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STEEL & MINES DEPARTMENT

NOTIFICATION

The 20th July, 2013

No.7473—IV(A)SM-06/2013/SM.— Whereas, second proviso to rule 3 of the Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007 (hereinafter referred to as the said rules) provides for purchase and transportation of mineral(s) upto a quantity specified by Government from time to time in respect of each mineral for use or consumption by any person without obtaining a trading licence.

Whereas, it is considered necessary to impose certain restrictions on such activity with a view to check illegal transportation and storage of mineral.

Now, therefore, in exercise of the powers conferred by sub-rule (15) of rule 10 of the said rules, the State Government do hereby direct as follows:—

1. Any person who intends to purchase and transport mineral(s) upto a quantity specified by Government from time to time in respect of each mineral for use or consumption by him without obtaining a trading licence shall make an application for his registration separately for each mineral in Form-1 appended to it. The application shall be submitted in duplicate to the Competent Authority as defined in rule 2(1)(b) of the said rules under whose jurisdiction the applicant proposes to use or consume the mineral or the source of mineral from which he intends to procure is located. There shall be no application fee for such registration.

2. Every application for registration shall be accompanied by:—

- (i) an attested copy of Nationality Certificate or Voter Identity Card issued by the Election Commission of India or Indian Passport or Permanent Residence

Certificate issued by the Revenue Authority in support of his residence or Aadhaar Card or Ration Card or Driving Licence or PAN Card in support of his nationality.

- (ii) an affidavit to the effect that the applicant has not been convicted in any court of law in any case relating to theft or smuggling or illegal mining or illegal transporting or illegal storage of minerals.
- (iii) an affidavit to the effect that (a) no mining due is pending against his name, (b) he has obtained Income Tax clearance certificate or filed Income Tax return for the preceding assessment year under Income Tax Act, 1961, if he is required to do so under the relevant law and (c) he has obtained VAT clearance certificate, if applicable to him.
- (iv) an attested copy of the certificate or order issued by the appropriate authority for the establishment of the unit where the mineral is to be used or consumed, if any.

3. An application for registration or its renewal shall be acknowledged by the Competent Authority.

4. (1) The Competent Authority shall maintain a register of applications for registration in Form-2 appended to it and make necessary entries therein.

(2) On verification of the *bona fides* of the applicant by the Competent Authority or an officer authorized by him, the Competent Authority may grant the registration and issue a Certificate of Registration in Form-3 appended to it or refuse the same with reasons to be recorded in writing. In case the Competent Authority decides to grant the Certificate of Registration, he shall communicate the terms and conditions governing grant of such registration. Order of refusal to grant shall be communicated to the applicant recording reasons therefor.

5. A person already having a trading licence under the said rules shall not be required to be registered under this notification.

6. Conditions for grant of Certificate of Registration:

- (i) A person holding Certificate of Registration shall not store the mineral(s) at any place other than the end use or consumption point.
- (ii) In case of any eventuality leading to unloading of the ores/minerals at a location other than the destination, such unloading and subsequent loading of the mineral shall be intimated forthwith to the Deputy Director of

Mines/Mining Officer, with whom the person is registered and to the Deputy Director of Mines/Mining Officer in whose jurisdiction the unloading and loading takes place.

- (iii) The person shall not trade in the procured minerals.
- (iv) He shall maintain a correct and intelligible account of minerals procured and used or consumed date-wise in Form-4 appended to it.
- (v) He shall submit an extract of Form – 4 to the Competent Authority at the end of every month along with the Abstract as provided therein.
- (vi) He shall allow the inspecting officers of the Directorate of Mines to inspect the store/ factory/ processing plant, to verify the stock of minerals and take samples and extracts of records.

7. A person shall transport the said minerals to the point of end use or consumption with a valid e-transit pass. Necessary details of registration in respect of such persons including the specified quantity of mineral permitted would be entered in the i3MS system through an appropriate module before generation of the e-pass.

8. Tenure of the registration and its renewal: The registration shall remain valid for two years from the date of issue, subject to further renewal for a period not exceeding two years at a time on satisfactory performance of the consumer during the period of registration.

9. Rescission of registration: The Competent Authority may, at any time during the tenure of registration, suspend the registration for breach of any of the terms and conditions of registration. Before cancellation of registration, the person shall be served a show-cause notice. If the Competent Authority is satisfied with the explanation, he may withdraw the order of such suspension and allow the person to carry on procurement. Otherwise, the Competent Authority after giving an opportunity of being heard to the person, cancel the registration by an order in writing communicated to the consumer.

FORM-1**APPLICATION FOR REGISTRATION OF PERSONS PURCHASING SPECIFIED
QUANTITIES OF MINERALS WITHOUT TRADING LICENCE**

1. Name of the applicant (in full) :
2. Father's name (in full) :
3. Profession :
4. Full Address :
5. In case of firm, give names and addresses of partners or the person holding Powers of Attorney to act on behalf of the firm :
6. e-mail ID, if any :
7. Name of mineral for which registration is required :
8. Specific purpose of use or consumption of the mineral :
9. Specific place(s) of use or consumption of the mineral. :
10. In case of mineral processing units, proof of factory licence and its annual capacity. :
11. Period for which registration is required. :
12. In case of renewal the No. and date of previous registration. :
13. No. and date of trading licence/ registration previously held, if any, by the applicant. :
14. List of enclosures :
 - (i)
 - (ii)
 - (iii)
 - (iv)

Signature of the Applicant

FORM-2

REGISTER OF APPLICATION FOR GRANT OF CERTIFICATE OF REGISTRATION

(TO BE MAINTAINED BY THE COMPETENT AUTHORITIES)

Sl. No.	Date of receipt of application	Name of applicant	Address of applicant	Name of ore/mineral	Place of storing and consumption	Date of grant	Date of refusal	Date of appeal, if any	Order on appeal with date	Date of expiry, if granted	Date of application for renewal	Date of grant of renewal	Period of renewal	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

Signature of the DDM/MO

Date :



FORM-3

CERTIFICATE OF REGISTRATION FOR PERSONS PURCHASING SPECIFIED QUANTITIES OF MINERALS WITHOUT TRADING LICENCE

Registration No. _____

Date : _____

- 1. Name of the registered person :
(in full)
- 2. Father's name in full (in case of firm :
names and address of partners and
persons holding power of attorney to
act on behalf of the firm
- 3. Full Address :
- 4. No. and date of application for this :
registration
- 5. Profession of the registered person :
- 6. Name of the mineral covered under :
the registration certificate.
- 7. Purpose for which the mineral will be :
used or consumed with details
- 8. Specific place(s) of use or :
consumption
- 9. Period of registration From :
To :
- 10. If it is a case of renewal the number :
and date of grant of original
registration certificate.

Signature of the Competent Authority to issue the registration certificate with designation and date.

FORM-4

**ACCOUNT OF PROCUREMENT AND USE OR CONSUMPTION OF MINERALS
(TO BE MAINTAINED BY THE PERSONS PURCHASING SPECIFIED QUANTITIES OF
MINERALS WITHOUT TRADING LICENCE)**

1. Name of the registered person :
2. Full Address :

3. No. and date of registration :
4. Period of registration :
5. Name of the mineral :
6. Place of use or consumption :
7. Competent Authority under whose jurisdiction the mineral is to be used/consumed :

(Quantity in tonnes)

Date	Grade-wise opening balance of mineral	Grade-wise quantity of mineral received	Source of procurement	T.P. No. and date	Total Stock of mineral (col. 4+5)	Grade-wise quantity of mineral used or consumed	Closing balance of mineral
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Signature of the Owner/Agent/Manager

Date :

By Order of the Governor

RAJESH VERMA

Principal Secretary to Government