

COMMERCE & INDUSTRIES SECRETARIAT

NOTIFICATION

No. CI 18 MMN 2012, Bangalore, dated: 22-06-2012

Whereas the draft of the Karnataka Regulation of Stone Crushers Rules, 2012 was published as required by Sub-Section (1) of Section 18 read with Section 12 and 13 of the Karnataka Regulation of Stone Crushers Act, 2012 in Notification No. CI 18 MMN 2012 dated 17.5.2012 in Part IV of Special Karnataka Gazette dated 18th May 2012 inviting objections and suggestions from persons likely to be affected thereby within fifteen days from the date of its publication in the official gazette.

Whereas the said gazette was made available to the public on 18th May 2012.

And, whereas the objections or suggestions received in this behalf have not been considered by the State Government.

Now, therefore in exercise of the powers conferred by Sub-Section (1) of Section 18 of the said Act, 2011 (Karnataka Act 8 of 2011) the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement.-(1) These rules may be called the Karnataka Regulation of Stone Crushers Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Karnataka Regulation of Stone Crushers Act. 2011 (Karnataka Act 8 of 2011);

(b) "Committee" means as defined in the Act;

(c) "Victim" means a person who is affected or has suffered by the pollutants emitted by the Stone Crusher as recognized by the Committee.

(2) All other words and expressions used in these rules but not defined shall have the same meaning respectively assigned to them in the Karnataka Regulation of Stone Crushers Act, 2011.

3. Application for license.- (1) Every application for grant or renewal of a license to carry on the business of stone crushing shall be made to the licensing authority in Form-A along with the project report regarding machinery details and power requirement to run the machinery. The license fee for a sum calculated at the rate of rupees one hundred per horse power of energy required for such stone crusher along with an application fee of rupees Five thousand shall be paid in the form of a Bank Demand Draft.

(2) On receipt of application for grant or renewal of license, it shall be acknowledged in Form-B. The acknowledgement shall be sent to the applicant by Registered post. The Licensing Authority shall cause inspection of the location and after verifying the fulfillment of other conditions, laid down in the Act and rule, the licensing authority may grant the license or reject the application within three months from the date of receipt of the application. The grant of license shall be in Form – C and the refusal of license shall be in Form – D.

(3) If the licensing authority rejects the application the license fee paid shall be refunded within three months from the date of rejection.

4. Victim Relief Fund.- (1) The Committee shall maintain the victim relief fund in accordance with section 12 of the Act.

(2) The cheque signing authority of the victim relief fund shall be the chairman and the member secretary of the committee.

Provided that the committee may delegate the cheque signing power to any other officer.

(3) The fund shall be utilized for the purpose of liability arising out of any claim awarded to the victims.

(4) The Chairman shall be the controlling authority of the victim relief fund.

(5) Shall file an application to the Deputy Commissioner within a period of three months from the date of occurrence of the health hazard or the date on which he is affected.

Provided that the Committee may entertain applications after the expiry of above period if it is satisfied that the applicant had sufficient cause for not submitting the application within the time limit.

(6) The Applicant shall be referred to the District Health Officer to certify as to whether the victim is suffering with a disease related to and as a result of pollutants released by the Stone Crusher units.

(7) The application shall be considered by the committee for determining the amount of relief to be granted to the victim.

(8) After the approval of the Committee the relief if any has to be granted within a period of three months from the date of application.

(9) The amount of compensation shall be computed by the Committee, in consideration with the provision for similar disease as per Karnataka State Health Claims rules and norms and the same shall be referred as standard.

(10) The committee may also direct the license holders to pay such additional amount to such of victims in accordance with sub-section (5) of section 12.

5. Accounts and Audit.- (1) The accounts of victim relief fund shall be maintained in the manner specified in the Karnataka Financial Code.

(2) The accounts of all the receipts and expenditure of victim relief fund shall be maintained in double entry system.

(3) The monthly transaction report and monthly reconciliation statement shall be certified by the Chairman or his authorized officer.

(4) The annual balance sheet of Victim Relief Fund shall be included in the annual report.

(5) The administrative expenditure of the Committee shall be borne out of Victims Relief fund.

(6) The accounts of Victim Relief Fund shall be subject to annual audit by State Accounts Department and the audit report shall be forwarded annually to the State Government.

6. Annual Report.- The committee shall prepare for every year a report of its activities under section 14 of the Act and submit the same to the Government in Form-E on or before 30th April of every year.

7. Appeals against the orders of the Licensing Authority.- The Appeal under section 15 of the Act shall be made in Form-F to the Appellate Authority.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA,

G.A. ADAGATTI
Additional Secretary to Government,
Commerce & Industries Department

FORM - A
[see rule 3(1)]

GOVERNMENT OF ARNATAKA

Office of the Deputy Commissioner - District

APPLICATION FOR GRANT/ RENEWAL OF LICENSE FOR STONE CRUSHER

Received at_(Place), on _____(date) and entered in the Register (FORM -A), Vol. No. _____ at Serial No. __ on page No. _____.

Signature and

Designation of Receiving Officer.

From,

To,

The Deputy Commissioner,

District

, Sir,

I / We submit an application for grant /renewal of stone Crusher license for a period of 3 years over an extent of _ acres of land in the area specified in this application

A total sum of Rs._____ being the
License Fee calculated at _____ per H.P Power
and

Rs.____ being the application fee has been paid to Government vide D.D.
No.____ dated: _____

for Rs.____ respectively.

The required particulars are given below:-

1	Name of the applicant with permanent and correspondence address in full.	
2	Is the applicant a Government Company / Firm / Association or Registered Co-operative society. Memorandum of Association, partnership deed, Registration certificate.	

3	a) Names of the Directors/ Members and their Nationality. b) Nationality of the individual applicant.			
4	Place & address of registration of the Company / Firm / Association Registered Co-operative Society.			
5	Profession or nature of business of the applicant.			
6	Details of the area applied for			
	District	Taluk	Villa ge	Survey No.
				Extent of Applied area
7	Project report with full details.			
8	Stone crusher Machinery details.			
9	Stone crushing capacity per hour.			
10	Required Electricity power in Horse power.			
11	For renewal of License copy of the earlier license to be enclosed			
12	Financial resources of the applicant; (To be supplemented by documents)			
13	Any other particulars which the applicant wishes to furnish.			

I / We hereby declare that the particulars furnished above are correct and am / are ready to furnish any other details, plant sketches etc. as may be required by you.

Date :

Place :

Signature of the Applicant.

Note : (1) If the applicant is signed an authorized agent, the power of attorney should be attached.

(2) Delete whichever is not applicable.

FORM-B

[see rule 3(2)]

Acknowledgement for Receipt of application for grant /Renewal of stone crusher license in

Sy No. Village of Taluk of District

from Sri/M/s on (date).....

Enclosures are as follows,

- 1)
- 2)
- 3)
- 4)
- 5)

Place :

Date : Signature of the Competent Authority

To

FORM -C
[see rule 3(2)]

License for Stone Crusher

License No.....

The license for the establishment of a Stone crusher in favour of M/s/ Sri/ Smt. in Sy.

No.....of.....Village.....Taluk District is accorded for a period of three years

from the date of issue . The licensee should strictly adhere to the relevant Act and Rules.

This license is valid up to.....

Licensing Authority

To,

M/s /Sri/ Smt,

FORM -D
[see rule 3(2)]
Refusal letter for Stone Crusher License

The license for the establishment of Stone crusher by M/s/Sri/Smt. inSy. No. of Village Taluk District is rejected for the following reasons.

(1)

(2)

(3)

censing Authority

To,

M/s/ Sri/ Smt.

FORM - E
ANNUAL REPORT
(see rule 6)

District.....	Year.....
1 Number of applications received	.....
2 Number of license sanctioned	.....
3 Number of Applications rejected	.....
4 Number of Applications pending.	.....
5 Amount received towards application fee	.....
6 Amount received toward license Fee.	.....
7 Number of applications received for Victim Relief.	.....
8 Number of applications considered for Victim Relief.	.....
9 Number of applications rejected.	.....
10 Total amount sanctioned for Victim Relief.	.....
11 Amount released from the Victim Relief Fund.	.....
12 Amount paid by the license holders as per section 12(5) of the Act.	
13 Statement of income and expenditure balance sheet as per section 14 of the Act.	

Signature of the Licensing Authority

FORM - F
Application for Appeal
(see rule 7)

1	Name and Address of Individual / Firm/ Company / Registered Co -Operative Society / Association.	
2	Profession or nature of business.	
3	Full details of the order of the Competent Authority / Deputy Commissioner which the revision application is made (copy to be enclosed).	
4	Stone Crusher forming the subject matter of the revision petition.	
5	Details of the area in respect of which the revision application is filed. District: Taluk: Village: Sy No.	
6	Is the application filed within Thirty days of the date order of the Competent Authority / as in Sl. No. 3 above.	
7	Ground for revision.	
8	If the revision applications is filed by the holder of power of Attorney, please attach the power of Attorney.	

Place:

Signature of the

Date:

Applicant/Power of Attorney Holder.