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Telangana State Sand Mining Rules, 2015

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**GOVERNMENT OF TELANGANA
ABSTRACT**

MINES & MINERALS - REGULATION OF SAND MINING - NEW SAND MINING POLICY, 2014 – FORMULATION OF TELANGANA STATE SAND MINING RULES – 2015 (TSSMR-2015) - ORDERS – ISSUED

INDUSTRIES & COMMERCE (MINES-I) DEPARTMENT

G.O.MS.No.3,

DATED:08-01-2015.

Read

G.O.Ms.No.38, Industries & Commerce (Mines.I) Department,
Dated:12-12-2014.

The following Notification shall be published in an Extraordinary Issue of Telangana State, Gazette dated:08-01-2015.

NOTIFICATION

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 and II order streams:

Sand extraction shall not be permitted in notified over-exploited areas except for local use in villages or towns bordering the Streams for bonafide 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 and II order Streams comprising of:
 - 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/ River Conservator. | : Member |
| (g) Executive Engineer, Rural Water Supply | : Member |
| (h) Environmental Engineer, Telangana State Pollution Control Board. | Member |
| (i) Nominee of Telangana State Mineral Development Corporation Ltd. (TSMDC) | : Member |
| (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 Department shall issue the feasibility report under Water, Land and Tree Rules, 2004 or any suitable subsequent rules/amendments to be issued by Government from time to time with geo-coordinates of the specified sand bearing areas, with specific recommendations on the mode of sand extraction.

(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 and furnish plan on village map.

(d) The Assistant Director of Mines & Geology shall arrive at the quantity of sand basing on the Ground Water Dept., feasibility report.

(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.
- (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-Chief, 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 alongwith the way bill in **Form-S2** issued by the Asst. Director of Mines and Geology concerned after paying the Seigniorage fee and other taxes as per the prevailing scheduled rate or revised from time to time.

(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) Sand from stockyard shall be dispatched by Telangana State Mineral Development Corporation with transit pass (Form-E) issued by Assistant Director of Mines and Geology concerned alongwith the computerized weighment slip.

(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 and above order streams/Rivers:

(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."

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 geo-coordinates 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.
- (2) After receipt of joint inspection report, the Asst. Director of Mines & Geology shall submit the proposals duly stipulating the period of de-casting to the District Collector.
- (3) District Collector after scrutiny shall submit proposal to the Govt.
- (4) After receipt of orders from the Govt. the Asst. Director of Mines & Geology concerned shall collect the seigniorage fee for the entire assessed sand quantity in advance, security deposit in the form of Bank Guarantee in favour of Asst. Director of Mines & Geology equivalent to seigniorage fee on the assessed sand quantity and enter into an agreement in **Form-S5** before issue of dispatch permits in **Form-S3**.

If Ad valorem rate of seigniorage fee is imposed, the Telangana State Mineral Development Corporation rate will be the bench mark for payment of seigniorage fee for de-casting sand from pattalands.

- (5) Responsibilities of the pattadar:
 - (a) Shall extract sand from the pattaland by manual/mechanized means as recommended by Ground Water Department and transport to the stockyard by tractors capacity not more than 3 cu. mt. alongwith transit form issued by the Asst. Director of Mines & Geology.
 - (b) Shall establish a stockyard by obtaining registration under MDR, 2000 or any suitable subsequent rules/amendments to be issued by Government from time to time from the Competent Authority at a location having proper road connectivity.

- (c) Shall dispatch sand from the stockyard to the consumers with Transit Pass in **Form-E** issued by Asst. Director of Mines & Geology concerned under MDR, 2000 or any suitable subsequent rules/amendments to be issued by Government from time to time.
- (d) Shall dispose sand from the stockyard as per the sale price fixed by the Government from time to time.
- (e) Loading of sand from the stockyard shall be as per the approved capacity of the vehicle with transit pass duly indicating the destination, date and time.
- (f) 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 shall be collected as penalty on de-casting of sand beyond the specified limits or in excess of permitted depth.
 - (ii) Repeated violations will result in cancellation of permission and forfeiture of security deposit.
 - (iii) Penalty of Rs.10,000/- per ton on vehicles carrying more than the permitted capacity from the stockyard
- (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 pattalands located in the midst of the river course/bed to Telangana State Mineral Development Corporation Limited as per Rule 2(i) readwith 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 stock yard registered under A.P. Mineral Dealer Rules, 2000 by competent authority with **Form-S4** issued by the Asst. Director of Mines & Geology concerned.
 - (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.

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 de-silting.

(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.

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 sand lorry found without valid waybill issued by Telangana State Mineral Development Corporation or by the pattadar (de-casting) will be deemed illegal and the vehicle shall be seized.

- (1) Any machinery and vehicles used for extraction and transportation of sand in contravention to these rules shall be seized.
- (2) The following officers in the State are authorized under these rules to seize a machinery or vehicle involved in illegal sand extraction and transportation.
 - a) Sub-Collector/Revenue Divisional Officer (concerned).
 - b) Tahsildar (concerned) Mandal.
 - c) Sub-Divisional Police Officer (concerned).
 - d) Station House Officer (concerned).
 - e) District/Divisional Panchayat Officer
 - f) Asst. Director of Mines & Geology (concerned).
 - g) Any other officer nominated by the Dist. Collector (concerned).
- (3) An officer authorized to seize any machinery/vehicle as per sub-rule (1) shall keep machinery/vehicle with Station House Officer concerned or Tahsildar concerned for safe custody and shall submit a report of such seizure to the Competent Court of Law.
- (4) An authorized officer who seizes any machinery/vehicle shall order confiscation of the machinery/vehicle so seized.
- (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.

15. Appeal and Revision:

- (i) In case of I and II order streams:
 - (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 and above order streams/rivers.

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 and a pattadar having permission for de-casting of sand from his /her patta land from the competent authority for the specified area mentioned therein shall be issued licence for stocking /storing /processing /trading of sand including manufactured sand under AP Mineral Dealer Rules, 2000 or under any suitable subsequent rules /amendments to be issued by the Government from time to time.

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.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA]

K. PRADEEP CHANDRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT AND
COMMISSIONER FOR INDUSTRIAL PROMOTION

To

The Commissioner of Printing, Stationary & Stores Purchase (Ptg. Wing) Hyderabad.
(He is requested to publish the above Notification in the Extra- Ordinary issue of Telangana Gazette, and arrange to send 2500 copies of the same to Government in Industries & Commerce (M.I) Department)

The Director of Translation, Telangana, Hyderabad. (He is requested to furnish the Telugu version of the Notification direct to the Commissioner, Printing, Stationary & Stores Purchase (Ptg.Wing), Hyderabad)

The Director of Mines and Geology, Telangana State, Hyderabad

The Vice Chairman & Managing Director,

Telangana State Mineral Development Corporation Ltd., Hyderabad.

All the District Collectors/Joint Collectors in the state of Telangana
through Director of Mines and Geology, Hyderabad.

The Irrigation & CAD Department.

The Panchayat Raj & Rural Development Department

The Revenue Department.

The Commissioner of Panchayat Raj, Hyderabad

All the Departments of Telangana Secretariat.

Copy to :

P.S. to Principle Secretary to the Hon'ble Chief Minister.

P.S to Hon'ble Minister for Mines and Geology.

P.S. to Hon'ble Minister for Panchayat Raj & Information Technology.

P.S. to Hon'ble Minister for Irrigation.

P.S. to Chief Secretary to Government.

P.S. to Special Chief Secretary to Government & CIP, Ind & Com Dept.

P.S. to Secretary to Government, Ind & Com Dept.,

The Joint Directors/Deputy Directors/Assistant Directors of Mines and
Geology Deptt., through the Director of Mines & Geology, Hyderabad.

The Law Department.

The General Administration (Cabinet) Department.

Sf/Sc. (C.No.9060/M.I(1)/2014)

//FORWARDED :: BY ORDER//

SECTION OFFICER

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 Joint Collector 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:

| Sl. No. | Reference Point | Geo-Coordinates | | Extent (in Ha) | Qty. of sand to be extracted (in Cu.Mt) |
|-----------------------------|-----------------|-----------------|----------|----------------|---|
| | | Longitude | Latitude | | |
| Specified sand bearing area | | | | | |
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| | | | | | |
| Ramp particulars | | | | | |
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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).

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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).

Government of Telangana

FORM – S2Sand Way Bill Form for specified sand bearing area
[See Rule 5(1)(d)]

Way Bill No. _____

District Code. _____

Book No. _____

1. Name & Address of the Allottee :

2 Description of specified sand bearing area :

- a) Name of the area
- b) Village
- c) Mandal

3. Date and time of issue :

4. Quantity under transportation : 3.00 Cu. Mt.

5 Vehicle No. :

6 Location of specified Stockyard :

- a) Survey No.
- b) Village
- c) Mandal

7 Date and time of receipt at Stockyard :

Signature of the Allottee.
Authorized representativeSignature
of the Issuing AuthorityNote:

1. Overwriting in any form in the way bills makes it invalid.
2. The driver shall carry the duplicate stamped copy of the way bill and handover it to the authorized person of the allottee at the designated stockyard.
3. The original Transit Form shall be surrendered to the issuing authority concerned within 15 days from the date of dispatch and the duplicate form shall be retained by the allottee to obtain transit passes.
4. The tractor driver shall produce the way bill to any authorized authority for checking purpose.

Government of Telangana
FORM – S3
 Sand Way Bill Form for Pattalands
 [See Rule 7(4)]

Way Bill No. _____

District Code _____

Book No. _____

1. Name & Address of the Pattadar :

2. Order No. & Date of permission
issued by ADM&G. :

3. Details of sand bearing area :

a) Sy.No. :

b) Village :

c) Mandal :

d) Extent :

4. Location of the Stockyard :

a) Sy.No.

b) Village

c) Mandal

5. Date & Time of issue :

6. Vehicle No. :

7. Quantity : 3.00 cum

8. VAT/TIN No. :

Signature of the Pattadar

Signature of the
Issuing AuthorityConditions :

1. Overwriting in any form in the way bills makes it invalid.
2. The driver shall carry the duplicate stamped copy of the way bill and hand over it at stockyard.
3. The original Transit Form shall be surrendered by the pattadar to the issuing authority.
4. The tractor driver shall produce the way bill to any authorized authority for checking purpose.

Government of Telangana
Form – S4
Way Bill Form for De-silted Sand
(See Rule 8(c)(ii))

- 1. Name of the Reservoir/Tank :
- 2. Order No. & Date of permission of Engg-in- Chief/Chief Engg, I&CAD Dept. :
- 3. Details of de-silting area :
 - a) Village
 - b) Mandal
 - c) District
- 4. Date & Time of issue :
- 5. Vehicle No. :
- 6. Quantity :
- 7. Location of the stockyard :
 - a) Sy.No.
 - b) Village.
 - c) Mandal.
 - d) District

Signature of the Allottee/Authorized
representative

Signature and Seal 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 way bill and handover it at stockyard.
- 3. The original Transit Form shall be hold with the Issuing Authority.

FORM – S5
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 and transportation to the stockyard 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, 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 pattadar shall de-cast sand from the specified pattaland situated in Survey No. _____, _____ Village, _____ Mandal, _____ District.
- (ii) Transport the de-casted sand to the specified stockyard by tractors having capacity not more than 3 Cu.Mt. and
- (iii) Dispose sand from the specified stockyard.

2. PERIOD OF THE AGREEMENT:

- (i) The agreement shall be inforce with effect from _____ to _____.
- (ii) The agreement is not transferable.

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PATTADAR

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) While de-casting of sand 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 the Seigniorage Fee on the assessed sand quantity for de-casting as per the prevailing rates or revised from time to time.
- (iv) Transport the de-casted quantity of sand during the period of agreement to the specified stockyard after payment of Seigniorage Fee in advance in lump sum as per the prevailing rates or revised from time to time.
- (v) 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 pattaland.
- (vi) Dispatch de-casted sand from the specified stockyard after obtaining Transit Passes in Form-E from the competent authority.
- (vii) Maintain records of dispatch of de-casted sand from the specified pattaland to the specified stockyard and shall file monthly returns on the quantity of sand de-casted to the Asst. Director of Mines & Geology & Deputy Director of Mines & Geology concerned.
- (viii) Maintain records of dispatched de-casted 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 Pattadar shall pay Seigniorage Fee in full in advance for the total quantity of sand to be de-casted before de-casting sand from the specified pattaland 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 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 S-2 from the Asst. Director of Mines & Geology concerned and dispatch de-casted sand from the specified pattaland to specified stock yard.
 - (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 use Tractors more than 3 Cu. Mt. capacity for transportation of sand de-casted from specified pattaland to stock yard.
 - (6) Not allow tractors carrying sand to ply over the flood banks.
 - (7) Use the paths authorized by the Tahsildar concerned to approach the specified pattaland.
 - (8) Transportation of de-casted sand from specified pattaland to the stockyard shall be through designated route only.
 - (9) 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.
 - (10) De-casting of sand from the specified pattaland shall be by manual means and no machinery is permitted except in specific pattalands where there is no impact on Ground Water table and with the prior approval of District Collector/District WALTA Authority.
 - (11) 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 confirmation authority on a case-to-case basis as per local conditions (to be mentioned).

ADM&G

PATTADAR