

**Government of Jammu and Kashmir  
Mining Department  
Civil Secretariat, J&K**

**Notification,**

**Jammu, the 15<sup>th</sup> of November, 2022**

**S.O. 599.**- In exercise of the powers conferred by section 15 read with section 23C of the Mines & Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the Government hereby makes the following amendments in the Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016; namely:-

**1. In rule 13.-**

- (i) after clause (b) to first proviso, the following proviso shall be added as second proviso; namely:-

“Provided further that the cases as listed in Appendix-IX of notification S.O 1224 (E) dated 28<sup>th</sup> March 2020 issued by the Ministry of Environment, Forest & Climate Change, GoI, shall be exempted from the requirement of Environmental Clearances.”

- (ii) Second proviso shall be re-numbered as third proviso and substituted by the following; namely:-

“Provided also the manual customary extraction of sand, silt and clay by local Hanjis, Khanias, Muleteers etc shall be exempted from the requirement of Environmental Clearances.”

**2. In rule 56, in clause (vi) of sub-rule(1), the following shall be added as second proviso; namely:-**

“Provided further that Short Term Permits / Disposal Permits shall also be granted for manual customary extraction of sand, silt, clay by local Hanjis, Khanias, Muleteers etc.”

**3. In rule 58, the following shall be added as second proviso; namely:-**

“Provided further that the cases as listed in Appendix-IX of notification S.O 1224 (E) dated 28<sup>th</sup> March 2020 issued by the Ministry of Environment, Forest & Climate Change, GoI, shall be exempted from the requirement of Environmental Clearances.”

**4. In rule 94, after clause (iii) of sub-rule (2), the following clause shall be added; namely:-**

“(iv) River bed material shall not be extracted up to a distance of five times (5) of the span (x) of a bridge / public civil structure (including water intake points) on up-stream side and ten times (10) the span of such bridge on down-stream side, subject to a minimum of 250 meters on the upstream side and 500 meters on the downstream side.”



5. **Rule-95** shall be substituted by the following; namely:-

"95. Simple Interest at the rate of 15% shall be charged per annum on any rent, royalty or other sum due to the Government under the Act and rules made there under or terms and conditions of any mineral concession from the sixteenth (60) day of the expiry of the date fixed by the Government for payment of such royalty, rent, fee or other sum and until payment of such royalty, rent, fee or other sum is made."

6. **In rule 107**, after sub Rule (2), the following sub-rule shall be added; namely:-

"(3) Notwithstanding anything contained in these rules, extraction or digging of ordinary earth / clay used for filling, leveling or embankment of roads or railways, cement plants up to depth of two (02) meters, removal of overburden, free flowing material shall not be treated as mining operations:

Provided that such operations shall be carried out under proper Short Term / Disposal Permit with payment of royalty and other applicable charges."

**By order of the Government of Jammu and Kashmir.**


Sd/-  
(Amit Sharma) IAS  
**Secretary to the Government**

No: GM-MNG/281/2022-04

Dated: 15.11.2022

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17. Private Secretary to Secretary to the Government, Mining Department.
18. In-charge Website, Mining Department.

  
(Aamir Ayaiz Rather) JKAS 15-XI  
**Under Secretary to the Government**