

GOVERNMENT



G A Z E T T E

KHYBER PAKHTUNKHWA

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GOVERNMENT OF KHYBER PAKHTUNKHWA MINERALS DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated: 07th March, 2017.

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

THE KHYBER PAKHTUNKHWA REGULATION AND ENFORCEMENT RULES, 2017

1. **Short title and commencement.**--- (1) These rules may be called the Khyber Pakhtunkhwa Regulation and Enforcement Rules, 2017.
 - (2) These rules shall come into force at once.
2. **Definitions.**--- (1) In these rules, unless the subject or context otherwise requires,-
 - (a) "Act" means the Khyber Pakhtunkhwa Minerals Sector Governance Act, 2016.
 - (2) Words and phrases used in these rules but not defined shall have the same meaning as assigned to them in the Act.
3. **Authorization of officers for imposition of fine under Schedule VI of the Act.**--- (1) For the purpose of Schedule VI of the Act, the following officers are authorized to impose fine in the range given against each category of officers:
 - (a) Assistant Director or Deputy Director of the Directorate General of Mines and Minerals, as the case may be, performing duties in the regional office upto Rupees twenty five thousand;
 - (b) Director Licensing of the Directorate General of Mines and Minerals, upto Rupees fifty thousand; and
 - (c) Director General above rupees fifty thousand.
 - (2) In case, during field inspection by any officer mentioned in sub rule (1), if any person, in his opinion is contravening any of the provisions as specified in Schedule-VI of the Act, they shall charge the accused by issuing a challan on the spot for payment of fine if the fine is within his range.

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(3) In case, the fine is above the limit to the extent of which he is empowered or if the field staff observes any violation, they shall furnish report to the concerned officer for imposition of fine. The report shall contain the nature of violation committed, its location, date and time of observing such violation.

(4) Upon approval of the imposition of fine, the authorized officer shall issue challan of the fine so imposed to the accused for payment of the same.

(5) Proceeding under section 85 of the Act shall be initiated against the accused in case of failure of payment of fine by him.

**Secretary to the
Government of Khyber Pakhtunkhwa,
Minerals Development Department.**