



GOVERNMENT OF THE PUNJAB
MINES & MINERAL DEPARTMENT

Dated Lahore, the 14th March, 2023

ORDER

SUBJECT: - No. SOT(M&M)4-3/2023 (ORDER 06/2023)- DIRECTIONS REGARDING INSPECTIONS FOR STOPPAGE OF UNAUTHORISED MINING/ THEFT OF MINERALS

Whereas, it has been observed that under section 49 of Land Revenue Act 1967, all Mines & Minerals shall always be deemed to have been the property of Government, and Government shall have all powers necessary for the proper enjoyment of its rights thereto.

2. **And, Whereas,** under section 2 of Regulation of Mines and Oil-fields and Minerals Development (Government Control) Act, 1948 (XXIV), the Government have powers to make rules to grant and regulate the licenses and leases of the minerals.

3. **And, Whereas,** under section 2 of the Act ibid, THE PUNJAB MINING CONCESSION RULES, 2002 were notified by the Government of Punjab to grant and regulate the licenses and leases of the minerals.

4. **And, Whereas,** under rule 91 of the Rules ibid relating to Large Scale Mining, any person who carries on reconnaissance, exploration or mining operations in Punjab except under and in accordance with a mineral title or prospecting licence shall be guilty of an offence and punishable with a penalty as prescribed by the Government from time to time, in addition to the rectification of the default within the time given by the Licensing Authority failing which the mineral title may be withdrawn.

5. **And, Whereas,** under rule 174 of the Rules ibid relating to Small Scale Mining, if any person starts prospecting or mining any mineral outside the area granted to him under a licence or a lease or in any area for which he has not obtained a licence or a lease, he shall be punishable by a court of competent jurisdiction, with imprisonment for a term which may extend to three years or with fine upto Rs.50,000 or with both.

6. **And Whereas,** the concerned Licensing Authority shall have the power to stop unauthorized work in such manner as it may deem fit and recover in addition to the penalty, the pit-mouth value of the mineral so excavated from the person responsible for such unauthorised work.

7. **And Whereas**, under rule 218 of rules ibid relating to **Minor Minerals**, if any person carries out mining of minor minerals outside the area granted to him under a lease or in any area for which he has not obtained a lease, he shall be punishable by a court of competent jurisdiction, with imprisonment for a term which may extend to three years or with fine not exceeding Rs.50,000/- or with both.

8. **And Whereas**, the concerned Licensing Authority shall also have the power to stop unauthorized work in such manner as it may deem fit and recover upto three times the sale price of mineral so excavated from the person responsible for such unauthorized work

9. **And, Whereas**, it is the prime responsibility of the field officers including Deputy Directors M&M, Assistant Directors M&M, Survey & Drawing Officers, Minerals Development Officers, Field Inspectors, Royalty Inspectors, Draftsmen & surveyors etc. to ensure stoppage of any unauthorized mining of minerals and take necessary actions thereto for recovery of the loss caused to Government exchequer due to unauthorized mining.

10. **And whereas**, on account of poorly drafted inspection reports, lack of proper evidence & improper follow-up of unauthorized mining cases, the accused of the offence of unauthorized mining gets exonerated, resulting in loss to Government exchequer which undoubtedly falls under the definition of inefficiency, misconduct, corruption & corrupt practices.

11. **Now, Therefore**, in order to shun such culpable corrupt practices, following directions are issued for strict compliance:

- i. The relevant field office head shall ensure **strict monitoring** of vacant mining blocks/ zones & any vacant mineral bearing areas through its field staff for **stoppage of unauthorized mining/ theft of minerals**.
- ii. During the inspections for stoppage of unauthorized mining, the inspecting officer shall ensure **collection of proper evidence** in the form of written statements, pictorial & video evidence, proper GIS tagging /demarcation of unauthorized mining pits & measurements & assessment of unauthorizedly excavated minerals.
- iii. The inspecting officer shall also ensure **seizure of machinery** being used for unauthorized mining and it's **handing over to concerned Police Station** after completion of codal formalities so that the same may be used as Case Property and proof of the offence committed.



- iv. The inspecting officer shall also ensure **registration of FIR** on the same day of inspection against the accused under the relevant provisions of Punjab Mining Concession Rules, 2002 and Pakistan Penal Code.
- v. After the inspection, the concerned field office head shall ensure **issuance of Show cause notice** to the accused within **one day** of the date of inspection.
- vi. The **factual situational report** incorporating actions taken for stoppage of unauthorized mining duly authenticated by the field officers and their supervisory officers shall be submitted **immediately and a consolidated report of all actions taken along with updated progress, every Friday.**
- vii. Finally, a **database of all actions** taken to prevent theft of minerals shall be prepared by all field offices, by Name, consolidated at DG office and submitted to Secretary office for record and evaluating **performances of field officers and their supervisory officers.** The database for each case shall be updated **every Friday** till final disposal of the case by the **highest authority.**

(BABAR AMAN BABAR) (PAS)
SECRETARY
MINES & MINERALS DEPARTMENT

No. & Date Even:

A copy is forwarded to:

- 1) Principal Secretary to Governor, Punjab
- 2) Principal Secretary to Chief Minister, Punjab
- 3) All Commissioners in Punjab.
- 4) Additional Secretary (Staff) to Chief Secretary, Punjab
- 5) Director General, Mines & Minerals, Punjab, Lahore
- 6) All Deputy Commissioners in Punjab.
- 7) PS to Secretary, Mines & Minerals Department
- 8) PA to Additional Secretary, Mines & Minerals Department


SECTION OFFICER (TECHNICAL) 14.03.2023