

**PROCEEDINGS OF THE ADDITIONAL DIRECTOR OF MINING & GEOLOGY,
THIRUVANANTHAPURAM, KERALA**

(Present Shri. T K Ramakrishnan)

- Sub:* Department of Mining & Geology, Government of Kerala - Mines & Minerals - Minor Minerals – Granite (Building Stone) – Quarrying Lease to M/s. S. S. Granites, House No. 322/12, Kurangolithadathil, Karimpana. P. O, Koothattukulam, Ernakulam District – 686 662 (Represented by its Managing Partner, Shri. Sabu Varghese) – sanctioned-orders-issued.
- Ref:*
- 1 Application dated 26/04/2017 from M/s. S. S. Granites, House No. 322/12, Kurangolithadathil, Karimpana. P. O, Koothattukulam, Ernakulam District – 686 662 (Represented by its Managing Partner, Shri. Sabu Varghese)
 - 2 Letter No. DOE/979/E2/17 dtd. 29/08/2017, 02/02/2019 from the Geologist, District Office, Ernakulam.
 - 3 Letter of Intent No. 8253/M3/2017 dtd. 15/09/2017 issued by Director of Mining and Geology
 - 4 Environmental clearance No. 60/2018 issued vide Pro. Order No. P/333/2018 (DIA/KL/MIN/12528/2018) dtd. 10/12/2018 by the State Environment Impact Assessment Authority Kerala (valid till 09/12/2023)
 - 5 Integrated consent to operate No. R18 ERNA CTO 942019 dtd. 06/01/2019 issued by Kerala State Pollution Control Board, Ernakulam (valid till 09/12/2023)
 - 6 Explosive License No. E/SC/KL/22/1145(E55019) dated. 11/01/2019 issued by Petroleum and Explosive Safety Organization, Ernakulam (valid till 31.3.2020)
 - 7 Dangerous and Offensive Trade License No. 128/18-19 dated. 23/01/2019 issued by Palakkuzha Grama Panchayat (valid till 31.03.2019).
 - 8 Mines and Minerals (Development & Regulation) Act, 1957.
 - 9 Kerala Minor Mineral Concession Rules, 2015
 - 10 Kerala Minerals (Prevention of Illegal Mining, Storage & Transportation) Rules 2015

No. 786/2018-19/8253/M3/2017/DMG

Dated, Thiruvananthapuram

16/02/2019

ORDER

M/s. S. S. Granites, House No. 322/12, Kurangolithadathil, Karimpana. P. O, Koothattukulam, Ernakulam District – 686 662, a Partnership firm having registration No. 3536/2016, represented by its Managing Partner, Shri. Sabu Varghese (Aadhaar No. 9693 1724 0523) submitted an application vide reference first cited to obtain quarrying lease to quarry Granite (Building Stone) over an area of **4.3046** Hectares of land (as per the survey map No. 183/17 issued by Tahsildar, Muvattupuzha) comprised in **Survey Nos. 441/4-1, 441/5, 455/6A, 457/3-1, 457/4-2, 457/4-3, 457/5, 459/2A3, 459/2B2 of Palakkuzha Village, Muvattupuzha Taluk.** The District Geologist, Ernakulam has intimated that the applied area is virgin and there was no dues by way of royalty to be collected from the applicant.

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Based on the merit of the application and the enclosed mandatory documents including survey map, possessions certificates, demarcation certificate and land assignment certificate issued by Revenue Authorities and based on the recommendation of the District Geologist, a letter of intent was issued to the applicant vide reference cited 3 intimating the intention of the department to grant quarrying lease subject to production of approved mining plan and other statutory licenses. The District Geologist forwarded the mining plan (prepared by Shri. Ramachandra. K. T, Recognized Qualified Person – Reg. No. RQP/BNG/040/1988/A approved by him and other statutory licenses submitted by the applicant to this office. In the approved mining plan it is mentioned that mineable mineral reserve of granite (building stone) in the applied area is **20,56,928** tonnes and that it is proposed to mine **20,56,928** tonnes of granite (building stone) for 12 years with an average annual production of **1,71,411** tonnes. Since the applicant has produced all statutory documents as per the Letter of Intent, it is decided to grant a quarrying lease in the said land and hence the following orders are issued:

A quarrying lease is hereby granted to **M/s. S. S. Granites, House No. 322/12, Kurangolithadathil, Karimpana. P. O, Koothattukulam, Ernakulam District – 686 662, a Partnership firm having registration No. 3536/2016, represented by its Managing Partner, Shri. Sabu Varghese (Aadhaar No. 9693 1724 0523)** to quarry Granite (Building Stone) over an area of **4.3046** Hectares of land (as per the survey map No. 183/17 issued by Tahsildar, Muvattupuzha) comprised in **Survey Nos. 441/4-1, 441/5, 455/6A, 457/3-1, 457/4-2, 457/4-3, 457/5, 459/2A3, 459/2B2 of Palakkuzha Village, Muvattupuzha Taluk, Ernakulam District** for **12 (Twelve)** years as per the Kerala Minor Mineral Concession Rules, 2015, subject to the conditions mentioned below.

1. The lessee shall execute a quarrying lease deed within a period of six months from the date of this order in form 'H' as per Rule 43 of the Kerala Minor Mineral Concession Rules, 2015 and the quarrying leases deed shall be registered in accordance with the provisions of the Indian Registration Act, 1908.
2. The lessee shall commence quarrying operation only after the deed is executed and registered.
3. The lessee shall not assign, sublet or transfer his lease or any right or interest therein to any person without previous written permission of the Director of Mining & Geology.
4. Royalty is payable to Government as per Rule 32 of the Kerala Minor Mineral Concession Rules, 2015 in respect of minor mineral quarried and moved out of the quarry subject to revision from time to time on the basis of amendments to the schedule I of the said Rules. In case the lessee opts for consolidated royalty payment system by registering attached metal crusher units as per Rule 89, then consolidated royalty at the rate specified in

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Schedule III said Rules shall be paid instead of royalty specified in Schedule I.

5. Dead rent is realizable under 40(1)(d) of the said rules subject to revision from time to time on the basis of amendments to the schedule II of the said rules.
6. Surface rent realizable under 40(1)(e) of the said rules will be equal to the land revenue assessed by the Revenue Department subject to revision from time to time on the basis of the land revenue.
7. The lessee shall also deposit an amount of **Rs. 43,046/- (Rupees forty three thousand and forty six only)** being the security deposit at the rate of Rs 10,000/- per hectare as security deposit for the observance of the terms and conditions of the lease before the deed is executed as per rule 42 of the said rules.
8. The lessee shall produce financial guarantee for **Rs. 1,07,615/- (Rupees one lakh seven thousand six hundred and fifteen only)** as stipulated in rule 62 of KMMC Rules 2015, before execution of lease deed.
9. The lessee shall pay tax related to Revenue Department, if any, as directed by them and the details should be furnished to the District Geologist periodically.
10. The lessee shall pay 10% of the amount of royalty/consolidated royalty as the case may be paid by them, being the quarry safety fund in addition to the royalty/consolidated royalty, as per rule 63 of KMMC rules, 2015.
11. In addition to the royalty, rents, funds, fees etc. that are required to be remitted by the lessee as per the Mines and Minerals (Development and Regulation) Act, 1957 and Rules made thereunder, the lessee shall pay all other fees, rents, taxes etc. as required by other agencies including Goods and Service Tax (GST) for royalty.
12. The quarrying shall be carried out as per the conditions stipulated in Kerala Minor Mineral Concession Rules 2015 and storage and transportation of mineral shall be carried out as per Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules 2015.
13. The lessee shall renew Environmental Clearance on or before **09/12/2023** for the operation of the quarry for the remaining period.
14. The quarrying operations shall be strictly as per the approved mining plan and schemes of mining.
15. The lessee shall review the progressive quarry closure plan every five years from the date of opening of the quarry and shall submit to the competent authority for its approval. The lessee shall submit to the competent authority in this behalf an yearly report before 1st July of every year describing protective works including reclamation and rehabilitation work

- carried out as envisaged in the approved quarry closure plan and if there is any deviation, reasons thereof.
16. The lessee shall submit a scheme of mining for the next five years or remaining period of the lease to the competent authority for approval at least one hundred and twenty days before the expiry of the first five year period for which it was approved on the last occasion.
 17. The lessee shall submit final quarry closure plan one year prior to the proposed closure of the quarry and close the quarry as per the approved quarry closure plan.
 18. The production of Granite (Building Stone) from the area covered under this grant shall be subject to the year-wise quantity specified in the approved Mining Plan and scheme of mining.
 19. The lessee shall not win and dispose of any type of dimension and decorative stones from the area over which the quarrying lease has been sanctioned on the strength of this order.
 20. The Lessee shall comply with any and all laws, ordinances, rules and orders related to quarrying operations of any and all governmental or quasi-governmental authorities.
 21. The lessee shall comply with all the conditions mentioned in other statutory license required for carrying out quarrying operations.
 22. The lessee shall stop all quarrying activities in the event of expiry of any other statutory licenses which is required for carrying out quarrying activities in the State as per the prevailing Acts and Rules. Any quarrying activity undertaken violating the above condition will be treated as illegal and lessee will be solely responsible for such act and lessee will be liable to pay the penalty imposed by any officer competent to enforce such Acts and Rules.
 23. In case the lessee makes any breaches in the conditions of the lease deed or violates the conditions stipulated in relevant Act and Rules based on which all Statutory Licenses are issued for quarrying, then the lessee will be solely responsible for any such breaches and violation and in such cases, the lessee will be solely liable to pay such sum of money as fixed by competent authorities as due and penalty.
 24. The Lessee shall indemnify and keep indemnified the State Government against all actions, proceedings, suits, claims, demands, losses, damages, costs, charges, and expenses incurred or suffered by them as a reason of any non-observance or non-performance of rules and regulations
 25. This lease is granted in good faith based on the documents/licenses submitted by the lessee. The lessee is solely responsible for the authenticity of the documents/licenses submitted. At any stage, if it is observed that the

- documents submitted are incorrect or fake or forged or if it is found that some information was omitted or suppressed, then this lease is liable to be cancelled. In such an event the quarrying carried out with the strength of this lease will be treated as quarrying conducted without any lawful authority.
26. The lessee shall properly maintain the boundary pillars erected as per the demarcation certificate issued by the Village Officer till the expiry of lease.
 27. The lessee shall erect a notice board in Malayalam at a prominent place with a minimum size of 1 metre X 1.5 metres in a metallic board near to the entrance of the quarry to the effect that it shall contain the name and address of the lessee, mineral concession number and date, validity of concession, the name of the mineral quarried, proposed annual production etc. In addition, details of other statutory licenses shall also be displayed.
 28. The lessee shall erect by the side of the road leading to quarry (preferably 100 m away from quarry), a warning board with danger sign regarding operation of the quarry and use of explosives.
 29. The lessee should take effective preventive measures for the safety of labourers as well as the general public. In due course of quarrying, if any part of the quarry becomes unsafe, then the lessee shall properly fence that area for preventing accidents by falling of human beings, animals, vehicles or any objects into the pit formed by quarrying.
 30. The lessee shall not carry out any quarrying operations within 7.5 meters from the boundary of the lease area and quarrying operations shall be carried out in benches.
 31. The lessee shall start mining operation with the strength of this lease only after sending a notice in form D appended to KMMC Rules 2015 to the Director (Mining), Directorate General of Mines Safety, No.5, 14th Main (100ft) Road, 4th B Block, Koramangla, Bengaluru - 560034 and to District Magistrate concerned and shall intimate the same to the District office of the Department of Mining and Geology.
 32. The lessee shall keep book of accounts of production and dispatch of granite (building stone) and shall file monthly and annual returns in Form F and Form G appended to KMMC Rules 2015.
 33. The quarrying permit granted from the district office, if any, in the area of this quarrying lease is hereby stands cancelled from the date of this order.
 34. In this case, the anticipated royalty to be remitted for the mineral extracted per year at the present rate of royalty of **Rs. 24/-** per tonne with average annual production of of **1,71,411 tonne** is **Rs. 41,13,864/- (Rupees forty one lakhs thirteen thousand eight hundred and sixty four only)**. In this case, the surface rent to be remitted per year at the present rate of Rs. 5 per Are



per year is **Rs. 2,152/- (Rupees two thousand one hundred and fifty two only)** and in the event of non - functioning of quarry the Dead Rent to be realized for the 1st year - NIL IInd year - Rs. 300/- (Rupees three hundred only) and IIIrd year onwards - Rs. 1,200/- (Rupees one thousand and two hundred only) per hectare subject to revision from time to time.

The terms and conditions stated in this order will be subject to such further modifications as may be made by the State Government from time to time.

Sd/-

T. K. RAMAKRISHNAN
ADDITIONAL DIRECTOR OF MINING & GEOLOGY

To

M/s. S. S. Granites,
House No. 322/12, Kurangolithadathil,
Karimpana. P. O, Koothattukulam, Ernakulam District - 686 662
(Represented by its Managing Partner, Shri. Sabu Varghese)

Copy to:

- 1 The Director (Mining), Directorate General of Mines Safety, No.5, 14th Main (100ft) Road, 4th B Block, Koramangla, Bengaluru - 560034
- 2 The District Collector & Chairman, DEIAA, Ernakulam.
- 3 The Deputy Chief Controller of Explosives, PESO, C2-III Floor, CGO Complex, Kakkanad, Ernakulam
- 4 The Environmental Engineer, Kerala State Pollution Control Board, District Office, Ernakulam.
- 5 The Secretary, Palakkuzha Grama Panchayath, Ernakulam District.
- 6 The Tahsildar, Muvattupuzha Taluk Office, Ernakulam District.
- 7 The Village officer, Palakkuzha Village, Ernakulam District.
- 8 Shri. Shri. K. T. Ramachandra, C/o. Abey Mathew Associates, Aikkarakudiyil Chambers, Padamugal, Ernakulam District - 682 021.
- 9 The Geologist, District Office of the Dept. of Mining and Geology, Ernakulam.
- 10 Stock File
- 11 File Copy

(By Order)

Handwritten signature and date: 16/02/2019

Senior Superintendent

