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Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018 (First Amendment) Rules, 2019

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**Uttar Pradesh Shashan
Bhootatva Evam Khanikaram Anubhag**

In pursuance of provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of following English translation of Notification no. ~~342~~-----/LXXXVI-2019-183/2011, dated 09.03.2019

Notification
No. ~~342~~-----/LXXXVI-2019-183/2011
Lucknow: Dated 09 March, 2019

In exercise of the powers under section 23-C of the Mines and Minerals (Development and Regulation Act, 1957 (Act no. 67 of 1957), read with section 21 of General clauses Act, 1897 (Act no. 10 of 1897) the Governor is pleased to make the following rules, with a view to amending the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018:

**THE UTTAR PRADESH MINERALS (PREVENTION OF ILLEGAL MINING,
TRANSPORTATION AND STORAGE)
(FIRST AMENDMENT) RULES, 2019**

Short title
and
commencement

1. (i) These rules may be called the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018 (First Amendment) Rules 2019

(ii) They shall come into force with effect from the date of their publication in the Gazette.

Amendment
of rule 4

2. In the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018 hereinafter referred to as the said rules, for Chapter 1 set out in column-I below, the rule as set out in column-II shall be substituted, namely:-

**COLUMN-I
(Existing rule)**

**COLUMN-II
(Rule as hereby substituted)**

4 Eligibility for grant of licence and storage of minerals –

(1) Every Person shall be eligible for grant of license except the following person:-

(a) a person who is not an Indian National;

(b) a company which is not the ambit of Companies Act, 2013:

(c) a person who is convicted by a court:

(d) a person whose license has been cancelled for violation of terms and condition of a previous licence

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(d) a person whose license has been cancelled for violation of terms and condition of a previous licence:



(2) The storage of mineral shall be permitted if :

(a) it is not within a radius of 10km from the source there of:

(b) it is not outside the lease/ permit area of a lease/permit holder;

(c) it is not stocked beyond the quantity specified in the licence;

(e) lessee in case of river bed minerals for the concerned district.

(2) the storage of mineral shall be permitted if :

(a) it is not within a radius of 05 km from the leased out area in case of river bed minerals:

(b) it is not stocked beyond the quantity specified in the licence;

Reseission
and
validation

5. In the said rules, after Rule 16 the following rule shall be inserted, namely:-

**Chapter-6
Repeal And Saving**

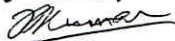
17, On the commencement of the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2019 ;

(a) the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 shall stand rescinded ;

(b) any reference to the Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 shall construed as the reference to the Uttar Pradesh Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018;

(c) not withstanding such recission the licenses issued under The Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2002 shall be valid for a period of 03 months from the commencement of the Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2018.

By order,


(Himanshu Kumar)
PRINCIPLE SECRETARY

N.B. :-

1- The Uttar Pradesh Minerals (Prevention of illegal Mining, Transportation and Storage) Rules 2018, issued vide notification no. 3091/LXXXVI-2018-183-2011 dated December 20, 2018 were published in the Uttar Pradesh Gazette dated December 20, 2018.

By order,


(Hriday Narayan Singh Yadav)
Under Secretary