



GOVERNMENT OF WEST BENGAL
OFFICE OF THE COMMISSIONER
JALPAIGURI DIVISION
JALPAIGURI

Memo No. 1000 (12)/LMR

Dated Jalpaiguri, the 24 October, 2002

From : Commissioner
Jalpaiguri Division
Jalpaiguri
(Tel - 03561-32032/30666, Fax-30700/32031)
(Email - divcomjal@sify.com, divcomjal@msn.com,
comjaldivision@yahoo.co.in)

To : 1) The Collector,
Government of West Bengal,
Cooch Behar/Jalpaiguri/Darjeeling/Uttar Dinajpur/
Dakshin Dinajpur/Malda.

2) The District Land & Land Reforms Officers,
Government of West Bengal,
Cooch Behar/Jalpaiguri/Darjeeling/Uttar Dinajpur/
Dakshin Dinajpur/Malda.

Sub : Measurement of earth to assess the liability for payment of
Royalty/Cess etc. on earth extracted for manufacture of brick and
related items.

Clarifications have been sought by field officers about the mode and manner of taking pit measurement for assessing the quantity of earth extracted for manufacture of brick and related items. In some cases, the Permit Holders have objected to this, that since this has been going on for sometime, it is difficult to realistically assess the quantum of earth extracted by way of measurement of old and used pits.

2. The following clarifications may please be noted :

1. Under the Minor Mineral Act & Rules and Mines and Mineral (Development and Regulation) Act. the lessee/permit holder has to offer reasonable facilities for the access of the authorised officers for inspection and regulation of its operations. Any obstruction to this is an offence under the said Act and Rule as well as the IPC.

2. However, since pits are being dug up continuously, sometime at the local level, it may not be practicable to assess the quantity of earth extracted during a particular year. In such cases, a visible marking be made which can be identified later at the commencement of operations so that the extraction during particular year may be assessed with reference to this bench mark.

(Contd...to P/2)

60685
30-10-2002
JCLms - I
GF + Bills
Madanhat
4 APD I / R

3. The operations during a particular year may also be assessed in terms of capacity of the kiln/number of operations, quantity, and amount of fuel consumed, labour employed, Registers of number of trips made by vehicles etc from which a reasonable inference can be drawn about the operations during a particular year. The level of operations of previous years and the trend during the particular year may also be considered.

4. While taking measurement and monitoring the operations, officers of the Directorate of Commercial Taxes may also be associated for plugging loopholes in evasion of Sales Tax etc.

The above steps are suggestive and indicative and the local officers are at liberty to take other steps for assessment of liability for payment of Royalty/Cess etc.

Chayal
(D. Chakrabarti)
Commissioner
Jalpaiguri Division,
Jalpaiguri.

Government of West Bengal
Office of the District Land & Land Reforms Officer
Jalpaiguri.

Memo No. 576(4)/E/G/001/005/LMS-II/DLLRO/JAL

Dt. 15.11.02

Copy ~~forwarded~~ to :

1-4) The Block Land & Land Reforms Officer, Falakata / Madarihat/
Alipurduar-I / Alipurduar-II, for information and taking
necessary action.

Bo *B. S. Saha*
Additional District Magistrate &
District Land & Land Reforms Officer
Jalpaiguri.