

Punjab Minor Mineral (Cancellation Of Leases) Act, 1977

7 of 1977

[14 June 1977]

CONTENTS

1. Short Title, Extent And Commencement
2. Definitions
3. Cancellation Of Lease
4. Payment Of Compensation
5. Repeal Of Punjab Ordinance No.V Of 1977

Punjab Minor Mineral (Cancellation Of Leases) Act, 1977

7 of 1977

[14 June 1977]

An Act to provide for the cancellation of certain mining leases of minor minerals Preamble.- WHEREAS it is in the public interest to make provision for the cancellation of certain leases of minor minerals; It is hereby enacted as follows:-

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the Punjab Minor Mineral (Cancellation of Leases) Act, 1977.
- (2) It shall extend to the Province of the Punjab.
- (3) It shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires,-

- (a) "Director" means Director of Industries and Mineral Development, Punjab;
- (b) "Government" means the Government of the Punjab;
- (c) "minor minerals" means ordinary sand, ordinary stone and gravel and shall include the limestone aggregate; and
- (d) "lease" means lease of a minor mineral subsisting immediately before the commencement of this Act.

3. Cancellation Of Lease :-

(1) Notwithstanding anything to the contrary contained in any law for the time being in force, the Pakistan Mining Concessions Rules, 1960, as applicable to the Province of the Punjab, custom, usage, order of any court, lease deed or agreement, but subject to the provisions of sub-section (2), all leases of minor minerals granted by any officer or authority, other than the Deputy Commissioner through open auction in pursuance of the provisions of the Government of the Punjab, Industries and Mineral Development Department Notification No.V-I-32/72, dated 26th June 1973, shall stand terminated with immediate effect.

(2) Nothing contained in sub-section (1), shall apply to a lease granted to a Federal or Provincial Government Department or a body established by or under a Provincial or Federal law:

Provided that where such a department or a body has sub-let the lease, it shall also stand terminated.

4. Payment Of Compensation :-

(1) A lessee whose lease is cancelled under section 3 of this Act, shall be paid by Government such compensation in respect of such roads and buildings, if any, constructed by him, as in the opinion of the Director were necessary for carrying out the mining operations, as the Director may determine.

(2) The Government may at any time, on its own motion or on the application of a lessee made within a period of one month from the receipt of intimation of determination of compensation by the Director, call for and examine the record of the proceedings regarding determination of compensation for the purposes of satisfying it as to the correctness, legality or propriety of any finding or order recorded or passed and after hearing the lessee pass such order as it may deem just and fit.

(3) Subject to the order of the Government, the decision of the Director under sub-section (1), and the order of the Government made under sub-section (2), shall be final and conclusive and shall not be called in question in any court, or before any officer or authority.

5. Repeal Of Punjab Ordinance No.V Of 1977 :-

The Punjab Minor Mineral (Cancellation of Leases) Ordinance, 1977 (Punjab Ordinance No.V of 1977), is hereby repealed.

