

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 16th FEBRUARY, 2017.

GOVERNMENT OF KHYBER PAKHTUNKHWA MINERALS DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated: 15th February, 2017.

No.SO(E)/MDD/6-1/D&R/Vol-I/8127-8317 In exercise of the powers conferred by section 101 of the Khyber Pakhtunkhwa Minerals Sector Governance Act, 2016 (Khyber Pakhtunkhwa Act No. 1 of 2017) read with section 76 thereof, the Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA MINOR MINERALS PERMIT RULES, 2017.

1. **Short title and commencement.**--- (1) These rules may be called the Khyber Pakhtunkhwa Minor Minerals Permit Rules, 2017.

(2) These rules shall come into force at once.

2. **Definitions.**--- (1) In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say -

- (a) "Act" means the Khyber Pakhtunkhwa Minerals Sector Governance Act, 2016 (Khyber Pakhtunkhwa Act No. 1 of 2017);
- (b) "Form" means the Form appended to these rules;
- (c) "Licensing Authority" means the Director General, Mines and Minerals;
- (d) "permit" means a temporary permit granted for such a period as provided in rule 4; and
- (e) "person" means an individual, firm or a company, who applies for a permit under these rules.

(2) Words and phrases used in these rules but not defined shall have the same meanings as assigned to them in Act.

403 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 16TH FEBRUARY, 2017

3. Applications for grant of permits.— (1) A person desirous of obtaining a permit for minor minerals shall submit an application on the Form appended to these rules to the Licensing Authority.

(2) The application Form shall be accompanied by-

- (a) the application fee;
- (b) sketch of the area;
- (c) computerized National Identity Card of the individual, Directors of the Company, or Partners of the firm, as the case may be;
- (d) Income Tax registration certificate;
- (e) duly registered partnership deed, in case of firm; and
- (f) the Articles and Memorandum of Association along with certificate of incorporation, in case of a company.

(3) Incomplete applications shall not be accepted by the Licensing Authority.

(4) Applications so received shall be scrutinized by the Licensing Authority or its authorized officer and the availability of the area applied for shall be confirmed by the Licensing Authority before the grant of the permit.

(5) In case of approval of the application, the person shall be informed through an offer letter duly conveyed through registered mail on an address given in the application Form.

(6) In case the person accepts the offer, he, while complying with the terms and conditions of the offer letter, shall deposit the permit fee, as determined by the Licensing Authority, within seven days from the date of the issuance of the offer letter.

(7) The officer authorized by the Licensing Authority shall issue allotment letter immediately after compliance of the offer letter.

(8) In case of non-compliance of the offer letter within specified period, the offer letter shall stand withdrawn.

4. Period of permit.— The permit shall be valid for such period, not exceeding one month and may be renewed for such further period, not exceeding two terms of one month each.

5. Determination of permit fee.— The Licensing Authority may grant permit on newly discovered area or any other area not included in already demarcated blocks reserved for auction. The permit fee shall be determined on the basis of spot inspection by a committee constituted by the Licensing Authority for assessing the quality and quantity of the minor minerals.

6. Circumstances in which the permit may be granted.— The permit for a minor mineral may be granted in the following circumstances, namely:

- (a) in case of fresh discovery of minor mineral bearing area, till the formulation of auction blocks;

KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 16th FEBRUARY, 2017 404

- (b) where minor minerals are excavated for the use in a public project from an area outside the auction blocks; and
- (c) any other area, which is not included or cannot be included due to locational difficulties, in an auction block.

Secretary to Govt. of Khyber Pakhtunkhwa,
Minerals Devt. Department

FORM

(See rule 3)

Application form for permit for minor minerals

1. Name of applicant
2. Address:
3. Contact No:
4. CNIC No.
5. Passport No (in case of foreign nationals).
6. NTN No.
7. Details of the area:

Documents to be attached.

- (i) Original copy of Treasury Challan No. _____ dated _____ for Rs. 10,000 - (Rupees Ten Thousands only) as application processing fee under the Head of Account "C-038-Other Receipts C-03847 Receipts under the Khyber Pakhtunkhwa Mineral Sector Governance Act". Deposited in the State Bank of Pakistan National Bank of Pakistan Government Treasury at _____
- (ii) Attested copy of CNIC.
- (iii) Passport No. (in case of foreign nationals)
- (iv) Income tax registration certificate (if applicable).
- (v) A copy of Memorandum and Articles of Association along with an attested copy of the Certificate of Incorporation (in case of a company only).
- (vi) Authenticated copy of partnership deed duly registered with the registrar concerned (in case of partnership firm only).

Dated: _____

Signature of the applicant