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ABSTRACT

Industries Department - Mines and Minerals – Minor Minerals – Amendment to the Tamil Nadu Minor Mineral Concession Rules, 1959 – Notification – Orders - Issued.

Industries (MMC.1) Department

G.O.(Ms).No.23

Dated 23.02.2022

பிலவ வருடம், மாசி 11

திருவள்ளூர் ஆண்டு 2053

Read:

From the Director of Geology and Mining,
Letter No.5864/MM2/2021-1, dated 28.09.2021

ORDER:

During the presentation of the Budget for the year 2021-2022, the Hon'ble Finance Minister has made the following announcement among others:-

“பசுமை சுங்க மேல்வாரி விதிக்கப்பட்டு ஒரு பசுமை நிதியம் உருவாக்கப்படும். இதன் மூலம் கைவிடப்பட்ட குவாரிப் பகுதிகள் முறைப்படி மூடப்பட்டு பாதுகாக்கப்படும்.”

In order to implement the above announcement, the Director of Geology and Mining has sent proposal to Government in the letter read above for amending the Tamil Nadu Minor Mineral Concession Rules, 1959.

2. The Government have examined the proposal of the Director of Geology and Mining carefully and have decided to accept the same. Accordingly, the Notification appended to this Order will be published in the Extra-ordinary issue of *Tamil Nadu Government Gazette*. The Works Manager, Government Central Press, Chennai – 600 001 is requested to supply 50 copies of the Notification each to this Department, Director of Geology and Mining, Chennai – 600 032 and to all District Collectors.

3. 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 – 600 001 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)

**S.KRISHNAN
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To
The Works Manager,
Government Central Press,
Chennai – 600 001.

The Director,
Tamil Development & Information (Translation) Department,
Chennai – 600 009.

The Director of Geology and Mining,
Guindy, Chennai – 600 032.

All District Collectors. (through DGM)

All the Assistant Directors/Deputy
Director of Geology and Mining (through DGM)

The Accountant General, Chennai–600 018.

Copy to:

O/o. the Hon'ble Chief Minister, Secretariat, Chennai – 600 009.

O/o. the Hon'ble Minister (Water Resources),
Secretariat, Chennai – 600 009.

The Law Department, Secretariat, Chennai – 600 009.

✓ The Industries (MMA/MMB/MMD/MME/E/OP.II/GIM) Department,
Secretariat, Chennai – 600 009.

SF/SC's.

//Forwarded by Order//

J. Rajaman 23-2-2022
SECTION OFFICER

60169
23-2-2022

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, after "SECTION-IV" the following SECTION shall be inserted, namely:—

"SECTION - IV - A

GREEN FUND.

35-A. Green Fund. —

- (1) There shall be a Green Fund for every district for reclamation, restoration and rehabilitation of abandoned mines or quarries.
- (2) The Green Fund shall vest with the Reclamation, Restoration and Rehabilitation Committee, constituted under rule 35-C.

35-B. Contribution to the Fund.—

- (1) Every holder of a prospecting licence or a quarry lease of any mineral shall, in addition to the seigniorage fee, contribute to the Green Fund of the district in which the mining or quarry operations are to be done, an amount at the rate of ten percentage of the seigniorage fee:

Provided that if the minerals are transported to a destination outside the State, the contribution to the Green Fund shall be twenty percentage of the seigniorage fee.

35-C. Constitution of Reclamation, Restoration and Rehabilitation Committee.—

- (1) Every District Collector shall constitute a Committee under his Chairmanship called as the Reclamation, Restoration and Rehabilitation Committee (hereinafter referred to as "Committee"), with the following ex-officio members, namely:—
 - (a) The District Collector - Chairperson
 - (b) The Assistant Director of Geology and Mining - Member-Secretary
 - (c) The District Forest Officer
 - (d) The Executive Engineer, Water Resources Department
 - (e) The District Environment Engineer, Tamil Nadu Pollution Control Board

- (f) The Chief Executive Officer, District Disaster Management Authority
- (g) The District Fire Officer.

35-D. Meetings of the Committee.—

- (1) The Committee shall meet as often, at such time and place and observe such rules of procedure, as may be decided by the Chairperson:

Provided that the Committee shall meet at least twice in a year.

- (2) The quorum for the meeting shall be two thirds of the total members.
- (3) Notice of the meeting of the Committee shall be communicated to the members at least seven days prior to the meeting by the Member-Secretary.

35-E. Functions of the Committee.— The Committee shall,—

- (i) recommend policies for the reclamation, restoration and rehabilitation and its allied activities;
- (ii) manage, administer, supervise, monitor and review the expenditure of the Green Fund at regular intervals;
- (iii) approve the prioritized list of the abandoned mines or quarries in the district for undertaking reclamation, restoration and rehabilitation projects and formulate development projects in the said areas;
- (iv) approve the measures or schemes for reclamation, restoration and rehabilitation suggested in the Detailed Project Report;
- (v) facilitate the promotion and better utilization of the quarried site and make inspections and investigations necessary to ensure compliance with the provisions of these rules; and
- (vi) perform such other functions, as may be directed by the Government.

35-F. Procedure for reclamation, restoration and rehabilitation.—

- (1) The Member-Secretary shall prepare, examine and prioritize the list of abandoned mines or quarries in the district to conduct detailed studies for their reclamation, restoration and rehabilitation.
- (2) The Committee on approval of the lands prioritized by the Member Secretary, outsource the work to conduct detailed study to any agency authorized by the Central or State Government in this behalf, for which the expenditure shall be drawn from the Green Fund:

Provided that the total expenditure for outsourcing agencies per annum under this rule shall not exceed one percentage of the total receipt of the Green Fund per annum.

(3) The outsourced Agency, after conducting necessary field studies, shall submit a Detailed Project Report (DPR) containing a plan for reclamation, restoration and rehabilitation of the abandoned mines or quarries. The Report shall contain, among others, measures to,—

- (a) facilitate better utilization of the quarried site;
- (b) preserve the environment and ecology of the quarried site;
- (c) enable stabilization of quarry/mine slopes, dump slopes and erosion control measures;
- (d) improve the soil health;
- (e) augment water resources through efficient rain water harvesting methods viz., creation of adequate water storage structures, channels etc., for public uses;
- (f) stored water into potable standards by using suitable water purification techniques for supplying to the public;
- (g) provide efficient water use in agriculture including micro irrigation from the quarried pits;
- (h) develop agriculture, horticulture and pisci-culture using advanced technologies viz., geo textiles, hydroponics, terrace farming, aquaculture etc.,
- (i) promote afforestation of agro forestry and social forestry in the quarried area using native species;
- (j) establish land form designs viz., parks, gardens, recreation centres, shopping centres, parking areas, water sports facilities, play grounds, Agriculture storages/warehousing with cold storage, mineral processing units/clusters which generate additional income to local public as well as to the Government;
- (k) facilitate reclamation, restoration and rehabilitation;
- (l) convert quarried pits into dumping yards for solid wastes by adopting suitable technologies;
- (m) protect the public and livestock from accidents, in the case of non-restorable deep quarries;

Provided that all such reclamation, restoration and rehabilitation plans in the report shall be prepared in such a way as to ensure the seamless integration of the environment, ecology and land form aesthetics of the abandoned mines or quarries with the surrounding area.

(4) The activities undertaken by the Committee shall be executed through Government Departments, Government agencies or Public Sector Undertakings, which are authorized to perform such activities.

- (5) Notwithstanding anything contained in this section, for reasons to be recorded in writing the Committee may, with the approval of two thirds of its members, award execution of the work, to any other suitable agency, through processes such as tender-cum-auction. In all such cases, the terms, conditions and procedures as may be applicable to execution of Government projects, shall be followed.
- (6) Technical approval and supervision of the work shall be done by the competent authority of the department concerned.

35-G. Duties of Member Secretary.—

(1) The Member-Secretary shall,—

- (a) be incharge of all payments made to the Green Fund;
- (b) maintain proper books of accounts, documents and records with respect to the transactions of the Green Fund;
- (c) furnish a monthly consolidated statement of receipts and payments of the Green fund, to the District Collector concerned and the Director of Geology and Mining, before the 15th day of every month.

(2) The Member-Secretary shall maintain the following, namely:—

- (i) Details of Members of the Committee.
- (ii) List of abandoned mines or quarries.
- (iii) Monthly details of the contributions received from the lessees.
- (iv) All meeting agenda, minutes and action taken reports (ATRs) of the Committee.
- (v) Detailed Project Reports for each abandoned mines or quarries.
- (vi) Online registry on the status of implementation of all the projects and programmes being undertaken under Green Fund on the website, including description of work, estimated cost, name of implementing agencies, expected date of commencement and completion of work, financial and physical progress upto last quarter, etc.,
- (vii) Project completion report for each abandoned mines or quarries.
- (viii) Annual reports.

36-H. The Seal of the Committee.— The Committee shall have a seal, which shall be in the custody of the Member-Secretary.

Explanation.— For the purpose of this section, —

(a) "abandoned mines or quarries" means the mines or quarries,—

- (i) which were operated and abandoned without proper reclamation; or
- (ii) where no mineral has been produced despite overburden removed for a period of not less than six months; or
- (iii) the lessee or licensee has vacated the site covered by the lease without having complied with all of the requirements of the lease or licence;

and includes such mines or quarries which were operated and abandoned prior to the coming into force of the rules in this section:

Provided that the abandoned mines or quarries does not mean,—

- (i) mines or quarries which have temporarily discontinued its operation or non-operative but have valid period of licence or lease; or
 - (ii) mines or quarries which have ceased its operations and is in the process of stabilization and reclamation;
- (b) "dump" means overburden and waste material displaced by excavating equipment or other methods and placed on natural ground;
- (c) "reclamation" means and includes back filling, stabilization measures, erosion control, top soil conservation, afforestation and erection of reservoir in the abandoned mines or quarries;
- (d) "rehabilitation" means and includes landform construction or designing, species selection, establishment of a plant growth medium physical amelioration, chemical amelioration, biological amelioration, fauna recolonisation and rehabilitation management in the abandoned mines or quarries;
- (e) "restoration" means and includes engineering measures, bio-engineering measures and biological measures taken in the abandoned mines or quarries."

S.KRISHNAN
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

//True Copy//

J. Rajan 23.2.2022
SECTION OFFICER

23.2.2022

