

Report submitted to Hon'ble NGT on O.A.No.184 of 2017 filed by Sri Sunkara Swamy Naidu Welfare represented by its president Sunkara Karthik Organization.

It is submitted that Sri Sunkara Swamy Naidu Welfare Organization represented by its President Sri Sunkara Karthik had filed an application before the Hon'ble NGT, Southern Zone regarding the illegal Mining of Sand from Godavari River mouth/estuary at Yanam in the Border of Andhra Pradesh and Puducherry.

In this regard, the Hon'ble NGT, Southern Zone, Chennai (Southern Bench) in the matter of Original Application No. 184 of 2017 (SZ) vide order dated 08.01.2020 has constituted a Committee to inspect the area to find out whether illegal mining is taking place in the Godavari River bed and submit a Factual and Action Taken Report to Hon'ble NGT for further action. Accordingly, a Committee was constituted comprising of the following officials:

S. No.	Name of The Member	Organization
1.	Sh. D. Muralidhar Reddy (IAS)	District Collector, East Godavari
2.	Sh. Shivraj Meena	Regional Administrator, Yanam
3.	Sh. K L V Prasad, Deputy Director of Mines, Kakinada	Department of Mines & Geology
4.	Sh. A. Ramarao Naidu, Environmental Engineer, Regional Office, Kakinada	Andhra Pradesh Pollution Control Board and Andhra Pradesh Coastal Zone Management Authority, APPCB & APCZMA
5.	N. Srinavasa Rao, Scientific Officer	Puducherry Pollution Control Committee
6.	Sh. Vipin, Environmental Engineer, Yanam	Coastal Zone Management Authority, Puducherry
7.	Department of Mines & Geology, Puducherry	There is no Mines & Geology department in Puducherry. Hence, Regional Administrator, Yanam represented
8.	Smt. Mahima T, Scientist-D	Central Pollution Control Board, Bengaluru (Nodal agency)

The Joint Committee convened a preliminary meeting on 04.02.2020 at Collectorate Office, East Godavari District, Kakinada and the Committee decided to cover the entire 23 km stretch of River Godavari from Yanam, Puducherry to Kotipalli, Andhra Pradesh.

The Joint Committee inspected Pillanka and Govalanka sand reaches on 04.02.2020 and Pedalanka, Pasuvulanka, Muramalla, Brahmapuri, Pata Injiram, Maskapalli, Korumilli, Kapileswarapuram, Jonnada, Atreyapuram, Ankampalem, Pulidindi, Vaddiparru sand reaches on 25.02.2020 & 26.02.2020 respectively and made some recommendations.

➤ **The NGT ordered the committee to furnish the following data**

1. Compliance report and action taken report by concerned departments on recommendations made by the Committee.
2. Action taken report and fines collected in reaches where illegal activity was noticed.
3. Mines department to assess the quantity of sand illegally mined in the sand reaches.
4. Action was taken by concerned departments on notice issued by APPCB.

In this connection, a report was submitted by the Deputy Director of Mines & Geology (FAC), Kakinada and Member-Convener of District level Sand Committee on 16.11.2020. Wherein he stated that the following actions were being taken as per the Joint Committee recommendations,

1. 183 CCTV cameras and 13 Weighbridges were installed by APMDC.
2. Only GPS enabled vehicles were allowed to transport the sand to curb the illegal activity.
3. A penalty of Rs.85,62,751/- was collected from the defaulters during 2018-2020.
4. 511 cases were booked and 747 vehicles were seized by various Government Departments during the last 03 years.
5. Andhra Pradesh Government has established a Special Enforcement Bureau to control the illicit activity of Sand.
6. A penalty of Rupees two lakhs was imposed on the contractors of Kapileswarapuram & Jonnada for operations beyond the specified depth
7. A Notice was issued to the District Sand Officer on 21.10.2020 with a direction to collect a penalty of Rupees One Lakh for the violations observed by the Joint Committee **(Copy Enclosed)**.

➤ **Regarding the Notice issued by the APPCB**

The Environmental Engineer, Andhra Pradesh Pollution Control Board, Kakinada has issued Notices to the Deputy Director of Mines and Geology, Kakinada on 03.03.2020 & 05.08.2020 respectively.

In this connection, replies were given by the Deputy Director of Mines and Geology, Kakinada on 06.05.2020 & 25.08.2020 respectively for all 16 points mentioned in the notices of the Environmental Engineer, Andhra Pradesh Pollution Control Board.

➤ **Present scenario**

The Hon'ble NGT, on 05.01.2021 directed the committee as well as the State of Andhra Pradesh & Puducherry Government to submit their further reports and Action Taken Reports including the imposition of environmental compensation and compliance of recommendations issued by the Joint Committee on or before 04.02.2021.

As per the above directions of the Hon'ble NGT, it is submitted that the sand operations in East Godavari District have been entrusted to M/s APMDC, Vijayawada as per Andhra Pradesh's New Sand Policy 2019.

As per the recommendations of the committee and prevailing sand policy in Andhra Pradesh, the M/s APMDC, Vijayawada has installed 282 CCTV cameras and 14 Weighbridges in various sand reaches of East Godavari District. Further the M/s APMDC, Vijayawada is allowed to transport the sand with GPS-enabled vehicles only to curb the illegal sand activity. (So far 3513 vehicles fitted with Specified GPS are empanelled with the Department and the transportation of sand is being done by these vehicles only).

➤ **Actions Taken by the Govt of A.P to curb illegal mining of Sand**

Since 2018 to 2020 various Government agencies like Revenue, Police, and Mines Departments of Govt. of Andhra Pradesh imposed Penalties amounting to Rs.89,47,751.00 (Eighty-Nine lakhs Forty-Seven thousand seven fifty-one rupees only) on defaulters. In the last 3 years, 511 cases were booked and 775 vehicles were seized by the Police, Revenue and Mines Department of Govt. of AP in East Godavari District.

Frequent surprise checks are being conducted by various Government agencies to curb the illegal activity of sand in the East Godavari district. Recently, the Executive Engineer, Godavari Headworks Division Dowleswaram has seized 05 boats fixed with suction pumps (Dredgers) used for sand excavations from the River bed in P.Gannvaram Mandal of East Godavari District. Further, the Department of Mines & Geology along with concerned departments have seized 03 Excavating Machines 01 JCB and a Bully and levied a penalty of 25,000/- for each machine.

The Government of Andhra Pradesh has established a Special Enforcement Bureau (S.E.B) to control the illegal activity of sand in Andhra Pradesh. The details of the cases filed by the S.E.B are given hereunder.

S. No	Name of the Unit	Time span	Number of cases booked	Number of persons arrested	Vehicles seized	Quantity of sand Seized (in M-Tons)
1	Kakinada Unit	16.05.2020 to 27.01.2021	280	543	408	3,25,406
2	Rajamahendravaram Unit	16.05.2020 to 25.01.2021	91	214	129	32,746
Total			371	757	537	3,58,152

➤ **Regarding Costal Regulatory zone.**

The Joint Committee reported that a few Sand reaches in the East Godavari district like Pasuvulanka, Pillanka, Pedalanka, and Govalanka, etc catch the attention of the provisions of CRZ-III.

In this regard, it is submitted that before operating all the Sand Reaches in the East Godavari District, the Department of Mines and Geology has obtained statutory clearances such as CFE & CFO from the Environmental Engineer, Andhra Pradesh Pollution Control Board, Representative of Andhra Pradesh Coastal Zone Management Authority and he is also a Member in the Joint Committee as well as District Level Sand Committee, East Godavari District.

➤ **The Quantity of sand illegally mined in the sand reaches.**

The Hon'ble National Green Tribunal directed the Department of Mines & Geology, East Godavari through mail on 22.07.2020 to assess .

1. Quantity of sand mined without obtaining mining permit, CFE & CFO from APMDC and APPCB.
2. Quantity of sand mined in violation of the conditions stipulated in mining permit, CFE & CFO issued by APMDC and APPCB (For example, exceeding the depth of mining, mining beyond the permitted boundaries, use of heavy vehicle, etc).

In this regard, it is submitted that the River Godavari received floods during the first week of July 2020. Almost every sand reach in the East Godavari was submerged under the floodwater. The floodwater re-deposited sand on the existing sand reaches; this became an obstacle to assess the quantity of sand mined from the Sand Reaches.

However, as per the observations of the Committee, in Kapileswaram and Jonnada sand reaches, a Penalty of Rs. 1,00,000/- per each reach has been imposed for extraction of sand beyond the specified thickness as per APMMC Rules, 1966 against the Contractors.

A notice was issued to the District Sand officer, M/s Andhra Pradesh Mineral Development Corporation Ltd, East Godavari District on 21.10.2020 vide Notice No.3640/NGT/2020, with a direction to pay an amount of Rs.1,00,000/- per each Reach where operations were done beyond the permitted depth and beyond the boundaries, as recommended by the Committee during the Joint Inspections. The details are given hereunder:

S.No	Name of the Sand Reach	violation	Penalty
1	Pasuvulanka-2 Pasuvulanka village, I Polavaram Mandal.	Depth of mining is more than the permitted depth	Rs. 1,00,000/-
2	Pedalanka Pedalanka Village, Kajuluru Mandal.	Excavations were outside the permitted Area	Rs. 1,00,000/-
3	Pillanka Pillanka Village, Tallarevu Mandal	Excavations were outside the permitted Area	Rs. 1,00,000/-
4	Muramalla Muramalla Village, I Polavaram Mandal	Depth of mining is more than the permitted depth	Rs. 1,00,000/-
5	Govalanka Pillanka Village, Tallarevu Mandal	Depth of mining is more than the permitted depth	Rs. 1,00,000/-
6	Patha injaram	Excavations were outside the permitted Area (Permission accorded by APMDC Ltd independently)	Rs. 1,00,000/-
7	Maskapalli village, Pamaruru Mandal	Illegal Excavation	Rs. 1,00,000/-
Total			Rs. 7,00,000/-

Further, the Deputy Director of Mines and Geology(FAC), Kakinada requested the District Sand officer M/s APMDC Limited, East Godavari District to furnish the details of excavation and dispatch details of sand from the 08 Sand Reaches as shown in the below table.

Sl. No	Name of the Sand reach/ location	Observation
1	Korumilli Village, Kapileswarapuram Mandal East Godavari District	Depth of mining is more than the permitted depth
2	Kapileswarapuram Village and Mandal, East Godavari District	Depth of mining is more than the permitted depth
3	Jonnada Village Alamuru Mandal, East Godavari District	Depth of mining is more than the permitted depth
4	Vemagiri-Kadiyam (Brahmipuri) 16° 53' 29.3964" N 81° 47' 30.246"E	On the day of inspection sand excavation was not taking place.
5	Atreyapuram Sand Reach, Atreyapuram Mandal	Depth of mining is more than the permitted depth
6	Ankampalem-2 Ankampalem Village Atreyapuram Mandal	Heavy Machines use age to excavate the Sand
7	Pulidindi-2 Pulidindi Village Atreyapuram Mandal	Heavy Machines use age to excavate the Sand
8	Vaddiparru-2 Vaddiparru Village Atreyapuram Mandal	300 tractors are used for sand mining per day. As per the log books 1300m ³ to 1400m ³ of sand is mined per day since 05.09.2019 upto Feruary,2020

➤ **Action taken by the Departments concerned on Notices issued by APPCB.**

It is submitted that the APPCB had issued a notice on 03.03.2020, vide Notice No:PCB/RO-KKD/2020-1953 regarding illegal in-stream sand mining to the Deputy Director Mines and Geology, Kakinada. In this connection, the Deputy Director of Mines and Geology(FAC), Kakinada has given reply on 06-05-2020 vide letter No: 117/NGT/2020 to the APPCB. But, the Environmental Engineer, APPCB did not express satisfaction for the reply of the DDM&G(FAC), Kakinada and issued another notice to the DDM&G, Kakinada on 05.08.2020 vide notice no: PCB /RO-KKD/2020-350. In this connection, the DDM&G(FAC), Kakinada has once again submitted a reply against the notice issued by the EE, APPCB vide letter No.117/NGT/2020, Dated: 25-08-2020 (Documents Enclosed).

This is submitted for kind information.



Dy. Director of Mines & Geology (FAC)
and Member-Convener
District Level Sand Committee,
East Godavari.