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Jharkhand Mineral Transit Challan Regulations, 2005

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MINING & GEOLOGY DEPARTMENT

NOTIFICATION

The 10 February, 2006

No/Lass-45/2005-310--In exercise of powers conferred by section 23 C of the Mines & Minerals (Development & Regulation) Act, 1957 the State Government of Jharkhand do hereby make the following regulations, which shall be called "the Jharkhand Mineral Transit Challan Regulations, 2005:

1. (a) It shall extend to entire Jharkhand State;
(b) These regulations shall come into force from the date of notification in Jharkhand Gazette.
2. (a) In these regulations, unless the context otherwise requires :
 - (i) "Mining Lessee" includes his authorised agent, Manager or any other person authorised in writing to act on his behalf;
 - (ii) "Mining Officer" means District/Assistant Mining Officer;
 - (iii) "Director" means the Director of Mines, Jharkhand;
 - (iv) "Government" means the Government of Jharkhand;
 - (v) "Mining Inspector" means mining inspector as appointed by the Government or such person/agency as notified by the Government from time to time; and
 - (vi) "Collectors" means the Deputy Commissioner of the district;

(b) All other expressions and terms herein used shall have the same meaning as assigned to them in the Mines and Minerals (Development and Regulation) Act, 1957.
3. All despatches of ores and minerals except those by aerial ropeway shall be accompanied by transit challans in the Form 'D' annexed to these regulations.
4. Sampling and analysis will be done before the mineral/ore is removed from the mine site. The following procedure shall be adhered to -
 - (a) Mining lessees after proper dressing, stacking, grading and analysis shall apply to the District/Assistant Mining Officer in Form 'A', within whose jurisdiction the mine is situated, intimating his intention to remove the mineral/ore through the concerned Mining Inspector enclosing copies of the analysis report in duplicate in Form 'B'.
 - (b) The Mining Inspector shall verify the stacks of mineral / ore with reference to the analysis reports and forward the application to the District/Assistant Mining Officer with his verification report within seven days of receipt of the application.
 - (c) The Mining Inspector shall draw joint samples from the stacks of marginal grade and also from the stacks, grade of which would appear to him different from that mentioned in the analysis

reports. Joint samples shall be drawn by the Mining Inspector and an authorised representative of the Mining lessee and shall be divided into 3 parts, of which one part shall be handed over to the mining lessee under joint seals, the 2nd part shall be sent to the Government Laboratory for analysis under joint seals and the 3rd part kept with District/Assistant Mining Officer under joint seals as umpire sample.

The analysis results of Government Laboratory would be final, provided that the Director may allow if he is satisfied with the genuineness of the dispute on written reference by the mining lessee, for analysis of the samples under dispute at the Government Laboratory in the presence of the representative of the mining lessee.

- (d) When minerals/ores are despatched directly from the mine by railway wagons, joint samples shall be drawn from the wagons and analysis reports of each lot of four wagons or less as the case may be, shall be given:

Provided that no analysis report shall be necessary if the minerals/ores are declared to be of the highest grade. No analysis shall also be required in respect of minerals/ores, i.e. fireclay, quartzite etc. which do not have different grades for royalty purposes.

5. On receipt of the verification report from the Mining Inspector, the District/Assistant Mining Officer shall issue a permit in form 'C' within seven days.

Copies of the permit shall be issued to the checking stations along the route by which the minerals/ores will be transported.

Provided that no permit shall be issued in respect of the stacks from which joint samples have been drawn till the analysis results are received from the Government Laboratory.

6. Notwithstanding with the above rules, permit for the initial despatch from a new mine shall not be issued by the District/Assistant Mining Officer without obtaining clearance from concerned Collector that permission for surface operation has been given and all formalities regarding execution of lease are complete.

7. (a) The mining lessee shall obtain transit challan books from the District/Assistant Mining Officer to the extent of maximum three (3) months requirement on the production of treasury challan showing deposit of the cost of the books under the head of account, 0853 - Non Ferrous Mining & Metallurgical Industries - 102 - Concessions Fee, Rent and Royalty in respect of Minerals:

at Rs.100/- for each book containing 50 transit challans each in Quadruplicate in Form 'D'.

The transit challans shall be machine-numbered with the Book No. and Sl. No. of the challan. Before issue of the challan book to the mining lessee, the challans in the book should be stamped with the office seal of the District/Assistant Mining Officer and signed by District/Assistant Mining Officer. After the first issue, subsequent issues will only be made on the surrender of used-up challan books and after payment of all mining dues of royalty etc., if any.

- (b) On receipt of the used-up challan book, the District/Assistant Mining Officer shall get its original counterfoils checked in his office with regard to the mentioned material entries in the relevant transit challans previously received in his office and at check gate/ weigh bridges so that no controversy may arise in future as to the quantity and percentage content of the mineral/ore despatched.

After such checking and verification, the District/Assistant Mining Officer shall return to the mining lessee within three (3) months of surrender, the used-up challan books having each counterfoil sealed with a rubber stamp "Checked", which shall also bear the signature of the District/Assistant Mining Officer or any other subordinate officer authorised by him in this behalf.

Simultaneously, the District/Assistant Mining Officer shall endorse "checked and original copy returned" seal upon the rest two counterfoils received and maintained in his office to prevent any

- (c) The duplicate copy of the Challan issued by the mining lessee shall be submitted on weekly basis in the office of Concerned District/Assistant Mining Officer.
- (d) The triplicate and quadruplicate copies of challans will be issued by the mining lessee to the carrier transporting mineral/ore from the mine. The triplicate copy shall be surrendered by the transporting carrier at the check gate/weigh bridge of Government. The original copy should be left in the book. In case of transportation by rail the lessee shall issue only quadruplicate copy of Challan to the transporter and shall submit duplicate and triplicate challans to the District/Assistant Mining Officer on weekly basis.
- (e) All transport of minerals/ores will normally pass through check gate/weigh bridge of Mines & Geology Department and/ or privately managed check-gates/weigh bridge approved by the State Government. The quantity moved will be verified at the check-gates/weigh bridge. All mineral/ore transporting carriers shall mandatorily pass through any convenient check-gate/ weigh bridge located within the district in which such mining operation are carried out and as intimated by the District / Assistant Mining Officer. All vehicles transporting minerals/ores shall stop at the check-gate/weigh bridge and proceed after being cleared by the In-charge check-gate/weigh bridge by making necessary endorsement on the back of the quadruplicate copy held by the carrier.
- (f) Where there is a weigh bridge of Government or one privately managed and approved by the State Government near the check-gate/weigh bridge, the quantity of mineral/ore transported shall be ascertained by weighment.
- Where there is no weigh bridge close to the check gate, the measurement in Cft. will be checked and the standard conversion factor for the minerals/ores of a particular mine will be applied to arrive at the quantity transported.
- The standard conversion factor for the mineral/ore of a particular mine will be calculated by test checks of a few truck loads of such mine selected randomly either at the nearest Government weigh bridge or privately managed weigh bridge approved by State Government or by spring balance method from time to time by the District/Assistant Mining Officer.
- (g) The person-in-charge of the check-gate may verify the quantity and quality of mineral/ore carried and shall retain one copy of the challan. He may record in both copies of the challan any observations relating to the divergences between the quantity and / or quality of mineral/ ore being carried and that shown in the challan. He shall bring to the notice of the District/ Assistant Mining Officer any case of repeated divergences in respect of any mining lessee. He may detain any mineral/ore moved without a valid transit permit or challan.
- (h) The working hours of each check gate shall be announced in advance by the District/Assistant Mining Officer and shall be commensurate with the general requirements of the Mining traffic in that sector.

8. The following officers are authorised to stop, check and verify any truck carrying the mineral/ore from the mine, within the jurisdiction as specified below:

(i) Director of Mines	In the entire State.
(ii) Additional Director of Mines	-do-
(iii) Deputy Director of Mines	Within their respective jurisdictions.
(iv) Collectors	Within their respective jurisdictions.
(v) Any other officer authorised by the Collector.	Within the jurisdictions of the Collector concerned.
(vi) District/Assistant Mining Officers.	Within the respective Jurisdictions.
(vii) Mining Inspector.	-do-
(viii) In-charge Check-gate.	-do-

It shall be the responsibility of the mining lessee to ensure that their carriers afford all assistance and co-operation for such inspection.

9. (a) Whenever any mining lessee transports the minerals raised in his mine without any valid permit or challan, it will be treated as a transgression of the conditions of the lease and provisions of Mines and Minerals (Development and Regulation) Act, 1957, Mineral Concession Rules, 1960 and Jharkhand Minor Mineral Concession Rules, 2004, as the case may be, and actions shall be taken accordingly under the penal provisions of the lease deed and the said Act and Rules.
- (b) The mining lessee shall be responsible for the strict compliance of these regulations by the carriers engaged by them and shall ensure that the carriers produce necessary transit challans at the check-gates/weigh bridge for verification.
10. In any special case, the Secretary, Mines & Geology Department may issue necessary instructions giving relaxation, if necessary, in the interest of mineral development with the prior approval of Government.

By the order of the Governor of Jharkhand
Arun Kumar Singh,
 Secretary to Government.

When Inspector of Mines is authorized to inspect, it may be allowed to take such off as is necessary.

Form B
 [See Rule 4 (a)]

Certified that samples from the following stock of (Mineral) at (Mines) have been made by the Owner/Agent/Manager of the Mine in accordance with the provisions of the Act.

PARTICULARS OF THE STOCK

No.	Name/Type of Mineral	Quantity	Location	Remarks
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Signature of Owner/Agent/Manager of the Mine

Date

ANNEXURE
FORM A
[See Rule 4 (A)]

The Mining Officer,
Circle

The Inspector of Mines

Through Inspector of Mines

In enclosing herewith the Analysis report in respect of the following stacks, I would request you to permit for removal of the ores from Mines.

PARTICULARS OF THE STACKS

Sl. No.	Nature / Type of mineral	Quarry No. / Beneficiation Plant site.	Stack No.	Measurement of Stack	Cubic content	Quantity in tonne (Approx)	Grade of the Mineral	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Yours faithfully,

(Signature and designation of applicant)

Place

Date

Where Inspector of Mines is authorised to issue permits, it may be addressed to him. Strike off which is not necessary.

FORM B
[See Rule 4 (a)]

Certified that samples from the following stacks of (Mineral) at (Mines)/ Beneficiation Plant / Site have been made by the Owner/ Agent / Manager of Mines in my presence.

PARTICULARS OF THE STACKS

Sl. No.	Nature / Type of mineral	Quarry No. / Beneficiation Plant site	Stack No.	Measurement of Stack	Cubic content	Quantity in tonne (no) (Approx)	Grade of the Mineral	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Signature of Owner/ Agent / Manager Mines.

Date

Signature and designation of Certifying Officer and date

झारखण्ड गजट (असाधारण), शुक्रवार 10 फरवरी, 2006

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FORM 'C'
(See Rule 4)
TRANSIT PERMIT

The Owner/Agent/Manager Mines.

Dear Sir (s),

With reference to your application dated I am to inform you that you are hereby
allowed to remove the Minerals from the following stacks at your Mines.

PARTICULARS OF THE STACKS

Sl. No.	Quarry No./ Beneficiation Plant site	Stack No.	Nature / Type of mineral	Cubic content	Grade	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

The following stack (s) shall not be removed for the reasons given below: -

- 1.
- 2.
- 3.

Signature and designation of the Issue Officer
Date: -

01	02	03	04	05	06	07	08	09	10	11
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FORM "D"-TRANSPORT CHALLAN

[See Rules 3 and 7(a)]

(See section 23 C of Mines & Minerals (Development & Regulation) Act, 1957)

ORIGINAL (NOT TRANSFERABLE)

Serial Number

Date :

Transportation for Inter State/Intra State

(To be filled in by the Lessee before transport of mineral)

1. Name and Address of the Lessee/Permits.....
 2. Detail of the leasehold land Lessee/Permits.....
 3. Mineral (Name)
 4. Name and address of the purchaser to whom material has been sold and supplied.....
 5. Quantity (in Tonnes)
 6. Vehicle No.....
 7. Name & address of Vehicle owners.....
 8. Name and address of the Driver in case the Minerals is to be transported by Road.....
 9. Place of delivery of material..... Route :
 10. Date of dispatch of Material Time.....
- I/We here by declare that the above statements are correct and complete to the best of my/our Knowledge and belief.

Seal of Competent Officer

Signature of the Lessee/Permit holder

01	02	03	04	05	06	07	08	09	10	11
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RESULT OF CHECKING IN ROUTE

Designation and head quarters of the authority by whom the transport of the mineral was checked	Description of mineral	Quantity of the Mineral actually transported	Dated signature of the authority mentioned in column-1 and place of checking

Note-(1) Separate form should be used for each consignment.

(2) (a) In case of transport across or beyond check post a copy of the form should accompany the consignment.

झारखण्ड राज्यपाल के आदेश से
अरुण कुमार सिंह,
सरकार के सचिव।