

പതിനാലാം കേരള നിയമസഭ

അഞ്ചാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത
ചോദ്യം നം. 5814

25.05.2017 ൽ മറുപടിക്ക്

അന്യസംസ്ഥാനത്തുനിന്നും മണൽ കൊണ്ടുവരുന്നതിന് രേഖകൾ

ചോദ്യം

മറുപടി

ശ്രീ. സി.മമ്മൂട്ടി

ശ്രീ. എ.സി. മൊയ്തീൻ
(വ്യവസായവും സ്പോർട്സും
യുവജനകാര്യവും വകുപ്പുമന്ത്രി)


- (എ) ഭവന നിർമ്മാണത്തിനായി അന്യസംസ്ഥാനത്തുനിന്നും മണൽ കൊണ്ടുവരുന്നതിന് എന്തൊക്കെ രേഖകളാണ് ആവശ്യമായിട്ടുള്ളത്;
- (ബി) ഇതു സംബന്ധിച്ച പൂർണ്ണ വിവരം ബന്ധപ്പെട്ട നിയമ വ്യവസ്ഥകളുടെ പകർപ്പ് സഹിതം ലഭ്യമാക്കുമോ?

(എ)
&
(ബി)

1957- ലെ മൈൻസ് ആന്റ് മിനറൽസ് (ഡവലപ്മെന്റ് ആന്റ് റഗുലേഷൻ) ആക്ടിലെ സെക്ഷൻ 23 C - പ്രകാരം ധാതുക്കൾ ഗതാഗതം ചെയ്യുന്നതിന് മിനറൽ ട്രാൻസിറ്റ് പാസ് ആവശ്യമാണെന്ന് വ്യവസ്ഥ ചെയ്യുന്നുണ്ട്. ഓരോ സംസ്ഥാനവും വ്യത്യസ്ത രീതിയിലാണ് മിനറൽ ട്രാൻസിറ്റ് പാസ് തയ്യാറാക്കിയിരിക്കുന്നത്. സാധുവായ ഇത്തരം മിനറൽ ട്രാൻസിറ്റ് പാസുകൾ ഉണ്ടെങ്കിൽ മറ്റേതൊരു സംസ്ഥാനത്തു നിന്നും കേരളത്തിലേക്ക് മണൽ കൊണ്ടുവരാവുന്നതാണ്. ആയതിന് യാതൊരു നിയമതടസ്സവും നിലവിലില്ല.

മൈൻസ് ആന്റ് മിനറൽസ് (ഡെവലപ്മെന്റ് ആന്റ് റഗുലേഷൻ) ആക്ടിന്റെ 23(C) -യിൽ സംസ്ഥാന സർക്കാരിൽ നിക്ഷിപ്തമായ അധികാരമുപയോഗിച്ച് ധാതുക്കൾ ഗതാഗതം ചെയ്യുന്നതിനും സംഭരിക്കുന്നതിനും നിയന്ത്രിക്കുന്നതിനും കേരള മിനറൽസ് (പ്രിവൻഷൻ ഓഫ് ഇല്ലിഗൽ മൈനിംഗ് സ്റ്റോറേജ് & ട്രാൻസ്പോർട്ടേഷൻ) ചട്ടങ്ങൾ 07.02.2015 ലെ സ.ഉ.(പി)17/2015/വ്യവ (SRO 73/2015) പ്രകാരം വിജ്ഞാപനം ചെയ്തിട്ടുണ്ട്.

ചെക്ക്പോസ്റ്റ് വഴി മണൽ കടത്തുമ്പോൾ മറ്റു വകുപ്പുകളുമായി ബന്ധപ്പെട്ട് അതിനാവശ്യമായ രേഖകളും ആവശ്യമായി വരുന്നതാണ്. ആക്ടിന്റെ പ്രസക്ത ഭാഗവും SRO 73/2015 ചട്ടത്തിന്റെ പകർപ്പും അനുബന്ധം I & II ആയി ചേർത്തിട്ടുണ്ട്.



സെക്ഷൻ ഓഫീസർ

9

Provided that in the case of an offence punishable with fine only, no such sum shall exceed the maximum amount of fine which may be imposed for that offence.

(2) Where an offence is compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded, and the offender, if in custody, shall be released forthwith.]

¹[23B. Power to search :- If any gazetted officer of the Central or a State Government authorised by the Central Government ²[or a State Government, as the case may be] in this behalf by general or special order has reason to believe that any mineral has been raised in contravention of the provisions of this Act or rules made thereunder or any document or thing in relation to such mineral is secreted in any place ⁷⁰[or vehicle], he may search for such mineral, document or thing and the provisions of section 100 of the Code of Criminal procedure, 1973 shall apply to every such search.]

✓ ⁴[23C Power of State Government to make rules for preventing illegal mining, transportation and storage of minerals :- (1) The State Government may, by notification in the Official Gazette, make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- a. establishment of check-posts for checking of minerals under transit;
- b. establishment of weigh-bridges to measure the quantity of mineral being transported;
- c. regulation of mineral being transported from the area granted under a prospecting licence or a mining lease or a quarrying licence or a permit, in whatever name the permission to excavate minerals, has been given;
- d. inspection, checking and search of minerals at the place of excavation or storage or during transit;
- e. maintenance of registers and forms for the purposes of these rules;
- f. the period within which and the authority to which applications for revision of any order passed by any authority be preferred under any rule made under this section and the fees to be paid therefor and powers of such authority for disposing of such applications; and
- g. any other matter which is required to be, or may be, prescribed for the purpose of prevention of illegal mining, transportation and storage of minerals.

1. Inserted by Central Act 25 of 1994.

2. Inserted by Amendment Act of 1999, dt. 18-12-1999.

117

Section 23C continued.

Sec. 24A

(3) Notwithstanding anything contained in section 30, the Central Government shall have no power to revise any order passed by a State Government or any of its authorised officers or any authority under the rules made under sub-sections (1) and (2).]

24. Power of entry and inspection:- (1) For the purpose of ascertaining the position of the working, actual or prospective, of any mine or abandoned mine or for any other purpose connected with this Act or the rules made thereunder, any person authorised by the ¹[Central Government or a State Government] in this behalf, by general ²[x x x] order, may-

- (a) enter and inspect any mine;
- (b) survey and take measurements in any such mine;
- (c) weigh, measure or take measurements of the stocks of minerals lying at any mine;
- (d) examine any document, book, register, or record in the possession or power of any person having the control of, or connected with, any mine and place marks of identification thereon, and take extracts from or make copies of such document, book, register or record;
- (e) order the production of any such document, book, register, record, as is referred to in clause (d); and
- (f) examine any person having the control of, or connected with, any mine.

(2) Every person authorised by the ¹[Central Government or a State Government] under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, and every person to whom an order or summons is issued by virtue of the power conferred by clause (c) or clause (f) of that sub-section shall be legally bound to comply with such order or summons, as the case may be.

24A.³[Rights and liabilities of a holder of prospecting licence or mining lease]
:- (1) On the issue of a ⁴[reconnaissance permit, prospecting licence or mining lease] under this Act and the rules made thereunder, it shall be lawful for the ⁵[holder of such permit, licence or lease],

1. Substituted for words " Central Government" by Amendment Act of 1999, dt. 18-12-1999.
 2. The words "or special" omitted by Amendment Act of 1999, dt. 18-12-1999.
 3. Inserted by Central Act 37 of 1986.
 4. Substituted for words "prospecting lease or mining lease" by Amendment Act of 1999, 18-12-1999.
 5. Substituted for words "holder of such license or lease" by Amendment Act of 1999, dt. 18-12-1999.

[Handwritten signature]
07/12/2019

അനൗദ്യോഗിക - II



5814
25-5-17

GOVERNMENT OF KERALA

Industries (A) Department

NOTIFICATION*

G. O. (P) No. 17/2015/ID. Dated, Thiruvananthapuram, 7th February, 2015
24th Makaram, 1190.

S. R. O. No. 73/2015.—In exercise of the powers conferred by sub-section (1) of section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Government of Kerala hereby make the following rules, namely:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) These rules may be called the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015.

(2) They shall come into force at once.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(i) “Act” means the Mines and Minerals (Development and Regulation) Act, 1957;

(ii) “Authorised Officer” means District Geologists/Assistant Geologists of the District Offices of the Department of Mining and Geology

* Published in the Kerala Gazette Extraordinary No. 289 dated 7th February, 2015.

within their respective area of jurisdiction or any other Officer, as may be authorised by the Government by notification in the Official Gazette, to exercise the powers and perform the functions under these rules;

(iii) "Carrier" means any vehicle, person, animal or other mode of transport used for transporting minerals from one place to another;

(iv) "Competent authority" means the Director of Mining and Geology, Government of Kerala;

(v) "Dealer" means any person carrying on the business of stocking and selling of minerals and/or their products and does not include persons carrying on the business of jewels;

(vi) "District Geologist" means Senior Geologist or Geologist attached to the district office of the Department of Mining and Geology;

(vii) "Form" means a form appended to these Rules;

(viii) "Illegal mining" means any mining operation undertaken by any person, firm, association or company in any area within the State without holding a prospecting licence, mining lease, quarrying lease or quarrying permit under the provisions contained in the Act or the rules made thereunder;"

(ix) "Licencee" means holder of a dealer's licence granted under these rules for the purpose of storing, trading and transporting of mineral or mineral products either in raw or processed form;

(x) "Mineral products" mean minerals in any raw or processed form, dressed rocks, rock aggregates, chips, ballast, rock dust produced in granite metal crusher units, lime shell and/or any product prepared from minerals without involving any chemical change;

(xi) "Mineral Transit pass" means a transit pass issued by the authorised officer under these rules for transportation of minerals from one place to another;

(xii) "Movement Permit" means a permit granted under these rules to a lessee/prospecting licensee under Mineral Concession Rules, 1960 or Granite Conservation and Development Rules, 1999 or to a permit holder under Kerala Minor Mineral Concession Rules, 2015 for the purpose of undertaking mining operations and to remove minerals from the mine after payment of royalty to Government who is in possession of all statutory licenses/clearances for the working of a mine or to a mineral importer under rule 107 of Kerala Minor Mineral Concession Rules, 2015 or to a dealer under these rules for the purpose of transport of minerals";

(xiii) "Mining lease" means a lease granted for the purpose of undertaking mining operations for extraction of any mineral specified in the Schedules to the Mines and Minerals (Development and Regulation) Act, 1957 and the rules made thereunder;

(xiv) "Processing" means all physical processes such as pulverising and/or grinding and/or powdering or washing of minerals in such a way that no chemical change takes place by this process;

(xv) "Producer" means any person carrying on the business of extraction and/or production or collection of minerals or mineral products in accordance with the provisions of the Act or Rules made thereunder and includes a person who has a Registered Metal Crusher Unit under the Kerala Minor Mineral Concession Rules, 2015 and a person who produces mineral for his own use and transports it or causes to transport it from the place of extraction;

(xvi) "Sales depot" means any place where the minerals or its products in any raw or processed form are stored and stocked for sale by a dealer;

(xvii) "Schedule" means a schedule appended to these rules;

(xviii) "Scientific Test" means any test conducted for geological and/or chemical analysis of minerals and rocks exclusively for academic and research purposes without any commercial motive.

(2) All other words and expressions used, but not defined in these rules shall have the same meanings as assigned to them in the Act or rules made thereunder.

STOCKING AND SELLING OF MINERALS

3. *Prohibition.*—(1) No person other than the lessee or holder of a quarrying permit or movement permit under the Kerala Minor Mineral Concession Rules, 2015 or Granite Conservation and Development Rules, 1999 or mining lease under Mineral Concession Rules, 1960 shall stock, sell or offer for sale for commercial purposes or trade any mineral or mineral products mentioned in schedule I of the Kerala Minor Mineral Concession Rules, 2015 or in Schedule II of the Mines and Minerals (Development and Regulation) Act, 1957, in the State without holding a dealer's licence under these rules.

(2) The holder of a quarrying permit or quarrying lease or mining lease in the State shall not stock for sale or offer for sale for commercial purposes or trade any mineral or mineral products outside the permitted area or lease area without holding a dealer's licence under these rules.

Note 1:—A lessee who obtained registration for the metal crusher unit owned by him/it under the provisions of the Kerala Minor Mineral Concession Rules, 2015 is exempted from obtaining a dealer's licence for stocking and selling of granite aggregates in the premises of a registered metal crusher unit.

Note 2:—A dealer of minerals listed in the Schedules appended to the Act who got registration from the Indian Bureau of Mines under rule 45 of the Mineral Conservation and Development Rules, 1988 shall also obtain dealer's license under these rules for stocking and selling of minerals.

(3) No person shall transport or cause to be transported any mineral or mineral products by any carrier without having a valid mineral transit pass under these rules.

(4) No person shall be granted dealer's licence in the State for stocking and selling of sand which comes under the purview of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (Act 18 of 2001) and ordinary earth.

4. *Exceptions.*—Nothing in these rules shall apply to the mining, transportation and storage of minerals for the purpose of scientific tests:

Provided that in such cases the competent authority or the authorised officer under these rules may, if necessary, issue mineral transit passes under these rules for transportation of minerals for the purpose.

CHAPTER III

GRANT OR RENEWAL OF REGISTRATION TO A MINERAL SALES
DEPOT OR MINERAL VALUE ADDITION UNIT

5. Registration to Sales Depot and Mineral Value Addition Unit.—No sales depot or mineral value addition unit or mineral processing unit in the State shall operate without having registration under these rules from the Department of Mining and Geology. Every person who is having a sales depot or mineral value addition unit or mineral processing unit shall register it at the office of the District Geologist concerned:

Provided that a lessee who obtained registration to the metal crusher unit under the provisions of the Kerala Minor Mineral Concession Rules, 2015 shall be exempted from obtaining registration under these rules.

6. Application for registration of mineral sales depot/mineral value addition unit/mineral processing unit.—(1) An application for the grant or renewal of registration shall be made to the District Geologist concerned in Form A.

(2) Every such application shall be accompanied by,—

- (a) Treasury chalan receipt for rupees one thousand only towards registration fee remitted to the credit of the Department of Mining and Geology.
- (b) Location map issued by the Village Officer concerned showing the exact location of the sales depot or value addition unit or processing unit (Survey No. and other details of the area used as sales depot or value addition unit or processing unit shall be noted in the map).
- (c) Possession and Enjoyment Certificate of the property used by the applicant as sales depot or value addition unit issued by the Village Officer concerned.
- (d) Consent letter from the owner of the property, if the property is not owned by the applicant, in stamped paper worth the value specified by the Government from time to time to the effect that he has no objection for using the property or building owned by him for the purpose of stocking and/or processing and trading the mineral and its products by the applicant.

7. Officers authorised to receive application and its acknowledgement.—The District Geologist or any other officer of the district office of the Department of Mining and Geology shall receive the application for registration and shall enter on it the date and time on which the application is received by him. Where an application for grant or renewal of registration is delivered personally, its receipt shall be acknowledged forthwith and where such application is received by post, its receipt shall be acknowledged within a period of seven days. The receipt of application for grant or renewal of licence shall be acknowledged in Form B.

8. Register of application for registration.—The register of application for grant or renewal of registration shall be maintained by the District Geologist of the district concerned in Form C.

9. Grant or renewal of registration.—(1) The District Geologist after making such enquiries, as he may deem fit, may grant or renew the registration and shall issue such registration in Form D or refuse to grant or renew the registration.

(2) The registration is valid for a period of five years from the date of grant/renewal unless it is rescinded by the District Geologist concerned.

(3) Applications for renewal of registration shall be made to the District Geologist of the district concerned at least one month before the date of expiry of the period of registration.

(4) The Local Self Government Institutions concerned shall not grant licence to a sales depot or mineral value addition unit or mineral processing unit unless it has got registration from the Department of Mining and Geology.

CHAPTER IV

GRANT OR RENEWAL OF DEALER'S LICENCE

10. Application for grant or renewal of a dealer's licence.—(1) An application for grant or renewal of a licence for storing and trading of mineral by a dealer under these rules shall be made to the District Geologist concerned in Form E and he shall receive the application and enter on it the date and time on which it is received by him. Where an application for grant or renewal of dealer's licence is delivered personally its receipt shall be acknowledged forthwith and where such application is received by post, it shall be acknowledged within a period of seven days. The receipt of application for grant or renewal of dealer's licence shall be acknowledged in Form B.

(2) A producer except an owner of a Registered Metal Crusher Unit under these rules who stores and conducts trading of minerals outside the permit or lease area shall also apply for a dealer's licence;

(3) Every application for a dealer's licence shall be accompanied by,—

- (a) a true copy of the registration certificate of the sales depot or mineral value addition unit or mineral processing unit, as the case may be;
- (b) a treasury chalan receipt for rupees five hundred towards application fee remitted to the credit of the Department of Mining and Geology;
- (c) attested copy of the location map issued by the Village Officer concerned showing the exact location of the stockyard or sales depot or processing unit and sales depot (Survey No. and other details of the area proposed to be used as Stockyard/sales depot/processing unit shall be noted in the map);
- (d) the Possession and Enjoyment Certificate of the property proposed to be used by the applicant as sales depot or mineral value addition unit issued by the Village Officer concerned;
- (e) a letter of consent from the owner of the property, if the property is not owned by the applicant, in stamped paper worth the value prescribed by the Government from time to time to the effect that the owner has no objection for storing and/or processing and trading the mineral or its products by the applicant in his property.

11. *Register of application for licence.*—The register of application for grant or renewal of a licence shall be maintained by the District Geologist concerned in Form F.

12. *Application for Renewal of Licence.*—Applications for renewal of a licence shall be made to the District Geologist concerned at least one month before the date of its expiry:

Provided that the District Geologist may condone the delay in submission of application for renewal of licence after the time limit prescribed, if the applicant satisfies the District Geologist that he has sufficient cause for not filing the application for renewal in time and in such cases the applicant shall remit a late fee of two hundred rupees for each completed month:

Provided further that if a dealer wishes to stock and sell additional quantity of mineral than the licensed quantity before the date of expiry of licence, the dealer shall request the District Geologist for permission to stock and sell 500 metric tonnes of the mineral or multiples of it and the District Geologist may grant permission for the same by realising license fee at the same rate stipulated in Schedule I of these rules and while doing so he shall make necessary entries in this regard in the dealer's licence concerned.

13. *Disposal of application for grant or renewal of a licence.*—(1) The District Geologist after making such enquiries, as he may deem fit, may grant or renew the licence and shall issue such licence in Form G or refuse to grant or renew the licence:

Provided that the District Geologist shall not refuse to grant or renew a licence without giving an opportunity of being heard to the applicant and without recording the reasons for refusal and communicating the same in writing to the applicant.

(2) No application for grant or renewal of a licence submitted under rule 10 shall be refused only on the ground that Form E is not complete in all respects or is not accompanied by the documents referred to in rule 10.

(3) Where it appears that the application is not complete in all respects or is not accompanied by the documents mentioned in rule 10, the District Geologist 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) The District Geologist shall not grant or renew a licence to a person, who is convicted of any offence under the Act or rules made thereunder.

(5) In granting or refusing a dealer's licence under these rules the District Geologist shall take into consideration the following matters, namely:—

- (i) the location of the stockyard/sales depot/processing unit;
- (ii) the number of licensed dealers selling the mineral in the area;
- (iii) availability of the mineral of the kind required for sale;
- (iv) general demand for the mineral;

(6) An application for the grant or renewal of a dealer's licence shall be disposed of within three months from the date of its receipt.

(7) The details of licences granted shall be maintained by the District Geologist in a register in Form H.

14. (a) *Fee for licence.*—Each licensee shall pay an annual licence fee at the rates prescribed as shown in the Schedule I of these rules to the credit of the Department of Mining and Geology.

(b) *Refund of fee.*—Any applicant for a dealer's licence or any licensee shall not be eligible for refund of any of the amount paid by way of application fee and licence fee.

15. *Period for which licence may be granted or renewed.*—The period of a dealer's licence shall be for a period of one year from the date of grant unless it is rescinded by the District Geologist.

16. *Display of licence.*—Every dealer shall display the licence granted to him in a prominent place at the sales depot or office attached with it, open to the public.

17. *Maintenance of records and production of the same for inspection.*—A dealer shall maintain in Form I a record of all purchases and sales effected by him showing the particulars of the source and quantity of purchase of the mineral and of the person to whom sold and a stock register in Form J and such other records, if any, as the District Geologist or the officer authorised by him may specify and such records shall be open to inspection by the District Geologist or any other officer authorised by him.

18. *Furnishing of statement of accounts by a dealer.*—Every dealer shall after the close of each month submit to the District Geologist a statement in Form K showing the particulars of total purchase, production, if any, and sale of mineral or processed mineral effected by the dealer during the month.

19. *Loss of Licence.*—If the District Geologist is convinced that the original licence is damaged, defaced or irrecoverably lost, a duplicate copy of the dealer's licence shall be issued to the dealer on payment of two hundred rupees. The licence so issued shall be signed and stamped with the word "DUPLICATE" by the District Geologist.

20. *Cancellation of licence.*—If a dealer fails to comply with any of the conditions of the licence or any of the provisions of the Act, rules or orders in this regard, the District Geologist may by an order in writing rescind the licence issued under these rules. No such licence shall be rescinded without giving the dealer concerned, an opportunity of being heard.

21. *Checking of unauthorised dealing in minerals.*—Any dealer, who is in possession of any mineral or its products for sale shall, if required, produce sufficient proof to the competent authority or District Geologist or to any other officer authorised in this behalf to the effect that the mineral had been purchased from any duly authorised producer. If that person fails to produce sufficient evidence to that effect, the District Geologist or such authorised officer may recover the mineral or the cost of the mineral so possessed by him. In the cases of recovery of minerals, any authority under clause (ii) or (iv) of rule 2 may sell the minerals by public auction.

22. *Inspection and verification of stock held by the dealers.*—Every dealer under these rules shall allow the competent authority or District Geologist or any authorised officer under these rules to enter with or without notice any premises where minerals are stocked/processed and stocked and to inspect, check and verify the stock therein.

23. *Checking of accounts of the producer and dealer.*—Every producer or dealer under the Act or the rules made thereunder shall afford the competent authority or District Geologist or any authorised officer under these rules all facilities for checking of the accounts and verifying the stock of minerals or processed minerals, as the case may be, and shall furnish fully and correctly any information in his possession. In such cases if the authorised officer has reason to believe that the person has stored or sold minerals in violation of the provisions of the Act and the rules made thereunder such officer may proceed against the person under sub-section (1) of section 21 of the Act.

24. *Powers of the Competent Authority or Authorised Officer.*—In the case of breach of any conditions prescribed in the licence by the dealer, the Competent Authority or authorised officer shall give a notice in writing to the dealer requiring him to show cause why action should not be taken against him for the violation of the Act or rules made thereunder. If within thirty days from the date of receipt of said notice the dealer fails to show cause and/or to satisfy the conditions in the licence within such period, the Competent Authority or authorised officer without prejudice to any other action may cancel the licence:

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

TRANSPORTATION OF MINERALS AND ITS PRODUCTS

25. *Prevention of unauthorized transportation of minerals.*—(1) Every producer or dealer of mineral or its products under these rules shall give valid mineral transit passes in Form O (A) or O (B), as the case may be, to every purchaser or person in-charge of the carrier transporting the mineral from any mine or sale depot or mineral value addition unit or mineral processing unit in the manner stipulated in Rule 26.

(2) A holder of dealer's licence under these rules or mining lease/quarrying lease/prospecting license under Mineral Concession Rules, 1960/Granite Conservation and Development Rules, 1999 or quarrying permit under Kerala Minor Mineral Concession Rules, 2015/special mineral concession under Rule 14, 104, 105, 106 or 107 of Kerala Minor Mineral Concession Rules, 2015 shall apply to the District Geologist in Form L and in Form N for obtaining movement permit in Form M and mineral transit passes in Form O (A) respectively for the purpose of selling and transporting of minerals from the sales depot or mineral value addition unit or place of extraction. A lessee who holds movement permit under Kerala Minor Mineral Concession Rules, 2015 shall apply to District Geologist in Form N and obtain mineral transit passes in Form O (A) for the purpose of selling and transporting of minerals from the place of extraction or mineral value addition unit:

Provided that in cases where a lessee desires to transport minerals from the place of extraction to his own mineral value addition unit for the purpose of processing and for subsequent sale of value added product, he shall be eligible to obtain mineral transit passes in Form O (B) also.

26. *Preparation and issue of Mineral Transit Passes.*—(1) Every dealer or producer under these rules, before he sells or transports or causes to transport minerals shall obtain mineral transit passes in Form O (A) of these rules with the name seal and signature of the authorised officer concerned in the original of such passes and while he sells or transports or causes to transport minerals shall prepare the pass in duplicate and give the original of it to every purchaser or driver or person in charge of any carrier used in carrying the minerals.

(2) In cases where the lessee desires to transport minerals to the value addition unit from the place of extraction for the purpose of processing, he shall obtain mineral transit passes in Form O (B) of these rules with name seal and signature of the authorised officer concerned in the original of such passes and prepare and issue such pass in the manner described above while transporting or causing to transport minerals to the value addition unit.

(3) The purchaser or driver or person in charge of the carrier, as the case may be, shall produce the valid mineral transit pass at the time of inspection and verification as required by the competent authority or authorised officer in this behalf.

(4) Any consignment of minerals without a valid mineral transit pass shall be considered as illicit and the competent authority or authorised officer may recover the mineral from the person and also seize the receptacles in which the same is found and the carrier used in carrying the same. The date and time on each pass shall be entered both in words and figures by the dealer or producer at the time of despatch of the consignment.

(5) The owner or driver or the person in charge of any carrier shall cause it to stop and to remain stationary so long as it is so ordered by any officer of the Department of Mining and Geology or Police or any other person duly authorised by the Government or competent authority in this behalf for the purpose of making any recovery or to prefer complaints in courts under the Act or these rules.

(6) The Government may require online submission of application for online generation of mineral transit pass (ePass), the permit holder/lessee/dealer/owner of the Registered Metal Crusher Unit can generate ePass in Form O (C) or O (D) instead of passes in Form O (A) or O (B) respectively, at the despatch point through the official website of the Department of Mining and Geology of Government of Kerala. The procedure to be followed for online submission of application and generation of ePasses shall be as specified by the Government. While issuing ePass the consignor shall give consignee's copy to the purchaser or driver of the vehicle, as the case may be, and shall retain the consignor's copy. In the case of ePass the rules with respect to transportation of minerals shall also apply wherever applicable.

CHAPTER VI

APPEAL

27. *Form of appeal.*—(1) (a) Any person aggrieved by any order made by the competent authority or authorised officer under these rules, as the case may be, may within two months from the date of receipt of the order to him, prefer an appeal in Form P to the Appellate Authority appointed by the Government in this behalf by notification in the Gazette.

(b) Any person aggrieved by an order of the Appellate Authority under clause (a) may, within one month from the date of receipt of such order to him, prefer a second appeal in Form P to the Final Appellate Authority appointed by the Government in this behalf by notification in the Gazette:

Provided that any such appeal, under clause (a) or clause (b), may be entertained after the period specified therein if the appellant satisfies the Appellate Authority or Final Appellate Authority, as the case may be, that he had sufficient cause for not making the appeal in time.

(c) Every appeal memorandum, under clause (a) and clause (b) shall be accompanied by the treasury receipt showing that a fee of five hundred rupees has been remitted in the Government Treasury to the credit of the Government under the remittance head of the Department of Mining and Geology.

(2) In every appeal memorandum under (1) the authority against whose order the appeal is preferred shall be impleaded as a party.

(3) Along with the appeal memorandum under (1) the appellant shall submit as many copies thereof as there are parties impleaded under sub-rule (2).

(4) On receipt of the appeal memorandum and the copies thereof the Appellate Authority or the Final Appellate Authority, as the case may be, shall send a copy of the appeal memorandum to each of the parties impleaded under (2) specifying a date on or before which he may make his representations, if any, against the appeal.

28. *Orders on appeal.*—(1) Where an appeal is made under clause (a) or clause (b) of sub-rule (1) of Rule 27, the Appellate Authority or the Final Appellate authority, as the case may be, may confirm, modify or set aside the order appealed against or pass such other order in relation thereto as it may deem just and proper. The order passed by the Final Appellate Authority shall be final and binding on the parties.

(2) No order shall be passed in appeal, against any person affected unless he has been given a reasonable opportunity of being heard.

(3) Pending the disposal of an appeal or second appeal the appellate authority/second appellate authority may stay the execution of the order appealed against.

CHAPTER VII

PENALTY FOR UNAUTHORISED TRANSPORTATION OR STORAGE OF MINERALS AND ITS PRODUCTS

29. *Penalty.*—Whoever contravenes the provisions of these rules shall be punishable with the penalty provided for in sub-section (2) of section 21 of the Act.

30. *Cognizance of offences.*—No court shall take cognizance of any offence punishable under these rules except upon complaint in writing made by a person authorised under section 22 of the Mines and Minerals (Development and Regulation) Act, 1957 or clause (ii) of Rule 2 of these rules, by the State Government or the competent authority.

31. *Issue of receipt for the seizure of illegally transported mineral.*—Any person authorised under section 22 of the Mines and Minerals (Development and Regulation) Act, 1957 or clause (ii) of Rule 2 of these rules who seizes illegally transported or stored mineral or its products along with tools, equipments or carrier shall give receipt of the same in Form Q of these rules to the person from whose possession such things are so seized.

32. *Compounding of offences.*—(1) Any offence punishable under these rules may, either before or after the institution of the prosecution, be compounded by the person authorised under section 22 of the Mines and Minerals (Development and Regulation) Act, 1957 or clause (ii) of Rule 2 of these rules to make a complaint to the court with respect to that offence, on payment to that person, for credit to the Government, of such sum as that person may specify:

Provided that in the case of an offence punishable with fine only, no such sum shall exceed the maximum amount of fine which may be imposed for that offence.

(2) Where an offence is compounded under sub-section (1) no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded, and the offender, if in custody, shall be released forthwith.

33. *Police Officers and Officers of Department of Land Revenue to render assistance to authorities under these rules.*—The Police Officers and Officers of the Department of Land Revenue shall render necessary assistance to the Competent Authority or the authorized officer in the exercise of his powers under these rules in the matter of prevention of illegal mining, stocking and transportation of minerals.

SCHEDULE I

(See rules 12 and 14)

A. Fee for Dealer's Licence and its Renewal for the minerals included in schedule I of the Kerala Minor Mineral Concession Rules, 2015 except item No. 3 & 4.

- | | |
|--------------------------------------|--|
| 1. Stocking up to 500 tonnes a year | ₹ 3,000 |
| 2. Stocking up to 1000 tonnes a year | ₹ 4,000 |
| 3. Stocking up to 2000 tonnes a year | ₹ 8,000 |
| 4. Stocking over 2000 tonnes a year | ₹ 8,000 + |
| | ₹ 400 for every 100 tonnes or part of it exceeding 2000 tonnes |

B. Fee for Dealer's Licence and its Renewal for the minerals included in the Second schedule of the Mines and Minerals (Development and Regulation) Act, 1957 and for Granite Dimension Stones as

- | | |
|--------------------------------------|--|
| 1. Stocking up to 500 tonnes a year | ₹ 4,000 |
| 2. Stocking up to 2000 tonnes a year | ₹ 10,000 |
| 3. Stocking up to 4000 tonnes a year | ₹ 20,000 |
| 4. Stocking over 4000 tonnes a year | ₹ 20,000 + |
| | ₹ 500 for every 100 tonnes or part of it exceeding 4000 tonnes |

specified in rule 18, sub-item (i) of the Kerala Minor Mineral Concession Rules, 2015.

FORM A

(See rule 6)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

**APPLICATION FOR REGISTRATION/RENEWAL OF MINERAL SALES
DEPOT/MINERAL VALUE ADDITION UNIT/MINERAL
PROCESSING UNIT**

From

.....

To

The District Geologist,
 Department of Mining & Geology,
District.

Sir.

I/We request for grant renewal of registration for one year to mineral sales depot./mineral value addition unit/mineral processing unit for processing and/or storing.....(name of mineral). A sum of ₹ as registration fee payable under these rules has been remitted vide chalan No.dated.....at..... Treasury.

The required particulars are given below :

1. Name and address of the applicant :
2. Is the applicant an individual/private company/Public company/Firm or Association? Specify. (Attach copy of documents in case the applicant is not an individual) :
3. Profession or nature of business of applicant :
4. Previous year's Registration No. if any :
5. If, on the date of application, the applicant holds any mineral concession/mineral dealer's licence in the State, give details :
6. Details of the land or building in which the applicant desires to stock and sell the mineral or its products (District, Taluk, Village, Desom, Panchayath/Municipality/Corporation Survey No. & extent etc. should be given) :
7. Specific purpose for which registration is applied for (storing and selling/ storing, processing and selling) :
8. Details of the enclosed location sketch and possession certificate of the land/building used for processing and/or storing mineral :

- 9. Approximate quantity proposed to be stored/processed in the coming year :
- 10. Source of mineral to be processed/ stored :
- 11. Any other information :

I/We do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details as may be required by the District Geologist.

Place :

Date : *Name and Signature of the applicant.*

Received at.....(place) on the.....day ofmonth.....year.

Initials of the receiving officer.

FORM B

(See rules 7 and 10)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

ACKNOWLEDGEMENT OF APPLICATION FOR GRANT OR RENEWAL OF REGISTRATION/DEALER'S LICENCE

Sl. No.

Date

Received an application for the grant/renewal of Registration to Sales Depot/grant or renewal of Dealer's Licence (strike off which is not applicable) with the following enclosures from Shri/Smt./M/s.....on..... for the mineral.....

Enclosure:

Signature of receiving Officer with seal of office.

FORM C

(See rule 8)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

REGISTER OF APPLICATIONS FOR GRANT/RENEWAL OF REGISTRATION

1. Serial No. :
2. Date of receipt of application for Registration :
3. Name of the applicant with full address :
4. Name of the mineral/product applied for :
5. Taluk, Village, Sy. No. and extent of the storing area :
6. Quantity to be stored in a year :
7. Period for which grant/renewal of registration is applied :
8. Application fee paid vide chalan No. date..... :
9. Date of order of grant/refusal of registration :
10. Details of grant/refusal & Number and date of the order of grant/refusal
11. Signature of the Officer :

FORM D

(See rule 9)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

CERTIFICATE OF REGISTRATION FOR STOCKING & SELLING AND/OR PROCESSING OF MINERALS UNDER THE KERALA MINERALS (PREVENTION OF ILLEGAL MINING, STORAGE AND TRANSPORTATION) RULES, 2015

No.

Date.....

Registration is hereby granted in favour of Shri/Smt./M/s.....
(Name and Address) for the purpose of storing, processing and selling (specify the purpose) the undermentioned mineral at the sales depot indicated below for the period from..... to.....subject to the provisions contained in these Rules.

Name of Mineral :
 Location of sales depot :
 District :
 Taluk :
 Village :
 Sy. No. :
 Extent :
 Panchayath/Municipality/Corporation :
 Quantity allowed for stocking for one year :

The Registration will be in force for the period from.....to.....
 The Registration already granted which expired on..... is renewed up to
(strike off if not applicable)

(Office Seal)

Signature and seal of District Geologist.

FORM E

(See rule 10)

**The Kerala Minerals (Prevention of Illegal Mining, Storage and
 Transportation) Rules, 2015**

APPLICATION FOR GRANT OR RENEWAL OF MINERAL DEALER'S LICENCE

(To be submitted in duplicate)

From

.....

To

The Senior Geologist/Geologist,
 District Office,
 Department of Mining and Geology,

Sir,

I/We request for the grant/renewal of Mineral Dealer's licence for the
 year.....

A sum of ₹as application fee payable under these rules has been deposited at..... Treasury, vide chalan No. dated.....

The required particulars are given below:

1. Name of the applicant with complete address :
 2. Is the applicant an Individual/Private company/
Public Company/Firm or Association? Specify :
 3. Profession or nature of business of applicant :
 4. Previous year's Dealer's Licence No., if any :
 5. If, on the date of application, the applicant
holds any mineral concession/licence in the
State furnish the details such as Lease No./
Quarrying Permit No./Dealer's Licence No.
and date :
 6. Mineral/mineral products for which the applicant
intends to hold licence (Specify whether major
or minor). :
 7. Quantity of mineral to be stored during
the year :
 8. Details of the land on which applicant desires
to store or trade mineral or its products
(where the land is not owned by the applicant,
consent letter of the owner is to be attached) :
- District :
- Taluk :
- Village :
- Desom :
- Panchayath/Municipality/Corporation :
- Sy. No. :
- Extent :

9. Details of the enclosed survey sketch and latest revenue record of the land intended to be used for storing mineral or its products enclosed
10. Any other details

I/We hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details including security deposit etc., as may be required by you.

Signature of the applicant

Place:

Name :

Date:

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

FORM F

(See rule 11)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

REGISTER OF APPLICATION FOR MINERAL DEALER'S LICENCE

1. Serial No. :
2. Date of application for Licence :
3. Date of receipt of application :
4. Name of the applicant with full address :
5. Name of the mineral/product applied for :
6. Village, Sy. No. and extent of the storing area :
7. Quantity to be stored in a year :
8. Period for which grant/renewal of licence is applied :
9. Application fee paid vide chalan No.....date..... :
10. Details of grant/renewal of licence together with number and date of the order :
11. Any other details :
12. Signature of the Officer :

[See sub-rule (1) of rule 13]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

GOVERNMENT OF KERALA

DEALER'S LICENCE

District Office of the Department of Mining and Geology
.....district**A DEALER'S LICENCE TO STOCK, SELL AND EXHIBIT FOR SALE OF
MINERAL UNDER THE KERALA STATE MINERALS
(PREVENTION OF ILLEGAL MINING, STORAGE
AND TRANSPORTATION) RULES, 2015**

No.

Date.....

Dealer's licence is granted in favour of Shri/Smt/M/s.....
..... to stock, sell and exhibit for sale the under mentioned
mineral at the sales depot indicated below for the period commencing
from.....to.....

Name of Mineral :
 Location of sales depot :
 District :
 Tahuk :
 Village :
 Sy. No. :
 Extent :
 Panchayath/Municipality/Corporation :
 Quantity allowed to stock for :
 one year

The licence will be in force for the period from..... to.....
 The licence already granted and which expired on..... is renewed up to
(strike off if not applicable)

Conditions of the licence

- (i) The licensee shall keep accurate and correct accounts showing the quantity and other particulars of the mineral and/or its products received and despatched from the stockyard in the register prescribed for the purpose.
- (ii) The licensee shall submit monthly returns to the District Geologist in the form specified for the purpose.
- (iii) The licensee shall issue mineral transit pass for every consignment despatched from the stockyard.
- (iv) The licensee shall allow the competent authority or any authorised officer to—
 - (a) enter and inspect the stockyard including mineral processing unit, building, office or any relevant premises;
 - (b) survey, weigh, measure or take measurements of the stocks of mineral and/or its products kept at the sale depot and its premises;
 - (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) collect any other relevant information
 - (e) collect samples of any mineral and/or its products.
- (v) The licensee shall display the licence prominently at the licenced premises. If at any time the licence granted under these rules is lost or destroyed, the licensee shall forthwith report the fact to the authorised officer concerned.

Signature and seal of the District Geologist

[See sub-rule (7) of rule 13]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

REGISTER OF DEALER'S LICENCE

(To be maintained separately for major and minor minerals)

1. Serial Number :
2. Name of the Licencee :
3. Full Address :
4. Name of Mineral :
5. Location of sales depot :
6. District :
7. Taluk :
8. Village :
9. Sy. No. :
10. Extent :
11. Panchayath/Municipality/Corporation :
12. Number and date of Grant/Renewal of Licence :
13. Period of Licence :
14. Remarks :
15. If the licence is cancelled, date of cancellation
of licence and reason for the same :

Signature of the Officer

FORM I

(See rule 17)

**The Kerala Minerals (Prevention of Illegal Mining, Storage and
Transportation) Rules, 2015**

**REGISTER TO BE MAINTAINED BY A DEALER SHOWING
PURCHASE AND SALE OF MINERALS**

Name of Dealer :

Licence No. :

Name of mineral :

Date	No. of each Mineral transit pass showing purchase	Quantity of each purchase (MT/CBM)	Total purchase (MT/CBM)	Sl. No. of Mineral transit pass for each sale	Quantity of each sale (MT/CBM)	Rate	Cash Bill No.	Purchase price paid	Sale price realized	Total Quantity sold	Balance Quantity
1	2	3	4	5	6	7	8	9	10	11	12

Signature of the dealer :

FORM J

(See rule 17)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015**STOCK REGISTER TO BE MAINTAINED BY A DEALER**

1. Name and address of licensee :
2. Dealer's Licence No. :
3. Location of sales depot :
4. Name of Mineral/Mineral Product :
 - (a) Date :
 - (b) Opening balance (in tonnes/cubic metre) :
 - (c) Quantity of mineral purchased (in tonnes/ cubic metre) :
 - (d) Total Stock (b+c) :
 - (e) Quantity of Mineral sold from sales depot (in tonnes/cubic metre) :
 - (f) Closing stock (in tonnes/cubic metre) :
 - (g) Signature of the dealer :

FORM K

(See rule 18)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015**FORM OF MONTHLY STATEMENT OF ACCOUNTS TO BE FURNISHED BY THE DEALER**

RETURN FOR THE MONTH OF

(To be furnished within 10th day of ensuing month)

1. Name of the dealer :
2. Address of the dealer :
3. No. of Licence :
4. Period of Licence : From..... to.....

5. Location of sales depot :
6. Name of Mineral for which licence :
is granted
7. Opening stock (in metric tonnes/ :
cubic metre)
8. Quantity of mineral purchased :
(in metric tonnes/cubic metre)
9. Total stock in the sales depot :
(in metric tonnes/cubic metre)
10. Quantity of Mineral sold during :
the month (in metric tonnes/cubic
metre)
11. Mineral Transit passes used during
the month—
Book No. :
Serial No. :
Fromto.....
12. Balance of stock at the end of the :
month.....(in tonnes/cubic metre)

Date:

Signature of dealer.

Place:

FORM L

[See (2) of rule 25]

**The Kerala Minerals (Prevention of Illegal Mining, Storage and
Transportation) Rules, 2015**

APPLICATION FOR MOVEMENT PERMIT

I/We (Name and address of the applicant)
request to grant a movement permit for transporting minerals from my/our
sales depot/mineral value addition unit/mining lease area/prospecting licence
area/quarrying lease area/quarrying permit area/special mineral concession area
(strike off which is not applicable). The required details are given below:

1. Name and address of the applicant:
2. Mineral concession/Registration particulars (number/date/location/name of mineral/quantity of mineral/number of passes/validity etc. as applicable):
3. Whether the mineral is moved for the purpose of value addition and for subsequent sale of value added products? Yes/No
4. If yes, the registration particulars of value addition unit owned by the applicant (registration number/date/location/village/taluk/district etc.):
5. Whether applying for movement permit to obtain additional passes on depletion of entitled mineral transit passes (if applicable):
6. Quantity of the mineral intended to be moved:
7. Period for which movement permit is required:
8. Particulars of previous movement permit (number/date/quantity allowed/quantity dispatched) which is to be cancelled:
9. Particulars of statutory licences obtained (attach original/copy):
10. Any other details:

Place:

Name and signature of applicant.

Date:

FORM M

[See (2) of rule 25]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

GOVERNMENT OF KERALA
Department of Mining and Geology
District Office,.....

MOVEMENT PERMIT

No.

Date.....

Shri./Smt./M/s.who is holding a mining lease/
quarrying lease/prospecting license No.dated.....under Mineral
Concession Rules, 1960/Granite Conservation and Development Rules, 1999/
quarrying permit No.dated.....under Kerala Minor Mineral
Concession Rules, 2015/special mineral concession No.dated.....
under rule 14/104/105/106/107 of Kerala Minor Mineral Concession Rules,

2015/dealer's license No. dated.....under Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules,2015 (strike off whichever is not applicable) is hereby permitted to transport..... (specify type and name and specification of mineral) from mine/quarry/sales depot./(specify other cases) situated at.....(location name), in Survey No.of.....Village of.....Taluk of.....District for the period fromto..... This movement permit is issued against application for obtaining additional passes on depletion of entitled mineral transit passes (strike off if not applicable).

*This movement permit is issued for the purpose of transport of minerals for value addition and for subsequent sale of value added products from the value addition unit (strike off if not applicable). Every consignment of mineral permitted to be moved under this movement permit shall be moved only with valid minerals transit pass issued under the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015.

Other particulars are as detailed below:

1. Particulars of mineral concession (concession number/date/allowed quantity/ validity etc.):
2. Particulars of previous movement permits which stands cancelled :
3. Balance quantity of mineral brought forward from previous movement permit :
4. Quantity of mineral permitted to be moved under this movement permit :
5. *Registration number with date allotted to the value addition unit (if applicable) :
6. *Location name, survey number, village, taluk, district of the value addition unit to which the mineral is intended to be moved (if applicable) :
7. Special conditions to be imposed (if any) :
8. Particulars of remittance of rent/royalty/taxes as applicable :

(Office Seal)

Signature and seal of District Geologist.

* to be furnished in the case of issuance of movement permit for the purpose of transport of minerals to the value addition unit and for subsequent sale of value added products.

[See (2) of rule 25]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

APPLICATION FOR MINERAL TRANSIT PASSES

I/we (Name and address of the applicant) request to grant mineral transit passes for transporting minerals from my/our sales depot./mineral value addition unit mining lease area/prospecting licence area/quarrying lease area/quarrying permit area/special mineral concession area (strike off which is not applicable). I am herewith enclosing a copy of the movement permit against which mineral transit passes are requested. I am also enclosing herewith original mineral transit passes to prove the purchase of the mineral stocked (applicable for dealers only). I/We am/are also eligible for obtaining mineral transit passes in Form O (B) for movement of minerals to the value addition unit (strike off if not applicable).

The required details are given below:

1. Name and address of the dealer/producer :
2. Total number of passes entitled as per the mineral concession (if applicable) :
3. Particulars of previous movement permit (No., date, quantity of mineral, period etc., if any) :
4. Number of mineral transit passes so far issued under the above mentioned movement permit :
5. Form O (A)
6. Form O (B)
7. Number of mineral transit passes so far used with Book numbers and serial numbers :
8. Form O (A)
9. Form O (B)
10. Total quantity of mineral moved so far :
11. Using Form O (A)

- 12. Using Form O (B)
- 13. Number of passes to be revalidated (if applicable) :
- 14. Form O (A)
- 15. Form O (B)
- 16. Number of passes additionally required :
- 17. Form O (A)
- 18. Form O (B)
- 19. Validity of mineral transit passes required :
- 20. Approximate quantity of mineral indented to be moved :

Place:

Date:

Signature and name of applicant.

For office use only

Recommendation of District Geologist :

Number of passes revalidated: Form O (A)..... Form O (B).....

Number of additional passes issued : Form O (A)..... Form O (B).....

Details of Book number and Serial numbers of passes issued :

Form O (A)

Form O (B)

Date of issue :

Issued for despatch of minerals up to :

Issued a total of..... passes in Form O (A) andin Form O (B) (strike off if not applicable)

After verification of accounts/proof of purchase.

Seal and Signature of Officer who issued the passes.

FORM O (A)

(See rules 25 and 26)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015**GOVERNMENT OF KERALA****Department of Mining and Geology****MINERAL TRANSIT PASS****(FOR TRANSPORT OF MINERALS FOR THE PURPOSE OF SALE)***(to be prepared in duplicate)*

Book No.:

Mineral Transit Pass No.:

1. Name of the producer/dealer :
2. Mining Lease/quarrying lease/prospecting licence/quarrying permit/Dealer's licence/special mineral concession/RMCU No., date and its date of expiry :
3. Movement Permit No. and date :
4. DATE OF EXPIRY OF MOVEMENT PERMIT :
5. Location of mine/quarry/sales depot/mineral value addition unit—
 - District :
 - Taluk :
 - Village :
 - Location :
 - Survey No. :
6. Name of mineral transported and its specification :
7. Quantity of mineral loaded in the carrier :
8. Name and address of consignee :
9. If consignee is a dealer his license No. and date :
10. Destination of consignment (Place, District, State) :

11. Approximate distance to destination and route :
12. REGISTRATION NUMBER, MAKE AND TYPE OF CARRIER IN WHICH MINERAL IS LOADED :
13. Expected time and date of reaching destination :

Date: In figures

In words.

Time: In figures.

In words.

*Signature of producer/dealer/authorized signatory
Name, Address and phone number*

For Office use

Issued for despatch of minerals up to:

Office Seal

Dated signature and seal of officer issuing the pass

Conditions:—

1. Serial No. of this pass shall be machine printed.
2. All columns of this pass shall be duly filled in using double sided carbon paper.
3. All entries shall be without any overwriting and should be clearly readable.
4. Original of this pass should be handed over to the person in charge of the vehicle in which the mineral is transported.
5. Separate transit pass should be issued for each trip/consignment.
6. Duplicate copy of the pass should be retained by the producer/dealer for verification.
7. Omission to record date and/or time (both in figures and words) or any overwriting in the pass make the pass invalid.
8. After unloading the consignment the person in-charge of the carrier shall hand over the original pass to the purchaser.

FORM O (B)

(See rules 25 and 26)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

GOVERNMENT OF KERALA

Department of Mining and Geology**MINERAL TRANSIT PASS****(FOR TRANSPORT OF MINERALS TO THE VALUE ADDITION UNIT and NOT FOR SALE)***(to be prepared in duplicate)*

Book No.: Mineral Transit Pass No.:

1. Name of the producer/dealer :
2. Mining Lease/quarrying lease No., date and its date of expiry :
3. Movement Permit No. and date :
4. DATE OF EXPIRY OF MOVEMENT PERMIT :
5. Location of mine/quarry from which mineral is transported—
 - District :
 - Taluk :
 - Village :
 - Location :
 - Survey No. :
6. Name of mineral transported and its specification :
7. Quantity of mineral loaded in the carrier :
8. (a) Registration No. with date of the value addition unit to which mineral is transported :
- (b) Location of the value addition unit—
 - District :
 - Taluk :
 - Village :
 - Location :
 - Survey No. :

9. Distance to mineral value addition :
unit and route
10. REGISTRATION NUMBER, MAKE AND :
TYPE OF CARRIER IN WHICH MINERAL
IS LOADED
11. Expected time of reaching destination :
Date: In figures
In words
Time: In figures
In words

*Signature of producer/authorized signatory
Name, Address and phone number*

For Office use

Issued for despatch of minerals up to:

Office Seal

Dated signature and seal of officer issuing the pass

Conditions:—

12. Serial No. of this pass shall be machine printed.
13. All columns of this pass shall be duly filled in using double sided carbon paper.
14. All entries shall be without any overwriting and should be clearly readable.
15. Original of this pass should be handed over to the person in-charge of the vehicle in which the mineral is transported.
16. Separate transit pass should be issued for each trip/consignment.
17. Duplicate copy of the pass should be retained by the producer/dealer for verification.
18. Omission to record date and/or time (both in figures and words) or any over writing in the pass make the pass invalid.
19. After unloading the consignment the person in-charge of the carrier shall hand over the original pass to the purchaser.

FORM O (C)

[See (6) of rule 26]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

GOVERNMENT OF KERALA

Department of Mining and Geology

ELECTRONIC MINERAL TRANSIT PASS (EPASS)

(FOR TRANSPORT OF MINERALS FOR THE PURPOSE OF SALE)

CONSIGNEE COPY/CONSIGNOR COPY

ePass Id:**Issuing authority:**

1. Name of the producer/dealer :
2. Mining Lease/quarrying lease/prospecting licence/quarrying permit/Dealer's licence/special mineral concession/RMCU No., date and its date of expiry :
3. Movement permit No. and date :
4. DATE OF EXPIRY OF MOVEMENT PERMIT :
5. Location of mine/quarry/sales depot/mineral value addition unit—
 - District :
 - Taluk :
 - Village :
 - Location :
 - Survey No. :
6. Name of mineral transported and its specification :
7. Quantity of mineral loaded in the carrier :
8. Name and address of consignee :
9. If consignee is a dealer, his license No. and date :

10. Destination of consignment (place, district, state) :
 11. Approximate distance to destination and route :
 12. REGISTRATION NUMBER, MAKE AND TYPE OF CARRIER IN WHICH MINERAL IS LOADED :
 13. Expected time and date of reaching destination time and date of generation of ePass :
- 2D Barcode

*Signature of producer/dealer/authorized signatory
Name, Address and phone number.*

FORM O (D)

[See (6) of rule 26]

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015

GOVERNMENT OF KERALA

Department of Mining and Geology

**ELECTRONIC MINERAL TRANSIT PASS (EPASS)
(FOR TRANSPORT OF MINERALS TO THE MINERAL
VALUE ADDITION UNIT AND NOT FOR SALE)
CONSIGNEE COPY/CONSIGNOR COPY**

ePass Id :

Issuing authority:

1. Name of the Producer :
2. Mining Lease/quarrying lease No., date and its date of expiry :
3. Movement Permit No. and date :
4. DATE OF EXPIRY OF MOVEMENT PERMIT :

5. Location of mine/quarry from which mineral is transported :
- District :
- Taluk :
- Village :
- Location :
- Survey No. :
6. Name of mineral transported and its specification :
7. Quantity of mineral loaded in the carrier :
8. (a) Registration No. with date of the mineral value addition unit to which mineral is transported :
- (b) Location of the mineral value addition unit :
- District :
- Taluk :
- Village :
- Location :
- Survey No. :
9. Distance to mineral value addition unit and route :
10. REGISTRATION NUMBER, MAKE AND TYPE OF CARRIER IN WHICH MINERAL IS LOADED :
11. Expected time of reaching mineral value addition unit :
- Time and date of generation of ePass :
- 2D Barcode :

*Signature of producer/authorized signatory
Name, Address and phone number.*

FORM P

(See rule 27)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015**FORM OF APPEAL MEMORANDUM**

1. Name and address of individual/firm/company :
2. Profession of individual/nature of business :
3. Full details of the order of the competent authority/District Geologist/First Appellate Authority against which the appeal is made (enclose copy of the order) :
4. Mineral/minerals forming the subject matter of the appeal :
5. Is the appeal filed within the period specified in rule 27(1) :
6. Statement of facts in appeal :
7. Grounds of appeal :
8. Is the appeal memorandum filed by the holder of Power of Attorney? (If yes, attach the Power of Attorney) :

Dated this the.....day of.....

Name and Signature of the appellant.

FORM Q

(See rule 30)

The Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015**ACKNOWLEDGEMENT FOR SEIZURE AND CUSTODY OF ILLEGALLY STORED MINERAL AND CARRIER CARRYING ILLEGALLY TRANSPORTED MINERALS***(To be prepared in duplicate)*

Date:

The vehicle bearing Reg. No., loaded with..... (name of mineral), seized by me on..... (date) at..... hrs. at.....(place).....has been entrusted for safe custody of the Station House Officer,Police Station for proceeding under

Rule 30 of the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015. No valuable material other than the mineral under custody is kept in the vehicle.

Signature of Officer

Designation:

Name and signature of the person in charge of the vehicle

Address :

By order of the Governor,

P. H. KURIAN,
Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Kerala Minor Mineral Concession Rules, 1967 were framed by the Government of Kerala in exercise of the powers conferred under sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957. In the said rules the provisions for storage and transportation of minerals were incorporated with effect from 24th April, 1974. The said rules were issued in exercise of powers conferred under sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957. But the power to make rules for the storage and transportation of minerals was later included in section 23C of the Mines and Minerals (Development and Regulation) Act, 1957. The Honourable Supreme Court expressed dissatisfaction with regard to the inclusion of the above provisions in the existing rules of 1967. Hence the Government have decided to supersede the existing Kerala Minor Mineral Concession Rules of 1967 by making new rules and to frame separate rule for storage and transportation of minerals.

In these circumstances, Government have decided to make the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015 in exercise of the powers conferred under sub-section (1) of Section 23C of the Mines and Minerals (Development and Regulation) Act, 1957.

The notification is intended to achieve the above object.