

TEXT

**The Regulation of Mines and Oil-fields and Mineral Development  
[(Government <sup>1</sup>Control)] Act, 1948<sup>2</sup>  
(XXIV OF 1948. <sup>3</sup>)**

[8<sup>th</sup> January, 1949]

**An  
Act**

*to make provision for certain matters connected with the regulation of mines and oil-fields and mineral development.*

**WHEREAS** it is expedient to make provision for certain matters connected with the regulation of mines and oil –fields and minerals developments under government control ;

**AND WHERAS** it appears to the Central Government to be expedient in the public interest to make such provision to the extent hereinafter appearing;

It is hereby enacted as follows:

**1. Short titles, extent and commencement.—** (1) This Act may be called The Regulation of Mines and Oil fields and Mineral Development (Government <sup>1</sup>Control) Act, 1948.

<sup>4</sup>[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date<sup>5</sup> as the Central Government may, by notification in the official Gazette, appoint in this behalf.

**2. Power to make rules.-** It is hereby declared to be expedient in the public interest that the [appropriate Government]<sup>6</sup> shall have power to make<sup>7</sup> rules to provide for all or any of the following matters, namely:

- (1) the manner in which and the authority to whom , application for the grant or renewal of an exploration or prospecting license, a mining lease or other mining concession shall be made, and the prescribing of the fees to be paid on such application;
- (2) the condition in accordance with which the grant or renewal of an exploration or prospecting licence, a mining lease or other mining concession may be made , and the prescribing of forms for the execution or renewal of such licence, lease and concession ;
- (3) the circumstances under which renewal of a licence, lease or concession as aforesaid may be refused, or any such license, lease or concession weather granted or renewed may be revoked;
- (4) the determination of the rates at which, and the condition subject to which, royalties , rents and taxes shall be paid by licensees, lessees and grantees of mining concessions;
- (5) the refinement of ores and mineral oils;
- (6) the control of production, storage and distribution of minerals and mineral oils;
- (7) the fixation of the prices at which minerals and mineral oils may be bought or sold; and
- (8) any matter ancillary or incidental to the matters set out in the foregoing clauses of the section;

and the <sup>8</sup>[appropriate Government] may, by notification in the official gazette, make rules accordingly.

**3. Penalties.—** In making any rule under the preceding section the <sup>8</sup>[appropriate Government] may direct that any breach of that rule shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

**4. Effect of rules, etc., inconsistent with other enactments.—** Any rule made under this Act , and any order made under any such rule, shall have effect notwithstanding anything inconsistent therewith contained in any enactment or in any instrument having effect by virtue of an enactment other than this Act.

**5. Power to exempt.—** The <sup>8</sup>[appropriate Government] may, by notified order, declare that any mineral or mineral-oil or any class or description thereof shall be exempt from all or

any of the provisions of the rules made under this Act , or that such provisions shall apply thereto with such modification or subject to such conditions as may be specified in the order.

**96. Definition of appropriate Government.—** In this Act, “appropriate Government” means, in relation to the mines of nuclear substances, oil-fields, and gas fields, and development of such substances, mineral oil and gas, the Central Government and, in relation to the other mines and mineral development, the Provincial Government”.

<sup>1</sup> Subs by President's Order No.1 of 1964, Art and Such. PLD 1965 Central Statues 17, 27.

<sup>2</sup> PLD 1949 Central Act 109.

<sup>3</sup> For Statement of Objects and Reasons, see Gazette of Pakistan, year, 1948, Part V (Page 127).

<sup>4</sup> The Act has been-

- (i) applied to Baluchistan, see Gazette of Pakistan, 1949, Part 1, page 408;
- (ii) applied in the Federated Areas of Baluchistan, see *ibid.*, Extraordinary 1950, page 512'
- (iii) extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (Governor-General's Order No.3 of 1950);
- (iv) applied to the Excluded Areas of West Pakistan, with effect from the 21<sup>st</sup> March, 1956 see Gazette of West Pakistan, 1956, Extraordinary, page 239'
- (v) applied to the Special Areas of West Pakistan, with effect from the 22<sup>nd</sup> March, 1959, see Gazette of West Pakistan, 1959, Extraordinary, page 243.

It has been extended to-

- (a) The Baluchistan States Union, see the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (Government-General's Order No.4 of 1953);
- (b) the Khairpur State, see the Khairpur (Federal Laws) (Extension) Order 1953 (Government-General's Order No.5 of 1953).
- (c) the State of Bahawalpur, see the Bahawalpur (Extension of Federal Laws) Order 1953 (Governor-General's Order No.11 of 1953).

The Act has been and shall be deemed to have been brought into force in Gwadur with effect from the 8<sup>th</sup> September, 1958, by the Gwadur (Application of Central Laws) Ordinance, 1960 (37 of 1960), section 2.

- (4) Substituted by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), section 3 and Second Schedule.

<sup>5</sup> The 1<sup>st</sup> June, 1949 see Gazette of Pakistan, 1949, Part 1, page 246.

<sup>6</sup> Subs. by President's Order No.1 of 1964, Art. 2 and Sch. PLD 1965 Central Statutes 17,27

<sup>7</sup> For the Pakistan Petroleum (Production) Rules, 1949, see Gazette of Pakistan, 1949 Extraordinary, pages 501-552; For the Natural Gas Rules, 1960 see Gazette of Pakistan, 1960, Extraordinary, pages 919-956; and For the Pakistan Mining Concession Rules, 1960 see Gazette of Pakistan. Extraordinary 1960, pages 1107-1166 and also see pages 1-60, *supra*.

<sup>8</sup> PLD 1965 Central Statutes P. 7 and 17.

<sup>9</sup> As on Page 19 Added by President's Order No. 1 of Art. 2, and Sch. PLD 1965 Central 17,27