

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

Original Application No. 264 of 2024 (SZ)

[Earlier O.A. No. 691 of 2024(PB)]

WITH

Original Application No. 265 of 2024

(SZ) [Earlier O.A. No. 679 of 2024(PB)]

IN THE MATTER OF:

Chittibabu Bheemaneni.

...Applicant(s)

Versus

Director Mines and Geology, Andhra Pradesh and ors.

...Respondent(s)

REPORT FILED BY THE JOINT COMMITTEE

DATE - 11.01.2025



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

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Signed and verified on this the 6th day of January, 2025 at

Counsel for APPCB


6/1/2025
**ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office : TIRUPATI**

**JOINT COMMITTEE REPORT SUBMITTED TO THE HON'BLE NGT (SZ),
CHENNAI IN OA No. 264 OF 2024 (SZ) EARLIER OA No. 691 OF 2024(PB)LP WITH
OA No. 265 OF 2024 (SZ) EARLIER OA No. 679 OF 2024(PB)LP IN THE MATTER
"CHITTIBABU BHEEMANENI VERSUS DIRECTOR MINES AND GEOLOGY,
ANDHRA PRADESH AND OTHERS" IN COMPLIANCE TO ORDER DATED
19.07.2024**

1.0 Preamble

The Original Application 691 of 2024(PB)LP with 679 of 2024(PB)LP was registered at the Hon'ble NGT, Principle Bench, New Delhi, based on the letter received from Sh. Chittibabu Bheemaneni, Member, State Influencers Out Reach Programme Committee, Former GD Nellore Constituency Incharge, Telagudesham Party, G.D. Nellore Constituency, Chittoor District, Andhra Pradesh.

In the letter petition, it is enumerated that rampant and illegal sand mining activities are carried out in Ellapalli Reach, Mukkalthur Reach and Garampalli Reach in G.D. Nellore Mandal in Chittoor District of Andhra Pradesh.

2.0 Orders of the Hon'ble NGT

The Hon'ble NGT, Principle Bench, New Delhi, heard the case on 19.07.2024 and directed the following in the Order:

"4. However, before taking any further action in the matters, we find it appropriate to obtain a Factual Report for which we constitute a Joint Committee Comprising Collector/District Magistrate, Chittoor, Andhra Pradesh State Pollution Control Board, Director Mines and Geology, Andhra Pradesh and Central Pollution Control Board.

5. Andhra State Pollution Control Board shall be the Nodal Agency for co-ordination and compliance of this order.

6. The said Committee shall visit the site and collect relevant information and if finds any illegal sand mining in violation of environmental laws, take appropriate punitive,


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prohibitive and remedial action and file Report/action taken Report with Registrar, Southern Bench, Chennai of Tribunal within two months."

Further, the matter was transferred to the Hon'ble NGT, Southern Zone Bench, Chennai. The copy of the order dated 19.07.2024 in the matter of OA 691 of 2024(PB)LP with 679 of 2024(PB)LP is enclosed as **Annexure-I**.

The case is renumbered as OA 264 of 2024 (SZ) with OA 265 of 2024 (SZ) in the Hon'ble NGT, Southern Zone Bench, Chennai. A copy of the order dated 30.09.2024 in OA 264 of 2024 (SZ) with OA 265 of 2024 (SZ) is enclosed as **Annexure-II**.

3.0 Constitution of the Joint Committee

In compliance to the Hon'ble NGT directions, the Joint Committee is constituted comprising of the following members:

1. Sri M. Srinivasulu, Revenue Divisional Officer, Chittoor Division, Chittoor District (as nominated by the Collector/District Magistrate, Chittoor)
2. Sri. S. K. V. Satyanarayana, District Mines & Geology Officer, (DDM&G), Chittoor District, Andhra Pradesh
3. Smt. Sowmya. D, Scientist E, Central Pollution Control Board, Regional Directorate, Chennai
4. Sri. Ch. Rajasekhar, Environmental Engineer, Andhra Pradesh State Pollution Control Board, Regional Office, Tirupati

4.0 Joint Committee Site Visit and Inspection

The Joint Committee visited the following locations mentioned in the letter petition on 30.10.2024 at Bahudha River in Chittoor District, Andhra Pradesh:

1. Garampalli Reach
2. Mukkalthur Reach
3. Ellapalli Reach


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The Google map showing three locations inspected along Bahudha River are illustrated in Figure 1.

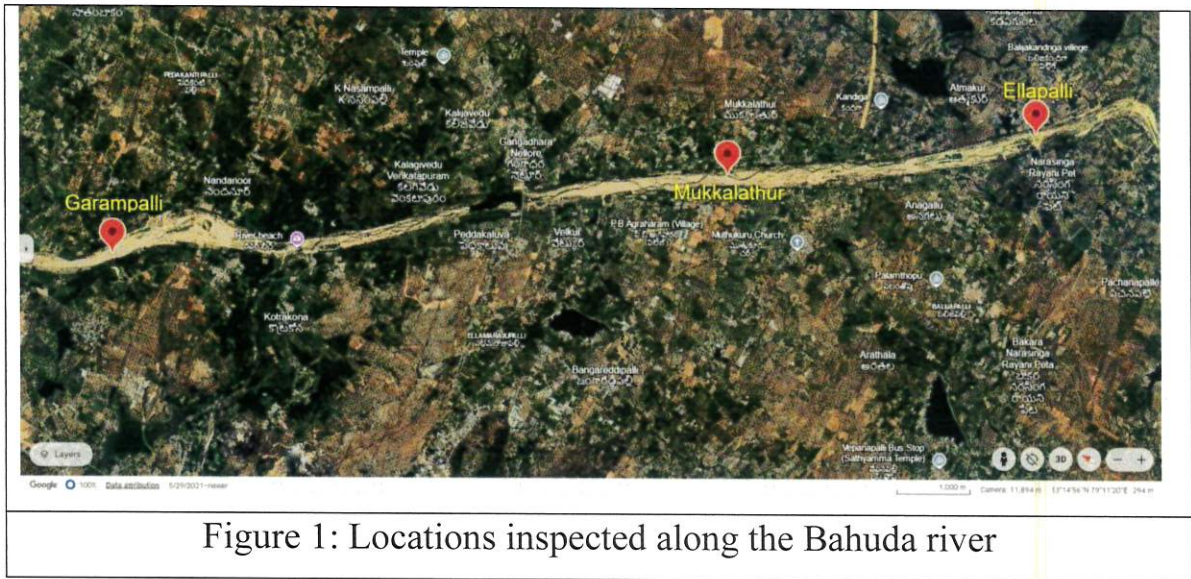


Figure 1: Locations inspected along the Bahuda river

The following officials were also associated with the Joint Committee during inspection:

1. Sri. V. Chandra Sekhar, Tahsildar, G.D. Nellore Mandal, Chittoor District.
2. Sri. V. Madan Mohan Reddy, Asst. Environmental Engineer, A.P. Pollution Control Board, Tirupati.
3. Sri. B. Srinivasa Rao, Royalty Inspector, O/o. District Mines & Geology Officer, Chittoor District
4. Sri. V. N. D. Chinmayachari, Technical Assistant, O/o. District Mines & Geology Officer, Chittoor District
5. Sh. Prabhu H Ganchi, Scientist B, CPCB, RD, Chennai
6. Sri. H. Ekambaram, Mandal Revenue Inspector, G.D. Nellore Mandal, Chittoor District.
7. Sri. S. Bhakar, Village Revenue Inspector, Kotrakona, G.D. Nellore Mandal, Chittoor District.
8. Local people from near by villages

L. Raj Sekh
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5.0 Sand Mining Policy in Andhra Pradesh:

In Andhra Pradesh State, “New Sand Policy, 2019 and Upgraded Sand Policy 2021” were in implementation till 08.07.2024. As per the “New Sand Policy, 2019 and Upgraded Sand Policy 2021”, sand extraction in I, II and III order streams was allowed only for local use in villages or towns bordering the streams for bonafide purposes by means of bullock carts/tractors. The District Level Sand Committee (DLSC) was constituted to identify feasible sand-bearing areas in IV, V, and above-order streams/rivers for the extraction of sand. Mine Plan, Environmental Clearances, Consent for Establishment and Consent for Operation are mandatory for identified sand mining reaches in IV, V and above order streams/rivers for mechanised sand mining.

The Government of Andhra Pradesh, through Order G.O Ms No. 43, Ind& Com(MINES III) Dept dated 08.07.2024, withdrew the “New Sand Policy, 2019 and Upgraded Sand Policy 2021” and introduced an interim mechanism for the supply of sand. Subsequently, through Order G.O Ms No. 66, Ind& Com(MINES III) Dept dated 25.10.2024, “Modified Free Sand Policy 2024 Guidelines” was introduced. As per “Modified Free Sand Policy 2024 Guidelines”, customary extraction of sand through manual methods and transportation through bullock carts/tractors by the consumers for personal use or community works within the local body area adjoining the streams is permitted. For the IV and above order streams, DSLC is entrusted to the identification of feasible sand-bearing areas and ensure the Mine Plan, Environmental Clearances, Consent for Establishment and Consent for Operation are obtained for identified sand reaches prior to mining by the identified Agency.

A copy of the New Sand Policy, 2019, is enclosed as Annexure III. The copies of G.O Ms No. 43, Ind& Com(MINES III) Dept dated 08.07.2024 and G.O Ms No. 66, Ind& Com(MINES III) Dept dated 25.10.2024 are enclosed as Annexures IV and V.

6.0 Observations of the Joint Committee Based on the Site Visit

The observations of the Joint Committee based on the site visit and inspection at Garampalli Reach, Mukkalthur Reach and Ellapalli Reach at Bahudha River on 30.10.2024 are as follows:


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6.0 Observations of the Joint Committee Based on the Site Visit

The observations of the Joint Committee based on the site visit and inspection at Garampalli Reach, Mukkalthur Reach and Ellapalli Reach at Bahudha River on 30.10.2024 are as follows:

6.1 Location 1: Garampalli Reach

During the Joint Committee visit at Garampalli Reach in Bahudha River, it was under IIIrd order stream observed that no mechanised sand mining was carried out. The sand reach at Garampalli has not been notified of mechanised sand mining by DLSC. A few local people were manually extracting the sand and loading it onto the tractors. On enquiry with the local people present at the location during the inspection, it was informed that sand was taken for local purposes in the village. No ramps for vehicle movement or signs of mechanised mining were observed in the surrounding area. There was sufficient vegetation growth (grass) in the river bed, indicating that no mechanical sand mining was carried out in the sand reach. The Google map showing the location of Garampalli Reach and photographs taken during the inspection are illustrated in Figures 2 and 3.



Figure 2: Google map showing location of Garampalli Reach

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Figure 3: Photographs of Garampalli Reach

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6.2 Location 2: Mukkalthur Reach

The sand reach at Mukkalthur has not been notified of mechanised sand mining by DLSC. During the Joint Committee visit, it was observed that mechanised or manual sand mining are not carried out at Mukkalthur Reach in Bahudha River under IIIrd order stream. The river bed has sufficient vegetation growth (grass). There were no signs of mechanised mining or ramp for vehicle movement were observed in the surrounding area, indicating that no mechanised sand mining was carried out in the sand reach. The Google map showing the location of Mukkalthur Reach and photographs taken during the inspection is illustrated in Figures 4 and 5.

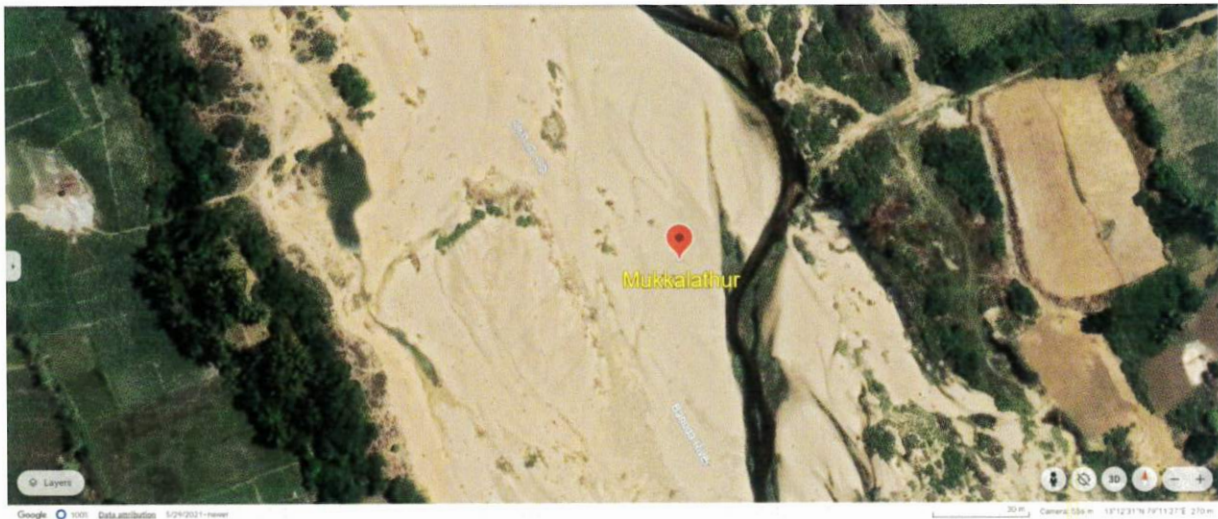
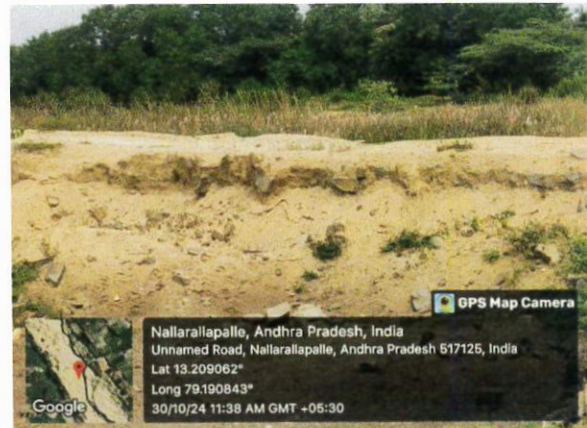


Figure 4: Google map showing location of Mukkalthur Reach



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Figure 5: Photographs of Mukkalthur Reach

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6.3 Location 3: Ellapalli Reach

The sand reach at Ellapalli has not been notified of mechanised sand mining by DLSC. During the Joint Committee visit at Ellapalli Reach in Bahudha River, it was observed that no mechanised sand mining was carried out. The sand reach is under III order stream. No ramps for vehicle movement or signs of mechanical mining were observed in the surrounding area. Sufficient vegetation (grass) growth in the river bed was observed indicating that no mechanical sand mining was carried out in the sand reach. A few local people were manually extracting the sand and loading it onto the tractors for local consumption in the village. The Google map showing the location of Ellapalli Reach and photographs taken during the inspection are illustrated in Figures 6 and 7.

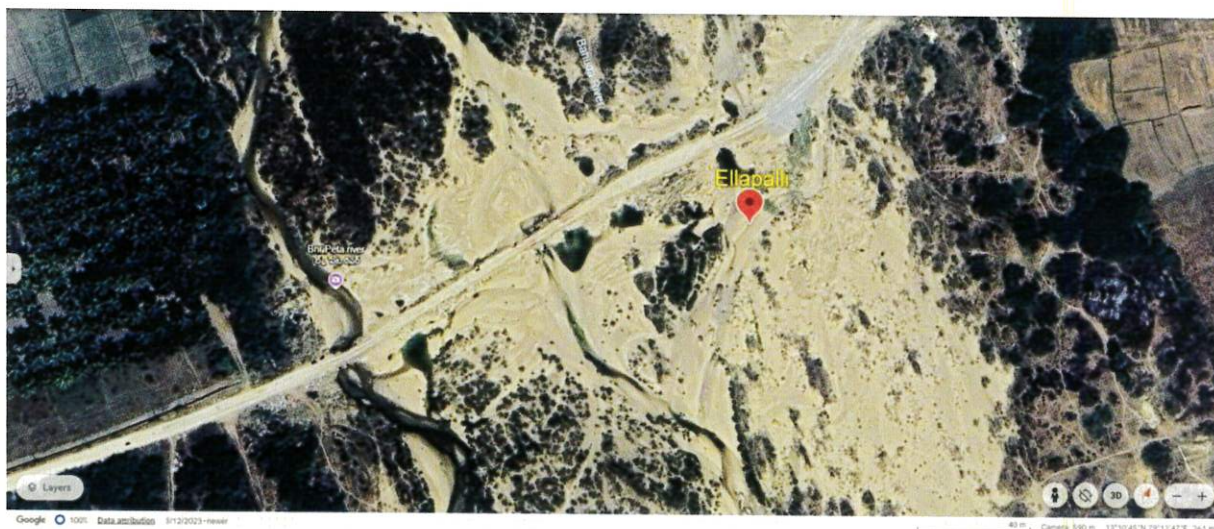
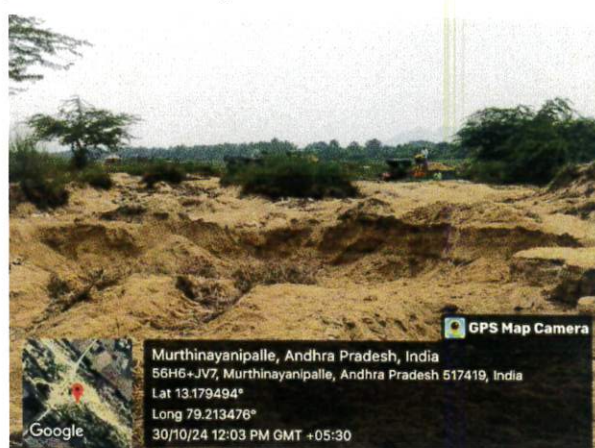


Figure 6: Google map showing location of Ellapalli Reach



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Figure 7: Photographs of Ellapalli Reach

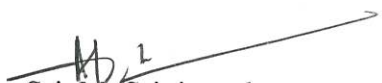
7.0 Conclusion:


Following are the conclusions based on the observations during the Joint Committee inspection:


1. Mechanized sand mining is not carried out at Garampalli Reach, Mukkalthur Reach and Ellapalli Reach in Bahudha River at Chittoor District. Sufficient vegetation (grass) growth in the river bed was observed during the inspection at these three reaches, indicating that no mechanical sand mining was carried out in the sand reaches. No ramps for vehicle movement or signs of mechanised mining were observed in the surrounding areas.


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2. At Garampalli Reach and Ellapalli Reach, a few local people were manually extracting the sand and loading it onto the tractors. On enquiry with the local people present at the location during the inspection, it was informed that sand was taken for local purposes in the village.
3. As per the earlier "New Sand Policy, 2019 and existing "Modified Free Sand Policy 2024 Guidelines", manual sand extraction in I, II, III order streams and higher order streams and rivers are allowed for local use within the villages or towns bordering the streams for bonafide purpose and transported only by means of bullock carts/tractors. Accordingly, the manual extraction of sand at Garampalli Reach and Ellapalli Reach is permitted as per the Sand mining policies implemented in Andhra Pradesh State.
4. Garampalli Reach, Mukkalthur Reach and Ellapalli Reach in Bahudha River are not notified for mechanized sand mining by DLSC.
5. During the inspection it was observed that mechanized sand mining or illegal sand mining are not carried out at Garampalli Reach, Mukkalthur Reach and Ellapalli Reach.


Sri. M. Srinivasulu,
Revenue Divisional Officer,
Chittoor Division, Chittoor District


Sri. S. K. V. Satyanarayana,
District Mines & Geology Officer,
(DDM&G), Chittoor District,
Andhra Pradesh


Smt. Sowmya. D.,
Scientist E,
Central Pollution Control Board,
Regional Directorate, Chennai


Sri. Ch. Rajasekhar,
Environmental Engineer,
Andhra Pradesh Pollution Control Board,
Regional Office, Tirupati


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A.P. Pollution Control Board
Regional Office : TIRUPATI

Item Nos.02 & 03

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 679/2024

Bheemaneni Chittibabu

Applicant

Versus

State of Andhra Pradesh

Respondent

With

Original Application No. 691/2024

Chittibabu Bheemaneni

Applicant

Versus

State of Andhra Pradesh

Respondent

Date of hearing: 19.07.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): None

ORDER

1. These Original Applications under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') have been registered exercising *suo-moto* jurisdiction on letter petitions dated 27.09.2023 and 28.09.2023, sent by Chittibabu Bheemaneni,

alleging that rampant and illegal mining activities are being carried out in Ellapalli Reach, Mukkalathur Reach, Garampalli Reach in GD Nellore Mandal which falls in District Chittoor, State of Andhra Pradesh.

2. Complaint is general and no details of any person who is allegedly carrying out mining have been given.

3. Be that as it may, if there is illegal sand mining in violation of environmental laws, it is a serious matter and hence, taking the complaint on the face of it, we find that substantial question relating to environment has arisen out of implementation enactments mentioned in Schedule I of NGT Act, 2010.

4. However, before taking any further action in the matters, we find it appropriate to obtain a Factual Report for which we constitute a Joint Committee comprising Collector/District Magistrate, Chittoor, Andhra Pradesh State Pollution Control Board, Director Mines and Geology, Andhra Pradesh and Central Pollution Control Board.

5. Andhra State Pollution Control Board shall be the Nodal Agency for co-ordination and compliance of this order.

6. The said Committee shall visit the site and collect relevant information and if finds any illegal sand mining in violation of environmental laws, take appropriate punitive, prohibitive and remedial action and file Report/action taken Report with Registrar, Southern Bench, Chennai of Tribunal within two months.

7. Since the matters relate to State of Andhra Pradesh, we direct Registry to transmit record of these Original Applications to Southern Bench of this Tribunal at Chennai for further orders.

8. List on 24.09.2024 before the Bench at Chennai.

Sudhir Agarwal, JM

Dr.Afroz Ahmad, EM

July 19, 2024
Original Application No.679/2024
And Original Application No.691/2024
M

Item No.05 & 06:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No. 264 of 2024 (SZ)[Earlier O.A. No. 691 of 2024(PB)LP]**WITH****Original Application No. 265 of 2024 (SZ)**[Earlier O.A. No. 679 of 2024(PB)LP]**IN THE MATTER OF:**

Chittibabu Bheemaneni.



...Applicant(s)

*Versus*Director Mines and Geology,
Andhra Pradesh and ors.

...Respondent(s)

Date of hearing: 30.09.2024.**CORAM:****HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER****In both cases:**

For Applicant(s): M/s. Ananda Gomathy & J. Padma Priya.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R3 & R4.
Mr. Thirunavukarasu for R2.

ORDER

1. The above cases had been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.691 of 2024 (PB) and Original Application No.679 of 2024(PB) based on the letter petition received from one Mr. Chittibabu Bheemaneni, Andhra Pradesh which has been transferred to this Bench and renumbered as Original Application No.264 of 2024 (SZ) and Original Application No.265 of 2024(SZ) respectively.

2. Let notice be issued to the respondents through the Tribunal.

3. The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of the Respondent No.1, 3 and 4 and Mr. Thirunavukarasu accepts notice on behalf of the Respondent No.2.

4. The interim report of the Joint Committee dated 28.09.2024 is filed.

5. Post the matter on **13.11.2024**. In the meanwhile, the respondents are directed to file their respective replies.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No. 264/2024 (SZ) &
O.A. No. 265/2024(SZ)
30th September, 2024. AD.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Regulation of Sand Mining in the State – Amendment to Andhra Pradesh Minor Mineral Concession Rules, 1966 - Orders – Issued

=====

INDUSTRIES, INFRASTRUCTURE, INVESTMENT & COMMERCE (MINES-II)
DEPARTMENT

G.O.MS.No. 71

Dated: 04-09-2019.
Read the following:

1. G.O.Ms.No.1172, Ind. & Com. Dept, dt:04-09-1967.
2. Govt. Memo.No.3066/M.II(1)/2016-3, Dt:04.03.2016.
3. Govt. Memo.No.3066/M.II(1)/2016-4, Dt:10.03.2016.
4. Govt. Memo.No.3066/M.II(1)/2016-7, Dt:22.03.2016.
5. G.O.Ms.No.42, Ind. & Com. (M.II) Dept., Dt:29.03.2016.
6. G.O.Ms.No.43, Ind. & Com. (M.II) Dept., Dt:06.04.2016.
7. G.O.Ms.No.104, Ind. & Com. (M.II) Dept., Dt:26.07.2017.
8. Government Memo No.6950/M.II(1)/2017-4, Dt. 07-06-2018
9. G.O.Ms.No.76, Ind. & Com. (M.II) Dept., Dt:25.06.2018
- 10.Govt. Memo.No. 3066/M-II(1)/2016-12 dt. 11.06.2019
- 11.Govt. Memo.No. 3066/M-II(1)/2016-14 dt. 12.06.2019
- 12.G.O.Ms.No.38, Ind. & Com. (M.II) Dept., Dt:17.03.2016
- 13.G.O.Ms.No.70, Ind. & Com. (M.II) Dept., Dt:04.09.2019
14. From the DMG, A.P., e-file No.INC01/MG0-POLI/18/2019–M.II
(Computer No.910066)

O R D E R:-

In the G.O. 13th read above, Government have introduced a New Sand Policy 2019, and decided to issue amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. Accordingly, the following notification shall be published in the Extra-Ordinary issue of the Andhra Pradesh Gazette dt.04.09.2019.

NOTIFICATION

In supersession of the orders issued in the references 2nd to 10th read above and other relevant notification / orders issued if any on the subject and in exercise of the powers conferred under sections 15 (1), (1A), 21 (2), 22, 23 and 23(c) of MMDR Act, 1957, the Government hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries (B-1), 4th September, 1967 as subsequently amended.

AMENDMENT

In the said rules, for the rule 9-B and the paras appended therein, the following shall be substituted namely,-

(1) Sand sourced from Rivers & Streams**(a) Sand extraction in I, II and III order streams:**

- (i) 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
- (ii) The Sand extraction shall be as per Rule 23-(1) (a) of Water Land and Tree Rules, 2004 or any subsequent rules/amendments to be issued by Government from time to time.
- (iii) Transportation of sand shall be by means of bullock carts/Tractors to the nearest specified stockyard only within the jurisdiction of the concerned Districts.
- (iv) The sand shall be supplied for local use within the District from the Specified stockyards as follows:

- (a) Sand may be sourced from streams of I, II and III order for local needs by bullock carts. In such cases, the Tahsildar of Mandal concerned shall issue a permit on payment of sale price per ton, as fixed by the Government.

- (b) Sand should be made available for Government sponsored weaker section housing schemes free of cost duly paying applicable charges on a certificate issued by the District Collector or any officer authorized by the District Collector;

- (c) Sand is supplied for local use of sand in Government works on payment of Sale price and other applicable taxes & charges.

- (d) M/s APMDC Ltd shall dispose the Sand as per the procedure laid down in the sub-rule 1(d) of Rule 9-B below.

- (v) The District Collector shall put in place proper administrative mechanism for enforcement of WALTA regulations in extraction and transportation of sand in I, II and III order Streams comprising of:

- (a) Tahsildar concerned

- (b) Representative of Deputy Director, Ground water Department.

- (c) Assistant Engineer / Deputy Executive Engineer (concerned), RWS/Irrigation Department

- (d) Station House Officer (concerned), Police Department

- (e) Assistant Motor Vehicle Inspector / Motor Vehicle Inspector (concerned) from Transport Department

(b) Identification of Sand reaches in IV, V and Higher order streams**(i) Constitution of District Level Sand Committee (DLSC):**

The identification of feasible sand bearing areas in IV, V and above

order streams/rivers for extraction shall be done by the District Level Sand Committee. The members of the committee are as follows:

- (a) District Collector : Chairman
- (b) Joint Collector : Vice-Chairman
- (c) *Project Officer, ITDA concerned. : Member
- (d) Superintendent of Police: Member
- (e) District Panchayat Officer : Member
- (f) Regional Transport Officer: Member
- (g) Dy. Director, Ground Water Dept. : Member
- (h) Executive Engineer, Irrigation/River Conservator. : Member
- (i) Executive Engineer, Rural Water Supply : Member
- (j) Environmental Engineer, Andhra Pradesh State Pollution Control Board. Member
- (k) Assistant Director of Mines & Geology concerned: Member
- (l) Deputy Director of Mines & Geology concerned. : Member-Convener
- (m) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited : Member
- (n) Any other invitees as suggested by the Chairman

*In case of sand reaches falling partly or fully in Scheduled Areas.

- (ii) The Member-Convener shall convene the District Level Sand Committee (DLSC) meetings frequently to ensure sand availability in the District.
- (iii) The Deputy Director of Mines & Geology concerned shall identify the potential sand bearing areas on regular basis and place proposals for extraction before District Level Sand Committee.
- (iv) The Chairman, District Level Sand Committee shall order for joint inspection of identified sand bearing areas and obtain reports from the following:
 - (a) The Revenue Department shall demarcate the specified sand bearing area, where Sand is feasible for extraction, as per the geo-coordinates recorded along with two permanent references points and furnish the sketch.
 - (b) The Ground Water Dept. shall issue the feasibility report under Water, Land and Tree Rules, 2004 or any 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 along with specific recommendations on the thickness and mode of sand extraction.
 - (c) The Executive Engineer/River Conservator shall issue clearance for the specified sand bearing areas with Geo-coordinates along with details of the ramps.
 - (d) The Assistant Director of Mines & Geology concerned shall arrive at the quantity of sand feasible to be extracted basing on the Ground Water Department's feasibility report.

- (e) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited shall accompany the team during the joint inspection to plan the subsequent operations.
- (v) The Collector & Chairman, District Level Sand Committee shall finalize the specified sand bearing areas based on Joint Inspection report and order the Deputy Director of Mines & Geology to obtain Approved Mining Plan, Environmental Clearance, Consent for Establishment and Consent for Operation from the competent authorities in the name of District Collector.
- (vi) After obtaining Statutory Clearances, District Collector shall entrust the work to M/s APMDCLTD and M/s APMDCLTD shall start extraction from the specified sand bearing area.

(c) Extraction of sand from specified sand bearing areas:

M/s. Andhra Pradesh Mineral Development Corporation Ltd. shall:

- (i) Extract sand by engaging a raising contractor from the specified sand bearing area to an approved stock yard. The raising contractor will be selected through a competitive reverse bidding process.
- (ii) Ensure the extraction of sand shall be as per the approved mining plan, Environment Clearance & CFE/CFO.
- (iii) Ensure that the extracted sand shall be moved to specified stock yards along with the Trip sheet in Form-S1.
- (iv) Establish CCTV cameras for monitoring of sand operations and vehicular movement.

(d) Disposal of sand from specified Stockyards:

M/s. Andhra Pradesh Mineral Development Corporation Ltd. shall:

- (i) Collect sale price and other applicable taxes and charges from the purchaser of Sand and credit the same to the Government Treasury account through the online system and issue Sand Sale Booking order in Form- S2 to the customer.
- (ii) Load the sand as per the approved capacity of the vehicle through weighment. In case of exigency, volume based loading is permitted for only a limited period.
- (iii) Issue Sand Waybill in Form -S3 to the vehicle driver prior to dispatch of sand from the stockyard
- (iv) Maintain daily production and dispatch register and statutory returns/clearances prescribed under various statutes
- (v) Furnish a sand reach area-wise monthly and yearly returns statement in Form -S4 and Form -S5 on the quantity of sand excavated and transported to specified stockyard(s) as well as sand dispatched from the specified stockyard to the end customers.
- (vi) Establish weighbridges and CCTV cameras to monitor sand operations and vehicular movement

- (vii) Put in place a system for real time tracking of sand carrying vehicles with GPS devices till the sand is delivered to the end consumer.

(e) Regulation of sand transportation in IV, V and above order streams/ Rivers:

- (i) The sand extracted from IV, V and above order Streams/Rivers shall be utilized anywhere within the State.
- (ii) The District Collector shall put in place a proper administrative mechanism for enforcement of extraction and transportation of sand by constituting Mandal level teams
- (iii) Sand used in the weaker section housing programme shall be exempted from any fee on a certificate issued by the District Collector or any officer authorized by District Collector.
- (iv) The period of extraction shall be One (1) year from the date of Consent for Operation (CFO) or exhaustion of permitted quantity whichever is earlier.
- (v) The DLSC shall review the status of Sand quarry at least thirty (30) days before the date of expiry of CFO or exhaustion of permitted quantity and order for joint inspection to explore continuation of extraction.
- (a) If the specified sand bearing area is feasible for sand extraction, the Chairman-DLSC shall call for Approved Mining Plan, EC, CFE & CFO and approve for continuation of extraction upon receipt of statutory clearances.
- (b) 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

(f) Constitution of State Level Committee (SLC):

- (i) The State Level Committee shall consists of the following Officers:

State Level Committee	
Chief Secretary	Chairman
Director General of Police	Member
Secretary, Mines, III & Com. Dept	Member
Secretary, Revenue Dept.	Member
Secretary, PR & RD Dept..	Member
Secretary, Water Resource Dept.	Member
VC&MD, M/s APMDC Ltd	Member
Commissioner, Rural Development	Member
Commissioner, Transport Dept.	Member
Member-Secretary, APPCB	Member
Director, Ground Water Dept.	Member

Engineer-in-Chief, Irrigation Dept.	Member
Director of Mines & Geology	Member – Secretary
And any invitees as suggested by the Chairman	

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

(g) Complaint Redressal Mechanism:

A complaint Redressal mechanism is established to redress the grievances/complaints made by any citizen/NGOs in an effective and time bound manner:

- (i) Complaint Redressal Committee comprises of the following:
- (a) Collector and District Magistrate concerned –Chairman.
 - (b) Superintendent of Police of concerned District –Member.
 - (c) Deputy Director of Mines and Geology concerned–Member – Convener.
- (ii) Enquiry Team comprises of:
- (a) Revenue Divisional Officer concerned.
 - (b) Deputy Superintendent of Police concerned.
 - (c) Assistant Director of Mines and Geology concerned.
- (iii) The procedure of the Complaint Redressal Committee (CRC) is as follows:
- (a) Any person/Non-Governmental Organization/party may file a complaint regarding illegal sand mining, illegal transportation and illegal stocking to the Collector and District Magistrate with material evidence either through online or otherwise. Each such complaint will be uniquely numbered.
 - (b) On receipt of such complaint, the Collector and District Magistrate, shall forward the complaint to the enquiry team to conduct enquiry by duly causing inspection by calling the complainant and the other party if any, and submit enquiry report within thirty (30) days from the date of receipt of complaint.
 - (c) On receipt of enquiry report, the Complaint Redressal Committee shall take the decision on the report of the Enquiry team and pass speaking orders within fifteen (15) days.

(d) If aggrieved by the orders passed by the complaint redressal committee, the complainant may prefer an appeal before the State Level Redressal Committee comprising of :

- (i) Prl. Secretary/Secretary Mines, Industries & Commerce Department - Chairman
- (ii) Additional Director General (Law and order) of Police - Member
- (iii) Director of Mines & Geology – Member - Convener

The State Level Redressal Committee after due consideration shall dispose the appeal and pass speaking orders within thirty (30) days from the date of filing of appeal.

(2) De-Siltation of Dams/Reservoirs/Barrages/Large Tanks:

The Irrigation Department shall take-up de-siltation of Dams, Reservoirs, Barrages and large tanks directly or by allotting the work to M/s APMDC Ltd.

(a) De-siltation of sand by Irrigation Department

- (i) The Executive Engineer, Irrigation Department shall define and demarcate the area to be de-silted with Geo-coordinates for the purpose.
- (ii) There shall be joint inspection of the demarcated area by the Assistant Director of Mines & Geology concerned, Executive Engineer, Irrigation Department and nominee of M/s. Andhra Pradesh Mineral Development Corporation Ltd. to ensure that the demarcated area to be de-silted by Irrigation Department shall not overlap with any of the area(s) already under de-siltation or likely to be de-silted by M/s. Andhra Pradesh Mineral Development Corporation Limited.
- (iii) The Executive Engineer, Irrigation Department shall quantify the sand likely to be sourced by de-silting process.
- (iv) The Irrigation Department shall put in place a suitable administrative mechanism, as per the rules, at the field level to efficiently supervise the de-siltation process, for monitoring of dispatched sand and also to prevent any misuse of sand sourced from de-siltation.
- (v) The sand available after desilting should be handed over to M/s APMDC Ltd. for transporting to stockyards in Form S1 for supply to Government works and public use as per the procedures laid down by M/s APMDC Ltd.

(b) De-siltation of Sand in Irrigation Projects by M/s APMDC Ltd.

In case of handing over the areas to M/s APMDC Ltd., M/s APMDC Ltd. shall undertake the de-siltation work by following the norms.

(c) Disposal of sand sourced from Irrigation Projects from Stockyards

M/s APMDC Ltd shall dispose the sand from the specified stockyards as per the procedure laid down in the sub-rule 1(d) of Rule 9-B.

(3) De-casting sand from Patta lands:

- (a) De-casting in patta lands falling within River bed:
- (i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.
 - (ii) District Collector shall forward the application to the Asst. Director of Mines & Geology (ADMG) concerned and the ADMG shall take up joint inspection of the patta land with the following:
 - (a) Tahsildar shall identify the patta land, possessor/ occupier and furnish attested sketch demarcating the area. The boundaries will then be fixed on ground.
 - (b) The project officer/nominee of M/s APMDC Ltd. shall also be part of joint inspection team for the patta land where the pattadar is giving willingness/consent for de-casting sand to M/s APMDC Ltd.
 - (c) Mandal Agriculture Officer shall assess the thickness of the sand to be removed to make the land fit for agriculture.
 - (d) The Ground Water Dept. shall record the geo coordinates of the patta land as per boundaries fixed by the Tahsildar and give feasibility report.
 - (e) Executive Engineer, Irrigation Dept., concerned shall issue clearance for de-casting of patta lands and the location of patta land with reference to river course/bed along with the ramp points.
 - (f) Assistant Director of Mines & Geology shall stipulate the period of de-casting and assess the feasible quantity of sand to be de-casted.
 - (iii) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.
 - (iv) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.
 - (v) After receipt of orders from the District Level Sand Committee (DLSC), District Collector shall issue necessary permission to the Deputy Director of Mines & Geology to obtain necessary statutory clearances from the competent authorities in the name of District Collector.
 - (vi) Upon receipt of the statutory clearances, the District Collector shall entrust the work to M/s APMDC Ltd. for de-casting.
 - (vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.
 - (viii) The Pattadar will be paid a beneficiary amount as fixed by the Government.

- (ix) M/s APMDC Ltd. shall appoint a raising contractor under competitive reverse bidding process.
- (x) The sand so de-casted shall be moved to stockyards managed by M/s. APMDC Ltd. for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.

(b) De-casting in patta lands falling outside River bed and sand casted due to Marine sea transgression & regression

- (i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.
- (ii) District Collector shall forward the application to the Asst. Director of Mines & Geology(ADMG) concerned
- (iii) The ADMG along with the concerned officials, as per the procedure laid down in sub-rule 3 (a)(ii) of Rule 9-B, shall take up joint inspection of the patta lands and submit the joint inspection report to DLSC.
- (iv) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.
- (v) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.
- (vi) The District Collector shall entrust the work to M/s APMDC Ltd. for de-casting and disposal of the sand.
- (vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.
- (viii) The pattadar will be paid a beneficiary amount as fixed by the Government.
- (ix) Depending upon the extent of patta land or quantity of sand to be de-casted, the Andhra Pradesh Mineral Development Corporation shall appoint a raising contractor under competitive bidding process.
- (x) The sand so de-casted shall be moved to stockyards managed by the Andhra Pradesh Mineral Development Corporation for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.
- (xi) Any contravention of conditions for de-casting by the pattadar, the Chairman, DLSC may order for collection of:
 - (a) Rs.1,00,000/- or Rs.500/- per TON whichever is higher as penalty on de-casting sand beyond the specified extent or in excess of permitted depth.
 - (b) Repeated violations will result in cancellation of permission
- (xii) To prevent indiscriminate removal of sand from patta lands abutting the Riverbed, more rigorous vigilance and inspections shall be taken up.

(4) Fixation/Revision of Sale price of Sand:

- (a) The sand shall be disposed to the end consumer from the specified

stockyards at a sale price as fixed by the Government plus transportation charges and other applicable taxes and charges.

(b) Sale price of sand per ton shall be reviewed and revised by the State Government as and when necessary.

(5) Incidental charges:

M/s APMDC Ltd. may, with the prior approval of the Government, collect incidental charges additionally towards maintenance of village link roads and service charges for stockyard maintenance.

(6) 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.

(7) Contribution to DMF:

The Director of Mines & Geology shall issue apportionment orders to the districts.

(8) Contribution to MERIT:

The Director of Mines & Geology shall issue apportionment orders to the MERIT.

(9) Remittance of sale proceeds of the Sand:

The sale proceeds of the sand shall be remitted to the Government as per the procedure laid down by the Finance Department.

(10) Release of operating expenditure to M/s APMDC Ltd.:

The operating costs, administrative charges and Service charges incurred by M/s APMDC Ltd, shall be reimbursed by the Government and will be released by Director of Mines & Geology, Ibrahimpatnam periodically to M/s APMDC Ltd.

(11) Sand extraction in Scheduled areas:

- (a) Excavation and transportation of Sand to the designated stockyards from Sand bearing areas located partially/fully in Scheduled Areas shall be done by forming Tribal Societies as per the Panchayats Extension to Scheduled Areas (PESA) Rules, 2011 or any rules/amendments made there under with Technical and Administrative support from M/s APMDC Ltd. under the direct supervision and control of the Agency Magistrate/District Collector concerned. M/s APMDC Ltd. shall dispose the sand from the stockyards by following the norms as per sub-rule 1 (d) of Rule 9-B.
- (b) Operational guidelines shall be issued by the District Collector from time to time.

(12) Registration of Vehicles/carriers/lorries for Sand Transportation:

All the vehicles/carriers/lorries involved in sand transportation shall be registered online with M/s. APMDC Ltd. / Director of Mines & Geology for detection from other vehicles transporting sand through un-authorized sources. All Sand carrying vehicles shall have to be equipped with AIS 140 GPS devices.

(13) Prohibition of sand quarrying within Safety zones

Excavation and transportation of sand is prohibited within the safety zones of 500 meters, or as prescribed by the concerned Departments, from the Groundwater structures, road & railway bridges, railway lines and cross drainage structures, National and state highways etc. The concerned Departments shall protect the structures by displaying Boards near the prohibited structures. The officers shall be nominated by the concerned Heads of the Departments to exercise the powers mentioned in the sub-rule 16 of Rule 9-B to prevent unauthorized sand quarrying in prohibited areas.

(14) Prohibition of stocking of sand

No person, unless permitted by the Government, is allowed to stock the sand beyond the stated requirement in its application made online and shall not sell nor involve in any re-sale of sand. The applicant at all times would be obliged to utilize the sand only for the purpose stated in the application.

(15) Ban on sand transportation across the border:

Transportation of sand beyond the borders of the state is prohibited.

(16) Offences and Penalties:

The following penal provisions are applicable against the persons who involved in sale/illegal extraction/un-authorized excavation of sand in prohibited areas, trading and selling of sand, charging beyond cost of transportation and excavation, transporting sand without GPS devices, use or usage of machinery and vehicles in un-authorized excavation and transportation of sand to other States.

(a) In the case of the vehicles engaged in illegal/ un-authorized excavation in the prohibited areas (i.e. within 500 meters from the Ground water structures, Bridges, Dams, Railway lines and cross drainage structures etc.), transportation of sand outside the State and found transporting sand without valid Sand Way bill issued by the Asst. Director of Mines & Geology concerned, shall be penalized as follows:

Vehicle Type	First time (In Rs.)	Second time (In Rs.)
Tractor	Upto 10,000/-	Rs. 10,001 to 20,000/-
Lorry fitted with upto 10 tires capacity	Upto 25,000/-	Rs. 25,001/ to -50,000/-
Lorry fitted with above 10 tires	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-
Machinery	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-

- (b) Any vehicle transporting sand, if found, carrying sand in excess of the quantity specified in the Sand Way bill OR in excess of quantity permitted by the Transport Dept., penalty shall be levied on such excess quantity @ Rs.2000/- per MT.
- (c) Any vehicle transporting sand, if found, without installing GPS devices, shall be considered as illegal transportation of sand and the penalty shall be levied on the total quantity of sand available in the truck @ Rs.2000/- per ton.
- (d) Whenever any person extracts sand or has extracted sand in the areas other than those notified for lawful excavation, the officer authorized under sub-rule 16(f) of Rule 9-B shall assess such quantity of sand and levy and collect @ Rs.2,000/- per ton of sand or Rs.2.00 lakhs, whichever is higher, as penalty.
- (e) If any stock of sand beyond a person's reasonable requirement is stocked / hoarded / black marketed / sold, it shall be seized by the officer authorized under sub-rule 16(f) of Rule 9-B. The person shall be penalized as per sub-rule 16(d) of Rule 9-B.
- (f) Officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining / stocking / hoarding / selling / black marketing in the State authorized under these rules are as follows:
- (i) District Collector(Concerned)
 - (ii) Joint Collector(Concerned)
 - (iii) Superintendent of Police(Concerned)
 - (iv) Additional Superintendent of Police/OSD(Concerned)
 - (v) Sub-Collector/ Revenue Divisional Officer (Concerned).
 - (vi) Tahsildar (Concerned) Mandal.
 - (vii) Sub-Divisional Police Officer (Concerned).
 - (viii) Station House Officer (Concerned).
 - (ix) District/Divisional Panchayat Officer
 - (x) Deputy Director of Mines and Geology (Concerned)
 - (xi) Asst. Director of Mines & Geology (Concerned).
 - (xii) Any other officer nominated by Dist. Collector (Concerned)
- (g) The vehicle/machinery, found involved in any violation more than two times, such vehicle/machinery along with sand shall be seized by officers authorized in sub-rule 16 (f) of Rule 9-B duly following the procedure as under:
- (i) Issue show cause notice to the person/owner from whom the vehicle/machinery is seized.
 - (ii) Immediately take steps by preparing seizure 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.

- (iii) 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 along with an application to the authorized officer seeking release of vehicle/machinery.
- (iv) 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 along with an affidavit/undertaking to produce the seized vehicle/machinery as and when required.
- (v) The fine paid as per the orders of Competent Court; the security furnished as per clause (iv) above 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.

(h) Disposal of seized sand illegally stored:

- (i) 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.
 - (ii) Such seized sand shall be disposed by concerned Tahsildar/Sub Collector/RDO or any officer nominated by District Collector with the approval of the District Collector & Chairman of the District Level Sand Committee (DLSC) at the sale price as adopted and sale proceeds shall be remitted to the Government treasury.
 - (iii) The Sand Way bill for the seized sand shall be issued by the Asst. Director of Mines & Geology concerned in Form-S3.
- (i) M/s Andhra Pradesh Mineral Development Corporation Ltd. being the agent, shall be penalized for any extraction of sand beyond the specified area beyond the specified thickness and for any other violations by levying penalty of Rs.1,00,000/- or Rs.500/- per TON of sand quarried beyond the specified limits or in excess of thickness stipulated, whichever is higher.

(17) Appeals and Revisions:

(a) In case of I, II & III order (notified over exploited) streams:

- (i) Any person aggrieved by an order passed by the Authority at mandal level may prefer the appeal before the Joint Collector within fifteen (15) days from the date of receipt of such order.

(ii) 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.

(b) In case of IV, V (non-notified) and above order streams/rivers:

Against any order passed by the Chairman, DLSC, Deputy Director of Mines & Geology or Asst. Director of Mines & Geology, the aggrieved person may prefer a revision to the Government within thirty (30) days from the date of receipt of such order.

(18) Powers to issue Orders/Clarifications/Guidelines:

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

(19) Applicability of General Provisions:

The General provisions of Minor Mineral Concession Rules, 1966 or any 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 to any situation, which is not expressly stated herein."

(Encl: Annexures Form - S1 to Form - S5)

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMGOPAL
SECRETARY TO GOVERNMENT (MINES)

To

All the District Collectors in the State of A.P.
The Director of Mines & Geology, A.P, Hyderabad.
The Vice Chairman & Managing Director, APMDC Ltd.

Copy to:

All the District Treasury Officers in the State of A.P.
The Director, Treasuries & Accounts, A.P., Vijayawada.
The Pay and Accounts Officer, Vijayawada.
The Accountant General of Andhra Pradesh, Vijayawada.
The P.S. to Hon'ble Deputy Chief Minister for Revenue
The P.S. to Hon'ble Minister for PR & RD and Mines & Geology
The P.S. to Hon'ble Minister for Water Resources (Irrigation)
The P.S. to Hon'ble Minister for Finance & Planning
The P.S. to Hon'ble Minister for Home
The P.S. to Hon'ble Minister for Housing
The P.S. to Secy. (Mines)
The Law (H) Department.
The Finance (FMU-REV-I&C) Department
Sf/Sc (File No: INC01-MG0POLI/18/2019.M.II) (Com. No. 910066)

//FORWARDED :: BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH



FORM – S1

Sand Trip sheet from Sand

bearing area/ De-silted area/Patta

land to Stockyard

[See Rule 9B(1)(c)(iii) &9B(2)(a)(v) of APMMC Rules, 1966]

Sand Reach code: _____

1. Trip No: _____
2. Date and time of issue : _____
3. Vehicle No. : _____
4. Quantity under transportation : Cu.Mt.
5. Name of the Raising Contractor:
6. Description of specified sand bearing area/Desilted area/Patta land :
 - a) Name of the area
 - b) Village
 - c) Mandal
7. Location of specified Stockyard :
 - a. Survey No.
 - b. Village
 - c. Mandal
8. Date and time of receipt at Stockyard : _____

Signature of the Receiving authority at
StockyardSignature of the Issuing Authority at
Sand Reach

Note:

1. Overwriting in any form in the Trip sheet makes it invalid.
2. The Trip sheet shall be issued in duplicate
3. The driver shall carry the issued original Trip sheet and handover it to the authorized person of the allottee at the designated stockyard.
4. The tractor driver shall produce the Trip sheet to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH




FORM – S2

Sand Sale Booking

Order Receipt

[See Rule 9B(1)(d)(i)& 9B (2)(a)(vii) of APMMC Rules, 1966]

		GSTIN:
Order No.	Order date:	Valid upto:
Customer name		
Customer Mobile		
Customer GSTIN		
Delivery Address		
Vehicle No:		
Chasis No:		
Ordered Sand Quantity	/ CBM	/TON
Sand Price:		
CGST (2.50 %)		
SGST (2.50 %)		
Amount Paid (Rs)		
Stockyard Name		
Stockyard Address		
Stockyard Contact Details		
Project Officer Contact Details		
 AP Mineral Development Corporation charges (if any as approved by the Government)		
		GSTIN:
Service Charge (Rs.5/ CBM)		
Road Damage charges		
CGST (9%)		
SGST (9%)		
Amount paid (Rs.)		

GOVERNMENT OF ANDHRA PRADESH



FORM – S3

Sand Way bill

from Stockyard to End

user

[See Rules 9B(1)(d)(iii), 9B(2)(a)(vii)& 9B(16)(h)(iii) of APMMC Rules, 1966]

Way Bill No. _____ District Code _____

1. Name of the Mineral: ORDINARY SAND
2. Customer name:
3. Customer contact number:
4. Delivery address:
5. Sand Booking Order ID & Date:
6. Order quantity: ___ cbm / ___Tons
7. Order amount paid:
8. Stockyard address:
9. Stockyard person contact number
10. Loaded quantity: ___ cbm / ___Tons
11. Vehicle Registration No:
12. Driver name:
13. Driver Contact No.:
14. Valid Till:
15. QR Code:

Signature of the ADMG Concerned

Signature of the Issuing Authority

Note:

1. Overwriting in any form in the way bills makes it invalid.
2. The Way bill shall be issued in duplicate
3. The driver shall carry the issued original Way bill
4. The Vehicle driver shall produce the Way bill to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH



FORM – S4

Sand Way bill from De-Silted area to End user

[See Rule 9B(2)(a)(vii) of APMMC Rules, 1966]

Way Bill No. _____

District Code _____

1. Name of the Mineral: ORDINARY SAND
2. Customer name:
3. Customer contact number:
4. Delivery address:
5. Sand Booking Order ID & Date:
6. Order quantity: ___ cbm / ___Tons
7. Order amount paid:
8. De-silted area details:
 - a) Name of the area
 - b) Village
 - c) Mandal
 - d) Extent in Ha.
 - e) Area code
9. Details of Custodian of De-silted area
 - a) Name
 - b) Contact number
 - c) Address
10. Loaded quantity: ___ cbm / ___Tons
11. Vehicle Registration No:
12. Driver name:
13. Driver Contact No.:
14. Valid Till:
15. QR Code:

Signature of the ADMG Concerned

Signature of the Issuing Authority

Note:

1. Overwriting in any form in the way bills makes it invalid.
2. The Way bill shall be issued in duplicate
3. The driver shall carry the issued original Way bill
4. The Vehicle driver shall produce the Way bill to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH



FORM – S4

Monthly Statement of extraction and disposal of Sand
 [See Rules 9B(1)(d)(v) of APMMC Rules, 1966]

Form S7-A

S.No	Date	Production	Production Cumulative	Dispatch to Stockyard	Dispatch Cumulative	Balance

Form S7-B

S.No	Date	Production	Production Cumulative	Dispatch to Destination	Dispatch Cumulative	Balance

Signature of the Authorized Signatory

GOVERNMENT OF ANDHRA PRADESH



FORM – S5

Yearly Statement of extraction and disposal of Sand
 [See Rules9B (1)(d)(v) of APMMC Rules, 1966]

Form S8-A

S.No	Month	Production	Production Cumulative	Dispatch to Stockyard	Dispatch Cumulative	Balance

Form S8-B

S.No	Month	Production	Production Cumulative	Dispatch to Destination	Dispatch Cumulative	Balance

Signature of the Authorized Signatory

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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals – Sand – Withdrawal of existing sand policies i.e., New Sand Mining Policy 2019 and Upgraded Sand policy 2021 and setting up of Interim Mechanism for supply of sand to the consumers without any revenue to Govt., till formulation of Sand Mining Policy, 2024 for the State of Andhra Pradesh - Orders – Issued.

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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No.43

Dated:08.07.2024
 Read the following:

1. Govt. MemoNo.3066/M.II(1)/2016-3, dated 04.03.2016.
2. Govt. Memo No.3066/M-II(1)/2016-12 & 13, dated 11.06.2019
3. G.O. Ms. No. 70, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
4. G.O. Ms. No. 71, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
5. G.O. Ms. No. 72, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
6. G.O. Ms. No. 73, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
7. G.O. Ms. No. 86, I.I.I & C (MINES-II) Dept, dated 11.10.2019.
8. G.O. Ms. No. 99, I.I.I & C (MINES-II) Dept, dated 15.11.2019.
9. G.O. Ms. No. 31, I&C (MINES-III) Dept, dated 09.06.2020.
10. G.O. Ms. No. 32, I&C (MINES-III) Dept, dated 25.06.2020.
11. Govt. Memo No.MG0SAND/63/2020/M.III, dated 17.07.2020.
12. G.O. Ms. No. 40, I&C (MINES-III) Dept, dated 10.08.2020.
13. G.O. Ms. No. 41, I&C (MINES-III) Dept, dated 10.08.2020.
14. G.O. Ms. No. 69, I&C (MINES-III) Dept, dated 23.10.2020.
15. G.O. Ms. No. 78, I&C (MINES-III) Dept, dated 12.11.2020.
16. Govt. Memo No. MG0DMGE/342/M-III/A2/2020, dated 25.11.2020.
17. G.O. Ms. No. 5, I&C (MINES-III) Dept, dated 16.02.2021.
18. G.O. Ms. No. 25, I&C (MINES-III) Dept, dated 16.04.2021.
19. Govt. Memo No. INC01-MG0SAND/6/2021-M-III, dated 15.08.2021.
20. Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 17.08.2021.
21. Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 24.11.2021.
22. Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 18.02.2022.
23. Hon'ble NGT Orders dated 23.03.2023 in O.A. No. 152 of 2021 and O.A. No. 53 of 2022 and in O.A. No. 187 of 2021
24. Hon'ble NGT Orders dated 02.08.2023 in O.A. No. 152 of 2021 and O.A. No. 53 of 2022 and in O.A. No. 187 of 2021
25. Hon'ble NGT Orders dated 21.02.2024 in M.A. No. 9 of 2023 in O.A. No. 187 of 2021, M.A. No. 10 of 2023 in O.A. No. 53 of 2022, E.A. No. 4 of 2023 in O.A. No. 187 of 2021
26. Hon'ble SC Order dated 10.05.2024 in C.A. No. 4091-4093 of 2023
27. Hon'ble SC Order dated 16.05.2024 in C.A. No. 4091-4093 of 2023.
28. Minutes of Meeting held by Commissioner & Director of Mines & Geology with the representatives of agencies M/s Prathima Infrastructure Limited and M/s GCKC Projects and Works Pvt Limited, dated 05.07.2024.
29. From the C&DM&G, A.P., INC04-26024/2/2024-SAND SECTION-DMG, dt: 05/07/2024.
30. From the Water resources Dept., Memo No. ICD01 -542/2019/ Reforms/ (925528), Dt.0607.2024.
31. From the Learned Advocate General, AP., Opinion No.65/2024, vide letter No.289/2024, Dt. 06.07.2024.

ORDER

In the memo 1st read above, Government have introduced Revised Sand Policy, 2016 making sand available to the public without charging any fee from 02.03.2016.

2. In the memo 2nd read above, Government have issued instructions to withdraw the Free Sand Policy 2016. In the G.O. 3rd read above,

Government have introduced the New Sand Mining Policy, 2019 and in G.Os 4th to 14th read above, Government have issued necessary consequential orders for implementation of the policy.

3. Subsequently, in the G.O. 15th read above, Government have upgraded Sand Policy 2021 and vide G.O.s & Memos 16th to 22nd read above, Government have issued necessary consequential orders for implementation of the policy, including amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

4. While the matter stood thus, Government conducted a thorough review of the existing sand policy (New Sand Mining Policy 2019 and Upgraded Sand policy 2021) and the status of current sand operations in the State and observed that there is an imminent need to improve it by formulating a comprehensive sand policy, 2024 so that the interests of consumers are protected and environmental and other concerns are addressed properly.

5. Accordingly, vide single file 29th read above, Commissioner and Director of Mines & Geology, AP., has submitted a proposal with detailed modalities as an Interim Mechanism for Sand Supply till formulation of Sand Policy, 2024 for the State of Andhra Pradesh.

6. Government, after careful examination of the entire issue, have decided to supply the sand to consumers without charging any revenue share except cost of operations and statutory levies and taxes, duly withdrawing the existing sand policies i.e., New Sand Mining Policy 2019 and Upgraded Sand policy 2021. Accordingly, Govt., in supersession of the orders issued vide G.O.s & Memos 3rd to 22nd read above, hereby set up an Interim Mechanism for Sand Supply till formulation of Sand Policy, 2024 for the State of Andhra Pradesh as detailed hereunder;

I. Preamble

Sand is a basic input for the construction sector, which employs a large number of people, directly and indirectly. Unless the cost of sand is kept under reasonable check, there is likelihood of adverse socio-economic consequences of unemployment, loss of wages and impact on investment climate and industrialization process in the State. It is the obligation of the State Government to ensure that sand, which is an essential ingredient of construction activities such as irrigation works, infrastructure projects, capital buildings, etc., is available at reasonable cost to the consumers.

Therefore, it is necessary in the greater public interest, to take measures to ensure availability of affordable sand to the consumers so as to maintain the pace of infrastructure growth and avoid adverse socio-economic consequences.

II. Objectives

- a) Making sand available to consumers at affordable rates
- b) Transparency and visibility on the sand operations.
- c) Prevention of any scope for illegal sand excavation & transportation through an effective vigilance & monitoring mechanism
- d) Compliance with all environmental regulations and orders issued by the Hon'ble Supreme Court, Hon'ble High Court and Hon'ble NGT, so as to mitigate the environmental impact of sand excavation.

III. Salient Features

A. District Level Sand Committee:

All sand operations at the district level shall be managed & overseen by the District Level Sand Committee (DLSC) comprising of

- a. District Collector: *Chairman*
- b. Superintendent of Police: *Member*
- c. Joint Collector: *Member*

- d. Sub-Collector/ RDO Concerned - *Member*
- e. District Enforcement Officer (SEB): *Member*
- f. District Mines & Geology Officer concerned: *Member Convener*
- g. District Panchayat Officer: *Member*
- h. Regional Transport Officer: *Member*
- i. Dy. Director, Ground Water Dept.: *Member*
- j. Executive Engineer, Irrigation/River Conservation: *Member*
- k. Executive Engineer, Rural Water Supply: *Member*
- l. Environmental Engineer, Andhra Pradesh State Pollution Control Board: *Member*
- m. Any other invitees as suggested by the Chairman.

B. Sand Stocks available in existing depots:

- i. The DLSC shall immediately takeover the sand stocks available in the depots maintained by the private agencies.
- ii. The DLSC shall take all necessary actions, as required, for safeguarding and further disposal of the stocks.

C. De-siltation of Reservoirs / Tank Beds - Identification:

- i. The de-siltation of Major, Medium & Minor Reservoirs and Tanks as defined by the Water Resources Dept., shall be taken up to enhance the storage capacity of the reservoirs and augment Ground Water recharge in Command Areas.
- ii. The following authorities shall identify the de-siltation of reservoirs and intimate to the District Level Sand Committee:
 - a. Major, Medium, Reservoirs – Chief Engineer
 - b. Minor Reservoirs and Tanks – Superintendent Engineer, Water Resources Department of the District.

D. De-siltation of Reservoirs / Tank Beds – Obtaining Clearances & Operations:

- i. Water Resources Dept., (WRD) being the custodian of the rivers, canals and reservoirs shall prepare the Feasibility Report along with Environment Management Plan for undertaking de-siltation activities shall obtain Consent for Establishment / Consent for Operation from APPCB by submitting the CTE and CTO applications in the Single desk Portal which will be considered at Zonal office Level.
- ii. DM&GO shall assist the EE, Water Resources Department in preparation of feasibility report, so as to facilitate in obtaining CTE/ CTO applications from APPCB, along with Environment Management Plan.
- iii. Water Resources Dept., for de-siltation activities taken up by them in the foreshore areas (water spread area at FTL) of Reservoirs / Barrages/ tanks, shall appoint agencies/ boatsman societies for the purpose and DM&GO, with the help of DLSC, shall appoint boatsman societies for de-siltation activities beyond the foreshore areas of Reservoirs/ Barrages/ tanks in river course taken up by Mines & Geology Dept., strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- iv. **Chief Engineer** concerned of the Water Resources Dept shall identify contractors for de-siltation of major reservoirs such as Prakasam & Dhawaleswaram Barrages, duly taking all necessary permissions and approvals from all the stakeholders concerned strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- v. The de-silted materials, useful for construction activity shall be handed over to the DLSC for further disposal.
- vi. The District Collector shall reimburse the entire cost incurred by the Water Resources Dept., towards obtaining clearances and de-siltation operations from the revenues received from the disposal of sand handed over to DLSC by WRD. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.

- vii. The District Collector shall extend necessary support for obtaining clearances and undertaking de-siltation operations (including identifying agencies required) and supervise the smooth functioning of the entire de-siltation activities in the respective districts. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- viii. The DLSC shall dispose the sand taken over from the WRD as per the modalities prescribed by the Govt., from time to time. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.

E. Appointment of Manpower/Other Agencies for Various Activities:

- i. The Chairman, DLSC shall appoint VRO/VRAs/ Gram & Ward Sachivalayam officials or any other official, as deemed fit, as stockyard in-charges for each of the sand depots/desiltation points.
- ii. The stockyard in-charges shall be responsible for smooth functioning of all the activities such as excavation, loading, sales & dispatches, in strict compliance with the sand policy and all applicable acts & rules.
- iii. The Chairman, DLSC shall also appoint agencies/manpower to undertake various activities viz. loading, ramp maintenance, security etc.

F. Fixation of rates of sand:

- i. There shall be no revenue share to the Government under this policy. However, the cost of operations, along with statutory levies & taxes shall be charged on the consumers.
 - a. The cost of operations shall include the expenditure for activities such as excavation, loading, transportation to sale point, ramp maintenance, administrative expenses etc.
 - b. Statutory levies & taxes shall mean Seignorage fee, DMF, MERIT and GST, as applicable.
- ii. DLSC shall fix and notify the amount to be charged at each source i.e., depots/de-siltation points, based on the cost of operations along with statutory levies & taxes.
- iii. The DLSCs shall be authorized to modify these rates, wherever necessary, taking into consideration the changes in operating costs/levies & taxes from time to time.

G. Sales & Dispatch:

- i. The details of all the depots/desiltation points (referred as "stockyard") such as location, available quantity, notified charges shall be displayed in DMG Website (www.mines.ap.gov.in) on a daily basis to inform the public.
- ii. The consumers requiring sand shall be required to go to their desired stockyard to purchase sand.
- iii. At the stockyard, the stockyard in-charge shall
 - a. Collect all relevant details of the consumer such as Aadhaar number., Mobile number, Delivery Address, Vehicle Number.
 - b. Collect the notified charges through digital mode (i.e., UPI) and issue sale receipt/invoice to the consumer.
 - c. Allot sand to the consumers on first-come first-serve basis and oversee the loading of sand into the vehicle.
- iv. The dispatch permits shall be issued manually on the secured stationary as an immediate measure.
- v. The stockyard in-charges shall ensure that the stockyards operate only from 6 AM to 6 PM.
- vi. They shall further reconcile the sand dispatches made during the day and upload the daily dispatch data on the online portal developed by DMG by 8 PM every day.

H. Transportation:

- i. The consumers shall make their own transportation arrangements for transporting sand from stockyard to destination.
 - a. To facilitate this, the list of transporters operating at various locations shall be provided on the website of DMG.

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- b. Transporters shall be able to register themselves on the DMG website, along with relevant details (vehicle details, contact number, area of operation etc.).
 - ii. DLSC shall notify the maximum transportation charges to be collected, based on vehicle type/capacity etc.
 - iii. The transportation charges from stockyard to the consumer's destination shall be paid by the consumer directly to the transporter.
 - iv. DLSC shall ensure water spraying of sand carried in the vehicles and also covering of sand transport vehicles with tarpaulin sheets, to avoid spillage and dust emissions during the transportation.

I. Revenue & Expenditure:

- i. In each district, a Joint Account of District Collector and District Mines & Geology Officer shall be opened, with online banking facility.
- ii. All financial transactions related to sand operations, including sand receipts and operating expenses, shall be made through the Joint Account
- iii. The receipts from sand supplies shall be used only to meet the expenditure related to sand operations such as cost of approvals, manpower, payments to contractors, administrative and other incidental expenses.
- iv. No expenditure, other than those related to sand operations shall be met through the receipts from sand supplies, except with the approval of the Government.
- v. The DLSC of each district shall reconcile the receipts and expenditure incurred on a monthly basis and submit the statements to DMG, who shall consolidate the data of all districts and submit to the State Government.
- vi. The DLSC, with assistance of the DMG, shall put in place mechanism to ensure compliance with GST regulations.

J. Digital Enablement

- i. Availability of sand at stockyards and sand sources shall be digitised to know the comparative availability of sand for better operational management at district level.
- ii. All the payments (receipts and expenditure) shall be only through the banking system and no cash transactions shall be permitted.
- iii. Sand receipts shall be collected only through digital means, by displaying the QR Code/ UPI ID of the Joint Account at the stockyards.
- iv. DMG shall develop a system for issue of online permits at the earliest.
- v. GPS based vehicle tracking shall be mandated to enable tracking of the sand despatches. Towards this, all sand transporting vehicles shall be required to install GPS based Vehicle tracking devices at the earliest.
- vi. District Collectors shall maintain command-and-control center at the district level to monitor the sand operations with CCTV feeds within the district and handle all the complaints relating to sand issues.
- vii. DMG shall maintain the command-and-control center at the State level to monitor the overall sand operations within the State.

K. Remittance of Seigniorage Fee, DMF & MERIT:

- i. DLSC shall ensure that the statutory levies (Seigniorage Fee, collected for DMF & MERIT) collected from the sand supplies are remitted towards the respective Heads of Account of the consolidated fund of the State Government.
- ii. DLSC shall remit Rs. 2 per MT of sand dispatched, towards the DMG current account for maintenance of the command & control room, as well as other IT initiatives related to sand operations.

L. Limits on Purchase of Sand:

- i. To prevent hoarding/ black marketing of sand and ensure availability of sand for larger number of consumers, each consumer shall be permitted to purchase a maximum of 20 MT per day till supplies stabilize.

- ii. The limits may be revisited and modified by DLSC, based on the demand-supply scenario within the district. Accordingly, DLSC shall notify the modified limits to inform the public by providing wide publicity.
- iii. DLSC may grant appropriate relaxations for Govt. Works based on the request of concerned Engg. Depts.

M. Prohibited activities:

- i. The following activities are prohibited:
 - a. Stocking of sand more than the requirement for own construction
 - b. Re-sale of sand
 - c. Transportation of sand to other States.
 - d. Sand using for filling purpose or any other purpose, other than building construction.
 - e. Any other activity as prescribed by State Govt./DLSC.
- ii. Stringent action, including filing of criminal cases/levy of hefty penalties shall be taken on offenders who are indulging in the prohibited activities.

N. Vigilance & Monitoring

- i. District Level Task Forces (DLTF) should be constituted by the District Collectors with line departments for periodic inspections of all the stockyards and the sand sources to ensure smooth functioning of sand operations and to curb illegal mining/transportation.
- ii. Special Enforcement Bureau (SEB) shall take necessary action to curb illegal mining/transportation, black marketing, hoarding and cross border transportation of sand by constituting revenue division wise teams and also arranging inter-state check posts.
- iii. A Divisional Level Vigilance & Monitoring committee with RDO/SC, DSP, Divisional Development Officer, DLPO, DE, Irrigation, AD, Mining and Mandal Level monitoring with Tahsildar/MPDO, Irrigation AE, SI shall be constituted to monitoring of Sand transportation etc.
- iv. The Chairman DLSC shall conduct a fortnightly co-ordination meeting with the task forces and SEB on the action taken and minutes of meeting shall be communicated to DMG.

O. Complaint Redressal Mechanism

- i. DLSC shall setup a complaint redressal mechanism including maintenance of district level toll free numbers, e-mail Ids to redress the complaints made by any citizen/ NGO in an effective and time-bound manner.
- ii. Similarly, a State-wide toll-free number and email-Id shall be established and maintained by DMG to register any complaints related to illegal sand mining/transportation/hoarding/black marketing activities etc.
- iii. control room at District level under JC control and Divisional Level cell under the chairmanship of RDOs/SCs shall be established.

P. Compliance of Environmental Rules & Regulations:

- i. DLSC shall ensure all the operations shall be in compliance with Sand Policy of Andhra Pradesh, Mines Act 1952, MMDR Act 1957, WALTA Act & Rules, MOEF&CC notifications, Office Memorandums & Guidelines and any other applicable law, rules, Hon'ble SC Orders, Hon'ble High Court & Hon'ble NGT Orders, Government orders, Instructions issued by Government and Department of Mines & Geology from time to time.

Q. Offences and Penalties:

- i. In case of the vehicles engaged in illegal/ un-authorized excavation in the prohibited areas (i.e., within 500 meters from the Ground water structures, Bridges, Dams, Railway lines and cross drainage

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structures etc.), transportation of sand outside the State and found transporting sand without valid Sand Waybill /invoice shall be penalized as follows;

Vehicle Type	First Time (In Rs.)	Second Time (In Rs.)
Tractor	Upto 10,000/-	Rs. 10,001 to 20,000/-
Lorry fitted with upto 10 tires capacity	Upto 25,000/-	Rs. 25,001/ to - 50,000/-
Lorry fitted with above 10 tires	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-
Machinery	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-

- ii. In case of bullock carts engaged in illegal/ un-authorized hoarding and selling, the penalty besides seizer of the sand shall be levied as follows:-

Vehicle Type	First Time (In Rs.)	Second Time (In Rs.)	Repeated offence (in Rs.)
Bullock cart	2,000/-	3,000/-	5,000/-

- iii. Any vehicle transporting sand, if found, carrying sand in excess of the quantity specified in Sand transit form /invoice or in excess of quantity permitted by the Transport Dept., penalty shall be levied on such excess quantity @ Rs.2000/- per MT
- iv. Whenever any person extracts sand or has extracted sand in the areas other than those notified for lawful excavation, the officers authorized shall assess such quantity of sand and levy and collect @ Rs.2,000/-per ton of sand or Rs.2.00 lakhs, whichever is higher, as penalty
- v. If any stock of sand beyond a person's reasonable requirement is stocked / hoarded / black marketed / sold, it shall be seized by the officer authorized. The person shall be punishable with imprisonment up to 2 years and a fine of Rs.2,00,000/- (Rupees Two Lakhs). DLSC shall take-over the seized sand and arrange to dispose the same, at the rates fixed by DLSC.
- vi. Officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining / stocking / hoarding / selling / black marketing in the State authorized under these rules are as follows:
- 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(Concerned)
 - j) District Mines & Geology Officer (Concerned)
 - k) Any other officer nominated by Dist. Collector (Concerned) /Director of Mines & Geology
 - l) SHO (Special Enforcement Bureau), concerned
 - m) Additional Superintendent of Police (Special Enforcement Bureau), concerned.

- n) Enforcement Superintendent, Division, (Special Enforcement Bureau), concerned.
- vii. The vehicle/machinery, found involved in any violation more than two times, such vehicle/machinery along with sand shall be seized by officers authorized duly following the procedure as under:
- a) Issue show cause notice to the person/owner from whom the vehicle/machinery is seized.
 - b) Immediately take steps by preparing seizure 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/Section 497 of newly enacted Bharatiya Nagarik Surakshit Sanhita, 2023/ appropriate section of Law, for release of vehicle/machinery.
 - 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 along with 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 along with an affidavit/undertaking to produce the seized vehicle/machinery as and when required.
 - e) The fine paid as per the orders of Competent Court; the security furnished as per clause (iv)above shall be deposited in the head of account "0853- 102-81-other receipts" and the original challan shall be sent to the Director of Mines & Geology concerned.

R. Appeals and Revisions:

1. Any person aggrieved by an order passed by any officer authorized, other than District Collector may prefer an Appeal before the District Collector within 30 days from the date of receipt of such order
2. Any person / agency aggrieved by an order passed by the District Collector /Officials of Special Enforcement Bureau (SEB) pertaining to sand matters may prefer a Revision before the State Government from the date of receipt of such order.

S. Publicity

- i. The stockyard-wise rates, transportation rates, as well as the complaint redressal mechanism notified by the DLSC shall be given wide publicity through banners & flexies at major centers such as Stockyards, Collectorate, RDO offices, Mandal Offices, Gram & Ward Sachivalayams, Public places, and advertisements in newspapers.
- ii. Similarly, the above mentioned details shall also be published on the websites of Department of Mines & Geology and the respective districts.

T. Powers to issue Orders/Clarifications/Guidelines:

- a) The Government shall be the sole Authority to issue clarifications, exemptions, guidelines or relaxation orders from time to time, in implementation of this policy.
- b) Director of Mines and Geology shall issue operational guidelines from time to time for extraction and sale of sand to maintain environmentally sustainable sand mining in the State.

7. The VC & MD, APMDC shall ⁴⁵ provide initial financial support to Commissioner & Director, Mines and Geology, AP., to make this Sand Policy operational, subject to reimbursement.

8. The Commissioner & Director, Mines and Geology, Govt. A.P., shall submit proposals for necessary amendments accordingly to Andhra Pradesh Minor Mineral Concession (APMMC) Rules, 1966.

9. These orders shall come into force with immediate effect.

10. The Government may revise the Sand Policy in future as and when required.

11. The Commissioner & Director, Mines and Geology, A.P., and all the concerned officers mentioned in the address entries shall take necessary action accordingly in the matter.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N YUVARAJ
PRINCIPAL SECRETARY TO GOVERNMENT (MINES) (FAC)

To

The Commissioner & Director, Mines & Geology, A.P, Ibrahimpatnam,
NTR District.

The VC&MD, APMDC Ltd., APMDC Ltd., Kanuru, Vijayawada.

The Commissioner Special Enforcement Bureau, Mangalagiri.

All the District Collectors in the State of A.P.

All the members of District Level Sand Committees (through C&DM&G)

Copy to:

The Finance Dept., A.P.Secretariat.

The Law Dept., A.P.Secretariat

The Home Dept., A.P.Secretariat

The Revenue Dept., A.P.Secretariat

The Water Resources Dept., A.P.Secretariat.

The EFS&T Dept., A.P.Secretariat.

The Learned Advocate General, A.P., High Court Buildings, Nelapadu,
Amaravati.

All the Superintendents of Police in the State.

All the District Treasury Officers in the State of A.P.

The Director, Treasuries & Accounts, A.P., Vijayawada.

The Pay and Accounts Officer, Vijayawada.

The Accountant General of Andhra Pradesh, Vijayawada.

The GA(SEB) Dept.

The P.S. to Prl. Secy to CM.

The P.S. to CS.

The OSD to Hon'ble Minister for M&G and Excise

The P.S. to Hon'ble Minister for Finance, Planning & Legislative Affairs

The P.S. to Hon'ble Minister for Civil Supplies & Consumer Affairs

The P.S. to Hon'ble Minister for Transport and Information & Public
Relations

The P.S. to Hon'ble Advisor to Govt. Of A.P. (Public Affairs)

The P.S. to Prl., Secy (Mines)

SF/SC

//FORWARDED :: BY ORDER//


SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Mines & Minerals – Minor Minerals - Sand –Modified Free Sand Policy 2024 guidelines to enhance availability augment supply of sand and boost the construction sector, to improve the processes for hassle-free supply of free sand duly exempting Seigniorage Fee, DMF and MERIT - Orders – Issued.

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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No. 66

Dated: 25-10-2024

Read the following:

1. G.O. Ms. No. 43, Ind & Com (MINES-III) Dept, dated 08.07.2024.
2. G.O. Ms. No. 49, Ind & Com (MINES-III) Dept, dated 02.09.2024.
3. G.O. Ms. No. 52, Ind & Com (MINES-III) Dept, dated 14.09.2024.
4. G.O. Ms. No. 59, Ind & Com (MINES-III) Dept, dated 01.10.2024.
5. G.O. Ms. No. 64, Ind & Com (MINES-III) Dept, dated 18.10.2024.
6. From the C&DM&G, AP., e-file bearing No. INC04-26024/50/2024-SAND SECTION-DMG, Dt.22.10.2024 (Computer No. 2594070).

ORDER

In the G.O. 1st read above, Government, while withdrawing the prevailing sand policies (New Sand Mining Policy 2019 and Upgraded Sand policy 2021) introduced the Interim Mechanism for supply of sand to the consumers without any revenue to the Government till formulation of Sand Mining Policy 2024 with certain objectives as mentioned therein.

2. In the G.O. 2nd read above, Government have introduced revised Free Sand Policy Guidelines as subsequently amended vide G.O. 5th read above, to further improve the mechanism ensuring availability and making the process technology based, user friendly and transparent.

3. In the G.O. 3rd read above, Government have issued orders with detailed guidelines for de-casting of sand from patta lands and vide G.O.4th read above, orders were issued fixing Uniform State Level Transportation Slab Rates to improve the sand supply mechanism.

4. In the single e-file 6th read above, the Commissioner and Director of Mines & Geology, AP., has stated that a review meeting was held on 21.10.2024 on the issues being faced in the implementation of the free sand policy with respect to availability, prices, transportation rates, extraction, monitoring etc., specifically on the issue of prevailing high prices of sand in the market affecting the general consumer and construction sector. During the meeting various options to streamline the mechanism for supply of free sand and to ease out the situation of availability of sand at prices which not only make the commodity affordable to general consumer but also reduce the input cost in the infrastructure/construction sector and thereby leading to positive multiplier effect on the State GSDP and employment, were examined. It was observed that exemption of the Seigniorage Fees, DMF & Merit on sand and certain initiatives for facilitation

of extraction of sand for local use, hassle free supply of sand from authorized reaches, establishment of stock yards in districts with no sand availability, strengthening the vigilance mechanism as per MoEF&CC guidelines and other measures to streamline the procedures to prevent black marketing would be reasonable and rational.

5. Accordingly, the Commissioner and Director of Mines & Geology, AP., has submitted a proposal for introduction of Modified Free Sand Policy 2024 and requested the Government to issue necessary further orders in the matter.

6. Government, after careful examination of the entire issue and in continuation of the orders issued vide G.Os 1st to 5th read above, hereby issue the following Modified Free Sand Policy 2024 guidelines to enhance availability augment supply of sand and boost the construction sector and to improve the processes for hassle-free supply of free sand;

Salient Features:

A. Exemption of Statutory Duties

- i. Seigniorage Fee, DMF and MERIT on sand currently Rs. 88 per MT is exempted to stimulate the State's construction sector, reduce the input cost and thereby leading to a positive multiplier effect on State GSDP and employment.

B. Extraction of Sand for local uses in the local body areas adjoining the streams

- i. Customary extraction of sand by the consumers for personal use or community works within the local body areas adjoining the streams is permitted within the provisions under the EIA Notification of MoEF&CC.
- ii. Extraction is permitted through manual methods and transportation through bullock carts/ tractors.
- iii. Transportation of sand from local body areas through mechanical means out of local jurisdiction is not permitted.
- iv. For extraction of sand for local use in the local body areas prior information by consumers online or in GS/ WS should be done.
- v. DMG shall develop an application / portal and provide training to the district level staff who will create awareness at the last mile level.
- vi. The DLSC shall monitor such prior information data and free permit/ receipt generation and designate an officer for each local body who will be responsible for adherence of such process.
- vii. The designated officer shall be provided the details of all free permits/ receipts generated for post verification every fortnight and such officer shall submit the report online to the DLSC after verification.

C. **Extraction of Sand for consumers (General & Bulk)**

- i. All Consumers (General & Bulk) who do not belong to the local body areas adjoining the streams shall access sand from the authorized supply points (reaches/ de-siltation points, etc..) specified by DLSC having all clearances, as required.
- ii. All such consumers shall register online or register at the authorized supply points in an application / portal developed by DMG and obtain free e-transit form.
- iii. The consumers having e-transit form/ permit shall engage transportation on their own or from the registered vehicle list as provided on the website of DMG at mutually agreed cost which shall not be more than the maximum rates as notified by Government. Such transportation charges shall be paid directly to the transporter by the consumers.
- iv. The consumer and/ or transporter shall approach the sand supply point and take the delivery date and time slot from the in-charge.
- v. The transporter shall approach the reach on the designated slot and can either load the sand directly from the reach using its own manual labour or take assistance from the agency selected by the DLSC for that particular supply point, for which the amount shall be paid by the consumer/ transporter directly to the selected agency as per the rates decided by the DLSC and obtain receipt/ invoice.
- vi. All vehicles transporting sand shall carry banner of "Uchita Isuka Ravana Vahanam" and shall be fitted with GPS. If the vehicle is not fitted with active GPS tracking devices, supply point in-charge shall ensure that driver shall initiate GPS enabled application facility in their mobile phones once vehicle starts from the reach.

D. **Reach Management**

- i. All sand supply points permitted by DLSC shall be managed by an agency selected by DLSC through a fair and transparent process under the supervision of an in-charge appointed by DLSC.
- ii. The selected agencies in case the consumer with e-transit form/ permit requests assistance from the selected agency for supply of sand, it shall provide such assistance at the cost fixed by DLSC (operational costs, admin charges and other applicable charges) and issue an invoice in the format as prescribed by the DLSC.
- iii. DLSC shall issue operational guidelines for efficient sand operations from time to time, which will be binding on the selected agencies.
- iv. DLSC shall ensure that the selected agencies shall extract the sand duly complying with all the conditions stipulated in the permissions (Approved Mining Plan, Environmental Clearance, CTE/ CTO etc.) as well as all the environmental guidelines issued by MoEF&CC, Orders of Hon'ble NGT, Hon'ble High Court and Hon'ble Supreme Court.
- v. Sand mining operations shall be carried out from 6 AM to 6 PM.
- vi. DLSC may reserve specific supply sources exclusively for Bulk Consumers.

E. Establishment of stockyards in districts without any sand sources

- i. State Government/ DMG may direct the DLSC of the districts with surplus sand availability to reserve specific sand source (Reach/ De-siltation Point etc.,) exclusively for supplying sand to districts lacking sand availability.
- ii. The DLSC of the districts without any sand sources shall recommend the DMGO Concerned to provide Mineral Dealer Licences (MDLs) to the agencies selected through a transparent procedure by the DLSC.
- iii. The number and location in the districts shall be decided by the DLSC as per the requirement of the district.
- iv. The licensee has to lift the sand from the earmarked sand reach and stock it at a designated place as mentioned in the licence and supply the sand to the retail customers at a maximum cost fixed by the DLSC, which includes transportation, operation and maintenance of stockyards, etc.
- v. These MDLs shall only supply to the retail consumers and operate up to the maximum quantity fixed by the DLSC.
- vi. DLSC shall establish appropriate monitoring mechanism including maintenance of CCTV Cameras and the concerned DMGOs shall monitor the functioning of the stockyard as per the direction of DLSC.
- vii. Bulk consumers of these districts shall source the sand directly from the reaches / de-siltation points.

F. Vigilance & Monitoring

- i. DLSC shall ensure to
 - a. Establish CCTV Cameras at sand supply points.
 - b. Co-ordinate with Police Command & Control to monitor the transportation of sand through the CCTV monitoring system.
 - c. Establish sufficient check posts in co-ordination with Police on routes to prevent inter-state transport of sand.
 - d. Any vehicle transporting sand without registration, banner and GPS shall be blacklisted.
 - e. Any vehicle transporting sand without valid e-transit form/ permit shall be blacklisted and vehicle may be seized for illegal transportation as per procedure.
 - f. Any vehicle used for black marketing of sand to be blacklisted, seized and criminal case to be filed against vehicle driver /owner.
 - g. Initiate stringent action against violators of free sand policy.
- ii. The Government shall also initiate steps to include habitual offenders who involve in black marketing of sand under the Andhra Pradesh Prevention of Dangerous Activities of Boot-Leggings, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986, so as to bring these category of offenders into PD Act.
- iii. DMG/ DLSC shall establish and maintain call center and online application for the public to report illegal sand excavation and transportation.

G. Applicability

- i. These orders are applicable in addition to the orders issued vide G.Os 1st to 5th read above.
 - ii. In case of any conflict, the guidelines issued herein shall prevail.
7. The Commissioner & Director of Mines and Geology, Government of A.P., shall submit proposals for necessary amendments accordingly to Andhra Pradesh Minor Mineral Concession (APMMC) Rules, 1966.
8. These orders shall come into force with immediate effect.
9. The Commissioner & Director, Mines and Geology, A.P., and all the concerned officers mentioned in the address entries shall take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)(F.A.C)

To

The Commissioner & Director, Mines & Geology, A.P,
Ibrahimpattanam, NTR District.

The VC&MD, APMDCLtd., APMDCLtd., Kanuru, Vijayawada.

All the District Collectors in the State of A.P.

All the members of District Level Sand Committees (through
C&DM&G)

Copy to:

The Finance Dept., A. P. Secretariat.

The Revenue Dept., A. P. Secretariat

The Water Resources Dept., A. P. Secretariat.

The EFS&T Dept., A.P. Secretariat.

The PR&RD Department, A. P. Secretariat.

The Home Department, A. P. Secretariat.

All the Superintendents of Police in the State.

All the District Treasury Officers in the State of A.P.

The Director, Treasuries & Accounts, A.P, Mangalagiri.

The Pay and Accounts Officer, Mangalagiri.

The Accountant General of Andhra Pradesh, Vijayawada.

The P.S. to Prl. Secy to CM.

The P.S. to CS.

The OSD to Minister for M&G and Excise.

The P.S. to Minister for Finance, Planning & Legislative Affairs.

The P.S. to Minister for Civil Supplies & Consumer Affairs.

The P.S. to Minister for Transport and Information & public
Relations.

The P.S. to Prl., Secy to Govt. (Mines).

SF/SC (2486879)

//FORWARDED :: BY ORDER//

SECTION OFFICER