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## **ANDHRA PRADESH MICA RULES, 1957**

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### **SCHEDULE 1 :- SCHEDULE**

## **ANDHRA PRADESH MICA RULES, 1957**

In exercise of the powers conferred by Section 32 of the Andhra Pradesh Mica Act, 1957 (Andhra Pradesh Act VII of 1957), the Governor of Andhra Pradesh hereby makes the following rules, the same having been previously published at pages 10 to 26 of Part II of the Andhra Pradesh Gazette, dated the 30th January, 1958 as required by sub section (3) of the said section.

### **1. . :-**

(1) These rules shall be called the Andhra Pradesh Mica Rules, 1957.

(2) They shall come into force on 18th September, 1958.

### **2. . :-**

In these rules

(a) "the Act" means the Andhra Pradesh Mica Act, 1957 (Andhra Pradesh Act VII of 1957);

(b) "Form" means a form annexed to these rules; and

(c) "Section" means a section of the Act.

### **3. . :-**

(1) The proprietor certificate, the miner licence, the dealer licence and the digger permit shall be in Forms A,b, C respectively.

(2) Where an application for the grant of renewal of proprietor certificate, miner or dealer licence or digger permit is refused under the provisions of the Act, the Mica Officer shall refund to the applicant the fee paid by him and if the applicant dies before the order is passed, to his legal representative, except in case where such refusal is on account of any lapse on the part of the applicant.

**4. . :-**

An application for the registration of an instrument referred to in Section 10 shall be made in writing to the officer appointed by the State Government for the registration of instruments within the local limits of whose jurisdiction the land mentioned in the instrument is situated (hereinafter referred to as the registering officer)

**5. . :-**

(2) When an instrument is presented for registration to an officer, other than the registering officer to whom application is required to be made under Rule 4, such officer shall return it to the applicant for presentation to the proper officer with an endorsement specifying the officer to whom it should be presented.

(4) If the requirements of Rule 4 and sub rule (1) of this rule are complied with the registering officer shall make an endorsement in red ink of the instrument as indicated below:- "Registered at the.....Office. Fee or one rupee paid. Applicant personally known to me Identified to my satisfaction by....."

(5) When the registering officer is not personally acquainted with the person applying for registration on an instrument, he shall require such person to be identified to his satisfaction.

(6) When the registering officer registers any instrument under these rules he shall cause the instrument to be copied into a register to be kept for this purpose and shall cause a notice in Form E signed by him to be sent by registered post to the executant.

(7) The person who executes the instrument may be given a notice in writing by the Registering Officer to satisfy himself that the document is executed by the person.

(8) If any instrument is got registered by fraud or by

misrepresentation, the Registering Officer may cancel it on such discovery.

(9) The books of account shall be maintained in Form M or Form N as the case may be, and all the varieties of mica detailed in the Annexure in Form N, shall be correctly filled in.

**6. . :-**

(1) The authority to whom a licensee, registered proprietor or digger shall notify places used by him for storing or preparing mica for sale under Section 13 of the Act shall be the Mica Officer.

(4) The officer whom a declaration is furnished under sub rule (3) shall give to the person who delivers such declaration an acknowledgment for the receipt thereof in writing.

(6) Any licensee, registered proprietor or digger who intends to close for a period exceeding two weeks, any place or places in respect of which he has furnished declaration under this rule, shall before he closes such place or places inform the Mica Officer by registered post of his intention to do so.

**7. . :-**

No digger shall dispose of mica extracted by him under a Digger permit from any place or places other than the place or places specified in the permit and such disposal shall be effected only on the days and at the time specified by the Mica Officer in respect of such place or places. The digger shall, before disposing of any mica under Section 16 furnish to the officer appointed by the Mica Officer, the particulars of all sales of mica made by the digger at the place approved for the same of mica required for the maintenance of the register which shall be in Form L.

**8. . :-**

(1) The pass referred to in Section 14 shall be in Form F, and it may be either in English or in Telugu or in other regional language, as the case may be.

(2) The pass shall be made out in duplicate and one copy thereof shall be kept by the person issuing it.

(3) Books of passes shall be obtained from the office of the Mica Officer and the original passes and the counterfoils shall be serially numbered.

**9. . :-**

The authority who may require the production of a licence under sub section (4) of Section 17 shall be the Mica Officer, or any Magistrate of the first Class or any police officer not below the rank of a Sub Inspector having jurisdiction over the area in which the licensee uses any place or places for storing or preparing mica for sale.

**10. . :-**

(2) The return shall show separately the stock at each place in respect of which a licensee or registered proprietor has furnished a declaration under Rule 6 and shall be delivered in person or be sent by registered post, acknowledgment due to the Mica Officer.

(3) When any return is delivered in person under sub rule (2), the Mica Officer shall give to the person who delivers such return an acknowledgement for the receipt thereof in, writing.

(5) When a proprietor certificate or licence ceases to be in force under sub section (2) of Section 4 or sub section (2) of Section 5, as the case may be, or when it is cancelled under sub section (1) of Section 30, the proprietor or the licensee, if he desires to exercise the rights conferred on him by sub section (3) of Section 3, shall furnish returns as required by sub rule (1) for a period of six months after expiry of the proprietor certificate or licence or till the date of disposal of his stock of mica whichever is earlier.

**11. . :-**

Anything ordered to be confiscated under sub section (2) of Section 24 shall be sold in public auction after due publication of the sale notice, specifying therein the date, time and place of sale, and the description and quantity of such thing in the official gazette of the district and on the notice boards in the office of the Collector and the Mica Officer atleast ten days before the date of such sale and the sale proceeds shall be credited to Government.

**SCHEDULE 1**

**SCHEDULE**