

বাংলাদেশ



গেজেট

সীমিত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, নভেম্বর ১৩, ১৯৮৯

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

বিদ্যুৎ, জ্বালানী ও খনিজ সম্পদ মন্ত্রণালয়

প্রজ্ঞাপন

ঢাকা, ২৮শে কাতিক, ১৩৯৬/১২ই নভেম্বর, ১৯৮৯

নং এস, আর, ও ৩৮০-আইন/৮৯—Mines and Minerals (Regulation and Development) Act, 1967 (E. P. Act No. II of 1968) এর section 4 এ প্রদত্ত ক্ষমতাবলে সরকার Mines and Minerals Rules, 1968 এ নিম্নরূপ অধিকতর সংশোধন করিলেন, যথা :—

উপরি-উক্ত Rules এর—

(১) সর্বত্র ভিন্নরূপ বিধান না থাকিলে,—

- (ক) "East Pakistan" শব্দগুলির পরিবর্তে "Bangladesh" শব্দগুলি প্রতিস্থাপিত হইবে;
- (খ) "Pakistan" শব্দটির পরিবর্তে "Bangladesh" শব্দটি প্রতিস্থাপিত হইবে;
- (গ) "Governor" শব্দটির পরিবর্তে "Government" শব্দটি প্রতিস্থাপিত হইবে;
- (ঘ) "Yards" শব্দটির পরিবর্তে "Metre" শব্দটি প্রতিস্থাপিত হইবে।

(২) Rule 1 এর sub-rule (1) এ "East Pakistan" শব্দটি বিলুপ্ত হইবে;

(৩) rule 2 এর—

(ক) clause (b) বিলুপ্ত হইবে;

(১৩৫৭)

মুদ্রিত: ঢাকা ১'৫০

(খ) clause (f) এর পর নিম্নরূপ clauses সন্নিবেশিত হইবে, যথা :—

“(fa) “Licensing Authority” means the Bureau of Mineral Development, Bangladesh and such other authority as may be specified by the Government.

(fb) “open pit mining” means an excavation in open air for procuring metallic or non-metallic minerals from any near surface deposit.”;

(গ) clause (g) এর পর নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা :—

“(h) “underground mining” means any excavation beneath the surface of the ground by means of a ramp, adit, raise, winze or shaft for procuring metallic or non-metallic minerals from below the near surface deposit.”;

(৪) rule 3 এর sub-rule (২) এর পরিবর্তে নিম্নরূপ sub-rule প্রতিস্থাপিত হইবে, যথা :—

“(2) An application for a licence or lease shall be accompanied by income tax clearance certificate, bank solvency certificate, nationality certificate, ten copies of the map of the area in respect of which the licence or lease is applied for, showing therein the boundaries and areas thereof. The map shall be prepared from the topographic map of Survey of Bangladesh on appropriate scale of 1: 50,000 (in quartrangular sheet) supported by mauza map.”;

(৫) rule 4 এর,—

(ক) clause (a) এর—

(অ) sub-clause (i) এ “2 feet” এবং “3 inches” সংখ্যাগুলি ও শব্দগুলি, দুইবার উল্লেখিত, এর পরিবর্তে যথাক্রমে “150 centimetres” এবং “25 centimetres” সংখ্যাগুলি ও শব্দগুলি প্রতিস্থাপিত হইবে ;

(আ) sub-clause (ii) তে “2 feet” সংখ্যা ও শব্দটি, দুইবার করিয়া উল্লেখিত, এর পরিবর্তে “150 centimetres” সংখ্যা ও শব্দটি উভয় স্থানেই প্রতিস্থাপিত হইবে ;

(ই) sub-clause (iii) তে “4 feet” এবং “6 inches” সংখ্যাগুলি ও শব্দগুলির পরিবর্তে যথাক্রমে “175 centimetres” ও “30 centimetres” সংখ্যা ও শব্দ প্রতিস্থাপিত হইবে ;

(খ) clause (b) এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা :—

(b) “To meet the cost of survey of the area, the applicant shall deposit, within one month from the date of receipt of written notice from the Director, such amount as the Director may, by general or special order direct, failing which the application for lease or licence shall not be considered.”;

(৬) rule 7 এ,—

(ক) “fee” শব্দটি দ্বিতীয়বার উল্লেখিত, এর পরিবর্তে “non-refundable fee” শব্দগুলি প্রতিস্থাপিত হইবে;

(খ) clause (a) তে,—

(অ) “Rs. 100·00” এবং “square mile” দুইবার উল্লেখিত, এবং “Rs. 50” শব্দটি এবং সংখ্যাটির পরিবর্তে যথাক্রমে “Taka 5,000·00”, “200 hectares” এবং “Taka 100·00” শব্দগুলি ও সংখ্যাগুলি প্রতিস্থাপিত হইবে।

(আ) শেষ প্রান্তস্থিত “and” শব্দটি বিলুপ্ত হইবে;

(গ) clause (b) তে,—

(অ) “Rs. 1,000·00”, “square mile”, দুইবার উল্লেখিত, এবং “Rs. 500·00” শব্দটি ও সংখ্যাটির পরিবর্তে যথাক্রমে “Taka 10,000·00”, “200 hectares” এবং “Taka 150·00” শব্দগুলি ও সংখ্যাগুলি প্রতিস্থাপিত হইবে;

(আ) শেষ প্রান্তস্থিত full-step টির পরিবর্তে কমা প্রতিস্থাপিত হইবে এবং উহার পর নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা :—

“(c) The value of the prescribed application form shall be Taka 200·00 for each copy.”;

(৭) rule 8 এর sub-rule (2) তে “Rs. 5·00 per hour” শব্দগুলি ও সংখ্যাগুলির পরিবর্তে “Taka 100 per hour or part thereof” শব্দগুলি ও সংখ্যাগুলি প্রতিস্থাপিত হইবে;

(৮) rule 11 এ “twelve” শব্দটির পরিবর্তে “six” শব্দটি প্রতিস্থাপিত হইবে;

(৯) rule 13 এর পরিবর্তে নিম্নরূপ rule প্রতিস্থাপিত হইবে, যথা :—

“13. Method of making application for assignment.—An application by a licensee or lessee for the assignment or transfer of a licence or lease shall be addressed in writing to the Director in the manner mentioned in rule 3.”;

(১০) rule 15 এ “determination” শব্দটির, দুইবার উল্লেখিত, এর পরিবর্তে “cancellation, determination” শব্দগুলি ও কমা উভয় স্থানে প্রতিস্থাপিত হইবে;

(১১) rule 17 এর sub-rule (2) তে “East Bengal (Emergency) Requisition of Property Act, 1948 (East Bengal Act, XIII of 1948) শব্দগুলি, বন্ধনীগুলি, কমা এবং সংখ্যাগুলির পরিবর্তে “Acquisition and Requisition of Immovable Property Ordinance, 1982 (III of 1982)” শব্দগুলি, কমা, সংখ্যাগুলি ও বন্ধনীগুলি প্রতিস্থাপিত হইবে;

- (১২) rule 19 এর শেষ প্রান্তস্থিত "Operation" শব্দটির পর "and a copy of such notice shall be sent to the Director" শব্দগুলি সন্নিবেশিত হইবে;
- (১৩) rule 25 এর "District or" শব্দগুলি বিলুপ্ত হইবে;
- (১৪) rule 29 এর sub-rule (i) এ "5 square miles" সংখ্যাটি ও শব্দগুলির পরিবর্তে "800 hectares" সংখ্যাটি ও শব্দটি প্রতিস্থাপিত হইবে;
- (১৫) rule 32 তে "one month" শব্দগুলির পরিবর্তে "two months" শব্দগুলি প্রতিস্থাপিত হইবে;
- (১৬) rule 34 এর "three months" শব্দগুলির পরিবর্তে "two months" শব্দগুলি প্রতিস্থাপিত হইবে;
- (১৭) rule 35 এ,—
- (ক) "Rs. 2 per acre" শব্দগুলি ও সংখ্যাটির পরিবর্তে "taka 25 per heotafare" শব্দগুলি ও সংখ্যাটি প্রতিস্থাপিত হইবে; এবং
- (খ) "but no fee shall be payable for the period for which renewal of licence is granted under rule 33" শব্দগুলি ও সংখ্যাটি বিলুপ্ত হইবে;
- (১৮) rule 36 বিলুপ্ত হইবে;
- (১৯) rule 39 এ "may" শব্দটির পর "with the prior approval of the Government," শব্দগুলি ও কমাগুলি সন্নিবেশিত হইবে;
- (২০) rule 41 এর পরিবর্তে নিম্নরূপ rule প্রতিস্থাপিত হইবে, যথা :—
- "41. Area.—No Lease shall be granted in respect of any area of more than 400 hectares for open pit mining or more than 800 hectares for underground mining, save in a case where special exemption is granted by the Government,";
- (২১) rule 43 এর পর নিম্নরূপ rules প্রতিস্থাপিত হইবে, যথা :—
- "43. Period.—The initial term of a lease shall not exceed ten years in case of open pit mining and twenty years in case of underground mining.
- 43A. Renewal.—(1) The Director may, on application made to him by the lessee at least two months before the expiry of the lease, grant renewal of the lease for a term of two years in respect of the whole of or any part or parts of the leased area, subject to previous satisfactory performance by the lessee.
- (2) The Director may, on application made to him at least three months before the expiry of the renewal granted under sub-rule (1), grant, with the prior approval of the Government, subsequent renewal of lease for such term as the Government may decide.";

(২২) rule 45 এর পরিবর্তে নিম্নরূপ rule প্রতিস্থাপিত হইবে, বধা:—

“45. Annual fee.—The lessee shall pay an annual fee of Taka 25 per hectare for the land covered by the lease for each completed year or portion thereof.”;

(২৩) rule 46 এর sub-rule (2) তে,—

(ক) “one year” শব্দগুলির পরিবর্তে “six months” শব্দগুলি প্রতিস্থাপিত হইবে;

(খ) “three years” শব্দগুলির পরিবর্তে “one year” শব্দগুলি প্রতিস্থাপিত হইবে;

(২৪) rule 50 এর পর নিম্নরূপ rule প্রতিস্থাপিত হইবে, বধা:—

“50. Power to inspect plant, records, accounts, etc.—Any person authorised by the Director in this behalf shall be entitled at all reasonable times to enter into or upon any of the lands or premises leased out and for the time being under the possession or occupation of the licensee or lessee for the purpose of—

- (e) examining the mines, pits, plants, appliances, buildings and works made or executed by the lessee or licensee in pursuance of the lease or licence and the state of repair and conditions thereof;
- (b) inspecting and checking the accuracy of the weighing or measuring appliances, weights, measurements, logs, records, plans and maps which the lessee or licensee is required to keep or make in accordance with provisions of the lease or licence;
- (c) inspecting and taking abstracts from copies of any logs, records, plans, maps or accounts which the lessee or licensee is required to keep or make in accordance with the provisions of the lease or licence;
- (d) inspecting the samples of strata, mineral or water which the lessee or licensee is required to keep in accordance with provisions of the lease or licence;
- (e) inspecting the industry or factory where minerals are used or intended to be used and in respect of which licence or lease is applied for; and
- (f) taking such other actions as the Director may be empowered to take under the provisions of the lease or licence.”;

(২৫) rule 51 বিলুপ্ত হইবে;

(২৬) rule 54 এর—

(ক) “royalty” শব্দটি দুইবার উল্লিখিত, এর পরিবর্তে “annual fee, royalty” শব্দগুলি ও কমা প্রতিস্থাপিত হইবে;

(খ) “three months” শব্দগুলির পরিবর্তে “two months” শব্দগুলি প্রতিস্থাপিত হইবে;

(২৭) rule 60 তে “two years” শব্দগুলির পরিবর্তে “three years” এবং “five thousand rupees” শব্দগুলির পরিবর্তে “five thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে;

(২৮) Schedules এ,—

(ক) “FIRST SCHEDULE

APPLICATION FORM FOR PROSPECTING LICENCE/
MINING LEASE” শিরোনাম সম্বলিত Formটির পরিবর্তে নিম্নরূপ Form প্রতিস্থাপিত হইবে, যথা :—

“FIRST SCHEDULE

Application Form for Prospecting Licence/Mining Lease.

(See rule 3)

- (1) Name(s) (in full) and address
- (2) Father's name(s) (in full)
- (3) If application is by an individual or individuals :
 - (a) Present address
 - (b) Permanent address
 - (c) Nationality
 - (d) Occupation
 - (e) Capital available (giving bank reference of documentary proof).
- (4) If application is by a firm :
 - (a) Principal place of business
 - (b) Nature of business
 - (c) Total capital of the firm

- (d) Names with father's names and present and permanent address, nationality and occupation of the partners.
- (5) If application is by a company :
- (a) Principal place of business ...
- (b) If principal place of business is outside Bangladesh, name and address of duly authorised agent in Bangladesh.
- (c) Nature of business
- (d) Authorised, subscribed and paid up capital.
- (e) Names, with father's names and present and permanent address, nationality and occupation of the Directors.
- (6) The mineral for which a licence/lease is required.
- (7) Period for which licence/lease is required ..
- (8) Situation and approximate size of the area on topographical map supported by mouza map for which application is made (the name of the District, Upazila and mouza should be stated).
- (9) Brief particulars of previous experience in mining/prospecting giving details of any licence or lease already held in or outside Bangladesh.
- (10) Brief particulars of any application for licence or lease which has been submitted in the past in any country and its disposal.
- (11) (a) name(s), with father's names and present and permanent address and qualifications of technical experts or advisers employed by the applicant.
- (b) List of equipment/machinery owned/available and to be used by the applicant.

- (12) State the amount of capital for operation under the licence/lease applied for:
- (a) amount at present available
- (b) amount which the applicant can make available and the sources (giving bank reference or documentary proof).
- (13) If the applicant is a company incorporated outside Bangladesh state full particulars of the company to be incorporated by the applicant in Bangladesh for the purpose of receiving the grant of any licence or lease which may be granted including particulars similar to those specified in items (5) and (11) above and the amount of the capital proposed.

(Documentary evidence of incorporation of the company in Bangladesh should be furnished along with a copy of the Memorandum and Articles of Association and prospectus of the company as soon as the company has been incorporated in Bangladesh).

- (14) Do you desire the Government to prepare a map of the area for you at your expense?
- (15) Any special statement

I/We hereby declare that all the foregoing particulars are correct.

*I/We hereby solemnly declare that in the event of the Government granting me/us the licence/lease I/we will abstain from all political activities whatsoever affecting the sovereignty or security of Bangladesh or which may be tantamount to interference in its internal affairs and that I/we shall not indulge in espionage.

In the event of any violation of this undertaking by me/us the Government shall have the right to cancel the licence/lease.

Signature(s) of the applicant(s).

Date :

(If the applicant is a company/firm, state capacity in which the form is signed)

Instructions :

1. Ten copies of topographical maps supported by mouza, maps (in size), original chalan of application fee, bank solvency certificate bank guarantee and income tax certificate are to be submitted along with the application.

2. If the applicant is a company, Memorandum and Articles of Association in original are to be submitted.

3. Incomplete application shall not be accepted.

4. Loan/financial obligations to banks/financial institutions, if any, is to be furnished.

*In case the applicant is a company incorporated outside Bangladesh.

(১) "FIRST SCHEDULE" এর অধীন—

(অ) "REGISTER OF APPLICATIONS FOR LICENCES/LEASES" শিরোনাম সম্বলিত FORM এ, "royalty" শব্দটির পরিবর্তে "rent" শব্দটি প্রতিস্থাপিত হইবে;

(আ) "REGISTER OF MINING LEASES" শিরোনাম সম্বলিত Form এ, "Fee" শব্দটির পরিবর্তে "Fee, rents" শব্দগুলি ও কমা প্রতিস্থাপিত হইবে;

(২) Second Schedule এর,—

(ক) "Form of Prospecting Licence" শিরোনাম সম্বলিত ফর্ম এ,—

(অ) "East Pakistan Mines and Mineral Rules" শব্দগুলির পরিবর্তে "Mines and Mineral Rules" শব্দগুলি প্রতিস্থাপিত হইবে;

(আ) "Rs." শব্দটির পরিবর্তে "Taka" শব্দটি প্রতিস্থাপিত হইবে;

(ই) clause 1 এ "royalties" শব্দটি, দুইবার উল্লেখিত, এর পরিবর্তে "rents" শব্দটি প্রতিস্থাপিত হইবে;

(খ) "II—CONVENANTS BY LICENCES" শিরোনামের অধীন,—

(অ) "Royalty" শব্দটি বিলুপ্ত হইবে;

(আ) clause 2 তে "royalties" শব্দটির পরিবর্তে "annual fee and rents" শব্দগুলি প্রতিস্থাপিত হইবে;

- (২) clause 3 এর পরিবর্তে নিম্নরূপ clause 3 প্রতিস্থাপিত হইবে, যথা:—

“3. Measurement of the minerals obtained from the said lands.—At least once in every month and as many other times as occasion may require will and truly to measure or weigh or cause to be measured or weighed upon some part of the said lands all minerals from time to time obtained from the said lands by the licensee which may be required to be measured or weighed for the purpose of ascertaining the total amount of minerals obtained and to give 30 days' previous notice in writing to the Director of every such measuring or weighing in order that he or some person in his behalf may be present there at and shall not take away from the said lands any minerals so obtained until the same shall have been measured or weighed, as the case may be.”;

- (৩) clause 5 এ “for the purpose of ascertaining the royalty payable under these presents” শব্দগুলি বিলুপ্ত হইবে;
- (৪) clause 6 এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা:—

“6. Keeping of accounts and furnish abstracts, etc.—(a) The licensee shall, at all times during the said term, keep or cause to be kept at an office to be situated upon or near the said lands correct and intelligible accounts in such manner and in such form as may be approved by the Director which accounts shall contain accurate entries showing from time to time (1) the quality and quantity of the said minerals obtained from the land, (2) the quantity of the said minerals sold and exported, (3) the quantity of the said minerals otherwise disposed of and the manner and purpose of such disposition, (4) the prices and other particulars of all sales of the said minerals, (5) the name and number of persons employed on the mines or works in or upon the said lands and (6) all such other facts, particulars and circumstances as the Director may consider necessary for conveniently ascertaining the amount of the annual fee and rent from time to time payable under these presents and the licensee shall also furnish free of charge to such officer and at such time as the Director may appoint true and correct abstracts of all or any of such accounts and such information and returns as to all or any of the matters aforesaid as the Director may determine and shall at all reasonable time allow such officer as the Director shall in that behalf appoint to enter into and have free access to the said office for the purpose of examining and inspecting the said accounts and to take copies thereof and make extracts therefrom.

(b) The licensee shall, within one month after the end of each year of the term hereby granted or any renewal thereof, deliver to the Director an abstract, in a form specified by the Director, of the said accounts for each such year together with a statement in the like form of all annual fee and rent payable in respect of each such year.

(c) The licensee shall supply to the Director monthly return of production and despatch for each mineral being mined in the form prescribed by the Director.”;

(উ) clause 9 এ “Governor” শব্দটির পরিবর্তে “Director” শব্দটি প্রতিস্থাপিত হইবে;

(ঞ) clause 23 এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা :—

“23. Periodical reports (plan and records), etc.—(1) The licensee shall furnish to the Director quarterly at such time as the Director may determine, during the term hereby granted or any renewal thereof, record in a form time to time approved by the Director of the progress of the operations carried by the licensee in the said lands; and such records shall contain—

(a) a statement of the depth reached in each mine or pit ;

(b) a statement of any weather and workable minerals of mine workings encountered in the course of the said operations ;

(c) a statement of all minerals produced; and

(d) a statement of areas in which any geological or geophysical work has been carried out.

(2) Within one month after the end of each year comprised in the term hereby granted or any renewal thereof the licensee shall furnish to the Director a record in a form from time to time approved by the Director of operations carried out in the said lands during each such year, together with a plan upon a scale approved by the Director showing the situation of all mines, pits or work and indicating all development and other works executed by the licensee in connection with searching and boring for and mining every type of minerals.

(3) The licensee shall also keep accurate geological plans, maps and records relating to the said lands.

(4) The licensee shall furnish to the Director such plans and informations as to the progress of operations in the said lands as the Director may from time to time require.

(5) The licensee shall supply information regarding drill, holes, geological logs, core samples and mining activities to the Director who may make it available to the Department of Geological Survey of Bangladesh and any other Government department or agency, if required.”;

(গ) “II OTHER CONDITIONS TO BE OBSERVED BY THE LICENSEES” শিরনামার অধীন—

(অ) clause 25 এ “Governor or any Government Department” শব্দগুলির পরিবর্তে “Government” শব্দটি প্রতিস্থাপিত হইবে;

(আ) clause 26 এ “Governor” শব্দটির পরিবর্তে “Director” শব্দটি প্রতিস্থাপিত হইবে;

(ঘ) “IV. POWERS OF GOVERNMENT” শিরনামার পরিবর্তে “IV. POWERS OF THE GOVERNMENT” শিরনামা প্রতিস্থাপিত হইবে, এবং উপরি-উক্ত শিরনামাধীন,—

(ন) clause 33 তে “royalties” শব্দটির পরিবর্তে “annual fee” শব্দগুলি প্রতিস্থাপিত হইবে;

(আ) clause 34 এ “royalties” শব্দটি, দুইবার উল্লেখিত, এর পরিবর্তে “rent” শব্দটি প্রতিস্থাপিত হইবে;

(ই) clause 36 এ “to the Government of East Pakistan with appropriate Department” শব্দটিগুলির পরিবর্তে “to the Government in the appropriate Ministry or Division” শব্দগুলি প্রতিস্থাপিত হইবে;

(ঐ) clause 38 এ—

(১) “him” শব্দটি, দুইবার উল্লেখিত এর পরিবর্তে “it” শব্দটি প্রতিস্থাপিত হইবে; এবং

(২) “royalties” শব্দটির পরিবর্তে “rent” শব্দটি প্রতিস্থাপিত হইবে;

(উ) “V. LICENSEES RIGHTS” শিরনামাধীন clause 39 এ “and no fee shall be payable for such renewal of this licence” শব্দগুলি বিলুপ্ত হইবে;

(৩০) PART III এর SECOND SCHEDULE এ,—

(ক) FORM OF MINING LEASE এর পবিরর্তে Form of Mining Lease প্রতিস্থাপিত হইবে—

“FORM OF MINING LEASE

(See rule 16)

This Deed made this the..... day of..... 19..... between the Government of the People's Republic of Bangladesh (hereinafter called the “Government” which expression shall, where the context so admits, include its successor) of the one part and..... (hereinafter called the “Lessee” which expression shall, where the context so admits, include his heirs, executors, administrators, representatives and assigns) of the other parts :

WHEREAS the lessee in accordance with the conditions laid down in the Mines and Minerals Rules, 1968 has applied to the Government for a mining lease in respect of the lands specified in Part I of Schedule A hereunder written (here in after referred to as the said lands).

AND WHEREAS the Government has found that there is no objection to granting the said lease ;

Now this deed witnesseth as follows:

In consideration of the annual fee, royalties, covenants and agreements hereinafter reserved and contained on the part of the lessee to be paid and observed the Government hereby demises unto the lessee all or any..... (hereinafter referred to as the said mineral lying or being within, under throughout the said lands and hereby grants the liberties, powers and privilege to be exercised in connection with the said mineral subject to the restrictions and conditions which are specified in part II of the said Schedule A and to the provisions contained in Part IV of the said Schedule A and in the Mines and Minerals Rules, 1968.

To hold, exercise and enjoy all and singular the premises, liberties, power and privileges hereby granted and demised unto the lessee from the..... day of..... 19..... for the terms of..... years then next ensuing yielding and paying free and clear from all rates, taxes, charges and deductions the several annual fee, royalties and sums of money mentioned and specified in Part V of the said Schedule A subject to

the said Schedule A. And the lessee hereby covenants with the Government as Part VII of the said Schedule A is expressed and the Government hereby covenants with the lessee as Part VIII of the said Schedule A is expressed and it is hereby mutually agreed and declared by and between the parties hereto as in Part IX of the said Schedule A is expressed and is hereby declared that the Schedule A hereunder written shall be deemed part of these presents and do read and construe accordingly.

In witness whereof these presents have been executed in the manner hereunder appearing the day and year first above-written.”;

(ধ) “FORM OF MINING LEASE” এর SCHEDULE A এর অধীন “PART II—Restrictions and conditions as to the exercise of the above liberties, Powers and Privileges” শিরনামাধীন—

(অ) clause 10 এর বর্তমান বিধান উক্ত clause এর sub-clause (1) হিসাবে সংখ্যায়িত হইবে এবং উক্তরূপ সংখ্যায়িত sub-clause (1) এর পর নিম্নরূপ sub-clause সংযোজিত হইবে, যথা :—

“(2) The lessee shall pay reasonable compensation for all damage or injury to the property and rights of any third party which may be done by him or his agent or employees in the course of the exercise of the liberties and powers conferred by this lease.”

(আ) clause 11 এর sub-clause (3) তে “in terms of clause 78 of this Schedule” শব্দগুলির পরিবর্তে “by the Government” শব্দগুলি প্রতিস্থাপিত হইবে;

(গ) PART V এ,—

(১) clause 16 এর—

(অ) শিরনামা ও sub-clause (1) এ “Certain half-yearly rent” শব্দগুলি, দুইবার উল্লেখিত, এর পরিবর্তে “annual fee” শব্দগুলি প্রতিস্থাপিত হইবে, এবং “half-yearly” শব্দটির পরিবর্তে “annually” শব্দটি প্রতিস্থাপিত হইবে, এবং “rent for the whole year being Rs.....” কথা ও শব্দগুলির পরিবর্তে full-stop প্রতিস্থাপিত হইবে;

(আ) sub-clause (2) বিলুপ্ত হইবে;

(২) clause 17 এর বিত্তীয় অনুচ্ছেদ বিলুপ্ত হইবে;

(৩) clause 18 এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা :—

“18. Surface rents.—The lessee shall pay to the Government in respect of Government owned land(s) the yearly land revenue rent cess and water rates at such rate as may be determined by the Government from time to time.”;

(ঘ) PART VI এ,—

- (১) clause 20 এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা:—

“20. **Payment of royalties, etc.**—The lessee shall pay the annual fee and royalty reserved by this lease at the time and in the manner provided in Part V and this Part and shall also pay and discharge all taxes, rates, assessments and impositions whatsoever being in the nature of public demand which shall from time to time be charged assessed or imposed upon or in respect of the mines or works of the lessee or any part thereof by authority of the Government or otherwise except demands for land revenue and shall also pay simple interest at the rate of..... percent per annum on all arrears of such annual fee or royalty from the date whereon the same ought to have been paid under these presents provided that no interest will be payable if annual fee royalties and other dues are paid by the lessee within two months from the date whereon the same ought to have been paid under these presents.”;

- (২) clause 23 তে “three” শব্দটি, দুইবার উল্লেখিত, এর পরিবর্তে “two” শব্দটি প্রতিস্থাপিত হইবে;

- (৩) clause 25 এর শেষে নিম্নরূপ অনুচ্ছেদ সংযোজিত হইবে, যথা:—

“The lessee shall supply to the director, in the form to be specified by the Director in this behalf, a monthly returns of production and despatch for each mineral being mined.”;

- (৪) clause 33 তে “Governor” শব্দগুলির পরিবর্তে “Director” শব্দটি প্রতিস্থাপিত হইবে;

- (৫) clause 35 এর শেষের শূন্যস্থানে ‘any mineral for which lease has been granted.’ শব্দগুলি ও full-stop সন্নিবেশিত হইবে;

- (৬) clause 47 এর,—

(ক) sub-clause (1) এ “six months” শব্দটির পরিবর্তে “two months” শব্দগুলি প্রতিস্থাপিত হইবে;

(খ) sub-clause (2) তে “one year” শব্দগুলির পরিবর্তে “six months” শব্দগুলি প্রতিস্থাপিত হইবে;

(ই) sub-clause (4) এ “three years” শব্দগুলির পরিবর্তে “one year” শব্দগুলি প্রতিস্থাপিত হইবে, এবং শেষ প্রান্তস্থিত “deed rent” শব্দগুলির পরিবর্তে “taka five thousand” শব্দগুলি প্রতিস্থাপিত হইবে;

(৩) sub-clause (5) এ “one year” শব্দগুলির পরিবর্তে “six months” শব্দগুলি প্রতিস্থাপিত হইবে;

(৭) clause 54 এ, sub-clause (4) এর পর নিম্নরূপ sub-clause সংযোজিত হইবে, যথা:—

“(5) The lessee shall supply information regarding drill holes geological logs core samples and mining activities to the Director who will make it available to the Department of Geological Survey of Bangladesh and any other Government department or agencies if required.”;

(৮) clause 58 এ,—

(ক) “rents” শব্দটির পরিবর্তে “annual fee” শব্দটি প্রতিস্থাপিত হইবে;

(খ) “twelve months” শব্দগুলি, দুইবার উল্লেখিত, এর পরিবর্তে “six months” শব্দগুলি প্রতিস্থাপিত হইবে;

(গ) “two years” শব্দগুলির পরিবর্তে “one year” শব্দগুলি প্রতিস্থাপিত হইবে;

(ঘ) “twenty five years” শব্দগুলির পরিবর্তে “five years” শব্দগুলি প্রতিস্থাপিত হইবে;

(৯) clause 60 তে “twelve months” শব্দগুলির পরিবর্তে “six months” শব্দগুলি প্রতিস্থাপিত হইবে;

(৩) PART IX এ,—

(১) clause 67 এর পরিবর্তে নিম্নরূপ clause প্রতিস্থাপিত হইবে, যথা:—

“(67) Employment of nationals of Bangladesh and the training.—(1) The lessee shall be required to employ Bangladeshi nationals in his organisation in all grades in the manner following below:

(a) For the first 3 years of : One-fourth of the total the lease. number of the employees;

(b) For the next 2 years of : Two-thirds of the total the lease. number of the employees;

(c) For the next 2 years of : Three-fourths of the total the lease. number of the employees; and

(d) For the next 2 years and : 100 per cent of the em- thereafter. ployees.

(2) The number of Bangladeshi nationals to be trained by the lessee will be determined in consultation with the Government. ;

- (২) clause 71 এর 'six' শব্দটির পরিবর্তে "three" শব্দটি এবং "rent" শব্দটির পরিবর্তে "annual fees" শব্দগুণি প্রতিস্থাপিত হইবে;
- (৩) clause 75 এ "East Pakistan Mines and Minerals Rules" শব্দগুলির পরিবর্তে "Mines and Mineral Rules" শব্দগুলি প্রতিস্থাপিত হইবে;
- (৪) clause 76 এ "rent" শব্দটির পরিবর্তে "annual fee" শব্দগুলি প্রতিস্থাপিত হইবে;
- (৫) clause 78 এ "Governor of East Pakistan" শব্দগুলির পরিবর্তে "Government" শব্দটি প্রতিস্থাপিত হইবে;
- (৩১) Third Schedule এবং Fourth Schedule এর পরিবর্তে Schedules প্রতিস্থাপিত হইবে, যথা :—

"THIRD SCHEDULE

Royalty

(See rule 36, 44)

Coal including peat, coal dust and coal used on the work.	20% percent on the value at pit's mouth.
Mica	10% percent on the value at pit's mouth.
Gold and silver	30% percent on the value at pit's mouth.
Precious stone	30% percent on the value at pit's mouth.
Ordinary stone singles and boulders	20% percent on the value at pit's mouth.
Lime stone	20% per cent on the value at pit's mouth.
Gypsum and silica sand	20% percent on the value at pit's mouth.
Ordinary sand (used in brick fields and buildings etc.).	20% per cent on the value at pit's mouth.
Fire-clay, white clay or china clay	20% per cent on the value at pit's mouth.
All other minerals not specified above	20% per cent on the value at pit's mouth.

NOTE : The royalty shall be calculated/determined on the sale value of the mineral at pit's mouth unless otherwise fixed in accordance with any act or Government Order for the time being in force in respect of any mineral.

FOURTH SCHEDULE

Minimum Quantities Removable Free of Royalty

(See Rule 36)

Clause—A	Separated Gold, platinum and other precious metals.	Nil.
B	Auriferous rock and gravel	1 ton.
C	Metaliferous ores such as those worked for aluminium iron and manganese.	1 ton.
D	Metaliferous ores such as those worked for antimony, arsenic, bismuth, chromium, copper, lead, nickel, tin, titanium, tungsten and zinc.	1 ton.
E	Metaliferous ores such as those worked for cadmium, cobalt, mercury, molybdenum, silver, thallium and vanadium.	1/4th ton.
F	Compound ores containing metals of class E in smaller quantities than those of class D.	1 ton.
G	Concentrates of the ores enumerated in classes D to F.	50 Kg.
H	Coal and lignite	5 tons.
	Minerals of the so-called "rare..... earths, such as minerals worked specifically for beryllium, boron ores, caesium, cerium, columbium, didymum, erbium, gallium, germanium, indium, Lanthan, niobium, rubidium, tantalum, thorium, uranium, yttrium and zirconium.	100 Kg.
J	Minerals used in various arts, such as barites, bitumen, borax, corundum, emery, felspar, flint-spar.	1/4th ton.
K	Minerals used in agriculture and chemical manufactures such as barite, gypsum, iron, pyrites and pyritous shales.	1 ton.
L	Asbestos, Graphite, mica, china-clay fire clay white clay and native sulphur.	50 Kg.
M	Precious stones and gems such as agate, amethyst, aquamarine, beryl, chrysoberyl, chrysolite diamond, emerald, garnet, jade and jadeite, jasper, lapis, lazuli, moonstone opal, ruby, sapphire, spinel, topaz, tourmaline and turquoise	Nil."

- (৩২) FIFTH SCHEDULE বিনুশ্চ হইবে;
- (৩৩) SIXTH SCHEDULE এ “Governor of [East Pakistan” শব্দগুলি তিনবার উল্লেখিত এর পরিবর্তে “Government” শব্দটি প্রতিস্থাপিত হইবে; এবং “by order of the Governor” শব্দগুলির পরিবর্তে “By order of the President” শব্দগুলি প্রতিস্থাপিত হইবে।

রাষ্ট্রপতির আদেশক্রমে

মোঃ খোরশেদ আলম

উপ-সচিব।