

IMMOVABLE ANTIQUITIES (MINING, QUARRYING AND BLASTING IN RESTRICTED AREAS) RULES, 1979

Islamabad the 29th August, 1979

NOTIFICATION

S.R.O. 791 (I)79 - The following immovable antiquities (Mining Quarrying and Blasting in Restricted Areas) Rules, 1979, are hereby published in exercise of the powers conferred by section 37 of the Antiquities, Act 1975, (VII of 1976) read with section 28 thereof.

Rules

1. These rules may be called the Immovable Antiquities (Mining, Quarrying and Blasting in Restricted Areas) Rules, 1979.
2. (1) In these rules, unless there is anything repugnant in the subject or context,-
 - (a) "Act" means the antiquities Act, 1975 (VII of 1976);
 - (b) "Form" means a form appended to these rules;
 - (c) "Licence" means a licence issued under rule 7, and "Licence " shall be constructed accordingly, and
 - (d) "restricted area" means an area declared as such under section 28 of the Act for the purposes of mining, quarrying, blasting or other operations of a like nature.
3. Before declaring any area under section 28 of the Act within which mining, quarrying, blasting or other operations of a like nature are intended to be restricted, the Federal Government shall, by notification in the official Gazettee, give notice of not less than ninety days of its intention to do so within the area so specified, and shall cause such notice to be affixed in a conspicuous place of or near the immovable antiquity which is desired to be protected or preserved.
4. After the expiry of the period of notice, and after considering any objection or suggestion, if any, received within the said period, the Federal Government may, by notification in the official Gazette, declare such area as is specified in the notice or any part thereof, to be a restricted area for the purposes of mining, quarrying blasting and other operations of a like nature.
5. No person shall undertake within a restricted area any work connected with mining, quarrying, blasting or other operations of a like nature without a licence having been obtained from the Director.
6. Any person intending to undertake any such work as is referred to in rule 5 within a restricted area shall make an application to the Director in form 'A' for a licence at least ninety days before the date on which such work is intended to commence, and shall pay a non-refundable fee of five hundred rupees.
7. On receipt of an application, the Director may grant or refuse to grant a licence:

Provided that if the grant of a licence is refused, the Director shall record his reason for such refusal.

8. A licence granted under rules 7 shall be in form 'B' and shall be subject to such conditions relating to the manner of carrying out the work of mining, quarrying, blasting or other operations of a like nature as the Director may deem fit to impose for the purposes of the security and maintenance of, and access to, the immovable antiquity.

9. A licence shall not be transferable.

10. A licence shall be valid for such period as may be specified therein: Provided that the Director may renew a licence for such further period as he thinks fit.

11. The Director may suspend or cancel a licence at any time for a breach of any of the conditions of the licence:

Provided that no licence shall be cancelled unless the licensee has been given an opportunity to show cause against the cancellation.

12. Any person aggrieved by any order of the Director may within thirty days of such order, prefer an appeal to the Federal Government whose decision shall be final.

13. Any person who contravenes any of the provisions of these rules shall be punishable with fine which may extend to one thousand rupees.

FORM 'A'

(Application for licence for mining, quarrying and ballasting operations within restricted area)
(See rule 6)

1. Name and address of the applicant

2. particulars of the immovable antiquity in respect of which the area declared as restricted area-

- (a) Name of antiquity,
- (b) Site of antiquity,
- (c) Locality.
- (d) District.

3. Details of the works for which licence is required. (In case of mining, enclose a site-plan in duplicate showing in red the outline within which the works are to be carried out alongwith details regarding the mode and depth down to which, works are proposed to be carried- out, and the depth and number of blast holes to be fixed.

4. Purpose.

5. The date of commencement of the operations and their approximate duration.

I hereby declare that the above information is correct to the best of my knowledge and belief, and undertake to observe the provisions of the Antiquities Act, 1975, and the immovable Antiquities (Mining, Quarrying and Blasting in restricted areas) Rules, 1979.

Place _____

Date _____

Signature of the applicant.

**FORM B
(LICENCE)
(See rule 7)**

Whereas _____ of _____ has applied for a Licence for _____ within the area declared under section 78 of the Antiquities Act, 1975, to be a restricted area near or adjoining _____ at _____ site _____ locality, _____ district _____ and has undertaken to observe the provisions of the said Act, and the Immovable Antiquity (Mining, Quarrying and Blasting in Restricted Areas) Rules, 1979 ;

I, _____ the Director of Archaeology, do hereby grant this licence under rule 6 of the said Rules, to the said _____ for _____ within the area indicated in red on the plan attached hereto.

This licence is granted subject to the following conditions, namely :-

CONDITIONS

- 1. _____
- 2. _____
- 3. _____

Valid upto _____

Renewed upto _____

Place of Issue _____

Date _____

Signature of the Director General of Archaeology.

Seal _____

Signature of Deputy Secretary.

Seal _____