

Mineral Transit Pass Regulations, 1976

S. O. 1471 the 8th September, 1976—In pursuance of clause 7 of the Part VII of Model Form of Mining Lease set out in Schedule I to the Mineral Concession Rules, 1960 and Schedule III to the Bihar Minor Mineral Concession Rules, 1972, the Governor of Bihar do hereby prescribes the following instructions which may be called "The Mineral Transit Pass Regulation".

1. (a) In these instructions unless otherwise the context requires,—

- (i) "Mine Owner" includes his authorised Manager or any other person authorised in writing to act on his behalf;
- (ii) "Mining Officer" includes District/Assistant Mining Officer;
- (iii) "Director of Mines" means the Director of Mines appointed as such by the State Government;
- (iv) "Government" means the State Government of Bihar in the Department of Mines and Geology.

(b) All other expressions and terms herein not defined shall have the same meaning as assigned to them in the Mines and Minerals (Regulation and Development) Act, 1957.

2. All despatches of ores and minerals except those by rails or aerial ropeway shall be accompanied by transit passes in the form "D" annexed to these regulations.

3. Sampling and analysis will be done before the ore is removed from the mine. The following procedure shall be adhered to :—

(a) Mines Owners after proper dressing, stacking, grinding and analysis shall apply to the Mining Officer in Form 'A' within whose jurisdiction the mine is situated notifying his intention to remove the ore through the concerned Mines Inspector enclosing copies of the analysis report in duplicate in Form 'B'.

(b) The Mines Inspector shall verify the stocks with reference to the analysis reports and forward the application to the Mining Officer with his verification report within seven days of receipt of the application.

(c) He shall draw joint samples from the stacks of marginal grade and also from the stacks, grade of which would appear to him different from that mentioned in the analysis reports. Joint samples shall be drawn by the Mines Inspector and an authorised representative of the Mines Owner and shall be divided into three parts of which one part shall be handed over to the Mines Owner under joint seals, the 2nd part shall be sent to the State Geological Laboratory, Hazaribagh for analysis and the 3rd part kept with Mining Officer under joint seals as umpire samples. The analysis results of the State Laboratory, Hazaribagh would be final, provided that the Director of Mines may allow, if he is satisfied with mine owner for analysis of the samples under dispute, at the State Geological Laboratory, Hazaribagh in the presence of the representative of the mine owner.

(d) When ores despatched directly from the mine by railway wagons, analysis

reports of each lot of four wagons or less as the case may be shall be given and joint sample shall be drawn from the wagons:

Provided that no analysis report is necessary if the ores/minerals are declared to be of the highest grade. No analysis is also required in respect of ores/minerals i.e. fireclay, quartzite, etc, which do not have different grades for royalty purposes:

Provided further that in case the lessee declares the minerals to be of inferior grade, he would have to produce a test certificate to that effect from the State Geological Laboratory, Hazaribagh the cost of which would be borne by the lessee and in case the lessees fail to furnish the test certificate within 60 days of the despatches of minerals, it would be presumed that the despatches have been of the highest grade.

4. On receipt of the verification report from the Mines Inspector, the Mining Officer shall issue a permit in form 'C' within seven days. Copies of the permit shall be issued to the checking stations along with the route by which the ores will be removed—Provided that no permit shall be issued in respect of the stacks from which joint samples had been drawn till the analysis results are received from the State Geological Laboratory, Hazaribagh.

5. (a) The mine owner shall obtain transit challan books from the Mining Officer to the extent of his 3 months requirement or more on the production of treasury challan showing deposit of the cost of the books under the head of account XXX Miscellaneous Social and Development Organisations Miscellaneous receipt" from the Department of Mines and Geology at the rate of Rs. 2 for each book containing 50 transit passes each in triplicate in form 'D'. The transit passes shall be machine numbered with book no. and serial no. of the Pass. Before issue of the book to the mine owner, the passes in the book should be stamped with the office and seal of the Mining Office on the reverse. After the first issue subsequent issues will be made on surrender of the used up books:

Provided that the Director of Mines may in certain cases, on consideration of the difficulties and distance of the mine owners, from the office of the Mining Officer, authorise the Mining Officer to issue to those mine owners transit challan books to the extent of six months requirement.

(b) On receipt of the used up book, the Mining Officers shall get its original counterfoils checked in his office with regard to the material entries in the relevant transit chalans previously received at check-gate/weight-bridges so that no controversy may arise in future as to the quantity and percentage content of the ore despatched. After such checking and verification, the Mining Officer shall return to the Mines Owner within 3 months of surrender, the used up books having each counterfoil sealed with a rubber stamp "Checked" which shall also bear the signature of the Mining Officer or any other Subordinate officer authorised by him in this behalf.

(c) The duplicate and triplicate copies of challans will be issued by the mine owner to the carrier, transporting ore from the mine and duplicate copy shall be surrendered at check-gate/weight-bridge of Government. The copies should be made by carbon process. The original copy should be left in the book.

(d) All transport of minerals ores will normally pass through check gate of Mining Department and/or privately managed check-gates approved by Director Mines. All vehicles transporting ores/minerals shall stop at the check-gate and proceed after being cleared by check-gate authorities by making necessary endorsement on the back of the triplicate copy held by the carrier.

Where there is a weight bridge of Government or one privately managed and controlled by Government near the gate, the quantity of ore transported will be ascertained by weighment. Where there is no weigh bridge close to the check-gate, the measurements in cubic metre will be checked and the standard conversion factor for the ores of particular mine will be applied to arrive at the quantity transported. The standard conversion factor will be obtained by test checks of a few truck loads selected at random either at the nearest Government weigh-bridge or by spring balance method from time to time by the Mining Officer.

(f) The person-in-charge of the check gate may verify the quantity and quality of ore carried and shall retain one copy of the challan. He may record in both copies of the challan and observations relating to the divergencies between the quantity and quality of ore carried and that shown in the challan. He shall bring to the notice of the Mining Officer any case of repeated divergencies in respect of any mine owner. He may detain any ore moved without a valid transit permit or challan.

(g) The working hours of each check gate shall be announced in advance by the Mining Officer and shall be commensurate with the general requirements of the Mining Traffic in that sector.

6. The following officers are authorised to stop, check and verify truck carrying the ore from the mine:—

- (i) Director of Mines—In the entire State.
- (ii) Deputy Director of Mines—In their respective zones.
- (iii) Collector—Within their respective jurisdictions.
- (iv) Mining Officer—Within their respective jurisdictions.
- (v) Any officer of the Commercial Taxes Department—Within their respective jurisdictions.
- (vi) Mines Inspector—Within their respective jurisdictions.

It shall be the responsibility of the mine owners to ensure that their carriers afford all assistance and co-operation for such inspector.

7. The Director of Mines may review from time to time schedule fixed.

8. (a) Whenever any mine owner transport the minerals raised in his mine without a valid permit or challan it will be treated as a transgression of the covenants of the lease, and action shall be taken accordingly under the penal provisions of lease deed.

(b) The mine owner shall be responsible for the strict compliance with these instructions by the carriers employed by them and shall insure that the carriers produce necessary transit challans at the check gates for verification.

9. In individual cases, the Director of Mines shall guide and issue, necessary instructions giving relaxation, in the interest of mineral development with the prior approval of the State Government.

To

**ANNEXURE
FORM A**

[See rule 3 (a)]

* The Mines Inspector

The Mining Officer,
Circle.....
Through Mines Inspector,

Sir,

In enclosing her with the analysis report in respect of the following stacks, I would request you to issue permit for removal of the ore from Mines.

PARTICULARS OF STACKS

Sl no.	Nature/ type of mineral	Quarry no. Beneficiation Plant site.	Stack No.	Measure- ment of stack.	Cubic- conte- nt.	Quantity in (ton- ne appr- oximate	Grade of the Mineral	Remarks
1	2	3	4	5	6	7	8	9

Yours faithfully,

Signature and designation of applicant

Place.....

Date.....

* Where Mines Inspector is authorised to issue permits, it may be addressed to him. Strike off which is not necessary.

FORM B

[See rule 3 (a)]

Certified that samples from the following stacks of (Mineral) at (Mines)/ Beneficiation Plant/site have been drawn by the owner/agent/manager of.....Mines in my presence.

PARTICULARS OF STACKS

Sl no.	Nature/ type of mineral	Quarry no. Beneficiation Plant site.	Stack No.	Measure- ment of stack.	Cubic- conte- nt.	Quantity in (ton- ne appr- oximate	Grade of the Mineral	Remarks
1	2	3	4	5	6	7	8	9

Signature of Owner/Agent/Manager.....Mines

Date.....

*Signature and designation of the
Certifying Officer and date.*

FORM C.

(See Rule 4)

Transit Permit

The Owner/Agent/Manager.....Mines.

Dear Sir (s)

With reference to your application, dated.....I am to inform you that you are hereby allowed to remove the (Minerals) from the following stacks at your.....Mines.

PARTICULARS OF STACKS

Serial No.	Quarry No.	Beneficiation Plant site	Stack No	Nature/Type of Mineral	Cubic content	Grade.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The following stack (s) shall not be removed for the reasons given below :-

- 1.
- 2.
- 3.

Signature and designation of the Issue Officer.

Date.....

FORM D

[See rules 2 and 5 (a)]

TRANSIT PASS

DEPARTMENT OF MINES & GEOLOGY, GOVERNMENT OF BIHAR

Book No. — — District — — — —
 Name of the Mine — — Pass No. — — — —
 Name of Lessee/Lessee's — — Date — — — —
 Name of the person of whose account transported.....(in case of Pit's Mouth Sale).
 Destination — — — —

Quarry No.	Beneficiation Plant site.	Stack No.	Name of the Mineral.	Percentage content of the Mineral	Measurement of Mineral in the carrier (CuM) L. B. H.
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— — — — — Cubic content (CuM — — — — — Gross Tare Net.
 — — — — — Weight of the Mineral (Tonnes)
 — — — — — Name of the carrier owner — — — — — carrier no. — — — —

Signature of the person issuing with date Signature of the carrier driver with date Signature of the checking staff with date

Signature of the person receiving designation with date. Signature of the Mines Inspector with date. Mining Officer.