



## ABSTRACT

Industries Department - Mines and Minerals – Minor Minerals – Delegation of powers to the Assistant Directors / Deputy Directors of Geology and Mining Department at District level and retaining certain powers of the District Collector - Amendments to the Tamil Nadu Minor Mineral Concession Rules, 1959 - Orders – Issued.

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### **Industries (MMC.1) Department**

**G.O.(Ms) No.169**

**Dated 04.08.2020**

ஆடி 20, சாஹரி வருடம்,  
திருவள்ளூர் ஆண்டு-2051

**Read:**

1. G.O.(Ms) No.3757, Industries, Labour and Co-operation Department, dated. 24.09.1959.
2. G.O.(Ms)No.70, Industries (MMC.1) Department, dated. 22.04.2016.
3. G.O.(Ms) No.206, Industries (MMC.1) Department, dated. 22.11.2019.
4. From the Director of Geology and Mining, Letter Rc. No.1870/MM1/2020, dated 18.03.2020, 03.07.2020 & 22.07.2020.

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### **ORDER:**

In the letter fourth read above, the Director of Geology and Mining has reported that the minerals that are used for building purposes and small scale industries are called as minor minerals and that section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 empowers the State Government to frame rules for administration of minor minerals. Accordingly, the Madras Minor Mineral Concession Rules, 1959 was issued in the G.O.Ms.No.3757, Department of Industries, Labour and Co-operation dated 24.09.1959, and now it is called the Tamil Nadu Minor Mineral Concession Rules 1959.

2. In the G.O. second read above, the above rules were amended by inserting Rule 43 for the purpose of grant of quarry lease for the 31 minor minerals as specified in Appendix 1B of the said rules. Till date the State Government, District Collectors and District Forest Officers are granting mineral concession for quarrying of minor minerals. For ease of administration, the Director of Geology and Mining has suggested to delegate certain powers to the Assistant Director / Deputy Director of

Geology and Mining Department at District Level to process/grant mineral concession in respect of the following minerals:

- (a) Minor Minerals specified in Appendix I-B (31 major minerals which were declared by Government of India as minor minerals in 2015).
- (b) Minor minerals other than granites.
- (c) Any mineral in ryotwari lands.

3. The Government have examined the proposal of the Director of Geology and Mining carefully and have decided to accept the proposal of the Director of Geology and Mining and to amend the Tamil Nadu Minor Mineral Concession Rules, 1959 by delegating certain powers to the Assistant Director / Deputy Director of Geology and Mining.

4. Accordingly, the Notification appended to this Order will be published in the Tamil Nadu Government Gazette Extraordinary. The Works Manager, Government Central Press, Chennai-79 is requested to supply 50 copies of the Notification each to this department, Director of Geology and Mining, Chennai-32 and to all District Collectors.

5. The Director, Tamil Development and Information (Translation) Department is requested to send the Tamil Translation of the Notification appended to this Order to the Works Manager, Government Central Press, Chennai-79 for publishing in the Tamil Nadu Government Gazette and to the Collectors of all Districts for publishing it in the District Gazettes immediately.

**(BY ORDER OF THE GOVERNOR)**

**N. MURUGANANDAM  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Works Manager,  
Government Central Press, Chennai-600 079.  
The Director,  
Tamil Development & Information (Translation) Department, Chennai-600 009.  
The Director of Geology and Mining, Guindy, Chennai-600 032.  
All District Collectors (thro' Director of Geology and Mining)  
The Accountant General, Chennai-600 018.

**Copy to:**

Office of the Hon'ble Chief Minister, Chennai-600 009.  
Office of the Hon'ble Minister (Law, Courts and Prisons), Chennai-600 009.  
The Law Department, Chennai-600 009.  
The Industries (MMA/MMB/MMD/MME/E/OP.II) Department, Chennai-600 009.  
SF/SCs.

**// FORWARDED / BY ORDER //**

*F. Glanville Devi*  
**SECTION OFFICER**

## APPENDIX

### NOTIFICATION

In exercise of the powers conferred by sub-sections (1) and (1-A) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Minor Mineral Concession Rules, 1959, namely:-

### AMENDMENTS

In the said Rules,-

- (1) in rule 2, after clause (3), the following clause shall be inserted, namely:-

"(3-A) "Assistant Director of Geology and Mining" shall include Deputy Director of Geology and Mining;" ;

- (2) in rule 8,-

(a) in sub-rule (1),-

(i) for clause(a), the following clause shall be substituted, namely:-

"(a) The District Collector shall publish a notice in the District Gazette inviting tender applications in sealed cover for grant of lease of land for quarrying minor minerals other than the minerals covered under rules 8-A and 8-C of these rules. The District Collector shall obtain the land availability report from the jurisdictional Revenue Divisional Officer before publishing such notification in the District Gazette." ;

(ii) in clause (b), for the expression "The District Collector", the expression "the Assistant Director of Geology and Mining" shall be substituted." ;

(b) in sub-rule (2), in clause (b), for the expression "District Collector or the Officer authorised by the District Collector to receive the tender applications", the expression "Assistant Director of Geology and Mining" shall be substituted;

(c) in sub-rule (3), in clause (d), for the expression "the Collector of the District", the expression "the Assistant Director of Geology and Mining" shall be substituted;

(d) in sub-rule (4), for the expression "the District collector", wherever it occurs, the expression "the Assistant Director of Geology and Mining" shall be substituted;

(e) in sub-rules (5),(6),(7) and (10), for the expression "the District Collector", wherever it occurs, the expression "the Assistant Director of Geology and Mining" shall be substituted;

(f) in sub-rule (7), for the expression "the District Collector's offer", the expression "the Assistant Director of Geology and Mining's offer" shall be substituted;

(3) in rule 8-A, in sub-rule (7),-

(a) for the expression "the District Collector, after the conclusion of the auction-cum-tender procedure, shall forward all the applications received to the State Government through the Director of Geology and Mining", the expression "the District Collector shall send his recommendation to the State Government through the Director of Geology and Mining within a period of thirty days from the date of conclusion of tender-cum-auction" shall be substituted;

(b) for the expression, "forward the same within a week with the original application", the expression "forward the same with the original application" shall be substituted;

(4) in rule 8-C, in sub-rule (3), in clause (a), for the expression, "the District Collector or the District Forest Officer, as the case may be, shall forward the application to the State Government through the Director of Geology and Mining specifying the conditions of those should be laid down while granting the lease for the area applied for", the expression "the District Collector or the District Forest Officer, as the case may be, shall forward the applications received to the State Government through the Director of Geology and Mining within a period of thirty days from the date of receipt of the applications." shall be substituted;

(5) in rule 19,-

(a) for the expression "the District Collector", wherever it occurs, the expression "the Assistant Director of Geology and Mining" shall be substituted.;

(b) sub rule (1) shall be re-numbered as clause (a) of sub rule (1) and after clause (a) as so re-numbered, the following clauses shall be inserted, namely :-

"(b) The Assistant Director of Geology and Mining shall receive and dispose of the applications for grant of quarrying lease for any mineral in ryotwari lands by following the procedure set out in rules 19 and 20 of these rules including ascertaining of objections if any. He shall obtain No Objection Certificate from the jurisdictional Revenue Divisional Officer to ensure the genuineness of the patta of the land applied for and non inclusion of Government land or Government interest, including land acquisition before grant of lease for quarrying.

(c) After the grant of quarrying lease under rule 20, the applicant shall execute the lease deed in Appendix -IV with the Assistant Director of Geology and Mining.";

(6) in rule 19-A,-

(a) in sub-rule (1), after clause (b), the following clause shall be inserted, namely:-

“(c) The District Collector shall process the application received for prospecting or grant or renewal of license or lease to the State Government through the Director of Geology and Mining within a period of thirty days from the date of receipt of the application. Further, the procedure prescribed in rules 19 and 20 of these rules including ascertaining of objections, if any, shall be followed.”;

(b) for sub-rule (13), the following sub-rule shall be substituted, namely:-

“(13) The application received for quarrying lease or renewal of quarrying lease shall be processed by the District Collector by considering the objections, if any, and forward it to the State Government through the Director of Geology and Mining within a period of thirty days from the date of receipt of the application. On receipt of the application for grant of quarrying lease for granite, the State Government, shall take a decision to grant the land for the said purpose and communicate their decision to the applicant. On receipt of the said communication of the State Government, the applicant shall submit an approved mining plan as per rule 12 of the Granite Conservation and Development, Rules, 1999 within a period of three months or such further period not exceeding three months as may be allowed by the State Government.” ;

(7) in rule 22, for the expression “the District Collector” occurring in two places, the expression “ the District Collector or Assistant Director of Geology and Mining” shall be substituted;

(8) in rule 26, for the expressions “ the Collector of the district” and “the Collector”, the expressions “the District Collector or the Assistant Director of Geology and Mining” and “the District Collector or the Assistant Director of Geology and Mining” shall, respectively, be substituted;

(9) in rule 27, for the expression “the District Collector”, the expression “the District Collector or the Assistant Director of Geology and Mining” shall be substituted;

(10) in rule 35, for the expression “the Collector of the District”, the expression “the District Collector or the Assistant Director of Geology and Mining” shall be substituted;

(11) in rule 36,-

(a) in sub-rule (3), for the expression “the District Collector” occurring in two places, the expression “the District Collector or the Assistant Director of Geology and Mining” shall be substituted;

(b) in sub rule (5), for the expression “the District Collector”, wherever it occurs, the expression “ the District Collector or the Assistant Director of Geology and Mining” shall be substituted;

- (12) in rule 36-B, in sub-rule (1), for the expression "the District Collector", the expression "The District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (13) in rule 36-E, for the expression "the District Forest Officer", the expression "the District Forest Officer or the Assistant Director of Geology and Mining" shall be substituted;
- (14) in rule 36-F, in sub-rule (5), for the expression "the District Collector", wherever it occurs, the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (15) in rule 41,-
- (a) in sub-rule (4), for the expression "the District Collector", the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
  - (b) in sub-rule (5), for the expression "the District Collector", the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
  - (c) in sub-rule (10), for the expression "the District Collector", wherever it occurs, the expression, "the District Collector or the Assistant Director of Geology and Mining" shall be substituted.
- (16) in rule 42, for the expression "the District Collector" occurring in two places, the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted.
- (17) in rule 43,-
- (a) in sub-rule (3), -
    - (i) for clause (i), the following clause shall be substituted, namely:-

"(i) The procedure laid down in rule 19-A of these rules shall apply for the grant of lease for quarrying of minor minerals in ryotwari lands. The applications for grant of lease under these rules shall be made in the Form in Appendix-VIIB. The powers and duties exercisable by the District Collector under these rules shall be exercisable by the Assistant Director of Geology and Mining.";
    - (j) after clause (iv), the following clause shall be inserted namely:-

"(v) The Assistant Director of Geology and Mining shall receive the applications. He shall follow the procedures under rules 19 and 20 of these rules including ascertaining of objections, if any, regarding grant of lease. The Assistant Director of Geology and Mining shall obtain a 'No Objection Certificate' from the concerned jurisdictional Revenue Divisional Officer to ensure the genuineness of the patta of the land applied for and non-inclusion of Government land or

Government interest including land acquisition. He shall forward the application to the State Government through the Director of Geology and Mining within a period of thirty days from the date of receipt of the application. Based on the recommendation of the Director of Geology and Mining, the State Government shall pass orders. The lease deed shall be executed by the applicant with the Assistant Director of Geology and Mining within one month from the date of receipt of the order of the State Government.”;

(b) in sub-rule (4), after clause (iv), the following clauses shall be inserted, namely:-

“(v) The District Collector shall publish a notification inviting applications for grant of lease for the proposed land. Before publishing the notification, the District Collector shall obtain land availability report from the Revenue Divisional Officer concerned.

(vi) The Assistant Director of Geology and Mining shall thereafter follow the procedure laid down in rule 8-A. He shall forward the application to the State Government through the Director of Geology and Mining within a period of thirty days from the date of conclusion of tender-cum-auction. Based on the recommendation of the Director of Geology and Mining, the State Government shall pass orders. The lease deed shall be executed by the applicant with the Assistant Director of Geology and Mining within one month from the date of receipt of the order of the Government.”;

(c) in sub-rule (5), for clause (i) the following clause shall be substituted, namely:-

“(i) “Quarrying lease for these minerals to a State Government company or corporation owned or controlled by the State Government in the Government poramboke lands shall be granted as per the procedure laid down in rule 8-C. Application for grant of lease shall be made in the Form in Appendix-VIIB. The powers and duties exercisable by the District Collector under these rules shall be exercisable by the Assistant Director of Geology and Mining:

Provided that the Assistant Director of Geology and Mining shall obtain a No Objection Certificate from the concerned jurisdictional Revenue Divisional Officer on the proposed land to ensure the genuineness of the patta and non inclusion of Government land or Government interest including land acquisition and he shall forward the application to the State Government through the Director of Geology and Mining within a period of thirty days from the date of receipt of application. Based on the recommendation of the Director of Geology and Mining, the State Government shall pass orders. The lease deed shall be executed by the applicant with the Assistant Director of Geology and Mining within one month from the date of receipt of the order of the State Government.”

- (18) in Appendix-I, for the expression "the Collector" wherever it occurs, the expression "the District Collector or Assistant Director of Geology and Mining" shall be substituted.;
- (19) in Appendix IV,-
- (a) for the expression "[See Rule 19A and 22]" the expression "[See rules 19,19A and 22]" shall be substituted;
  - (b) for the expression "the Collector" wherever it occurs, the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted.;
- (20) in Appendix - IVA, in Forms I,II,III,IV and V, for the expression "the District Collector" wherever it occurs, the expression, "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (21) in Appendix V,-
- (a) for the expression "[See rules 19A and 33]", the expression "[See rules 19, 19A and 33]" shall be substituted;
  - (b) for the expression "the Collector", wherever it occurs, the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (22) in Appendix VI, for the expression "District Collector", the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (23) in Appendix VID, for the expression "District Collector", the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (24) in Appendix VIIA, for the expression "the District Collector", wherever it occurs, the expression "the District Collector or the Assistant Director of Geology and Mining" shall be substituted;
- (25) in Appendix VII-B, for the expression "the District Collector", the expression "the Assistant Director of Geology and Mining" shall be substituted;
- (26) in Appendix X, for the expression "The District Collector", the expression "The District Collector or The Assistant Director of Geology and Mining" shall be substituted.

**N. MURUGANANDAM**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

// True copy//

*J. Ganesh Babu*  
**SECTION OFFICER**