

# Andhra Pradesh Mineral Dealer's Rules, 2000

ANDHRA PRADESH

India

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### Rule ANDHRA-PRADESH-MINERAL-DEALER-S-RULES-2000 of 2000

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Andhra Pradesh Mineral Dealer's Rules, 2000Published vide Notification No. G.O. Ms. No. 537, dated 11.10.2000Last Updated 26th October, 2019No. G.O. Ms. No. 537. - In exercise of the powers conferred by Section 23(C) of the Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957), the Governor of Andhra Pradesh hereby makes the following rules to regulate the possession, storage, trading and transport of minerals and mineral products and to check the evasion of royalty or seigniorage fee, stopping of illegal mining and quarrying and transportation in the State of Andhra Pradesh and for the purposes connected therewith.

#### 1. Short title and commencement.

(1)These rules may be called "The Andhra Pradesh Mineral Dealer's Rules, 2000".(2)It extends to the entire state of Andhra Pradesh.(3)It shall come into force on such date as the State Government may by notification in the Official Gazette notify.

#### 2. Definitions.

(1)In these rules, unless the context otherwise requires: -(a)"Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (Act 67 of 1957);(b)"Authorised Officer" means the officers of the Department of Mines and Geology as authorised by the Director of Mines and Geology;(c)"Carrier" means any mode or conveyance of facility by which mineral is transported from one place to another and includes mechanized device, person, animal or cart:(d)"Dealer" means the person who holds a Dealers Registration including the mining lease and or Quarry Lease to whom the leases have been sanctioned as per Mineral Concession Rules, 1960 and Andhra Pradesh Minor Mineral Concession Rules, 1966 respectively who intend to deal with minerals other than the minerals sanctioned;(e)"Dealers Registration" means a registration granted under these rules authorising a person to whom it is granted to engage in the transaction to buy or sell and be in possession of minerals defined in clause (h) below;(f)"Form" means form set out in Schedule to

these rules:(g)"Government" means State Government of Andhra Pradesh;(h)"Mineral" means the minerals defined in clause (a) of Section 3 of the Mines and Minerals (Development and Regulation) Act and includes precious and semiprecious and uncut stones all minor minerals as specified in the Andhra Pradesh Minor Mineral Concession Rules, 1966 and also processed pulverised and finished products:(i)"Mining Lease" means a lease granted for the purpose of undertaking mining operation and includes a sub-lease thereof;(j)"Mineral Oil" means natural gas and petroleum;(k)"Notification" means a notification published in the Andhra Pradesh Gazette and the word notified shall be construed accordingly;(l)"Permit" means granted under the Mineral Concession Rules, 1960 or as the case may be under the Andhra Pradesh Minor Mineral Concession Rules, 1966;(m)"Prescribed" means prescribed by these rules under the Mines and Minerals (Development and Regulation) Act, 1957;(n)"Prospecting Licence" means 'a licence granted for the purpose of undertaking prospecting operations on Mineral Concession Rules, 1960 and Andhra Pradesh Minor Mineral Concession Rules, 1966;(o)"Quarry Lease" means a lease granted for the purpose of undertaking quarrying operations under the Andhra Pradesh Minor Mineral Concession Rules, 1966;(p)"Research Work" means any work done for beneficiation and upgradation of the mineral and for examining it's suitability for utilisation in the industry for the purpose of scientific study without any commercial motive;(q)"Scientific Test" means any test conducted for chemical or Mineralogical analysis of mineral and assessment of it's chemical and Mineralogical constituents and properties for the purpose of scientific study without any commercial motive;(r)"Transit Pass" means a pass issued by the Officer authorised by the Director of Mines and Geology for lawful transportation of any mineral raised in accordance with the provisions of the Act and the rules made there under by a carrier which is issued to a Mineral Dealer: and(s)"Year" means financial year 1st April to 31st. March;(2)Terms not defined in these rules will have the meaning assigned to them under the Act or the rules framed thereunder.

### **3. Prohibition.**

(1)No person other than a mining lease holder or a holder of dealer registration shall stock or sell or offer for sale or engage in any transaction in buying and selling of any mineral in any place except under a dealer's registration by the competent authority under these rules.(2)No person shall transport, carry by any means or cause the transport or carry any mineral from the place of raising or sale to another place without being in possession of valid transit pass issued by the competent authority under these rules.

### **4. Grant of Registration and Its Renewal.**

(1)Any person desiring to possess, store, sell, trade or otherwise deal with any mineral shall make an application for registration to the Dy. Director of Mines and Geology of the Region for any type of ore or mineral as specified in the Mines and Minerals (Development and Regulation) Act and Andhra Pradesh Minor Mineral Concession Rules, 1966 in Form-A. The application shall be submitted in quadruplicate.(2)Every application made under sub-rule (1) shall be accompanied by(a)A fee of Rs. 1000/- (Rupees one thousand only) payable through treasury challan under the following head of account:"0853 - Non-Ferrous Mining and Metallurgical Industries.

## **102. - Mineral Concession Fees and Royalties.**

### **81. - Other receipts".**

(b)Income tax Clearance Certificate.(c)Sales Tax Clearance Certificate.(d)An affidavit to the effect that he had not been convicted in any case relating to smuggling of ores and minerals.(e)A copy of the certificate issued by the industries Department or any other Department of Government for establishment of the factory or beneficiation plant or any industry, if any.(3)On receipt of application for Registration, the Deputy Director of Mines and Geology shall acknowledge the receipt within five (5) days in Form 'B'. Acknowledgement shall be sent to the applicant by Registered Post.

## **5. Processing of Application by Deputy Director of Mines and Geology.**

(1)The Dy. Director of Mines and Geology shall maintain a register in his office in Form-C wherein he will make necessary entries about the application immediately after its receipt and its disposal in due course.(2)The Deputy Director of Mines and Geology shall grant a dealers registration in Form-D for a period of five (5) years within thirty (30) days from the date of receipt of the application. In case of refusal or rejection of the application, the reasons shall be recorded in writing and communicate to the applicant within thirty (30) days from the date of receipt of the application.(3)Application for renewal shall be made to the Dy. Director of Mines and Geology ninety (90) days prior to the date of expiry of the existing registration. If orders of renewal are not passed before the expiry, it is deemed to have been renewed for a period of one year.

## **6. Grant of Transit Pass.**

(1)Any person desiring to transport or carry away any mineral from any place shall file an application before the [Assistant Director of Mines and Geology or the Assistant Geologist concerned in the absence of Assistant Director of Mines & Geology] [Substituted 'Deputy Director of Mines and Geology' by Notification G.O.Ms. No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] concerned along with the Transit form Books as prescribed in Form-E.(2)The applicant shall among other things, specify: -(a)The place from which the mineral has been removed:(b)The quantity and the description of mineral along with a copy of the permit obtained on payment of royalty/seigniorage fee thereof: and(c)The destination to which the mineral is to be transported.(3)On receipt of an application under sub-rule (1), the [Assistant Director of Mines and Geology or the Assistant Geologist concerned in the absence of Assistant Director of Mines & Geology] [Substituted 'Deputy Director of Mines and Geology' by Notification G.O.Ms. No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] may grant Transit Pass in Form-G for such period and subject to such terms and conditions as prescribed by him or may refuse to grant Transit Pass for reasons to be recorded in writing and communicated to the applicant.(4)Any person who transports the mineral and who is required to carry a Transit Pass shall on demand produce such pass to any officer authorised in this behalf.

## 7. Conditions.

- The registration shall be granted in Form-D subject to the following conditions: -(1)The dealer shall deposit an amount of Rs. 5,000/- as a security deposit duly pledged to the Dy. Director of Mines and Geology.(2)The dealer shall maintain correct and intelligible accounts of ores and minerals procured, processed and transported daily to different destinations in Form-F.(3)In case of beneficiation plant and factory the dealer shall maintain a separate daily account of ores and minerals procured and fed into the factory or plant and the processed mineral or ores recovered in Form-G.(4)The dealer shall submit copies of the Form-E to the [Assistant Director of Mines and Geology concerned] [Substituted 'Deputy Director of Mines and Geology' by Notification No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] by the 5th of the succeeding month.(5)While removing the ore or minerals from the stones or factories the dealer shall obtain permission from the concerned [Assistant Director of Mines and Geology concerned] [Substituted 'Deputy Director of Mines and Geology' by Notification No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] and transport the material under prescribed transit permit in Form-E obtaining from the concerned Dy. Director of Mines and Geology.(6)The dealer shall maintain the details of stock and transit basis in Form-H and submit to the [Assistant Director of Mines and Geology concerned] [Substituted 'Deputy Director of Mines and Geology' by Notification No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] by the 5th of succeeding month.(7)The dealer shall allow any authorised officer by the director or his nominee authorised by him to inspect the stores and factories to verify the stocks of ores and minerals and take sample of the abstract from the records maintained by him.(8)Every dealer shall allow any officer authorised by the Director or his nominee nominated by him to enter and inspect the premises where the mineral is kept or stored.(9)All officers mentioned in Section 23(B) of the Mines and Minerals (Development and Regulation) Act, 1957 are authorised to search any place in which there is reason to believe that an offence is being committed and seize any stock of minerals in respect of which the offence has been or is being committed.

## 8. Penalties.

(1)Any person who contravenes any of the provisions of these rules, or buys or sells or stores minerals except under and in accordance with the dealer's registration or who transports the minerals except in his transit pass shall be punishable with a fine of:(a)Rs. 10,000/- if the offence is committed first time.(b)in the event of repeated offence. Rs. 25,000/- or imprisonment for a term which may extend to one year or with both.(2)any person who buys or sells minerals except under and in accordance with the registration shall be punishable with a fine which may extend to Rs. 25,000/- or imprisonment for a term which may extend to one year or with both.(3)Any person who transports minerals except according to the route specified in his transit pass or permit except at a place specified in the pass shall be punishable with an imprisonment for one year or fine which may extend to Rs. 25,000/- or with both.(4)Whoever intentionally obstructs the competent authority or any other officer in performing his duties (is imposing penalties etc.,) under these rules shall be punishable with an imprisonment for a term which may extend to 6 months or fine which may extend to Rs. 10,000/- or with both.

## **9. Seizure and confiscation.**

(1) Every dealer or person permitted to stock, sell or transport shall allow any officer authorised by the Government or competent authority to enter and inspect any premises where the mineral is kept or stored or transported. (2) The competent authority or authorised officer may search any place in which he has a reason to believe that an offence under these rules is being committed and seize any stock of mineral. (3) Every officer seizing mineral under these rules shall prepare a list of minerals so seized and deliver a copy thereof signed by him to the person found in possession of such minerals. He shall keep such property under his custody with proper official seal and with detailed information in Form-I. (4) When any mineral or property seized is produced before the competent authority and he is satisfied that under these rules an offence is committed, he may order confiscation of mineral and other properties used in committing such offence subject to the condition that: - (a) a notice shall be issued in writing in Form - L to the accused person informing him on the ground on which it is proposed to confiscate such property, (b) an opportunity shall be given to the accused person for making a representation in writing within a period of three (3) days and a personal hearing against confiscation.

## **10. Custody of the Seized Property.**

- The authorised officer shall keep the seized material or properties under the custody of an institution belonging to Government or any responsible official of the Government as far as possible. The authorised officer may also in certain special circumstances at his own risk and responsibility keep the seized property in the custody of a third party for a period of one week or until the penalties are remitted whichever is earlier. If the penalties are not paid within a week, the seized properties shall become the Government property and the same will be auctioned as per the procedure.

## **11. Appeals.**

(1) Any person aggrieved by an order of the [Assistant Director of Mines and Geology concerned/Deputy Director of Mines and Geology concerned] [Substituted 'Deputy Director of Mines and Geology' by Notification G.O.Ms. No. 279, dated 14.10.2005 (w.e.f. 11.10.2000).] or authorised officer for a particular action under these rules may within thirty (30) days from the date of communication of the order prefer an appeal in Form - J to the Director of Mines and Geology. (2) Every application for an appeal shall be accompanied with a fee of Rs. 200/- (Rupees two hundred only) to be deposited under the Head of Account mentioned in sub-rule (2) of Rule 4. The appeal shall be disposed off by the appellant authority within a period of one month from the date of its receipt. (3) The appellant authority may for sufficient reason condone the delay in filing of appeals.

## **12. Revision.**

(1) Any person aggrieved by an order passed on an appeal under these rules may file an application for revision before the State Government within thirty (30) days from the date of communication of

such order in Form - K.(2)Every Revision application shall be accompanied with a fee of Rs. 500/-(Rupees five hundred only) to be deposited in Government. Treasury under Head of Account as mentioned in sub-rule (2) of Rule 4.(3)The Government may for sufficient reasons condone the delay in submission of revision application. Form 'A'(See Rule 4 (1))(Application for Registration/renewal)

1. Name of applicant (in full) { |

| - | 2. Profession | - | 3. Full Address

#### 4. Father's name in full (in case of firm, give names and address

of partners and person holding powers of attorney to act on behalf of the firm) | - | 5. Specific place or places of business | | - | 6. Financial status with details of person i.e., property annual payment of Income Tax and any other relevant evidence regarding financial status. | - | 7. Specific purpose for which Registration is applied for (Processing/Storing/Selling/Trading) | - | 8. Name of Mineral/Ore for which Registration is required. | | - | 9. Evidence of payment of application fee. | | - | 10. Name and address of persons/firms from whom the Minerals/Ores will be purchased/Procured. | - | 11. Period for which Registration is required. | | - | 12. In case of renewal the number and date of original Registration. | | - | 13. Detail of Income Tax/Sales Tax Clearance Certificate | | - | 14. Any special ground for grant of Registration in favour of applicant list of enclosures. | | - | | - | Declaration | - | I/We hereby declare that I/We have read and understood all the provisions of the A.P. Mineral Dealer Rules, 2000 made thereunder and the conditions of the Registration and I/We agree to abide by the same. | - | | Date of application | - | Signature of Applicant. | - | Place: | | } Form 'B'(See Rule 4(3))(Acknowledgement of receipt of application for Registrations)

Received.....copies of applications for grant of Registration  
for possessing/Storing/Selling/Trading..... (Name of Mineral/ Ore)  
Ore/Mineral from Shri/Smt..... Resident of.....  
P.O..... P.S..... District.....

Today with the following enclosures:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

Signature of the  
Competent Authority

Date.....

Form 'C'(see Rule 5(1))(Register of application for grant of Registration and its renewal)

Sl.No.	Date of receipt of application	Name of applicant	Address of application	Name of Mineral Ores	Place of processing/ Storing/ Selling/ Trading	
(1)	(2)	(3)	(4)	(5)	(6)	
	Date of forwarding advance copy of application toDMG	Date of forwarding processed application of DMG	Date of grant/refusal	Date of appeal if any	Date of Disposal of appeal	Brief orders on appeal
(7)		(8)	(9)	(10)	(11)	(12)
	Date of expiry of licence, if granged	Date of application for renewal	Date of grant of renewal	Period of renewal		Remarks
(13)		(14)	(15)	(16)		(17)

## Form 'D'(See Rule 5 (2))Form of Registration

1. Name of the Dealer (in full) { |

| - | 2. Full Address | - | 3. Father's name in full (in case of firm names and address of partner and persons holding power of attorney to act on behalf of the firm) | - | 4. Profession of the Dealer | - | 5. Specific place or places of business | - | 6. Specific purpose for which Registration is granted | - | 7. Name of mineral/Ore covered under the licence | - | 8. Challan No. showing payment of application fee | - | 9. Challan No. showing payment of Security deposit | - | 10. Name and address of persons firms from whom the mineral ore will be purchased/procured. | - | 11. Period of Registration | - | 12. If it is a case of renewal the number and date of grant of the original Registration. | - | 13. No. and date of application for this Registration. | - | Signature of the Competent Authority to grant licence with designation | - | Date of grant | } Form 'E'(See Rule 6) Transit pass Department of Mines and Geology Government of Andhra Pradesh Transit Pass Book No..... Transit Pass/S.No.....

**1. Name and Address of consigner (holder of ML/Mineral dealer's licence)****2. Name and Address of consigner****4. Quantity (Weight/Volume)****5. Approximate value of Mineral being carried****6. Date and time of dispatch'****7. (I) Mode of Transport**

(II) Carrier registration No.

**8. Name and address of Vehicle driver**

Signature With date (a) Consignor

Signature and Seal of issuing authority Signature With date (b) Driver

Signature and designation of checking authority

Note. - (1) No overwriting should be done (2) The original copy and the book has to be returned to the concerned authority after the book is exhausted (3) The vehicle driver shall carry two copies of the transit pass during transit. Form 'F' (See Rule 7 (ii)) (Amount of ores/Minerals) (To be maintained daily)

**1. Name of the Dealer****2. Full Address****3. No. and date of Registration****4. Period of Registration****5. Name of Mineral Ore****6. Place of business****7. Name of circle Mining offices under whose jurisdiction the mineral/Ore is stored.**

Name of Month & Year	Date	Grade- wise opening balance of mineral ore at the store factory (in Tonnes)	Grade-wise quantity of ore/ mineral received (in Tonnes)	Source of receipt
(1)	(2)	(3)	(4)	(5)
Total Stock of ore/Mineral (in Tonnes)	Grade-wise quantity of ores/minerals consumed/sold/ dispatched for processing	Details of dispatches with T.P. Nos. and date	Grade-wise closing balance of ore/mineral at the store or factory site	Remarks
(6)	(7)	(8)	(9)	(10)

Signature of the Dealer

Form 'G' (See Rule 7 (iii)) (Account of ores/minerals fed to plant and their recovery to be maintained daily)



**1. Name of the Dealer**

**2. Full Address**

**3. No. and date of Registration**

**4. Period of Registration**

**5. Name of Mineral and Ore**

**6. Name of the plant/factory**

**7. Postal address of the factory**

**8. Name of circle mining office having jurisdiction over the factory plant.**

Name of month/ year	Date	Opening balance of mineral ore at the plant/Crude Beneficiated	Quantity of Mineral/Ore received at plant
(1)	(2)	(3)	(4)
Quantity of ore/ mineral fed to the beneficiation plant	Quantity ore/ mineral recovered after beneficiation	Closing balance of ore/mineral at the plant/Crude Beneficiated	Remarks
(5)	(6)	(7)	(8)

Signature of the licensee

Date of Submission of the Return.

Form 'H'(See Rule 7 (vi))

**1. Name of the permit holder**

**2. Full Address**

**3. Date of permit**

**4. Period of permit**

- 5. Name of Mineral and Ore to be transported**
- 6. Place from which ore/mineral is transported**
- 7. Total amount of mineral/ore to be transported**
- 8. Name of circle mining office having jurisdiction over the ore mineral.**

Name	Date	Opening stock of ore/mineral to be transported	Quantity of ore/mineral transported
No. of supporting Transit passes	Destination to which ore/mineral is transported	Closing stock of ore/mineral to be transported	Remarks

Form 'T'(See Rule 9 (3))

- 1. Name of Officer seizing the property:**
- 2. Designation and address of the Officer:**
- 3. Details of property seized:**
  - (a)Place of seizure with date and time
  - (b)Description of each property
- 4. Rule under which property is seized.**
- 5. Name and Address of person from whom the property is seized:**
- 6. Name and Address of any other claimant for the seized property:**
- 7. Details of 'Seal' given on the seized property:**
- 8. Name and address of person under whose custody the seized property has been kept:**
- 9. Signature of the custodian :**

**10. Approximate value of the seized property:**

**11. Remarks:**

**12. Name and address of witnesses with their signature:**

(i)(ii){||-| Date| Signature of officer seizing the property with designationaddress|}Form 'J'(See Rule 11 (1))Form of Appeal

**1. Name of the applicant/Appellant in full**

**2. Address**

**3. Father's name (in case of firm name and addresses of the partners and persons holding power of attorney to act on behalf of the firm)**

**4. No. and date of order of competent authority' against which appeal is preferred**

**5. Ground of appeal**

**6. Evidence of payment of fee for appeal**

**7. In case of appeal preferred after 30 days of order the reasons of delay.**

**8. Whether the appellant desires to be heard in person or through pleader;**

**9. Any additional information the appellant desires to furnish**

Date of filing the appeal petition

Signature of the Appellant

Form 'K'(See Rule 12)

**1. Name of applicant**

**2. Address**

**3. Father's name (in case of firm name and Address of the partners and persons holding power of attorney to act on behalf of the firm)**

**4. No. and date of order of appellant authority against which application is filed.**

**5. Ground of revision**

**6. Evidence of payment of fee for application.**

**7. No. and date of order by competent authority against which revision is preferred.**

**8. Any additional information the revisionist desires to furnish**

Date Signature of the applicant

Form 'L'(See Rule 9 (4) (a))ToM/s.AddressSir/Madam.Take notice that the following properties which were involved in an offence committed under the Andhra Pradesh Mineral Dealers Rules 2000 on ..... and sized by Sri.....

(Designation).....at.....will be confiscated by.....(place occurrence of offence).....the undersigned.You are hereby informed that you may, submit a written representation and request for a personal hearing, within 3 days from the date of issue of this notice, failing which the matter will be decided exparte.

Signature of the CompetentAuthority with DesignationDate: