



# KHYBER PAKHTUNKHWA

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## GOVERNMENT OF THE KHYBER PAKHTUNKHWA MINERALS DEVELOPMENT DEPARTMENT

### NOTIFICATION

Dated Peshawar, the 25<sup>th</sup> JUNE, 2018

No.SO(Appeal)/MDD/6-1(D&R)/2018/KC- The following draft of rules, which the Government of Khyber Pakhtunkhwa in exercise of the powers conferred by section 103 of the Khyber Pakhtunkhwa Minerals Sector Governance Act, 2017 (Khyber Pakhtunkhwa Act No. XXXVI of 2017), is hereby published, in pursuance of sub-section (2) of section 103 of the ibid Act, for the information of persons likely to be affected thereby and notice is hereby given that the said rules together with any objection or suggestion with respect thereto, which may be received by the Secretary to Government of Khyber Pakhtunkhwa, Minerals Development Department, within a period of fifteen (15) days from the date of publication of this notification in the official Gazette shall be taken into consideration. After the expiry of the said period:

### THE KHYBER PAKHTUNKHWA MINERALS REGULATION AND ENFORCEMENT RULES, 2018.

1. **Short title and commencement.**--- (1) These rules may be called the Khyber Pakhtunkhwa Minerals Regulation and Enforcement Rules, 2018.

(2) These rules shall come into force at once.

2. **Definitions.**--- (1) In these rules, unless the subject or context otherwise requires,-

“Act” means the Khyber Pakhtunkhwa Minerals Sector Governance Act, 2017.

(2) Words and phrases used in these rules but not defined shall have the same meaning as are assigned to them in the Act.

3. **Authorization of officers for imposition of fine under Schedule-VI of the Act.**--- (1) The following officers are authorized to impose fine under Schedule-VI of the Act in the range given against each category of officers, namely:

- (a) Director General above rupees twenty five thousand; and
- (b) Assistant Director or Deputy Director of the Directorate General of Mines and Minerals, as the case may be, performing duties in the regional office up to rupees twenty five thousand.

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(2) In case, the fine is above the limit of the officer as mentioned in clause (b) of sub-rule (1) or if the field official observes any violation, the case shall be forwarded to the concerned officer for imposition of fine. The report shall contain the name and address of the offender, date and time of the offence committed, nature of offence committed and its location.

(3) Upon approval of the imposition of fine, the authorized officer shall issue *challan* of the fine so imposed to the accused for payment of the same.

(4) If the accused refuses to obtain copies of the *challan* issued by the officer or is not ready to give receipt in respect of the *challan* as per sub-section (2) of section 87 of the Act, the *challan* shall be sent to him through registered postal service on his or her postal address.

(5) Proceedings under section 88 of the Act shall be initiated against the accused in case he fails to pay the fine.

**Secretary to  
Government of the Khyber Pakhtunkhwa,  
Minerals Development Department.**

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