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Andaman And



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**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT**

NOTIFICATION

Port Blair, dated the 20th September, 2012

No. 207/2012/F. No. 4-2/19-R/Quarry/PF—In exercise of the powers conferred under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), read with Govt. of India, Ministry of Home Affairs, Notification No. U-11030/5/2012-UTL dated 17.09.2012, the Lieutenant Governor (Administrator), Andaman & Nicobar Islands hereby makes the following rules, namely :-

CHAPTER-I

PRELIMINARY

1. Short title and commencement :- (i) These rules may be called the **Andaman & Nicobar Islands Minor Minerals Rules, 2012.**
(ii) They shall come into force from the date of their publication in the Official Gazette.
2. Application :- These rules shall apply to entire territory of Andaman & Nicobar Islands.
3. Definition :- (1) *In these rules, unless the context otherwise requires :-*

- (i) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957);
- (ii) "Assessee" means a person holding a quarry lease and includes any other person who has excavated, removed or processed or is excavating, removing or processing minor minerals or minerals;
- (iii) "Assessment Year" means the period beginning from the first day of July and ending on the thirtieth day of June of the following year or part thereof;
- (iv) "Authorised Officer" means the Authorities appointed under the provisions of Andaman & Nicobar Islands Land Revenue & Land Reforms Regulations, 1966;
- (v) "Catchment area" means the total notified area draining into a given waterway or water body;
- (vi) "Cluster of mining" means a group of quarry lease holders each having area less than one hectare, and mining together within a minimum area of two hectares;

Explanation :- An individual quarry lease granted over an area of more than one hectare shall not be considered for computation of minimum two hectares area for the purpose of these rules;

- (vii) "Competent Authority" means the Deputy Commissioner of the District or any other authority authorized by the Lt. Governor to implement the provisions of these rules;

- (viii) "Crushing" means processing of quarry products;
- (ix) "Excavation" means digging or collecting of minor minerals from any land;
- (x) "Form" means form appended to these rules;
- (xi) "Lieutenant Governor" means the Lieutenant Governor of Andaman and Nicobar Islands;
- (xii) "Pollution Control Committee" means the Pollution Control Committee of Andaman and Nicobar Administration,
- (xiii) "Quarry" means each plot available for quarrying lease;
- (xiv) "Quarrying" means extraction of minor minerals from the Quarry;
- (xv) "Quarry Lease" means a lease for quarrying granted under these rules wherein a lessee is allowed to win minerals and required to pay fixed rent, dead rent, royalty, fee, fines or any other charges as prescribed under these rules;
- (xvi) "Quarry Plan" means a comprehensive mining plan for systematic and scientific development of the quarry lease for undertaking quarrying operation and for the purposes of these rules the quarry plan in respect of any minor minerals shall be deemed to be the mining plan;
- (xvii) "Rent" means charge levied for the use of land during subsistence of the quarrying as may be prescribed by the Lieutenant Governor from time to time;
- (xviii) "Revisional Authority" means the Lieutenant Governor;
- (xix) "Water Body" means any significant accumulation of water, usually covering the earth.
- (2) Words and expressions used but not defined in these rules shall have the meaning respectively assigned to them in the Mines and Minerals (Development and Regulation) Act, 1957, and Mineral Conservation and Development Rules, 1988 made by the Central Government under Section 18 of the Act and the Mines Act, 1952

CHAPTER-II

GENERAL RESTRICTION ON QUARRYING OPERATIONS

4. Quarrying to be under quarry lease :- (1) No person shall undertake any quarrying in respect of any minor mineral in any land except under or in accordance with the terms and conditions of a quarrying lease granted under these rules.
- (2) No quarrying shall be allowed :-
- within a distance of five hundred metres from any educational institution, health institution or a residential area consisting of atleast fifteen houses of recorded tenants spread over an area of five thousand square metres, in the case where explosive is used for blasting;
 - within two hundred metres from from any educational institution, health institution or a residential area consisting of atleast fifteen houses of recorded tenants spread over an area of five thousand square metres, in other cases;
 - within two hundred metres of any water body;
 - within notified catchment area,
 - in a depression;
 - below mean sea level.
5. Criteria to be considered by Competent Authority for grant or renewal of quarry lease.-
- No quarry lease shall be granted or renewed by the Competent Authority unless he satisfied that,—
- there is evidence to show that the area for which the lease is applied has existence of minor minerals; and

(b) there is a quarry plan duly approved by the Lieutenant Governor or any Officer authorized by the Lieutenant Governor for this purpose in respect of such deposits for the development of minor mineral deposits in the area concerned.

CHAPTER-III

QUARRY LEASES

6. **Identification of areas for quarrying :-** The Competent Authority shall, with the approval of the Lieutenant Governor, identify contiguous areas for quarrying having due regard to the restrictions mentioned in Rule 4, general topography and environmental aspects.

7. **Grant of quarry leases :-** All areas identified for quarrying shall be allotted to the successful bidder by open option:

Provided that a Government Department undertaking quarrying operation under as own direct supervision shall be exempted from bidding process.

8. **Bidding process for quarry leases :-** (1) The Competent Authority shall publish notice fixing the date of auction.

(2) There shall be atleast thirty clear days between the date of publication of the notice and the date fixed for auction.

(3) The notice of auction shall also indicate the minimum reserve price for each quarry below which bids will not be accepted.

9. **Terms and conditions for granting quarry leases :-**

(a) only one quarry lease shall be permitted to a successful bidder in a District : Provided that no such restriction shall apply in the case of Government Departments;

(b) successful bidder shall have to execute a quarry lease deed within the period specified in the award letter;

(c) no sub-lease of the quarry shall be permitted.

10. **Quarry lease deeds :-** The following conditions shall be followed, namely :-

(a) the lease deed shall include the quarry plan of the quarry lease alongwith a site map;

(b) no quarry lease holder is entitled to raise any dispute with reference to survey and demarcation of the quarry permitted out to him after execution of the quarry lease deed;

11. **Period for which leases may be granted or renewed :-**

(1) A quarry lease for a minor mineral shall be granted for a period of not more than three years.

(2) The date of commencement of the period of lease granted under these rules shall be the date on which the lease deed is executed.

(3) The lease shall expire on the date specified in the lease deed unless it is renewed for a period of not more than six months on such terms and conditions as may be specified therein.

12. **Minimum and Maximum area of the quarry lease :-**

The minimum area that can be granted under a quarry lease shall be one hectare and the maximum area that can be granted under a quarry lease shall be two hectares :

Provided that the Lieutenant Governor, for reasons to be recorded in writing may, in respect of any area and any minor mineral, relax the said minimum or maximum area.

13. **Responsibility of the holder of quarry lease :-** Every lease holder including its Owner, Manager or Supervisor shall—

(a) ensure that the protective measures contained in the quarry closure plan including reclamation and rehabilitation work shall be carried out in accordance with the approved quarry closure plan or with such modifications as approved by the Lieutenant Governor or the authority authorized for such purposes under these rules;

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- (b) submit to the Competent Authority, a yearly report before the 1st June of every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved quarry closure plan, and if there is any deviation, reasons thereof ;
- (c) carry out the quarry operations in such a manner as to ensure systematic development and conservation of minor minerals deposits and take all possible precautions for the protection of environment and control of pollution while conducting quarrying of minor mineral in the area for which lease is granted ;
- (d) control air pollution including dust, exhaust emissions or fumes during quarry operations for minor mineral and related activities and maintain permissible limits specified under any environmental laws for the time being in force;
- (e) take all possible precautions to prevent or reduce to a minimum the discharge of toxic and objectionable liquid effluents from minor mineral quarry, workshop or processing plant into surface of ground water bodies and usable lands and such effluents shall conform to the standards laid down in by the Government ;
- (f) control noise pollution arising out of quarrying or any processing operations for minor mineral at the source so as to keep it within the permissible limit.

CHAPTER-IV
QUARRYING OPERATIONS

14. Quarrying operations to be in accordance with quarry plan :- (1) Every lease holder shall carry out quarrying operations for minor minerals in accordance with the quarry plan.

(2) If the quarrying operations are not carried out in accordance with the quarry plan as referred to under Sub-Rule (1), the competent authority may order suspension of all or any of the quarry operations and permit continuance of only such operations as may be necessary to restore the conditions in the quarry as envisaged under the said quarrying plan.

15. Quarry plan to be prepared :- (1) The Lieutenant Governor shall notify a Committee for each District, which shall be responsible for preparing quarry plans for the area identified under Rule 6 through a competent agency and the cost of preparation of such plan or plans shall be apportioned amongst the lease holders of quarries established on such area in such manner as the Committee may decide

(2) The quarry plan shall include for each identified area outer boundary, potential for extraction or crushing progressive and final closure plan of quarry, plans for reclamation and restoration of land, measures for pollution control, responsibility of the quarry lease holder and any other matter that the Committee may decide.

16. Approval and Notification of Quarry Plan :- On approval of the quarry plan by the Lieutenant Governor or any Officer authorized for this purpose, with or without modifications, it shall be duly notified.

17. Mine Closure Plan :- Every quarry shall have quarry Closure Plan as a component of quarry plan, which shall be of two types:- (i) a progressive quarry closure plan; and (ii) a final quarry closure plan.

18. Cluster Mining :- (1) Where more than one quarry lease with an area less than one hectare has been granted, all those quarry leases shall be allowed to operate only as a cluster, and in such clusters the provisions of quarrying of minor minerals shall be complied within a systematic and scientific manner in terms of quarrying plan individually by each quarry lease holder.

(2) The programme of restoration and reclamation of the mined out area and rehabilitation must be made jointly in phased manner in the abandoned areas in the entire cluster of the minor minerals as specified by the Competent Authority.

19. Removal and utilization of top soil :- (1) Every holder of a quarry lease shall, wherever top soil exists and is to be excavated for quarry operations, remove it separately.

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(2) The top soil so removed shall be utilized for restoration or rehabilitation of the land which is no longer required for prospecting or mining operations or for stabilizing or landscaping the external dumps.

(3) When the top soil cannot be utilized concurrently, it shall be stored separately for future use.

20. **Storage of overburden, waste rock etc. :-** Every holder of a quarry lease shall—

(a) take steps so that the overburden, waste rock, rejects and fines generated during quarrying operations shall be stored in separate dumps;

(b) properly secure the dumps so as to prevent escape of materials therefrom in harmful quantities which may in turn cause degradation of environment or cause floods;

(c) select the site for dumps as far as possible on impervious ground to ensure minimum leaching effects due to precipitations;

(d) wherever possible, back-fill the waste rock, overburden etc., into the quarry excavation with a view to restoring the land to its original use as far as possible;

(e) in case the back-filling of waste rock in the area excavated during quarry operations is not feasible, suitably terrace and stabilize the waste dumps through vegetations or otherwise.

CHAPTER-V

ENVIRONMENT

21. **Reclamation and rehabilitation of lands :-** Every holder of quarry lease shall undertake the phased restoration reclamation and rehabilitation of lands affected by quarry operations and shall complete this work before the conclusion of such operations and the abandonment of prospect or quarry.

22. **Precaution against ground vibrations :-** Whenever any damage to public buildings or monuments is apprehended due to their proximity to the quarry lease, scientific investigations shall be carried out by the holder of quarry lease, so as to keep the ground vibrations caused by blasting operations within safe limits.

23. **Precaution against air pollution :-** Air pollution due to fines, dust, smoke or gaseous emissions during quarrying and related activities shall be controlled and kept within permissible limits as specified under various environmental laws of the country including the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the Environment (Protection) Act, 1986 (29 of 1986) by the holder of quarry lease.

24. **Discharge of toxic liquid :-** Every holder of quarry lease shall take all possible precautions to prevent or reduce the discharge of toxic effluents and objectionable liquid effluents from quarry, quarry workshop, into surface water bodies, ground water aquifer and useable lands, to a minimum and such effluents shall be suitably treated, if required, to conform to the standards laid down in this regard by the Government.

25. **Precaution against noise :-** Noise arising out of quarrying shall be abated or controlled by the holder of prospecting licence or a quarry lease at the source so as to keep it within the permissible limit.

26. **Permissible limits and standards :-** The standards and permissible limits of all pollutants, toxic effluents and noise referred to in rules 23, 24 and 25 shall be in terms of standards notified by the Government from time to time.

27. **Restoration of flora :-** Every holder of the lease shall —

(a) carry out operations in such manner as to cause least damage to the flora of the area held under quarry lease and the nearby areas;

(b) take immediate measures for planting in the same area or any other area selected by the Competent Authority not less than twice the number of trees destroyed by reason of quarrying operations and look after them during the subsistence of the lease after which these trees shall be handed over to any other authority as may be nominated by the Lieutenant Governor and restore to the extent possible, other flora destroyed by quarrying operations.

CHAPTER-VI

TRANSIT OF MINOR MINERALS

28. **Display of quarry lease:** - Every lease holder shall display the details of quarry lease granted to him on a board in a prominent place within the quarry lease site.
29. **Maintenance of records and production of the same for inspection :** - A lease holder shall maintain a record in Form-1 and such records shall be opened to inspection by the Competent Authority or by any other person so authorized in his behalf by the Competent Authority.
30. **Furnishing of statement of accounts by a lease holder :** - Every quarry lease holder within fifteen days of the last date of each month shall submit to the Competent Authority a return of the total sales effected by him during such month in Form - 2.
31. **Intimation of landing of minor minerals in Andaman & Nicobar Islands :** - Where a person brings minor minerals into the Union Territory of Andaman & Nicobar Islands from any other place, he shall intimate to the Competent Authority on arrival of such minor minerals, in Form-3 alongwith copy of the bill of lading and wharfage.
32. **Cash Memorandum:** - (1) Every person, while selling minor minerals shall give to the purchaser a Cash Memorandum prepared in duplicate and every purchaser, owner, driver, and the person in-charge of any vessel or vehicle or other conveyances shall produce the Cash Memorandum at the time of inspection and verification as required by the Competent Authority or by any other person authorised by the Competent Authority in this behalf.
- (2) Any consignment of minor mineral without a valid Cash Memorandum including the receptacle, carts, vehicles or other conveyances used for carrying such mineral, shall be liable for seizure by the Competent Authority or such authorised person.
- (3) The date and time on each Cash Memorandum issued shall be entered in words and figures by the seller at the time of despatch of the consignment.
- (4) The Cash Memorandum shall indicate the registration number of the holder of the quarry lease or the importer of minor mineral from whom the mineral has been purchased or sourced.
33. **Transit Pass:** - (1) Every quarry lease holder, before transporting minor minerals to crushing site and every importer of minor mineral before transporting minor minerals shall obtain Transit Pass in triplicate from the Competent Authority.
- (2) A copy of the Transit Pass shall be required to be produced by every purchaser, owner, driver, and the person in-charge of any vessel or vehicle or other conveyances at the time of inspection and verification as required by the Competent Authority or by any other person authorised by the Competent Authority in this behalf.
- (3) Any consignment of minor mineral without a valid Transit Pass including the receptacle, carts, vehicles or other conveyances used for carrying such mineral, shall be liable for seizure by the Competent Authority or such authorized person.
- (4) The date and time on each Transit Pass issued shall be entered in words and figures by the quarry lease holder and the importer of minor minerals at time of dispatch of the minor minerals in a separate register to be maintained by such lease holder or importer.
- (5) The Transit Pass shall indicate the registration number of the holder of the quarry lease or the importer of minor mineral from whom the mineral has been purchased or sourced.
34. **Checking of unauthorized transaction or transit of minor minerals :-** Any person who possesses any minor mineral for processing, consumption or for sale has sold any minor mineral shall, if so required, produce sufficient proof including Cash Memorandum or copy of Transit Pass to the Competent Authority or to any other person authorized in this behalf by the Competent Authority to the effect that the minor mineral had been purchased from any duly authorized quarry lease holder or importer of minor mineral as the case may be, failing which the Competent Authority or such authorized person may seize the minor mineral and realize an amount not exceeding a sum calculated at double the market value of such mineral thereof.

CHAPTER-VII**REGISTRATION, RETURNS AND NOTICES**

35. **Registration and monthly and annual returns :-** (1) The owner, agent or manager of every quarry lease and every importer of minor mineral shall register himself with the Competent Authority and the registration number so allotted by the Competent Authority shall be mentioned in all reporting and correspondence connected therewith.
- (2) For the purpose of registration under Sub-Rule (1) the owner, agent or manager of quarry lease shall obtain registration within one month from the execution of the lease deed and every importer of minor mineral shall obtain registration before arrival of the mineral into the territory of Andaman and Nicobar Islands.
- (3) The owner, agent or manager of every quarry lease, shall submit to the Competent Authority returns in respect of each quarry lease, in the following manner, namely :-
- (a) a quarterly return which shall be submitted before the 15th of every month for the preceding month in Form - 4; and
- (b) a annual return which shall be submitted before the first day of July each year for the preceding financial year in Form - 5 :
- Provided that in the case of abandonment of a quarry the annual return shall be submitted within ninety days from the date of abandonment.
- (4) If it is found that the owner, agent or manager of quarry has submitted incomplete or wrong or false information in quarterly or annual returns or fails to submit any of the return within the date specified, then the Competent Authority, may,—
- (a) order suspension of all quarrying operations in the quarry and may revoke the order of suspension only after ensuring proper compliance;
- (b) take action to initiate prosecution under these rules;
- (c) recommend termination of the quarry lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal quarrying.
- (5) If more than one mineral is produced from the same quarry return shall be submitted in specified forms for each mineral separately.
- (6) In case of temporary discontinuance of quarrying operations or suspension of quarrying operations, the owner, agent or manager of quarry, shall submit return in the specified form furnishing relevant particulars, inclusive of "Nil" information.
36. **Abandonment or surrender of quarries site :-** (1) The lease holder of every quarry shall not abandon or surrender quarry site or a part of such quarry site during the subsistence of the lease except with prior permission in writing of the Competent Authority.
- (2) Notice for abandonment or surrender of quarry site or a part thereof shall be given in Form - 6 and shall be accompanied by plans and sections on a scale of not less than 1cm = 10 metres showing accurately the work done in such quarry site upto the date of submission of the notice
- (3) The Competent Authority may, by an order in writing, prohibit abandonment or refuse surrender or allow the abandonment or surrender of quarry site or a part thereof with such conditions as he may specify.
- (4) Where an abandonment of a quarry lease site or part thereof takes place as a result of the occurrence of a natural calamity beyond the control of the lease holder or the lease is terminated in compliance of any order or directions issued by any Statutory Authority established under any law for the time being in force or any Tribunal or a Court, an intimation shall be sent to the Competent Authority within a period of twenty-four hours of such abandonment or termination and within a period of fifteen days of such abandonment or termination in other circumstances, in the manner provided in Sub-Rule (2).

37. **Intimation of re-opening of a quarry site :-** The holder of every quarry lease site shall send to the Competent Authority an intimation in Form-7 for re-opening of such quarry lease after discontinuance so as to reach within seven days from the date of such re-opening

CHAPTER-VIII

POWER TO INVESTIGATE AND ISSUE DIRECTIONS

38. **Power to investigate and report :-** (1) An authorized officer or any other officer authorized by the Lieutenant Governor may enter and inspect a quarry, and examine or direct the examination of any mineral deposit in any area under quarry lease and take samples therefrom at any time for the purposes of these rules.
- (2) Subject to the provisions of these rules, the Authorized Officer and Competent Authority shall have the powers to authorize investigation and institute prosecution against any person for offences under the Act or these rules in respect of minor minerals in the following cases, namely -
- (a) quarrying operations for any mineral without a quarry lease;
 - (b) undertaking of any quarrying operations outside the area granted under quarry lease,
 - (c) transactions relating to possession of mineral stock of unknown origin, or such mineral which cannot be satisfactorily accounted for ;
 - (d) transportation, storage, trade or export of illegally raised mineral without lawful authority;
 - (e) any other matter pertaining to illegal quarrying referred to the Andaman and Nicobar Government by the Central Government.
39. **Prohibition of deployment in certain cases :-** If any quarry, in the opinion of the Competent Authority possess a grave and immediate threat to the conservation of mineral resources or to the environment, the Competent Authority may, by an order in writing to the holder of quarry lease holder, require such lease holder to take such measures as may be specified in the order and may prohibit, until the requirements as specified in the order are complied with to the satisfaction of such officer, the deployment of any person other than those required for compliance with the requirement of the order or operation of any quarrying operations.

CHAPTER-IX

ROYALTIES AND DEAD RENT

40. **Royalty payable in respect of minerals :-** (1) The holder of a quarry lease, whether granted before or after the commencement of these rules shall, notwithstanding anything in the instrument of lease or in any other law for the time being in force, pay royalty in respect of any mineral removed or consumed by him or by his agent, manager, employee or contractor from the leased area to the Andaman and Nicobar Administration.
- (2) The Lieutenant Governor may, by Notification, declare the rate at which royalty shall be payable in respect of minor minerals in the territory of Andaman and Nicobar Islands.
41. **Dead rent payable by lessee :-** (1) The holder of a quarry lease, whether granted before or after the commencement of these rules, shall, notwithstanding anything contained in the instrument of lease or in any other law for the time being in force, pay every year, dead rent for all the areas included in the quarry lease to the Administration of Andaman and Nicobar Islands.
- (2) Where the holder of such quarry lease becomes liable under Sub-Rule (1) of Rule 40 to pay royalty for any mineral removed or consumed by him or by his agent, manager, employee or contractor from the leased area, he shall be liable to pay either such royalty or the dead rent in respect of that area, whichever is higher.
- (3) The Lieutenant Governor may, by Notification, declare the rate at which dead rent shall be payable in respect of minor minerals

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Provided that in respect of such portion of a lease in which both major and minor minerals occur, higher of the two dead rents shall be payable.

(4) In order to encourage mining of small deposits in cluster, dead rent for the area shall be determined with regard to the actual mineralized area under quarrying operations.

CHAPTER X

REVISION

42. **Revision :-** (1) Any person aggrieved by any order made by the Competent Authority or Authorized Officer, as the case may be, under these rules, may, within two months from the date of communication of the order to him, prefer a revision application to the Lieutenant Governor who shall be the Revisional Authority in such matter.
- (2) In every application under Sub-Rule (1) against order of the Competent Authority to grant a quarry lease, any person to whom a quarry lease was granted in respect of the same area or for a part thereof, shall be impleaded as party.
- (3) Every revision petition, under Rule (1) shall be accompanied by a fee of Rs. _____ to be specified herein.
- (4) Alongwith the revision petition under Sub-Rule (1) the applicant shall submit as many copies thereof as there are parties impleaded under Sub-Rule (2).
- (5) On receipt of the revision petition and the copies thereof the Revisional Authority, shall send a copy of the revision petition to the Competent Authority or the Authorized Officer whose orders are being challenged, and to each of the parties impleaded under Sub-Rule (2) specifying a date on or before which he may make his representation, if any, against the revision petition.
43. **Stay Orders :-** Pending the final disposal of revision application, the Revisional Authority, may, for sufficient cause, stay the execution of the order against which revision has been made.
44. **Final Order:-** (1) Where a revision application is made under Rule (1) of Rule 42, the Revisional Authority, may confirm, modify or set aside the order or pass such other order in relation thereto as it may deem just and proper.
- (2) The order passed by the Revisional Authority shall be final and binding on the parties.
45. **Opportunity of being heard : -** No order under this Chapter shall be passed against any person interested, unless he has been given a reasonable opportunity of being heard.

CHAPTER-XI

MISCELLANEOUS

46. **Cancellation of a lease :** (1) If a lease holder fails to comply with any of the conditions of the quarry lease or any of the provisions of the Act, rules applicable on quarrying operations or any directions issued by the Competent Authority or an Authorized Officer in this regard, or if the quarry area is urgently required for any public purpose, the Competent Authority may by an order in writing cancel the lease issued under these rules.
- (2) In the event of cancellation of the lease under Sub-Rule (1) the stock of minor mineral with the lease holder shall be seized and put to auction by the Competent Authority or any Authorized Officer and the proceeds of such action credited to Government account.
- (3) A lease holder whose lease has been cancelled under these rules not be eligible for grant of a lease or participate in the bidding process for a period of five years from the date of cancellation of such lease and other penal provisions in the Act, as applicable, would also be simultaneously instituted by the Competent Authority or any Authorized Officer.
- (4) Before issue of any final orders of cancellation of a quarry lease under Sub-Rule (1), the Competent Authority shall give an opportunity of being heard and record reasons in writing and communicate to the quarry lease holder.

47. **Quarrying for domestic or agricultural purposes** : - (1) In cases of improvement of land for construction of residential building, creation of playground for public purpose, construction of canals, wells, roads or for agricultural and such other purposes where extraction of minor mineral is inevitable, the Competent Authority may grant permit in Form-8, on such terms and conditions, as it may specify, other than those specified in these rules on the basis of an application by interested party alongwith a sworn Affidavit to the effect that such excavation will not pose any danger to life and property of any person in the vicinity

Provided that a Transit Pass shall be issued for transport of such minor mineral by the Authorized Officer on application by the interested party.

(2) A person permitted to extract minor mineral under Sub-Rule (1) shall be exempted from obtaining quarrying lease

(3) Removal of minor mineral by any person, firm, association or company for the purposes as mentioned in Sub-Rule (1) without a valid permit shall amount to an offence under the provision of the Act and these rules.

(4) Royalty for the mineral extracted shall be paid at the rates fixed for the said mineral in the Union Territory.

48. **Revenue Recovery** : - All sums due to the Government under or by virtue of these rules may be recovered under the provisions of the Andaman and Nicobar Islands Land Revenue and Land Reforms Regulations, 1966 and the rules framed thereunder as though such sums are arrears of land revenue.

Sd./-

(Lt. General (Retd.) Bhopinder Singh)

Lieutenant Governor,
Andaman & Nicobar Islands.

By order and in the name of the Administrator, Andaman & Nicobar Islands.

Sd./-

(Abdul Hamid)

Assistant Secretary (Revenue)
A & N Administration