

2362

GOVERNMENT OF TELANGANA  
INDUSTRIES & COMMERCE (MINES.I) DEPARTMENT

Memo.No.1562/M.I(1)/2016-1.

Dated: 17-03-2016.

Sub: Mines & Quarries - Regulation of sand extraction and availability for local utilization in I, II & III Streams and IV, V & VI streams wherever I, II & III Streams are not available - Certain model guidelines as per the Telangana State Sand Mining Rules, 2015 - issued

Ref:- From the Director of Mines and Geology, Hyderabad Letter No.87/P/2014, Dated:12.02.2016

\*\*\*\*\*

In the reference cited, the Director of Mines and Geology, Hyderabad has stated that as per TWALT Rules, 2004 read with Rule 3 of Telangana State Sand Mining Rules (TSSMR) 2015, the regulation of sand extraction in I, II and notified over exploited III order streams shall be for local use in villages or towns bordering the streams for bonafide purposes other than commercial operations/public trading/ stocking etc.,

2. As per Rule 3 (6) of TSSMR,2015 the District Collector shall put in place proper administrative mechanism for enforcement of extraction and transportation of sand in I, II & III ( Notified over exploited areas) order streams comprising of Revenue, Ground Water, Irrigation, Police and Transport Departments.

3. Government have examined the above position and also felt that the local needs of sand wherever I, II & III Order Streams are not available, IV, V & VI Order Streams shall be considered to cater the demand of sand to the local need.

4. Accordingly, Government hereby issue the following model operation guidelines for extraction of sand for the local need.

**I) Regulation of sand extraction for local use in I, II & III (Notified over exploited areas) order streams by concerned District Collector:**

- i) At village level, the Gram Panchayat with the help of Mines and Geology, Ground water and Revenue Dept., officials shall identify and fix the boundaries of sand extraction areas.
- ii) The excavation and transportation of sand from the identified areas shall be by manual means under the supervision of Panchayat Secretary. In case, if the post of Panchayat Secretary is vacant, the Village Revenue Officer shall supervise the extraction. The concerned Gram Panchayat Sarpanch and Ward Members of Gram Panchayat shall be the overall in-charge of the process from extraction and transportation. But the extraction by mechanical means subject to permission from the District Collector as Ex-Chairperson for WALTA authority with a condition that there is no impact on ground water table.
- iii) The transportation of sand from the identified areas shall be by means of bullock carts / Tractors only within district as a unit.
- iv) No sand shall be transported outside the District jurisdiction.
- v) Sand extracted from I, II & III(Notified over exploited areas) order streams shall be exclusively for local use in the surrounding villages for domestic needs such as schools, Community halls.

- vi) Government sponsored weaker section housing schemes where collection of Seigniorage Fee is exempted.
- vii) Any eligible person shall apply before the Tahsildar concerned for required quantity of sand by paying requisite amount per cubic meter as fixed by the DLSC or District Collector.

The Tahsildar shall issue instructions to the concerned Panchayat Secretary duly enclosing the receipt in lieu of payment of amount for the required quantity of sand.

- viii) The Panchayat Secretary on receipt of instructions from the Tahsildar shall permit sand extraction for the specified quantity and issue way bills to the applicant.
- x) Sand extraction from the identified area(s) loading and transportation shall be done in day time only i.e., 6AM to 6PM. Any extraction, loading and transportation in night shall be treated as illegal and stringent action be taken against the concerned in addition to seizure of sand stocks.
- x) The administrative expenses spent for printing of way bills / receipts and other regulating works shall be collected separately from the consumers and remitted in District WALT Authority account separately.
- xi) The sale price per cubic meter shall be fixed by the District Collector to cater to the local needs.

ii) Regulation of sand extraction for local use in IV, V & above order Streams/Rivers by concerned District Collector:

Sand extraction shall not be permitted in notified over-exploited areas of order I and II streams except for local use in villages or towns bordering the streams for bonafide purposes other than commercial operations/public trading/stocking etc. Wherever, I, II, and III order streams are not available, DLSC of concerned districts can take a conscious and reasoned decision to execute the sand extraction to meet the local use purpose from the IV and above order streams. Whenever the DLSC takes the conscious and reasoned decision to utilize IV and above order streams for local use, the area must be less than five hectares, maximum of one each per mandal at any point of time. Local use is strictly for house building purposes by the residents for self consumption basis. The extraction of the sand must be through manual and transportation shall be through bullock cart/tractors only.

- i) The Chairman, District Level Sand Committee shall order for Joint inspection of identified sand bearing areas and obtain reports from the following.
  - > The Ground Water Department shall furnish the feasibility report under Water, Land and Tree Rules, 2004 or any suitable subsequent rules/amendments to be issued from time to time by Government from time to time with Geo-coordinates of the specified sand bearing areas, with specific recommendations on the mode of sand extraction.
  - > The Executive Engineer/River Conservator shall issue clearance for the ramps with Geo-coordinates.
  - > The Revenue Department shall demarcate the specified sand bearing area and furnish plan on village map. (GPS Coordinates must be fixed by Survey Department)
  - > The Assistant Director of Mines & Geology shall arrive at the quantity of sand basing on the Ground Water Dep., feasibility report.

2871

- ii) Based on the above reports, concern DLSC shall finalize the specified area and TSMDC Shall obtain all statutory clearances like Approved Mining Plan, Environment Clearance, CFE & CFO in the name of Telangana State Mineral Development Corporation Limited.
  - iii) TSMDC on behalf of the State Government/DLSC provide the services of managing these Sand reaches exclusively for local use for price equivalent to the actual Cost or the Cost as decided by the District Collector.
5. The amount collected on sale of sand shall be remitted in the concerned Gram Panchayat funds.

Head of account - Gram Panchayat Account.

In respect of Seigniorage fee charges of sand consuming agency shall remit in the following Z.P. head of account as per rules.

Major Head 8448	-	Depositing local funds
Sub Head 109	-	Panchayat Bodies funds
Sub Head 03	-	Zilla Parishad funds.

6. Apportionment of Seigniorage fee to Zilla Parishad General Funds:  
100% Seigniorage fee collected shall be remitted to the General Funds under the Head of Account of Zilla Parishad apportioned in the ratio of 25:50:25 among Zilla Parishad, Mandal Parishad and Gram Panchayat respectively.

7. All the District Collectors are hereby informed that the above guidelines are issued as model guidelines and these guidelines may be adopted or issue any other guidelines as deem fit for I, II and III order streams, and IV, V & VI Order Streams wherever I, II & III Order Streams are not available as per rules in consultation with respective Assistant Directors of Mines and Geology.

ARVIND KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT & CIP

To,  
All the District Collectors in the State.  
The Director of Mines and Geology, Hyderabad.  
The Vice Chairman & Managing Director, Telangana State Mineral Development Corporation Ltd., Hyderabad.  
All the Deputy Directors/Assistant Directors of Mines and Geology through the Director of Mines and Geology, Hyderabad  
The Revenue (LA) Department.  
The Panchayat Raj & Rural Development Department.  
The Irrigation & CAD Department.  
The Director of Ground Water Department.  
The Commissioner of Panchayat Raj Department.  
All the Gram Panchayats through the Commissioner of Panchayat Raj Dept.,

Copy to:

The Government Pleader for Industries, High Court, Telangana State, Hyderabad.  
P.S. to Hon'ble Minister (Mines & Geology)  
P.S. to Pri.Secretary to Government & CIP, Industries & Commerce Department.  
Sf/Sc.

//FORWARDED : : BY ORDER//

SECTION OFFICER