

GOVERNMENT OF PUNJAB
DEPARTMENT OF INDUSTRIES AND COMMERCE

Notification

The 9th June, 2011.

No.G.S.R. 38/C.A.67/1957/S.15/Amd.23/2011 - In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Minor Mineral Concession Rules, 1964, namely:-

RULES

1. These rules may be called the Punjab Minor Mineral Concession (First Amendment) Rules, 2011.

2. In the Punjab Minor Mineral Concession Rules, 1964 (hereinafter referred to as the said rules), in rule 2,-

(a). for clauses (h) and (i); the following shall be substituted, namely:-

“(h) ‘Department’ means the department of Industries and Commerce of the Punjab Government;

(i) ‘Director’ means the Director of Industries and Commerce, Punjab.”

(b). after clause (p), the following shall be added, namely:-

“(q) ‘Quarry’ means surface workings, leaving no roof overhead.”

3. In the said rules, in rule 30, in sub rule (2), in clause (ii), for the figure and word “30 days” the figure and word “15 days” shall be substituted.

4. In the said rules, for rule 31, the following shall be substituted, namely:-

“31. Procedure of e-Auction.-(1) The contracts shall be awarded through e-Auction and the amount of the contract so awarded shall be per annum. The date of opening of e-Auction shall be published in the Punjab Government Gazette, one vernacular and one English leading newspaper and the said publication of the notification shall be made at least fifteen days before the date of e-Auction. The notification so published shall mention the terms and conditions of the contract along with account No. of the respective division for transfer of money through National Electronic Funds Transfer/Real Time Gross Settlement. Every offer shall be online on the Government of Punjab e-Procurement Portal i.e. www.etender.punjabgovt.gov.in. Any one can submit bid online between 9:00 AM and 12:00 PM on the date given in the notification.

(2) Every bidder must have certificate of approval issued by the Department and shall have to deposit an amount as earnest money equal to 25 percent of the reserve price of the quarry or group of quarries he intends to bid, in cash or through demand draft in favour of the Mining Officer concerned within 7 days of the publication of the notification and get himself registered on the portal i.e. www.etender.punjabgovt.gov.in.

(3) The highest bidder after the confirmation of his bid, shall deposit 25 percent of the bid towards first quarterly installment and another 25 percent towards security up to 5 P.M. on the day on which his bid is accepted. In the event of non payment of the requisite amount as above, the earnest money deposited by him shall be forfeited and if the Director considers it in the public interest after recording his reasons, the offer shall be given to the second highest bidder. In the event of non

deposit of the requisite amount by the second highest bidder, the earnest money deposited by him shall also be forfeited and the department shall initiate the process of e-Auction afresh.

(4) In case the bidder does not succeed, he shall be eligible to participate in the auctions for the other districts notified under the same notification in which he has already participated with the same earnest money he has already deposited but will have to deposit the difference of the earnest money, if any, for the group he intends to bid.

(5) The earnest money of the successful bidder shall be adjusted against the first quarterly installment and security, which he has to deposit as per provisions made in clause (3). The earnest money of unsuccessful bidder as provided in clause (2) shall be refunded within a period of one week from the date of confirmation of the bid.

(6) Misbehavior of any bidder during the course of e-Auction shall invite rejection of his bid and the earnest money as provided in clause (3) shall be forfeited, and if, the Director is of the opinion that the misbehavior is grave, he may debar him for a period extendable up to five years from participating in future auctions.”

5. In the said rules, in Form ‘L’,-

(a) in clause 3, before the figure and word “75 meters”, the figures and words “500 meters from any high level bridge or 100 meters from any flood protection embankment (Bundh) or” shall be inserted.

(b) for clause 9, the following shall be substituted, namely:-

“ The contractor shall deposit the amount of compensation at the rate fixed by the Collector under the Land Acquisition Act, 1894 with the Mining Officer concerned and a proportionate amount at the rate of rupees 10/- per tonne out of the

installment received from the contractor shall be added to the compensation amount and the same shall be disbursed through the Collector concerned amongst the land owners, whose land has been included in the contract agreement irrespective of the fact that the contractor may or may not extract the minor minerals during the tenure of the contract”.

S.S. CHANNY,
Principal Secretary to Government of Punjab,
Department of Industries and Commerce.