



বাংলাদেশ

গেজেট

অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, মে ১৩, ২০০৮

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

বিদ্যুৎ, জ্বালানী ও খনিজ সম্পদ মন্ত্রণালয়  
জ্বালানী ও খনিজ সম্পদ বিভাগ

প্রজ্ঞাপন

তারিখ, ২৮শে বৈশাখ ১৪১১/১১ই মে ২০০৮

এস, আর, ও নং ১৩১-আইন/২০০৮/বিজ্ঞাখস-(অপা-২)।—খনি ও খনিজ সম্পদ (নিয়ন্ত্রণ ও উন্নয়ন) আইন, ১৯৯২ (১৯৯২ সনের ৩৯ নং আইন) এর ধারা ৪ এ প্রদত্ত ক্ষমতাবলে সরকার, The Mines and Minerals Rules, 1968 এ নিম্নরূপ অধিকতর সংশোধন করিল, যথা ঃ—

উপরি-উক্ত Rules এর—

(ক) rule 2 এর—

(অ) clause (c) এর পর নিম্নরূপ নূতন clause (cc) সন্নিবেশিত হইবে, যথা ঃ—

“(cc) “District Committee” means a committee constituted by the Government by notification in the official gazette from time to time;”;

(আ) clause (g) এর পর নিম্নরূপ নূতন clause (gg) সন্নিবেশিত হইবে, যথা ঃ—

“(gg) “lessee” means a person to whom a quarry lease or mining lease is granted and also includes his successor in interest;”;

(ই) clause (m) এর পর নিম্নরূপ নূতন clause (mm) সন্নিবেশিত হইবে, যথাঃ—

“(mm) “ordinary sand and ordinary stone” means the item mentioned in section 2 (kha) (e) of the Act;”;

(২৮১৩)

মূল্য ঃ টাকা ৩.০০

(ঈ) clause (q) এর পর নিম্নরূপ নতুন clause (qq) সন্নিবেশিত হইবে, যথা §—

“(qq) “quarry lease money” means the quarry lease money determined each year jointly by the representatives of the Bureau, Geological Survey of Bangladesh and the Deputy Commissioner of the concerned District;”;

(খ) rule 5 এর sub-rule (1) এর “A licensee or a lessee shall, within 60 (sixty) days after the granting license or lease, get the licensed or leased out area demarcated by a surveyor, recognized by the Bureau in presence of an officer specified in his behalf by the Director, and such demarcation shall be made in the following manner” শব্দগুলি ও কমাগুলির পরিবর্তে “A licensee or a lessee shall, within 30 (thirty) days from the date of granting the license or lease, get the licensed area or leased area demarcated by a surveyor appointed by the Deputy Commissioner in presence of an officer authorized by the Director and an officer authorized by the Deputy Commissioner of the concerned District and such demarcation shall be made in the following manner” শব্দগুলি ও কমাগুলি প্রতিস্থাপিত হইবে;

(গ) rule 7 এর পরিবর্তে নিম্নরূপ rule 7 প্রতিস্থাপিত হইবে, যথা §—

**“7. Non-refundable application fee.—**(1) Every application shall be submitted along with the original copy of the treasury challan showing the payment of non-refundable fee of—

- (a) Taka 3,000-00 (three thousand) for exploration license for the first 100 (one hundred) hectares or any part thereof; and Taka 100-00 (one hundred) for each additional hectare or any part thereof;
- (b) Taka 10,000-00 (ten thousand) for the first 30 (thirty) hectares or any part thereof, and Taka 200-00 (two hundred) for each additional hectare or any part thereof in the case of a quarry lease;
- (c) Taka 2,000-00 (two thousand) where quarry lease money for ordinary sand and ordinary stone is less than Taka 15,000-00 (fifteen thousand); and Taka 10,000-00 (ten thousand) where quarry lease money for ordinary sand and ordinary stone is more than Taka 15,000-00 (fifteen thousand);
- (d) Taka 75,000-00 (seventy five thousand) for a mining lease for the first 100 (one hundred) hectares or any part thereof; and Taka 300-00 (three hundred) for each additional hectare or any part thereof.



(2) The application form may be obtained on payment of a fee of Taka 500.00 (five hundred) for each copy.

(3) The fees mentioned in sub-rule (1) shall be deposited in the Head of Accounts 1/4241/0000/2681 by a treasury chalan.”;

(ঘ) rule 8 এর sub-rule (1) এর পর নিম্নরূপ নূতন sub-rule (1a) সন্নিবেশিত হইবে, যথাঃ—

“(1a) The Deputy Commissioner shall also maintain separate register of applications for quarry lease for ordinary sand and ordinary stone in the form set out in Forth Schedule as is applicable to each case.”;

(ঙ) rule 9 এর sub-rule (7) এর পর নিম্নরূপ নূতন sub-rule (8), (9), (10), (11) এবং (12) সংযোজিত হইবে, যথা ঃ—

“(8) Upon receipt of an application for quarry lease for ordinary sand and ordinary stone, the Deputy Commissioner or an officer, authorized by him in his behalf, shall put his signature and official seal with date and time on the application, and on the receipt to be delivered to the applicant.

(9) The Deputy Commissioner shall forward the applications to the District Committee for recommendation for selection of the lessee.

(10) On receipt of the applications under sub-rule (9), the District Committee will examine and send the same to the Director with recommendations for granting the lease.

(11) On receipt of the recommendation and the application under sub-rule (10), the Director shall issue a letter to the applicant informing the approval of lease and to deposit the quarry lease money within a period of 15 (fifteen) days from the date of issuance of such letter.

(12) The Director shall, upon deposit of the quarry lease money by the lessee, grant quarry lease on the basis of the recommendation of the District Committee.”;

(চ) rule 13 (1) (a) এ “Head of Account-৫১-খনি ও খনিজ দ্রব্য” সংখ্যা এবং শব্দগুলির পরিবর্তে “Head of Account-1/4241/0000/2681” সংখ্যা ও শব্দগুলি প্রতিস্থাপিত হইবে;

(ছ) rule 27A এর পরিবর্তে নিম্নরূপ rule'27A প্রতিস্থাপিত হইবে, যথা ঃ—

“27A.—Annual fee.—The licensee or the lessee shall, on or before the 31<sup>st</sup> of March of each calendar year, pay a fee for that calendar year at the rate of Taka 100.00 (one hundred) per hectare or any part:

Provided that, where a license or a lease is granted after the 31<sup>st</sup> March of a calendar year, the fee for that year shall be payable within two months from the date after such granting:

Provided further that, if such fee is not paid on or before the said date or within the said two months as the case may be, a penal fee at the rate of 05% of such annual fee shall be paid for each day of default with effect from the 1<sup>st</sup> January of that year or, from the date of granting the license or the lease, as the case may be, and if the fee and the penal fee is not paid within 180 (one hundred eighty) days after the said date, the license or the lease shall be liable to be cancelled with notice.”;

(জ) rule 27R এর পরিবর্তে নিম্নরূপ rule 27R প্রতিস্থাপিত হইবে, যথা ঃ—

“27R.—Disposal of mineral.—(1) Subject to rule 64, the lessee shall not dispose of any mineral produced without measuring it in presence of an officer authorized by the Director.

(2) Nothing of sub-rule (1) shall apply to the quarry lease for ordinary sand and ordinary stone.”;

(ঝ) rule 55A এর পরিবর্তে নিম্নরূপ rule 55A প্রতিস্থাপিত হইবে, যথা ঃ—

“55A. Leased area and register.—(1) Except as otherwise decided by the Government, a quarry lease shall not be granted in respect of any area measuring more than 30 (thirty) hectares.

(2) On the basis of the practical situation, if necessary, an area which is more or less than 30 (thirty) hectares of an ordinary sand quarry can be granted as an individual quarry.

(3) The leasing authority shall maintain a register in the form set out in Thirteenth Schedule for quarry lease.”;

(ঞ) rule 55B এর পরিবর্তে নিম্নরূপ rule 55B প্রতিস্থাপিত হইবে, যথা ঃ—

“55B. Period of quarry lease and its renewal.—(1) A quarry lease shall be granted for a period of maximum 1 (one) year from the date of granting lease.

(2) Subject to payment of royalty or quarry lease money and other outstanding dues of the quarry lease, the leasing authority reserves the right to grant renewal of the lease for a period of not exceeding 1 (one) year at a time and the lessee shall have no option to claim renewal as a matter of right:

Provided that the leasing authority shall not, without prior permission of the Government, renew any such lease except ordinary sand and ordinary stone quarry.



(3) The lessee shall apply in writing to the leasing authority for renewal at least 60 (sixty) days prior to the expiry of the lease thereof.

(4) In the case of quarry lease for ordinary sand and ordinary stone, the lessee shall apply to the concerned Deputy Commissioner for renewal at least 60 (sixty) days prior to the expiry of the lease thereof.

(5) Upon receipt of an application under sub-rule (4), the Deputy Commissioner or an officer, authorized by him in his behalf, shall put his signature and official seal with date and time on the application, and on the receipt to be delivered to the applicant.

(6) The Deputy Commissioner shall forward the applications to the District Committee for recommendation of the renewal of the lease.

(7) On receipt of the applications under sub-rule (6), the District Committee shall examine and send the same to the director with recommendations for renewing the lease.

(8) On receipt of the recommendation and the application under sub-rule (7), the Director shall direct the applicant to deposit the quarry lease money within a period of 15 (fifteen) days from the date of such direction.

(9) The Director shall, upon deposit of the quarry lease money by the lessee, renew the quarry lease for further period.

(10) If the lessee fails to apply for renewal within the period mentioned in sub-rule (3) the lease shall stand terminated.”;

(ট) rule 55C এর পরিবর্তে নিম্নরূপ rule 55C প্রতিস্থাপিত হইবে; যথা :—

**“55C. Rights of the lessee.**—(1) The lessee shall have the right to establish, within the boundaries of his quarry area, machineries and equipment for excavating, crushing, sizing, stocking the quarried minerals or rocks and make transportation facilities.

(2) The Director shall give permission to the lessee to establish the machineries and equipments in ordinary sand and ordinary stone quarry on recommendation of the concerned Deputy Commissioner.”;

(৪) rule 55D এর sub-rule (3) এর পর নিম্নরূপ sub-rule (4) সংযোজিত হইবে, যথাঃ—

“(4) Nothing of sub-section (1), (2) and (3) shall apply to quarry lease for ordinary sand and ordinary stone”;

(৫) rule 55E এর সর্বত্র “royalty” শব্দটির পরিবর্তে “royalty or quarry lease money” শব্দগুলি প্রতিস্থাপিত হইবে;

(৬) rule 55F এর sub-rule (6) এর পর নিম্নরূপ নূতন sub-rule (6A) সংযোজিত হইবে, যথাঃ—

“(6A) Despite anything contained in sub-rule (6), in the case of quarry lease for ordinary sand and ordinary stone, the lessee shall furnish to the Director within 30 (thirty) days after every six months, the progress of the quarry operations carried out during those six months by the lessee; and the report shall be in a form specified by the Director and shall contain—

(a) a statement of the depth reached in each drill hole or pit; and

(b) a statement of geological or other geoscientific work or data that has been carried out.”;

(৭) rule 72 এর পরিবর্তে নিম্নরূপ rule 72 প্রতিস্থাপিত হইবে, যথাঃ—

“72. **Head of Account.**—All deposits under these rules, such as, annual fee or security deposit or fine or otherwise, shall be made by treasury challan under the Head of Account “1/4241/0000/2681” and the royalty or the quarry lease money will be deposited by treasury challan under the Head of Account “1/4241/0000/1701”;

(৮) Third Schedule এর ক্রমিক নং 12এর clause (viii) এর প্রাপ্তস্থিত ফুলস্টপের পরিবর্তে সেমিকোলন প্রতিস্থাপিত হইবে এবং অতঃপর নিম্নরূপ নূতন clause (ix) সংযোজিত হইবে, যথাঃ—

“(ix) 3 (three) copies of geological report from a consultant geologist enlisted in the Bureau.”;

(৯) Seventh Schedule এর আর্টিক্যাল নং 45 এর সর্বত্র “royalty.” শব্দটির পরিবর্তে “royalty or quarry lease money.” শব্দগুলি প্রতিস্থাপিত হইবে:



(দ) Eleventh Schedule এর পরিবর্তে নিম্নরূপ Eleventh Schedule প্রতিস্থাপিত হইবে, যথাঃ—

**“ELEVENTH SCHEDULE  
RATE OF ROYALTY  
(rule 44, 55E)**

Name of the minerals		Percentage of pit's mouth value for		
		Underground mining	Open pit mining	Quarry lease
01.	Coal including Peat	5	6	6
02.	Silica sand	3	5	5
03.	Gold, Silver	10	12	15
04.	Radio-active minerals	10	12	15
05.	Seam gas	10	..	..
06.	Copper, Zinc, Nickel, Lead, Tin and Bismuth.	10	12	15
07.	Ordinary stones (pebbles, boulders etc.)	..	6	..
08.	Hard Rock	2.5	5	5
09.	Iron	4	6	6
10.	Limestone	4	5	8
11.	Ordinary sand (including construction sand)	..	8	..
12.	Mottled clay, shale or clay as ingredients for cement factory	..	2.5	3
13.	China clay (fire clay or white clay)	5	7	7
14.	Feldspar	10	12	15
15.	All other minerals not specified above.	10	12	15

**Note :** The value at pit's mouth of a mineral shall be determined by the Director in consultation with Geological Survey of Bangladesh based on the market value of the mineral.”

রাষ্ট্রপতির আদেশক্রমে

নজরুল ইসলাম

ভারপ্রাপ্ত সচিব।

শেখ মোঃ মোবারক হোসেন (উপ-সচিব), উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারী মুদ্রণালয়, ঢাকা কর্তৃক মুদ্রিত।  
মোঃ আমিন জুবেরী আলম, উপ-নিয়ন্ত্রক, বাংলাদেশ ফরম ও প্রকাশনা অফিস,  
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত।