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## **Madhya Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2006**

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भोपाल, दिनांक 15 मई 2006

क्र. एफ 19-67-2002-बारह-2,- भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, इस विभाग की अधिसूचना सम क्रमांक दिनांक मई 2006 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार

डा. देव राज बिरदी, सचिव

Bhopal, the 15 May 2006

No. F 19-67-2002-XII-2, - In exercise of the powers conferred by section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (No. 67 of 1957), the State Government hereby makes the following rules, namely: -

## **CHAPTER-I**

### **PRELIMINARY**

#### **1. Short title, extent and commencement.**

- (1) These rules may be called the Madhya Pradesh Minerals  
(Prevention of Illegal Mining, Transportation and Storage) Rules,  
2006.
- (2) They extend to whole state of Madhya Pradesh.
- (3) They shall come into force from the date of publication of this  
notification in the Official Gazette.

## 2. **Definitions.**

In these rules, unless the context otherwise requires,

- (a) “Act” means the Mines and Minerals (Development and Regulation) Act, 1957 (No. 67 of 1957);
- (b) “Authorised Person” means Director, Joint Director, Deputy Director, Officer Incharge(Flying Squad) for the entire State and Collector, Additional Collector of senior I.A.S. scale, Additional Collector and Joint Collector, Deputy Collector, Tahsildar, Naib Tahsildar of State Administrative Service, Officer Incharge of the Mining Section of the concerned District Collectorate, Mining Officer, Diamond Officer, Assistant Mining Officer, Mining Inspector and Mining Surveyor of the district concerned within their respective jurisdiction or any other person authorised by the Government;
- (c) “Carrier” means any mode by which mineral/minerals or its products are transported from the place of raising or from one place to another by way of mechanised device; excluding railway wagons, aerial ropeway, conveyor belt;
- (d) “Collector” and “Additional Collector” of senior I.A.S. scale have the same meaning respectively assigned to them in the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959);

- (e) “Director” means Director of Geology and Mining, Madhya Pradesh and Joint Director, Deputy Director, Mining Officer, Diamond Officer, Assistant Mining Officer, Mining Inspector and “Mining Surveyor” means the respective Officers of the Directorate of Geology and Mining, Madhya Pradesh;
- (f) “Form” means the form appended to these rules;
- (g) "Government" means the State Government of Madhya Pradesh;
- (h) “Licence” means a mineral dealer licence granted under these rules;
- (i) “Licensee” means holder of a mineral dealer licence granted under these rules for the purpose of transporting, storing and trading mineral/minerals or its products;
- (j) “Licensing Authority” means Collector, Additional Collector of senior I.A.S. scale or any other Officer to whom the State Government may by notification in the Official Gazette authorise for the purpose of granting or renewing a mineral dealer licence;
- (k) Words “Mineral”, “Reconnaissance Permit”, “Prospecting Licence” and “Mining Lease” shall have the same meaning , as assigned to them in the Act;
- (l) “Mineral Product” means bricks, roofing tile, lime, dressed stone, block, slabs, tiles, chips, ballast, stone dust; and/or any product to be

prepared from mineral/minerals without involving any chemical changes.

- (m) “Officer Incharge” means the Officer Incharge of the Check Post appointed by the Collector;
- (n) “Scientific test” means any test conducted for geological, mineralogical or chemical analysis of minerals and rocks exclusively for academic and research purpose without any commercial motive;
- (o) “Stockyard” means a place where the mineral/minerals and / or its products are stored and stocked for commercial purposes outside the lease area;
- (p) “Transit Pass” means a pass issued by an officer authorised under the provisions of these rules or under the Madhya Pradesh Minor Mineral Rules, 1996 for lawful transportation of any mineral/minerals and or its products from the lease area or from one place to another by a carrier;
- (q) The words used but not defined in these rules shall have the same meaning as assigned to them in the Act or rules framed there under.

### **3. Prohibition.**

- (1) No person shall transport or cause to be transported any

mineral/minerals or/and its products by any carrier from the place of raising or from one place to another without having a valid Transit Pass issued under these rules;

Provided that no such Transit Pass shall be required in case of any mineral/minerals or its products are being transported directly from the lease area by means of a mechanical device viz. railway wagon or aerial ropeway or conveyor belt.

- (2) No person shall store or cause to be stored for commercial purposes or trade any mineral/minerals or its products outside the mine/quarry area without holding a valid Licence granted by the Licensing Authority under these rules.

#### **4. Exceptions.**

Nothing in these rules shall apply to -

- (1) the transportation or storage of clay or sand by hereditary Kumhar, a member of Scheduled Caste or a member of Scheduled Tribe or Cooperative Society of such Kumhars or members of Scheduled Caste or Scheduled Tribe for preparing tiles, pots or bricks by traditional means but not by the process of manufacture in kilns or by way of any mechanical devices from the area that the Gram Shabha may decide and earmark within its respective jurisdiction for this purpose.

- (2) the transportation or storage of minor minerals which is done not for sale but for the purpose of construction or repairs of wells or other agricultural works or for the improvement of the dwelling house of agriculturist, village artisans and labourers residing in the villages.
- (3) the transportation or storage of minor minerals quarried from the Government Lands for public works by Gram Panchayats, Janpad Panchayats and Zila Panchayats for the works undertaken by respective Panchayats.
- (4) the transportation and storage of minerals and rocks for the purpose of scientific tests.

## **CHAPTER-II**

### **5. TRANSPORTATION OF MINERALS AND ITS PRODUCTS.**

- (1) The holder of a quarry lease, quarry permit and trade quarry shall obtain transit Pass Book from concerning officer and issue a Transit Pass to accompany every carrier for every trip carrying mineral or its product from the lease/quarry area in the manner as prescribed in the Madhya Pradesh Minor Mineral Rules, 1996.
- (2) (i) The holder of a reconnaissance permit, prospecting licence, mining lease for transportation of a mineral or its products from the permit/licence/lease area, as the case may be, shall make an application in Form-1 to the Officer Incharge of the Mining Section of concerned District Collectorate. The cost of the Transit Pass Book and the royalty due of the mineral to be transported shall be deposited in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7 and the original treasury challan shall be attached with the Form-1;
- (ii) The Transit Passes for mineral concession holders shall be prepared in duplicate in Form-2 and serial number to be machine printed. Each transit pass shall clearly contain date,



time and quantity of mineral both in figures and words along with name and dated signature of the authorized person issuing the pass.

- (iii) before issue of the transit pass book , the transit passes shall be stamped with official seal on the reverse and the first and last page of the first copy of the transit pass book shall be signed with date on reverse by Officer Incharge of Mining Section of the concerned District Collectorate certifying the total number of transit passes in the book:
- (iv) the duplicate copy of the Transit Pass shall be issued by the permit/licence/lease holder, as the case may be and accompany every carrier for every trip carrying the mineral or its products from the permit/licence/lease area, as the case may be. The copy shall be made by the carbon process and the original copy of the Transit Pass shall be retained in the Transit Pass Book;
- (v) after the first issue of Transit Pass Book, the subsequent issue shall be made on submission of used Transit Pass Book;
- (vi) on receipt of the used Transit Pass Book, the Officer Incharge of the mining section of concerned district Collectorate shall get its original copy of the Transit Pass checked in the office

with regard to the material entries and after checking and verifying the same shall be returned to the permit/licence/lease holder, as the case may be, after stamping the rubber stamp marked as “CHECKED” and signing the same by an officer not below the rank of Mining Inspector.

- (3). (i) The holder of a Mineral Dealer Licence for transportation of mineral or its products from the stockyard shall make an application in Form-3 to the Officer Incharge of the Mining Section of the concerned district Collectorate. The cost of the Transit Pass Book shall be deposited in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7 and the original treasury challan shall be attached with the Form-3.
- (ii) the Transit Pass for mineral dealer licensee shall be prepared in duplicate in Form-4 and serial number to be machine numbered. Each transit pass shall clearly contain date, time and quantity of mineral both in figures and words along with name and dated signature of the authorised person issuing the pass.
- (iii) before issue of the Transit Pass Book, the Transit Passes shall be stamped with official seal on the reverse and the first and

last page of the first copy of the Transit Pass Book shall be signed with date on the reverse by the Officer Incharge of the mining section of the concerned district collectorate certifying the total number of Transit Passes contained in the book;

- (iv) the duplicate copy of the Transit Pass shall be issued by the Licensee to accompany every carrier for every trip carrying the mineral or its product from the stockyard. The copy shall be made by the carbon process and the original copy of the Transit Pass shall be retained in the Transit Pass Book;
- (v) after the first issue of Transit Pass Book, the subsequent issues shall be made on submission of used Transit Pass Books;
- (vi) on receipt of the used Transit Pass Books, the Officer Incharge of the mining section of concerned district collectorate shall get original copy of the Transit Pass checked in the office with regard to the material entries and after checking and verifying the same shall be returned to the Licensee after stamping the rubber stamp marked as “CHECKED” and signing the same by a person not below the rank of Mining Inspector or Mining Surveyor;

### **CHAPTER-III**

#### **6. Establishment of check posts and weighment and inspection of minerals in transit.**

- (1) If the State Government considers it necessary to do so with a view to check the transportation and storage of minerals without lawful authority, it may direct the setting up of the check posts at any place or places within the State by an order in writing. The setting up of a check post shall be notified in the Official Gazette;
- (2) An authorised person may check any carrier transporting any mineral or its product at any place and the person in charge of the carrier shall furnish to him/her a valid transit pass and other particulars such as bill or receipt or delivery note etc. on demand by the authorised person;
- (3) At every check post set up under sub-rule (1) or at any place when so required by the authorised person or the Officer Incharge of the check post, the person in charge of the carrier shall stop the carrier for examination of the mineral or its product in transit and allow inspection of all records and documents relating to mineral or its product in possession of such person. The person in charge of the carrier shall, if so required by the authorised person or the Officer Incharge of the check post, furnish his/her name and address as also

that of the owner of the carrier and the name and address of both the consignor and the consignee and the other particulars asked for. After checking the mineral or its products, if the authorised person or the Officer Incharge of the check post is satisfied that the mineral or its product is being transported under a valid Transit Pass, the authorised person or the Officer Incharge of the check post, as the case may be, put his/her signature on the Transit Pass.

- (4) If the authorised person or the Officer Incharge of the check post or barrier has reason to believe that the mineral or its product being transported is not covered by the Transit Pass or the Transit Pass is found to be tampered or the transportation is found to be without any Transit Pass, the authorised person or Officer Incharge of the check post shall have power to seize the mineral or its products along with the carrier;
- (5) The authorised person or Officer Incharge of the check post shall give a receipt of such mineral or its product and the carrier seized, to the person, from whose possession or control it is seized;
- (6) The authorised person or Officer Incharge of the check post may direct the person incharge of the carrier to take the carrier transporting the mineral or its product to the nearest police station or any other place. If the person in-charge of the carrier refuses to take

the carrier transporting mineral or its product to the nearest police station or the place asked for, the authorised person or Officer Incharge of the barrier may seize the mineral or its products along with carrier and take the same in his/her possession.

- (7) If the authorised person or Officer Incharge of the check post has reasons to believe that the weight recorded in the Transit Pass is not correct, he shall direct the person incharge of the carrier to take the carrier transporting the mineral or its products to the nearest weigh bridge.

## **CHAPTER-IV**

### **GRANT OR RENEWAL OF MINERAL DEALER LICENCE**

**7. Application for grant or renewal of a Mineral Dealer Licence.**

- (1) An application for the grant or renewal of a Licence for transportation, storing and trading of mineral/minerals or its products outside the lease/mine/quarry area shall be made to Licensing Authority of the concerned district in Form-5.
- (2) An application for the grant or renewal of a Licence shall be affixed with a court fee stamp of value of Rupees Five only.
- (3) Every application for the grant or renewal of a Licence shall be accompanied by,
  - (a) a non-refundable application fee of Rupees One Thousand only to be deposited in the government treasury under the revenue receipt head :-  
  
0853- Mines and minerals  
  
102-C - Mineral concession fees, rent and royalties.  
  
800- Other receipts.

002 - Receipts from minor minerals including fines, forfeitures,

and the original treasury challan shall be attached with the Form-5:

Provided that if the applicant is a member of Scheduled Tribe/Scheduled Caste/ Other Backward Classes, he/she shall deposit a non-refundable application fee of Rupees One Hundred only in the same manner.

- (b) an up to date “No mining dues Certificate” issued by the Mining Officer or the Officer Incharge of the Mining Section of the concerned district collectorate. In case the applicant is a partnership firm or a private limited company, such certificate shall be furnished by all the partners of the firm or by all the members of the private limited company, as the case may be.

Provided that if a person has furnished an affidavit to the satisfaction of the Licensing Authority stating that the applicant does not hold and has not held any mineral concession licence and/or Mineral Dealer Licence in the State, it shall not be necessary for that person to produce the said certificate:



Provided further that submission of the said certificate under sub-clause (b) above shall not discharge the person from the liability to pay the mining dues which may subsequently be found to be payable by the said person under the Act or Rules framed there under to the State Government.

- (c) an affidavit stating that the applicant has-
  - (i) filed up to date Income Tax returns;
  - (ii) paid the Income Tax assessed; and
  - (iii) paid the Income Tax on the basis of self-assessment, as provided in the Income-Tax Act, 1961.
- (d) a sales tax registration certificate where ever applicable and an affidavit that no sales tax due to the State Government is outstanding.
- (e) an affidavit showing details of Mineral Concession licence and/or mineral dealer licence held or being held by the applicant in the State or by any other person/persons jointly with the applicant;
- (f) where the land is not owned by the applicant, an affidavit to the effect that he/she has obtained the surface right or the

consent of the owner for storing and trading the mineral/minerals and/or its products.

Provided that no such affidavit shall be necessary where the land is owned by the State Government.

- (g) two copies of the certified maps and the latest revenue record of the area proposed to be used as stockyard, where the applicant intends to store and trade mineral/minerals or its products;

**8. Status of the grant on the death of applicant for Licence-**

Where an applicant who applied for grant or renewal of a Licence dies before the order granting or renewing a Licence is issued, the application for the grant or renewal of Licence shall be deemed to have been made by the legal heir/heirs of the applicant.

**9. Officer authorised to receive applications –**

The Mining Officer/Assistant Mining Officer or Officer Incharge of the Mining Section of the concerned district collectorate shall receive the application and shall enter on it the date and time on which the application was received by him/her.

**10. Acknowledgement of application –**

- (1) Where an application for grant or renewal of a Licence is delivered personally, its receipt shall be acknowledged forthwith and where such application is received by the registered post, its receipt shall be acknowledged within a period of seven days.
- (2) The receipt of application for grant or renewal of Licence shall be acknowledged in Form-6.

**11. Register of application for Licence.**

- (1) The register of application for grant or renewal of a Licence shall be maintained by the Mining Officer /Assistant. Mining Officer or Officer Incharge of the mining section of the concerned district collectorate in Form-7.
- (2) The register of application for grant or renewal of a Licence shall be open for the inspection by any person on payment of following non refundable fee: -
  - (a) Rupees Fifty only for the first hour or part thereof.
  - (b) Rupees Twenty Five for next subsequent hours or part thereof:

Provided that the inspection fee shall be deposited in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7

and the original treasury challan shall be attached with the application for inspecting the same in Form-8.

**12. Renewal of Licence.**

An application for renewal of a Licence shall be made to the Licensing Authority of the concerned district at least three months before the date on which the Licence is due to expire.

Provided that the Licensing Authority may condone the delay in submission of application for renewal of Licence after the time limit prescribed, if the applicant satisfies the Licensing Authority that he/she has sufficient cause for not filing the application for renewal in time, provided that the application for the renewal has been made before the expiry of the Licence.

**13. Disposal of application for the grant or renewal of a Licence.**

- (1) The Licensing Authority after making such inquiries, as he/she may deem fit, may grant or renew the Licence and shall issue such licence in Form-9 or refuse to grant or renew the Licence:

Provided that the Licensing Authority shall not refuse to grant or renew a Licence for the whole or part of the area applied for without giving an opportunity of hearing to the applicant and without recording the reasons for refusal in writing and communicating the reasons for refusal in writing to the applicant.

- (2) No application for grant or renewal of a Licence submitted under rule-7 shall be refused only on the ground that Form-5 is not complete in all material particulars or is not accompanied by the documents referred to in Rule-7.
- (3) Where it appears that the application is not complete in all material particulars or is not accompanied by the documents referred in Rule-7, the Licensing Authority shall, by notice, inform the applicant to supply the omission or, furnish the documents without delay as the case may be, and in any case not later than thirty days from the date of receipt of the said notice by the applicant;
- (4) If an application for renewal of Licence made within the time referred to in rule 12 is not disposed by the Licensing Authority before the date, on which the Licence is due to expire, the period of such Licence shall be deemed to have been extended by a further period, for which the Licence was granted till the Licensing Authority passes order thereon;
- (5) The Licensing Authority may at his /her own discretion, may refuse to grant or renew a Licence to such person, who is convicted of any offence under the Act/or Rules made there under.

**14. Security Deposit.**

An applicant shall deposit as security for the due observance of the terms and conditions of the Licence a sum of Rupees Five Thousand only within seven days from the date of intimation for grant or renewal of a Licence by the Licensing Authority in the same manner, as prescribed in Clause (a) of sub rule (3) of Rule 7:

Provided that if the Licensee is a member of Scheduled Tribe/ Scheduled Caste/ Other Backward Classes, he/she shall deposit a security of Rupees Five Hundred only in the same manner, as prescribed in clause (a) of sub-rule (3) of Rule-7.

**15. Register of Licence.**

A register for Licence shall be maintained by the Mining Officer / Assistant Mining Officer or by Officer Incharge of the Mining Section of the concerned district collectorate in Form-10.

**16. Period for which Licence may be granted or renewed.**

- (1) The maximum period for which a Licence may be granted shall not exceed five years but the minimum period for which a licence may be granted shall not be less than three years.
- (2) A Licence may be renewed for a period not exceeding the period for which it was originally granted.

**17. Conditions of a Licence.**

- (1) Every Licence granted under these rules shall, in addition to any other conditions, that may be specified therein, be subject to the following conditions, namely -
- (i) the Licensee shall keep accurate and faithful accounts showing the quantity and other particulars of the mineral/minerals and/or its products received and dispatched from the stockyard in the register prescribed in Form-11;
  - (ii) the Licensee shall submit monthly returns to the Licensing Authority in Form-12;
  - (iii) the Licensee shall issue transit pass for every carrier transporting any mineral or its products from the stockyard;
  - (iv) the Licensee shall keep the record of the name, nationality, age, sex and address of the persons employed;
  - (v) the Licensee shall not pay wages less than the minimum wages prescribed by the Central and State Government from time to time under the Minimum Wages Act, 1948;
  - (vi) the Licensee shall allow any authorised person to-

- (a) enter and inspect the stockyard including mineral processing unit, if any, building, office or any relevant premises;
  - (b) survey, weigh, measure or take measurements of the stocks of mineral/minerals and/or its products lying at the stockyard;
  - (c) examine any documents, books, registers or relevant record in the possession of the licensee or any other person having the control thereof or connected therewith and take extracts from or make copies of such documents, books, registers or record.
  - (d) examine the Licensee or any person having the control thereof or connected there with;
  - (e) collect any other relevant information;
  - (f) collect samples of any mineral/minerals and/or its products.
- (vii) The Licensee shall display the licence prominently at the stockyard or at his/her normal place of business. If at any time the Licence granted under these rules is lost or destroyed, the Licensee shall forthwith report the fact in



writing to the Licensing Authority narrating the circumstances in which the Licence was lost or destroyed and shall request in writing for a duplicate copy of the Licence.

The Licensing Authority after making such inquiries, as he/she may deem fit, issue a duplicate Licence provided the Licensee pays a sum of Rupees Five Hundred only in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7.

Provided that if the Licensee is a member of Scheduled Tribe/Scheduled Caste /other backward classes, he/she shall deposit a sum of Rupees Fifty only in the same manner.

The Licence so issued shall be signed and stamped with the word “DUPLICATE” by the Licensing Authority.

(2) Powers of the Government/ Licensing Authority:-

In the case of breach of any conditions specified in sub-rule (1) by the Licensee, the State Government/ Licensing Authority shall give a notice in writing to the Licensee asking him/her to show cause why he/she should not be penalised and/ or the Licence should not be cancelled for the breach committed directing him/her to remedy the breach within thirty days from the date of receipt of said notice and if the Licensee fails to show proper cause and/or if the breach is

not remedied within such period, the Licensing Authority, without prejudice to any other action may determine the Licence and/or forfeit the whole or part of the security deposit:

Provided that no such action shall be taken without giving an opportunity of being heard to the Licensee.

## **CHAPTER-V**

### **18. PENALTY FOR UNAUTHORISED TRANSPORTATION OR STORAGE OF MINERALS AND ITS PRODUCTS**

- (1) Whenever any person is found transporting or storing any mineral or its products or on whose behalf such transportation or storage is being made otherwise than in accordance with these rules, shall be presumed to be a party to the illegal transportation or storage of mineral or its products and every such person shall be punishable with simple imprisonment for a term, which may extend to one year or with fine, which may extend to Rupees Five Thousand or with both;
- (2) whenever any person is found transporting or storing any mineral or its products in contravention of the provisions of these rules, the authorised person may seize the mineral or its products together with tools, equipment and carrier used in committing such offence;
- (3) the authorised person seizing illegally transported or stored mineral or its products, tools, equipments and carrier shall give a receipt of the same to the person, from whose possession such things were so seized and shall make report to the Magistrate having jurisdiction to try such offence;
- (4) The property so seized under sub-rule (2) may be released by the authorised person, who seized such property on execution of a bond

to the satisfaction of the authorised person by the person, from whose possession such property was seized on the condition that the same shall be produced at the time and place, when such production is asked for by the authorised person:

Provided that where a report has been made to the Magistrate under sub-rule (3), then the property so seized shall be released only under the orders of such Magistrate;

- (5) The Authorised Person not below the rank of Collector, Additional Collector of Senior IAS scale, Director, Joint Director, Deputy Director and Officer Incharge (Flying Squad) may before reporting to the Magistrate, compound the offence so committed under sub rule (1) on payment of such fine, which may extend to double the market value of mineral or its products or Rupees Five Thousand, but in any case it shall not be less than Rupees One Thousand or ten times of royalty of minerals so seized, whichever is higher:

Provided that in case of continuing contravention, the authorised Person, not below the rank of Mining Officer in addition to the fine imposed may also recover an amount of Rupees Five Hundred for each day till the contravention continues;

- (6) all property seized under sub-rule (2) shall be liable to be confiscated by order of the Magistrate trying the offence, if the amount of the fine and other sum so imposed are not paid within a period of one month from the date of order:

Provided that on payment of such sum within one month of the order, all property so seized, except the mineral or its products shall be released and the mineral or its products so seized under sub-rule (2) shall be confiscated and shall be the property of the State Government;

- (7) the authorised person may, if deemed necessary, request the Police Authority in writing for the help of Police and the Police Authorities shall render such assistance, as may be necessary to enable the authorised person to exercise the powers conferred on him/her under these rules to stop illegal transportation or storage of minerals.

## **CHAPTER-VI**

### **APPEAL AND REVISION**

**19. Appeal.**

- (1) Any person aggrieved by an order of the Licensing Authority in exercise of the powers conferred on it by these rules, may, within sixty days of the date of communication of the order to him/her, appeal to the Divisional Commissioner in Form-13. The appellant shall deposit a fee of Rupees One Thousand only in the same manner as prescribed in Clause (a) of sub-rule (3) of rule 7 and attach the original treasury challan along with Form-13:

Provided that if the appellant is a member of Scheduled Tribe/Scheduled Caste/Other Backward Classes, he/she shall deposit a fee of Rupees One Hundred only in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7 and attach the original treasury challan along with Form-13:

Provided further that any such appeal may be entertained by the Appellate Authority after the said period, if the Appellant satisfies him/her that he/she has sufficient reason for not filing the application in time.

- (2) Where an application for appeal is made under these rules, the Appellate Authority may confirm, modify or set aside the order

passed by Licensing Authority or pass such other order in relation thereto, as it may deem just and proper:

Provided that no order shall be passed against any person interested, unless he/she has been given an opportunity to represent his /her case:

Provided further that the Appellate Authority may at any time direct that the execution of the order appealed against be stayed for such time, as it may deem fit.

**20. Revision-**

- (1) Any person aggrieved by an order passed in an appeal under these rules, may file an application for revision before the State Government within Sixty days of the date of communication of the order in Form-13. The revisioner shall deposit a fee of Rupees One Thousand only in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7 and attach the original treasury challan along with Form-13:

Provided that if the revisioner is a member of Scheduled Tribe / Scheduled Caste/Other Backward Classes he/she shall deposit a fee of rupees One Hundred only in the same manner, as prescribed in Clause (a) of sub-rule (3) of Rule 7 and attach the original treasury challan along with Form-13:

Provided further that any such application for revision may be entertained by the Revisional Authority after the said period, if the revisioner satisfies him/her that he/she has sufficient reason for not filing the application for revision in time.

- (2) Where an application for revision is made under these rules, the Revisional Authority may confirm, modify or set aside the order passed by the Appellate Authority or pass such other order in relation thereto, as it may deem just and proper:

Provided that no order shall be passed against any person interested, unless he/she has been given an opportunity to represent his/her case.

Provided further that the Revisional Authority may at any time direct that the execution of the order passed by Appellate Authority be stayed for such time, as it may deem fit.

**21. Repeal and Saving –**

The Mineral Transit Pass Regulation, 1996 shall stand repealed on coming into force of these rules:

Provided that any action taken or order passed under the said Regulation so repealed, shall be deemed to have taken or passed under these rules.

**By order and in the name of  
the Governor of Madhya Pradesh**

**Dr. Dev Raj Birdi, Secretary**



## FORM-1

(See Rule 5 (2) (i))

### Application for issue of Transit Pass Books for the Mineral Concession Holders.

1. Name and address of Reconnaissance Permit./Prospecting Licence/Mining Lease holder .....
2. Particulars of Permit/Licence/Lease : Tehsil.....Village.....  
Khasra number.....area.....
3. Period of Lease from..... to.....
4. Name of mineral to be transported.....
5. Quantity of mineral to be transported.....(in tonne/in cubic meter)
6. Mode of transport.....
7. Period within which the applicant desires to transport the mineral.....
8. Royalty of Rs.....paid vide challan No.....date.....
9. Cost of Transit Passbook Rs.....paid vide challan no.....date.....

Enclosure : As per serial no. 8 and 9.

Place.

Signature

Date :

Name of the Applicant.

## FORM-2

(See Rule 5 (2) (ii))

### TRANSIT PASS FOR MINERAL CONCESSION HOLDERS

Book No. ....

Pass No. ....

Name of the Mine ..... District .....

Name of the Mineral/Ore .....

Grade and purpose for which sold .....

Name of lessee/lessees .....

Date ..... Time .....

Name of the person/Firm/Company, to whom the mineral/ore is sold .....

.....

Destination .....  
(Give full details)

Quantity (Cubic Meter.) .....

Weight of the Mineral (Tonnes) .....

Name of the Carrier owner ..... Carrier No. ....

**Name & signature of the  
person issuing the pass  
with date.**

**Name & signature  
of the carrier  
driver with date.**

**Name & signature  
of the checking  
staff with date.**

**Name, Address and signature of the  
person receiving in the destination  
with date.**

#### Remarks --

1. All entries should be without any overwriting and should be clearly readable.
2. Duplicate copy should be handed over to the Driver of the Carrier and Original copy be retained in the transit pass book.
3. Omission to record date and/or time or any over writing in the transit pass book shall be punishable.
4. Separate transit pass should be issued to the Carrier for each. trip."

**FORM-3**  
**(See Rule 5 (3) (i))**

**Application for Issue of Transit Pass Books to Mineral Dealer licence holder**

1. Name and address of Licensee.....
2. Particulars of Licence.....
3. Period of Licence.....
4. Name of mineral to be transported.....
5. Quantity of mineral to be transported..... (in tonne/cubic meter)
6. Mode of Transport.....
7. Period within which the applicant desires to transport the mineral.....
8. Cost of Transit Pass Book Rs.....paid vide challan No....date...

Note : Enclosure as per serial No.8.

Place

Signature

Date :

Name of Applicant.

## FORM-4

(See Rule 5 (3) (ii))

### TRANSIT PASS FOR MINERAL DEALER LICENSEE

Book No. .... Serial No.....  
District .....

Name and Address of Licensee.....

Particulars of Licence No..... Validity (Date) From ..... To (Date).....

Name of Mineral(s) / Products.....

Name of consignor.....

Date and time of despatch from stockyard Date .....  
Time (AM).....(PM) (In figures and words)

Destination of despatch.....

Quantity of mineral.....(in tonne/cubic meter).  
(In figures and words)

Sale value of mineral.....

Name of the carrier owner.....

Carrier No.....

Name and signature of  
the Person issuing the  
transit pass with date

Name and signature  
of the carrier driver  
with date

Name and signature of  
the checking Staff

#### Remark :

1. All entries should be without any overwriting and should be clearly readable.
2. Duplicate copy should be handed over to the Driver of the carrier and original copy be retained in the transit passbook.
3. Omission to record date and/or time or any overwriting in the transit passbook shall be punishable.
4. Separate transit pass should be issued to the Carrier for each trip.

## FORM-5

(See Rule 7 (1))

### APPLICATION FOR GRANT OR RENEWAL OF LICENCE

(TO BE SUBMITTED IN DUPLICATE)

Received at.....(place) on the.....day of.....month... .. year

Here affix court fee stamp

From .....

.....

.....

To,

THE GOVERNMENT OF MADHYA PRADESH

Through : THE COLLECTOR

DISRTICT....., MADHYA PRADESH.

Sir,

1. I/We request for the grant/renewal of Mineral Dealer licence for a term of.....years
2. A sum of Rs.....as application fee payable under these rules has been deposited vide challan No.....dated.....at place.....
3. The required particulars are given below :
  - (i) Name of the applicant with complete address.....

- (ii) Caste of the applicant (if applicant is the member of Scheduled Caste/Scheduled Tribe/Other Backward Classes, then enclose certified copy of caste certificate)
- (iii) Is the applicant is an Individual/Private company/Public company/Firm or Association.
- (iv) Profession or nature of business of applicant.....
- (v) No Mining Dues Certificate (copy attached).....
- (vi) If on the date of application, the applicant does not hold any mineral concession/licence in the state furnish an affidavit for the same.....
- (vii) Mineral/minerals or its products, for which the applicant intend to hold licence.....
- (viii) An affidavit that upto date income tax return, as prescribed in Income Tax Act, 1961, has been filed and the tax due, including the tax on account of self assessment, has been paid.....
- (ix) Sales tax certificate, wherever applicable and an affidavit that no sales tax due is outstanding.....
- (x) An affidavit showing details of mineral concession licence held or being held in the State by any other person/persons jointly with the applicant.....
- (xi) Details of the land on which applicant desires to store or trade the mineral/minerals or its products. Where the land is not owned by the applicant, an affidavit to the effect that he/she has obtained the surface right or the consent of the owner.

- (xii) Enclose the certified map and latest revenue record of the land intended to be used for storing mineral/minerals or its products (two copies)
- (xiii) Any other details that applicant desires to submit .....

Signature of the Applicant

Name

Address

**FORM-6**

**(See Rule 10 (2))**

**Acknowledgement of Application for Grant or**

**Renewal of Mineral Dealer Licence**

S.No. ....

Date : .....

Received the application for the grant/renewal of Mineral Dealer Licence  
with following enclosure from Shri ..... on .....  
for the mineral(s)/products.....

Enclosure :

.....

Signature of receiving

Officer with seal of office



## **FORM-7**

**(See Rule 11(1))**

### **Register of Application for Mineral Dealer Licence**

1. Serial No.. .....
2. Date of application of Licence. ....
3. Date of receipt of application. ....
4. Name of the applicant with full address. ....
5. Name of the mineral/product applied for. ....
6. Period for which grant/renewal of licence is applied. ....
7. Application fee paid vide challan no.....date.....
8. Final disposal of the application together with number and date of the order
9. Signature of the Officer.

## **FORM-8**

**(See Rule 11(2))**

### **Form of application for inspecting register of application of Mineral Dealer Licence**

1. Name of the Applicant.....
2. Full address of applicant.....
3. Date of application.....
4. Purpose of inspection.....
5. Date and period required for inspection.....
6. Inspection fee as per Rule 11(2)(a)/(b) (enclose original challan).....

Place :

Date :

Signature

(Name of Applicant)

**FORM-9**  
**(See Rule 13)**  
**MINERAL DEALER LICENCE**  
**GOVERNMENT OF MADHYA PRADESH**  
**OFFICE OF THE COLLECTOR**  
**DISTRICT.....(M.P.)**

No.....

Date.....

Mineral Dealer licence is hereby granted under the Madhya Pradesh Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2004 in favour of Shri .....resident of .....for stocking the following Mineral (s) / Products at the stockyard indicated below, for the period commencing from .....to.....

**Mineral(s) / Products**

- 1.
- 2.
- 3.
- 4.

**Location of Stockyard:**

Licensing Authority  
Name  
Designation.  
Seal of Office

## **FORM-10**

**(See Rule 15)**

### **Register of Mineral Dealer Licence**

1. Serial Number.
2. Name of the Licensee
3. Full Address
4. Name of Mineral(s) / Products
5. Location of stockyard.
6. Number and date of Grant/Renewal of Licence.
7. Period of Licence.
8. Remarks.
9. Signature of the Officer.

## **FORM-11**

**(See Rule 17(1)(i))**

### **Stock Register to be maintained by Mineral Dealer Licensee**

1. Name and address of holder of licence.
2. Location of stockyard.
3. Name of Mineral(s) / Product
  - (a) Serial Number.
  - (b) Date
  - (g) Opening balance.....( in tonnes/cubic meter)
  - (h) Quantity of mineral received..... (in tonnes/cubic meter)
  - (i) Name of the party from which the mineral is obtained.
  - (j) Transit passbooks used to transport the mineral(s) / products to stockyard- Book No., Serial No., Date.
  - (k) Total stock .....(in tonnes/cubic meter).
  - (l) Quantity of Mineral despatched from stockyard..... (in tonne/cubic meter)
  - (m) Name of party to whom mineral was sold.
  - (n) Transit Pass Books used to transport the minerals from the Stockyard- Enter Book No..., Serial No..., Date.....
  - (o) Closing stock.....( in tonnes/cubic meter).
  - (p) Remarks.

## FORM-12

(See Rule 17(1)(ii))

### Form of Monthly Return for Mineral Dealer Licensee

Return for the Month of.....

(To be furnished upto 10<sup>th</sup> day of ensuing month)

1. Name of the Licensee.....
2. Address of Licensee.....
3. No. of Licence.....
4. Period of Licence from.....to.....
5. Location of stockyard.
6. Name of Mineral(s) for which licence is granted.....

-----

- (a) Name of Mineral.....
- (b) Opening stock------(in tonnes/cubic meter).
- (c) Quantity of mineral received.....(tonnes/cubic meter).
- (d) Total stock in the stockyard.....(tonnes/cubic meter)
- (e) Quantity of Mineral despatched during the month .....(in tonnes/cubic meter).
- (f) Transit passes used during the month – Book No. ...  
Serial No.- From.....to.....
- (g) Balance of stock at the end of the month.....(in tonnes/cubic meter).

Date

Place:

Signature of Licensee.

## FORM-13

(See Rule-19 and 20)  
**Application for Appeal/Revision**  
(To be submitted in duplicate)

To,

The

.....

.....

1. Name and address of applicant.....
2. Caste of the applicant (If the applicant is a member of the Scheduled Tribe/Scheduled Caste/Other Backward Classes, then enclose the certified copy of caste certificate).....
3. Name of Authority, Number and date of order against which the appeal/revision application is filed. (Enclose certified copy of the order).....
4. Grounds of appeal/revision.....  
.....
5. Appeal/Revision Fee- Number and date of Treasury challan (enclose original treasury challan).....
6. In case the application of appeal / revision preferred after sixty days of the communication of the order, the reason of delay .....
7. Any additional information the applicant desires to furnish.....

Date  
Place

Signature of Applicant  
Name of Applicant