



38D - 8549/40/2015  
dated 18.10.2015

**ABSTRACT**

Industries - Mines and Minerals - Minor Mineral - Imported Sand - Introduction of Rule 38D to the Tamil Nadu Minor Mineral Concession Rules, 1959 - Orders - Issued.

**Industries (MMC.1) Department**

**G.O. (Ms) No.41**

**Dated: 10.04.2018**

ஹேவிஎம்பி - பங்குனி 27

திருவள்ளூர் ஆண்டு -2049

**Read:**

G.O.(Ms) No.242, Public Works (I.Spl.2) Department,  
dated 8.12.2017.

**Read also:**

1. From the Engineer-in-Chief, Public Works Department, Water Resources Department, Chennai-5, Letter No.S7(3)/ 1516/ Imported Sand/ OT II/2018, dated 4.4.2018.
2. From the Director of Geology and Mining, Letter Rc.No.8484/MM6/2017, dated 9.4.2018.

**ORDER:**

The Notification appended to this Order will be published in the Tamil Nadu Government Gazette Extraordinary. The Works Manager, Government Central Press, Chennai-79 is requested to supply 25 copies of the Notification to the Government and a copy each to the Director of Geology and Mining and all the District Collectors.

2. The Director, Tamil Development and Information (Translation) Department is requested to send the Tamil Translation of the Notification appended to this Order to the Works Manager, Government Central Press, Chennai - 79 for publishing it in the Tamil Nadu Government Gazette and to send to all the District Collectors for publishing it in the District Gazettes, immediately.

**(BY ORDER OF THE GOVERNOR)**

**K. GNANADESIKAN**

**ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Works Manager, Government Central Press, Chennai - 600 079.

The Director,

Tamil Development and Information (Translation) Department, Chennai - 600 009.

The Principal Secretary to Government, Public Works Department, Chennai-600 009.

✓ The Engineer-in-Chief, Water Resources Department,  
Public Works Department, Chennai-600 005.

The Director of Geology and Mining, Guindy, Chennai-600 032.

All the District Collectors. (through the Director of Geology and Mining)

Copy to:-

O/o Hon'ble Minister (Law, Courts and Prisons), Chennai-600 009

The Law Department, Chennai - 600 009.

All Sections in Mining Wing, Industries Department, Chennai - 600 009.

The Industries (OP.II) Department, Chennai-600 009.

SF/SCs

// Forwarded / By order //

S. P. Rajmohan  
10/10/2018  
Section Officer  
PE/11/18



APPENDIX

NOTIFICATION

In exercise of the powers conferred by sections 15 and 23-C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), and all enabling powers, the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Minor Mineral Concession Rules, 1959, namely:-

2. The amendments hereby made shall come into force from the 10<sup>th</sup> day of April, 2018.

AMENDMENTS

In the said Rules:-

(1) after rule 38-C, the following rule shall be inserted, namely:-

"38-D. *Import of sand for construction purposes*:- (1) (a) No person, other than the Public Works Department of the State Government of Tamil Nadu shall have the right to sell sand which is imported from other countries or brought from other States or Union Territories for construction purposes (hereinafter referred to as "imported sand"), and such right shall vest only with the Public Works Department of the State Government.

(b) No person shall transport the imported sand, either for own use or sale, across the border of the State of Tamil Nadu to any other State or Union Territory or country.

(2) The right to store the imported sand shall vest with the Public Works Department of the State Government of Tamil Nadu.

(3) Imported sand shall be accompanied with the documents of the origin of the sand and its legal procurement from the country or State or Union Territory, from where the sand is imported or brought, as the case may be.

(4) The imported sand shall fulfil the specifications specified by the Public Works Department. The Public Works Department shall have the power to collect samples and to verify as to whether the imported sand fulfils the specifications.

(5) The Public Works Department shall have the power to prohibit the transport of imported sand, which have not fulfilled the specifications, into the State of Tamil Nadu. The imported sand which has not fulfilled the specifications shall be evacuated out of the State of Tamil Nadu through the sea route and it shall not be transported to any other State or Union Territory by road or by any other mode of land transport.

(6) The imported sand shall be sold only to the Public Works Department at the rate fixed by the State Government on a case to case basis, depending upon the factors like the country or State or Union Territory from where it is imported or brought, the cost of procurement, insurance, freight charges and applicable taxes or duties.

(7) No imported sand shall be transported from any Port within the State of Tamil Nadu, or from other States or Union Territories to the Depots maintained by the Public Works Department without a valid Transport Permit in the prescribed Form in Appendix-XXIII, issued by the Public Works Department, duly authenticated by the Assistant Engineer or Assistant Executive Engineer (Water Resources Department), Public Works Department.

(8) No person shall transport imported sand from any Depot maintained by the Public Works Department without obtaining a Transit Pass in the prescribed Form in Appendix-XXIV, issued by the Public Works Department, duly authenticated by the Assistant Engineer or Assistant Executive Engineer (Water Resources Department), Public Works Department.

(9) Any person who contravenes any of the provisions of this rule, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees or with both.

(10) The Public Works Department may issue instructions regarding the storage, transportation and sale of imported sand, from time to time.

Explanation:- For the purpose of this rule "sand" means ordinary sand used for construction purposes which includes processed and filtered sand other than industrial sands like silica sand or garnet sand.";

(2) after Appendix-XXII, the following Appendices shall be added, namely:-

**"APPENDIX-XXIII**

**TRANSPORT PERMIT FOR IMPORTED SAND ISSUED BY PUBLIC WORKS DEPARTMENT FROM THE IMPORTING POINT TO PWD DEPOT**

Permit No.

Date:

1.	Order number and date in which imported sand is permitted.
2.	Location of the Sand Importing Point.
3.	Quantity of imported sand permitted for transportation.
4.	Vehicle Number.
5.	Date and time of issue of permit.
6.	Validity period of this permit.
7.	Destination of the Public Works Department depot to which imported sand is transported.
8.	Name and Signature of the transporter/driver.

Office Seal

Signature of the Issuing Authority:

Name:

Designation:

**Conditions**

1. All particulars from Serial Numbers 1 to 8 should be duly checked, before affixing the signature and seal by the issuing authority.
2. This permit is non-transferable.
3. This permit is valid only during the validity period. In case of any delay, this permit's validity may be extended by the issuing authority, subject to proof for the delay by the transporter/driver.
4. The permit should be handed over to the depot-in-charge in the PWD depot. A register should be maintained containing the validated transport permits on reaching the PWD depot from the importing point.
5. This permit is subject to the compliance of the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959, and any other special conditions imposed by the authorities concerned, from time to time.

**APPENDIX-XXIV**  
**TRANSIT PASS FOR IMPORTED SAND ISSUED BY PUBLIC WORKS**  
**DEPARTMENT FROM THE PWD DEPOT TO THE CONSUMERS**

Permit No.  
Date

1.	Location/Name of the Public Works Department Depot.
2.	Address to which imported sand is transported.
3.	Quantum of imported sand transported.
4.	Amount paid.
5.	Registration number of the vehicle transporting the imported sand.
6.	Date and time of issue of the pass from the Public Works Department depot.
7.	Validity period of this pass.
8.	Name and Signature of the transporter/driver of the vehicle.

Office Seal

Signature of the Issuing Authority:  
Name:  
Designation:

**Conditions**

1. All particulars from Serial Numbers 1 to 8 should be duly checked, before affixing the signature and seal by the issuing authority.
2. This pass is non-transferable.
3. This pass is valid only during the validity period. In case of any delay, the validity of this pass may be extended by the issuing authority, subject to proof for the delay by the transporter/driver.
4. The pass should be handed over to the consumer in the place of delivery. The consumer shall keep the pass for at least a month's time from the date of delivery, for verification, by the enforcement officials.
5. This pass is subject to the compliance of the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959, and any other special conditions imposed by the authorities concerned, from time to time".

**K. GNANADESIKAN**  
**ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

//True Copy//

*S. P. Sampurath*  
Total 2018  
Section Officer  
PR  
10/1/18

