MINUTES OF MINERAL TITLES COMMITTEE MEETING HELD W.E.F 27/08/2019 TO 30/08/2019 AT 09:00 AM UNDER THE CHAIRMANSHIP OF DIRECTOR GENERAL MINES & MINERALS KHYBER PAKHTUNKHWA, PESHAWAR

A meeting of the Mineral Titles Committee was held w.e.f 27/08/2019 to 30/08/2019 at 09:00 AM under the Chairmanship of the Director General Mines & Minerals Khyber Pakhtunkhwa, Peshawar. The following attended the meeting:

01. Mr. Hameedullah Shah,
   Director General Mines & Minerals, Chairman
   Directorate General Mines & Minerals,
   Khyber Pakhtunkhwa, Peshawar.

02. Muhammad Yaseen
   Representative of Deputy Secretary, Member
   Law Parliamentary Affairs, & Human Rights Deptt.,
   Govt. of Khyber Pakhtunkhwa, Peshawar.

03. Mr. Anwar Khan Sherani
   Deputy Secretary, Member
   Forestry, Environment, & Wild Life Department,
   Govt. of Khyber Pakhtunkhwa, Peshawar.

04. Syed Mujahid Ali Shah,
   Representative of Commissioner Mines, Member
   Commissionerate of Mines, Labour Welfare,
   Khyber Pakhtunkhwa, Peshawar.

05. Mr. Fazal Hussain,
   Chief Inspector of Mines, Member
   Inspectorate of Mines,
   Khyber Pakhtunkhwa, Peshawar.

06. Mr. Irshad Khan
   Director Licensing-South / Secretary MTC, Member- cum- Secretary
   Directorate General Mines & Minerals,
   Khyber Pakhtunkhwa, Peshawar.
   Regular agenda items circulated vide Letter No.17741-48/MDD/DGMM/MTC/2019/Vol-II dated 19-08-2019 were thoroughly discussed in the meeting and the following decisions were taken:

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<tr>
<th>S.No.</th>
<th>Agenda Item</th>
<th>Decision</th>
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<tbody>
<tr>
<td>1.</td>
<td>Application from M/S Shah Mining &amp; Trading of District Abbottabad for conversion of Prospecting License into Mining Lease for Marble over an area of 48.481 acres near village Vijian District Haripur. MDW/AD/Marble (158)/2006</td>
<td>The committee decided to direct the Assistant Director Mineral Development concern to implement the decision of Previous Mineral Titles Committee meeting vide A.No. 04 dated 23-02-2018.</td>
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<tr>
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<th>Application</th>
<th>Description</th>
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<tbody>
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<td>2</td>
<td>Application from Mr. Shah Zaman Khan of District Mardan for Withdrawal of Allotment Letter for Hornblendite over an area of 988.780 acres near village Shar Dara District Swat. MDW/SWT/PL-Hornblendite (07)/2007</td>
<td>The committee decided to withdraw the Allotment Letter due to failure of party to comply with term and conditions of Allotment Letter. The Assistant Director Mineral Development concern to explain the reason of delay in processing instant case.</td>
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<td>3</td>
<td>Application from Mehar Muhammad of District Swabi for Renewal of Mining Lease for Granite over an area of 706.61 acres near village Mala Kadai District Swabi. MDW/MR/ML-Granite (03)/2000</td>
<td>Deferred with the direction that a team comprising of the Assistant Director Mineral Development concern and DFO Mardan to jointly visit the area in light of Appellate Authority decision and submit report to the next meeting of the Mineral Titles Committee along with complete set of working paper. Further the lessee is directed to clear all Govt. dues as per law.</td>
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<td>4</td>
<td>Application from Mr. Tariq Masood of District Peshawar for conversion of Prospecting License into Mining Lease for Iron Ore over an area of 199.63 acres near village Lachigram District Chitral. MDW/CL/PL-Iron Ore (05)/2003 MDW/CL/ML-Iron Ore (02)/2003</td>
<td>The committee decided that the lessee to commence the mining activity as per previous decision of the Mineral Titles Committee meeting vide A.No. 42 dated 11-02-2018 and the 11-core be requested to allowed the team to visit the area as per decision of Mineral Titles Committee dated above.</td>
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<td>6</td>
<td>Working paper for consideration of the Mineral Titles Committee in light of Judgment of Appellate Authority dated 19-06-2019. G.S(F)/MCC/Oki/PL-Coal(95)/2002 Muhammad Ayaz FDA/MCC/Oki/PL-Coal (343)/2016 Muhammad Shaheen</td>
<td>Deferred. The committee decided that a team comprising of Mujahid Ali Shah, Director Training Inspectorate of Mines, Assistant Commissioner concern and the Assistant Director Mineral Development to probe in to matter and submit comprehensive report with proposal along with working paper to the next meeting of the Mineral Titles Committee.</td>
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<td>7</td>
<td>Application from Mst. Sultana Begum of District Nowshera for grant of Prospecting License for Laterite over an area of 461.741 acres near village Darwazgai District Nowshera. MDW/PR/ML-Laterite (105)/2009</td>
<td>The committee decided to reject the application being inconsistent with the Khyber Pakhtunkhwa Minerals Governance Act-2017.</td>
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<td>8</td>
<td>Application from Muhammad Zeb Khan of District Mardan for Restoration/Renewal of Mining Lease for Marble over an area of 499.924 acres near village Bezat District Mardan. MDW/MR/ML-Marble (176)/2000</td>
<td>The committee decided to renew the Mining Lease as per Section, 11 of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 as per judgement of the Appellate Authority dated 18-04-2019 and subject to the conditions that the lessee shall:</td>
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|   | Working paper for renewal/part assignment of Mining Lease for Gypsum over an area of 199.99 acres near village Ghorzai District Kohat granted to M/S Ishfaq & Afzal in favour of M/S Irshad & Co. MDW/KT/ML-Gypsum (178)/2003 MDW/KT/ML-Gypsum (227)/2018 | The committee decided to renew the Mining Lease as per Section, 11 of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 over reduce area as per Schedule-I of the said Act subject to the conditions that the lessee shall:

i. pay all Govt. dues including fine of Rs. 50,000/- for non-erection of boundary pillars and non-payment of annual rent if any before issuance of renewal letter,

ii. work in accordance with the approved development and exploitation scheme,

iii. retain 03 mineral titles,

iv. comply with Section, 35 of the said Act in true letter and spirit,

v. carry out safe and scientific/mechanized mining, and

vi. That the area does not fall in Forest reserved areas as per Section, 40 of the said Act. Furthermore, the assignment request is deferred till receiving opinion from Law Department regarding area limitation. The co-ordination section Directorate |

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<th>Working paper for assignment of Mining Lease for Marble over an area of 199.96 acres near village Sawal Dher District Mardan granted to Mr. Muhammad Ayaz Khan of District Peshawar in favour of Mr. Amin Shah MDW/MR/PL-Marble (468)/2004 MDW/MR/ML-Marble (200)/2006</th>
<th>General Mines &amp; Minerals to prepare a comprehensive note covering all aspects under the law for Law Parliamentary Affairs, &amp; Human Rights Department for soliciting opinion in the said case.</th>
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<td>10.</td>
<td>Application from Muhammad Idrees of District Bajaur for conversion of Prospecting License into Mining Lease for Marble over an area of 191 acres near village Marjana Nao in Bar Chamarkand District Bajaur Malakand Division. FS/MCC/BJR/PL-Marble(282)/2015</td>
<td>Deferred. The co-ordinates of the area found falling in the district Mohmand instead of District Bajaur. The Lessee is directed to correct the sketch and the Assistant Director Mineral Development to re-submit the working paper to next meeting of the Mineral Titles Committee.</td>
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<td>11.</td>
<td>Application from Mr. Asghar &amp; Co. of District Mardan for grant of Prospecting License for Limestone over an area of 50 acres near village Sawal Dher District Mardan. MDW/MR/PL-Limestone(320)/2016</td>
<td>The committee decided to reject the application in term of Section, 62 of the Khyber Pakhtunkhwa Minerals Governance Act-2017 being proved mineral reserved. The Assistant Director Mineral Development is directed to furnish auction plan with proposed reserved price.</td>
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<td>12.</td>
<td>Application from M/S Tuni Pak Minerals Pvt. Ltd of District Mansehra for Renewal of Mining Lease for Granite over an area of 1000 acres near village Batli District Mansehra. MDW/MA/Granite(38)/2002</td>
<td>Deferred. The committee decided to refer the case regarding area limitation as per Schedule-I of the Khyber Pakhtunkhwa Minerals Governance Act-2017 in already granted cases to solicited opinion about the fate of remaining area. The co-ordination section Directorate General Mines &amp; Minerals to prepare a comprehensive note covering all aspects under the law for Law Parliamentary Affairs, &amp; Human Rights Department.</td>
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<td>13.</td>
<td>Working paper for Cancellation of Mining Lease for Marble over an area of 300.405 acres near village Babuzai District Mardan granted to Naseem Khan of District Mardan. MDW/ML/Marble (208)/2011</td>
<td>The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction. If the lessee failed to deposit the Govt. outstanding dues in the instant case, their other titles if any shall also be suspended till clearance of Govt. dues.</td>
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|   | Application from Sardar Sajad Ahmad of District Abbottabad for conversion of Prospecting License into Mining Lease for Hematite over an area of 28.543 acres near village Samli Dheri District Abbottabad.  
**MDW/AD/PL-Hematite (11)/2010**  
**MDW/AD/ML-Hematite (03)/2017** | Deferred. The committee decided that a team comprising of Deputy Director Mineral Hazara Division, DFO concern and Assistant Director Geologist to visit the area and declined 20 acres Guzara Forest on site and submit reduce sketch on viable block. The Assistant Director Mineral Development concern to submit fresh working paper to the next meeting of the Mineral Titles Committee in light of report/sketch of above mentioned team. |
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|   | Application from Mr. Abdul Akbar Khan of District Mardan for Renewal of Mining Lease for Marble over an area of 144 acres near village Palo Shamozai District Mardan.  
**MDW/MR/ML-Marble (170)/99** | Deferred with the direction that the Assistant Director Mineral Development concern to furnish working paper for renewal and assignment in light of succession certificate and submit to the next meeting of the Mineral Titles Committee. |
|   | Working paper for Cancellation of Mining Lease for Coal over an area of 800 acres near village Nolo Mela District Karak granted to Mr. Akbar Badshah of District Karak.  
**MDW/KT/ML-Coal(78)/91** | The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction. |
|   | Working paper for Cancellation of Mining Lease for Rock Salt over an area of 536.480 acres near village Mansar Garh Tehsil Banda Daud Shah District Karak granted to M/S Kargal Salt Mining Co: of District Karak.  
**MDW/KT/ML-Rock Salt (62)/95** | The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction. |
|   | Working paper for Cancellation of Mining Lease for rock Salt over an area of 694.22 acres near village Gruzı District Karak granted to Mr. Akbar Badshah of District Karak.  
**MDW/KT/ML-Rock Salt (47)/91** | The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction. |
|   | Application from Malik Bashir and Company of District Abbottabad for Renewal of Mining lease for Soap Stone over an area of 1.88 acres near village Nikra District Abbottabad  
**MDW/AD/ML-Soap Stone (77)/2001** | Deferred with the direction that a team comprising of Chief Inspector Mines, the Assistant Director Mineral Development and Surveyor to visit the site and confirm either the party working in the granted area or otherwise and submit report to next meeting of the Mineral Titles Committee. |
<p>|   | Working paper for part assignment of Mining Lease for Coal over an area of 248.17 (reduced area) acres near village Hassan Khel Sub Division Peshawar granted to Muhammad Tahir Hussain | Deferred. The Deputy Director Mineral and Assistant Director Mineral Development concern to scrutinize the documents of the company, examine court |</p>
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<th>No.</th>
<th>Application Description</th>
<th>Decision/Action</th>
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<tr>
<td>22.</td>
<td>Application from Pirzada Noor-ul-Basar of District Mohmand for validation of Prospecting License for Limestone over an area of 91.47 acres near village Sappare District Mohmand. FDA/MCC/MDA/PL-Limestone(648)/2016</td>
<td>Since the area is already granted vide allotment letter dated 22-10-2018 by Erstwhile FATA Mineral Directorate. The committee decided to advise the party to commence/carry out mining activity within the granted area as per term and conditions contained in the Allotment Letter.</td>
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<td>23.</td>
<td>Working paper for assignment of Mining Lease for Limestone over an area of ____ acres near village Sado Khel District Nowshera granted to Muhammad Ali in favour of two daughters of the deceased (Fahima Begum and Khalida Begum) MDW/PR/ML-Limestone(258)/2006 MDW/PR/ML-Limestone(124)/2012</td>
<td>Deferred with the direction that the Assistant Director Mineral Development concern to re-submit working paper in light of previous decision of Mineral Titles Committee meeting dated 11,12,13 &amp;14 -02-2019 vide A.No. 16 to the next meeting of the Mineral Titles Committee and Assistant Director Mineral Development to explain the reason for not submitting clear working paper in accordance with the above mentioned decision of Mineral Titles Committee.</td>
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| 24. | Application from Mr. Arifullah of District Khyber for validation of Prospecting License for coal over an area of 599 acres at Ghulbai & Bandaly Kandao Killi District Khyber. FDA/MCC/Khyber/PL-Coal(599)/2016 | The committee decided to validate the Prospecting License as per Section, 9(2)(a) and Section, 105 (5) of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 over reduce area as per Schedule-I of the said Act subject to the conditions that the lessee shall:  
1. work in accordance with the Khyber Pakhtunkhwa Minerals Governance Act-2017,  
2. retain 03 mineral titles,  
3. will pay all Govt. dues if any. |
| 25. | Application from Mr. Nowroz Khan of District Khyber for validation of Prospecting License for coal over an area of 17.54 acres near village Kandoly (Mine No.4) District Khyber. FDA/MCC/Khyber/PL-Coal(426)/2016 | The committee decided to validate the Prospecting License as per Section, 9(2)(a) and Section, 105 (5) of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 subject to the conditions that the lessee shall:  
1. work in accordance with the Khyber Pakhtunkhwa Minerals Governance Act-2017,  
2. retain 03 mineral titles,  
3. will pay all Govt. dues if any. |
| 26. | Application from Mr. Bayan-Ul-Haq of District Mohmand for validation of Prospecting License for Nephrite over an area of 25 acres near village Shati Mena District Mohmand. | The committee decided to validate the Prospecting License as per Section, 9(2)(a) and Section, 105 (5)of the Khyber Pakhtunkhwa Mineral Governance Act. |
27. Working paper for Cancellation of Mining Lease for Coal over an area of 172.16 acres near village Chichali District Karak granted to Malik Touqeer Hussain & Zafar Iqbal Coal Co: of District Mianwali.
MDW/KK/ML-Coal(125)/2007

The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.

28. Working paper for Cancellation of Mining Lease for Coal over an area of 218.06 acres near village Kurd District Karak granted to Mr. Niamatullah Khan of District Karak.
MDW/KK/ML-Coal(88)/93

The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.

29. Working paper for Cancellation of Mining Lease for Gypsum over an area of 1317.10 acres near village Jatta Ismail Khel District Karak granted to Mr. Shehenshah Khan of District Kohat.
MDW/KK/ML-Gypsum (03)/72

The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.

MDW/KK/ML-Coal(124)/2007

The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit Govt. dues. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.

31. Application from Mr. Hikmat Khan of District Khyber for validation of Prospecting License for Laterite over an area of 147.52 acres near village Tor Ghar Rozkae District Khyber.
FDA/MCC/Khyber/PL-Laterite(636)/2016

The committee decided to validate the Prospecting License as per Section, 9(2)(a) and Section, 105 (5) of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 subject to the conditions that the lessee shall:

i. work in accordance with the Khyber Pakhtunkhwa Minerals Governance Act-2017,
ii. retain 03 mineral titles,

iii. will pay all Govt. dues if any.
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<th>No.</th>
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<tr>
<td>32.</td>
<td>Application from Mr. Allah Noor of District Khyber for validation of Prospecting License for Coal over an area of 50 acres near village Kala Khel (Mine No. 46) District Khyber. FDA/MCC/Khyber/PL-Coal (443)/2016</td>
<td>The committee decided to validate the Prospecting License as per Section, 9(2)(a) and Section, 105 (5)of the Khyber Pakhtunkhwa Mineral Governance Act, 2017 subject to the conditions that the lessee shall: i. work in accordance with the Khyber Pakhtunkhwa Minerals Governance Act-2017, ii. retain 03 mineral titles, iii. will pay all Govt. dues if any.</td>
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<td>33.</td>
<td>Working paper for Cancellation of Mining Lease for Gypsum over an area of 371.8780 acres near village Jatta Ismail Khel Tehsil Banda Daud Shah District Karak granted to Syed Hashim Shah for M/S Mian Khadim &amp; Co: of District Kohat. MDW/KT/ML-Gypsum (112)/91</td>
<td>The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit annual rent. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.</td>
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<td>34.</td>
<td>Working paper for Cancellation of Mining Lease for Rock Salt over an area of 502.58 acres near village Barbera Banda Tehsil Banda Daud Shah District Karak granted to M/S Ghani Corporation: of District Kohat. MDW/KT/ML-Rock Salt (44)/1991</td>
<td>The committee decided to cancel the Mining Lease as per Section, 63 of the Khyber Pakhtunkhwa Minerals Governance Act, 2017 due to failure of party to deposit annual rent. Security forfeited in favour of Govt. and all the Govt. dues be recovered as per law. The area is reserved for auction.</td>
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<td>35.</td>
<td>Working paper for assignment / transfer of Mining Lease for Gypsum over reduce area of 179.55 acres out of 271.520 acres near village Lakki Ghundaki District Karak granted to Mr. Abdul Rashid Khan (Deceased Lessee) of District Mainwali in favour of M/S Abdu Rashid and Co: legal heir of deceased lessee District Mainwali. MDW/KT/PL-Gypsum (372)/2005 MDW/KT/ML-Gypsum (193)/2008</td>
<td>Deferred. The committee decided to refer the case regarding area limitation as per Schedule-I of the Khyber Pakhtunkhwa Minerals Governance Act-2017 in already granted cases to solicited opinion about the fate of remaining area. The co-ordination section Directorate General Mines &amp; Minerals to prepare a comprehensive note covering all aspects under the law for Parliamentary Affairs, &amp; Human Rights Department.</td>
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<td>36.</td>
<td>Working paper in respect of Haji Muhammad Ramzan of District D.I Khan for Amendment in Mining Lease for change of Nomenclature from Dolomite to Limestone over an area of 200.00 acres near village Chunda D.I Khan. MDW/DN/ML-DOLOMITE (15)/2012 (main file 250.80 acres) MDW/DN/ML-Limestone (167)/2019</td>
<td>The committee decided to change the nomenclature of the mineral from Dolomite to Limestone and validate/renew the Mining Lease over reduce area as per Schedule-I of the Khyber Pakhtunkhwa Minerals Governance Act-2017 in light of judgment of Appellate Authority dated 05-03-2019 subject to conditions that lessee shall: i. pay all Govt. dues including fine of Rs. 50,000/- for non-erection of boundary pillars, non-payment of annual rent and Royalty including fine before issuance of renewal</td>
</tr>
<tr>
<td>37.</td>
<td>Working paper in respect of Haji Muhammad Ramzan of District D.I Khan for Amendment in Mining Lease for change of Nomenclature from Dolomite to Limestone over an area of 99.971 acres near village Chunda District D.I Khan. MDW/DN/ML-DOLOMITE (15)/2012 (main file 250.80 acres) MDW/DN/ML-Limestone (168)/2019</td>
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<td>letter, ii. work in accordance with the approved development and exploitation scheme, iii. retain 03 mineral titles, iv. comply with Section, 35 of the said Act in true letter and spirit, v. carry out safe and scientific/mechanized mining, and vi. That the area does not fall in Forest reserved areas as per Section, 40 of the said Act. Furthermore, the Deputy Director Mineral concern to submit the online application as reported by the Assistant Director Mineral Development concern to the next meeting of the Mineral Titles Committee.</td>
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<td>38.</td>
<td>Working paper for the auction of Mining Lease for Phosphate over an area of 673.889 acres near village Lagarban District Abbottabad. MDW/ADM/ML-Phosphate (20)/2009</td>
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<td>The committee decided to change the nomenclature of the mineral from Dolomite to Limestone and validate/renew the Mining Lease over reduce area as per Schedule-I of the Khyber Pakhtunkhwa Minerals Governance Act-2017 in light of judgment of Appellate Authority dated 05-03-2019 subject to conditions that lessee shall: i. pay all Govt. dues including fine of Rs. 50,000/- for non-erection of boundary pillars, non-payment of annual rent and Royalty including fine before issuance of renewal letter, ii. work in accordance with the approved development and exploitation scheme, iii. retain 03 mineral titles, iv. comply with Section, 35 of the said Act in true letter and spirit, v. carry out safe and scientific/mechanized mining, and vi. That the area does not fall in Forest reserved areas as per Section, 40 of the said Act. Furthermore, the Deputy Director Mineral concern to submit the online application as reported by the Assistant Director Mineral Development concern to the next meeting of the Mineral Titles Committee.</td>
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The committee decided to reject the application of the party for extension and directed concern Section to put the area for auction as per law and procedure in vogue.
LIST OF PARTICIPANTS AND THEIR SIGNATURES

Muhammad Yaseen,
Law, Parliamentary Affairs, & Human Rights
Department, Govt. of Khyber Pakhtunkhwa, Peshawar.

Mr. Anwar Khan Sherani
Deputy Secretary,
Forestry, Environment, & Wild Life Department Govt. of Khyber Pakhtunkhwa, Peshawar.

Mr. Irshad Khan
Director Licensing-South / Secretary MTC.
Directorate General Mines & Minerals,
Khyber Pakhtunkhwa, Peshawar.

Syed Mujahid Ali Shah
Commissioner Mines,

Mr. Fazal Hussain,
Chief Inspector of Mines,
Inspectorate of Mines,
Khyber Pakhtunkhwa, Peshawar.

Mr. Hameedullah Shah,
Director General Mines & Minerals
Directorate General Mines & Minerals,
Khyber Pakhtunkhwa, Peshawar