

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6831 of 2012

Date:19.06.2015

Between:

M/s. Essar Natural Stones & Essar Export, Chittoor,
Represented by M.Muthukumar Proprietor.

.... Petitioner

And

The Government of Andhra Pradesh, represented
By its Secretary, Industries Department,
Secretariat Buildings,
Hyderabad and others.

... Respondents

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ORDER:

The grievance of the petitioner concern was that the Mining Authorities were collecting penalty from it for transporting finished materials. According to the petitioner concern, this was contrary to law.

The Assistant Director of Mines and Geology, Chittoor, furnished a note to the office of the learned Government Pleader for Mines and Geology, wherein he stated that the petitioner concern was required under law to produce proof of payment of seigniorage fee on the raw material used for manufacturing the finished product. In this regard reference may be made to the judgment of this Court in **Novel Granites Ltd., v. Government of Andhra Pradesh**^[1], wherein it was held that it would be open to the Mining Authorities to enter upon and inspect the premises where mineral is stored for the purpose of manufacturing/processing and verify as to whether such raw mineral has already suffered payment of seigniorage fee. The person stocking such raw mineral would necessarily have to produce documentary proof in this regard. The same position would apply when the manufacturer/processor undertakes transport of the raw mineral to its premises also.

The writ petition is therefore disposed of making the aforestated legal position clear. It shall be open to the Mining Authorities to verify as to whether the raw mineral stocked or transported by the petitioner

concern has suffered payment of seigniorage fee and the petitioner concern would be required to produce documentary proof in this regard.

Pending Miscellaneous Petitions shall also stand disposed of.
No order as to costs.

SANJAY KUMAR, J

Date:19.06.2015

GJ

[\[1\]](#) 2010 (1) ALD 812