

O/o the Commissioner, Land Revenue
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Date : 02.07.2021

Circular

Sub : Mines & Minerals- NOC for granite quarrying from Government
Land (Revenue Poramboke)- Fixing up of time frame for the
procedures to be followed – Instructions issued.

Read : GO (MS) No. 28/2021/RD dated 28.01.2021

Vide ref. cited above, the Government of Kerala have issued detailed guidelines for giving No Objection Certificate (NOC) for quarrying operations in Government land. For the strict compliance of the instructions in the Government Order, the following time frame is hereby fixed up.

Steps	Process	Responsible Officials	Remarks/points to be taken care	Time frame fixed for the completion of the process
1	Issuing of instruction by District Collector to RDO for identification of area suitable for quarrying in each Taluk which are non-arable and uncultivable rocky Govt. land along with the constitution of team headed by Revenue Divisional Officer	District Collector	<ol style="list-style-type: none"> 1. Tentative maximum number of NOCs to be put up for bidding in the year to be decided by DC concerned 2. Each land parcel having An extent of 1 Ha. and above will be made available for quarrying lease. Each land parcel having an extent below 1 Ha. Will be made available for quarrying 	<p style="text-align: center;">05.07.2021</p> <p>The District Collector shall issue a proceedings constituting a team headed by Revenue Divisional Officer for identification of suitable government land for quarrying as per GO(Ms) No. 28/2021/RD dated 28.01.2021</p>

			<p>permit. The minimum and maximum area will be fixed by DC based on the land availability and fulfillment of legal and statutory requirement</p>	
2	<p>Identification of areas suitable for issuance of NOC for granite quarrying and preparation of survey maps in 1:1000 scale.</p>	<p>Team headed by RDO consisting of District Geologist Tahsildar, Taluk Surveyor, Village Officer</p>	<ol style="list-style-type: none"> 1. Area shall be contiguous 2. More than 1 ha (for quarrying lease) or less than 1 ha (quarry permit) to be specified. 3. Shall not fall in landslide susceptible areas (Red Zones). Refer and adhere to the para 3.21.1 of the approved State Disaster Management Plan (SDMP), 2016 and Hazard Susceptible Areas of Kerala, 2014. Directions in SDMP as approved from time to time should be reckoned with while identifying land for granting of NOC and authorization for quarrying. 4. (a). Shall not fall in ecologically sensitive areas, ecologically 	<p>20.07.2021</p>

			<p>sensitive zones, forest, CRZ where mining is prohibited, etc.</p> <p>4(b). Government lands where there are standing prohibitions under various laws (eg. Forest Laws, lands leased for specific purpose, etc.) should also be reckoned with.</p> <p>5. Shall have prescribed distance (as per KMMC Rules) from the buildings and other structures</p> <p>6. Shall have road access to the top of the identified area</p> <p>7. In instances where there is no road access to the Govt. land proposed then bidding shall be done only when road access to the top of the land is made available.</p> <p>While submitting suitability report the geological, environmental, social, economic and legal aspects shall be clearly mentioned.</p>	
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3	Submission of suitability report of the land identified to the District Collector	RDO		31.07.2021
4.	Scrutiny of report and finalization of Notice Inviting Tender (NIT) for e-auction	District Collector		15.08.2021
5	e-auctioning of NOC through e-auction portal of the State (https://etenders.kerala.gov.in)	District Collector	<p>1. The lease rent is fixed @ Rs. 10 Lakh/ha per annum for the lease period of 12 year duration. The lease rent shall be remitted annually in equal installments. The lease rent fixed @ Rs. 10 lakh/ha per annum will be the floor price.</p> <p>2. The bidder quoting the highest lease rent (H1) (amount per unit area) will be selected for awarding the NOC</p> <p>3. The H1 bidder shall pay Security Deposit in the head of account specified per ha of land.</p> <p>4. The tender fee and EMD shall be as per the Kerala Stores Purchase Manual</p>	<p>15.10.2021</p> <p>The service of DIO, NIC, DPM, KSITM to be utilized to train staff for conducting e-auction and for other technical support and customization if necessary.</p> <p>An internal committee with District Collector as chairperson and Deputy Collector (LR), District Finance Officer, District Law Officer as members to be constituted to ensure compliance of legal and financial stipulations.</p>

6	Signing of agreement by H1	H1bidder	He has to sign an agreement with District Collector that he would pay the lease rent as well as the seigniorage if he is awarded the LoI- Letter of Intent. (H1 bidder)	30.10.2021
7	Award of LoI for grant of NOC with copy to Dept. of Mining and Geology, SEIAA, Secretary of LSGI	District Collector	The LoI shall be treated as NOC for the purpose of processing of lease or other applications (not for actual operation)	15.11.2021
8	Forwarding of recommendation for issue of NOC with period of NOC and tentative quantity of mineral that could be mined during the lease period	Director of Mining and Geology	After scrutiny of map and inspection of area, precise area will be fixed by Director of Mining and Geology and issues LoI for grant of lease. With this LoI, the applicant approaches SEIAA for EC, PESO for explosive license, LSGI for their license and PCB for consent. After obtaining all these documents applicant approaches Director of Mining and Geology for lease. The DMG shall recommend issue of NOC. (During the processing of application, DMG or SEIAA could suggest some modification in map (area/shape) and Tashildar with the assistance of Taluk Surveyor shall	30.11.2021

			issue revised map subject to approval of DC)	
9	Issue of NOC recording the NOC period and the lease rent quoted by the applicant (copies to DMG, Tahsildar, VO)	District Collector	<ol style="list-style-type: none"> 1. Lease rent (lease rent as per H1) at the rate prescribed per hectare/annum shall be collected before issuance of NOC 2. Whenever the seigniorage fee is revised by the Government the lease holder will have to pay the seigniorage fee at the revised rate. This condition shall be there in the NOC and bid document 3. There shall be condition in the NOC stating that the seigniorage fee and the lease rent shall be remitted in advance before obtaining Movement Permit from Mining and Geology Department. (Collection of seigniorage fee shall be integrated in KOMPAS software of Mining and 	15.12.2021

			Geology Dept.). In case of collection of arrear royalty or royalty (for excess extraction) by Dept. of Mining and Geology, the same shall be intimated to Tahsildar and the Tahsildar shall collect seigniorage for the excess quantity if any.	
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Further, the following directions shall also be complied with for identifying the Government lands suitable for quarrying purpose

- (i) the procedure for preparation of District Survey Report of minor minerals (other than sand mining or river bed mining) laid down in part II of Appendix-X of the S.O 3611(E) Notification issued by the Ministry of Environment, Forest and Climate Change (New Delhi, dated 25.07.2018) should be followed.
- (ii) 'Government land' for the purpose of this circular means only Revenue Poramboke land and lands not belonging to LSGD, Forest or other Departments.
- (iii) Regarding the existing quarries, all steps should be taken to assess and collect the arrears to Government including seigniorage, royalty and other taxes and other dues pending to Government. The present lessee shall submit No Due certificate from the Revenue, Geology, Labour, LSG and SGST Departments. If the mining is completed in the existing quarry, mine closure must be ensured as per the approved mining plan.
- (iv) In cases covered under para 6 of the Government Order read above, after the lease period the District Geologist should reckon relevant prohibitions

in the approved SDMP and other relevant laws to examine if further quarrying can be permitted on the same land and inform the Revenue Divisional Officer concerned for necessary action before the same applicant is granted lease for another 12 years on the same land without bidding, realizing other payments due.

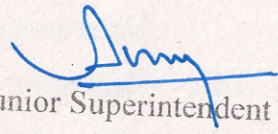
All the responsible officers mentioned in the Government Order referred to above shall strictly follow the time frame and all District Collectors shall send a compliance report to this office through email (aclaclr@gmail.com) from time to time not later than within two days after completion of each step.

Sd/

Commissioner

1. Additional Chief Secretary
Revenue (P) Department (with C/L)
2. Director, Mining and Geology
3. All District Collectors
4. All Sub Collectors/Revenue Divisional Officers
- ✓ 5. State IT Cell (for publication in official website)
6. File/Stock File

Approved for issue,


Junior Superintendent