

The Rajasthan Mica Rules, 1965

RAJASTHAN

India

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Rule THE-RAJASTHAN-MICA-RULES-1965 of 1965

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The Rajasthan Mica Rules, 1965 Published vide No.F.3(1)(65) Ind (B) 59, dated 31-8-1965, Published in Rajasthan Government Gazette part 4-C, dated 7-10-1965 In exercise of the powers conferred by section 21 of the Rajasthan Mica Act, 1958 (Rajasthan Act No. 25 of 1958), the State Government hereby makes the following rules, the same having previously been published in the Rajasthan Gazette, Part III B, dated 1-4-1965 as required by the said section, namely:-

1. Short title and commencement.

(1) These rules shall be called the Rajasthan Mica Rules, 1965. (2) They shall come into force upon their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the subject or context otherwise requires, (a) "Act" means the Rajasthan Mica Act, 1958 (Rajasthan Act 25 of 1958); (b) "Controller" means an officer appointed by the State Government to be Mica Controller for the purpose of this Act; (c) "Form" means a form specified in the schedule to these rules; (d) "Section" means a section of the Act.

3. Dealer's licence.

- The Mica dealer's licence shall be in Form A of the Schedule.

4. Notifying places used for storing or preparing Mica.

(1) The authority to whom a licensee, mining lessee or prospecting licensee shall notify under sections of the Act, the places used by him for storing mica or preparing mica for sales shall be notified to the controller or the officer authorised by him in this behalf. (2) Every person required to notify the places for storing or preparing mica shall furnish a declaration-(a) in respect of a place

used for storing or preparing mica for sale on the date of the coming into force of these Rules, within thirty days of such date: and (b) in respect of any such place so used for the first time after these rules have come into force, within seventy-two hours of such use. (3) Every such declaration shall be in writing and shall be—(a) delivered to or sent by registered post acknowledgement due to the controller or the officer authorised by him in this behalf: or (b) delivered to the officer in charge of the police station within the limits of which the place referred to in the declaration is situated, who shall forward the same to the controller or the officer authorised by him in this behalf. (4) The Controller or the officer to whom a declaration is delivered under sub-rule (3) shall give to the person, who delivers such declaration an acknowledgement for the receipt thereof in writing. (5) Every such declaration shall contain such particulars as may be sufficient to locate and identify the place or places referred to therein and shall state,—(a) in the case of a building—(i) the name of the village with police station and tehsil where it is situated and settlement plot number or if such building is situated in a Municipality, the ward and number of the plot in which such building is situated: (ii) the name of the owner of the building: and (iii) a description of the building. (b) in the case of a place other than a building—(i) the name of the village with police station and tehsil where it is situated and settlement plot number or if such place is situated in a Municipality, the ward and the number of the plot in which such place is situated: (ii) the name of the owner of the place: and (iii) the description of the place. (6) Any licensee who intends to close for a period exceeding two weeks, any place in respect of which he has furnished a declaration under this rule, shall before he closes such place or places inform in writing the controller or the officer authorised by him, either in person, or through an agent or by registered post, of his intention to do so.

5. Transport pass.

(1) the pass referred to in section 11 of the Act shall be in Form B of the Schedule in Hindi. (2) Every such pass shall be made out in duplicate and one copy thereof shall be kept by the person issuing it. (3) Books of passes shall be obtained on payment from the office of the Controller or the officer authorised by him and the passes and their counterfoils shall be serially numbered.

6. Authority competent to require the production of the licence.

- The authority empowered to require the production of the licence under sub-section (3) of section 12 of the Act shall be the controller or any officer authorised by him in this behalf or any first class Magistrate or Police Officer, not below the rank of a sub-Inspector and having jurisdiction over the area in which the licensee uses any place for storing mica or preparing the same for sale: Provided that such Police Officer shall not take any action under this rule without obtaining prior permission in writing either from the first Class Magistrate or the Collector.

7. Returns.

(1) (a) Every licensee, prospecting licence, and mining lessee shall, not later than the tenth day of each month, submit to the controller or any officer authorised by him in this behalf a return showing the stock of crude mica, unsorted blocks, sorted blocks, chills and splittings which were in his possession on the first and the last day of the month immediately preceding the month in which the

return is submitted together with totals of all additions thereto, issues therefrom, and other transactions relating to the stock during the month.(b)(i)The returns of crude mica shall be in Form C of the Schedule.(ii)The return of the unsorted blocks and uncut chilas shall be in Form D of the Schedule.(iii)The returns of the sorted blocks shall be in Form E of the Schedule.(iv)The returns of cut chilas shall be in Form F of the Schedule.(v)The returns of splittings shall be in Form G of the Schedule.(2)The returns shall show separately the stock in each place in respect of which a licensee or mining lessee or prospecting licensee has given a declaration under rule 4 and shall be delivered in person or sent by registered post acknowledgement due to the Controller, or the officer authorised by him in this behalf.(3)When any return is delivered in person under sub-rule (2) the Controller or the officer authorised by him shall give to the person who delivers such return an acknowledgment for the receipt thereof in writing.(4)(a)If any licensee or prospecting licensee or a mining lessee suspends his business for a period exceeding one month and furnishes the declaration required by sub-rule (6) of rule 4, he shall not be required to submit the returns referred to in sub-rule (1) of this rule for the period during which his business is so suspended.(b)Such licensee or prospecting licensee or mining lessee shall not recommence his business after such suspension until he has furnished a declaration of his intention to do so to the Controller or any officer authorised by him and shall after he has recommenced his business submit the returns referred to in sub-rule (2) of this rule.

8. Returns when licence is cancelled.

- When the licence of a licensee is cancelled under sub-section (1) of section 19 or ceases to be in force under sub-section (4) of section 5, the licensee shall, if he exercises the right conferred on him by sub-section (3) of section 4, submit returns for a period of six months after the expiry of the licence or until the disposal of his stock, whichever is earlier.

9. Compounding of offences.

(1)The State Government may, by notification in the Official Gazette, authorise the officers mentioned in sub-rule (2) to compound offences under the Act.(2)The Controller or the officer specified below may accept from any person accused of an offence under the Act, a sum of money not exceeding the scale stated below by way of compounding for such offence:-

1. Controller.	Upto Rs.2.000/-:
2. Jt. Director of Mines and Geology.	Upto Rs. 1,500/-subject to the previous approval of theController:
3. Mining Engineer.	Upto Rs.500/- subject to the approval of the Jt.Director ofMines & Geology.
4. Asst. Mining Engineer.	Upto Rs.250/-subject to the approval of the Mining Engineer.

(3)Upon payment of the money for which the offence is compounded:(i)no prosecution shall be instituted or continued for that offence against the person in respect of whom the offence has been compounded:(ii)such person, if in custody, shall be released and set free: and(iii)any property seized in connection with the offence shall, without prejudice to the provisions of sub-section (3) of section

17 of the Act, be restored to such person.

10. Penalty for breach of certain rules.

(1) Any contravention of rules 4, 5, 6 or 7 shall be punishable with a fine which may extend to one hundred rupees. (2) The provisions of rule 9 relating to the composition of offences so far as may be applicable to an offence under sub-rule (1) shall apply thereto. The Schedule Form A

Part I – (See section 5 of the Act & Rule 3)

Dealer's Licence No. Original fee Rs. 250.00 Annual fee Rs. 150.00 This licence is hereby granted to Shri.....son of.....resident of village with Head Office at Police Station.....District ordinarily carrying on business at to buy mica or to have in his/its possession or to sell mica-(i) extracted from a mica dump of which he is in possession: (ii) extracted in the State of Rajasthan from a mica mine of which he/it is not in possession or from a mica dump area: and (iii) imported into the State of Rajasthan from any place not situated in the State of Rajasthan. Issued this.....day of.....19...this licence is granted subject to the following conditions:-(a) that the licensee shall not sell mica other than block mica, chilas, splittings and manufactured mica to any person resident or carrying on business in Rajasthan unless such person possesses a dealer's licence: (b) that the licensee shall not buy mica other than block mica, chilas, splittings and manufactured mica from a person resident or carrying on business in Rajasthan unless such person holds a dealer's licence, prospecting licence or mining lease for mica or is a person exercising the right conferred by sub-section (3) of section 4 of the Rajasthan Mica Act, 1958. Signature Mica Controller

Part II – The following persons are hereby authorised under section 6 of the Rajasthan Mica Act, 1958 to exercise on behalf of the licensee mentioned above, all or any of the powers conferred on such licensee under the Act or under this licence:-

Name Father's name Place of residence Date

1 2 3 4

Signature Mica Controller if jfk"VQkeZ ch(vf/kfu;e dh /kkjk 11 vkSj fu;e 5 ds vUrxZr)vHkzd gVkus ds fy, ikji= (ikl)

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1-tkjh fd;s tkus dh rkjh[k

2-tkjh fd;s tkus dk le;

3-fldls }kjk tkjh fd;k x;k

4-vuqKki= dk dzekad vkSj fnukad ;k

mlO;fDr ds iwosZ{k.k vuqKki= ;k [kku iVV s dk lanHkZ ftlds }kjk
;kftldh vksj ls ikji= tkjh fd;k x;k

5-vHkzd dh ek=k rFkk vkdkj ;k ;fn

vHkzddks fofHkuu vkdkjksa esa ugha NkaVk x;k gks rks mldh
ek=k rFkkfooj.k

6-LFkku tgka ls vHkzd gVk;k tk jgk gS

7-vHkzd dk Hkstus dk fufnZ"V LFkku rFkk ekxZ ftls Hkstktkosxk

8-ml O;fDr dk uke ftldks vHkzd Hkstk tk jgk gS

ikji=tkjh djus okys ds gLrk{kj

rkjh[k-----

The Schedule Form "C" [See rule 7(1)(b)(i)] Return No. 1 Return of crude Mica for the month of....
19...Name of the licensee/prospecting licensee/mining lessee.... and reference of mineral
concession.Name of the place in respect of which a licensee/prospecting licensee/mining lessee has
been given a declaration under rule 4 with name of the police station.

		Quantity	
Large(4 and up)	Small(5 and down)	Remarks	
1	2	3	4
1.			
Opening balance.....			
2. Receipts during			
the month			
(i) from Mine.....			
(ii) from other places in			
respect of which a			
declaration has been			
given under rule			
4 regarding the place for			
storing prepared mica			
for sale.....			
(iii) from dump.....			
3. Total receipts.....			
4. Issued during			
the month:-			
(i) Issued for outing			
(ii) despatched to other			
places in respect of			
which a declaration has			
been given under rule			
4.....			
(iii) otherwise disposed			

of.....

5. Total issue.

6. Result of cutting:—

(i) Mixed blocks.

(ii) uncut chilas.

7. Closing balance..... Signature of licensee/prospecting licensee/mining lessee or his authorised agent.....dated.....

Note-Entries against S.No.4(iii) must be explained in remarks column. The Schedule Form D [See rule 7(1)(b)(ii)] Return No. 2 Return of unsorted Blocks and uncut chilas for the month 19 Name of licensee/prospecting licensee/mining lessee No. and nature of licence/lease or reference to mineral concession.... Name of the place in respect of which a declaration has been given under rule 4 and police station.....

Quantity	Remarks		
Mixed Blocks			
Tonnes	Quintal Kgm.	Tonnes	
1	2	3	4

1. Opening balance.....

2. Receipts during the month.....

(i) from crude mica.....

(ii) from other places in respect of which a licensee/prospecting licensee/mining lessee has notified places under rule 4.....

(iii) from dump.....

(iv) purchased.....

(v) Other sources.....

3. Total receipts.....

4. Issued during the month:-

(i) Issued for sorting.....

(ii) despatched to other places in respect of which a licensee/prospecting licensee/mining lessee has notified under rule 4.....

(iii) sold.....

(iv) otherwise disposed of.....

5. Total issue.

6. Closing balance.....

Signature of licensee/prospecting licensee/mining lessee or his authorised agent.....Dated.....

Note:-Entries against S.No.2(iv) and 4(iii) must be explained in remarks column. The Schedule Form E [See rule 7(1)(b)(iii)] Return of sorted Blocks for the month of..... 19

Quantity	Remarks
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Special No.

1

2 3 4 5 6 7

1. Opening balance.....

2. Receipts during the month.....

(i) from sorting.....

(ii) from other places in respect of which a licensee/prospecting licensee/mining lessee has notified places under rule 4:-

(iii) purchased.....

(iv) Other sources.....

3. Total receipts.....

4. Issued during the month:-

(i) despatched to other places in respect of which a licensee/prospecting licensee/mining lessee has notified under rule 4.....

(ii) sold ore exported.....

(iii) issued for splittings.....

(iv) otherwise disposed of.....

5. Total issue.

6. Closing balance.....

Signature of licensee/prospecting licensee/mining lessee or his authorised agent..... Dated.....

Note:- Entries against S.No. 2(iv) and 4(iv) must be explained in remarks column. The Schedule Form F [See rule 7(1)(b)(iv)] Return No. 4 Return of cut chillas for the month of 19..... Name of licensee/prospecting licensee/mining lessee..... No. and Date and nature of licence/lease..... Name of the place in respect of which a declaration has been given under rule 4 and police station.....

Quantity

Mixed

Remarks

No. 4 and up

No. 5 and up

1. Opening balance.....

2. Receipts during the month.....

(i) from uncut chillas.....

(ii) from Blocks.....

(iii) from other places in respect of which a declaration has been given under rule 4.....

(iv) purchased.....

(v) Other sources.....

3. Total receipts.....

4. Issued during the month:-

(i) despatched to other places in respect of which a declaration has been given under rule 4.....

- (ii) sold ore exported.....
 (iii) otherwise disposed of.....

5. Total issue.

6. Closing balance.....

Signature of licensee/prospecting licensee/mining lessee or
 his authorised agent..... Dated.....

Note:- Entries against S.No.2(v) and 4(iii) must be explained in remarks column. The Schedule Form G [See rule 7(1)(b)(v)] Return No.5 Return of splitting for the month of 19 Name of licensee/prospecting licensee/mining lessee..... Name of the place in respect of which a declaration has been given under rule 4 and police station..... No. and Date and nature of the licence or reference to mineral concession.....

Pan packed	Book	Lease	Remarks
Tonnes	Quinttal	Kgm	Tonnes Quinttal Kgm Tonnes Quinttal K
1	2	3	4 5

1. Opening balance.....

2. Receipts during the month.....

(i) from blocks and chillas.....

(ii) from other places in respect of which a
 declaration has been given under
 rule 4.....

(iii) from dump.....

(iv) purchased.....

(v) Other sources.....

3. Total receipts.....

4. Issued during the month:—

(i) despatched to other places in respect of which
 a declaration has been given under rule
 4.....

(ii) sold or exported.....

(iii) otherwise disposed of.....

5. Total issue.....

6. Closing balance.....

Signature of licensee/prospecting
 licensee/mining lessee or
 his authorised agent..... dated.....

Note:- Entries against S.No.2(v) and 4(iii) must be explained in remarks column. Notification [No.F.3(1)(65) Ind. (B) (59), dated 3-12-1965. Published in R.G.Gazette part 4 (C). dated 17-2-1966. page 546]- In pursuance of sub-rule (1) of rule 9 of the Rajasthan Mica Rules, 1965, the Government hereby authorises the officers specified below to compound offences under

Rajasthan Mica Act, 1958 (Rajasthan Act 25 of 1958), in respect of the area noted against each in their respective jurisdiction:

Name of the officers	Area
1. Controller	Whole of the State of Rajasthan.
2. Joint Director (Adm) of Mines	Ditto.
3. Mining Engineer, Bhilwara	Within their jurisdiction.
4. Mining Engineer, Udaipur	-do-
5. Mining Engineer, Jaipur	-do-
6. Mining Engineer, Jodhpur	-do-
7. Assistant Mining Engineer, Ajmer	-do-
8. Assistant Mining Engineer, Alwar	-do-
9. Assistant Mining Engineer. Bhilwara	-do-