

Rajasthan Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2006

RAJASTHAN

India

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Rule

RAJASTHAN-MINERALS-PREVENTION-OF-ILLEGAL-MINING-TRANSP of 2006

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Rajasthan Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2006Published vide Notification No. G.S.R. 60, dated 14.11.2006Last Updated 21st May, 2019G.S.R. 60. - In exercise of the powers conferred by Section 23-C of the Mines and Minerals (Development and Regulation) Act, 1957, the State Government hereby makes the following rules for prevention of illegal mining, transportation and storage of minerals and for the purposes connected therewith, namely:-

1. Short title, extent and commencement.

(1)These rules may be called the Rajasthan Minerals [Prevention of Illegal Mining, Transportation and Storage] Rules, 2006.(2)They shall extent to whole of the State of Rajasthan and shall apply to all Major and Minor minerals.(3)They shall come into force from the date of their publication in the Rajasthan Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise requires;(a)"Act" means the Mines and Minerals (Development and Regulation) Act, 1951, (Central Act 67 of 1957);(b)"Authorized Officer" means Director/Additional Director [Minesl/Superintending Mining Engineer/Superintending Mining Engineer [Vigilancel/Mining Engineer/Mining Engineer [Vigilancel/Assistant Mining Engineer of the Mines and Geology Department for their respective jurisdiction or any other officer authorized in this behalf by the State Government by notification in the Official Gazette;(c)"Dealer" means any

person who carries on the business by buying, selling, supplying, transporting, storing, distributing or processing of mineral or minerals/ores directly or otherwise for cash or for deferred payment or for commission, remuneration or other valuable consideration or uses mineral/s as an ingredient as a raw material;(d)"Department" means department of Mines and Geology, Government of Rajasthan;(e)"Director" means Director of Mines and Geology Department, Government of Rajasthan;(f)"Form" means a form appended to these rules;(g)"Government" means Government of Rajasthan;(h)"Mine Owner" in these rules shall have the same meaning as assigned to word "Owner" under the Mines Act 1952;(i)"section" means section of the Mines and Minerals (Development and Regulation) Act, 1957;(j)"Transit Pass" means pass issued by an authorized officer to the dealer for transportation of mineral;(k)"Vehicle" means any mode of transportation or any mechanized device, by which minerals is being transported; and(l)"Year" means financial year i.e. from 1st April to 31st March.(2)Words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Mines and Minerals (Development and Regulations) Act, 1957.

3. Prohibitions.

(1)No person shall carry on the business by buying, selling, supplying, transporting, storing, distributing or processing of mineral or minerals/ores directly or otherwise for cash or for deferred payment or for commission, remuneration or other valuable consideration or uses mineral/s, as an ingredient as a raw material without being registered as a Dealer under these rules:Provided that existing dealers may apply for registration, as per procedure laid down in Rule 4 within thirty days from the date of publication of these rules.(2)Subject to sub-rules (3) to (5), no person shall transport or carry away any mineral from any place without obtaining a transit pass from the Mining Engineer or Assistant Mining Engineer concerned.(3)if any excavated mineral transported from granted mining area, driver or incharge of vehicle shall carry Rawanna duly stamped by the department, in place of Transit Pass.(4)If in any particular area and for particular mineral, Excess Royalty Collection Contract [ERCC] or Royalty Collection Contract [RCC] is granted by the Department and contract is in force, the driver or incharge of vehicle shall carry Royalty Receipt duly stamped by the department, in place of Transit Pass.(5)In any particular area or for a particular mineral,the Department itself collecting royalty through check-posts and any other system is in force, the driver or incharge of vehicle shall carry Royalty Receipt issued by the incharge of check-post in place of Transit Pass.

4. Procedure for Registration.

- Every dealer shall get himself registered under these rules by submitting an application in Form No. 1 along with proof of deposit of 100/-[Rupees One Hundred] non-refundable fee, to the respective Mining Engineer or Assistant Mining Engineer of the area.(2)On receipt of an application under sub-rule (1), the Mining Engineer or Assistant Mining Engineer shall acknowledge the receipt of the application on the same day and register the person as a dealer within three days from the date of receipt of the application and issue registration certificate in Form No. 2.(3)If the applicant is not registered within three days from the date of receipt of the application, he shall be deemed to be registered as a dealer after the period of three days from the date of submitting the

application.(4)The Mining Engineer or Assistant Mining Engineer shall maintain a register in his office in Form No. 3, wherein he shall make necessary entries about the dealer and it's registration.

5. Transit Pass.

(1)The persons desiring Transit Pass shall submit an application before the Mining Engineer or Assistant Mining Engineer concerned in Form No. 4 duly specifying all the particulars prescribed therein.(2)The application for transit pass shall be accompanied by a copy of the relevant documents and particulars of royalty payment on such mineral.(3)On receipt of an application under sub-rule (1), the Mining Engineer or Assistant Mining Engineer concerned may issue duly stamped Transit Pass In Form No. 5, as per requirement of the dealer, within seven days from the date of receipt of the application after verifying the stock at site from the records maintained by the dealer, for such period and subject to such terms and conditions as deemed necessary or may refuse in writing to issue such transit pass, within seven days from the date of receipt of the application, for reasons to be recorded in writing and communicated to the applicant.(4)Royalty receipts submitted by an applicant, in lieu of that Transit Passes issued to dealer shall be stamped as "Cancelled, Transit Pass issued" by Mining Engineer or Assistant Mining Engineer.(5)Every person who transports the minerals shall carry Transit Pass or Rawanna or Royalty Receipt, as the case may be, with the vehicle and shall produce the same on demand to incharge of check post or authorized officer.

6. Establishment of check posts, weigh bridges and inspection of Mineral/goods in transit.

(1)If the State Government, Director, Additional Director (Mines), Superintending Mining Engineer, or Mining Engineer/Assistant Mining Engineer considers it necessary with a view to prevent the illegal mining may, subject to provision of sub-rule (2), establish check post at any place by an order in writing.(2)The Assistant Mining Engineer/Mining Engineer, Superintending Mining Engineer, Additional Director (Mines), Director and State Government may order to establish a check post for a period up to 6 months, 12 months, 18 months, 2 years and for a period more than two years respectively.(3)The establishment of check post for a period exceeding 2 years shall be notified in the Official Gazette and in other cases, notice at the place of establishment of check post and on the Notice Board of the Office of the concerned Mining Engineer/Assistant Mining Engineer shall suffice.(4)An authorized officer or incharge of the Check Post/Naka may check any vehicle carrying the mineral at any place and the owner or the person in charge of the vehicle shall furnish a valid Rawanna/Royalty Receipt/Tranist Pass and other particulars [such as bill etc.], as demanded by the said officer/incharge of the check-post.(5)The State Government or Director may establish the weigh bridge or may authorized If any weigh bridge in the area on certain mutually agreeable conditions, to measure the quantity of mineral being transported at any place, by an order in writing.(6)At every check post or at any other place when so required by authorized officer, the driver or any other person incharge of the vehicle shall stop the same, get the minerals contained therein weighed, shall pay weighing charges as fixed by the Government from time to time and shall keep the vehicle stationed so long as may reasonably be necessary and allow incharge of the check post or authorized officer as aforesaid, to examine the minerals in transit and also inspect all records relating to the minerals in transit and also inspect all records relating to the minerals in possession

of such driver or other person. The driver or incharge of vehicle shall, if so required by the incharge of the check post or authorized officer, shall give his name and address as also that of the owner of the vehicle and the name and address of the consignor and the consignee. After checking the minerals and vehicle, the incharge of the check post or authorized officer shall put his signature on the rawanna/royalty receipt/transit pass so as to avoid any further checking at another check post.

7. Inspection, Checking and Search.

(1)An authorized officer may inspect, check and search the minerals at place of excavation or storage or during transit.(2)The mine owner or dealer or person incharge of the vehicle, shall produce every record related with mineral as demanded by the authorized officer and provide copy of the document as required by the said officer or allow him to get abstract from the records.(3)An authorized officer may for the purposes of these rules, require a mine owner or I dealer to produce before him any accounts, registers and other documents and to furnish any other information relating to mining operations or business related to minerals.

8. Maintenance of Registers, Boundary Pillars and Boards.

(1)Every mine owner shall keep a copy of agreement of lease or license along with map etc. at site duly attested by Mining Engineer/Assistant Mining Engineer having jurisdiction over the area.(2)Every mine owner or dealer shall maintain sign boards at clearly visible location, with particulars of their dealing in minerals and of size and shape and details therein, as specified by the Mining Engineer/Assistant Mining Engineer concern and every time keep in good condition.(3)Every mine owner shall maintain boundary pillars of the sanctioned area, of size and shape as specified by the Mining Engineer/Assistant Engineer concern and every time keep in good condition with marking number of lease/license and name of the pillar.(4)In addition to provisions in various rules, every mine owner shall maintain the record of production and dispatch of mineral and non-saleable mineral in separate registers in Form No. 6 and Form No. 7 respectively and shall maintain log book of all machines, record of consumption of explosives, electricity, fuel etc. and registers regarding labour attendance and payment of wages, regularly.(5)Every dealer shall maintain proper record of all reawnnas/transit passes/royalty receipts and bills etc. through which mineral is received, dispatched, processed or consumed in manufacturing. He shall also maintain log book of all machines, record of consumption of explosives, electricity, fuel etc and registers regarding attendance of personnal [skill or semi-skill or un-skill] employed and payment of wages, regularly. The dealer shall maintain all such particulars in the register in Form No. 8.

9. Returns.

(1)Every dealer shall submit Quarterly return to the Mining Engineer or Assistant Mining Engineer concern, about the production, purchases and dispatch of the minerals within seven days from the last day of the preceding quarter in Form No. 9:Provided that Quarterly return may be filed with late fee of Rs. 100/- per day upto 15 days after the period as specified above.Explanation. - For the purpose of these rules, the Quarter means First April to 30th June, First July to 30th September, First October to 31st December, and First January to 31st March.(2)The dealer shall furnish Annual

returns for financial year in Form No. 10 to the Mining Engineer/Assistant Mining Engineer concerned before 1st June of next year: Provided that Annual return may be filed with late fee of Rs. 100/- per day upto 30 days after the period as specified above. (3) Mining Engineer/Assistant Mining Engineer concerned shall assess the annual royalty financial year basis, payable by the dealer in the year for which return is filed and communicate to him by registered post before 30th September or within sixty days from the date of submission of the return, whichever is earlier.

10. Revision.

(1) Any person aggrieved by an order of an authorized officer for a particular action under these rules, may within thirty (30) days from the date of communication of the order, prefer Revision in Form No. 11 to the State Government. (2) Every application for revision shall be accompanied with a non-refundable fee of Rs. 2000/- (Rupees Two Thousands Only) to be deposited under relevant Head of Account. The revision authority shall dispose off the revision within a period of three months from the date of its receipt. (3) The revision authority may condone the delay in filing of revision with reasons to be recorded in writing.

11. Penalties.

- Whoever contravenes the provision of these rules, shall be punishable under the provisions of Section 21 of the Act.

12. Rectification of mistake.

- Any clerical and arithmetic mistake in any order passed by the Government or any other officer under these rules and any error arising therein from accidental slip or omission may be corrected by the Government or officer as the case may be: Provided that no order prejudicial to any person shall be passed unless he has given a reasonable opportunity of being heard.

13. Rule 6 & 7 not to apply to minor minerals.

- Notwithstanding any thing contained in these Rules, in respect of minor minerals, the provisions of Rules 54 & 68 of the Minor Mineral Concession Rules 1986, related with illegal mining, storage and transportation shall be applicable in place of Rules 6 & 7 of these Rules. Government of Rajasthan Mines & Geology Department Form No. 1 [See Rule 4(1)] (Application for Registration as a Dealer)

1. Name of applicant (in full) with father's name

[If an applicant is firm/company submit relevant information along with documents regarding name, father's name and addresses of partners/directors, and person holding powers of attorney to act on behalf of the firm/company]

2. details of Application Fee deposited

3. Full Address of place of business

4. Other place or places of business

5. Particulars regarding dealing of mineral/s, if any processing unit, give details/ [Enclose copy of project report duly approved or submitted in government department]

6. If registered with Industries Department, Sales Tax Department and any other government, department, please enclose copy of registration/s.

7. Submit duly sworn affidavit that no dues of mines department of any kind is outstanding against an applicant. [If any stay from competent court enclose copy of the stay order.]

8. Source for procurement of mineral/s

9. Particulars of material procured and stored

10. Financial status with details of person i.e. property, title or ownership, annual payment of Income Tax and any other relevant evidence regarding financial status.

11. Specific purpose (Processing/Storing/Selling/Trading/Transporting/any other purpose)

12. Name of Mineral/Ore

13. Name and address of persons/firms from whom the Mineral/Ores purchased/Procured.

Declaration I/We declare that above information furnished by me/us are true and correct. I/We have read and understood all the provisions of the Rajasthan Minerals [Prevention of Illegal mining, transportation and Storage] Rules, 2006 and agree to abide by the same.

Date: Place: Signature of the applicant

Government of Rajasthan Mines & Geology Department Form No. 2 [See Rule 4(2)] (Registration Certificate) Received an application for registration as dealer from..... (Name of an

applicant with address).....to the department on date for possessing/Storing/Selling/Trading of.....(Name of Mineral/Ore) with the following enclosures:-(1)(2)(3)(4)(5)(6)On the basis of above, the applicant is hereby registered as dealer in Rajasthan Minerals [Prevention of illegal mining, transportation and storage] Rules 2006. The registration number allotted to the applicant is...../06.

Date: Signature of Competent Authority with Seal

Government of Rajasthan Mines and Geology Department Form No. 3[See Rule 4(4)](Register of Application for registration to be maintained by the department)

S. No.	Date of receipt of application	Name of Applicant	Address of Applicant	Name of Mineral Ores	Place of Processing/ Storing/Selling/Trading	Registered as dealer vide order number and date	Quarterly Returns submitted on	Yearly Return Submitted on
1	2	3	4	5	6	7	8	9

Copy of Used									
Application for Transit Pass received	Transit pass issued on	Number of transit passes issued	Transit Passes returned to the department. Number of passes and date.	Annual Capacity of consuming mineral	Year-wise Detail of consumption of the mineral	Registration with Industries Department	Registration with sales tax department	Project report submitted by an applicant	
14	15	16	17	18	19	20	21	22	23

Government of Rajasthan Mines and Geology Department Form No. 4[See Rule 4(1)](Application for issue of Transit Pass)

Name of the applicant with Father's name [Incase of Firm or company, particulars of all

- 1 partners/directors and enclose relevant document along with Power of Attorney of a person signing this application on behalf of firm/company]
- 2 Particulars of registration as dealer
- 3 Dealing or Profession
- 4 Complete Address
- 5 Name of Mineral
- 6 Source of mineral and Rawanna Challan/Royalty Receipt/Transit passes by which material procured.
- 7 Present stock
- 8 Destination to which transportation to be made.
- 9 Total quantity of mineral to be transported

10 Period in which mineral to be transported for quantity as shown in column 9

11 Purpose of transportation

12 Details of Transit passes issued earlier. [Enclose Details]

13 Justification to get Transit passes

Declaration I/We hereby declare that above information furnished by me/us are true. I/We have read and understood all the provisions of the Rajasthan Minerals (Prevention of Illegal Mining Transportation and Storage) Rules, 2006 and agree to abide by the same.

Date of application Signature of
Applicant

Place: In Quadruplicate

Government of Rajasthan Mines and Geology Department Form No. 5 [See Rule 4(3)] (Transit Pass) Transit Pass Book

No.

Pass/S.No.

1. Name and address of consigner (Holder of ML/Mineral dealer)

2. Name and address of consignee

3. Name of Mineral

4. Quantity (weight/volume)

5. Approximately value of Mineral being carried.

6. (a) Date and time of Dispatch

(b) Place from which mineral is to be transported. (c) Destination to which mineral is being transported. (d) Number and details of Rawanna issued by the department indicating payment of Royalty on mineral being transported.

7. (i) Mode of Transport

(ii) Carrier Registration No.

8. Name and address of vehicle driver.

Signature with date Driver

Signature with date Consigner

Signature and Round Seal of Issuing Authority

Signature and designation of Checking Authority with Seal Notes. - (1) No over writing should be done. (2) Second and third copy to the driver, to handover one copy to consignee and the original

copy and the book with counter foil i.e. fourth copy has to be returned to the concerned authority after the book is exhausted. After check original copy be returned to dealer for their record and exhausted book will be kept in record of the department.(3)The vehicle driver shall carry two copies of the transit pass during transit.Government of Rajasthan Mines and Geology DepartmentForm No. 6[See Rule 8(4)](Particulars of Mineral/s Produced and Dispatched from Mines)

1. Name of Lessee/License and full

address.....

2. Period of

Lessee/License.....

3. Mineral/s

.....

4. Location of Lessee/License

.....

5. Name of the office in whose jurisdiction Lessee/License falls

.....

[Quantity in Tonnes]

Opening Date	Balance of mineral	Mineral Produced	Total Quantity of mineral	Mineral Dispatched	Mineral Consumed	Particulars of dispatch, Rawanna or transit Pass Number & date	Quantity as per Rawanna or Transit Pass
1	2	3	4	5	6	7	8
Total Quantity of mineral dispatched or consumed		Closing balance	Number of Labour	Consumption of explosives	Consumption of electricity	Consumption of fuel	Remarks
9		10	11	12	13	14	15

Place:Date: Signature of Lessee/License

Government of Rajasthan Mines and Geology DepartmentFORM No. 7[See Rule 8(4)](Particulars of Overburden or Sub-Grade Mineral Produced and Disposed)

1. Name of Lessee/License and full address

.....

2. Period of Lessee/License

.....

3. Mineral/s

.....

4. Location of Lessee/License

.....

5. Name of the office in whose jurisdiction Lessee/License falls

.....

A. Particulars of Overburden

Date	Opening Balance of Overburden	Overburden Produced	Total Quantity of Overburden	Overburden Dispatched/ Consumed/Disposed	Location of Overburden Dispatched/Consumed/Disposed	CL
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Purpose Quantity

1 2 3 4 5 6 7

B. Particulars of Sub Grade Mineral if produced

Date	Opening Balance of Sub-grade mineral	Sub-grade mineral Produced	Total Quantity Sub-grade mineral	Sub-grade mineral Dispatched/consumed/disposed	Location of Sub-grade mineral Dispatched/Consumed/Disposed
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1 2 3 4 5 6

Purpose in
which the
overburden is
utilized with
quantity

Remarks of
Labour

Consumption
of explosives

Consumption
of electricity

Consumption
of fuel

Other
consumables

Purpose

Quantity

8 9 10 11 12 13 14 15

Place: Date: Signature Lessee/License

Government of Rajasthan Mines and Geology Department Form No. 8 [See Rule 8(5)] (Account of Ores/minerals) (To be maintained by the dealer daily/regularly)

1. Name of the dealer :
2. Full address :
3. Registration number :
4. Name of Mineral/Ore :
5. Place of Business :
6. Name of Offices under whose jurisdiction the Mineral/Ore is stored or processed
AME/ME/SME :
7. Particulars of total Rawanna/Transit Pass/Royalty receipts issued with dates & S.No. :

Quantity in tonnes

Name of Month & Year	Opening Date	Opening balance of mineral/ore	Quantity of ore/mineral received	Source of receipt with Rawanna/Transit Pass/receipt no & date	Total stock of Ore/Mineral	Quantity of Ores/Minerals consumed/sold/dispached	Detail of dispatch with T Nos. a date
1	2	3	4	5	6	7	8

Closing

balance of

Ore/Mineral at the store or factory site.	Place/s where mineral/consumed/sold/dispached	Number of Labour	Consumption of electricity	Consumption of fuel	Other consumables, if any	Remarks
9	10	11	12	13	14	15

Signature of the Dealer Government of Rajasthan Mines and Geology Department From No. 9 (Quarterly Return by the Dealer to the department [ME/AME concern]) [See Rule 9(1)]

Quarter.....

1. Name of the Dealer :
2. Full Address :
3. No. and date of Registration :
4. Name of Mineral and Ore :
5. Name of the Plant/Factory :
6. Postal address of the Factory :
7. Quarterly capacity of Plant/Factory :
8. Name of Mining Offices having jurisdiction over the factory plant, AME/ME/SME :

Opening Balance of	Quantity of Mineral/Ore	Source of procurement	Particulars of royalty	Total material	Grade of Mineral/s	Quantity of Ore/Mineral	Quantity of Ore/mineral	Balance Stock
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Mineral/Ore received.			payment	[1+2]			fed to the plant	dispatched	- [6+
1	2	3	4	5	6	7	8	9	
Quantity of Ore/Mineral recovered after process	Closing balance of Ore/Mineral at the plant/Crude and processed	Number of Working days	Average number of labour per day	Consumption of electricity	Consumption of fuel	Other Consumables, if any	Remarks		
10	11	12	13	14	15	16	17		

Signature of the Licensee Date Copy to: The Director, Mines and Geology Department, Uadipur The Additional Director, Mines and Geology Department, The Superintending Mining Engineer, Mines and Geology Department, Signature of the Licensee Government of Rajasthan Mines and Geology Department From No. 10 (Annual Return by the Dealer to the department [ME/AME concern]) [See Rule 9(2)] 1

Year.....

1. Name of the Dealer :
2. Full Address :
3. No. and date of Registration :
4. Name of Mineral and Ore :
5. Name of the Plant/Factory :
6. Postal address of the Factory :
7. Quarterly capacity of Plant/Factory :
8. Name of Mining Offices having jurisdiction over the factory plant, AME/ME/SME :

Opening Balance of Mineral/Ore	Quantity of Mineral/Ore received.	Source of procurement	Particulars of royalty payment	Total material [1+3]	Grade of Mineral/s	Quantity of Ore/Mineral fed to the plant	Quantity of Ore/mineral dispatched	Bala Stoc - [6+
1	2	3	4	5	6	7	8	9

Quantity of Ore/Mineral recovered after beneficiation	Closing balance of Ore/Mineral at the plant/Crude and	Number of Working days	Average number of labour per day	Consumption of electricity	Consumption of fuel	Other Consumables, if any	Remarks
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Signature of the Licensee Date Copy to: The Director, Mines and Geology Department, Uadipur
The Additional Director, Mines and Geology Department,
.....The Superintending Mining Engineer, Mines and
Geology DepartmentSignature of the
Licensee Government Rajasthan Mines and Geology Department Form No. 11 [See Rule
10(1)] (Application for Revision)