annual value of the land ascertained as in the Act prescribed.
Coal-mines	50 paise on each tonne of annual despatches ascertained as in the Act prescribed.
Mines other than Coal mines and quarries.	6 paise on each rupee of annual not profit ascertained as in the Act prescribed.

By order of the Governor

M.C. Dutta.

Dy. Secy. to the Govt. of West Bengal.

Memorandum No.592/2935-42/C/'75,

dated, Alipore, the 20th August, 1982.

Copy forwarded to the Settlement Officer, Koch Bihar for information.

K.P. Sandilya,

For Director of Land Records & Surveys,
West Bengal.

●

Government of West Bengal
Office of the Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal
35, Gopal Nagar Road, Kolkata-700027

Memo No.123/...../C/04

Dated, Alipur the 29th November, 2007

From : Director of Land Records & Surveys
and Jt. Land Reforms Commissioner, W.B.

To: The Joint Secretary
Land & Land Reforms Department
Govt. of West Bengal
Writers' Buildings,
Kolkata-700001.

Sub : Establishment of check posts/barriers to prevent illegal and unauthorised transportation of minerals.

Ref : His No.4720-M&M/LR/AII/M&M/15/07, dated 20.07.2007.

Subject and reference above.

In sending back herewith the draft paper containing Memo No.53(4)-CI/0/WBMPIMTSR/001/03/MI; dated 28.02.2003 of the Commerce and Industries Department Government of West Bengal which was communicated to the Directorate under his memo no. referred to above, this Directorate has nothing to say against the draft prepared by the Commerce & Industries Department.

An early action in this regard is requested.

Encl : as stated above.

Sd/-Illegible
for Director of Land Records & Surveys and
Jt. Land Reforms Commissioner,
West Bengal.

**Government of West Bengal
Land and Land Reforms Department
Section-AII, BR-LRI(M&M)**

No.4720-M&M/LR/AII/M&M-15/07

Dated : 20.07.2007

From : The Jt. Secy. to the Govt. of West Bengal.

To: The Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal,
35, Gopalnagar Road, Alipore,
Kolkata-700027.

Sub : Establishment and Management of Checkposts/Barriers to prevent illegal/unauthorised transportation of minerals.

The undersigned is directed to send herewith a copy of Memo No.53(4)-CI/O/WBMPIMTSR/001/03/MI dated 28.02.2003 of the Joint Secretary, C&I Department on the above subject alongwith the draft paper and to request him to offer his kind views/comments on the points raised therein to this department immediately.

Sd/-Illegible
Joint Secretary to the
Government of West Bengal.

**Government of West Bengal
Commerce & Industries Department
CELL-M1
Writers' Buildings, Kolkata.**

Memo No.53(4)-CI/O/WBMPIMTSR/001/03/M1.

Dated : 28.02.2003

From : Joint Secretary to the Government of West Bengal

- To :
1. Principal Secretary,
Home Department, Government of West Bengal,
Writers' Buildings, Kolkata.
 2. Principal Secretary,
Land and Land Reforms Department, Government of West Bengal,
Writers' Buildings, Kolkata.
 3. Principal Secretary,
Finance Department, Government of West Bengal,
Writers' Buildings, Kolkata.
 4. Secretary,
Panchayat and Rural Development Department,
Government of West Bengal,
Jessop Buildings, Strand Road,
Kolkata.

Sub : Establishment and management of Checkposts/Barriers to prevent illegal/unauthorised transportation of minerals.

Sir,

I am directed to inform you that the State Government has framed a new Rules titled the "West Bengal Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2002 in order to prevent illegal mining of minerals in the State. A copy of the said Rules is enclosed.

It has been stipulated in the said Rules that in order to prevent illegal/unauthorized transportation of minerals, checkposts/barriers would be set up. A draft paper on the establishment and management of checkpost/barrier has also been prepared. I am directed to send herewith a copy of the said draft paper for your kind perusal and comments. The observations of your department, with suggestions for any modification, addition and deletion, may kindly be sent to this Department by 21.03.2003.

Yours faithfully,
Sd/-Illegible
Joint Secretary

Encl. : As stated.

Copy forwarded with copies of enclosure for information and necessary action to the Director of Mines and Minerals, West Bengal.

Sd/-Illegible
Joint Secretary

Sub : Establishment and Management of Checkposts/Barriers to prevent illegal/unauthorised transportation of minerals.

1. **Introduction :**

- 1.1. The State Government has framed West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 in order to prevent illegal mining of minerals in the State.
- 1.2. The objective of setting up of check post or barrier is to prevent unauthorised transportation of minerals.
- 1.3. The 'authorised officers' of the State Government to perform functions under West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 will be the following :-
 - (a) District Land and Land Reforms Officer in respect of the whole of a district;
 - (b) Sub-divisional Land and Land Reforms Officer in respect of the whole of a subdivision;
 - (c) Block Land and Land Reforms Officer in respect of the whole of a block;
 - (d) Mining Officer-in-Charge in respect of the districts under his administrative jurisdiction.

2. **Setting up of Check Posts and Barriers :**

- 2.1. Proviso to sub-rule (i) of Rule 5 of the West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 envisages that the matter of setting up of check post or barrier shall be notified in the Official Gazette.

3. **Issue of Transit Pass :**

- 3.1. Rule 3 of the West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 provides that no person shall transport or carry any mineral by any means from the place of raising to another place without being in possession of a valid transit pass issued by the competent authority under the rules.
- 3.2. The following officers are authorised by the State Government to issue Transit Pass and are declared as 'Competent Authority' :-
 - (a) Block Land and Land Reforms Officer in respect of the areas falling under his administrative jurisdiction.
- 3.3. The lessee or quarry permit holder will be issued a book containing 50 pages (in triplicate) of transit pass/challan duly signed by the officer mentioned at para 3.2.
- 3.4. For each consignment of minerals carried by transport the quantum of minerals has to be mentioned by the lessee or quarry permit holder and get it authenticated by the Issuing Officer or his authorised representative.

4. **Management of Check Posts or Barriers :**

- 4.1. Government of India has for some time now considering the desirability of involving Panchayat Raj bodies on the practical aspect of implementation of mineral concessions. The States have been urged to participate in sharing powers and responsibilities with the Panchayat Raj Bodies.
- 4.2. In West Bengal there is already a well-entrenched Panchayat system which is working very effectively. In the West Bengal Mineral Policy, 2002, emphasis has been given on involving the representatives of the Panchayats in the administration, management and supervision of the mineral concessions with a view to ensuring proper development and regulation of the mineral resources of the State.

4.3. In consonance with the objectives set in the West Bengal Mineral Policy, 2002 the following guidelines are issued to ensure proper and effective management of check posts and barriers in order to prevent illegal mining, transportation and storage of minerals in the State :-

(a) The location of the check posts and barriers will be selected by the District Administration in consultation with the Zilla Parishad;

(b) The check post and barrier will be managed by an Agency which should be a Co-operative Society of unemployed youths formed for the purpose.

(c) Preference will be given to a Co-operative Society formed by unemployed youths living Below Poverty Line (BPL);

(d) Preference will also be given to such Co-operative Societies of unemployed youths which belong to the locality where the check post and barrier is to be set up for their knowledge of the local situation and characteristics;

(e) A Committee under the chairmanship of the Sabhadhipati of Zilla Parishad or his representative (a member of the Zilla Parishad) and consisting of the following persons will select the Agency for managing the check post and barrier :-

(i) One representative of the District Magistrate;

(ii) One representative of Sub-divisional Officer under whose jurisdiction the check post and barrier is situated;

(iii) Sabhapati of the concerned Panchayat Samity or his representative (a member of the Panchayat Samity);

(iv) Pradhan of Gram Panchayat or Chairman of Municipality under whose area the check post and barrier is located;

(v) Mining Officer-in-Charge of the concerned Mining Zone under which the check post and barrier is located – Convenor.

(f) Wide publicity will be given inviting applications for management of the check post and barrier. All application will be scrutinised by the Selection Committee and the best one will be selected for the purpose;

(g) The check post and barrier will function round-the-clock for 24 hours a day in three shifts of 8 hours each. At least 2 (two) persons will man each check post or barrier at any point of time. The manpower in each shift in any check post or barrier should not exceed 4 (four) in number;

(h) The manpower engaged at the check post and barrier will be either the member of the selected Co-operative Agency or under their employment. The State Government will have no responsibility towards the salary/wages of these manpower;

(i) One Agency (Co-operative Society) may be selected for more than one check post or barrier. However, in one Police Station area one Co-operative Society should not be entrusted with the management of more than three check posts or barriers;

(j) Each vehicle carrying minerals passing through a check post or barrier will pay tariff at the following rates :-

	Category of vehicle	Tariff per vehicle (in Rs.)	
		Check Post	Barrier
(a)	Trucks/Dumpers/Carriers with capacity above 10 M.T.	Rs. 50/-	Rs. 25/-
(b)	Trucks/Carriers with capacity of 5-10 M.T.	Rs. 30/-	Rs. 15/-
(c)	Other vehicles	Rs. 20/-	Rs. 10/-

(k) The engagement of the Agency to manage the checkpost and barrier will be on commission basis at the following rates :-

- (a) At the rate of 40% of the tariff charges realised at the check post or barrier and
- (b) Additional commission @ 5% on the value of minerals carried unauthorisedly or in excess of the authorised quantum.
- (l) Stationaries, etc. required at the check post or barrier will be provided by the Agency managing the said check post or barrier at its own cost.
- (m) The selected Agency will keep a Security Deposit of Rs.10,000/- (Rupees Ten Thousand) with the State Government payable through Treasury Challan (Form-7) deposited under the Head of Account "0853-00-102-001-16". The Security Deposit will bear no interest.
- (n) The selected Agency will maintain all records and registers in the manner as prescribed in Rule 5 of the West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002.
- (o) The selected Agency for management of a check post or barrier will work directly under the supervision of the designated Officer-in-Charge for the said check post or barrier. The designated Officer-in-Charge of the check post or barrier will be a State Government Officer to be deputed by the District Land and Land Reforms Officer for the purpose. All statutory actions against any defaulting carrier will be taken under the signature and seal of the designated Officer-in-Charge of the check post or barriers.
- (p) Engagement of the Management Agency will be made initially for a period of 2 (two) years, which may be renewed for another one year depending on the performance of the Management Agency.

5. **Officer-in-Charge for the Check Post or Barrier :**

- 5.1. An officer not below the rank of a Revenue Officer attached to the Office of the Block Land and Land Reforms Officer, under whose jurisdiction the check post or barrier is situated, will act as Officer-in-Charge of one or more such check posts or barriers for the purpose of observing the statutory duties prescribed under the Rules.
- 5.2. The Officer-in-Charge will be responsible for the proper management of the check posts/barriers under his control. He should visit each check post or barrier under his control regularly and check the paper, records and documents maintained there and perform the statutory functions whenever required.
- 5.3. The District Land and Land Reforms Officer will make the selection of the Officer-in-Charge and depute them for the purpose;
- 5.4. The Officer-in-Charge of the check post or barrier will submit daily report to the Block Land & Land Reforms Officer on the activities at the check post or barrier. The report should include among other things the following :-
 - (i) Number of carriers passing through and checked;
 - (ii) Amount of tariff fee collected.
 - (iii) Amount of fines collected, if any;
 - (iv) Any seizure made or not.
- 5.5. The tariff fees and/or fines collected should be deposited to appropriate Account Head through Treasury Challan positively within the next working day.
- 5.6. The Block Land & Land Reforms Officer will consolidate the daily reports received from the Officers-in-Charge of the check posts or barriers and send a monthly report to the District Land & Land Reforms Officer and the concerned Mining Officer-in-Charge.

6. **Monitoring :**

- 6.1. The performance of the check posts or barriers and that of the Management Agencies will be reviewed at least once in three months by the Committee mentioned at para 4.3 of this Notification. The concerned Mining Officer-in-Charge and Convenor of the Committee will prepare a performance report of the Agency for perusal of the members of the Committee.

6.2. A quarterly report on the activities and management of the check posts or barriers and on the performance of the Management Agencies will be sent to the State Government in the Commerce & Industries Department by the concerned Mining Officer-in-Charge.

●

**AMENDMENTS OF
The West Bengal Minor Minerals Rules, 2002**

NOTIFICATION

* No.09-CI/O/MM-MISC-07/03/M2(Pt.)

Dated : 9th January, 2006

In exercise of the power conferred by sub-section (1) of section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Governor is pleased hereby to make the following amendments in the West Bengal Minor Minerals Rules, 2002 (hereinafter referred to as the said rules) :-

AMENDMENTS

In the said rules,-

(1) in rule 4,-

(a) After the first proviso to clause (c) of sub-rule (1), insert the following proviso :-

“Provided further that no renewal of such mining lease or mineral concession shall be granted on expiry of the terms of such mining or minerals lease already granted.”;

(b) After clause (b) of sub-rule (2), insert the following clause :-

“(c) On receipt of information of extraction or removal of minor mineral, the District Authority may cause measurement of the minor mineral already extracted or removed and shall serve a notice of demand for the price under clause (b) of the measured quantity of mineral extracted or removed after giving an opportunity of hearing.”

(2) After rule 4, insert the following rule :-

“4A. Grant of lease or quarry permits.- (1) The State Government may from time to time by public notice invite application for grant of mining lease or quarry permit in a particular area.

(2) Every such public notice shall be published through an advertisement and also by affixing at the office of the concerned District Land and Land Reforms Officer, Sub-divisional Land and Land Reforms Officer and Block Land and Land Reforms Officer.

(3) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), if an application is received before coming into force of this notification or before publication of the public notice under sub-rule (1) after coming into force of this notification, the State Government shall, subject to the fulfilment of the conditions under rule 5 by the applicant, consider such applications along with other applications received in pursuant to publication of such public notice.

(4) No public notice is required in case of persons applying for mining lease in respect of the land, in which he is a raiyat.”;

(3) In rule 6,-

(a) for sub-rule (1), substitute the following sub-rule :-

“(1) Where an application complete in all respects for the grant or renewal of a mining lease is received, its receipt shall be acknowledged forthwith.”;

(b) omit sub-rule (2);

(c) omit sub-rule (3);

(4) for rule 7, substitute the following rule :-

“7. Disposal of application for mining lease. – An application for mining lease shall be disposed of within one year from the last date of receiving application mentioned in the public notice under rule 4A.”;

(5) for rule 8, substitute the following rule :-

- “8. Refusal of application for grant of a mining lease. – (1) The State Government while disposing of the applications may hear the applicant and give reasons in brief in making the choice among the applicants.”;
- (6) in rule 9,-
- (a) for sub-rule (1), substitute the following rule :-
- “(1) If an application for mining lease is received from the West Bengal Mineral Development and Trading Corporation Limited or an undertaking or Department of the State Government in respect to any area, preference may be given to such an application;
- Provided that priority may be given to the applicant who puts up an export unit based on the minerals for which the lease has been applied for ;
- Provided further that in case of quarry permit or mining lease, priority shall be given to the co-operative societies or partnership firm comprised of the local unemployed Youth including families living below the poverty line and those not living below the poverty line in the ratio of 2:1 basis;
- Provided also that if no co-operative society or partnership firm is substituted in the 2:1 ratio, the lease or permit may be granted to any other organization or individual.”;
- (b) for sub-rule (2), substitute the following sub-rule:
- “(2) Where more than one application for the same are is received, the State Government may, after taking into consideration the matters specified in sub-rule (3), grant mining lease to any applicant as it deem fit or may distribute the applied area to all or some of such applicants.”
- (c) after clause (c) of sub-rule (3), insert the following clauses :-
- “(d) Proximity of residence or office from the area applied for lease;
- (e) name and address of the partners in case of a firm and directors in case of a company;
- (f) arrangement for transportation and marketing;
- (g) declaration that the applicant or any of the partners or directors has not been convicted of a charge of criminal offence and sentenced to imprisonment;
- (h) whether the applicant is an undercharged insolvent.”;
- (7) In rule 12, -
- (a) in sub-rule (2), after the words “No such renewal shall be granted”.
insert the words “more than once”;
- (b) in sub-rule (6), for the words, “whichever is shorter”, substitute the words “whichever is earlier.”;
- (8) to sub-rule (2) of rule 27, add the following proviso:-
- “Provided that when an application for a mining lease is pending for disposal for the specified land no quarry permit shall be granted for such land other than for an emergent public purpose or as a temporary measure.”;
- (9) for rule 30, substitute the following rule :-
- “30. Application of these rules to all renewals. –
- Where a mining lease is granted before the commencement of these rules, renewed after the commencement of these rules, these rules shall apply mutatis mutndis.”

By order of the Governor
SABYASACHI SEN
Principal Secretary to the
Government of West Bengal

Government of West Bengal
Land and Land Reforms Department
Section-AII : LRI (M&M) Branch
Writers' Buildings, Kolkata-700001.

No. 2470(38)-M&M
LR/AII/2C-20/2005

Dated : Kolkata, the 21st April, 2006

To

1. The District Magistrate & Collector,
2. The District Land & Land Reforms Officer,

Sub : Proper Head of A/c. for deposit of Royalty on Coal and other Minerals.

Ref : D.O. No. L.R. A/cs./Out/2005-06/22 dt.30.12.2005 of A.G.(A&E), West Bengal.

The undersigned is directed to say that views of the Accountant General (A&E), West Bengal has been obtained in the matter on the advice of the Finance (Budget) Deptt., as there is confusion among the district authorities as to the proper Head of A/c. in such cases.

Now as per views of the A.G. (A&E), West Bengal, Royalty collected on Coal and other minerals should be deposited to the Head "0029-Land Revenue-00-104-Receipts from Management of Ex-Zamindari Estates-002-Collection of Royalties from Mines and Minerals-09-Royalties".

The undersigned is, therefore, to request him to take necessary action for deposit of Royalty on Coal and other minerals to the aforesaid Head of A/c. immediately.

This Department Memo No.1785(36)-M&M, dt.31.03.2003 stands modified to the above extent.

Sd/- Illegible
Joint Secretary to the
Government of West Bengal
Land and Land Reforms Department

No. 2470/1(8)-M&M

Dated : Kolkata, the 21st April, 2006

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

- 1) Finance (Budget) Department
This has a reference to their notes dt.14.07.2005 in this Department File No.LR/AII/2C-20/05.
- 2) Finance (Revenue) Department.
- 3) Commerce & Industries Department.
- 4) Commissioner, Division.
- 5) Director of Land Records & Surveys & Jt. Land Reforms Commissioner, West Bengal, with reference to his Memo No.13/4587/C/05(B/S), dt.24.05.2005.
- 6) Chief Mining Officer, West Bengal, at Asansol.

Sd/- Illegible
Joint Secretary to the
Government of West Bengal
Land and Land Reforms Department

No.2470/2-M&M

Dated : Kolkata, the 21st April, 2006

Copy forwarded for kind information and necessary action to the Accountant General (A&E), West Bengal, with ref. to his D.O. No. as referred to above.

Sd/- Illegible
Joint Secretary to the
Government of West Bengal
Land and Land Reforms Department

**Government of West Bengal
Commerce and Industries Department
CELL-M1**

NOTIFICATION

No. 444-C1/O/ESTT/003/05/A (M1) – 29th November 2006 – In exercise of the powers conferred under sub-rule (1) of rule 5 and sub rule (1) of rule 8 of the West Bengal Minor Minerals Rules, 2002 (hereinafter referred to as the said Rules), the Governor is pleased to authorize the District Magistrate of the concerned district to grant or refuse to grant mining leases for minor minerals, excepting in-situ hard rocks, viz. Stone. Granite, Laterite, in accordance with the provisions of the said Rules.

2. This notification shall come into force with effect from the date of publication in the Official Gazette.

By order of the Governor,
Sabyasachi Sen,
Principal Secy. to the Govt. of West Bengal.

— • —
The Kolkata Gazette
Extraordinary
Published by Authority

**Government of West Bengal
Commerce and Industries Department
CELL-M1**

ORDER

No. 445-CI/O/ESTT/003/05/A (M1). – 29th November 2006. – Whereas it has been observed that the existing procedure for disposal of mining lease application for minor minerals is lengthy and cumbersome; and

Whereas it has also been observed that on many occasions the time taken for grant of mining lease of minor minerals is more than one year, which is beyond the period prescribed in the West Bengal Minor Mineral Rules 2002 (WBMMR 2002), and

Whereas it has been felt necessary to simplify the procedure for disposal of applications for mining leases for minor minerals other than those which require excavation of in-situ hard rock, eg. Granite. Stone. Laterite, etc. and to delegate the power of grant of such mining leases of riverbed materials and of brick earth and morrum to the District Magistrates under the provisions of Rules 5(1) and Rules 8(1) of the WBMMR, 2002 in order to ensure expeditious disposal of such applications :

The Governor in terms of Notification No.444-CI/O/ESTT/003/05/A(M1) date 29th November, 2006, has been pleased to authorize the District Magistrates of the districts concerned to grant/reject mining lease in respect of minor minerals excepting in-situ hard rocks, viz. Stone, Granite, Laterite, in terms of Rules 5(1) and 8(1) of the WBMMR, 200.

The District Land & Land Reforms Officer of the district concerned would issue public notices after consulting the concerned Executive Engineer of the Irrigation & Waterways Directorate inviting application for mining lease of minor minerals available in riverbeds and brick earth and morrum for the district and will also process such applications.

The authorities concerned are directed to follow the procedures as laid down hereinbelow for expeditious disposal of mining lease applications for minor minerals, excepting in-situ hard rocks, viz. Stone, Granite, Laterite.

1. An application for mining lease for minor minerals excepting in-situ hard rocks, viz. Stone, Granite, Laterite shall be made in Form-A of WBMMR, 2002 along with the requisite certificate, challans specified in Rules 5(2), 5(3) and 5(4) of the WBMMR, 2002 to the District Land & Land Reforms Officer of the concerned district, after a public notice is issued by the concerned District Land & Land Reforms Officer inviting application for granting of mining lease of such minor minerals. However, no public notice inviting application for granting mining lease is required in case of person applying for mining lease in respect of which he is the owner of the land.

2. The District Land & Land Reforms Officer of the district concerned shall examine the mining lease application received in response to Notification No.444-CI/O/ESTT/003/05/A (M1) date 29th November 2006 inviting application for mining lease taking into consideration the applications received before publication of such Notification but still awaiting final disposal and existing mining leases in the light of Rules 5(2), 5(3) and 5(4), and Rules 9(1), 9(2) and 9(3) of WBMMR, 2002 as amended and shall prepare a feasibility report recommending grant/rejection of the application for grant of mining lease for minor minerals excepting in-situ hard rocks, viz. Stone, Granite, Laterite and forward it along with the application for mining lease and accompanying documents/certificate to the District Magistrate and Collector of the district concerned for grant/rejection of mining lease application. In case District Land & Land Reforms Officer recommends grant of mining lease, he should also recommend the annual target for raising minor minerals in terms of the norms fixed by the C & I Department in this respect in his feasibility report and authenticate the map of the leasehold area. This process should be completed within six weeks from the date of receipt of the mining lease application.

3. The District Magistrate and Collector of the district concerned shall examine the feasibility report and the documents accompanying the feasibility report and issue a grant order along with a model copy of the mining lease deed prepared in Form E of WBMMR, 2002 with necessary corrections in it to the applicant, if he considers the case fit for granting mining lease. The applicant should be asked to submit eight copies of the final lease deed, the original of which would be on stamp paper within a period of one month. The value of the stamp paper should be assessed by the District Magistrate and Collector on the basis of the royalty realizable from targeted production of mineral. In case the District Magistrate and Collector of the district concerned considers that the application for mining lease should be rejected, the applicant should be heard and a reasoned order should be passed before rejecting the application and communicated to the applicant. This process should be completed within six weeks from the date of receipt of the feasibility report of the DL&LRO.

4. On submission of final copies of the deed by the applicant, the District Magistrate and Collector of the concerned district shall execute the lease deed and authenticate the map, which will form a part of the lease deed under his seal and signature and send it to the applicant for registering the deed by the Registering Authority. The applicant shall return the registered lease deed alongwith one stamped and one unstamped copy of the deed to the District Magistrate and Collector. This process should be completed within four weeks from the date of submission of the final lease deed by the applicant.

5. On receipt of the registered lease deed with aforementioned copies from the applicant, the District Magistrate and Collector shall return the stamped copy of the lease deed to the applicant. The District Magistrate and Collector shall send another copy of the deed to the District Land and Land Reforms Officer with the direction to hand over possession of the leasehold area to the applicant for commencement of mining operations. This process should be completed within four weeks from the date of receipt of the registered lease deed from the applicant.

6. The District Land and Land Reforms Officer shall hand over the possession of leased out area to the lessee within two weeks.

Provision of WBMMR, 2002 would be applicable to the mining leases thus granted by the District Magistrates. Procedure for disposal of other minor minerals of in-situ hard rock. eg. Granite Blackstones, laterite etc. shall remain as before. This Order will come into force with immediate effect.

By order of the Governor.

Sabyasachi Sen
Principal Secretary to the
Govt. of West Bengal.

**Government of West Bengal
Land & Land Reforms Department**

CIRCULAR

No. LRC/115/07

Dated : June 25, 2007

It has been noted that the Departmental officers have to make lot of efforts to collect revenue from major and minor minerals. After discussion with the Public Works Department, I have found that such figures are readily available with the Executive Engineers of the Public Works Department.

2. It is, therefore, instructed that the concerned BL&LRO will collect information regarding supply of sand, gravels, stones, stone-chips, morrum, bricks etc. which are used in construction activities. After collection of information through the bills passed by the Executive Engineers, the BL&LRO will initiate showcauses to the supplier of these major and minor minerals.

3. After collection of requisite information, notices for payment of assessed royalty on these major and minor minerals supplied should be given to the parties concerned. In cases they fail, stringent action should be taken against the defaulter contractors.

4. Similar process can be initiated against those contractors with the Irrigation & Waterways Department.

5. The instruction applies to Public Works Department, Public Works (Roads) Department, Public Works (Construction Board) and other Engineering Departments or Panchayat Bodies like Zilla Parishad, Panchayat Samities, Municipalities, KMDA, KMC, HIDCO, Railways or wherever there are major work sites either belonging to State Government or to the Central Government including Army.

6. The Department concerned and the office concerned is duty-bound to supply you the requisite information for the proper collection of revenue in the public interest.

Dr. P.K. Agrawal
LRC & Pr. Secy.

To

All DL&LROs/SD&LROs/BL&LROs

No. LRC/115/1(4)/07

Dated June 25, 2007

Copy forwarded for information and necessary action to :

1. Principal Secretary, Urban Development Department.
2. Principal Secretary, Panchayats & Rural Development Department.
3. Secretary, PWD & PWD(R)
4. Secretary Irrigation & Waterways Department.

Dr. P.K. Agrawal
LRC & Pr. Secy.

●
**Government of West Bengal
Commerce & Industries Department
Mines Branch**

4, Abanindranath Tagore Sarani (4, Camac Street), Kolkata-700016.

No. : 420-CI/O/MISC/21/09/Mines

Dated : 02.06.2010

NOTIFICATION

In continuation of this Department's Notification No.88-CI (Group-D)/4M-30/88 dated 24.01.1991, the Governor is pleased hereby to direct that the following officers of the State Government within the jurisdiction as noted against each in the Table-I below shall act as "authorised officers" as defined in Sub-rule (b) of Rule 2 of the West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2002 for performing the functions under the said Rules.

TABLE-I

Sl.No.	Designation of the Officer	Area of Jurisdiction
01	All District Magistrates	: Within their respective jurisdictions
02	All Additional District Magistrates	: Within their respective jurisdictions
03	All District Land & Land Reforms Officers	: Within their respective jurisdictions
04	All Sub-Divisional Officers	: Within their respective jurisdictions
05	All Sub-Divisional Land & Land Reforms Officers	: Within their respective jurisdictions
06	All Block Land & Land Reforms Officers	: Within their respective jurisdictions
07	All Executive Magistrates who remain in charge of Offices of the Sub-Divisional Officers, during absence of Sub-divisional officers.	: Within their respective sub-divisional jurisdictions
08	Director of Mines & Minerals, West Bengal	: Within whole of the State of West Bengal
09	Chief Mining Officer	: Within their respective jurisdictions
10	Mining Officers of all Zones	: Within their respective jurisdictions
11	Inspecting Officers of the Directorate of Mines & Minerals, West Bengal	: Within their respective jurisdictions

The Governor is further pleased to direct that the officers named in the Table-II below shall act as "authorized officers" for carrying out the purposes of Rule 4, Rule 5 and Rule 6 of the West Bengal Minerals (Prevention of Illegal Mining, Transportation and Storage), Rules 2002 in the manner and within the jurisdiction as shown against each.

TABLE-II

Sl. No.	Authorised Officer	Power under Rule 4 (Transport)	Power under Rule 5 (Check Post)	Power under Rule 6 (Storage)
1.	Director of Mines & Minerals	Beyond State & within West Bengal	Whole of West Bengal	Whole of West Bengal
2.	Chief Mining Officer	Within West Bengal	Within West Bengal	Within West Bengal
3.	Zonal Mining Officer	Within the Zone	Within the Zone	Within the Zone
4.	District Magistrate/District Land & Land Reforms Officer	Within the District	Within the District	Within the District
5.	Sub-Divisional Land & Land Reforms Officer	Within the Sub-Division	Within the Sub-Division	Within the Sub-Division
6.	Block Land & Land Reforms Officer	Within the Block	Within the Block	Within the Block

This takes immediate effect.

By Order of the Governor
Sd/- Illegible
Principal Secretary to the
Government of West Bengal

No.420/1(7)-CI/O/Misc./21/09/Mines

Date : 02.06.2010

Copy forwarded for information to :

1. The Additional Chief Secretary to the Government of West Bengal and Commissioner General, Land Reforms, West Bengal.
2. The Principal Secretary, L&LR Department and Land Reforms Commissioner, West Bengal.
3. The Commissioner-Presidency Division/Burdwan Division/Jalpaiguri Division.

4. The District Magistrate,
5. The District Land and Land Reforms Officer,
6. The Director, Directorate of Mines & Minerals, West Bengal, 45, Ganesh Chandra Avenue, Kolkata-700013.
7. The Director of Land Records & Surveys, W.B.

He/She is also requested to kindly arrange to circulate the Notification to the sub-ordinate offices under his/her jurisdiction for necessary action and confirm action taken in this regard.

Sd/-Illegible
Joint Secretary
to the Government of West Bengal

●

**Government of West Bengal
Commerce & Industries Department**

Date, Kolkata 01.11.2011

From : Sri N. Mishra, WBCS (Exe.)
Joint Secretary to the Govt. of W.B.

To The Principal Accountant General (A&E), West Bengal
Treasury Building 2, Govt. Place(West)
Kolkata- 700001.

Sub : Opening of new detailed head "30-Lease Rent/Salami" below the sub-head "002-Collection of Royalties from Mines & Minerals" subordinate to "0029-Land Revenue-00-104-Receipts from Management of Ex-Zamindary Estates" under the Major Head "0029-Land Revenue" w.e.f. 2011-12.

Sir,

I am directed to refer to Clause(3) under Rule 5 of the West Bengal Minor Minerals Rules, 2002 issued vide Notification No.422-CI/O/MINES/RULE/002/02/MI dated : 08-11-2002 and to state that it has been advised to deposit the application fee in respect of mining lease (minor minerals) in Treasury Receipt Form No.7 under the Head of Account "0853-00-102-011-06" in the Reserve Bank of India at Kolkata or any branch of the State Bank of India in West Bengal, instead of depositing the same under the appropriate detailed head subordinate to the Major Head of '0029'.

2. I am further, directed by order of the Governor to say that the Governor has been pleased to accord sanction to the opening of new detailed head "30-Lease Rent/Salami" below the sub-head "002-Collection of Royalties from Mines & Minerals" subordinate to "0029-Land Revenue-00-104-Receipts from Management of Ex-Zamindary Estates" under the Major Head "0029-Land Revenue" w.e.f. 2011-12 for booking of collection of royalties from minor minerals including its application fee.

3. This order is issued with the concurrence of the Finance Department vide their U.O. No. 5011(Group-N) dated: 11-07-2011 read with the No.A.M.-I/3-37/XI/384 dated 17.10.2011 of the office of the Principal Accountant General (A&E), West Bengal.

All concerned are hereby informed accordingly.

Yours faithfully,
Sd/-
Joint Secretary to the Govt. of W.B.

●

**Government of West Bengal
Commerce & Industries Department
Mines Branch**

4, Abanindranath Tagore Sarani (4, Camac Street), Kolkata-700016.

No. : 819(36)/CI/O/MM-84/11

Date : 08.12.2011

From : The Joint Secretary
to the Government of West Bengal.

To : 1. The District Magistrate & Collector, Burdwan.

2. The District Magistrate & Collector, Birbhum.
3. The District Magistrate & Collector, Bankura.
4. The District Magistrate & Collector, Murshidabad.
5. The District Magistrate & Collector, Jalpaiguri.
6. The District Magistrate & Collector, Darjeeling.
7. The District Magistrate & Collector, Purba Medinipur.
8. The District Magistrate & Collector, Paschim Medinipur.
9. The District Magistrate & Collector, Uttar Dinajpur.
10. The District Magistrate & Collector, Dakshin Dinajpur.
11. The District Magistrate & Collector, Purulia.
12. The District Magistrate & Collector, South 24-Parganas.
13. The District Magistrate & Collector, North 24-Parganas.
14. The District Magistrate & Collector, Howrah.
15. The District Magistrate & Collector, Nadia.
16. The District Magistrate & Collector, Hooghly.
17. The District Magistrate & Collector, Coochbehar.
18. The District Magistrate & Collector, Malda.
19. The District Land & Land Reforms Officer, Burdwan.
20. The District Land & Land Reforms Officer, Birbhum.
21. The District Land & Land Reforms Officer, Bankura.
22. The District Land & Land Reforms Officer, Murshidabad.
23. The District Land & Land Reforms Officer, Jalpaiguri.
24. The District Land & Land Reforms Officer, Darjeeling.
25. The District Land & Land Reforms Officer, Purba Medinipur.
26. The District Land & Land Reforms Officer, Paschim Medinipur.
27. The District Land & Land Reforms Officer, Uttar Dinajpur.
28. The District Land & Land Reforms Officer, Dakshin Dinajpur.
29. The District Land & Land Reforms Officer, Purulia.
30. The District Land & Land Reforms Officer, South 24-Parganas.
31. The District Land & Land Reforms Officer, North 24-Parganas.
32. The District Land & Land Reforms Officer, Howrah.
33. The District Land & Land Reforms Officer, Nadia.
34. The District Land & Land Reforms Officer, Hooghly.
35. The District Land & Land Reforms Officer, Coochbehar.
36. The District Land & Land Reforms Officer, Malda.

Sub : Amendment of W.B. Minor Minerals Rules, 2002.

Sir,

I am directed to forward herewith a copy of Gazette Notification being No.809-CI/O/MM-84/11 dated 1st December, 2011 for amendment of W.B.M.M. Rules, 2002 empowering you to grant mining lease of riverbed materials and other minor minerals on Vested Land through auction. A guideline for implementation of amended provision of the rule is enclosed herewith. The above amendment also contains revised rates of royalty/dead rent etc. on minor minerals.

Yours faithfully,
Sd/-Illegible
Joint Secretary
Government of West Bengal.

Encl. : As above.

Guidelines for grant of mining lease of Riverbed Materials and other minor minerals through Sealed Tender-cum-Auction

It has been felt necessary to augment mineral revenue from the riverbed materials and to ensure effective utilization of mineral resources available in the riverbed.

The Governor in terms of Notification No.809/CI/O/MM/84/11 dated 1st December, 2011 has been pleased to authorize District Magistrates to grant mining lease in respect of riverbed materials and brick earth, morum, Kankar on vested land by sealed tenders-cum-auction.

The authorities concerned are directed to follow the procedures as laid down herein below for inviting applications through sealed tenders-cum-auction :-

1. To select available area to be notified :-
 - i) The District Land & Land Reforms Officer after consulting the Executive Engineer of I & W Department, P.W. Department and other related Offices will determine the available area observing the provisions of WBMM Rule, for inviting sealed tender.
2. To determine the Base price :-
 - i) To District Magistrate will set up a Committee comprising of the officers of District Land & Land Reforms Office, Dte. of Mines & Minerals and other Offices as deem fit.
 - ii) The mineable Reserve of the available area will be determined by the Committee after physical inspection of the spot and considering one meter depth as per WBMM Rule, 2002, in case of riverbed materials. In other cases normal procedure for reserve calculation should be followed.
 - iii) The value of the mineral bearing land/plots will be fixed by multiplying the mineable reserve with the market price of the mineral.
 - iv) The Base Price will be fixed by the District Magistrate on Pro-rata basis of the value of the mineral bearing land.
3. To issue Public Notice for Auction :
 - i) D.L. & L.R.O. will issue Public Notice for inviting sealed tenders of the available area mentioning land details e.g. Plot No., Mouza, PS, area and the Base Price.
 - ii) Every sealed tender shall be accompanied by an application in the prescribed form H along with its enclosures.
 - iii) After receipt of sealed tenders the necessary entries should be made in the Register by the DL&LRO concerned and sealed tenders and register shall be kept under the safe custody of DL&LRO.
 - iv) Every tenderer or his authorized agent shall be eligible to participate in the auction.
4. Assessment and collection of mining dues in respect of riverbed materials will be made by concerned DL&LRO, which are to be paid over and above bid price.
5. After issue of public notice for auction no quarry permit for riverbed and other minor minerals will be granted by the District Magistrate.

●
The Kolkata Gazette
Extraordinary
Published by Authority

AGRAHAYANA 14]

MONDAY, DECEMBER 05, 2011

[SAKA 1933

Government of West Bengal
Commerce & Industries Department, Mines Branch
4, Abanindra Nath Tagore Sarani (Camac Street), Kolkata-700016.

NOTIFICATION

No.809/CI/O/MM/84/11 dated the 1st December 2011.- In exercise of the power conferred by section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Governor is pleased hereby to make the following amendments in the West Bengal Minor Minerals Rules, 2002 (hereinafter referred to as the said rule) which will come into effect on the date of its publication in Official Gazette :-

AMENDMENTS

In the said rules,

(1) in sub-rule (1) of rule 5, after the words 'mining lease', insert the words 'except for river-bed materials (excluding in-situ hard rock) and minerals like kankar, morrum, and brick-earth on land vested in Government';

(2) after rule 16, insert the following rules :-

16A. Non-applicability of Rul 5 to Rule 16 :- Rule 5 to Rule 16 will not be applicable in case of grant of mining lease in respect of river-bed materials (excluding in-situ hard rock), kankar, morrum, and brick-earth on land vested in Govt., which will be governed by rule 16B.

16B. Grant of Mining Lease by Auction.

(i) Mining lease in respect of river-bed materials (except in-situ hard rocks), and minerals like kankar, morrum, and brick-earth on land vested in Govt. shall be granted only through public notice inviting tenders in sealed cover. Such mining lease shall be for a period of not more than two years.

(ii) Tender shall be submitted in triplicate in form H and the mining lease in favour of successful bidder shall be granted as nearly as possible in Form I and the lessee will strictly abide by the terms and conditions of such lease.

(iii) Tender conditions shall be specified in the Notice Inviting Tenders. Publication and issue of Notice Inviting Tenders and procedure for consideration of tenders and for grant of such mining lease are laid down in schedule VII of these rules.

(iv) Mining lease shall be granted by the District Magistrate of the concerned district following the procedure laid down in schedule VII of this Rule.

(3) For schedule 1, substitute the following Schedule :-

‘Schedule-I’
[See rule 20(1)(a) of the West Bengal Minor Mineral Rules, 2002]
Rates of Royalty

	Name of Minor Minerals	Rates	
1.	Boulder/Pebbles/Stones/SandStone	Rs.35/- (Rupees Thirty five) per cubic metre	
2.	Gravel	Rs.35/- (Rupees Thirty five) per cubic metre	
3.	Granite	Black	Rs.1000/- (Rupees One thousand) per cubic metre
		Gray	Rs.625/- (Rupees Six hundred twenty five) per cubic metre
		Coloured	Rs.825/- (Rupees Eight hundred twenty five) per cubic metre
4.	Impure Quartz, Kankar & Morrum	Rs.23/- (Rupees Twenty three) per cubic metre	
5.	Laterite	Rs.23/- (Rupees Twenty three) per cubic metre	
6.	Limeshell & Limestone used for building purpose	Rs.62/- (Rupees Sixty two) per cubic metre	
7.	Marble	Rs.950/- (Rupees Nine hundred fifty) per cubic metre	
8.	Other Minor Minerals	Rs.23/- (Rupees Twenty three) per cubic metre	
9.	Ordinary Clay/Fuller’s Earth/Brick Earth	Rs.18/- (Rupees Eighteen) per cubic metre	

(4) for schedule II, substitute the following schedule :-

‘Schedule-II’
[See rule 20(1)(b) of the West Bengal Minor Minerals Rules 2002]

Rates of Dead Rent

First Year	-	Rs. 1250.00 per acre
Second Year	-	Rs. 1850.00 per acre
Third year and onwards	-	Rs. 3000.00 per acre per annum

(5) after Schedule VI, insert the following Schedule :-

‘Schedule-VII’
(See Rule 16B of West Bengal Minor Minerals Rules, 2002 as amended)

1. Mining Lease for river-bed materials viz., Sand, Stone, Boulder, etc. (except in-situ hard rocks), kankar, morrum and brick earth on land vested in Govt. shall be granted Panchayat-wise/Block-wise by the District Magistrate for a maximum period of two years.

2. Each Block indentified for exploitation shall be widely notified defining the boundary of the areas with reference to Plot Nos, Mouzas, P.S. etc. by publication in the National Dailies, local News Papers and also in the Notice Boards and the websites of the concerned office at least 30 days before the date of auction to be held at the office of the respective D.L. & L.R.O.

3. Before auction, base price of the mineral to be auctioned is to be determined. For this purpose, the District Magistrate will set up a committee comprising officers of D.L. & L.R.O., Director of Mines & Minerals and any other officer as deem fit.

4. Any person who intends to obtain a mining lease as notified shall submit sealed tender in the prescribed form along with the documents as required with the deposit of 500/- (Rupees five hundred only) as application fee and Rs.10,000/- (Rupees Ten thousand only) as earnest money to the appropriate head of account.

5. D.L. and L.R.O./authorized officer will act as presiding officer of the auction. On completion of the auction result will be announced by the presiding officer. Generally highest bid offered by a tenderer will be accepted. However, bid will not be treated as accepted unless confirmed by the District Magistrate. In case the highest bid amount and one or more tender amount remain the same, the accepted bid shall be decided by drawing lots.

6. The deposits as earnest money and application fee submitted by unsuccessful bidders will be returned within fifteen days from the date of confirmation of the bid. The provisionally selected bidder as announced in the D.L. & L.R.O. shall deposit 25% of the bid amount in Govt. Treasury under the proper Head of Account and submit a copy of chalan to the D.L. & L.R.O. on the next working day after announcement.

7. The District Magistrate shall confirm the accepted amount of bid and select the bidder. He may reject a tender without assigning any reason therefor. If no tender is received over and above the base price he may grant lease on base price or he may order for tender afresh.

8. The successful bidder on receipt of LOI/grant order from the D.M. shall deposit the remaining 75% of the bid amount in Treasury. He will submit a draft lease deed in Form-I to the D.M. for execution along with copy of chalan showing the said deposit.

9. If the successful bidder fails to pay 25% of the bid amount or the remaining 75% of the accepted amount before execution of the lease deed, the amount so far deposited by the bidder shall be forfeited by the government.

10. District Magistrate may cancel auction conducted by the D.L. & L.R.O. if he is not satisfied with the publicity, participation and the offered amount of bid.

11. A lease deed shall be executed in favour of successful bidder within one month from the date of issue of grant order by the DM.

12. The successful bidder shall be bound to observe all the provisions of the Rules and Regulations of the Mines and Minerals (Development and Regulation) Act, 1957 and West Bengal Minor Minerals Rules, 2002 as amended and related Environment Protection Rules.

(6) after Form G, insert the following Forms :

(i) **FORM-H**

[See Rule 16B of The West Bengal Minor Minerals Rules, 2002]
FORM OF APPLICATION FOR MINING LEASE
FOR MINOR MINERALS through Auction/Bid
(To be submitted in triplicate)

Dated day of20

To
The District Magistrate
..... District

Ref : Notification/Advertisement No..... Dated
Through District Land & Land Reforms Officer
[Received on (date) at(time) Initial]

Sir,

I/We have to apply for the grant of a Mining Lease under Rule 16B of the West Bengal Minor Minerals Rules 2002.

A sum of Rs.500/- being the fee and Rs.10,000/- being the earnest money in respect of this application payable under rule 16B of the said rules has been deposited in (Name of Treasury or branch of the State Bank of India doing the Treasury Business) and the relevant challan is attached herewith.

The required particulars are given below :

1. Name of individual(s), Firm or Company
2. Nationality of Individual(s), place of registration or incorporation of firm or company.
3. Profession of Individual(s) or nature of business of firm or company and place of business.
4. Address of the Individuals(s), Firm or Company.
5. Whether the application is for a fresh concession :
6. Mineral or Minerals which the applicant intends to mine
7. Period for which the Mining Lease is required :
8. Details of area in respect of which lease is required :
 - (i) District : (ii) Revenue/Thana :
 - (iii) Mouza/Village : (iv) J.L. No. :
 - (v) Plot No. : (vi) Total Area
- (iv) Particulars of Map or Plan on 16" = 1 Mile scale, covering area mentioned at Sl. No.(8) is attached :
- (v) Brief description of the area :
- (vi) Area and Minerals within the Jurisdiction of the State Government for which the applicant or any person Joint in interest with him –
 - (a) Already holds a lease(s) Mineral : Area :
Mouza : District :
 - (b) has already applied for, but not been granted a lease :
 - (c) or, has applied simultaneously :
- (vii) Nature of Joint interest, if any, under (11) above :
- (viii) Approximate quantity of mineral(s), expected to be raised annually :
- (ix) Means, by which the Mineral is to be raised i.e., by hand labour or mechanical or electrical power and the degree of mechanization, if any, contemplated :
- (x) The amount of money proposed to be invested :
- (xi) Past experience of the applicant in the profession of Mining
- (xii) Manner in which the mineral raised is to be utilized, expected consumers and place of consumption of the mineral :
- (xiii) Particulars of leases already held by the applicant :
 - (a) Name of Lessee :
 - (b) Granting Order No. & Date :
 - (c) Date of execution of Lease Deed :
 - (d) Area Granted :
 - (e) Plot Nos. :
 - (f) Name of Mouza : P.S. Dist.
- (xiv) Manner and details of payment of the application fees prescribed in these rule :

(Note : The fee to be paid to the credit of the State Government under the Head of Account – 0853-Non-Ferrous-Mining & Metallurgical Industries-00-102 Mineral Concession fees, Rents & Royalties – 001-16)

(xv) Number and date of Income-Tax-Clearance Certificate from the Income-Tax Officer (Copy attached) :

(xvi) Number and date of Mining dues Clearance Certificate (Original attached) :

(xvii) Number and date of the Sales Tax Clearance Certificate (original attached) :

(xviii) Amount of Bid :

I/We hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details, including accurate plan and security deposit, etc. as required by you before the grant of the lease.

Yours faithfully,

Place :

Date :

Signature of applicant

(ii)

FORM - I

[See Rule 16B of the West Bengal Minor Minerals Rules, 2002]
Model Form of Mining Lease for Minor Minerals through Auction/Bid

THIS INDENTURE made this day of TWO THOUSAND BETWEEN THE GOVERNOR OF WEST BENGAL (hereinafter referred to as the “Governor”) of the One Part and

1. (Name of person), son of of (address and occupation) hereinafter referred to as “the Lessee” (which expression shall, where the context so admits, be deemed to include his heirs, executors, administrators, representatives and permitted assigns).
When the lessee is an individual.
2. (name of person) of (address and occupation) and (name of person) of (address and occupation) hereinafter referred to as the “Lessees” (which expression shall, where the context so admits, be deemed to include their respective heirs, executors, administrators, representatives and their permitted assigns.)
When the lessees are more than one individual.
3. (name of person) of (address) and (name of person) of (address) all carrying on business in co-partnership at (address of the firm or syndicate) under the name and style of (name of the firm or syndicate) registered under the Partnership Act hereinafter referred to as the “Lessees” (which expression shall, when the context so admits, be deemed to include all the partners of the said firm, their heirs, executors, administrators, representatives and permitted assigns).
When the lessee is a registered firm or syndicate.
4. (name of company) a company Registered under (Act under which
When the lessee is a registered company.

incorporated) and having its registered office at (address) hereinafter referred to as the 'lessee' : (which expression shall, where the context so admits, be deemed to include its successors and permitted assigns).

Whereas the Lessee/Lessees has/have applied to the Government of West Bengal (hereinafter referred to as the "State Government") for a mining lease for (name of mineral through Auction in accordance with the West Bengal Minor Minerals Rules, 2002 hereinafter referred to as the 'Rules'), in respect of the lands described in Part 1 of the Schedule, hereunder written (hereinafter referred to as the "Schedule"), and has/have deposited with the State Government the sum of Rs.2500/- as security and the sum of Rs.500/- for meeting the preliminary expenses for mining lease and Rs.10,000 as earnest money.

NOW THIS INDENTURE WITNESSETH that in consideration of the rents and royalties, covenants and agreements by these presents and the said Schedule reserved and contained and on the part of the Lessee/Lessees to be paid, observed and performed the Governor doth hereby grant and demise unto the Lessee/Lessees all those the mines beds/veins seams of (here state the mineral or minerals) (hereinafter and in the said Schedule referred to as the "Mineral") situated lying and being in or under the lands mentioned and described in Part I of the said Schedule, together with the liberties, powers and privileges to be exercised to enjoy in connection therewith, which are mentioned in Part II of the said Schedule, subject to the restrictions and conditions as to the exercise and enjoyment of such liberties, powers and privileges which are mentioned in Part III of the said Schedule, EXCEPT and reserving out of this demise unto the State Government the liberties, powers and privileges mentioned in Part IV of the Schedule, TO HOLD the premises hereby granted and demised unto the Lessee/Lessees from the day 20..... for the term of 2 (two) years thence next ensuing YIELDING AND PAYING therefore unto the State Government the several rents and royalties mentioned in Part V of the said Schedule, at the respective times therein specified, subject to the provisions contained in Part VI of the said Schedule, and the Lessee/Lessees hereby covenants/covenant with the State Government as in Part VII of the said Lessee/Lessees as in Part VIII of the said Schedule is expressed. And it is hereby mutually agreed between the parties hereto as in Part IX of the said Schedule is expressed. In Whereof these presents have been executed in manner hereunder appearing the day, month and year first above written.

The Schedule above referred to :

PART-1

The area of this lease

All that tract of lands situated at
(description of area or areas)
in (paragraph) within Registration
district of Bearing cadastral
survey No a containing an area of
..... or thereabouts delineated on the plan hereto annexed and
thereon marked with

Location and area of the
lease.

lines/coloured and bounded as follows :-

On the North by

On the South by

On the East by

and

On the West by

(hereinafter referred to as “the said land”)

PART-II

Liberties, Powers and Privileges to be exercised and enjoyed by the Lessee/Lessees subject to the restrictions and conditions in Part III.

1. Liberty 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 mineral. To enter upon land and search for win, work etc.
2. Liberty and power for or in connection with any of the purposes mentioned in this part to sink, drive: made, maintain and use in the said lands and pits, shafts, inclines, drifts, levels, waterways, airways and other works (and to use, maintain, deepen or extend any existing works of the like nature in the said lands). To Sink, drive and make pits, shafts and inclines etc.
3. Liberty and power for or in connection with any of the purpose mentioned in this part to erect, construct, maintain and use on or under the said lands any engines, machinery, plant, dressing floors, furnaces, brick-kilns, work ships, store house, bungalows, godowns, sheds and other buildings and other works and conveniences of the like nature on or under the said lands. To bring and use machinery equipment, etc.
4. Liberty and power for in connection with any of the purposes mentioned in this part to make any roads and other ways in or over the said lands and to use, maintain and go and repass with or without horses, cattle or other vehicles over the same (or any existing tramways, railways, roads and other ways in or over the said lands) on such conditions as may be agreed to. The make Roads and waysect and use existing roads and ways.
5. Liberty and power for or in connection with any of the purposes mentioned in this part, but subject to the rights of any existing or future lessees, and with the written permission of the District Authority of (name of district) (hereinafter referred to as the said District Authority) to appropriate and use water from any streams, water-courses, springs or other sources in or upon the said lands and to divert, step up or dam any such streams or water-course and collect or impound any such water and to ake, construct and maintain any water-course, culverts, drains or reservoirs, but not so as to deprive any cultivated lands, villages, 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/Lessees shall not interfere with the navigation in any navigable stream nor shall divert such stream, without the previous written permission of the State Government), to sink, drive, made, maintain and use in the said lands and pits, shafts, inclines, drifts, levels, waterways, airways and other works (and to use, maintain, deepen or extend any existing works of the like nature in the said lands). To use water from streams, etc.

- | | | |
|----|---|--|
| 6. | Liberty and power to enter upon and use a sufficient part of the surface of the said lands for the purpose of stacking, heaping, storing or depositing thereon any produce of the mines or works carried on and any tools, equipment, earth and materials and substances dug or raised under the liberties and powers mentioned in this part. | To use land for stacking, heaping or depositing purpose. |
| 7. | Liberty and power for or in connection with any of the purposes mentioned in this part and subject to the existing rights of others and save as provided in clause 3 of Part III of this Schedule, to clear undergrowth and bush wood and to fell and utilize any trees or timber standing or found on the said lands provided that the State Government may ask the Lessee/Lessees to pay for any tree or timber felled and utilized by him/them/it at the rates specified by the said District Authority or the State Government. | To clear bush wood and to fell and utilize trees, etc. |

PART - III

Restrictions and conditions as to the exercise of the liberties, powers and privileges in Part II

- | | | |
|----|--|---|
| 1. | No building or thing shall be erected, set up or placed and no surface operations shall be carried on in or upon any public pleasure grounds, burning or burial ground or place held sacred by any class of persons or any house or village site, public road or other place, which the State Government may determine as public ground, not in such a manner as to injure or prejudicially affect any buildings, works, property or rights of other persons and no land shall be used for surface operation, which is already occupied by persons other than the State Government for works or purposes not included in this lease. The Lessee/Lessees shall not also interfere with any right of way, well or tank. | No building, etc., upon certain places. |
| 2. | The Lessee/Lessees shall not without the express sanction of the District Authority cut down or injure or allow any person to cut down or injure any timber or trees on the said lands, but may without such sanction clear away any bushwood or undergrowth, which interferes with any operations authorized by these presents. The said District Authority of the State Government may require the Lessee/Lessees to pay for any tree or timber felled and utilized by him/them/it with the sanction of the said District Authority at the rates specified by the District Authority or the State Government. In case the Lessee/Lessees cuts/cut down or injure or allow any person to cut down and injure any timber or tree without the sanction of the said District Authority in writing, the Lessee/Lessees shall be bound to pay on demand made by the said District Authority compensation at a rate not exceeding rupees fifteen hundred (Rs.1500) per tree or timber, as specified by the said District Authority or the State Government over and above the market price of the said damaged tree/timber. | Not to work in reserved forest except on condition. |
| 3. | The Lessee/Lessees shall not work or carry on or allow to be worked or carried on any railway line, except with the previous written permission of the Railway Administration concerned or from any reservoir, public roads, canal or other public works or buildings or inhabited site or within 9.14 metres (10 yards) of any village roads, except with the previous permission of the District Authority or any other officer authorized by the State Government in this behalf and otherwise than in accordance with such instructions. Restrictions and conditions either general or special which may be attached to such permission. The said | No mining operations within 100 metres of public works etc. |

distance of 100 meters shall be measured in the case of railway, reservoir or canal horizontally from the outer toe of the bank or the outer edge of the cutting, as the case may be and in case of a building horizontally from the plinth thereof and the said distance of 9.14 meters (10 yards) shall be measured the case of village roads from the edges of the roads.

Explanation : For the purposes of this clause, the expression “Railway Administration” shall have the same meaning, as it is defined to have in the Indian Railways Act, 1890, by section 3, subsection (6) of that Act, “Public Road” shall mean a road which has been constructed by artificially surfaced as distinct from a tract resulting from repeated use. The village road shall mean a road other than “Public Road” and which has been shown as road in Revenue Settlement maps.

4. The Lessee/Lesseees shall allow existing and future holders of government quarry permits or lessees over any land, which is comprised in or adjoins or reached by the land held by the Lessee/Lesseees reasonable facilities of access thereto

Provided that no substantial hindrance or interference shall be caused by such holders of quarry permits or lessees to the operations of the lessee/Lesseees under these presents and fair compensation shall be made by such holders of quarry permits or lessees to the Lessee/Lesseees for all loss or damage sustained by the Lessee/Lesseees by reason of the exercise of this liberty.

5. Nothing shall be done by the lessee/Lesseees or his/their/its employees, which may cause a forest fire. Proper precautions shall be taken all times to prevent such fires.

Forest Fire.

PART - IV

Liberties, powers and privileges reserved to the State Government

1. Liberties and power for the State Government/District Authority or any lessee or person, authorized by it in that behalf to enter into and upon the said lands and to search for win, work, dig, raise, dress, process, convert and carry away minerals, other than the said mineral any other substances and for those purposes to sink, drive, make, erect, construct, maintain and use such pits, shafts inclines, drifts levels and other lines, waterways, water courses, drains, reservoirs, engines, machinery, plant, buildings, canals, tramways, railways, roadways and other works and conveniences, as may be deemed necessary or convenient;

Provided that in the exercise of such liberty and power no substantial hindrance or interference shall be caused to with the liberties, powers and privileges of the lessee/Lesseees under these presents and that fair compensation shall be made to the Lessee/Lesseees for all loss or damage sustained by the Lessee/Lesseees by reason or in consequence of the exercise of such liberty and power.

2. Liberty and power for The State Government/District Authority or any lessee or person authorized by it in that behalf to enter into and upon the said lands and to make upon, over or through the same any railways, tramways, roadways or pipelines for any purpose, other than those mentioned in Part II of these presents, and to get from the said lands stones, gravel, earth and other materials for making, maintaining and repairing such railways,

To work other minerals.

To make railways and roads.

tramways, and roads or any existing railways, tramways and roads and to go and repass at all times with or without, horses, cattle or other animals carts, wagons, carnages, trucks, cars, locomotives or other vehicles over or along any such railways, tramways, roads, lines and other vehicles over or along any such railways, tramways, roads, lines and other ways for all purposes and as occasions may require provided that in the exercise of such liberty and power by such other lessee or person no substantial hindrance or in reference shall be caused to or with the liberties, powers and privileges of the Lessee/Lessees under those presents and that fair compensation shall be made to the Lessee/Lessees for all loss or damage sustained by the Lessee/Lessees by reason or in consequence of the exercise by such lessee or person of such liberty and power.

3. The Lessee/Lessees shall have no claim against the State Government/District Authority for compensation or damage in respect of land having been included in this lease, which has already been included in some previous lease, but that the Lessee/Lessees shall be entitled to proportionate reduction of the assessment in respect of any land covered by the lease, which may subsequently be discovered not to have been available for lease. Lease by Mistake.
4. In case there are reasons to believe at any time that valuable mineral or minerals exist along with the mineral, for which this lease is being granted, the State Government/District Authority may issue such order for the compliance of the Lessee/Lessees as the State Government/District Authority may think proper for proper dumping of the tailings or screened rejects of the mineral treated or treatment of the mineral for which this lease is being granted. The grant of this lease to the Lessee/Lessees will always be without prejudice to the right of the State Government/District Authority to terminate the lease if the mineral leased is found any time to contain any valuable mineral, separation of which is not in opinion of the State Government/District Authority, easily possible or within the means of the Lessee/Lessees. Action in case of occurrence of valuable minerals.

PART - V

Rents and Royalties reserved by this lease

1. The Lessee/Lessees shall pay in respect of any half-yearly period either the dead rent reserved by clause 2 of this part or The sum of the royalties reserved by clause 3 of this part whichever is greater. To pay dead rent or royalty whichever is greater.
2. Subject to the provision of clause of this Part, as from the day of 20..... during the subsistence of the lease the Lessee/Lessees shall pay to the State Government (in four equal quarterly instalments on the day of each of the months of each year) certain annual dead rent at the rates prescribed in Schedule II to the rule for the lands, described in Part I of the Schedule (here insert the amount payable), subject to revision by the State Government at any time by modification of any modification of Schedule II of the rules. Rate and mode of payment.
3. Subject to the provision of clause 1 of this Part, the Lessee/Lessees shall during subsistence of this lease pay to the State Government/District Authority (in four equal quarterly Rate and mode of payment of royalty.

instalments on the Day of each of the months' of each year) royalty, in respect of any mineral/minerals removed by him/them at the rate for the time being specified in the Schedule 1 of the rule.

4. The Lessee/Lessees shall pay to the State Government/District Authority rent in respect of all parts of the surface of the said lands, which shall from time to time be occupied or used by the Lessee/Lessees under the authority of these presents, at the rate of Rs.90/- per annum per acre or at such higher rate as the State Government may decide on revision of the area so occupied or used or so in proportion for any area less than an acre during the period from the commencement of such occupation or use until the area shall cease to be so occupied or used and shall so far as possible be restored to its original condition (which rent shall be paid upon each of the quarterly dated hereinbefore appointed for the payment of the instalments of the certain annual dead rent), provided that no such rent shall be payable in respect of the occupation and use of the area comprised in any roads or ways to which the public have full right to access. Payment of surface rent.
- 4.(a) The lessee shall pay to the state government water rate Rs.54 per acre every year or at such higher as the State Government may decide on revision.
5. The Lessee/Lessees shall duly and regularly pay to the appropriate authority all cesses, taxes and local dues in respect of the leased area, said mineral or the working of the mines in additions to the rent and royalty so payable as aforesaid. Payment of cesses and taxes.

PART - VI

Provisions relating to the rents and royalty

1. The rent and royalty mentioned in Part V of this form shall be paid free from any deductions to The State Government at District Treasury and in such manner as the State Government/District Authority may direct. Rent and royalty to be free from deduction.
2. For the purpose of computing the said royalties the Lessee/Lessees shall keep a correct account of the mineral/minerals produced and dispatched. The accounts as well as the quality of the mineral/minerals in stock or in the process of export may be checked by any officer by the State Government. Mode of computation of royalty.
3. The accounts for each month in respect of raising, stock sale, despatch, local consumption, royalty and rent due and paid shall be completed within fifteen days of the month following and true copy of each duly signed by the Lessee/Lessees or his/their authorized agent shall be sent to (1) C&I dept, (2) The District Magistrate (3) The D.L. & L.R.O. within seven days thereafter. Monthly account to be sent to State Government.
4. The Lessee/Lessees shall be liable to pay interest at the rate prescribed by the Government on any amount remaining payable to the State Government/District Authority. Interest on arrear payments.
5. Should the royalty and/or rent reserved and made payable by the lessee be not paid within one month next after the date fixed in the lease for the payment of the same, the State Government/District Authority may enter upon the premises and distrain all or any of the mineral or beneficiated products thereof or moveable property therein or of so much of them as will suffice for the satisfaction of the rent and/or royalties due, and all cost Course of action if rents and royalties are not paid in.

and expenses occasioned by the nonpayment thereof. If any royalty or rent remains at any time unpaid for three calendar months after the date on which it is due the Government may determine the lease and take possession of the premises comprised thereon. These rights shall be without prejudice to the right of the Government/District Authority to realize the dues under the Bengal Public Demands Recovery Act or any Statutory modification thereof for the time being in force.

PART – VII

The covenants of the Lessee/Lessees

1. The Lessee/Lessees shall pay the rents and royalties reserved by this lease at such times and in the manner provided in Parts V and VI of these presents and shall also pay and discharge all taxes, rates, cesses, assessments and impositions whatsoever being in the nature of public demands, which shall from time to time be charged, assessed or imposed by the authority of the State Government/District Authority, upon or in respect of the premises and works of the premises and works of the Lessee/Lessees in common with other premises and works of a like nature, except demands for land revenue. Lessee to pay rents, royalties taxes etc.

2. The Lessee/Lessees shall at his/their/its own expense erect and at all times maintain and keep in repair boundary marks and pillars according to the demarcation shown in the plan annexed to this leases. Such marks and pillars shall be sufficiently clear of shrubs and other obstructions as to allow easy identification. The maintain and keep boundary marks in good order.

- 3(a) Unless the State Government/District Authority for good cause permits otherwise, the Lessee/Lessees shall commence operations within three months from the date of execution of the lease and shall thereafter at all times during the continuance of this lease search for work and develop the said minerals without voluntary intermission in a skilful and workman-like manner and in accordance with any Central or State Act and rules and regulations made thereunder for the purpose and for the time being in force without doing or permitting to be done any unnecessary or avoidable damage to the surface of the said lands or the crops, buildings, structures or other property thereon. For the purposes of this clause operations shall include the erection of machinery, laying of a tramway or construction of a road in connection with the mine. The State Government/District Authority shall be fully competent in whatever and by whatever agency it likes to determine, whether the work is carried on properly and skillfully and in accordance with any Central or State Act and rules and regulations made thereunder for the purpose and for the time being in force or whether the work was commenced within three months from the date of registration of the duly executed lease deed. To commence operations within three months and work in workman-like manner.

- (b) The lessee shall extracts dispatch minimum cum of (name of mineral) from the leasehold area per annum failing which penalty to the true of double the amount of royalty that should have accrued on the shortfall quantity shall be realized from the lessee at the end of the year.

- (c) No mining will be allowed within 20 mtrs from the bank of river.

- (d) For actual operation of quarrying or digging 10 (ten) yards clear margin should be kept full throughouts bond any of the adjacent plot/plots and maintained throughout the operation.

- (e) During the period of the lease the Govt. shall have the authority to stop mining in care of possible danger in the interest of the river management and/or protecting of environment on the recommendation of the concerned department of the Govt.
 - (f) In the event it is subsequently detected that the entire area or a part of the area granted in mining lease falls within "Forest", the lessee will forth with surrender the lease to the Government.
 - (g) The lessee shall have to take such precautionary measures as may be necessary by the Govt. or as to prevent danger and damage to the lives and the properties of private persons and of the public as well.
 - (h) Extraction of minerals shall have to be beyond notice in the both sides of any river, bridge or over any water ways or free the embankment and structural works of Irrigation and Waterways Deptt.
 - (i) No mining operations at any point 200 mtr. from any hydraulic structure, bridge, reservoir, canal, road, & other public works or building shall be allowed except with the previous permission in writing of the State Govt. in Irrigation & Waterways Deptt. and/or in Public Works (Roads) Deptt.
 - (j) No mining shall be allowed within a specified distance of road bridge within which mining/excavation/quarrying has been banned by the State Govt. by notifications issued from time to time in the interest of safety of the bridge concerned.
 - (k) Extraction of minerals should be done beyond a distance of at least 5 (five) kilometers from the barrage axis/dam axis so far as river Shiltorsa is concerned. The distance is to be reckoned across an imaginary line paralalled to the barrage/dam axis or/and to the end face of the structures as the case may be, depending on the location of the mines(s).
 - (l) Extraction of boulders, singles and sand should be made within the Central one third portion of the river bed. Where width of river bed is thirty meters or less the extractions/mining operations should not be made except with the written permission of Irrigation and Waterways Deptt.
 - (m) The depth of extraction should not be more than one metre from the existing river bed level.
4. The Lessee/Lesseees 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/it in exercise of the powers granted by this lease and shall indemnify and keep indemnified fully and completely the State Government/District Authority against all claim, 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.
 5. The Lessee/Lesseees shall, during the subsistence of this lease, throw the refuse from the excavations at places approved by the State Government/District Authority or an officer authorized by the State Government/District Authority on its behalf.
 6. The Lessee/Lesseees shall strengthen and support to the satisfaction of the Railway Administration concerned or the State Government/District Authority, as the case may be, any part of

To indemnify State Government against all claims.

To throw Refuses in places.

To strengthen and support the mines to necessary extent.

- the mine, which in its opinion requires such strengthening of support, for the safety of any railway, reservoir, canal, road and any other public works or structures.
7. The Lessee/Lessees shall allow the District Authority or any other officer authorized by the State Government in this behalf to enter upon the said premises including any building, excavation or land comprised in the lease for the purpose of inspecting, examining, measuring, surveying and making plans thereof, sampling and collecting any data and the Lessee/Lessees shall with proper person employed by the Lessee/Lessees and acquainted with the mines and work effectually assist such officers, against, servants and workmen in conducting every such inspection and shall afford them all facilities, information connected with the working of the mines which they may reasonably require, and also shall and will conform to and observe all orders and regulations which the State Government in this behalf as the result of such inspection or otherwise may from time to time see fit to impose. To allow inspection of working.
 8. Lessee/Lessees shall without delay send to the Collector/Deputy Commissioner a report of any accident causing death or serious bodily injury or serious injury to property or seriously affecting or endangering life or property, which may occur in the course of operations under this lease. To report accidents.
 9. Whenever the Lessee/Lessees shall find in the said
 - (a) lands any mineral other than the said mineral, the Lessee/Lessees shall immediately report such discovery in writing to the State Government/District Authority with full particulars of the nature and position of each such mine. He/they/it or any of his/their/its Employee or employees shall not win and dispose of the newly discovered mineral or minerals without first obtaining a lease in respect of those minerals. To report Discovery of other minerals.
 - (b) If the Lessee/Lessees intends/intend to work such newly discovered mineral or minerals, he/they/it shall within three months of making such report, as is mentioned in sub-clause (a) of this clause, intimate his/their/its intention to the State Government/District authority and apply for mining lease in respect thereof in accordance with the rules regulating the grant of mining concessions for that mineral. But such mining lease shall not be claimed as a matter of right.
 - (c) If the Lessee/Lessees intimate(s) his/their/its intention not to work the newly discovered minerals or fails to intimate intention to work it with or within a period of three months, it shall be open to the State Government to grant a lease for the working of the same to any other person.
 10. The Lessee/Lessees shall at all time during the said term keep or cause to be kept at an office to be situated upon or near the said lands correct and intelligible books (bound and paged) of accounts, which shall contain accurate entries showing from time to time. To keep record and accounts regarding production and employees etc.
 - (1) Quantity and quality of said minerals realized from the said lands.
 - (2) Quantity of the various qualities of minerals benefited or converted (for example, limestone converted into lime).

- (3) Quantities of the various qualities of the said mineral sold and exported separately.
- (4) Quantities of the various qualities of the said mineral otherwise disposed of and the manner and purpose of such disposal.
- (5) The prices and all other particulars of all sales of said mineral.
- (6) The number of persons employed in the mines or works or upon the said lands specifying nationality, qualifications and pay of the technical personnel.
- (7) The stock of said mineral undisposed.
- (8) The records of labour employed, the address of their village or origin, their wages and other emoluments in Cash or kind.
- (9) The full particulars, together with addresses of the party or parties to whom the mineral/minerals has/have been sold, the date of sale, the number of railway wagon together with the station from which dispatched and in the case of dispatches by trucks, the registered numbers of the trucks and in case of dispatches by carts, the names, address of the owner of the carts.
- (10) Such other facts, particulars and circumstances as the State Government / District Authority may from time to time require and shall also furnish free of charge to such officers and at such times, as the State Government / District Authority may appoint, true and correct abstracts of all or any such books of accounts and such information and returns to all or any of the matters aforesaid as the State Government may prescribe and shall at all reasonable times allow such officers, as the State Government/District Authority shall in that behalf appoint to enter into and have free access to the said office for the purpose of examining and inspecting the said books of accounts and to make copies thereof and make extracts therefrom.
- 10(a) If any mineral from the land is dispatched or transported from the said land in a truck or cart or other vehicles, the Lessee/Lesseees shall do so under a challan in duplicate regarding the quantity of the mineral and the destination thereof, and a copy whereof should be made over to and carried by the driver of the said truck, cart or vehicle.
11. The Lessee/Lesseees shall at all times during the said terms maintain at the Mine office correct, intelligible up-to-date and complete plans of the mines in the said lands, on a scale of not less than 16" = 1 mile. Lessee/Lesseees shall also allow any officer authorized by the State Government/District Authority to inspect the same at all reasonable times. To maintain plans, etc.
12. All stagnant pools of water within the leasehold area, whether formed as a result of mining or not, shall be Regularly treated with anti-mosquito insecticide during the continuance of the lease. Treatment of stagnant pools.
13. If at any time any underground excavation is made or the number of persons employed in the mine exceeds 50 or the depth of the quarry exceeds 20' feet at any place or if any explosive is used in the mine at any time, a notice specifying the details about the number of persons Employed, maximum depth of any quarry, explosives used and the location and ownership of the mine together with the address of the owner shall be sent to the Director – General of mines Safety in India, P.O. Dhanbad, Bihar.

14. (i) The Lessee shall not without the previous consent in writing of the State Government -

Transfer of Lease.

(a) assign, mortgage, or in any other manner, transfer the mining lease, or any right, title or interest therein, or,

(b) enter into or make any arrangement, contract or understanding whereby the Lessee will or may be directly or indirectly financed to a substantial extent by, or under which the Lessee's operations or undertakings will or may be substantially controlled by, any person or body of persons other than the Lessee/Lesseees :

Provided that the State Government shall not give its written consent unless :-

The Lessee/Lesseees has/have furnished an affidavit along with his application for transfer of the mining lease specifying therein the amount that he has already taken or proposes to take as consideration from the transferee;

(ii) Without prejudice to the above provisions, the Lessee/Lesseees may, subject to the conditions specified in the said rules transfer this lease or any right, title interest therein, to a person holding a valid Income-Tax Clearance certificate and a Certificate of Clearance of mining dues on payment of a fee of rupees one hundred (Rs.100) to the State Government.

(iii) The State Government may, by order in writing, determine the lease at any time if the Lessee/Lesseees has/have in the opinion of the State Government committed a breach of any of the above provisions or has/have transferred the lease or any right, title or interest therein otherwise than in accordance with clause (ii) Provided that no such order shall be made without giving the Lessee/Lesseees a reasonable opportunity or staying his/their case.

15. The lease shall not be controlled and the Lessee/Lessee shall not allow himself/themselves/itself to be controlled by any trust, syndicate, corporation, firm or person except with the previous written consent of the State Government. The Lessee/Lesseees shall not enter into or make any arrangement compact or understanding whereby the Lessee/Lesseees will or may be directly or indirectly financed by or under which the Lessee's/Lesseees' operations or undertakings will or may be carried on directly or indirectly by or for the benefit of or subject to the control of any trust, syndicate, corporation, firm or person unless with the written sanction of the State Government given prior to such arrangement, compact or understanding being entered into or made and any or every such arrangement, compact or understanding as aforesaid entered into or made with such sanction as aforesaid, shall only be entered into or made with such sanction as aforesaid, shall and shall always be subject to an express condition binding upon the other party or parties thereto that on the occasion of a state of emergency, of which the President of India in his discretion shall be the sole judge, it shall be terminable if so required in writing by the State Government and shall in the event of any such requisition being made, be forthwith thereafter determined by the Lessee/Lesseees accordingly. Provided that this clause shall not be applicable when the lease is controlled or financed by the West Bengal Mineral Development and Trading Corporation Ltd. (a Government of West Bengal undertaking).

16. Whenever the security deposit of Rs.2,500/- or any part thereof or any further sum hereinafter deposited with the State Government in replenishment thereof shall be forfeited or applied by the State Government pursuant to the power hereinafter decaled in that behalf, the Lessee/Lesseees shall deposit with the State Government such further sum, as may be sufficient with the unappropriated part thereof to bring the amount in deposit with the State Government up to the sum of Rs.2,500/- (Rupees Two thousand five hundred) only.
17. The Lessee/Lesseees shall at the expiration or sooner Determination of the said term of lease or any renewal thereof, deliver up to the State Government/District Authority all mines, pits, shafts, inclines, drifts, levels, waterways, airways and other works now existing hereinafter in be sunk or made on or under the said lands, except such as have been abandoned with the sanction of the State Government/District Authority and in an ordinary and fair course of working all engines, machinery, plant, buildings structures, other works and conveniences, which at the commencement of the said term, were upon or under the said lands and all such machinery set up by the Lessee/Lesseees below ground, which cannot be removed without causing injury to the mines or works under the said lands (except such of the same as may with the sanction of the state Government have become disused), and all buildings and structures of bricks or stone erected by the Lessee/Lesseees above ground level in good repair and condition and fit in all respects for further working of the said mines and the said mineral.
18. a) The State Government/District Authority and any other authority authorized by the State Government for the purpose shall from time to time and at all times during the said term of the lease have the right of preemption the said mineral (and all products thereof) lying in or upon the said lands hereby demised or elsewhere under the control of the Lessee/Lesseees and the Lessee/Lesseees shall with all possible expedition deliver all minerals or products of minerals required by the State Government/District Authority or any such authority under the power conferred by this provisions in the quantities at the times in the manner and at the place specified by the State Government/District Authority or such authority. The Lessee/Lesseees shall indemnify that State Government/District Authority against claims of any third party in respect of such minerals.
- b) Should the right of pre-emption conferred by the present provision be exercised and a vessel chartered to carry the minerals or products thereof procured on behalf of the State Government/District Authority or the Central Government or any other authority be detained on demurrage all due for demurrage according to the terms of the charter party of such vessel, unless the State Government/District Authority or the authority authorized by the State Government in this behalf shall be satisfied that the delay is due to causes beyond the control of the lessee/Lesseees.
- c) The price to be paid for all minerals or products of mineral taken in pre-emption by the State Government/District Authority or the authority authorized by the State Government in this behalf in exercise of the right hereby conferred shall be the fair market price prevailing the time of pre-emption.
- Lessee shall deposit any additional amount necessary to replenish security deposit.
- Delivery of workings in good order to state Government after determination of lease.
- Right of preemption.

Provided that in order to assist in arriving at the said fair market price the lessee/Lessee shall, if so required, furnish to the State Government for the confidential information of the State Government particulars of the quantitative descriptions and prices of the said mineral and the products thereof sold to other customers and of charters entered into for freight for carriage of the same and shall produce to such officers, as may be directed by the State Government/District Authority, original or authenticated copies of contracts and charter parties entered into for the sale on freighting of such minerals or products.

d) The Lessee/Lessee agrees/agree notwithstanding anything to the contrary in this clause, to supply such quantity of the mineral as may be required by any government department or local authorities, for work within this district at a rate of 5 percent less than that of the local prevailing market rate.

19. In the event of the existence of a state of war or emergency, of which existence the President of India shall be the sole judge and notification to this effect in the Gazette of India shall be the conclusive proof, the State Government shall from time to time and all times during the said term have the right, to be exercised by a notice in writing to the Lessee/Lessee, forthwith to take possession and control of the works, plant, machinery and premises of the Lessee/Lessee on or in connection with the said lands or operations under this lease and during such possession or control the Lessee/Lessee shall conform and obey all directions given by or on behalf of the state government regarding the use of employment of such works, plants premises and minerals.

Action in case of war or national emergency.

Provided that fair compensation, which shall be determined in default of agreement, by the state Government shall be paid to Lessee/Lessee for all loss or damage sustained by him/them/it by reason or in consequence of the exercise of the powers conferred by this clause and provided also that the exercise of such powers shall not determine the said term hereby granted or affect the terms and provisions of these presents further than may be necessary to give effect to the provisions of this clause.

20. Notwithstanding anything contained in this lease, the Lessee/Lessee on receipt of a notice in writing from the Collector/Deputy Commissioner or an officer appointed by the state Government/District Authority for the purpose, stating that or he considers the Lessee's/Lessee's operations on the land delineated in the plan to involve danger to the stability of any bridge or hydraulic structure either existing or under construction, at any time, now or in future in the neighborhood by reason of extraction of mineral by the Lessee and requiring him to desist from such operation on forthwith shall desist from such operations. The Lessee/Lessee shall not claim any compensation for stoppage of work in respect of the delineated area.

Danger of land ship and stability of bridge.

21. The storage and use of any explosives shall only be in accordance with the provisions of Indian Explosives Act, The Metalliferous Mines Regulations for the time being in force and any lawful directions of the Director General of Mines safety. The Lessee/Lessee shall be responsible for and see and ensure that no explosive intended for the mine is pilfered or misused or used for purpose, within or outside the lease area other than mining with the lease area.

Storage and use of explosives.

22. If any boundary dispute or dispute regarding the right of way or any other dispute, whatsoever regarding the construction of any term or condition in the lease arises between the Lessee/Lessees and the Lessee of any adjoining block already leased under similar terms or which may subsequently be lease, the lessee/lessees shall be bound to submit such dispute to the decision of District Authority/Deputy Commissioner or to an officer appointed by the State Government for the purpose. The decision of the Collector/Deputy Commissioner/District Authority or such officer shall be appealable to the State Government in due course and the decision of the State Government thereon shall be final and binding on the Lessee/Lessees. Boundary dispute.
23. If the Lessee/Lessees is/are any time convicted of any criminal offence directly or indirectly connected with the lease or the mine or the mineral worked thereform, he/they/it shall be bounded to inform or cause to inform within a month of such conviction the State Government/District Authority about such conviction. If the State Government/District Authority considers such offence, for which the Lessee/Lessees has/have been convicted of a serious nature making him/them/it undesirable to hold the lease of if the lessee/lessees fails/ fail to inform or cause to inform the State Government/ District Authority about the conviction, the lease may be terminated by giving three months' notice.
24. The Lessee/Lessees shall not without the previous sanction in writing of the State Government/District Authority employ any person, for work within the lease area or in connection therewith, who is not an Indian National. Employment of foreign nationals.
25. The Lessee shall take such measures for planting trees in the same area or any other area selected by the State Government not less than twice the number of trees destroyed by reason of mining operation. To plant trees.
26. The lessees shall pay to the occupier of the surface land under mining lease such compensation as fixed by the concerned authority. To pay compensation.
27. The lessee shall observe the provision of Mines Act, 1952 and shall comply with mineral conservation and development rules' framed under section 18. To observe the provisions of Mines Act. 1952 & Mineral conservation & development rules.
28. The lessees shall not pay a wage less than the minimum wage prescribed by the State Government. To pay minimum wage.
29. The Lessee/Lessees shall abide by all existing laws and rules and regulations enforced by the Government of India or the State Government/District Authority and all such other laws, rules and regulations, as may be enforced from time, in respect of working of mines and minerals and other matters affecting the safety, health and convenience of the employees of the lessee/lessees or of the public. On receipt of a notice from the State Government/District Authority on this behalf regarding any unlawful or irregular work in connection with the working of the mine, the lessee/lessees shall forth with take steps to rectify the same. The Lessee/Lessees shall also be bound to pay compensation to the State Government/District Authority for all losses due to any illegal or unlawful work done by the Lessee/lessees or his/their/its employees. To abide by rules and regulations.

PART - VIII

The covenants of the State Government

1. The Lessee/Lessees paying the rents and royalties hereby reserved and observing and performing all the covenants and agreements herein contained and on the part of the Lessee/Lessees to be observed and performed shall and may quietly hold and enjoy the rights and premises hereby demised for and during the term hereby granted without any unlawful interruption from or by the State Government/District Authority, or any person rightfully claiming under it. Lessee may hold and enjoy rights quietly.

2. If in accordance with the provisions of clause 4 of part VII of this form the Lessee/Lessees shall offer to pay to occupier of the surface of any part of the said lands compensation for any damage or injury, which may arise from the proposed operations of the Lessee/Lessees, and the said occupier shall refuse his consent to the exercise of the right and owners reserved to the State Government/District Authority and demised to the Lessee/Lessees by these presents and the Lessee/Lessees shall report the matter to the State Government/District Authority and shall deposit with it the amount offered as compensation and if the State Government/District Authority is satisfied that the amount of compensation offered is fair and reasonable or if is not so satisfied and the Lessee/Lessees shall have deposited with it such further amount as the State Government/District Authority shall consider fair and reasonable, the State Government shall order the occupier to allow the Lessee/Lessees to enter the land to carry out such operations, as may be necessary for the purpose of this lease. In assessing the amount of such compensation the State Government/District Authority shall be guided by the principles of the Land Acquisition Act.

If, however the lessee/Lessees fails/fail to get possession in the lands to carry out such operations, as may be necessary for the purpose of this lease, he/they/it shall not be entitled to claim any damage, reduction in rent or royalties or reduction in any sum payable by him/them/it. The lessee/lessees, by these presents, takes upon himself/themselves/itself the entire responsibility to secure possession of the surface lands, not belonging to the state government required for his mining purpose and the State Government has no obligation to do the same. Acquisition of lands of third parties and compensation thereof.

3. The Lessee/Lessees may at any time determine this lease by giving not less than six calendar months previous notice in writing to the State Government and upon the expiration of such notice, provided that the lessee/lessees shall upon such expiration render and pay all rents, royalties, compensation for damages and other moneys, which may then be due and payable under these presents to the State Government or any other person or persons, and shall deliver up these presents to the State Government and then this present lease and the said term and the liberties, powers and privileges hereby granted shall absolutely cease and determine, but without prejudice to any right or remedy of the Governor and for State Government in respect of any breach of any of the covenants or agreements contained in these presents. Liberty to determine surrender on relinquish any part of the leased area.

4. On such date as the State Government may elect within twelve calendar months after the determination of this lease or of any renewal thereof, the amount of the security deposit paid in Refund of Security deposit.

respect of this lease and then remaining in deposit with the State Government and not required to be applied to any of the purposes mentioned in this lease, shall be refunded to the lessee/lessees. No interest shall run on the security deposit.

PART - IX

General Provisions

1. In case of breach of any of the conditions of the lease other than mentioned in clauses 2 and 3 of this part, the State Government may require the lessee/lessees or his/their/its transferees or assignees to pay penalty not exceeding an amount equivalent to three times the amount of annual dead rent specified under clause 2, Part V. Breach of any condition.
 2. In case the Lessee/Lessees or his/their/its transferees or assignees obstructs/obstruct or does/do not allow entry or inspection, by the officers authorized by the State Government and in case of breach of any of the conditions of the lease mentioned in clause I of Part III and clause 14, 15 and 24 of Part VII, the State Government may cancel the lease and forfeit the whole or part of the security deposit and re-enter and take possession of the demised property and mines. Obstruction to inspection.
 3. In case the Lessee/Lessees or his/their/its transferees or assignees commit breach of any of the conditions specified in (clause 4 of Part III) and clauses 2, 3, 6, 9, 25 of Part VII, then and in any such case the State Government shall give notice in writing to the lessee/Lessees or his/their/its transferees or assignees, as the case may be, asking him/them/it to remedy the breach within thirty days from the date of the notice and if the breach is not remedied within such period, the State Government may determine the lease. Breach of any other conditions.
- Provided that nothing herein contained shall debar the State Government from enforcing any other right or remedy that the State Government may have against the Lessee/Lessees or his/their/its transferees or assignees under any other provisions herein contained and re-enter and take possession of the demised property and mines.
- Note : The portion within bracket to be omitted if this clause has been omitted in Part III.
4. In case of breaches of the covenants and agreements by the Lessee/Lessees, on which the aforesaid notice has been given, the State Government in lieu of giving notice may impose such penalty not exceeding three times the amount of annual dead rent specified in clause 2 of Part V. To pay penalty in case of Breach.
 5. Failure on the part of the Lessee/Lessees to fulfil any of the terms and conditions of this lease shall not give the State Government any claim against the Lessee/Lessees or be deemed a breach of this lease, in so far as such failure is considered by the said Government to arise from force majeure, and if through force majeure the fulfilment by the Lessee/Lessees of any of the terms and conditions of this lease be delayed, the period of such delay shall be added to the period fixed by this lease. In this clause the expression "force Majeure" means act of God, war, insurrection, riot, civil commotion, strike, earthquake, tide, storm, tidal wave, flood, lighting, explosion, fire, and other happenings, which the Lessee/Lessees could not reasonably prevent or control. Failure to fulfil the terms of lease due to "Force Majeure".

- | | | |
|-----|---|--|
| 6. | In case of a breach of clause 2, 3, 4 of Part VI by way of submission of any wrong returns/accounts, the Lessee/Lessees are liable to pay a penalty of a sum of Rs.5,000/- for each wrong statement to the State Government/District Authority in addition to the dues as per correct figures. | Action against breach of clauses 2, 3, 4 of Part VI. |
| | In case of a breach of aforesaid clauses by way of late submission of returns within the specified time the lessee shall be liable to pay a penalty of Rs.50/- per day after expiry of the prescribed date. | |
| 7. | The Lessee/Lessees having first paid and discharged the rents and royalties payable by virtue of these presents may at the expiration or sooner determination of the said term or within six calendar months thereafter, take down and remove for his/their/its own benefit all or any engines, machinery, plant, building, structures, tramways, railways and other works, erections and conveniences which may have been executed, set up or placed by the Lessee/Lessees in or upon the said lands and which the Lessee/Lessees is/are not bound to deliver to be State Government under clause 17 of Part VII of this form and which the State Government shall not desire to purchase. | Lessee to remove his properties on the expiry of lease. |
| 8. | If at the end of six calendar months after expiration or sooner determination of the said term or after the date, from which any surrender by the Lessee/Lessees of the said lands under the provisions contained in clause 4 of Part VIII of this form become effective, there shall remain in or upon the said land any engines, machinery, plant, buildings, structures, tramways, railways, and other works, erections and conveniences or other property, the same shall, if not removed by the lessee/Lessees within one calendar month after notice in writing requiring their removal has been given to the lessee/lessees by the Government, be deemed to become the property of the State Government and may be sold or disposed of in such manner as the State Government shall deem fit without liability to pay any compensation or to account to the Lessee/Lessees in respect thereof. | Forfeiture of property left more than six months after determination of lease. |
| 9. | Without prejudice to any other mode of recovery authorized by any provision of this lease or by any law, all amounts failing due hereunder against the Lessee/Lessees may be recovered as a Public Demand under the Bengal Public Demands Recovery Act or any statutory modification thereof for the time being in force. | Recovery under the Bengal Public Demands Recovery Act. |
| 10. | For the purpose of stamp duty, the anticipated royalty is Rs. per year. | Anticipated royalty for the purpose of Stamp duty |
| 11. | The Managing Agent of the Lessee/Lessees shall be equally responsible and liable as the Lessee/Lessees. | Responsibility of Managing Agents, if any. |
| 12. | The terms and conditions herein contained may be revised at the option of the State Government when any Act or rules are passed by the Central Government or the State Government for revision of the same, notwithstanding the fact that this lease has been granted in accordance with the West Bengal Minor Minerals Rules, 2002. In revising the terms the lease shall be modified so as to ensure conformity with such Act or rules and in such case the State Government shall not be liable to pay any compensation whatsoever on any ground whatsoever for any loss and damage that may be suffered or caused to the Lessee/Lessees. | Modification of terms and conditions of lease. |

13. The State Government may, by general or special order, published in the official Gazette, delegate any or all the powers and functions of the State Government under this indenture to any officers of the State Government, subject to such conditions and restrictions, as may be mentioned in the order.
14. Every notice by these presents required to be given to the Lessee/Lessees shall be given in writing to such person resident on the said lands, as the Lessee/Lessees may appoint for the purpose of receiving such notice and if there shall have been no such appointment, then every such notice shall be sent to the Lessee/Lessees by registered post at the address recorded in this lease or at such other address in India, as the Lessee/Lessees may from time to time in writing to the State Government or to an office authorized by the State Government in this behalf designate for the receipt of notices, and every such service shall be deemed to be proper and valid service upon the Lessee/Lessees and shall not be questioned or challenged by him.

Power to delegate authority.

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

Signed by

For and on behalf of the Government of the State of West Bengal in the presence of

Signed by the Lessee/Lessees

In the presence of

By order of Governor
D. Mukhopadhyay
Additional Chief Secretary to the
Govt. of West Bengal

Government of West Bengal
Commerce and Industries Department
Mines Branch
4, Camac Street, Kolkata-700016.

No.07-CI/O/MM-84/11

Date : 05.01.2012

CORRIGENDUM

In partial modification of guidelines annexed with this Department's Memo No.819(36)-CI/O/MM-84/11 dated 08.12.2011 at Para 2 (iii), the last words "market price of the mineral" are substituted by "rate of royalty and cess for the mineral".

All other contents remain unchanged.

Sd/-Illegible
Joint Secretary
to the Government of West Bengal

No.07/1(18)-CI/O/MM-84/11

Date : 05.01.2012

Copy forwarded for information and necessary action to the :

1. The District Magistrate & Collector, Burdwan,
2. The District Magistrate & Collector, Birbhum,
3. The District Magistrate & Collector, Bankura,

4. The District Magistrate & Collector, Murshidabad,
5. The District Magistrate & Collector, Jalpaiguri,
6. The District Magistrate & Collector, Darjeeling,
7. The District Magistrate & Collector, Purba Medinipur,
8. The District Magistrate & Collector, Paschim Medinipur,
9. The District Magistrate & Collector, Uttar Dinajpur,
10. The District Magistrate & Collector, Dakshin Dinajpur,
11. The District Magistrate & Collector, Purulia,
12. The District Magistrate & Collector, South 24-Parganas,
13. The District Magistrate & Collector, North 24-Parganas,
14. The District Magistrate & Collector, Howrah,
15. The District Magistrate & Collector, Nadia,
16. The District Magistrate & Collector, Hooghly,
17. The District Magistrate & Collector, Coochbehar,
18. The District Magistrate & Collector, Malda.

Sd/-Illegible
Joint Secretary
to the Government of West Bengal

●

**Government of West Bengal
Land and Land Reforms Department
Section-AII, Branch-M&M
Writers' Buildings, Kolkata-700001.**

Memo No.4945-M&M/LR/A-II/3M-3/2013.

Dated : 02.08.2013

From : Deputy Secretary to the
Government of West Bengal

To : The Assistant General Manager,
R.B.I., Kolkata.

Sub : Deposit of mining dues to the R.B.I. through T.R. Form No.7 which are not passed for payment by D.L.&L.R.O., S.D.L.&L.R.O. and/or B.L.&L.R.O.

The undersigned is directed to refer to his letter No. PAD-KOL (Gen) No. 3704/14-03-001/2012-13 dt. 31.05.2013 and to state that certain formalities are required to be observed before the deposit of royalties on account of mines and minerals by the quarry permit holders. It may please be noted that only the valid quarry permit holders are authorised to deposit the mining dues to any Bank Branch/RBI Kolkata through T.R. Form No.7 under the head of A/c. "0029-00-104-002-09" provided the challans are duly verified by the concerned authority i.e. the D.L.&L.R.O. or the S.D.L.&L.R.O. as the case may be.

In order to obviate any problem the challans in T.R. Form No.7 are to be duly passed/verified by the concerned B.L.&L.R.O./S.D.L.& L.R.O. first and then the concerned Bank Branch may receive the deposit under the head of A/c. "0029-00-104-002-09".

The undersigned is further directed to request him to advise all the concerned authority accordingly.

Sd/-Illegible
Deputy Secretary to the
Govt. of West Bengal.

Memo No.4945/1(20) M&M/LR/AII/3M-3/2013

Dated : 02.08.2013

Copy forwarded for information to :-

1. The A.D.M.&D.L.&L.R.O., Jalpaiguri-alongwith copy of letter No. PAD. KOL (Gen) No. 3704/14-03-001/2012-13 dt. 31.05.2013 received from R.B.I. Kolkata.
2. The District Land & Land Reforms Officer, -----

Sd/- Illegible
Deputy Secretary to the
Govt. of West Bengal.

Government of West Bengal
Commerce & Industries Department
4, Abanindranath Tagore Sarani (Camac Street)
Kolkata-700016

Mines Branch

No.: 37-CI/O/MIN/MNM/MIS/03/2013

Date : 21.01.2014

NOTIFICATION

In exercise of power conferred under Sub-Section (2) of Section 26 of Mines and Minerals (Development and Regulation) Act, 1957 and in terms of sub-rule (1) of Rule 27 of West Bengal Minor Minerals Rules, 2002 as amended, the Governor is pleased to authorise the Executive Engineer of the respective Division attached to Irrigation & Waterways Department to grant quarry permit in accordance with W.B.M.M. Rules, 2002 to extract or remove river bed materials from any specified land on pre-payment of royalty at the rate/rates as may be fixed from time to time.

The Governor is further pleased to empower the concerned Executive Engineer so authorised to exercise all powers which heretofore used to be exercised by the District Magistrate in connection with and relating to grant of quarry permit.

This will take immediate effect.

By Order of the Governor

Sd/-Illegible
Additional Chief Secretary to the
Government of West Bengal

No.: 37/1(11)-CI/O/MIN/MNM/MIS/03/2013

Date : 21.01.2014

Copy forwarded for information and necessary action to :

1. The Chief Secretary, West Bengal,
2. The Additional Chief Secretary, Home Department, Government of West Bengal,
3. The Additional Chief Secretary, Land & Land Reforms Department, Government of West Bengal,
4. The Principal Secretary, Finance Department, Government of West Bengal,
5. The Secretary, Irrigation & Waterways Department – he is requested to communicate it to all concerned under his administrative control,
6. The Director General of Police, West Bengal,
7. The Commissioner, Commercial Tax, Government of West Bengal,
8. The Director, Directorate of Mines & Minerals, West Bengal – she is requested to forward it to all her subordinate offices under her administrative control,
9. The Director of Land Records & Surveys, Government of West Bengal,
10. The District Magistrate & Collector of all districts,
11. The District Land & Land Reforms Officer of all districts.

Sd/-Illegible
Additional Chief Secretary to the
Government of West Bengal