

approved by the Director of Mines. Government will engage checking staff to supervise the weighing of other weigh-bridges and the expenditure on this account will be borne by the weigh-bridge owner. If the quantity of the mineral in the carriers, as recorded in the other weigh-bridge(s) are found lower than the actual quantity of the mineral on subsequent checking, the permission for operation of the weigh-bridge shall be suspended for a period not exceeding thirty days by the concerned Deputy Director of Mines/Mining Officer. In case of repetition of such discrepancy, the permission for operation of the weigh-bridge shall be withdrawn by the Director of Mines.

All the carriers shall carry two copies of the transit pass¹[Omitted] (duplicate and triplicate) and shall stop at the check post/weighbridge where the quantity and quality of the mineral will be verified by the Government checking staff and proceed after being cleared by the check post clerk by making necessary endorsement(s) in the ²[destination copy] held by the in-charge of the carrier. The ²[check gate copy] shall be handed over to the check-gate clerk who will keep it for office record.

(6) The owner of the weigh-bridge shall keep the weighbridge in perfect working condition and any break down or malfunctioning shall be reported forthwith to the concerned Deputy Director of Mines/ Mining Officer.

(7) The working hours of each check-post, with or without barrier or weighbridge shall be announced in advance by the Deputy Director of Mines/Mining Officer, as the case may be, and shall be commensurate with general requirement of the mineral traffic in that sector. The Director of Mines may review the time schedule so fixed periodically.

(8) (i) Where there is a weigh-bridge of Government or other near the checkpost, the quantity of mineral transported shall be ascertained through weighing;

(ii) The lessee, licensee or permit holder shall pay to the Government the weighing charges for weighing of the mineral in a Government/weighbridge at the rate prescribed by the Government from time to time in advance by 15th day of every month. In case of default in advance payment, she/he shall pay simple interest at the rate fixed by the Government from time to time.

(iii) Where there is no weigh-bridge close to the check-post, the volume of mineral will be measured and converted to tonnes by applying the standard conversion factor for the mineral of particular mines to arrive at the quantity transported. The standard conversion factor will be obtained by test check taking average of few truck loads selected at random either at the nearest Government weigh-bridge or by any other suitable weighing method from time to time by the Mining Officer/ Deputy Director of Mines concerned.

(9) The Government checking staff in-charge of check- post and/ or weigh-bridge may verify the quantity and quality of the ore carried and shall return one copy of the transit pass ¹[Omitted]. He shall record in both copies of the pass¹[Omitted] any observation relating to the discrepancy between the quantity and quality of ore carried and that shown in the pass¹[Omitted]. He shall bring to the notice of the Mining Officer/Deputy Director of Mines any case of repeated discrepancies in respect of any mine owner/licensee.

(10) The person in-charge of the carrier shall, if so required by the authorized officer, furnish all relevant information regarding consigner, consignee and minerals.

(11) After checking the mineral and the carrier, the officer in-charge of the check-post or weigh-bridge or any other authorized officer shall put his signature and designation with date and time on the transit pass ¹[Omitted].

(12) If the officer in-charge of checkpost or weigh-bridge or any other authorized officer has reasons to believe that the mineral is not covered by the transit pass/permit or the transportation is without a valid permit/pass, such Officer shall detain the vehicle. Then the officer in-charge of check-post or weigh-bridge or any other authorized officer shall seize the mineral(s), vehicle(s), tool(s), equipment(s) or any other thing(s) used in transport of minerals. The seized mineral(s), vehicle(s), tool(s), equipment(s) or any other thing(s) shall be liable to be confiscated by an order of the court competent to take cognizance of the offence and shall be disposed of in accordance with the direction of the Court.

CHAPTER - 5

~~12~~ **Seizure and Confiscation** - (1) The Competent Authority or any other officer specially authorized in this behalf by the Government shall seize under Sub-section (4) of Section 21 of the Act, any mineral(s) raised, transported, or caused to be raised or transported, stored, sold supplied, distributed, delivered for sale or processed without any lawful authority and also the tool(s), equipment(s), vehicle(s), or any other thing(s) used for the said purpose.

(2) After seizing any property under Sub-rule (1), he shall keep such property under his custody with proper official seal and with detailed information in Form-N indicating that the same has been seized by him and shall, except where the offender agrees in writing to get the offence compounded, either produce the same before the Competent Authority having jurisdiction or make a report of such seizure to the court competent to take cognizance of the offence and the Court will try the offence on account of which the seizure has been made.

²["2A. In case the offender applies in writing for compounding the offence, the officer who has seized the property shall, if he is the Competent Authority, proceed under rule 16 and, if he is not the Competent Authority, he shall make a report in writing to the Competent Authority along with all records."]

1. Omitted vide Notification No. IV (A) SM- 57/2015-10142, Dt. 09.10.2015

2. Sub. Vide, Notification No. IV (A) SM- 57/2015-10142, Dt. 09.10.2015

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