

**FORM-P**

**Model form for transfer of prospecting licence**

(See rule 15A)

**When the transferor is an individual** ..... This

indenture made this ..... day of ..... 20.....  
between .....

(Name of the person with address and occupation) hereinafter referred to as the  
“transferor” which expression shall where the context so admits be deemed to include  
his heirs, executors, administrators, representatives and permitted assigns).

**When the transferors are more than one individual** ..... (Name of  
persons with address and occupation) and ..... (Name of persons  
with address and occupation) (hereinafter referred to as the “transferor” which  
expression shall where the context so admits be deemed to include their respective  
heirs, executors, administrators, representatives and their permitted assigns).

**When the transferor is a registered firm** ..... (Name of the person  
with address of all the partners) all carrying on business in partnership under the firm  
name and style of ..... (Name of the firm) registered under the  
Indian Partnership Act, 1932 (9 of 1932) and having their registered office at .....  
(hereinafter referred to as the “transferor” which expression shall where the context so  
admits be deemed to include all the said partners, their respective heirs, executors, legal  
representatives and permitted assigns).

**When the transferor is a registered company** ..... (Name of the  
Company) a company registered under ..... (Act under which incorporated)  
and having its registered office at ..... (Address) (hereinafter referred to as the  
“transferor” which expression shall where the context so admits be deemed to include  
its successors and permitted assigns) of the first part.

AND

**When the transferee is an individual** ..... (Name of person with address and  
occupation) (hereinafter referred to as the “transferee” which expression shall where the  
context so admits be deemed to include his heirs, executors, administrators,  
representatives and permitted assigns).

**When the transferees are more than one individual** ..... (Name of the person with address and occupation) and ..... (Name of person with address and occupation) (hereinafter referred to as the "transferee" which expression shall where the context so admits be deemed to include their respective heirs, executors, administrators, representatives and permitted assigns).

**When the transferee is a registered firm** ..... (Name and address of all the partners) all carrying on business in partnership under the firm name and style of ..... (Name of the firm) registered under the Indian Partnership Act, 1932 (9 of 1932) and having their registered office at ..... (hereinafter referred to as the "transferee" which expression where the context so admits be deemed to include all the said partners, their respective heirs, executors, legal representatives and permitted assigns).

**When the transferee is a registered company** ..... (Name of the Company) a company registered under ..... (Act under which incorporated) and having its registered office at ..... (Address) (hereinafter referred to as the "transferee" which expression shall where the context so admits be deemed to include its successors and permitted assigns) of the second part.

AND

The Governor of ..... (hereinafter referred to as the 'State Government' which expression shall where the context so admits be deemed to include the successors and assigns) of the third part.

Whereas by virtue of an indenture of licence dated the ..... and registered as No..... on .....(date) in the office of the Sub-registrar

of ..... (place) (hereinafter referred to as licensor) the original whereof is attached hereto and marked 'A' entered into between the State Government (therein called the licensor) and the transferor (therein called the licensee), the transferor is entitled to search for, the minerals in respect of ..... (Name of mineral(s) in the lands described in the Schedule thereto and also in Schedule annexed hereto for the term and subject to the payment of prospecting and other fees and royalties and observance and performance of the licensee's covenant and conditions in the said deed of licence reserved and contained including a covenant not to assign the licence or any interest thereunder without the previous sanction of the State Government.

And whereas the transferor is now desirous of transferring and assigning the licence to the transferee and the State Government has, at the request of the transferor, granted permission to the transferor vide order No..... dated.....

to such a transfer and assignment of the licence upon the condition of the transferee entering into an agreement in and containing the terms and conditions hereinafter

setforth.

Now this Deed Witnesseth as follows:

1. The transferee hereby covenants with the State Government that from and after the transfer and assignment of the licence, the transferee shall be bound by, and be liable to perform, observe and conform and be subject to all the provisions of all the covenants, stipulations and conditions contained in said hereinbefore recited licence in the same manner in all respects as if the licence had been granted to the transferee as the licensee thereunder and he had originally executed it as such.

2. It is further hereby agreed and declared by the transferor of the one part and the transferee of the other part that –

- (i) the transferor and the transferee declare that they have ensured that the mineral rights over the area for which the prospecting licence is being transferred vest in the State Government;
- (ii) the transferor hereby declares that he has not assigned, subject, mortgaged or in any other manner transferred the prospecting licence now being transferred and that no other person or persons has any right, title or interest where under in the present prospecting licence being transferred;
- (iii) the transferor further declares that he has not entered into or made any agreement, contract or understanding whereby he had been or is being directly or indirectly financed to a substantial extent by or under which the transferor's operation or understandings were or are being substantially controlled by any person or body or persons other than the transferor;
- (iv) the transferee hereby declares that he has accepted all the conditions and liabilities which the transferor was having in respect of such prospecting licence;
- (v) the transferee further declares that he is financially capable of and will directly undertake prospecting operations;
- (vi) the transferee further declares that he has filed an affidavit stating that he has filed up-to-date income tax returns, paid the income tax assessed on him and paid the income tax on the basis of self-assessment as provided in the Income Tax Act, 1961,(43 of 1961);
- (vii) the transferor has supplied to the transferee the original/or certified copies of

all plans of exploration and abandoned pits in the area and in a belt of 65 meters wide surrounding it;

- (viii) the transferee hereby further declares that as a consequence of this transfer, the total areas held by him under mineral concessions are not in contravention of section 6 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957);
  
- (ix) the transferor has paid all the prospecting and other fees, royalties, and other dues towards Government till the date, in respect of this licence.

In witness whereof the parties hereto have signed on the date and year first above written.

## SCHEDULE

### Location and area of the licence:

All that tract of lands situated at ..... (Description of areas)  
..... in (Pargana) in .....the  
District..... Sub-District ..... and Thana.....  
bearing

Cadastral Survey Nos. .... containing an area of  
..... or thereabout delineated on the plan hereto annexed and thereon  
coloured ..... and bounded as follows:-

ON THE NORTH BY

ON THE SOUTH BY

ON THE EAST BY

AND

ON THE WEST BY

Signed by

For and on behalf of the State Government in presence of

1.

2.

Signature of transferor in the presence of witnesses

1.

2.

Signature of transferee in the presence of

1.

2.