

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines and Minerals – Punitive Measures to control Illegal Mining and Transportation of Minor Minerals – Amendments to A.P. Minor Mineral Concession Rules, 1966 - Orders - Issued.

INDUSTRIES & COMMERCE (M.II) DEPARTMENT

G.O.Ms.No.37

Date:14-03-2016

Read the following:

- 1) The Mines and Minerals (Development and Regulation) Amendment Act, No. 10 of 2015, dt: 27.03.2015.
- 2) Director of Mines & Geology File No. 23035/P/2015, dt.12.11.2015.

ORDER:

The following Notification shall be published in an extra-ordinary issue of the Andhra Pradesh Gazette dt.14.03.2016.

2. The Director of Mines & Geology, A.P., Hyderabad, duly taking into consideration of the existing provisions in other states of India, has sent a proposal to make certain amendments to the existing relevant Rules of APMMC Rules, 1966 to award stringent punishment to the offenders involved in illegal mining and transportation of Minor Minerals.

NOTIFICATION

In exercise of the powers conferred under sections 15 (1), 21 (2), 22, 23(c) of the Mines and Minerals (Development and Regulation) Act, 1957 as amended from time to time the Government of Andhra Pradesh hereby make the following amendments to the APMMC Rules.

- (1)** For condition (h) (iii) of Sub-Rule (5) of Rule 12 of APMMC Rules, 1966, the following shall be substituted:

"The lessee shall pay the Seigniorage Fee as per the rates prescribed from time to time in Schedule-I in advance for the quantity intended to be dispatched through online under e-permit system in respective head of account and despatch the material only after physical inspection of the blocks by the concerned Asst. Director of Mines & Geology or his staff for confirmation of volume of the blocks.

The lessee shall furnish the details of (Granite and marble) despatches with block numbers, quality, quantity and place of consignment to the Asst. Director of Mines & Geology concerned immediately soon after the despatch of material. However, the lessee is required to obtain the transit forms in advance for transportation of (granite and marble) and shall render the account of the Asst. Director concerned once in a month. No second consignment of way bill shall be issued unless the lessee has rendered the account of the previous account of consignment of way bill; Provided that any misuse of the transit forms for despatch of any (granite and marble) without paying Seigniorage Fee and not accompanied by the transit forms issued by the Asst. Director, the lessee shall be punished with imprisonment for a term

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which may extend to two years or with a fine which may equal to Market Value of the mineral and Seigniorage Fee prevalent at that time or both. In case of continuous offence, an additional fine of Rs.500/- per day shall be levied till the offence is rectified and the lease or permit if any already granted may, at the discretion of the officer authorized in this behalf, be liable to be terminated or cancelled and the Security Deposit paid by the lessee will be forfeited”.

- (2) For Sub-Rules (1) & (2) of Rule 26 of APMMC Rules, 1966, the following shall be substituted:

“(1) If any person carries on quarrying operations or transports minor minerals in contravention of these rules, he shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to Rs. Five lakhs along with the Market Value of the mineral and Seigniorage Fee prevalent at that time or both and the lease or permit if any already granted may, at the discretion of the officer authorized in this behalf, be liable to be terminated or cancelled.

(2) Whenever any person raises or transports minor minerals without any lawful authority, such minerals may be seized by an officer nominated by the Director of Mines & Geology in this behalf in addition that he shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to Rs. Five lakhs along with double the Market Value of the mineral or both. In case of continuous offence, an additional fine of Rs.5000/- per day till the offence is rectified”.

- (3) For Sub-Rule (3) (ii) of Rule 26 of APMMC Rules, 1966, the following shall be substituted:

“If no documentary proof is produced in token of having paid the mineral revenue due to the Govt., by any person who used or consumed or in possession of any mineral including the processed mineral, he shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to Rs. Five lakhs along with the Market Value of the mineral and Seigniorage Fee prevalent at that time or both and the lease or permit if any already granted may, at the discretion of the officer authorized in this behalf, be liable to be terminated or cancelled”.

- (4) After Sub-Rule (3) (ii) of Rule 26 of APMMC Rules 1966, the following shall be added:

“(iii) if the Driver or person in-charge of the vehicle fails to produce a valid permit issued by the concerned Asst. Director of Mines & Geology or an officer authorized by the Director of Mines & Geology, the officer in-charge of the check post or barrier or during the interception of the movement of the vehicle, may require the Driver or the owner or person in-charge of the vehicle to pay penalty equal to Market Value of the Mineral along with Seigniorage Fee prevalent at that time.”

- (5) For Sub-Rule (1) of Rule 34 of APMMC Rules, 1966, the following shall be substituted:

“No minor mineral shall be dispatched from any of the leased areas without a valid permit issued by the Asst. Director of Mines & Geology concerned or any officer authorized in this behalf by the Director of Mines & Geology.

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Provided that any misuse of the transit forms without paying Seigniorage Fee and not accompanied by the transit forms used by the Asst. Director of Mines & Geology, concerned or an officer authorised in this behalf by the Director of Mines & Geology and any other contravention, the lessee shall be punished with imprisonment for a term which may extend to two years or with a fine equal to Market Value of the mineral and Seigniorage Fee prevalent at that time or both. In case of continuous offence, an additional fine of Rs.500/- per day shall be levied till the offence is rectified and the lease or permit if any already granted may, at the discretion of the officer authorized in this behalf, be liable to be terminated or cancelled and the Security Deposit paid by the lessee will be forfeited".

3. This order issues with the concurrence of the Finance Department vide their approval dt.22.12.2015 in the e-file of this Department.

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

**M. GIRIJA SH ANKAR,
SECRETARY TO GOVERNMENT (MINES & FP) (FAC)**

To
The Commissioner of Printing, Stationary & Stores Purchase (Ptg. Wing) A.P. Hyderabad. *(He is requested to publish the above Notification in the Extra-Ordinary issue of A.P. Gazette, with immediate effect and arrange to send 500 copies of the same to Government in Industries & Commerce (M.II) Department).*

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

The Director of Mines & Geology, A.P, Hyderabad.

All District Collectors in the State.

All Joint Directors of Mines & Geology. }
All Deputy Directors of Mines & Geology } through
Director of
All Assistant Directors of Mines & Geology } Mines &
Geology, A.P.,Hyd.

All Departments of Secretariat, Hyderabad.

The Commissioner of Panchayat Raj, Hyderabad

The Commissioner and Director of Municipal Administration, Hyderabad.

The Panchayat Raj & Rural Development (Pts.III) Department.

Copy to:

The Secretary to Government of India, Ministry of Mines, New Delhi.

The Law (H) Department.

The Finance Dept.,

The GA (Cabinet) dept.,

The Industries and Commerce (M.I/M.III) Department.

The P.S. to Hon'ble Chief Minister.

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

The P.S. to Secretary to Government, Industries & Commerce Department.

Sc/Sf (C.No.15917/M.II(1)/2015)

//FORWARDED :: BY ORDER//

SECTION OFFICER

