

## 2. Mining Wing FAQ's

### 2.1 ) What are Major & Minor minerals?

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Major minerals are those specified in the schedule appended in the MMDR Act,1957 and the common major minerals are Limestone, Clay, Coal, Quartz etc. minor Minerals are those specified in the schedule appended in Minor Mineral concession rules and the common minor minerals are sand stone bazri, Limestone, Building stones etc.

### 2.2 ) What are RP, PL, ML & how to get it?

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RP means Reconnaissance Permit, PL means Prospecting License, ML means Mining Lease.

### 2.3 ) What is the legal framework for Mining in the State?

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For the copy of Act/ Rules/Policy click this weblink: - <http://www.himachal.nic.in>

### 2.4 ) What is the Procedure for setting up of stone crusher?

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For the Procedure click this weblink: - <http://www.himachal.nic.in>(Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015) Application in form- O along with Fees 2500/- for joint inspection & and following documents are required along with application

1. CA- form "B" (Certificate of Approval)
2. Revenue paper viz Jamabandi/tatima etc.
3. NOC of concerned gram panchayat (in the shape of resolution)
4. Income tax Clearance certificate
5. Location site plan and Technical feasibility report etc.

### 2.5 ) What is the Procedure for obtaining mining lease of minerals?

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For the Procedure click this weblink: - <http://www.himachal.nic.in>(Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015). An application for the grant of a mining lease shall be made to the State Geologist, H.P. in Form-C. Every application for the grant of mining lease shall be accompanied by:- A non-refundable fee of Rs. 5000/- and following documents are required

1. CA- form "B" (Certificate of Approval)
2. Revenue paper viz Jamabandi/tatima etc.
3. Consents of Land Owners in case of private land
4. NOC of concerned gram panchayat (in the shape of resolution)
5. Income Tax clearance certificate
6. Location Site Plan

On receipt of the application for the grant of a mining lease the State Geologist H.P. the case is sent to Joint Inspection Committee chaired by the concerned SDM and after the recommendations of Joint

Inspection Committee 'Letter of Intent' is issued for completing the required formalities like forest and environment clearances etc. Thereafter, mining lease is granted and executed in favour of the applicant.

## 2.6 ) What are the precautions to be taken for filing applications for obtaining Mineral Concessions?

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The application must be filed within prescribed format in (Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015). Whatever entries are being made, must be complete in all respect and should be supported with documentary evidences. In absence of all documents, disposal of application may be delayed. Incomplete applications are liable to be cancelled.

## 2.7 ) What are the provisions for regulation of minor minerals in State?

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Minor Minerals of the State are governed by (Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and the policies made for these purposes.

## 2.8 ) What types of Mineral Concessions are provided for minor Minerals in the State?

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Three types of mineral concessions for minor minerals are granted i.e. Mining Lease, Auction Quarry and Permit. click this weblink: - <http://www.himachal.nic.in> (Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015).

## 2.9 ) Who is empowered to grant Mining lease?

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To grant quarry lease, powers are delegated to State Geologist, Director of Industries and to the Government of Himachal Pradesh, depending upon type of minerals and size of area as under;

1. State Geologist= ? 1.5 hect
2. Director = ? 3 hect
3. Government= more than 3 hect

## 2.10 ) For which minerals Permit are granted?

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Permit for minor minerals (Sand Stone and Bajri) are granted for fixed period and for fixed quantity, which are to be utilized. Mining Officer, State Geologist and Director of Industries are authorized to issue permits.

## 2.11 ) What are the rates of royalty and Dead rent for minor minerals?

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Rates of Royalty and Dead Rent are mentioned in Schedule-in Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015

## 2.12 ) What is procedure to charge royalty?

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Royalty from mining lease area is charged on basis of mineral production from the mining lease area as per the rates specified under mining Rules. In case of auction of mineral the contract money is charged in equal quarterly instalments.

### 2.13 ) Who is eligible to obtain mineral concessions in India ?

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Any 'person' who is either an Indian national or a company registered in India is eligible to obtain mineral concessions. While in case of an individual, the 'person' should be a citizen of India, in case of a firm or other association of individuals, all members of the firm or members of the association should be citizens of India.

### 2.14 ) What is the period and tenure for which 'reconnaissance permit' is granted?

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A RP for any mineral or prescribed group of associated minerals is granted for 3 years and for maximum area of 5,000 square kilometer, to be relinquished progressively.

### 2.15 ) What is the period and tenure for which a 'prospecting license' is granted?

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A PL for any mineral or prescribed group of associated minerals is granted for a maximum period of 3 years and for a maximum area of 25 square kilometer.

### 2.16 ) On what grounds can a mining lease be terminated?

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If the mining leaseholder violates any of the terms and conditions of the mining lease, including default in payment of mining dues, the mining lease can be terminated.

### 2.17 ) What is auction of minor minerals and its period?

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The auction quarries for extraction of minerals area notified by the State Government from time to time. Any person can participate in the auction as per the procedure and terms & conditions specified in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015. The period of Auction in case of forest Land is 15 years whereas, in government land the period is 10 years.

## About Geological Wing

The Geological Wing was set up in the Department of Industries, H.P. in the Year 1964 -65 with only one Geologist, who was heading the Organisation on deputation from Geological Survey of India. On the reorganisation of erstwhile State of Punjab, in November 1966, majority of Geologist and staff were allotted to Himachal Pradesh. Thus a well equipped Geological Wing started functioning in the Himachal Pradesh from Nov, 1966

Primarily, work entrusted to the Geological Wing was to explore the mineral wealth of the State for their scientific and economical exploitation and setting up of mineral based industries. With the passage of time, the nature of work and responsibilities of the Geological Wing have increased manifold. With the changing scenario, the Mining industry in Himachal has emerged as a major economic activity, which is contributing significantly to the economy of the State and mining sector has become a new thrust area focusing Development and

regulation, resulting into creation of various other allied issues pertaining to mining. The Geological Wing is part and parcel of the Industries Department, consisting of 353 Officers/employees against the sanctioned strength. Geological Wing is headed by the State Geologist who works under the control and supervision of Director of Industries. The State Geologist is further assisted by Geologists and Assistant Geologists and by the Mining Officers in the field, apart from the supporting staff from drilling, surveying, draughtsman and ministerial staff.

## Organisational Chart of Geological Wing