

# Telangana State Sand Mining Rules, 2015

TELANGANA

India

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### Rule TELANGANA-STATE-SAND-MINING-RULES-2015 of 2015

- Published on 8 January 2015
- Commenced on 8 January 2015
- [This is the version of this document from 8 January 2015.]
- [Note: The original publication document is not available and this content could not be verified.]

Telangana State Sand Mining Rules, 2015 Published vide Notification No. G.O.MS.NO. 3, Industries & Commerce (Mines-I) Department, dated 8.1.2015 G.O.MS.NO. 3. - In exercise of the powers conferred by Section 15(1) of Mines & Minerals (Development & Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Telangana, in supersession of all earlier orders issued in the composite State and in accordance with the New Sand Mining Policy-2014 for the State of Telangana as announced in G.O.Ms.No.38, Industries & Commerce (Mines.I) Department, Dated:12-12-2014, hereby makes the following Rules to regulate the Mining and Transportation of sand in the State of Telangana and for the purposes connected therewith, namely:-

#### 1. Short title and commencement.

- (i) These Rules may be called the Telangana State Sand Mining Rules, 2015. (ii) It extends to the entire State of Telangana.

#### 2. Regulation of extraction/disposal of Stream/River Sand.

- (i) Sand extraction and sale other than de-casting patta lands and in respect of I and II order streams, in the State shall be through Telangana State Mineral Development Corporation Limited (TSMDC) only. (ii) Regulation of Stream/River sand extraction/disposal from the areas other than falling in Schedule Areas be done by the authorities specified under Rule 3(6). (iii) Allocation of specified sand bearing areas located partially/fully in Scheduled Areas shall be as per the Panchayats Extension to Scheduled Areas (PESA) Rules, 2011 or any suitable subsequent rules/amendments to be issued by Government from time to time with Technical and Administrative support from Integrated Tribal Development Authorities (ITDA) /Telangana State Mineral Development Corporation Limited (TSMDC Ltd.) under the direct supervision and control of the Agency Magistrate/District Collector concerned. Operational guidelines shall be issued by the District Collector from time to time.

### **3. [Sand extraction in I, II and III order (notified over exploited areas) streams] [Substituted 'Sand extraction in I and II order streams' Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015)].**

- Sand extraction shall not be permitted in notified over-exploited areas except for local use in villages or towns bordering the Streams for bona fide purposes other than commercial operations/public trading/stocking etc. The Sand extraction:-(1) Shall be as per Rule 23-(1) (a) of Water Land and Tree Rules, 2004 or any suitable subsequent rules/amendments to be issued by Government from time to time.(2) Shall be for local use:(a) Free of cost:(i) For weaker section housing schemes on a certificate issued by the District Collector or any authorized officer;(ii) For own use basing on the actual requirement to be certified by Panchayath Secretary concerned and(b) For local use of sand in Government works on payment of seigniorage fee.(3) The Panchayath Secretary of concerned Gram Panchayath shall issue way bills as prescribed by the Mandal Authority under WALTA, 2002 or any suitable subsequent rules/amendments to be issued by Government from time to time for the purposes mentioned under sub-rule (2) within the jurisdiction.(4) Transportation of sand shall be by means of bullock carts/Tractors only within the jurisdiction.(5) The District shall be treated as a unit for free movement of sand within the jurisdiction.(6) [ The District Collector shall put in place proper administrative mechanism for enforcement of extraction and transportation of sand in I, II and III (Notified over exploited areas) order Streams comprising of.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).](a) Revenue Divisional Officer concerned.(b) Tahsildar concerned(c) Representative of Deputy Director, Ground water Department.(d) Executive Engineer (concerned), RWS/Irrigation Dept.(e) Sub-Divisional Police Officer.(f) Motor Vehicle Inspector (concerned) from Transport Dept.

### **4. Constitution of Sand Monitoring Committee (SMC).**

- In partial modification to G.O.Ms.No.38, dated 12.12.2014, the District Collector & Magistrate shall be the Chairman of the District Level Sand Committee. There will be a State Level Committee with Chief Secretary of the State as Chairman.(1) Constitution of District Level Sand Committee (DLSC) The identification of sand bearing areas in III, IV and above order streams/rivers for extraction shall be by the District Level Sand Committee. The District Collector shall be the Chairman of the District Level Sand Committee, other members will consist of the following officers:

(a) District Collector	: Chairman
(b) Joint Collector	: Vice-Chairman
(c) *Project Officer, ITDA concerned.	: Member
(d) District Panchayat Officer	: Member
(e) Dy. Director, Ground Water Dept.	: Member
(f) Executive Engineer, Irrigation/RiverConservator.	: Member
(g) Executive Engineer, Rural Water Supply	: Member
(h) Environmental Engineer, TelanganaStatePollution Control Board.	: Member
(i)	: Member

Nominee of Telangana State Mineral Development Corporation Ltd.  
(TSMDC)

- (j) Asst. Director of Mines & Geology concerned. : Member-Convenor
- \*In case of sand reaches falling partly or fully in Scheduled Areas.(i)The District Collector may invite any other officer like the Superintendent of Police and District Transport Officer as deemed fit.(ii)The Assistant Director of Mines & Geology concerned shall identify the potential sand bearing areas on regular basis and place proposals before District Level Sand Committee.(iii)The Chairman, District Level Sand Committee shall order for joint inspection of identified sand bearing areas and obtain reports from the following:(a)[ The Ground Water Dept. shall issue the feasibility report under Water, Land and Tree Rules, 2004 or any suitable subsequent rules/ amendments to be issued by the Govt. from time to time, record the geo-coordinates of the specified sand bearing area as marked on ground by the Revenue Dept., with two permanent reference points alongwith specific recommendations on the thickness and mode of sand extraction.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).](b)The Executive Engineer/River Conservator shall issue clearance for the ramps with Geo-coordinates.(c)[ The Revenue Department shall demarcate the specified sand bearing area as per the geo-coordinates recorded alongwith two permanent reference points and furnish sketch to be appended to the Agreement of Allotment in Form-S1. [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).](d)Pay the seigniorage fee in advance and obtain Permit for Despatch for Sand in Form-S2 from the Asst. Director of Mines & Geology concerned and despatch sand from the specified sand bearing area to stockyard.](iv)(a)The Collector & Chairman, District Level Sand Committee shall finalize the specified sand bearing areas as per sub-rule (iii) and issue in-principle allotment notice to Telangana State Mineral Development Corporation calling for Approved Mining Plan, Environmental Clearance and Consent for Operation within (3) months.On application filed by the Telangana State Mineral Development Corporation, the Chairman DLSC may give a (3) months extension for submission of Statutory Clearances.(b)Telangana State Mineral Development Corporation shall obtain the following statutory clearances:(i)Approved mining plan from the Deputy Director of Mines & Geology of the Region concerned.(ii)Environmental Clearance (EC) from State Environment Impact Assessment Authority.(iii)Consent for Establishment (CFE)/Consent for Operation (CFO) from Telangana State Pollution Control Board.(c)On submission of Statutory Clearances, the Chairman, District Level Sand Committee shall allot the specified sand bearing area to Telangana State Mineral Development Corporation Limited for extraction of sand.(d)M/s Telangana State Mineral Development Corporation Limited shall execute a lease deed in Form-S1 with Assistant Director of Mines and Geology concerned within (15) days from the date of allotment order.On application filed by M/s Telangana State Mineral Development Corporation Limited, the Chairman, District Level Sand Committee may condone the delay and extend the time for a period of (15) days for execution of lease deed.(v)Extraction of sand from specified sand bearing areas: Telangana State Mineral Development Corporation after execution of lease deed shall:(a)Extract sand by engaging a raising contractor from the specified sand bearing area to an approved stock yard. The raising contractor will be selected under strict competitive bidding process.(b)The sand extraction shall be under electronic surveillance and electronic documentation linked to a central documentation monitoring facility to be developed by Telangana State Mineral Development Corporation.(c)The extraction of sand shall be manual or mechanized as per the approved mining plan and Environment Clearance.(d)The extracted sand shall be moved to

stock yards and weighed or by volumetric analysis before unloading at the stockyard.(e)The purchaser of the sand shall pay the sale price to Telangana State Mineral Development Corporation and obtain transit pass /way bill(f)Loading of sand from the stockyard shall be as per the approved capacity of the vehicle through weighment [or Volumetric] [Added by Telangana Notification No. G.O.MS. No. 30, dated 6.5.2015 (w.e.f. 8.1.2015).].(g)The transit pass shall have the security seal of Telangana State Mineral Development Corporation stamp with date, time and indicate the destination/route for tracking by way of GPS facility to be developed.(vi)Telangana State Mineral Development Corporation shall dispose sand from the stockyard as per the sale price fixed by the Government from time to time.(vii)The Member-Convenor shall convene the District Level Sand Committee (DLSC) meetings frequently to ensure sand availability in the District.(viii)The period of allotment for extraction shall be for five (5) years from the date of agreement subject to:(a)Assessment of annual replenishment of sand to sustain the extraction.(b)Feasibility report by Ground Water, Irrigation Dept., with Approved Mining Plan and CFO from TSPCB every year.(c)The period of sand extraction from the allotted area shall be as per the local conditions, reflected in the Approved Mining Plan and CFO.(d)During the subsistence of allotment, the DLSC shall review the status before (30) days from the date of expiry of first year/subsequent year period or exhaustion of estimated quantity and order for joint inspection to explore continuation of extraction after fulfilment of Rule 4(viii)(b).(e)If the specified sand bearing area is feasible for sand extraction, the Chairman-DLSC shall call for Mining Plan, CFO and approve for continuation of extraction.(f)If the specified sand bearing area is not feasible for sand extraction, the Chairman-DLSC shall order for stoppage of sand extraction for a specified period and Telangana State Mineral Development Corporation shall safeguard the area.(g)Due to any reason, the allottee can surrender the area allotted by making an application to the Chairman, DLSC through the Member-Convenor.(2)Constitution of State Level Committee (SLC):The State Level Committee shall consists of the following Officers:

- |   |                    |
|---|--------------------|
| (a) Chief Secretary                     | : Chairman         |
| (b) Director General of Police          | : Member           |
| (c) Spl. C.S. & CIP, Ind. & Com. Dept.  | : Member           |
| (d) Prl.Secy., Revenue Dept.            | : Member           |
| (e) Prl.Secy., Rural Development        | : Member           |
| (f) Prl.Secy., I & CAD Dept.            | : Member           |
| (g) VC & MD, TSMDC                      | : Member           |
| (h) Commissioner, Rural Development     | : Member           |
| (i) Commissioner, Transport Dept.       | : Member           |
| (j) Member-Secretary, TSPCB             | : Member           |
| (k) Director, Ground Water Dept.        | : Member           |
| (l) Engineer-in-Cheif, Irrigation Dept. | : Member           |
| (m) Director of Mines & Geology         | : Member-Secretary |

The State Level Committee shall meet periodically to take up review of the performance, the matters referred by District Level Sand Committee for review of any statutory provisions and issue necessary guidelines for proper implementation of the Rules.

## 5. Responsibility of the M/s Telangana State Mineral Development Corporation Ltd.

(1)Telangana State Mineral Development Corporation shall:(a)Enter into an agreement with Assistant Director of Mines and Geology by furnishing bank guarantee for an amount equivalent to 10% of the total seigniorage fee on assessed quantity as security deposit.(b)Extract sand as per the Approved Mining Plan and other conditions laid in the clearances issued under the River Conservancy Act, 1884, the Water Land & Trees Act, 2002 and the Environment Protection Act, 1986 and Air & Water Pollution Prevention Act, 1974 and amendments thereon or any suitable subsequent Act/rules/amendments to be issued by Government from time to time.(c)No transfer or subletting of the allotted sand bearing area.(d)[ Extract and dispatch sand from the allotted sand bearing area to approved stockyard by duly paying seigniorage fee and other taxes in advance as per the prevailing scheduled rate or revised from time to time and obtain Permit for Despatch of Sand in Form-S2 from the Asst. Director of Mines & Geology concerned for the quantity of sand proposed for extraction.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).](e)(i)Establish a stockyard near to the lifting point having good road facilities and also additional stockyards near urban habitations, especially the Municipal Corporations.(ii)Shall obtain Mineral Dealer License for the stockyard under Mineral Dealer Rules, 2000 from the competent authority. The validity of Mineral Dealer License shall coterminous with the period of agreement.(iii)If any sand stocks leftover after the period of agreement, on representation by the allottee, the validity of Mineral Dealer License may be extended by the Licensing Authority after report by the Asst. Director of Mines & Geology.(iv)The period of extension shall be based on verification of stocks and the previous daily dispatches.(f)[ M/s TSMDC shall generate on-line Transit Pass (Form-E) instead of being issued by the Asst. Director of Mines & Geology concerned for dispatch of sand from stockyard.] [Substituted by Telangana Notification No. G.O.MS. No. 54, dated 21.8.2015 (w.e.f. 8.1.2015).](g)The dispatch of sand from the stockyard shall be under electronic surveillance and electronic documentation linked to a central documentation monitoring facility.(h)Use of machinery is permitted for making ramps, pathways and maintenance.(i)Extraction of sand from sand bearing area shall be by manual or mechanized means subject to permission from the District WALTA Authority on a condition that there is no impact on ground water table.(j)(i)Maintain daily production and dispatch register at the allotted sand bearing area.(ii)Maintain daily stock and dispatch register at the mineral Dealer stockyard.(iii)Shall submit returns under A.P. Minor Mineral Concession Rules, 1966 and A.P. Mineral Dealer Rules, 2000 or any suitable subsequent rules/amendments to be issued by Government from time to time to the Competent Authorities.(k)Be penalized for any extraction of sand beyond the specified area; beyond the specified thickness and for any other violations. Penalty of Rs.1,00,000/- or Rs.500/- per Cu.Mt. of sand quarried beyond the specified limits or in excess of thickness stipulated, whichever is higher.(2)In the event of contravention of any of these rules and the conditions specified in Agreement of allotment during extraction of sand, the allotting authority shall after giving an opportunity, impose an appropriate penalty.

**6. [ Regulation of sand extraction in III (non notified areas) and above order streams/ Rivers.] [Substituted 'Regulation of Sand extraction in III and above order streams/Rivers.' Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]**

(1)The transportation of sand extracted from III and above order Streams/Rivers shall be utilized anywhere within the State.(2)The District Collector shall put in place a proper administrative mechanism for enforcement of extraction and transportation of sand comprising of:(a)Joint Collector/Addl. Jt. Collector.(b)Project Officer, ITDA concerned (in respect of Scheduled areas).(c)Deputy Transport Commissioner/RTO(d)Asst. Director of Mines & Geology.(e)Executive Engineer, Irrigation/River Conservator.(f)Any other nominee(s) by the District Collector.(3)[ Sand used in the weaker section housing programme shall be exempted from payment of Seigniorage Fee and sale price for IV to VI and above orders and sand extracted from de-siltation by the concerned construction authorities and the cost of loading and transportation shall be borne by the concerned construction authorities.] [Added by Telangana Notification No. G.O.MS. No. 11, dated 13.2.2017 (w.e.f. 8.1.2015).]

**7. De-casting sand from Pattalands.**

- In case of the sand cast in pattalands, the pattadar shall be allowed to de-cast sand to make the land fit for agriculture.To eliminate vested interests, no Agent/GPA/Lease holders other than the pattadar shall be involved in de-casting process.(1)De-casting in pattalands abutting the river course:(a)The pattadar shall apply to the Asst. Director of Mines & Geology concerned alongwith copy of pattadar pass book and Title deed book and location of the land on village map.(b)Asst. Director of Mines & Geology concerned shall take up joint inspection of the pattaland with the following:(i)Tahsildar shall identify the pattaland, possessor/ occupier and furnish attested sketch demarcating the area. The boundaries will then be fixed on ground.(ii)Mandal Agriculture Officer shall certify that without de-casting the pattaland is not fit for agriculture.(iii)The Ground Water Dept. shall record the geocoordinates of the pattaland as per boundaries fixed by the Tahsildar, assess the thickness, quantify the sand to be de-casted and give specific recommendation on the mode of de-casting i.e. manual or mechanized.(iv)Asst. Director of Mines & Geology shall certify the suitability of sand for construction.(v)Executive Engineer, Irrigation Dept., concerned shall report on the location of patta land with reference to river course/bed.(vi)[ The project officer/nominee of TSMDC shall also be part of joint inspection team for the patta land where the pattadar is giving willingness/consent for de-casting sand to TSMDC] [Inserted by Telangana Notification No. G.O.MS. No. 30, dated 6.5.2015 (w.e.f. 8.1.2015).](2)[ After receipt of joint inspection report, the Assistant Director of Mines and Geology concerned shall stipulate the period of de-casting and place the proposals for de-casting sand before the District Level Sand Committee. [Substituted by Telangana Notification No. G.O.MS. No. 30, dated 6.5.2015 (w.e.f. 8.1.2015).](3)The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval.](4)[(a) After receipt of orders from the [District Level Sand Committee] [Substituted 'Sand extraction in I and II order streams' Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).] the District Collector shall issue necessary permission to the pattadar

for de-casting sand.(b)The pattadar shall furnish refundable security deposit equivalent to 25% of seigniorage fee on the entire assessed quantity of sand in the form of Demand Draft in favour of Asst. Director of Mines & Geology concerned, enter into an agreement in Form-S4 as appended to this order, remit seigniorage fee on the quantity of sand proposed for de-cast in advance before issue of dispatch permits in transit form in Form-S3.](c)[ (i) The de-casting sand in any pattaland abutting river bed, to make the land suitable for cultivation shall be by M/s.Telangana State Mineral Development Corporation Limited. [Substituted by Telangana Notification No. G.O.MS. No. 54, dated 21.8.2015 (w.e.f. 8.1.2015).](ii)The District Level Sand Committee will hand over the pattaland to M/s.Telangana State Mineral Development Corporation Limited for de-casting of sand.(iii)M/s.Telangana State Mineral Development Corporation Limited will enter into agreement with the pattadar and comply with such other conditions as deemed fit as per the procedure involved to conduct de-casting sand from pattaland.(iv)The pattadar may get 35% of the share from the sale amount with a maximum ceiling of Rs.200/- per Cu. Mt. earned by M/s.Telangana State Mineral Development Corporation Limited due to sale of sand de-casted from his / her pattaland.](d)[ Upon according permission by the District Level Sand Committee being State PSU, Telangana State Mineral Development Corporation is exempted from payment of refundable security deposit equivalent to 25% of seigniorage fee on the entire assessed quantity of sand. M/s.Telangana State Mineral Development Corporation shall enter into an agreement in amended Form-S4(a) as appended to this order with the Asst. Director of Mines & Geology concerned, remit seigniorage fee on the quantity of sand proposed for de-cast in advance before issue of dispatch permit in transit form in amended Form-S3(a).] [Inserted by Telangana Notification No. G.O.MS. No. 30, dated 6.5.2015 (w.e.f. 8.1.2015).](5)Responsibilities of the pattadar:(a)[ Shall dispose the de-casted sand from the pattaland and dispatch alongwith transit form in Form-S3 issued by the Asst. Director of Mines & Geology concerned duly indicating the quantity, destination, date and time. Every vehicle carrying sand de-cast from pattaland shall carry Form-S3 at all times from source to end consumption point. [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).](b)The de-casted sand shall be disposed from the pattaland as per the sale price fixed by the Government from time to time.(c)The loading of sand from the pattaland shall be as per the capacity of the vehicle permitted by the Transport Dept.(d)Any contravention by the pattadar during the de-casting, the Chairman, DLSC may order for collection of:(i)Rs.1,00,000/- or Rs.500/- per Cu. Mt. whichever is higher as penalty on de-casting sand beyond the specified extent or in excess of permitted depth.(ii)Repeated violations will result in cancellation of permission and forfeiture of security deposit.](e)[ M/s.Telangana State Mineral Development Corporation Limited shall generate on-line Transit Form {Form-S3(a)} instead of being issued by the Asst. Director of Mines & Geology concerned for dispatch of sand from de-casted area after payment of seigniorage fee and obtaining permit.] [Substituted by Telangana Notification No. G.O.MS. No. 54, dated 21.8.2015 (w.e.f. 8.1.2015).](f)[ M/s.Telangana State Mineral Development Corporation shall dispose de-casted sand from the pattaland as per the sale price fixed by the Government from time to time.] [Inserted by Telangana Notification No. G.O.MS. No. 30, dated 6.5.2015 (w.e.f. 8.1.2015).](6)To prevent indiscriminate removal of sand from pattalands abutting the Riverbed, more rigorous vigilance and inspections shall be taken up.(7)The District Level Sand Committee shall issue operational guidelines for de-casting sand from pattalands abutting river bed.(8)The pattalands located in the midst of the river course/bed:In case of pattalands located in the midst of the river bed/course, the pattadar shall enter into an agreement for removal of sand by Telangana

State Mineral Development Corporation Ltd. The Chairman, District Level Sand Committee shall allot the patalands located in the midst of the river course/bed to Telangana State Mineral Development Corporation Limited as per Rule 2(i) read with Rule 4 (iv) (c).

## **8. Applicability of these Rules on sand sourced in the process of de-silting.**

- The Superintending Engineer, Irrigation & Command Area Development Department concerned shall: (a) Obtain the administrative approval from the Competent Authority for de-siltation of Reservoirs and Tanks as defined by the Irrigation & Command Area Development Department, to enhance the storage capacity of the reservoirs and augment Ground Water recharge in Command Areas. (b) With approval of District Level Sand Committee shall notify the reservoirs proposed for de-siltation in March every year. (c) All the notified reservoirs and tanks shall be handed over to the Telangana State Mineral Development Corporation Ltd. for de-siltation. (i) The disposal of sand out of de-siltation of Reservoirs and Tanks shall be in accordance with the procedures under these TSSM Rules, 2015 or any amendments issued from time to time. (ii) [ Sand de-silted shall be dispatched to the stockyard registered under A.P Mineral Dealers Rules, 2000 by competent authority by duly paying seigniorage fee and other taxes in advance as per the prevailing scheduled rate or revised from time to time and obtain Permit for Despatch of Sand in Form-S2 from the Asst. Director of Mines & Geology concerned for the quantity of sand proposed for de-silting.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).] (iii) Sand shall be disposed from the stockyard as per the sale price fixed by the Govt. from time to time with Transit Passes in Form-E issued by the Asst. Director of Mines & Geology concerned. (d) Sand sourced out of de-silting operations shall be utilized from the stock yards for various civil works with preference to Govt. Depts., (e) The orders issued earlier for continuation of 2nd or subsequent year if any, after payment of required fees or upset price to Government allotted to any agency on nomination basis or by other means shall be seized after completion of its allotted/to be allotted period. [However, the Government is competent to cancel earlier allotment, if any, and order for refund of the amount to bring such reservoirs under the control of Telangana State Mineral Development Corporation.] [Added Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]

## **9. Crushed Stone Sand as alternative to natural sand.**

- Alternate to River sand in the form of Crushed Stone Sand (Manufactured Sand) shall be encouraged from the conservation point of view to River bed/in-Stream sand quarrying operations at affordable cost be made available to meet the requirement of bulk consumers by following: (i) By according industry status as long as the unit manufactures 100% sand for availment of VAT and power subsidy prospectively. (ii) Regular incentives will be extended for new units. (iii) Preference in quarry lease allotment (iv) Existing Stone Crushers will be accorded ancillary status subject to crushed stone sand certified by ISO/NAC/NCCBM (v) The Government Departments shall be mandated to use at least 50% of manufactured sand in Government constructions.



## 10. Fixation/Revision of rates of sand and seigniorage fee.

- (i) The Government shall fix the rates and revise the rates of seigniorage fee as per the situation/demand warrants. If ad-valorem rate of seigniorage fee is imposed, Telangana State Mineral Development Corporation rate will be the Bench mark for collection of seigniorage charges on sand from de-casting as well as desilting. (ii) The price of sale of sand per Cu.Mt./Ton shall be determined by the respective District Level Sand Committee keeping in view of the prevailing cost of production and logistics therein and submit to the Govt. for approval. (iii) [An amount of Rs.200/- (Rupees two hundred only) per metric Ton towards 'regulating charges' shall be paid to Telangana State Mineral Development Corporation by the transporter bringing sand incidentally from other sources and obtain pass for movement in the State to control the sale price of sand.] [Inserted by Telangana Notification No. G.O.Ms. No. 82, dated 7.11.2015 (w.e.f. 8.1.2015).]

## 11. Apportionment of Seigniorage Fee to Zilla Parishad General Funds.

- 100% Seigniorage Fee shall be remitted to the General Funds under the Head of Account of Zilla Parishad concerned. The same shall be apportioned in the ratio of 25:50:25 among Zilla Parishad, Mandal Parishad and Gram Panchayat respectively.

## 12. Ban on sand transportation across border.

- No transportation of sand from the State shall be made across the border to other States.

## 13. Offences.

- [Any vehicle found transporting sand without valid transit pass issued by the Asst. Director of Mines & Geology concerned to Telangana State Mineral Development Corporation OR transit form issued to the pattadar for de-casting sand from pattaland will be deemed illegal and in contravention of these rules. The definition of transit form and transit pass is as described below:

S.No.	Type of Documentary Evidence	Purpose	Rule
1	Transit form	Source to Destination in respect of de-casting in pattaland	Form-S3 (Rule 7(4) of TSSMR, 2015)
2	Transit pass	Stockyard to Destination in respect of TSMDC	Form-E (Rule 6 of APMDR, 2000)

(1) Any vehicle transporting sand along with transit pass issued by the Asst. Director of Mines & Geology concerned to Telangana State Mineral Development Corporation OR transit form issued to the pattadar, if found, carrying sand in excess of the quantity specified in the transit pass / transit form OR in excess of quantity permitted by the Transport Dept., such excess quantity shall be imposed a fine @ Rs.2000/- per MT. [After collection of penalty on the excess quantity, the vehicle shall be referred to Transport and Commercial Tax Department for taking necessary action.] (2) Any vehicle/machinery, if found, involved in illegal extraction and transportation of sand in

contravention of these rules shall be levied penalty for such each vehicle/machinery as detailed below:

Vehicle Type	First time (In Rs.)	Second time (In Rs.)
Tractor	5,000/-	15,000/-
Lorry upto 10 tons capacity	25,000/-	50,000/-
Lorry above 10 tons capacity	50,000/-	1,00,000/-
Machinery	50,000/-	1,00,000/-

(3) The vehicle/machinery, found involved more than two times, such vehicle/machinery alongwith sand shall be seized/confiscated by the following officers in the State authorized under these rules: (a) District Collector (Concerned) (b) Joint Collector (Concerned) (c) Superintendent of Police (Concerned) (d) Additional Superintendent of Police/OSD (Concerned) (e) Sub-Collector/ Revenue Divisional Officer (concerned). (f) Tahsildar (concerned) Mandal. (g) Sub-Divisional Police Officer (concerned). (h) Station House Officer (concerned). (i) District/Divisional Panchayat Officer (j) Deputy Director of Mines and Geology (Concerned) (k) Asst. Director of Mines & Geology (concerned). (l) Any other officer nominated by the Dist. Collector (concerned). (4) An officer authorized under sub-rule (3) shall follow the procedure as under to confiscate any vehicle/machinery: (a) Issue show cause notice to the person/owner from whom the vehicle/machinery is to be seizure/confiscated. (b) Immediately take steps by preparing seizure/confiscation report and produce the vehicle/machinery before the Competent Court to enable the person/owner from whom the vehicle/machinery is seized to file an application under Section 451 of Criminal Procedure Code (Cr.P.C) for release of vehicle/machinery, whereupon the Competent Court shall pass orders in accordance with law. (c) In the alternative, the person/owner from whom vehicle/machinery is to be seized shall be permitted to submit explanation to the show cause notice alongwith an application to the authorized officer seeking release of vehicle/machinery. (d) Upon receipt of explanation to the show cause notice and the application for release of vehicle/machinery, the authorized officer shall consider the application and pass appropriate orders in accordance with law, within a period of two weeks there from, on production of security of Rs.25,000/- in case of tractor; Rs.1,00,000/- in case of vehicle upto 10 tonnes capacity; Rs.1,50,000/- in case of vehicle above 10 tonnes capacity and Rs.2,00,000/- for any machinery, in the form of Demand Draft drawn in favour of the authorized officer alongwith an affidavit/undertaking to produce the seized vehicle/machinery as and when required. (e) If the person from whom the vehicle/machinery is seized, fails to comply sub-rule (4) clause d, the authorized officer shall issue order for disposal of seized vehicle/machinery in public auction in consultation with Transport Department within (15) days from the date of seizure order. (f) The fine paid as per the orders of Competent Court; the security furnished as per sub-rule (4) clause d OR the proceeds as per subrule (4) clause e shall be deposited in the head of account 0853-102-81 other receipts and the original challan shall be sent to the Asst. Director of Mines & Geology concerned. (5) No order of confiscation of any machinery/vehicle shall be made under sub-rule (4) unless the person from whom the machinery/vehicle is seized is given:-(a) A notice in writing informing the person of the grounds on which it is proposed to confiscate such property. (b) An opportunity of making a representation in writing within such time as may be specified in the notice against the grounds for confiscation; and (c) A reasonable opportunity of being heard in the matter. (6) Officers seized the vehicle shall issue order of confiscation of machinery/vehicle. The confiscated machinery or vehicle shall be disposed in public auction.

#### **14. Disposal of seized sand.**

- The Tahsildar (or) the officers nominated by Tahsildar at Mandal Level; Sub-Collector/Revenue Divisional Officer (or) the officers nominated by the Sub-Collector/Revenue Divisional Officer at Divisional Level; the Joint Collector/the District Collector (or) the Officers nominated by the Joint Collector/the District Collector at District Level shall seize illegal sand stocks. Such seized sand shall be kept under safe custody of concerned Tahsildar and the same shall be disposed through Telangana State Mineral Development Corporation. [The transit form for the seized sand shall be issued by the Asst. Director of Mines & Geology concerned in Form-S5 appended to this order.] [Added Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]

#### **15. Appeal and Revision.**

- [(i) In case of I, II & III order (notified over exploited) streams] [Substituted 'In case of I and II order streams' Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]:(a)Any person aggrieved by an order passed by the Mandal Authority/ may prefer the appeal before the Joint Collector within fifteen (15) days from the date of receipt of such order.(b)Any person aggrieved by an order of the Joint Collector may prefer revision before the District Collector within fifteen (15) days from the date of receipt of such order.(ii)[ In case of III (non-notified) and above order streams/rivers.] [Substituted 'In case of III and above order streams/rivers' Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]Any order passed by the Chairman, DLSC, Deputy Director of Mines & Geology or Asst. Director of Mines & Geology, the allottee may prefer an appeal to the Govt. within (30) days from the date of receipt of such order.

#### **16. Restriction on issue of licence for stocking /storing /trading of sand.**

- [No other person or agency other than Telangana State Mineral Development Corporation shall be issued Mineral Dealer Licence for stocking/storing/trading of sand under A.P. Mineral Dealers Rules, 2000 or under any suitable subsequent rules/amendments to be issued by the Government from time to time.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).][All the Transporters Associations and vehicles/carriers/lorries involved in sand transportation shall be registered with Telangana State Mineral Development Corporation for detection from other vehicles transporting sand through unauthorized sources.] [Inserted by Telangana Notification No. G.O.Ms. No. 82, dated 7.11.2015 (w.e.f. 8.1.2015).][16(i) [Inserted by Telangana Notification No. G.O.Ms. No. 17, dated 6.3.2017 (w.e.f. 8.1.2015).]- Notwithstanding anything under these rules, any vehicle(s)/machinery found involved in unauthorized stocking/storing/trading of sand by other than Telangana State Mineral Development Corporation and Irrigation Department shall be seized/confiscated duly following the procedure laid down under the rule 13(3) and (4) of Telangana State Sand Mining Rules, 2015.] [Substituted Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).]

## **17. Powers to Issue Orders/Clarifications/Guidelines.**

- The Government shall be the Authority to issue clarifications; guidelines or relaxation orders from time to time, in implementation of these rules.

## **18. Saving Clause.**

(1) Leases which have not yet started shall be continued by the terms and conditions of the grant until expiry of lease except in those cases wherein the Government in the public interest decides otherwise. (2) Leases under operation shall be continued by the terms and conditions of the grant until expiry of lease except in those cases wherein the Government in the public interest decides otherwise.

## **19. Applicability of General Provisions.**

- The General provisions of Minor Mineral Concession Rules, 1966 or any suitable subsequent rules/amendments to be issued by Government or the orders, guidelines, clarifications issued by Government in this regard from time to time shall apply for cases which are not explicitly mentioned herein. Form S1 Agreement of Allotment of Specified Sand Bearing Area. [See Rule 4(iv)(d)] This agreement entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between Asst. Director of Mines & Geology \_\_\_\_\_ District on behalf of Government of Telangana State, referred to as the Allotter, which expression shall unless repugnant to the subject or context mean and include its successors, assignees and representatives etc., on one part. And M/s \_\_\_\_\_, Rep. by \_\_\_\_\_ located at \_\_\_\_\_ (hereinafter referred to as the Allottee) which expression shall include its successors in interest, legal representatives etc. on other part. Whereas, [the District Collector and Chairman, District Level Sand Committee] [Substituted 'the Joint Collector' by Notification No. G.O.MS.NO. 15, dated 19.2.2015 (w.e.f. 8.1.2015).] vide order No. \_\_\_\_\_ dated \_\_\_\_\_ allotted the specified sand bearing area for extraction and transportation of sand to the stockyard situated between the following geo-coordinates: This contract is subject to the extent, terms and conditions of order, Approved Mining Plan, A.P. WALT Rules, 2004, Environmental Clearance and Telangana State Sand Mining Rules, 2015 or any suitable Rules/Amendments to be issued by Govt. from time to time. Now It Is Mutually Agreed And Declared By And Between Parties Hereto As Follows:

**1. Scope of the Work: (i) The Allottee shall extract sand from the specified sand bearing area situated at \_\_\_\_\_ Village, \_\_\_\_\_ Mandal, \_\_\_\_\_ District.**

(ii) Transport the extracted sand to the specified stockyard by tractors having capacity not more than 3 Cu.Mt. and (iii) Dispose sand from the specified stockyard under Electronic Surveillance (CCTV).

**2. Period of the Agreement: (i) The agreement shall be in force with effect from \_\_\_\_\_ to .**

(ii) The period of agreement may be extended subject to annual replenishment of sand for a maximum period of five years. (iii) The agreement is not transferable.

**3. Quantity of Sand to be Extracted: The Allottee shall:**

(i) Extract sand as per the quantity indicated from the specified sand bearing area as estimated, during the period of agreement in consonance with Approved Mining Plan/Environment Clearance/Consent for Operation. (ii) While extracting sand shall confine to the thickness specified in the Approved Mining Plan and to the boundaries fixed. (iii) Extract indicated quantity of sand during the period of agreement and transport to specified stockyard duly paying Seigniorage Fee in advance as per the prevailing rates or revised rates from time to time. (iv) Obtain Mineral Dealer License as per A.P. Mineral Dealer Rules, 2000 or any suitable Rules/Amendments to be issued by Govt. from time to time for stocking of sand from the specified sand bearing area. (v) Dispatch sand from the specified stockyard after obtaining Transit Passes in Form-E from the competent authority. (vi) Maintain records of dispatch of sand from the specified sand bearing area to the specified stockyard and shall file monthly returns on the quantity of sand extracted to the Asst. Director of Mines & Geology & Deputy Director of Mines & Geology concerned. (vii) Maintain records of dispatch of sand from the specified stockyard and file returns to the competent authority as per A.P. Mineral Dealer Rules, 2000 or any suitable Rules/Amendments to be issued by Govt. from time to time.

**4. Payment of Seigniorage Fee: The Allottee shall pay Seigniorage Fee in advance before dispatch of sand from the specified sand bearing area to the authorized stockyard as per the prevailing scheduled rates or revised from time to time in the Zilla Parishad General Funds and furnish challan to the Asst. Director of Mines & Geology for obtaining waybills.**

**5. Conditions: The Allottee shall:**

(1) Abide by the conditions and the rules made under River Conservancy Act, 1884, Andhra Pradesh Water Land & Trees Act 2002 or any suitable Rules/Amendments to be issued by Govt. from time to time and Environment Protection Act 1986 and subsequent amendments issued by the State and Central Governments from time to time. (2) Pay the Seigniorage fee and obtain way bills in Form S-2 from the Asst. Director of Mines & Geology concerned and dispatch sand from the specified area to specified stock yard. (3) Maintain daily production and dispatch register and statutory returns/clearances prescribed under various statutes at the specified area. (4) Extract sand from the specified sand bearing area in a systematic manner as per approved mining plan and Environment Clearance issued by Ministry of Environment and Forests. (5) Not use Tractors more than 3 Cu. Mt. capacity for transportation of sand from specified sand bearing area to stock yard. (6) Use the ramp

and pathways permitted by the Executive Engineer/ River Conservator.(7)Not allow tractors carrying sand to ply over the flood banks except at approved ramp points.(8)Use the paths authorized by the Tahsildar concerned to approach the specified sand bearing area.(9)Transportation of sand from specified sand bearing area to the stockyard shall be through designated route only.(10)Not extract sand more than the permitted quantity and beyond the specified thickness. Sand extracted beyond the specified boundaries or in excess of permitted thickness shall be treated as unauthorized sand extraction and liable for penalization.(11)Extraction of sand from the specified sand bearing area shall be by manual means and no machinery is permitted except in specific sand bearing areas where there is no impact on Ground Water table and with the prior approval of District Collector/District WALTA Authority.(12)Erect and maintain at his own expense, boundary pillars at each corner or angle in the line of boundary of the Specified Sand Bearing Area allotted.(13)Install at their expense:(i)CCTVs at both the specified sand bearing area as well as stockyard.(ii)Computerized weigh bridge at stockyard.

**6. Any other specific condition deemed fit in the opinion of the confirmation authority on a case to case basis as per local conditions (to be mentioned).**

Form S2[See Rule 5(1)(d) and 8(c) (ii)]Permit for Despatch of Sand

Permit No.\_\_\_\_\_ Dated:\_\_\_\_\_.

Permit is hereby granted to M/s.\_\_\_\_\_ to Despatch \_\_\_\_\_ cubic meters / metric tonnes of Sand from the Specified Sand bearing area situated in Sy.No.\_\_\_\_\_ of \_\_\_\_\_ Village, \_\_\_\_\_ Mandal, \_\_\_\_\_ District / De-silting Reservoir or Tank

Name\_\_\_\_\_ in \_\_\_\_\_ Village \_\_\_\_\_ Mandal, \_\_\_\_\_ District in consideration of payment of a sum of Rs.\_\_\_\_\_ being Seigniorage Fee on the said quantity, subject to the following conditions:

**1. The permit is valid for \_\_\_\_\_ days from \_\_\_\_\_ to \_\_\_\_\_ and shall expire on \_\_\_\_\_.**

**2. The permit is not transferable.**

**3. The permit shall be surrendered after the quantity noted therein is dispatched within a week after last consignment of despatch alongwith the despatch particulars by giving the details of the name of consignee, date of despatch etc.**

**4. The permit holder shall maintain Production & Despatch Register at the allotted sand bearing area or de-silting reservoir/tank with the details of, destination, quantity, vehicle number, date of despatch etc.**

**5. The permit holder shall transport the extracted sand to the specified stockyard by tractors having capacity not more than 3 Cu.Mts.**

**6. The permit holder shall comply with above conditions.**

Issuing Authority. Form-S3 Transit Form for Pattaland {See Rule 7(4)}

Transit Form No. \_\_\_\_\_ District Code: \_\_\_\_\_ Book No. \_\_\_\_\_

Order No. & Date of permission issued by DLSC/ADM&G \_\_\_\_\_.

- 1 Name of the Pattadar :
- 2 Name & Address of the Consignee :
- 3 Location of the De-casting area a) Sy.No. b) Village c) Mandal :
- 4 Destination :
- 5 Date & Time of issue :
- 6 Vehicle No. :
- 7 Quantity :
- 8 VAT/TIN No. :

Signature of the Consignor/Authorized Person. Signature of the Issuing Authority

Conditions :

**1. Overwriting in any form in the way bills makes it invalid.**

**2. The driver shall carry the duplicate stamped copy of the transit form and hand it over to consignee.**

**3. The original Transit Form shall be surrendered by the consignor to the issuing authority.**

Form-S4 Agreement for De-casting Sand from the Pattaland. [See Rule 7(4)] This agreement entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ between Asst. Director of Mines & Geology \_\_\_\_\_ District on behalf of Government of Telangana State, which expression shall unless repugnant to the subject or context mean and include its successors, assignees and representatives etc., on one part. And Sri/Smt/M/s \_\_\_\_\_, Rep. by \_\_\_\_\_ located at \_\_\_\_\_ (hereinafter referred to as pattadar) which expression shall include its successors in interest on other part. Whereas, the Collector vide order No. \_\_\_\_\_ dated \_\_\_\_\_ accorded permission for de-casting sand from pattaland situated between the following geo-coordinates:

Pattaland permitted for  
de-casting sand

Sl. No.	Reference Point	Geo-Coordinates	Extent (in Ha)	Qty. of sand to be de-casted (in Cu.Mt)
Longitude	Latitude			

This contract is subject to the extent, terms and conditions of order, Telangana State Sand Mining Rules, 2014 or any suitable Rules/Amendments to be issued by Govt. from time to time. Now it is mutually agreed and declared by and between parties hereto as follows:

**1. Scope of the Work: The pattadar shall de-cast sand from the specified pattaland situated in Survey No.**

\_\_\_\_\_, \_\_\_\_\_ Village,  
\_\_\_\_\_ Mandal, \_\_\_\_\_ District.

**2. Period Of The Agreement:**

(i) The agreement shall be in force with effect from \_\_\_\_\_ to \_\_\_\_\_.  
(ii) The agreement is not transferable.

**3. Quantity of Sand to be de-casted: The Pattadar shall:**

(i) De-cast sand as per the quantity indicated in the order of confirmation from the specified pattaland as estimated by the Ground Water Department during joint inspection. (ii) De-casting shall confine to the thickness specified by the Ground Water Department from the pattaland having the boundaries fixed. (iii) Pay Security Deposit in the form of Bank Guarantee in favour of the Asst. Director of Mines & Geology concerned equivalent to 30% of Seigniorage Fee on the entire assessed sand quantity for de-casting as per the prevailing rates or revised from time to time. (iv) Dispose the de-casted sand during the period of agreement after payment of Seigniorage Fee in advance as per the prevailing rates or revised from time to time. (v) Dispatch de-casted sand from the pattaland after obtaining Transit Form in Form-S3 from the competent authority. (vi) Maintain records of dispatch of de-casted sand from the specified pattaland and shall file monthly returns on the quantity of sand de-casted to the Asst. Director of Mines & Geology concerned.

**4. Payment Of Seigniorage Fee: The Pattadar shall pay Seigniorage Fee in advance for the quantity of sand proposed to be de-casted from time to time as per the prevailing scheduled rates or revised from time to time in the Zilla Parishad General Funds and furnish challan to the Asst. Director of Mines &**



## **Geology for obtaining transit form in Form-S3.**

### **5. Conditions: The Pattadar shall:**

- 1. Abide by the conditions and the rules made under River Conservancy Act, 1884, Andhra Pradesh Water Land & Trees Act 2002 or any suitable Rules/Amendments to be issued by Govt. from time to time and Environment Protection Act 1986 and subsequent amendments issued by the State and Central Governments from time to time.**
- 2. Obtain way bills in Form S3 from the Asst. Director of Mines & Geology concerned and dispatch de-casted sand from the specified pattaland.**
- 3. Maintain daily production and dispatch register & statutory returns/clearances prescribed under various statutes at the specified area.**
- 4. De-cast sand from the specified pattaland in a systematic manner as per the guidelines issued by the District Collector from time to time.**
- 5. Not allow vehicles carrying sand to ply over the flood banks.**
- 6. Use the paths authorized by the Tahsildar concerned to approach the specified pattaland.**
- 7. Disposal of de-casted sand from specified pattaland shall be through designated route only.**
- 8. Not to de-cast sand more than the permitted quantity and beyond the specified thickness. Sand de-casted beyond the specified boundaries or in excess of permitted thickness shall be treated as unauthorized de-casting and liable for penalization.**
- 9. Erect and maintain at his own expense, boundary pillars at each corner or angle in the line of boundary of the Specified pattaland for de-casting sand.**
- 6. Any other specific condition deemed fit in the opinion of the District Collector/Chairman, DLSC on a case to case basis as per local conditions (to be mentioned).**

ADM&G PATTADAR

Form-S5 Transit Form for Seized sand {See Rule 14}

Transit Form No. \_\_\_\_\_ Code: \_\_\_\_\_ District Book No. \_\_\_\_\_

Order No. & Date of permission issued by DLSC/ADM&G \_\_\_\_\_.

- 1 Name & Address of the Consignee :
- 2 Location of the Seized sand area a) Sy.No. b) Village c) Mandal :
- 3 Destination :
- 4 Date & Time of issue :
- 5 Vehicle No. :
- 6 Quantity :
- 7 VAT/TIN No. :

Signature of the Consignor/Authorized Person. Signature of the Issuing Authority

Conditions :

- 1. Overwriting in any form in the way bills makes it invalid.**
- 2. The driver shall carry the duplicate stamped copy of the transit form and hand it over to consignee.**
- 3. The original Transit Form shall be surrendered by the consignor to the issuing authority.**