

## Notification

Industries and Mines Department, Sachivalaya, Gandhinagar,

Dated the 26<sup>th</sup> September, 2017

**Mines and  
Minerals  
(Development and  
Regulation)  
Act, 1957**

No.GU-2017-(28)-MCR- 102017-1369 -CHH:- In exercise of the powers conferred by section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), and in supersession of all the rules made in this behalf the Government of Gujarat hereby makes the following rules, namely:-

### **CHAPTER I: PRELIMINARY**

#### **1. Short title and commencement.-**

- (1) These rules may be called the Gujarat Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017.
  - (i) Clause (g) of sub-rule (1) of rule 2, clause (w) of sub-rule (1) of rule 2, sub-rule (5) of rule 4, clause (d) of sub- rule (1) of rule 5, sub-rule (6) of rule 5, clause (a) of sub-rule (1) of rule 7 and sub-rule (2) of rule 8, shall come into force on such date as the State Government may by notification in the official gazette, appoints and different dates may be appointed for different provisions of these rules.
  - (ii) Provisions of the remaining rules shall come into force on and from 26<sup>th</sup> September, 2017.

#### **2. Definitions.-**

- (1) In these rules, unless the context otherwise requires;
  - (a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957);
  - (b) "Authorised Officer" means an officer authorised by the Government to perform functions under these rules and having such jurisdiction as specified in Schedule I;
  - (c) " bank guarantee" means a bank guarantee to be issued in Form A by a bank as may be notified by the Government in Finance Department from time to time, for acceptance of bank guarantees as security deposit and earnest money deposit;
  - (d) "Carrier" means any mode of conveyance or facility by which a mineral is transported from one place to another and includes a mechanised device, person, animal or cart;
  - (e) "Check Post" means a check post established in accordance with rule 8;
  - (f) "Commissioner" means the Commissioner of Geology and Mining, Gujarat State;
  - (g) "electronic identification device" means a device which is capable of electronically storing data and wirelessly sharing such data for the purposes of identification and tracking and includes a radio frequency identification tag;
  - (h) "Electronic Weigh Bridge" means an electronic system of weighing minerals or mineral products and includes weigh in motion technology having such specifications as may be specified by the Government from time to time;
  - (i) "end-user" shall mean any person who uses the mineral as a raw material and includes any beneficiation or processing plant situated outside the leasehold area.

Provided that if such beneficiation or processing plant is situated in the leasehold area of either same lease holder or other lease holder, the processed mineral/ run of mine shall be stocked/stacked in such a manner so as to be distinctly identifiable from run of mine/mineral of different leases and the same shall be accounted for separately;

- (j) "Form" means the forms appended to these rules;
- (k) "Government" means the Government of Gujarat;
- (l) "illegal mining" means any reconnaissance or prospecting or mining or quarrying operation undertaken by any person or a company in any area (i) without holding a mineral concession as required under the Act or rules made thereunder; or (ii) in violation of these rules;
- (m) "illegal storage" means the storage of any mineral otherwise than in accordance with the provisions of the Act and/or the rules made thereunder;
- (n) "illegal transportation" means the removal, shifting, transfer and/ or transport of any mineral by any Carrier otherwise than in accordance with the provisions of the Act and/or the rules made thereunder;
- (o) "Mechanized Machinery" means and includes each and every machinery used in the winning of a mineral from the lease or beneficiation plant and its processing, run on electricity or otherwise and whether owned or operated by the holder of a mineral concession or any other person but excludes a Carrier;
- (p) "mineral concession" means a permit, licence or lease granted pursuant to rules made under section 13 of the Act, or a quarry lease, quarry permit or quarry parwana granted pursuant to rules made under section 15 of the Act;
- (q) "property" means tools, equipment etc. refer to sub-rule (I) of rule 12;
- (r) "research work" means any work done for beneficiation and up-gradation of a mineral and for examining its suitability for utilization in the industry for the purpose of scientific study without any commercial purpose;
- (s) " Schedule" means a schedule appended to these rules;
- (t) "scientific test" means any test conducted for chemical or mineralogical constituents and properties for the purpose of scientific study without any commercial motive/purpose;
- (u) "State" means the State of Gujarat;
- (v) "sustainable mining" means and includes carrying out mining operations conforming to conditions stipulated in clearances and permissions accorded for mining by various authorities and without damaging the ecology and environment of the State;
- (w) "tracking device" means any equipment which is capable of receiving and transmitting signals to track the location, speed and route of a Carrier using the global positioning system or an equivalent system such as the Indian Regional Navigation Satellite System, of such specifications as may be specified by the Government from time to time;
- (x) "Trader" means any person who:
  - (i) carries on the business of buying, possessing, storing, selling, supplying, transporting, distributing, delivering, exporting for sale or processing of

mineral(s), directly or otherwise for cash or for deferred payment or for commission, remuneration or other valuable consideration;

- (ii) uses mineral/s and its ingredients as a raw material;
- (iii) has a mineral sharing agreement with the holder of a mineral concession;
- (iv) has capital investment in the underlying lease;
- (v) has a raising contract with the holder of a mineral concession;
- (vi) is involved in winning or mining of minerals;
- (vii) buys and processes minerals for sale or for utilization for his own purposes;  
or
- (viii) a person who holds a mineral concession; and

(y) "Transit Permit" shall have the meaning assigned to it in sub-rule (2) of rule 5.

(2) The words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Act.

### 3. Prohibitions.-

No person shall carry on <sup>1</sup>[quarrying, winning, mining, excavating,] buying, storing, selling, supplying, transporting, distributing, delivering, exporting for sale or processing of minerals at any place for the purpose of sale or consumption or otherwise deal with any mineral, except under and in accordance with the Act and the rules made thereunder, including in accordance with registration requirements, mineral concession requirements and other conditions specified in these rules:

Provided that the holder of a mineral concession shall not be required to obtain a license for possessing, storing, selling, supplying, transporting, distributing or processing of such minerals within the leasehold area.

## CHAPTER II: ELECTRONIC SYSTEM

### 4. Establishment of an electronic system.-

- (1) The Government may establish and maintain an electronic system capable of, amongst others, storing and retrieving biometric information of persons registered under such system, including under sub-rule (3) and sub-rule (4), to manage and regulate mining operations within the State, to check illegal mining, illegal transportation or illegal storage of minerals, to protect the revenue recoverable from mining activity, to promote sustainable mining and to ensure compliance of various conditions imposed in the mineral concession and other consents and approvals.
- (2) The Government may implement the electronic system referred in sub-rule (I) in a phased manner through a notification.
- (3) <sup>2</sup>[Every person as listed below who is already engaged in any operations permitted under these Rules, within such period as may be notified by the Government, shall register by making an application in **Form B** with the Government in the manner specified in **Schedule II**;
  - (a) a person who is an existing holder of any mineral concessions within the State;

---

<sup>1</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>2</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (b) an existing owner of a Carrier(s) (used for carrying minerals that are extracted or stored within the State);
- (c) every Carrier (other than a tractor and trolley) used for carrying minerals that are extracted or stored within the State;
- (d) a person who is an existing owner of a weigh bridge whether electronic, computerized or otherwise;
- (e) an existing mine development operator, (by whatever name called), of a mine situated in the State;
- (f) an existing owner of a Mechanized Machinery; and
- (g) a Trader within the State.

In addition to the registration requirement specified in **Schedule II**, every trader who exports minerals/ ores from the State shall procure a no-objection certificate from the Government prior to exporting any minerals/ ores. The no-objection certificate shall be issued by the Government subject to submission of the following documents and information by the trader, namely:

- (a) specified details regarding the exact quantity of mineral, type of mineral, grade and mineral price at which the mineral is proposed to be exported/sold;
- (b) details of the purchaser's/importer's destination/place;
- (c) details of the source of procurement of the minerals/ ores;
- (d) an affidavit to the effect that the trader is registered in the business of trading for the minerals being exported; and
- (e) any other document and information as may be required by the Government.]

<sup>3</sup>[(3A) Subject to other provisions thereof, every person desirous of engaging in any operations permitted under these Rules after the date of such notification as mentioned in sub-rule (3) above, shall register themselves by making an application in Form B with the Government in the manner specified in Schedule II before commencing any such operation.]

- (4) No Mechanized Machinery or Carrier (other than a tractor and trolley) shall be used by the holder of a mineral concession unless the same is registered with the Government in accordance with the requirements of <sup>4</sup>[sub-rule (3), sub rule 3(A) and sub-rule (5)].
- (5) Within such time as may be specified by the Government through a notification, the following machinery or persons shall be registered with the Government on the date of publication of such notification in the manner specified in such notification, namely:
  - (a) a person who is an end-user in the State;
  - (b) a Carrier which is a tractor and a trolley; and
  - (c) such other person as may be specified by the Government.

---

<sup>3</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>4</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (6) <sup>5</sup>[Registration with the Government shall be for a period of ten years in the manner and subject to such conditions as specified by the Government, including payment of the non-refundable registration fee as under,

- (a) of rupees one thousand payable by the owner of a carrier(s) for each carrier other than a tractor or a trolley;
- (b) of rupees one thousand payable for each mechanized machinery by owner of mechanized machinery other than a tractor or a trolley;
- (c) of rupees one thousand payable for each mine by a mine development operator;
- (d) of rupees one thousand payable by an owner of a weigh bridge;
- (e) of rupees one thousand payable by a trader:

Provided that the Government shall not enhance the rate of non refundable registration fee more than once during any period of three years.

The registration fee shall be paid in the manner specified by the Government, and the relevant grant of registration shall be made in Form C. The Government shall maintain a register for recording grant of registration as specified in Form D. A fresh application for registration may be made upon expiry of the aforesaid period of ten years, subject to compliance with other applicable provisions of these rules.]

- (7) An end-user engaged in the construction business shall obtain an online registration by making an application in Form B and an approval, which shall be automatic upon registration, for each construction project with respect to which more than one hundred metric tonnes of a mineral specified in Part A of the Schedule III of The Gujarat Minor Mineral Concession Rules, 2017 is to be consumed, by paying a one-time registration fee of Rupees ten thousand, and such registration and approval shall be valid for the tenure of the relevant project, without factoring in any amendments, changes or modifications thereof.
- (8) No person shall undertake any activity listed in sub-rule (3), sub-rule (5) or sub- rule (7) without obtaining a registration in the manner prescribed therein.
- <sup>6</sup>[(9) The Authorised Officer may, after providing a reasonable opportunity of being heard and for reasons to be recorded in writing, refuse to register a person, carrier or mechanized machinery.]

### **CHAPTER III: DISPATCH, CHECK POSTS AND REPORTING**

#### **5. Dispatch of minerals outside the lease area.-**

- (1) A holder of a mineral concession in the State shall, prior to dispatch of any mineral outside the lease area, provide the following information to the Government:
- (a) quantity of mineral dispatched;
  - (b) name, address and registration number of the person to whom such mineral is being dispatched, herein after referred to as the "Consignee";
  - (c) particulars of the Carrier carrying the minerals ;

---

<sup>5</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>6</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (d) particulars of the tracking device and electronic identification device; provided however that in case of export of minerals, a tracking device and electronic identification device would not be required for transportation outside the State;
- (e) the expected route for transportation and the particulars of en-route Check Posts within the State;
- (f) if the holder of the mineral concession has availed services of any other person for transportation, then particulars of the transporter including the registration number of the transporter;
- (g) particulars of royalty and other payments made with respect to such minerals;
- (h) in case of export of the mineral to an overseas Consignee, a copy of the documents submitted with the customs department with respect to such export; and
- (i) such other particulars as may be specified by the Government:

Provided that if the holder of a mineral concession has engaged the services of a mine development operator, by whatever name called, such information may be furnished by the mine development operator. In such case, the mine development operator and the holder of a mineral concession shall be jointly and severally responsible with respect to entry and accuracy of the information so furnished to the Government.

- (2) Upon due and proper entry of information under sub-rule (1), the holder of a mineral concession shall obtain a digitally signed permit for lawful transportation of minerals, hereinafter referred to as the "Transit Permit", which shall be in the format specified in Form E and shall be printed by the holder of a mineral concession on a special security permit papersheet.
  - (3) <sup>7</sup>[Every trader shall, prior to dispatch of any mineral, provide the information set out in sub-rule (1) to the Government including the legal source of minerals procured, other than the information set out in clause (g) of sub-rule (1). Upon due and proper entry of the information under sub-rule (1) including the legal source of minerals procured, other than the information set out in clause (g) of sub-rule (1), the trader shall obtain a digitally signed permit for lawful transportation of the mineral/ore, hereinafter referred to as the "Delivery Challan". The Delivery Challan shall be in the format specified in **Form F** and shall be printed by the trader on a special security permit papersheet.]
  - (4) The Authorised Officer shall issue a special security permit papersheet which shall be used by the holder of a mineral concession or a trader, to print the Transit Permit or the Delivery Challan, as the case may be. The special security permit papersheet shall be issued in such manner as may be specified by the Government. The Transit Permit or Delivery Challan shall be in triplicate and machine numbered with the book number and serial number thereof.
- <sup>8</sup>[Provided that Government may, for the reasons to be recorded in writing, suspend issuance of transit permit as contemplated under sub-rule (2) above or delivery challan as contemplated under sub-rule (3) above, to the holder of a mineral concession or to a trader, as the case may be, in case (a) any dues or penalties have been levied by the Authorised Officer on such holder or trader and are outstanding; or (b) the trader or the owner of the relevant carrier has not procured registration for storage or transportation of mineral, as the case may be.]
- (5) The Transit Permit or Delivery Challan, as the case may be, shall be specific to each Carrier carrying the minerals and at all times during transit, a physical copy of the Transit Permit or Delivery Challan shall be retained.

---

<sup>7</sup> Subs.by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>8</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (6) The holder of a mineral concession shall ensure that it installs such equipment as may be necessary to comply with these rules, including equipment to enter relevant information in the electronic identification device of each Carrier.
- (7) Minerals shall be dispatched outside the lease area only in a registered Carrier and pursuant to a duly issued Transit Permit, and minerals shall be dispatched outside a stockyard only in a registered Carrier and pursuant to a duly issued Delivery Challan.

**6. Obligations of the Consignee.-**

- (1) The Consignee, who received the minerals in the State shall verify the Transit Pass or Delivery Challan, as the case may be, and shall keep the receipt in respect of the minerals received and maintain records thereof.
- (2) If the Consignee is to receive the minerals outside the State, then, at the last Check Post before crossing the border of the State, a record of the minerals being transported shall be taken.
- (3) If the Consignee is an end-user in the State, it shall ensure that the minerals are stocked in accordance with the provisions of Chapter IV.

**7. Obligations of the owner and operator of a Carrier.-**

- (1) Every owner and operator of a Carrier carrying minerals within the State shall carry:
  - (a) a duly working tracking device and duly working electronic identification device; and
  - (b) a valid Transit Permit or Delivery Challan, as the case may be.

The Carrier shall follow the transportation route specified pursuant to clause (e) of sub-rule (I) of rule 5 and pass through the en-route Check Posts.

- (2) In case of transfer of ownership of a Carrier, the new owner shall register himself and pending such registration, such Carrier shall not be used for carrying minerals.
- (3) A carrier or other person (including importer) carrying minerals entering the State from other State, shall register at the first Check Post and provide to the first Check Post, information regarding the quantity, quality, destination, name of carrier/ person at whose behest minerals are entering the State, related price information and such other information as may be required to be disclosed for minerals entering the State.
- (4) The Government may also impose additional conditions as it may deem necessary with respect to carriage of minerals in the State.

**8. Check Posts.-**

- (1) The Government may, with a view to check the transport and storage of minerals raised without lawful authority and to check the quality and quantity of minerals transported from leasehold areas and stockyards, set up Check Posts at any place within the Territory of Gujarat State.
- (2) <sup>9</sup>[Each Check Post shall have CCTV cameras with night vision and information technology enabled equipment including computerized weigh-bridge or a system which is connected to a central electronic system and which is capable of reading, recording, retrieving and analysing information of the tracking device and the electronic identification device on a Real-Time basis.]

---

<sup>9</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (3) Any Authorised Officer may stop and check any Carrier at any place within his respective jurisdiction and the person in charge of the Carrier shall furnish such information as may be required by the Authorised Officers.

## **9. Record and Returns.-**

- (1) Upon registration pursuant to sub-rule (3) and (4) of rule 4, every registered end- user, every holder of a mineral concession and every Trader shall file online monthly returns in Form G and annual returns in Form H.
- (2) The monthly returns and annual returns filed under sub-rule (1) shall specify the source of procuring the minerals, manner of consumption, processing, sale or export thereof along with the registration number of all the relevant parties.
- (3) A copy of the documents filed by a registered end-user, every holder of a mineral concession or every Trader with any Regulatory Authority, including Customs Authorities, with respect to transportation (including export) or sale of minerals shall also be filed with the Government on a monthly basis. The documents filed by a registered end-user, every holder of a mineral concession or every trader with customs authorities, with respect to transportation (including export) or sale of minerals , shall also be filed with the Government on an annual basis.
- (4) Every registered end-user, every holder of a mineral concession and every Trader shall;
- (a) maintain an account of the ore and minerals procured and transported daily to different destinations in the format set out in Part-A and Part-B of Form I and submit a monthly statement of the same to the Authorised Officer in Part-A and Part-B of Form G and an annual statement of the same to the Authorised Officer in Form H; and;
- (b) in case of crushing, pulverizing or any kind of processing plant and factory, maintain a separate daily account of minerals procured and fed to the factory or plant and the processed minerals recovered in Part-C of Form I and submit monthly statement of the above in Part-C of Form G duly maintained for every month, to the Authorised Officer and an annual statement of the same to the Authorised Officer in Form H.
- (5) All monthly returns or statements specified in this rule shall be filed by the 10<sup>th</sup> day of the next month. All annual returns or statements specified in this rule shall be submitted before the 1<sup>st</sup> day of July each year for the preceding financial year. Any delay in filing the monthly returns or statements or annual returns or statements within the timelines stipulated in this rule shall be punishable with a penalty of rupees five thousand only.

## **CHAPTER IV: STORAGE OF MINERAL**

### **10. Storage of mineral.-**

- (1) No person other than a holder of a mineral concession or Trader or a person who is an end-user shall store any mineral.
- (2) <sup>10</sup>[\*\*\*]
- (3) <sup>11</sup>[Any minerals stored within the territory of State (including any mineral imported into the State) by persons other than those specified in sub-rule(1) shall, from the date of commencement of these rules, vest in the Government.]

---

<sup>10</sup> Omitted by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>11</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).



- (4) Minerals shall be stored at the mine head (within the lease area) or stockyard of the holder of a mineral concession or trader or end-user, as the case may be, situated outside the leasehold area.
- (5) Registered ports and jetties having a storage facility shall have an Electronic Weigh Bridge installed to facilitate the measurement of the mineral in transit. The mineral may be permitted to be stored at jetties and ports within the State during its transit.
- (6) Each existing stock yard shall be registered by the holder of a mineral concession or trader or person who is an end-user with the Government within a period of one hundred and eighty days from the date of commencement of these rules or within such extended time period as may be permitted by the Government in writing and no new stock yard shall be operationalized by such persons without prior registration with the Government. The holder of a mineral concession or trader or person who is an end-user shall, at the time of registration, certify and declare the source, quantity and quality of minerals stored.

<sup>12</sup>[Provided that in case if a private land is used/proposed to be used as a stock yard, then an order from the revenue officer is required that permits the use of the said land for non-agricultural purposes.

Provided further that the Commissioner, Geology and Mining, for the reasons to be recorded in writing may exempt certain cases wherein the stock yard is registered for a temporary period, i.e. for a period less than one year].

## **CHAPTER V: INSPECTION, CONFISCATION AND RELEASE**

### **11. Inspection and verification by the Authorised Officer(s).-**

Any holder of a mineral concession or Trader shall provide necessary assistance to the Authorised Officer to inspect, verify and check the stocks of minerals at any place including in transit and accounts of minerals and any other documents pertaining thereto and shall allow any Authorised Officer to draw samples thereof.

### **12. Seizure of property liable to confiscation.-**

- (1) Whenever any person raises, transports or causes to be raised or transported, without any lawful authority, any mineral from any land, and for that purpose, uses any tool, equipment, vehicle or any other thing, such mineral, tool, equipment, vehicle or other thing (hereinafter referred to as "property") shall be liable to be seized by the Government in the manner specified in sub-rule (2) of this rule.
- (2) <sup>13</sup>[Every Authorised Officer seizing any property under these rules shall photograph the property and place on such property a mark in such manner as may be determined, indicating that the same has been so seized and shall:
  - (a) issue a notice in Form J informing the person from whom the property is seized of the property so seized, and release the property so seized upon receipt of a bank guarantee for an amount equal to-
    - (i) the penalty payable under rule 21, in case of transportation of, or causing to transport, mineral without lawful authority; or
    - (ii) the written down value of the property, in case of illegal mining or illegal storage of mineral:

<sup>12</sup> Ins. by GU/2019/29/MCR-102019-MM-720(4)-CHH, dated 08<sup>th</sup> August, 2019 (w.e.f. 08-08-2019).

<sup>13</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

Provided that, release under clause (a) of sub-rule (2) shall be without prejudice to and shall not in any manner affect the conduct of investigations and other actions contemplated under clause (b) of sub-rule (2).

Explanation: Under these rules property is seized as a security against the amount of penalty due to the Government and to ensure the presence of the alleged offender before the Government if the case is at notice stage.]

- (b) <sup>14</sup>[conduct,
- (i) an investigation and if he is satisfied that a compoundable offence has been committed in respect of the property, he may, subject to receipt of a compounding application, order payment of such amount for compounding the offence as may be deemed appropriate, which amount, if not paid within thirty days, may be recovered by invocation of the bank guarantee furnished under clause (a) of sub-rule (2); or
- (ii) a preliminary investigation, and if compounding is not permissible under rule 22 or if he is satisfied that the offence committed in respect of the property is not compoundable, upon the expiry of forty-five days from the date of seizure or upon completion of the investigation, whichever is earlier, shall approach by way of making a written complaint, before the Court of Sessions.

Explanation: Any offence under these rules shall be tried by the Court of Sessions in accordance with the Procedure laid down under the Code of Criminal Procedure, 1973;]

- (3) <sup>15</sup>[Where the court is satisfied that an offence has been committed and is punishable under these rules, the court may order for,-
- (a) penalty in accordance with rule 21,
- (b) confiscation of the property under sub-section (4A) of section 21 of the Act, where the property seized under sub-rule (1) above is produced before a court under sub-clause (ii) of clause (b) of sub-rule (2).]
- (4) No order for confiscating any property shall be made under sub-rule (3) unless the person from whom the property seized is given:
- (a) an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds for confiscation; and;
- (b) a reasonable opportunity of being heard in the matter.
- (5) <sup>16</sup>[\*\*\*]
- (6) <sup>17</sup>[The bank guarantee issued under clause (a) of sub-rule (2) shall be valid for an initial period of one year and shall be renewed from time to time until payment for compounding the offence under sub-clause (i) of clause (b) of sub-rule (2) or until payment of the penalty determined under sub-rule (3), as applicable, is made:

---

<sup>14</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>15</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>16</sup> Omitted by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>17</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

Provided that, if upon a determination under sub-rule (3), a penalty for an amount exceeding the amount of the bank guarantee is levied and the penalty amount is not paid, then the excess penalty amount may be recovered in the same manner as if it were an arrear of land revenue.]

(7) <sup>18</sup>[The property seized under this rule shall be kept in the custody of the Authorised Officer, any other third party, nearest police station or Government premises until:

- (a) a bank guarantee is provided pursuant to clause (a) of sub-rule (2);
- (b) payment of the amount as determined under sub-clause (i) of clause (b) of sub-rule (2) for compounding the offence is made; or,
- (c) payment of penalty as determined under sub-rule (3) is made; or
- (d) an order of the court directing its disposal is received by the Authorised Officer.]

### **13. Power of entry, search, seizure etc.-**

If the Government or any Authorised Officer has a reason to believe that provisions of 'The Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016' or 'The Gujarat Minor Mineral Concession Rules 2017' have been contravened or are likely to be contravened, then, with such assistance as he thinks fit, the Government or the Authorised Officer may-

- (a) search any person;
- (b) require the owner, occupier or any other person in charge of any place, premises, Carrier to produce any books, accounts or other documents showing transactions relating to such contravention;
- (c) enter, inspect or break open and search any place or premises or Carrier;
- (d) seize any documents or take or cause to be taken, extracts from or copies of any documents showing transactions relating to such contravention which are produced before him; and
- (e) search, seize and remove the stock minerals and the animals, vehicles, vessels or other conveyances used in carrying the said minerals in contravention of the provisions of these rules, or of the conditions of the registration issued here under and thereafter, take or authorize the taking of all measures necessary for securing the production of stocks of minerals and the animals, vehicles, vessels, or other conveyances so seized in a court and for their safe custody pending such production.

### **14. Recovery of money due to the Government.-**

All money, except fines imposed by the judicial courts due under these rules, if not paid when due, may be recovered as if it were an arrear of land revenue.

### **15. Depositing the sums.-**

All sums collected by compounding the offences under these rules shall be deposited under the appropriate budget head.

### **16. Protection of action taken in good faith.-**

No suit, prosecution or other legal proceedings shall lie against any Authorised Officer for anything which is in good faith done or intended to be done by him.

### **17. Disposal of minerals including processed minerals by public auction in certain cases.-**

---

<sup>18</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

Notwithstanding anything contained in the foregoing provisions, it shall be lawful for an Authorised Officer to sell in a fair and transparent manner, by public auction, any mineral seized and confiscated in accordance with the provisions of these rules.

## **CHAPTER VI: APPEAL, REVISIONS, PENALTIES AND COMPOUNDING**

### **18. Appeal and Revision.-**

- (1) Any person aggrieved by an order issued by any Authorised Officer under these rules may, within thirty days from date of communication of such order to him, file an appeal against such order to the Additional Director (Appeal):

Provided that any such appeal may be entertained after the said period of thirty days if the appellant satisfies the Additional Director (Appeal) that he had sufficient cause for not making an appeal within the prescribed time.

<sup>19</sup>[Provided further that, no such appeal shall be admitted unless the appellant has deposited with the Government at least two per cent. of the penalty levied in the order issued by the Authorised Officer or the relevant Court, and such amount shall be adjusted against the amount finally payable under the final order issued under this rule.]

- (2) Any person aggrieved by an order issued by the Additional Director (Appeal) under these rules may, within thirty days from the date of communication of such order to him, apply to the Commissioner for revision of the same:

Provided that any such application may be entertained after the said period of thirty days if the applicant satisfies the Commissioner that he had sufficient cause for not making an application within the prescribed time.

<sup>20</sup>[Provided further that, no such revision application shall be admitted unless the appellant has deposited with the Government at least two per cent. of the penalty levied in the order issued by the Additional Director (Appeal), and such amount shall be adjusted against the amount finally payable under the final order issued under this rule 18.]

Provided that the Commissioner may, at any time, of his own accord call for and examine the record of any order passed by the Additional Director (Appeal) under these rules for the purpose of satisfying himself of the legality, propriety or merits of such order. If in any case, it appears to the Commissioner that the order of the Additional Director (Appeal) should be modified, annulled or reversed, he may pass such orders thereon as he may deem fit:

Provided that before any order is passed adversely affecting a person, such person shall be given an opportunity to present his case.

- <sup>21</sup>[(2A) The Additional Director (Appeal) or the Commissioner, as the case may be, after the admission of appeal, may pass an interim order after payment of an amount which shall not be less than twenty five per cent. of the amount of penalty levied by the Authorised Officer or Additional Director (Appeal), as the case may be, and permit the appellant to carry on his operations including permission to generate Transit Permit or Delivery Challan, as the case may be:

Provided that, the final order in such cases shall be passed within two years from the date of issuance of interim order.]

- (3) An appeal or revision application under sub-rules (1) or (2) of this rule shall be filed with the Additional Director (Appeal) or the Commissioner, as the case may be, and the applicant shall

---

<sup>19</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>20</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>21</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

also submit as many copies thereof as there are parties impleaded. Such appeal or application shall be in Form K and shall state concisely, the grounds on which it is based.

- (4) On receipt of the appeal or the application, as the case may be, and the copies thereof, the Additional Director (Appeal) or the Commissioner, as the case may be, shall send a copy of the appeal or the application to each of the parties impleaded thereunder, specifying a date on or before which he may make his representations, if any, against the appeal or revision application.
- (5) Notwithstanding anything contained in this rule, the Government may, at any time, of its own accord call for and examine the record of any order passed by the Additional Director (Appeal) or the Commissioner as the case may be under these rules for the purpose of satisfying itself as to the legality, propriety or merits of any order passed. If in any case, it appears to the Government that any order should be modified, annulled or reversed, it may pass such orders thereon as it may deem fit. It may issue a stay order to (a) stop working or excavating of minerals, or (b) hand over possession of the area in dispute also:

Provided that before any order is passed adversely affecting a person, such person shall be given an opportunity of stating his case.

#### **19. Application fee.-**

Every appeal or application for revision under rule 18 shall be accompanied by a fee of Rupees five thousand and credited in the appropriate budget head. Such fee may be paid online in the manner specified by the Government.

#### **20. Procedure on receipt of revision application.-**

The Commissioner may, after receiving revision application call for the record of the case and after examining the record of the case, may confirm, modify or set aside the order or pass such order in relation thereto as he may deem just and proper.

#### **21. Penalties and recovery.-**

- (1) <sup>22</sup>[Any contravention of sub-section (1) or sub-section (IA) of Section 4 of the Act shall be punishable in accordance with the provisions of sub-section (1) of Section 18 of the Act.]
- (2) Any other contravention of these rules shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.
- (3) <sup>23</sup>[Whenever any person raises, transports or stores any mineral or causes to be raised or transported or stored any mineral without any lawful authority including any transportation or storage of minerals in violation of sub-rule (3) of rule (7), the Government may, in addition to the penalties prescribed under sub-rules (1) and (2) above and subject to the provisions of rule 21 thereof,
  - (a) recover from such person, the mineral so raised or transported or stored and where such mineral has already been disposed of, the price thereof as specified under Schedule III, and may also recover from such person the rent, royalty, tax and any other amount payable under the Act or the rules made thereunder, as the case may be;

---

<sup>22</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>23</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (b) cancel the registration of such person in respect of its mineral concession, carrier, mechanized machinery or of such trader or mine operator as may be granted pursuant to sub-rule (3) and sub-rule (3A) of rule 4 thereof:

Provided that, where the minerals have been obtained from a mineral based area on a Transit Permit after the due payment of royalty, but the storage of the mineral is made without registration, a penalty equal to the amount of single royalty amount payable shall be charged for such illegal storage, in case the person has applied for registration prior to storage. If the person has made application for registration after the storage of minerals, a penalty equal to double the amount of royalty payable shall be charged for such illegal storage.]

- (4) Whenever any person raises, transports or stores or cause to be raised or transported or stored without any lawful authority, any mineral from any land/ place and for that purpose, uses any tool, equipment, vehicle or any other thing, such property shall be liable to be seized by an Authorised Officer or by an authority specially empowered in this behalf.
- (5) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence under sub-rule (1) shall be cognizable.

<sup>24</sup>[21A

- (1) Unless an appeal is filed under rule 18 within thirty days from the date of communication of an order issued by the Authorised Officer, Appellate Authority or Revisional Authority, imposing penalty for violation of these rules or for breach of any condition imposed in the mineral concession and other consents and approvals shall be payable within thirty days from the date of communication of such order.
- (2) Notwithstanding anything contained in these rules, in case the amount of fine payable by any person under rule 21 for violation of these rules or for breach of any condition imposed in the mineral concession and other consents and approvals, is more than or equal to rupees ten lakhs, the Additional Director (Appeals) may after receipt of an application in writing from such person, for his inability to pay the full amount of penalty in a single payment, through an order in writing, permit such person to make payment of the amount arrived at after adjustments in accordance with rule 18 and other provisions of these rules, over such period, which shall not exceed two years, in instalments of such amount and frequency as deemed appropriate by the Additional Director (Appeals):

Provided that, the Commissioner may, on an application made by any person aggrieved by the order passed by the appellate authority under sub-rule (2) by passing an order in writing, revise the quantum as well as the number of installment and may also extend the period for making such payments to a further period, which shall not exceed four years in total, which he deems appropriate:

Provided further that, the Commissioner, if deems appropriate, in cases wherein the amount of penalty is more than rupees Ten lakhs may, on his own accord, pass an order for payment of penalty in installments:

Provided also that, any order passed by the Additional Director (Appeals) and the Commissioner, as the case may be, under this rule shall be subject to the condition that the first installment shall not be less than an amount equivalent to twenty-five per cent. of the total penalty and if such person fails to pay consecutive two installments, then the account shall be blocked and in no way, royalty pass shall be issued.]

## **22. Compounding of offences.-**

Any offence punishable under these rules may, either before or after the institution of the prosecution, be compounded by the Authorised Officer on payment of an amount computed in the manner specified in Schedule III. When an offence is compounded:

---

<sup>24</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (a) no further proceedings shall be commenced against such person;
- (b) if any proceedings have already been commenced against such person, such proceedings shall not be further proceeded with; and
- (c) the accused person, if in custody, shall be discharged and the property seized shall, if it is not to be so retained, be released:

Provided that the same offence shall not be compounded more than three times with respect to the same person or Carrier.

## **22.A Manner of Payment of Fine:-**

Notwithstanding anything contained in these rules in case where the amount of violation of rules or breach of condition is equal or more than five lakhs and the lessee/stockist, requests by an application showing his inability to pay the entire amount of the fine in one time as per the order/notice issued under the said rules and asks to allow to make the payment in instalments and if it is deemed fit to the District Collector/Appellate Authority or Revisional Authority as the case may be, he may allow to make the payment in instalments in the following manner and issue royalty pass/delivery challan.:

Amount of fine as per notice	Advance payment of the amount of fine (Minimum)	No. of Monthly Instalments (Maximum)
From Rupees 5.00 to 10.00 Lakhs	30%	06
Above Rupees 10.00 to 50.00 Lakhs	30%	09
More than Rupees 50.00 Lakhs	30%	12

Terms and Conditions:

1. Lessee /Stockist shall produce an affidavit stating that he shall pay the instalments regularly and in future shall not commit such offence again and shall adhere to an affidavit and the terms mentioned in the agreement.
2. The Royalty pass/Delivery Challan can be issued only if the instalment of the outstanding amount after paying the advance amount is submitted before the 1st date of the next month.
3. Instalment registration register shall be maintained and updated at district level.
4. The details of the due instalment shall be verified by the office-in-charge.
5. The provisions of the said rules shall apply only to the existing lessee/stockist.
6. If there is any other breach of the terms of the agreement/rules, it will be subject to further proceedings according to the rules.
7. The lessee/stockist shall pay the amount of advance within 7 days from the receipt of the order for instalment. After that he shall pay the monthly instalment on regular basis with simple interest charged at 18% on the outstanding amount.

## **23. Maintenance of records.-**

The Authorised Officer shall maintain a record in Form L and shall mention therein, the details of every offence compounded by him. The District Collector shall also collate, compile and maintain a consolidated record of all offences compounded within the district by the Authorised Officers.

## **24. Offence by Companies or firms.-**

- (1) Where any offence under these rules has been committed by a company, a person who would have been considered to be an "officer who is in default", as defined in sub-section 60 of Section 2 of the Companies Act, 2013 (18 of 2013), if such an offence would have been committed under that act, shall be deemed to be guilty of the offence hereunder and shall be liable to be proceeded against and punished accordingly.
- (2) Additionally, any other person who at the time of commission of the offence, was in charge of and was responsible with respect to the act or omission resulting in the offence, shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:  
  
Provided that nothing contained in this rule shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such an offence.
- (3) Notwithstanding anything contained in sub-rule (1), where an offence under this rule has been committed and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary and/ or officer of the company or firm, such director, manager, secretary and/ or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation:- For the purpose of this rule:

- (a) "company" means any body-corporate and includes a firm or other association of individuals, and;
- (b) "director" in relation to a firm or company, means an owner or partner in the firm.

## **CHAPTER VII: MISCELLANEOUS**

### **25. Surveillance System.-**

- (1) Mineral bearing areas in the State including areas over which mineral concessions have been granted will be geo-fenced by the Government through geographic information system, based on satellite technologies and monitored through change detection techniques.
- (2) Every holder of a mineral concession shall conduct mining operations or exploration, as the case may be, within the area over which the mineral concession has been granted, as demarcated by physical and/ or geo- fenced boundaries.
- (3) The Government shall prepare a geo-referenced and geo-fenced identification database of the location of all stockyards in the State giving the exact latitude and longitude thereof.

### **26. Non-applicability of the Rules, in certain cases.-**

Nothing containing in these rules shall apply to:

- (a) any persons or class of persons who the Government may, by notification in the Official Gazette, specify; provided the mineral is stored, mined and/ or carried only for the purpose of scientific test and research work;
- (b) institutions and/ or departments exempted under the Act;
- (c) a department or institution or person(s) subject to a general or special order or instruction issued by the Government from time to time.

### **27. Power to rectify apparent mistakes.-**



Any clerical or arithmetical mistake in any order passed by the Government or by any other Authorised Officer under these rules and any error arising therein from an accidental slip or omission may, be corrected by the Government or the Authorised Officer, as the case may be:

Provided that no order prejudicial to any person shall be passed unless he has been given a reasonable opportunity to present his case.

**28. Power of the Government to give directions.-**

The grant or renewal of a storage permit under these rules shall be subject to such general instructions and directions as may be issued by the Government from time to time.

**29. Rewards on the seized minerals.-**

Appropriate reward will be paid to any person(s) as per the guidelines separately issued by the Government, for providing information which results in seizure of any minerals under these rules.

**30. Repeal and Savings.-**

- (1) The Gujarat Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules , 2005 are hereby repealed:

Provided that if the Government notifies provisions of these rules on different dates, then the provisions of the repealed rules corresponding to the provisions which have not been so notified shall continue to apply as if they have not been repealed.

- (2) Notwithstanding the repeal under sub- rule (1):

- (a) anything done or any action taken or purported to have been done or taken, including any rule, notification, inspection, order or notice made or issued or any appointment or declaration made or any operation undertaken or any direction given or any proceeding taken or any penalty, punishment, forfeiture or fine imposed under the repealed rules shall, insofar as it is not inconsistent with the provisions of the Act and these rules, be deemed to have been done or taken under the corresponding provisions of these rules;
- (b) subject to the provisions of clause (a), any order, rule, notification, regulation, order or document made, fee directed, direction given, proceeding taken, instrument executed or issued, or thing done under or in pursuance of the repealed rules shall, if in force at the commencement of these rules, continue to be in force, and shall have effect as if made, directed, passed, given, taken, executed, issued or done under or in pursuance of these rules;
- (c) any prosecution instituted under the repealed rules and pending immediately before the commencement of these rules before any forum shall, subject to the provisions of the Act and these rules, continue to be heard and disposed of by the said forum;
- (d) any inspection, investigation or inquiry ordered to be done under the repealed rules shall continue to be proceeded with as if such inspection , investigation or inquiry has been ordered under the corresponding provisions of these rules; and
- (e) any matter filed with the Government before the commencement of these rules and not fully addressed at that time shall be concluded by the Government, as the case may be, in terms of the repealed rules, despite its repeal, in so far as it is not inconsistent with these rules.

## SCHEDULES

### SCHEDULE I

#### JURISDICTION OF AUTHORISED OFFICERS

(See rule 2(1)(b))

S. No.	Designation Officer	Functions
1.	Commissioner	Chapter III: sub-rule (1) of Rule 8
2.	District Collector	<sup>25</sup> [Chapter II: clause (i) of sub-rule (3), sub-rule (3A) and sub-rule (6) of rule 4;]  Chapter IV: sub-rule (6) of Rule 10;  Chapter V: Rule 12, 13 and 17;  Chapter VI: Rule 21 and 22.
3.	Deputy Director (Flying Squad).	Chapter V: Rule 12, 13 and 17;  Chapter VI: Rule 21 and 22.
4.	District Geologist or District Assistant Geologist, as the case may be	<sup>26</sup> [Chapter II: clause (ii) of sub-rule (3) of rule 4];  Chapter III: sub-rule (4) of rule 5; sub-rule (3) of rule 8;  Chapter V: (i) Rule 12 and 13 (ii) Rule 17; (with the prior approval of the District Collector);  Chapter VI: Rule 21 and 22.
5.	Assistant Director (Flying Squad)	Chapter III: sub-rule (3) of Rule 8;  Chapter V : Rule 12, 13 and 17;  Chapter VI: Rule 21 and 22.
6.	Deputy Collector or Mamlatdar as the case may be.	Chapter III: sub-rule of (3) of Rule 8;  Chapter V: Rule 13;  <sup>27</sup> [Chapter VI: Rule 21 except rule 21 (3) (b)].
7.	Royalty Inspector	Chapter III: sub-rule (3) of Rule 8;  Chapter V: Rule 12 and 13.
8.	Mines Supervisor	Chapter III: sub-rule (3) of Rule 8;

<sup>25</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>26</sup> Ins. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>27</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

		Chapter V: Rule 13.
9.	Naka Clerk	Chapter III: sub-rule (3) of Rule 8.

## SCHEDULE II

### GRANT OF REGISTRATION

<sup>28</sup>[(See rules 4(3), (3A) and (6))]

(1) <sup>29</sup>[Process for registration:

The following shall register themselves/be registered on the electronic system established by the Government:

- (a) a person who is an existing holder of any mineral concession(s) within the State;
- (b) an existing owner of a Carrier(s) (used for carrying minerals that are extracted or stored within the State);
- (c) every Carrier (other than a tractor and trolley) used for carrying minerals that are extracted or stored within the State;
- (d) a person who is an existing owner of a weigh bridge whether electronic, computerized or otherwise;
- (e) an existing mine development operator, (by whatever name called) of a mine situated in the State;
- (f) an existing owner of a Mechanized Machinery; and
- (g) a Trader within a State.]

(2) Every registration under clause (1) shall be accompanied with and subject to:

<sup>30</sup>[(a) Payment of the following non-refundable one-time registration fee:

- (i) Rupees one thousand payable by the owner of a carrier(s) for each carrier other than a tractor or a trolley;
- (ii) Rupees one thousand payable for each mechanized machinery by owner of mechanized others than a tractor or a trolley;
- (iii) Rupees one thousand payable for each mine by a mine development operator;
- (iv) Rupees one thousand payable by an owner of a weigh bridge;
- (v) Rupees one thousand payable by a trader; and
- (vi) such other fee as may be specified by the Government with respect to any other registration;]

<sup>31</sup>[(b) A Value Added Tax or GST, as the case may be.;

- (c) An affidavit, where applicable, to the effect that he has not been convicted in any case or unlawful activity related to the ores and minerals;

---

<sup>28</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>29</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>30</sup> Subs. by GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

<sup>31</sup> Subs. GU/2019/13/MCR-102019-MM-720(2)-CHH, dated 21<sup>st</sup> June 2019 (w.e.f. 21-06-2019).

- (d) A valid document pertaining to the storing place, in case of a trader or holder of a mineral concession, if applicable and details of all vehicles to be used for the purpose of transporting or carrying minerals/ores in case of a Carrier or owner of a Carrier;
- (e) The owner or operator of the Carrier shall also provide such details as may be called for, to the satisfaction of the Government, that the Carrier or owner/ operator of the Carrier is genuinely engaged in the process of transportation of the mineral for the holder of the mineral concession;
- (f) The Trader shall provide such details as may be called for, to the satisfaction of the Government, that the trader is genuinely engaged in the business of buying, possessing, storing, selling, supplying, transporting, distributing or delivering for sale or processing of mineral(s), directly or otherwise ;
- (g) The mine development operator shall give the list of the holders of mineral concession using the Mechanized Machinery owned by him and shall also provide the details of the registration number and make of the Mechanized Machinery together with the copy of the contract executed with the holder of the mineral concession in this regard; and
- (h) Compliance with such other conditions as may be required by the Government.

(3) Login Credentials:

upon completion of registration, including compliance with conditions (a) to (h) of clause (2), as applicable, each registrant shall receive a unique registration number and a unique username and a password.

(4) Cancellation or suspension of the registration:

The Authorised Officer may at any time and after giving an opportunity of being heard to the firm / person registered and after recording the reasons whereof, cancel or suspend the registration by an order in writing communicated to the firm/ person registered, for:

- (a) any misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts for the process of registration by such firm/ person; or
- (b) any non-submission of any monthly returns for a continuous period of two months;

provided that such suspension order may be revoked by the Authorised Officer upon payment of an amount equal to the registration fee as specified in sub-clause (a) of clause (2), by the firm / person registered.

**SCHEDULE III**  
**COMPOUNDING FEES**

(See rule 22)

The following fee shall be chargeable in case of compounding of offences concerning illegal mining:

- (a) Whenever any person undertakes transportation of any mineral without a Transit Permit or Delivery Challan, such person shall be liable to pay compounding fees at the rate of Rupee five thousand per tonne.
- (b) Wherever any person undertakes transportation of any mineral without getting the mineral weighed at the nearest weigh bridge, such person shall be liable to pay compounding fees equal to one hundred percent of the royalty for such mineral; provided that the relevant Carrier has crossed the nearest weigh bridge as specified in the Transit Permit or Delivery Challan.
- (c) Whenever any person undertakes illegal mining or illegal storage, he shall be liable to make compounding payment and the collectible amounts shall be calculated in accordance with the below mentioned formula, and such amount shall be rounded off/ calculated up to the next highest multiple of ten:

Mineral Value(mt) - (Royalty Index  $\times$  Royalty)+ Royalty Rate

Where Royalty Index =  $\frac{\text{Production Value}}{\text{RoyaltyRate}}$

The Government may also, by notification, specify the amount of compounding fees to be paid from time to time in situations where any person undertakes illegal mining or illegal storage of a mineral.

- (d) Whenever any person undertakes illegal transportation of any mineral or illegal mining or illegal storage thereof, the following compounding fees may be charged in addition to the costs specified in clause (a) and clause (b) above, for releasing the seized equipment/vehicle/tools etc.

S. No.	Name of Equipment/Vehicle/Tools	Compounding fee for each item (Rs.)
1.	Tractor Trolley/Compressor/Drilling Machine/ Wire Saw and Other Tools etc.	25,000
2.	Half Body Trucks/ Small Dupers/ Crane etc.	50,000
3.	Full Body Trucks/ Heavy Duty Dumpers/ Crusher / Power Hammer, etc.	1,00,000
4.	Trolla*/ Excavator/Loader , etc.	2,00,000

\* Trolla means an articulated vehicle having more than six wheels.

## FORM A

### FORMAT OF BANK GUARANTEE

*(See rules 2(1)(c), 12(5) and 12(6))*

To

[Name of entity in whose favor this guarantee is to be issued to be included]

WHEREAS,

- A. [Name of the person whose property is seized] incorporated in India under the Companies Act, 2013 with corporate identity number [CIN], whose registered office is at (address of registered office), India and principal place of business is at [address of principal place of business, if different from registered office]<sup>32</sup> is required to provide an unconditional and irrevocable bank guarantee for an amount equal to INR [figures] (Indian Rupees [words]) valid for one year i. e. until [date of expiry of performance bank guarantee] ("**Expiry Date**").
- B. The Bank Guarantee is required to be provided to [Name of entity in whose favor this guarantee is to be issued to be included] for discharge of certain obligations under Rule 12 of The Gujarat Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017 ("**Rules**").
- C. We, [name of the bank] (the "**Bank**") at the request of [Name of the person whose property is seized] do hereby undertake to pay to the [Name of entity in whose favor this guarantee is to be issued to be included] an amount not exceeding INR [figures] (Indian Rupees [words]) ("**Guarantee Amount**") to secure the obligations of [Name of the person whose property is seized] on demand from the [Name of entity in whose favor this guarantee is to be issued to be included] on the terms and conditions herein contained herein.

NOW THEREFORE, the Bank hereby issues in favour of [Name of entity in whose favor this guarantee is to be issued to be included] this irrevocable and unconditional payment bank guarantee (the "Guarantee") on behalf of [Name of the person whose property is seized] for the Guarantee Amount:

1. The Bank for the purpose hereof unconditionally and irrevocably undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] without any demur, reservation, caveat, protest or recourse, immediately on receipt of first written demand from [Name of entity in whose favor this guarantee is to be issued to be included], a sum or sums (by way of one or more claims) not exceeding the Guarantee Amount in the aggregate without [Name of entity in whose favor this guarantee is to be issued to be included] needing to prove or to show to the Bank grounds or reasons for such demand for the sum specified therein and notwithstanding any dispute or difference between [Name of entity in whose favor this guarantee is to be issued to be included] and [Name of the person whose property is seized] on any matter whatsoever. The Bank undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] any money so demanded notwithstanding any dispute or disputes raised by [Name of the person whose property is seized] in any suit or proceeding pending before any court or tribunal relating to the Bank's liability under this present being absolute and unequivocal.
2. The Bank acknowledges that any such demand by [Name of entity in whose favor this guarantee is to be issued to be included] of the amounts payable by the Bank to [Name of entity in whose favor this guarantee is to be issued to be included] shall be final, binding and conclusive evidence in respect of the amounts payable by [Name of the person whose property is seized] to [Name of entity in whose favor this guarantee is to be issued to be included] under the Rules.
3. The Bank hereby waives the necessity for [Name of entity in whose favor this guarantee is to be issued to be included] from demanding the aforesaid amount or any part thereof from [Name of the person whose property is seized] and also waives any right that the Bank may have of first requiring [Name of

---

<sup>32</sup> Note : Suitable changes to be made to the above text in the event the guarantee is provided for any other category of persons

entity in whose favor this guarantee is to be issued to be included] to pursue its legal remedies against [Name of the person whose property is seized], before presenting any written demand to the Bank for payment under this Guarantee.

4. The Bank further unconditionally agrees with [Name of entity in whose favor this guarantee is to be issued to be included] that [Name of entity in whose favor this guarantee is to be issued to be included] shall be at liberty, without the Bank's consent and without affecting in any manner the Bank's obligation under this Guarantee, from time to time, to forbear or enforce any of the rights exercisable by [Name of entity in whose favor this guarantee is to be issued to be included] against [Name of the person whose property is seized] under the Rules and the Bank shall not be relieved from its liability by reason of any such act or omission on the part of [Name of entity in whose favor this guarantee is to be issued to be included] or any indulgence by [Name of entity in whose favor this guarantee is to be issued to be included] to [Name of the person whose property is seized] or other thing whatsoever which under the law relating to sure ties would, but for this provision, have the effect of relieving the Bank of its obligations under this Guarantee.
5. Any payment made hereunder shall be made free and clear of and without deduction for, or on account of, any present or future taxes, levies, imposts, duties, charges, fees, commissions, deductions or withholdings of any nature whatsoever.
6. The Bank agrees that [Name of entity in whose favor this guarantee is to be issued to be included] , at its option , shall be entitled to enforce this Guarantee against the Bank as a principal debtor in the first instance without proceeding at the first instance against *[Name of the person whose property is seized]*.
7. The Bank further agrees that the Guarantee herein contained shall remain in full force and effect during the period that is specified and that it shall continue to be enforceable till all the obligations of [Name of the person whose property is seized] under or by virtue of the Rules with respect to rule 12 of the Rules have been fully paid and its claims satisfied or discharged or till [Name of entity in whose favor this guarantee is to be issued to be included] certifies that the provisions of the Rules with respect to Rule 12 of the Rules have been fully and properly carried out by [Name of the person whose property is seized] and accordingly, discharges this Guarantee. Notwithstanding anything contained herein, unless a demand or claim under this Guarantee is made on the Bank in writing on or before the Expiry Date, the Bank shall be discharged from all liability under this Guarantee thereafter.
8. The payment so made by the Bank under this Guarantee shall be a valid discharge of Bank's liability for payment thereunder and [Name of entity in whose favor this guarantee is to be issued to be included] shall have no claim against the Bank for making such payment.
9. This Guarantee is subject to the laws of India. Any suit, action, or other proceedings arising out of this Guarantee or the subject matter hereof shall be subject to the exclusive jurisdiction of courts at the State of Gujarat.
10. The Bank has the power to issue this Guarantee in favour of [Name of entity in whose favor this guarantee is to be issued to be included ]. This Guarantee will not be discharged due to the change in the constitution of the Bank.
11. The Bank undertakes not to revoke this Guarantee during its currency except with the previous consent of [Name of entity in whose favor this guarantee is to be issued to be included] in writing.
12. [Name of entity in whose favor this guarantee is to be issued to be included] may, with prior intimation to the Bank, assign the right under this Guarantee to any other departments, ministries or any governmental agencies, which may act in the name of the [Name of entity in whose favor this guarantee is to be issued to be included]. Save as provided in this clause 12, this Guarantee shall not be assignable or transferable.
13. Notwithstanding anything contained herein:
  - (a) the liability of the Bank under this Guarantee shall not exceed the Guarantee Amount; and
  - (b) this Guarantee shall be valid up to the Expiry Date.



14. The Bank is liable to pay the Guaranteed Amount or any part thereof under this Guarantee only and only if [Name of entity in whose favor this guarantee is to be issued to be included] serves upon the Bank, a written claim or demand on or before the Expiry Date.

Dated the [day] day of [month] [year].

In witness whereof the Bank, through its Authorized Officer, has set its hand and seal.

(Signature)

(Name and Designation)

(Bank Seal)

**FORM B****FORMAT FOR APPLICATION FOR REGISTRATION***(See rule 4(3))*

Application No.:

(In case of Mineral Concession Holder / Owner of Carrier and Trader or Mechanized Machinery/ Mine Development Operator)

Sr. No.	Item Details	Particulars
1.	Name of applicant for registration (in full).	
2.	Full address.	
3.	Email of applicant.	
4.	Mobile/ Phone number of applicant.	
5.	Father's name in full (in case of firm, give names and address of partner and person holding power of attorney to act on behalf of the firm).	
6.	Profession of the registrant (tick whichever is applicable)	
	Mineral Concession Holder.	
	Owner of Carrier.	
	Trader.	
	Mine Development Operator.	
7.	Specific place or places of storage (In case of trader or holder of mineral concession or mine development operator) including:  (a) Number of stockyards. (b) District of stockyard(s). (c) Address of stockyard(s). (d) Person in-charge of stockyard(s) along with contact details thereof.	
8.	Financial status with details of person i.e. property, annual payment of income tax, and any other relevant evidence regarding financial status.	
9.	Specific purposes for which registration is applied for Processing.	
	Selling	
	Storing	
	Trading	
10.	Name of mineral/ore for which registration is required.	
11.	Name and address of persons/firms from whom the mineral/ore will be purchased/procured.	

Sr. No.	Item Details	Particulars
12.	Details of sales tax registration certificate.	
13.	Details of income tax/sales tax clearance certificate.	
14.	No Objection Certificate No. (NOC from Government for exporting of minerals, in case of an exporter)	
15.	Affidavit No. (affidavit to the effect that registrant has not been convicted in any case or unlawful activity related to the ores and minerals) (if applicable)	
16.	Any special ground for grant of registration in favor of the applicant.	
17.	Period of Registration.	
18.	Name of authorised signatory.	

(In case of Carrier other than a tractor and trolley)

Sr. No.	Item Details	Particulars
1.	Name of Owner of Carrier (in full).	
2.	Full address of Owner of Carrier.	
3.	Email of Owner of Carrier.	
4.	Mobile/ Phone number of Owner of Carrier.	
5.	Registration Number of the Owner of Carrier.	
6.	Profession of the registrant.	Carrier
7.	Details of the carrier(s) to be used for the purpose of transporting or carrying minerals/ores.	
8.	Vehicle Registration number.	
9.	Chassis Number	
10.	Period of Registration	
11.	Name of authorized signatory	

(In case of End User - Using Part A Minerals in excess of 1 00 metric tonnes per project)

Sr. No.	Item Details	Particulars
1.	Name of applicant for registration (in full).	
2.	Full address.	
3.	Name and address of the project for which registration is being obtained.	

4.	Name of the Mineral(s) for which registration is required.	
5.	Quantity of the Mineral(s) Required for the Project based on the information/ estimates specified in the project report or approved building plan prepared for the Project	
6.	Duration of the Project.	
7.	Brief details of the Project.	
8.	Name of authorised signatory.	

(In case of Mechanized Machinery)

Sr. No.	Item Details	Particulars
1.	Name of mine development operator owning the Mechanized Machinery or name of the holder of the mineral concession owning the Mechanized Machinery (in full).	
2.	Full address of mine development operator owning the Mechanized Machinery or of the holder of the mineral concession owning the Mechanized Machinery.	
3.	Email of mine development operator owning the Mechanized Machinery or of the holder of the mineral concession owning the Mechanized Machinery.	
4.	Mobile/ Phone number of mine development operator owning the Mechanized Machinery or of the holder of the mineral concession owning the Mechanized Machinery.	
5.	Registration Number of the mine development operator owning the Mechanized Machinery or of the holder of the mineral concession owning the Mechanized Machinery.	
6.	Profession of the registrant.	
7.	Details of the Mechanized Machinery to be used for the purpose of mining operations.	
8.	Invoice Details.	
9.	Period of Registration.	
10.	Name of authorised signatory.	

(In case of Mine Development Operator)

Sr. No.	Item Details	Particulars
1.	Name of Mine Development Operator (in full).	
2.	Full address of Mine Development Operator.	
3.	Email of Mine Development Operator.	
4.	Mobile/ Phone number of Mine Development Operator.	

5.	Registration Number of the Mine Development Operator.	
6.	Profession of the registrant.	
7.	Details of the area and minerals to be excavated.	
8.	Period of Registration.	
9.	Name of authorised signatory.	

#### **DECLARATION**

I/We hereby declare that I/ We have read and understood all the provisions of the Gujarat Mineral (Prevention of Illegal Mining , Transportation and Storage) Rules, 2017 and the conditions of the registration and I/We agree to abide by the same.

Date of application:

Signature of the Applicant.

**FORM C**

**FORM OF GRANT OF REGISTRATION**

*(See rule 4(6))*

Sr. No.	Item Details	Particulars
1.	Name of the person/company registered.	
2.	Full address.	
3.	Father's name in full (in case of firm, give names and address of partner and person holding power of attorney to act on behalf of the firm).	
4.	Profession of the registrant.	
5.	Specific place or places of storage (Not applicable for end user).	
6.	Specific purpose for which registration is granted.	
7.	Name of mineral/ore covered under the registration.	
8.	Challan No. showing payment of security deposit.	
9.	Name and address of persons/firm from whom the mineral/ore will be purchased/procured (Not applicable for end user).	
10.	Period of registration.	
11.	No. and date of application for this registration.	

Date:

Place:

( )

Signature of Authorised Officer with designation and address.

**FORM D**

**FORM OF REGISTER FOR GRANT OF REGISTRATION**

*(See rule 4(6))*

<b>Sr. No .</b>	<b>Name of the Applicant</b>	<b>Address of Applicant</b>	<b>Name of mineral/or e</b>	<b>Place of processing/ storing/ selling/trading/Project</b>	<b>Date of expiry of registration if granted</b>	<b>Type of Registration</b>	<b>Remarks</b>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

**FORM E**

**FORMAT OF TRANSIT PERMIT**

*(See rule 5(2))*

*(To be printed in triplicate on Special Security Permit Papersheet)*

Transit Permit Book No.: Transit Permit No.:

*This Transit Permit shall be valid till [\_\_] days from its generation.*

<b>Sr. No.</b>	<b>Item</b>	<b>Particulars</b>
1.	Concession Holder Code	
2.	Concession Holder Registration No.	
3.	Concession Holder TIN No.	
4.	Name of Registered Concession Holder	
5.	Address and Contact Details	
6.	District.	
7.	Royalty Paid	
8.	District Mineral Foundation	
9.	National Minerals Exploration Trust (if applicable)	
10.	Other payments (if applicable)	
11.	Weighbridge Details	
12.	Electronic Identification Device/Tracking Device	
13.	Name of Purchaser	
14.	Registration No.	
15.	Address	
16.	Name of Mineral.	
17.	Grade.	
18.	Quantity of Mineral (in figure).	
19.	Quantity of Mineral (in words).	
20.	Driver's Name.	
21.	License No. of Driver.	
22.	Carrier Type.	



23.	Carrier Registration No.	
24.	Carrier No.	
25.	Journey Start Date.	
26.	Expected Journey Route.	
27.	Name of Check Posts in the Route.	
28.	Journey End Date.	
29.	Distance (in km).	
30.	Is mineral exported.	Yes/No
31.	If yes, whether copy of document submitted to customs (shipping bill) attached.	Yes/No

- Transit Permit should be always available in the Carrier from the moment the Carrier is loaded till the time the Carrier is unloaded at destination.
- This Transit Permit needs to be produced at the check post or demand by the Authorised Officer.

**FORM F****FORMAT OF DELIVERY CHALLAN***(See rule 5(3))**(To be printed in triplicate on Special Security Permit Papersheet)*

Delivery Challan Book No.:          Delivery Challan No.:

This Delivery Challan is validity till [\_\_\_\_] days from its generation

Sr. No.	Item Details	Particulars
1.	Application No.	
2.	Application Type (New/Surrender)	
3.	Application Date	
4.	Stockist Code	
5.	Stockist Registration No.	
6.	Stockist TIN No.	
7.	Name of Registration Holder/Firm	
8.	Address and Contact Details of the Registration Holder/Firm	
9.	District	
10.	Name of Purchaser/Consignee	
11.	Address of Purchaser/Consignee	
12.	Purchase registered or not	Yes/No
13.	If yes, Registration No. of Purchaser	
14.	Name of Mineral	
15.	Grade	
16.	Quantity of Mineral (in figures).	
17.	Quantity of Mineral (in words).	
18.	Weighbridge Details.	
19.	Driver's Name.	
20.	Driver's License No.	
21.	Carrier Type.	
22.	Carrier Registration No.	

23.	Carrier No.	
24.	Journey Start Date.	
25.	Expected Journey Route.	
26.	Name of Check Posts in the Route.	
27.	Journey End Date.	
28.	Distance (in km).	
29.	Is mineral exported.	Yes/No
30.	If yes, whether copy of document submitted to customs (shipping bill) attached.	Yes/No

- Delivery Challan should be always available in the Carrier from the moment the Carrier is loaded till the time the Carrier is unloaded at destination.
- This Delivery Challan needs to be produced at the check post or on demand by the Authorised Officer.

## FORM G

### FORMAT OF ONLINE MONTHLY RETURN BY CONCESSION HOLDER/TRADER

(See rules 9(1), 9(4)(a) and 9(4)(b))

Sr. No.	Item Details	Particulars
1.	Is person Concession Holder or Trader.	
2.	Registration No.	
3.	Name of the registered person/firm.	
4.	Address in full.	
5.	Name of Circle I Mining Office having jurisdiction over the ore/mineral stored.	
6.	Is mineral for captive consumption or sale.	
7.	If mineral is for sale whether consumed domestically or exported.	
8.	If mineral /ore is transported.	Fill Part A
9.	If mineral /ore is procured.	Fill Part B
10.	If mineral /ore is processed.	Fill Part C

#### Part A

(Format to maintain monthly account of mineral/ore in case of procurement)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore procured.	
2.	Place of Business.	

Month	Date	*Opening stock of mineral at the stockyard/factory ('000 tonne)	*Quantity of mineral procured ('000 tonne)	Particulars of supporting Transit Permit/Delivery Challan	Source from which mineral is procured	Total stock of ore/mineral ('000 tonne)	*Quantity of minerals consumed/sold/dispatched for processing ('000 tonne)	*Closing stock of mineral procured ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

\* Grade wise, if applicable

Part B

(Format to maintain monthly account of mineral /ore in case of transportation)

Sr. No.	Item Details	Particulars
I.	Name of mineral/ore to be transported.	
2.	Place from which mineral/ ore is transported.	
3.	Total quantity of mineral/ ore to be transported.	

Month	Date	*Opening stock of mineral transported ('000 tonne)	*Quantity of mineral transported ('000 tonne)	Particulars of supporting transit permit/delivery challan	Destination to which mineral transported	*Closing stock of mineral transported ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

\* Grade wise, if applicable

Part C

(Format to maintain monthly account of mineral /ore in case of crushing, pulverizing or any kind of processing)

Sr. No.	Item Details	Particulars
I.	Name of mineral/ore processed.	
2.	Name of plant/factory	
3.	Address in full of the factory	

Month	Date	*Opening stock of mineral/ore processed at the plant ('000 tonne)	*Quantity of mineral/ore received at the plant ('000 tonne)	*Quantity of mineral/ore fed to the beneficiation plant ('000 tonne)	*Quantity of mineral/ore recovered after beneficiation ('000 tonne)	Particulars of supporting transit permit/delivery challan	Closing stock of mineral/ore processed at the plant ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

\* Grade wise, if applicable

## FORM H

### FORMAT OF ONLINE ANNUAL RETURN BY CONCESSION HOLDER/TRADER

(See rules 9(1), 9(4)(a) and 9(4)(b))

Sr. No.	Item Details	Particulars
1.	Is person Concession Holder or Trader.	
2.	Registration No.	
3.	Name of the registered person/firm.	
4.	Address in full.	
5.	Name of Circle / Mining Office having jurisdiction over the ore/mineral stored.	
6.	Is mineral for captive consumption or sale.	
7.	If mineral is for sale whether consumed domestically or exported.	
8.	If mineral /ore is transported.	Fill Part A
9.	If mineral /ore is procured.	Fill Part B
10.	If mineral /ore is processed.	Fill Part C

#### Part A

(Format to maintain annual account of mineral/ore in case of procurement)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore procured	
2.	Place of business	

Month	Date	*Opening stock of mineral at the stockyard /factory ('000 tonne)	*Quantity of mineral procured ('000 tonne)	Particulars of supporting Transit Permit/Delivery Challan	Source from which mineral is procured	Total stock of ore./mineral ('000 tonne)	*Quantity of minerals consumed/sold/discharged for processing ('000 tonne)	*Closing stock of minerals procured ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

\* Grade wise, if applicable

### Part B

(Format to maintain annual account of mineral/ore in case off transportation)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore to be transported	
2.	Place from which mineral/ore is transported	
3.	Total quantity of mineral/ore to be transported	

Month	Date	*Opening stock of mineral transported ('000 tonne)	*Quantity of mineral transported ('000 tonne)	Particulars of supporting transit permit/delivery challan	Destination to which mineral transported	* Closing stock of mineral is transported ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

\* Grade wise, if applicable

### Part C

(Format to maintain annual account of mineral/ore in case of crushing, pulverizing or any kind of processing)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore processed.	
2.	Name of plant/factory.	
3.	Address in full of the factory.	

Month	Date	*Opening stock of mineral/ore processed at the plant ('000 tonne)	*Quantity of mineral/ore received at the plant ('000 tonne)	*Quantity of mineral/ore fed to the beneficiation plant ('000 tonne)	*Quantity of mineral/ore recovered after beneficiation ('000 tonne)	Particulars of supporting Transit Permit/Delivery Challan	*Closing stock of mineral/ore processed at the plant ('000 tonne)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

--	--	--	--	--	--	--	--	--

\* Grade wise. if applicable



## FORM I

### FORMAT TO MAINTAIN DAILY ACCOUNT OF MINERAL/ORE

(See rules 9(4)(a) and 9(4)(b))

Sr. No.	Item Details	Particulars
1.	Is person Concession Holder or Trader.	
2.	Registration No.	
3.	Name of the registered person/firm.	
4.	Address in full.	
5.	Name of Circle / Mining Office having jurisdiction over the ore/mineral stored.	
6.	Is mineral for captive consumption or sale.	
7.	If mineral is for sale whether consumed domestically or exported.	
8.	If mineral /ore is transported.	Fill Part A
9.	If mineral /ore is procured.	Fill Part B
10.	If mineral /ore is processed.	Fill Part C

#### Part A

(Format to maintain daily account of mineral/ore in case of procurement)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore procured	
2.	Place of business	

<i>Date</i>	<i>*Opening stock of mineral/at the stockyard /factory ('000 tonne)</i>	<i>*Quantity of mineral procured ('000 tonne)</i>	<i>Particulars of supporting Transit Permit/Delivery Challan</i>	<i>Source from which mineral is procured</i>	<i>Total stock of ore/mineral ('000 tonne)</i>	<i>*Quantity of minerals consumed/sold/dispensed for processing ('000 tonne)</i>	<i>*Closing stock of mineral procured ('000 tonne)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

\* Grade wise, if applicable

### Part B

(Format to maintain daily account of mineral/ore in case of transportation)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore to be transported.	
2.	Place from which mineral/ ore is transported.	
3.	Total quantity of mineral/ore to be transported.	

<i>Date</i>	<i>*Opening stock of mineral transported ('000 tonne)</i>	<i>*Quantity of mineral transported ('000 tonne)</i>	<i>Particulars of supporting transit permit/delivery challan</i>	<i>Destination to which mineral transported</i>	<i>* Closing stock of mineral is transported ('000 tonne)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)

\* Grade wise, if applicable

### Part C

(Format to maintain daily account of mineral/ore in case of crushing, pulverizing or any kind of processing)

Sr. No.	Item Details	Particulars
1.	Name of mineral/ore processed.	
2.	Name of plant/factory.	
3.	Address in full of the factory.	

<i>Date</i>	<i>*Opening stock of mineral/ore processed at the plant ('000 tonne)</i>	<i>*Quantity of mineral/ore received at the plant ('000 tonne)</i>	<i>*Quantity of mineral/ore fed to the beneficiation plant ('000 tonne)</i>	<i>*Quantity of mineral/ore recovered after beneficiation ('000 tonne)</i>	<i>Particulars of supporting Transit Permit/Delivery Challan</i>	<i>*Closing stock of mineral/ore processed at the plant ('000 tonne)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

--	--	--	--	--	--	--	--

\* Grade wise. if applicable

**FORM J**

**FORM OF NOTICE REGARDING SEIZING OF PROPERTY**

*(See rule 12(2)(a))*

Dated [ ]

To

(Address)

Take notice that the following property(ies) which was/were involved in offence committed under the Gujarat Mineral (Prevention of Illegal Mining and Transportation and Storage) Rules, 2017 on ..... (date) has been seized by Shri. .... Designation..... and kept under the custody of the undersigned. The details of the property being seized are as under:

Sr. No.	Item Details	Particulars
1.	Details of property seized.	
a.	Place of seizure with date and time.	
b.	Description of each property.	
2.	Name and address of person from whom the property is seized.	
3.	Name and address of any other claimant for the seized property.	
4.	Name and address of person under whose custody the seized property has been kept.	
5.	Is the person whose property has been seized, registered with the Government.	(Yes/No)
6.	If yes, then registration number of the person whose property is seized, to be provided.	
7.	Approximate value of the seized property.	
8.	Remarks.	

In case you want to be heard in person in the matter, you are hereby asked to convey the same in writing within 15 days from date of issue of this notice at the following address.

( )

Signature of Authorised Officer.

with designation and address.

( )

Signature of the Custodian.

with designation and address.

**FORM K**

**FORM OF APPEAL OR REVISION APPLICATION**

*(See rule 18(3))*

To

[Address]

I/We submit the following application for appeal/revision or for passing of an order which has not been passed within the required time period.

Sr. No.	Item Detail	Particulars
1.	Name of Applicant.  (In case of a firm or other association of individuals, provide names of each person constituting the firm or the association of individuals, as the case may be.)	
2.	Address of the Applicant  (In case of a firm or other association of individuals, provide addresses of each person constituting the firm or the association of individuals, as the case may be.)	
3.	Status of the Appellant/Revisionist.  <ul style="list-style-type: none"><li>• Individual</li><li>• Firm</li><li>• Other association of individuals (major mineral)</li><li>• Company</li><li>• LLP (minor mineral)</li></ul>	
4.	Purpose.  (Review of an order passed/ Request for passing of an order where such an order has not been passed within the time period prescribed)	
5.	In case of review of an order, date of communication and number of the order to the appellant/revisionist.  OR  In case of request for passing of an order, the date on which the date on which the time period for passing such order expired.	
6.	Evidence of Payment of Fee.	
6(a)	Name of bank.	
6(b)	Demand draft or challan number with date.	
7.	Mineral or minerals for which the appeal/ revision is filed.	
8.	Details of area with respect to which the appeal/revision in filed.	

Sr. No.	Item Detail	Particulars
9.	Whether the appeal is filed within the prescribed time period.	
10.	If not, the reasons for not presenting it within the prescribed limit and seeking condonation of delay..	
11.	Name and complete address of the party/parties impleaded .	
12.	Number of copies of petition attached.  Petition is to be submitted in triplicate if no party is impleaded. Besides these, for each party impleaded one additional copy is to be enclosed.	
13.	Grounds of appeal/revision.	
14.	Whether the appellant/ revisionist desires to be heard in person or through pleader.	
15.	Any additional information the appellant/revisionist desires to furnish	

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 you.

Yours faithfully,

Place:

Date:

( )

Signature of the applicant.

Instructions to applicant:

- (a) The application must be signed by a duly authorized representative of the appellant, in case the appellant is a company or LLP. In case the appellant is an individual, the appellant must personally sign the application. In case of a firm or association of individuals, all the persons constituting the firm or association of individuals shall sign the application.
- (b) The corporate authorisation of the authorised signatory of the appellant (which is a company) must be enclosed with the application. Any change in such corporate authorisation must be immediately intimated to the State Government.

**FORM L**

**FORM OF RECORD TO BE MAINTAINED BY THE AUTHORISED OFFICER OF OFFENCES COMPOUNDED BY HIM**

*(See rule 23)*

<b>Sr. No.</b>	<b>Date of commission of offence</b>	<b>Name of accused</b>	<b>Brief description of offences</b>	<b>Property involved in offence</b>	<b>Place of occurrence of offence</b>	<b>Officer detecting the offence</b>	<b>Compounding payment for offence</b>	<b>No. and Date of treasury challan in which compounding payment is deposited</b>	<b>Signature of authority compounding the offence</b>	<b>Remarks</b>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

By Order and in the name of Governor of Gujarat,

DG Chaudhuri

Deputy Secretary to Government