

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 20 of 2023

Burra Ravitheja

.....Applicant

Versus

Union of India and 6 others

.....Respondents

RUNNING INDIX

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Date: 24.5.2023

Place: Hyderabad

Mrs.H.YASMEEN ALI,


COUNSEL FOR THE 4th & 5th RESPONDENT


DEPONENT
Asst. Director of Mines & Geology (I/c),

Rajanna Siricilla
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla,

- 1 -

BEFORE THE NATIONAL GREEN TRIBUNAL,(SZ),CHENNAI.

O.A. No. 20/2023

Burra Ravitheja,
S/o. Parsharamulu,
Aged 30 years,
Residing at E1 Hostel, Room No. 89,
University College of Law,
Osmania University,
Hyderabad – 500007, Telangana State.

-Vs-

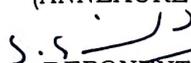
1. **Union Of India**
Through The Secretary
Ministry Of Environment,
Forest & Climate Change
Indira Paryavaran Bhawan,
Jor Bag Roadnew, Delhi - 110 003
011-24695262, secy-moef@nic.in
2. **Union Of India**
Through The Secretary
Ministry Of Mines,
Shastri Bhavan,
Dr. Rajendraprasad Road,
Central Delhi - 110 003,
011-23383109, intra-mines@nic.in
3. **The State of Telangana**
Through The Director
Mines and Geology
Myhome Sarovar Building,
Plot No. 191 & 192, Vignanpuri Colony,
HMW&SB, Hyderabad,
Telangana-500063
040-23221766, dir-mines@telangana.gov.in
4. **District Collector**
New Integrated District Offices
Rajanna Sircilla District.
Telangana State-505301
08723-232344, collector-rs@telangana.gov.in
5. **Assistant Director**
Mines & Geology Department
New Integrated District Offices
Rajanna Sircilla District.
Telangana State-505301
9440817848, admgrajanna@gmail.com
6. **KSR Constructions**
Rep. By its Managing Director
K. Venkateshwar Rao
10-1-491, Bhagyanagar Colony,
Jyothinagar, Karimnagar,
Telangana-505001.
9849059288, venkatksrc@gmail.com.. Respondents

COUNTER AFFIDAVIT FILED BY 4th & 5th RESPONDENTS

I, S.Saidulu, S/o.Late Sri. Pitchaiah, aged about 48 years, working as Asst.Director, Mines and Geology, RajannaSiricilla District do hereby solemnly and sincerely affirm and state on oath as follows:

- 1 I submit that, I am the 4th Respondent herein and as such, I am well acquainted with the facts of the case. I am filing this counter affidavit on my behalf and also the District Collector, Rajanna Siricilla who is the 4th respondent herein.
- 2 It is humbly submitted that the Eddugutta located on the Right side of Ragudu Venkatapur By-Pass road at a distance of about 500 Mtrs from By-Pass road on the back side of Apparel Park. The Eddugutta is a Govt.Land falling in Sy.No.408 of Peddur Village, SiricillaMandal, with total extent of about 295 Acres. The Geo Co-ordinates of the Eddugutta area is 18°23'27.3 E, 78° 45' 37.8 N and elevated about 10 to 15 Mtrs from the ground level.
- 3 It is submitted that, Siricilla bypass road sanctioned by Roads & Buildings Department, Govt. of Telangana under the work Name "Construction of four lane By-Pass road from km 0/0 km 11/0 in Karimnagar District" (Now in Rajanna Siricilla District) and the said work was awarded to M/s.KSR Constructions, Karimnagar vide agreement No.LS AB No/2016-17, Date:08-02-2017.
- 4 It is submitted that the Petitioner filed complaint regarding excavation of Earth/Gravel in Eddugutta area vide his complaint dated 19-03-2022. This office conducted Inspection to the alleged area on 21-03-2022 and there is no persons/machinery/Tippers are not available at Eddugutta area as alleged by the complainant. As per the field observations earth workings are noticed in the small pond slopes adjoining to the Mound. On local enquiry, it is revealed that certain persons /local villagers borrowed the earth for Road works, Govt works, Local needs and etc.,. Since the land is classified as Govt.Land and no permissions were given by Mines and Geology Department, this office vide Lr.No.311/Complaints /2022, Date:23.03.2022,while forwarding the complaint of petitioner dated:19-03-2022 has forwarded to the Tahsildar, Siricilla and Tahsildar,Yellareddypet, The Executive Engineer, R&B, RajannaSiricilla for necessary action. The area is Govt.Land and the same is under custody of Revenue Department. Hence the Tahsildar Siricilla was requested to keep watch and ward of Eddugutta area (ANNEXURE-I)
- 5 In turn, the Tahsildar, Siricilla was put strict vigil over the area to prevent unauthorised extraction of earth duly deploying the Village Revenue Assistant's at site and monitored from time to time. The copies orders duty allotted to the respective VRA's is here with submitted for kind perusal.

(ANNEXURE-II).


DEBONENT
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla.

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6 The petitioner applied under RTI regarding the permissions accorded to M/s.KSR Constructions for extraction of Gravel/Earth vide his RTI Application dated:21-03-2022. The information sought by the Petitioner was given vide this office letter No.441/RTI/2016-17, Dated:11-04-2022.

(ANNEXURE-III).

7 It is submitted that, M/s.KSR Constructions, Road contractor have not obtained any prior permission from Mines & Geology Department for extraction of earth in Eddugutta area. However, it is pertinent to mention that, as per G.O.Ms.No.23, I&CAD(PW-COD) Department, Dated:05-03-1999 and G.O.Ms.No.94, I&CAD (PW-COD) Department, Dated:01-07-2003 the contractors involved in Government Civil works are provided with recovery provision to recover the Seigniorage Fee and other statutory taxes from the contractor work bills and the deducted/seigniorage amounts will be remitted to Mines & Geology, Head of Account as per the specified rate of seigniorage fee for the quantities of Earth utilized/consumed in the said work, for the period from 08.02.2017 to 06.06.2022.The Rate of Seigniorage Fee is Rs. 30/- per Cubic Meter of Earth/Gravel as per GO.Ms.No.67, Ind & Com(M-I) Dept, Date: 26-09-2015.

(Annexure- IV, V & VI)

8 The Executive Engineer, Roads& Buildings, RajannaSiricilla vide Lr.No.EE/R&B/S/DB/T1/2022-23/712, Date:24-11-2022, furnished report that, ordinary earth to a quantity of 4,99,466CBM was utilized/consumed in the said road work and the recovery of Seigniorage Fee and other statutory taxes, are submitted as under:

SL No	Name of the Work	Name of the Agency	Agreement No &Date	Utilized/ Consumed quantities of Gravel/ Morram/ Ordinary Earth (in Cum/ MT)	Recovery of statutory Taxes			
					Seig.Fee in Rs.	Permit Fee in Rs.	DMFT in Rs.	SMET in Rs.
1	2	3	4	5	6	7	8	9
1	Construction of Four Lane Bypass Road from Km0/0 to 11/0 in Karimnagar District (Now in RajannaSiricilla District)	M/s.KSR Constructions, Karimnagar	LS AB No/2016-17, Dt.08-02-2017	499466 Cum	1,49,83,980	Nil	14,98,398	29,968

(Annexure -VII)

9 The Roads & Buildings Department have paid the Seigniorage Fee to the Govt. in accordance with G.O.Ms.No.23, I&CAD(PW-COD) Department, Dated:05-03-1999 and G.O.Ms.No.94, I&CAD(PW-COD) Department, Dated:01-07-2003. Payable Royalty have been paid to the Govt. by the Roads & BuildingsDepartment by recovery from the respective Contractor.

(Annexure-VIII)

S. S. [Signature]
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla.

10 It is submitted that, consequent upon the complaint from the petitioner, this office in Coordination with local Revenue officials have put strict vigil over the area by way of surprise Inspection/checking and prevented unauthorised extraction of earth and being monitored from 21.03.2023 to till date. The earth work for construction of Bypass Road work, Siricilla have already been completed on **6.6.2022** and no earth extraction is taking place in the area at present. It is submitted that, as per S.O.No.1224(E), Ministry of Environment, Forest and Climate Change, Dated:28-03-2020 certain cases are exempted from requirement of Environmental Clearance, "Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc."

(ANNEXURE- IX & X).

11 It is submitted that, as per the report of Executive Engineer, Roads & Buildings, Rajanna Siricilla. Mound Soil/Earth to a quantity of 4,99,466 CBM utilized/consumed in construction of "Construction of Four Lane Bypass Road from Km0/0 to 11/0 in Karimnagar District (Now in Rajanna Siricilla District)" by the agency M/s. KSR Constructions and recovered Seigniorage Fee an amount of Rs. 1,49,83,980 in accordance with G.O.Ms.No.23, I&CAD(PW-COD) Department, Dated:05-03-1999 and G.O.Ms.No.94, I&CAD(PW-COD) Department, Dated:01-07-2003.

12 It is submitted that, as per the field observations the earth excavations found in a Pond and adjoining mound slopes, which may kindly be treated as de-silting of earth.

13 In the similar lines of Development of AmritSarovar, the Govt of Telangana taken up a prestigious "Mission Kakathiya" Programme for restoration of tanks/Ponds /Water bodies in the State.

14 As per the clarification in S.O 1224 (E) the department is protecting the ponds/lake/water bodies, and put strict vigil to prevent unauthorized Excavation of Gravel/Earth.

15 In the instant case the extraction/sourcing borrowed earth from Pond area and utilized in Road development work, which is Govt. sponsored scheme and involves under public interest. The Earth was borrowed for the Road Work upto 06-06-2022 and since then there is no procurement of earth for the Road Work. It is pertinent to mention that the earth work was executed prior to OM Dated : 08-08-2022.


DEPONENT
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla

16 It is submitted that, un-authorized extraction in Eddugutta/Kunta area have already been stopped and constant vigilance was put over the area in co-ordination with local Revenue officials and ascertained by conducting frequent inspections/surprise inspections from time to time .

17 It is submitted that, The District R&B Officer, and Executive Engineer, R&B, Vide Lr.No.EE/R&B/S/AB/A1/2022-23/151, Date: 28-03-2023 furnished report that, the last date of recording of Earth Work is 06-06-2022 and since then No earth was barrowed by the contractor **and no unauthorised extraction earth is taking place in Eddugutta area.** The local Revenue, Mines & Geology, officials frequently inspecting the area and ensuring that, No unauthorised earth excavations in the area.

In light of the above facts and submissions, It is therefore prayed the Hon'ble National Green Tribunal (Southern Zone)Chennai to dismiss the O.A and pass order or other order(s) as deemed fit in the circumstances of the case in the interest of justice.

S.S. / J
DEPONENT
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla.

Solemnly affirmed and the contents of this affidavit at Telangana on this the 24th day of May, 2023 and signed his name in my presence

Before me,
Rajesh
(K. Rajesham)
H.No: 8-3-56, Gandhinagar
SIRSILLA.
E.M.No: 573/1982
Cell.No: 9393373158
Advocate, Telangana

VERIFICATION

I, S.Saidulu, S/o.Late Sri. Pitchaiah, aged about 48 years, working as Asst.Director, Mines and Geology, Rajanna Siricilla District, the 5threspondent herein, do hereby verify and declare that the contents stated in the above reply affidavit are true and correct to the best of my knowledge and belief.

S.S. / J
DEPONENT
Asst. Director of Mines & Geology (I/c),
Rajanna Siricilla.
Asst. Director of Mines & Geology (I/c)
Rajanna Siricilla.

Date: 24.5.2023
Place: Hyderabad

Mrs.H.YASMEEN ALI,


COUNSEL FOR THE 4th & 5th RESPONDENT

-6-

**GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY**

File No.311/Complaints/2022

Date: 23-03-2022

From
S.Saidulu, M.Sc,B.Ed.,
Asst. Director of Mines and Geology,(I/c)
Rajanna Siricilla.

To
1. The Tahsildar,
Siricilla Mandal.
2. The Tahsildar,
Yellareddypet Mandal.
3. The Executive Engineer,
R&B, Rajanna Siricilla.

Sir,

Sub:- Complaints - O/o. Asst. Director of Mines & Geology, Rajanna Siricilla
- Representation of Sri. B. Ravi Teja Goud, on excavation and transportation
of Gravel from Eddugutta (Govt.Land) near Bypass Road Siricilla - Forwarded -
Necessary action - Requested - Reg.

Ref:- 1.Representation of Sri. B. Ravi Teja Goud, R/o. Kolanuoor Village,
Konaraopet Mandal, Rajanna Siricilla District Dated:21-03-2022.
2. This office Letter No. 1393/vg/Rs/2019, Dt: 28-12-2021.

* * * * *

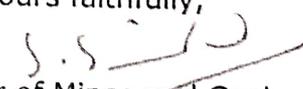
Adverting to the subject and reference cited and have been informed that, Sri. B. Ravi Teja Goud, R/o. Kolanuoor Village, Konaraopet Mandal, Rajanna Siricilla District filed compliant on excavation/transportation of Gravel from Eddugutta (Govt.Land) near Bypass Road Siricilla.(Enclosed)

In this regard, as per this office records, No permissions have been granted in the said area under TSMCRules-1966, and the area said to be Government Land.

The compliant received through the reference 1st cited is herewith forwarded to the Tahsildar, Siricilla/Yellareddypet Mandals and the Executive Engineer, R&B Rajanna Siricilla for taking necessary action at your end as per Rules.

Yours faithfully,

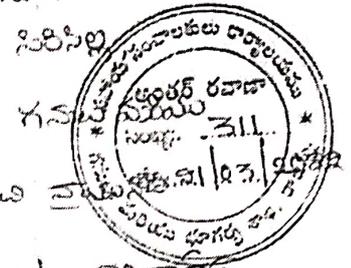
Encl: As above


Asst. Director of Mines and Geology (I/c),
Rajanna Siricilla.

Copy submitted to the District Collector, Rajanna Siricilla for favour of information.
Copy to Sri. B. Ravi Teja Goud, R/o. Kolanuoor Village, Konaraopet Mandal,
Rajanna Siricilla District for information.

ఫిర్యాదు నోటు

Date: 19-03-2022



శ్రీయుల గౌరవనీయులైన సహాయ సలహాదారుల గవర్నమెంట్ ఆఫ్ ఆంధ్రప్రదేశ్ (Mining AD) గారికి సమన్వయించి తెలుపుతున్నాము.

Submitted for kind perusal.
28/3/2022

విషయం: టైప్ రైటింగ్ గల ఎన్ఫోర్స్ మెంట్ పత్రం ద్వారా పాటించాల్సిన విషయాన్ని తెలియజేసి, అందుకు అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

అర్జీ

నా సేరు యల్. రవిచంద్ర గడ్డ, ఇలనూరు గ్రామం

సామలూరు పేట, విజ్ఞానాచార్య పేట వీధి క్రాస్ లో నుండి వెళ్ళేటప్పుడు

కొత్తపల్లి బయట పాటించాల్సిన విషయం గుర్తులు అద్దడానికి గవర్నమెంట్ వారిని విజ్ఞానాచార్య పేట, అనగా పాటించాల్సిన విషయం తెలియజేసింది.

జూన్
2/3/2022

ఈ గుర్తులు నా సేరుపై ఎన్ఫోర్స్ మెంట్ ద్వారా ఉన్నాయి. అందుకు

ఫైన్ ఇంజనీరింగ్ డివిజన్ ఆఫ్ సెంట్రల్ టెక్నికల్ (రికార్డు 15409) పోస్టా

మాట్టాబుల్ ట్రాంక్ డివిజన్ - చురుకు చట్టం ద్వారా చేస్తున్నారు. ఈ

విషయం తెలియజేసింది. అందుకు అనుగుణంగా సెంట్రల్ టెక్నికల్

విభాగం ద్వారా అందుకు అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

అరటింబారు వాటి సెంట్రల్ "TS 02 UA 3386" మరియు

"AP15TC 6662" అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

ఇవి అందుకు అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

చివరి సమాఖ్యకు పేజీలు, అందుకు అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

అందుకు అనుగుణంగా చర్యలు తీసుకోవాలని కోరుతున్నాము.

ఫోన్: Appanel park అంటు, ఫోన్ 2 ఎన్ఫోర్స్ మెంట్ (కొత్తపల్లి బయటపాటు) 4 నెంబర్

ఇట్లు
యల్. రవిచంద్ర గడ్డ
94-9310 94-62
కౌన్సిల్ న్యాయవాది.
TS/3262/2021

తెలంగాణ ప్రభుత్వము

రెవెన్యూ శాఖ

నెం.వి./425/2022

తహశీల్దార్ వారి కార్యాలయము,
సిరిసిల్ల, తేదీ: 25.03.2022.

సర్క్యులర్

విషయము: అక్రమ త్రవ్వకాలు మరియు రవాణ - సిరిసిల్ల మండలము-ఎడ్డుగుట్ట (ప్రభుత్వ భూమి) -తగు సూచనలు జారీ చేయుట మరియు గ్రామ రెవెన్యూ సహాయకులు విధులు నిర్వర్తించుట - గురించి.

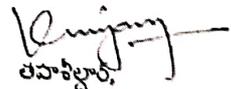
సందర్భం: శ్రీయుత సహాయ సందాలకులు గనులు మరియు భూగర్భ శాఖ లేఖ నెం.311/Complaints/2022,తేదీ: 23.03.2022.

పై విషయము పురస్కరించుకొని సిరిసిల్ల మండలములోని ఎడ్డుగుట్ట (ప్రభుత్వ భూమి) నందు మొరం అక్రమంగా త్రవ్వకాలు చేస్తూ రవాణా జరుగుతున్నదని పిర్యాదు వచ్చినందున సహాయ సందాలకులు గనులు మరియు భూగర్భ గారు తగు చర్యలు తీసుకొనుటకు గానూ పై సందర్భము ద్వారా తెలియజేసినారు.

ఇట్టి విషయములో ఎడ్డుగుట్ట పరిసర ప్రాంతములో ఎలాంటి అక్రమ త్రవ్వకాలు మరియు రవాణా జరగకుండా ఈ కార్యాలయ గ్రామ రెవెన్యూ సహాయకులకు క్రింద చూపిన విధంగా విధులు కేటాయించబడినది.

క్రమ సం.	గ్రామ రెవెన్యూ సహాయకుని పేరు	సమయము
1	శ్రీ రెడ్డిమల్ల శిషాద్రి	8AM to 8PM
2	శ్రీ మదుదుల మొండయ్య	8PM to 8AM

ఇట్టి విషయములో ఎవరైనా ప్రభుత్వ అనుమతి లేకుండా ఎడ్డుగుట్ట పరిసర ప్రాంతములో అక్రమ త్రవ్వకాలు మరియు రవాణా చేసినచో అట్టి మొరం తరలిస్తున్న వాహనములను సీజ్ చేసి TSMMC Rules -1966 క్రిమం తగు చర్యలు తీసుకొనుటకు పైన తెలిపిన గ్రామ రెవెన్యూ సహాయకులు ఇరువురు ఎప్పటికప్పుడు పరిశీలన జరిపి, అక్రమ రవాణా చేయు వాహనములు కనిపించినచో వాటిని తహశీల్దార్ కార్యాలయమునకు తీసుకురాగలరని తెలుపవలెననిది.


తహశీల్దార్,

సిరిసిల్ల మండలం.
M/

దీని ప్రతి:

1. శ్రీయుత జిల్లా కలెక్టర్ రాజన్న సిరిసిల్ల గారికి తగు సమాచారం నిమిత్తము.
2. శ్రీయుత రెవెన్యూ డివిజనల్ అధికారి సిరిసిల్ల గారికి తగు సమాచారం నిమిత్తము.
3. శ్రీయుత సహాయ సందాలకులు గనులు మరియు భూగర్భ గారికి తగు సమాచారం నిమిత్తము.
4. శ్రీయుత మున్సిపల్ కమిషనర్ సిరిసిల్ల గారికి తగు సమాచారం నిమిత్తము.
5. శ్రీ రెడ్డిమల్ల శిషాద్రి గ్రామ రెవెన్యూ సహాయకులు షెడ్యూర్ గ్రామము, సిరిసిల్ల మండలం.
6. శ్రీ మదుదుల మొండయ్య గ్రామ రెవెన్యూ సహాయకులు బోనాల గ్రామము, సిరిసిల్ల మండలం.

//True Translate//

**GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT**

Lr.No.B/425/2022

Tahsildar Office,
Siricilla, Date: 25.03.2022.

CIRCULAR

Sub:- Illegal Excavation and Transportation - Siricilla Mandal – Eddugutta (Govt.Land) and Deployment of Village Revenue Assistants to attend duties – Suitable Instructions – Issued – Reg.

Ref:- Lr.No.311/complaints/2022, Date:23-03-2022 of the Assistant Director of Mines & Geology, Rajanna Siricilla.

* * *

Adverting to the subject and reference cited a complaint filed regarding illicit Excavation and transportation of Earth in Eddugutta (Govt.Land) in Siricilla Mandal and Asst. Director of Mines & Geology, has requested to take necessary action.

In this connection so as to prevent Illegal excavation and transportation of Earth in Eddugutta surrounding areas this office Village Revenue Assistants are assigned duties as shown below,

Sl.No	Name of the Village Revenue Assistant	Time
1	Sri Reddymalla Sheshadri	8AM to 8PM
2	Sri Madudula Mondaiah	8PM to 8AM

Further, the Village Revenue Assistants are directed keep strict vigil from time to time in Eddugutta surrounding areas and if any Illegal Excavation of Earth Gravel found, such Illicit Vehicles shall be moved to O/o. the Tahsildar for seizure as per TSMMC Rules- 1966.

Sd/-
Tahsildar,
Siricilla Mandal.

Copy submitted to the District Collector, Rajanna Siricilla for favour of information.
Copy submitted to the Revenue Divisional Officer, Siricilla for favour of information.
Copy submitted to the Assistant Director of Mines & Geology, Rajanna Siricilla for favour of information.
Copy submitted to the Municipal Commissioner, Siricilla for favour of information.
Copy to Sri Reddymalla Sheshadri Village Revenue Assistant, Siricilla Mandal.
Copy to Sri Madudula Mondaiah Village Revenue Assistant, Bonala Village, Siricilla Mandal.

తెలంగాణ ప్రభుత్వము

గనులు మరియు భూగర్భశాఖ, రాజన్న సిరిసిల్ల జిల్లా

లేఖ నెం. 441 /ఆర్ టి ఐ /2016-17

తేదీ : 11.04.2022

From
యస్. ప్రదీపు యం.యస్.సి, బి.యాడ్.,
పౌర సమాచార అధికారి,
సహాయ సంచాలకులు
గనులు మరియు భూగర్భ శాఖ, (I/C)
రాజన్న సిరిసిల్ల.

To,
శ్రీ బుర్ర రవి తేజ గౌడ్,
కొలనూరు గ్రామం,
కొనరావుపేట మండలం,
రాజన్న సిరిసిల్ల జిల్లా (By RPAD).
ముఖ్యతా నెం. 9493109462, 8099960370.

ఆర్యా!

విషయము: గనులు మరియు ఖనిజములు - సహాయ సంచాలకులు గనులు మరియు భూగర్భ శాఖ
రాజన్న సిరిసిల్ల కార్యాలయం - సమాచార హక్కు చట్టం-2005 ప్రకారం స్వీకరించబడిన అర్జీకి
ప్రతి జవాబు - గురించి.

సూచిక:- శ్రీ బుర్ర రవి తేజ గౌడ్, కొలనూరు, గ్రామం, కొనరావుపేట మండలం గారి అర్జీ,
తేదీ: 21.03.2022. ఈ కార్యాలయంకు చేరిన తేదీ: 22-03-2022.

* * * * *

పై విషయమును మరియు సూచిక ను పురస్కరించుకొని తమరికి తెలియజేయునది ఏమనగా పై సూచిక
ద్వారా శ్రీ బుర్ర రవి తేజ గౌడ్, కొలనూరు, గ్రామం, కొనరావుపేట మండలం గారు కోరిన వివిధ అంశములకు
సంబంధించిన బైప్లాస్ రోడ్ లో గల బోనాల, పెద్దూర్ శివారులో గల ఎద్దుగుట్ట, అప్పారెల్ పార్క్ లో గుట్టలను యొక్క
సమాచారమును సమాచార హక్కు చట్టం - 2005 ద్వారా కోరియున్నారు.

1. బైప్లాస్ రోడ్ లో గల బోనాల, పెద్దూర్ శివారులో గల ఎద్దుగుట్ట, అప్పారెల్ పార్క్ లో గుట్టలు చదును
చేయబడినట్లైతే ఈ కార్యాలయం కు ఎలాంటి దరఖాస్తులు అందలేదు మరియు ఎలాంటి అనుమతులు మంజూరు
చేయబడలేదు.
2. రాజన్న సిరిసిల్ల జిల్లా యందు మంజూరు చేయబడిన గనుల లీజులు వివరములు ప్రత్యేక అనుబంధము (I)
ను జతచేయునైనది.
3. ఈ కార్యాలయం రికార్డ్స్ ప్రకారముగా మైనింగ్/క్వారీ ల త్రవ్వకాలు హద్దులు దాటిన/అతిక్రమించిన వాటి
యొక్క సమాచారము ప్రత్యేక అనుబంధము (II) జతచేయునైనది.

ఇట్టి సమాచారమును సమాచార హక్కు చట్టం - 2005 ప్రకారం తెలియపర్చినది.

తమ విధేయుడు
యస్. ప్రదీపు
పౌర సమాచార అధికారి,

సహాయ సంచాలకులు

గనులు మరియు భూగర్భ శాఖ, (I/C)
రాజన్న సిరిసిల్ల.

దీని ప్రతి ఫీయూర జిల్లా కలెక్టర్, రాజన్న సిరిసిల్ల గారికి తగు సమాచార నిమిత్తం తెలియపర్చినది.

దీని ప్రతి సంచాలకులు గనులు మరియు భూగర్భ శాఖ, హైదరాబాద్ గారికి తగు సమాచార నిమిత్తము

తెలియపర్చినది.

దీని ప్రతి ఐద సంచాలకులు గనులు మరియు భూగర్భ శాఖ, వరంగల్ గారికి తగు సమాచార నిమిత్తము

తెలియపర్చినది.

//TRUE TRANSLATION//

GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY

Letter No.: 441/RTI / 2016-17

Dt: 11.04.2022

From:
Sri S Saidulu M.S.C, Bed.,
Public Information Officer/
Assistant Director
Mines & Geology Department (I/C)
Rajanna Sircilla

To:
Sri. Burra Ravitheja Goud
Kolanoor Village
Konaraopet Mandal
Dist: Rajanna Sircilla (By RPAD)
9493109462, 8099960370

Respected:

Subject:- Regarding Mines & Minerals - Assistant Director Mines & Geology
Department Rajanna Sircilla, issuing information under RTI act-2005

Direction: Sri. Burra Ravitheja Goud Kolanoor Village, Konaraopet Mandal
application form Dated 21-03-2022 received on dt: 22-03-2022

According to the above matter, Sri. Burra Ravitheja Goud R/o. Kolanoor
village of konaraopet mandal requested for the information related to mounds near
apparel park and eddugutta under RTI Act-2005. Issuing information as stated below

1. No kind of application received and no permission given to mine the mounds behind
apparel park and eddugutta mound near Bypass road at the outskirts of pedduru and
apparel park.
2. List of Leased Quarries granted in the rajanna sircilla is attached to this as annexure (I).
3. According to the records, those who crossed the limits of mining related information
given in annexure (II)

So we are issuing information to you under RTI Act-2005

Sd/-
S. Saidulu
Public information officer
Assistant Director
Mines & Geology Department (I/C)
Rajanna Sircilla District.

Copy To:

1. District Collector, Rajanna Sircilla
2. Director Mines & Geology Department, Hyderabad
3. Deputy Director Mines & Geology Department, Warangal.

Annexure - I

Sr.No	Lessee ID No.	Name of the Lessee	Name of the Mineral	Survey No.	Village	Mandal	Extent in Hect	Type of Land
01	2011060003	M/s. Geeta Granites	Colour Granite	48	Narsingapur	Boinpally	5.00	Govt Land
02	2011070008	M/s. Ganesh Granites	Colour Granite	42	Narsingapur	Boinpally	2.00	Govt Land
03	2011090344	Sri. Sri Vishnu Granites	Colour Granite	42/2	Narsingapur	Boinpally	5.00	Govt Land
04	2011070006	M/s. Sreeakra Granites	Colour Granite	242	Vilasagar	Boinpally	1.48	Govt Land
05	2011070007	M/s. Venkateshwara Granites	Colour Granite	231	Vilasagar	Boinpally	4.00	Patta Land
06	2011070009	M/s. Orient Granites & Marbles (P) Ltd	Colour Granite	1798	Vilasagar	Boinpally	1.70	Govt Land
07	2011080010	M/s. Sreeakra Granites	Colour Granite	239, 241, 243	Vilasagar	Boinpally	4.60	Patta Land
08	2011080343	M/s. Nandita Granites	Colour Granite	496 to 500	Vilasagar	Boinpally	1.76	Patta Land
09	2011100011	M/s. Seethu Granites	Colour Granite	48	Narsingapur	Boinpally	5.00	Govt Land
10	2011100012	M/s. Midwest Granites (P) Ltd	Colour Granite	499, 500, 501, 502, 503, 506, 509, 510, 511 & 512	Vilasagar	Boinpally	3.06	Patta Land
11	2011100013	M/s. Venkateshwara Granites	Colour Granite	251	Vilasagar	Boinpally	3.00	Patta Land
12	2011100014	M/s. Orient Granites & Marbles (P) Ltd	Colour Granite	495, 522 & 520/1	Vilasagar	Boinpally	1.00	G/P
13	2011110015	M/s. Venkateswara Granites	Colour Granite	15	Narsingapur	Boinpally	2.00	Patta Land
14	2011110016	Sri. Ch. Ramu	Colour Granite	174	Kothapet	Boinpally	2.19	Patta Land
15	2011110017	Sri. M. Surender Reddy	Colour Granite	513, 514, 520	Vilasagar	Boinpally	2.31	Patta Land
16	2011120374	M/s. Balmuri Granites & Minerals (P) Ltd	Colour Granite	232/C	Vilasagar	Boinpally	1.18	Patta Land
17	2011130325	M/s. Thirumala Granites	Colour Granite	114, 156 to	Sankapally	Vemulawada	10.00	Govt Land
18	2011130340	M/s. Jai Sree Pam Minerals	Colour Granite	148 to 164	Sankapally	Vemulawada	21.71	Govt Land
19	2011150755	M/s. Sri Anjaneyya Colour Granite	Colour Granite	284	Boorugupally	Boinpally	2.92	Govt Land
20	011170010	M/s. Midwest Granites (P) Ltd	Colour Granite	243/p, 244/p, 245/p, 247/p, 248/p & 249/p	Vilasagar	Boinpally	6.11	Patta Land
21	011170012	Sri. M. Surender Reddy	Colour Granite	484/A, B&C, 485/D&E, 486/A, 490, 491/A, B&C, 523/A, B&C, 524/A B&C, and 525/A, B &C.	Vilasagar	Boinpally	3.77	Patta Land
22	011100014	M/s. Sri Sai Balaji Granites	Colour Granite	252	Vilasagar	Boinpally	4.00	Patta Land
23	011200020	M/s. Heranite Granites	Colour Granite	374, 375, 376, 377, 378, 379, 380, 381, 382, 493 & 494	Vilasagar	Boinpally	4.16	Patta Land

Sl.No	Lessee ID No.	Name of the Lessee	Name of the Mineral	Survey No.	Village	Mandal	Extent in Hect	Type of Land
01	2011080499	M/s. Laxmi Narsimha Stone Crusher	Stone & Metal	749/2	Rudrangi	Rudrangi	0.50	Govt Land
02	811160007	M/s. Meenakshi Metals	Stone & Metal	180,181 & 187	Mustafanagar	Gambhiraopet	4.45	Govt Land
03	2011150756	Sri Narra Mahesh Reddy	Stone & Metal	22	Nagampet	Gambhiraopet	2.00	Govt Land
04	2011150757	Sri Konduri Gandhi	Stone & Metal	22	Nagampet	Gambhiraopet	2.00	Govt Land
05	811160005	M/s. Shambhavi Stone Crusher	Stone & Metal	676	Jillela	Sircilla	8.50	Govt Land
06	811080006	M/s. Chemanathi Stone Crusher	Stone & Metal	257	Obulapoor	Sircilla	0.50	Govt Land
07	2011080512	M/s. Vinayaka Stone Crusher	Stone & Metal	61	Sardapur	Sircilla	2.00	Govt Land
08	2011110505	Sri Neelam Guruvaiiah	Stone & Metal	8	Thettekunta	Vemulawada	0.584	Govt Land
09	0811160001	Sri. Y. Chandra Mohan Rao	Stone & Metal	38	Thettekunta	Vemulawada	8.40	Govt Land
10	0811180013	Sri.C.Abhiram Rao	Stone & Metal	77	Bavusaipet	Konaraopet	14.50	Govt Land
11	0811180015	M/s.Lucky Stone Quarry	Stone & Metal	79	Pothireddyally	Yellareddyypet	1.70	Govt Land
12	0811180016	M/s.Lucky Stone Quarry	Stone & Metal	79	Pothireddyally	Yellareddyypet	1.70	Govt Land
13	0811180018	Sri.C.Ashok Rao	Stone & Metal	77/1/2	Bavusaipet	Konaraopet	3.19	Govt Land
14	0811180017	M/s. Arjun Constructions	Stone & Metal	774/1/2	Pothugal	Mustabad	3.00	Govt Land
15	811190019	M/s. Sri Laxmi Industries Pvt Ltd	Stone & Metal	237	Chinthalata	Sircilla	2.50	Govt Land
16		Sri.Dhadigela Sravan Kumar	Stone & Metal	217	Baddanapalli	Thagallapally	14.00	Govt Land

Asst. Director of Mines and Geology (I/c)
Rajanna Sircilla

S.S.S.D

జాబ్ ప్రతి నిమోచార హాక్కు చట్టం-2005
ప్రకారముగా జారీ చేయబడినది
శ్రీ స. స. స. డి. డి.
పొరం నష్టానాళ అధికారి
పొరం నష్టానాళ నిర్వహణ సంఘము
పొరం నష్టానాళ నిర్వహణ సంఘము
పొరం నష్టానాళ నిర్వహణ సంఘము
పొరం నష్టానాళ నిర్వహణ సంఘము

స. స. స. డి. డి.

Annexure - II

Sl No	Name of the quarry Lease	Demand Notice No & Date
01	M/s. IVRCL Ltd., Sy.No. 237/1, Chintaitana Village, Siricilla Mandal, Rajanna Siricilla Dist.	9487/Q1/2013, Date:13-10-2013
02	Sri. N.Guruvaiah Sy.No. 8, Thetikunta Vg, Vemulawada Mdl	375/Q1/2010, dt: 12.02.2020
03	M/s. Sri Narsimha Stone Crusher Sy.No.749/2, Rudrangi (Vg&Mdl)	7685/Q1/2008, dt:12.02.2020

 Asst. Director of Mines & Geology (I/c),
Rajanna Siricilla

ఆర్డర్ ప్రతి ఎమర్సం చేసి, ఏప్రిల్-2005

ప్రధానమంత్రి ఆర్డర్ చేయించినట్లు

 S.S. S

జిల్లా పరిశోధనా అధికారి

మహారాష్ట్ర రాష్ట్ర పరిశోధనా అధికారి

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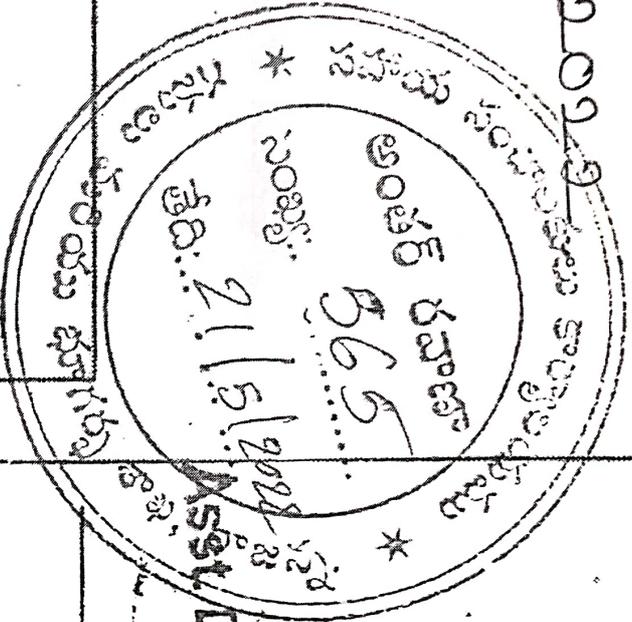
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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Works – Reforms in Public Works Departments – Revision and streamlining of
Tender Procedures – Orders – Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (PW:COD) DEPARTMENT

G.O.Ms.No.23,

Dated: 5th March, 1999.

Read the following:-

1. G.O.Ms.No.177 to 182, I&CAD(PW:COD) Dept., Dt.27.09.97.
2. G.O.Ms.No.21 to 26, TR&B (B.III) Dept., Dt.6.2.98.
3. G.O.Ms.No.99, TR&B (Roads.I) Dept., Dt.9.6.98.
4. G.O.Ms.No.132, TR&B (Roads.I) Dept., Dt.11.8.98.

ORDER:

1. Government have from time to time initiated several reforms in tendering for public works with a view to bring in simplification of procedures, greater transparency and to ensure better quality of works.

2. Government issued orders in the Gos 1st and 2nd read above introducing comprehensive reforms streamlining and standardizing the procedures for calling tenders and award of contracts.
3. Government constituted Cabinet Sub-Committee in GO 3rd read above to review and suggest in their reforms in tendering procedure and allied matters.
4. Accordingly, the Cabinet Sub-Committee had gone into various aspects of the existing procedures of sanctioning estimates and tendering system and submitted a report to Government. Based on the recommendations of the Cabinet Sub-Committee, Government issued orders in the GO 4th read above, ordering further tender reforms with a view to curb collusion and unfair practices adopted by the Contractors in the tendering process.
5. After issuance of the aforesaid orders, complaints were received by the Government that the contractors were still indulging in unfair practices and colluding in filing the tenders. Government, therefore, with a view to take stringent action in such cases, convened a workshop on 10.11.98 with the representatives of Builders' Association, Contractors and Government Officials to elicit their views on further Reforms required to be introduced. The Committee constituted with the representatives of the Builders Association and Government Officials, after thorough examination of the consensus emerged in the workshop has made certain recommendations to Government.
6. Government after careful consideration of the Cabinet Sub-Committee and in partial modification of the orders issued in GO Ms.No.132, TR&B Dept., dt.11.8.98 issued the following orders in respect of Tender procedures and other allied matters relating to all the Public Works Departments to ensure free and fair competition in award of Public Works and to bring in greater transparency in tender procedure.
 - i) The maximum ceiling of excess tender percentage shall be 15% instead of 20%. The lower limit and the conditions therefor will be continued. No negotiations will be conducted with the tenderers.
 - ii) In order to maintain anonymity, tender schedules shall be supplied on payment of a cost to any contractor interested in tendering. The present practice of collecting EMD at the time of sale of Tender Schedules shall be dispensed with. Hereafter, the Contractors shall pay the EMD at the time of filing their tender documents only. The EMD shall be at the rate of 1% of estimate contract value and it shall be paid in full, without concession, either in the shape of a Bank Draft or unconditional Bank Guarantee.
 - iii) The contractors shall have the facility of obtaining mobilization advance upto 10% of contract value on works costing more than Rs.1 Crore against bank guarantee which will attract suitable rate of interest. The advance and interest shall be recovered from the contractor's bills in appropriate installments.
 - iv) For the works costing upto Rs.10.00 lakhs the existing procedure of collecting EMD in the form of crossed Demand Draft at the time of filing tender schedules shall be allowed. The eligibility criteria shall not be made applicable for these works.
 - v) The contractors will no longer be required from now onwards to produce clearance certificate from the Mines Department and Seigniorage charges will be deducted by the concerned works Department from the bills of the Contractors for the materials used on the work only.

- vi) The Contractors will be allowed the facility of deduction of sales tax at the rate of 2% at source and be exempted from producing the clearance certificate from Commercial Tax Department.
- vii) Expert Committees at different levels shall be constituted by HOD's to resolve the disputes of the contractors in so far as technical issues are concerned.
- viii) To resolve the problems of the Contractors vis-à-vis the Government, an institutional mechanism will be created at the district level with the Collector as the Chairman and at the State Level the Chief Secretary as Chairman to review periodically and to redress the difficulties of the Contractors.
- ix) To enforce proper quality control standards in execution of works, the performance of the Contractors and the Engineers in charge of the work shall be graded by associating professional bodies and suitable incentive / punitive system will be implemented on the basis of such grading and stern action will be taken for defective works against both the Engineers as well as Contractors.
- x) Quality Control shall hereafter be the primary responsibility of the Engineers executing the works.
- xi) In order to prevent collusion amongst the tenderers, for the first two tender calls if the premium quoted are found to be high / abnormal, the works shall be entrusted to the reputed contractors on selection basis by the competent committees at the district level upto Rs.1 Crore and at State level above Rs.1 Crore as per G.O. 4th read above. The Contractors in five members each time from out of the published lists of the contractors with proven track record shall be called upon to quote their prices and the lowest among them shall be awarded the work within the maximum ceiling limit prescribed.
- xii) As a measure to encourage good contractors, the procedure of registration shall be rationalized and made more scientific by introducing a grading system, which will take into account the technical qualifications of the contractors, their standing in the civil contract fields, past track record of execution of works, ownership of plant and machinery, financial status and training and memberships in professional bodies. The contractors with history of litigation will be suitably down graded / black listed or debarred.

7. In order to avoid ambiguity in implementing the order, detailed guidelines are formulated in annexures I and II to this order.

8. The above orders shall come into force with immediate effect. However these orders shall be made applicable only for the tenders invited after issuance of the GO.

9. The Engineer-in-Chief, I&CAD Dept., and Chairman, Board of Chief Engineer (BOCEs) shall furnish necessary proposals for making suitable amendments to the existing codal / APSS provisions.

10. This order issues with the concurrence of Fin. & Plg. (PW) dept., vide their G.O.No.SP/335/F8(2)/99-1, dt.3.3.99.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
P.K.AGARWAL
SECRETARY TO GOVERNMENT (Projects)

To
The Engineer-in-Chief, Irrigation wing, Hyd.
The Engineer-in-Chief, Administration wing Hyd.
The Engineer-in-Chief, R&B wing,Hyderabad etc.

-20-

The tender documents will be prepared by the concerned Engineers, bringing greater transparency. The provisions made in the estimate for items which are reimbursable to the contractors with conditions therefore and other relevant conditions relating to the implementation of contract and other eligibility criterion both physical and financial requirements in addition to the conditions notwithstanding any thing contained in the APSS, APWD Code and Government orders the following will be incorporated wherever necessary.

3.01.2 DEFECT LIABILITY PERIOD:

In partial modification of GO Ms.No.132, dt.11.8.98, the defect liability period is increased to two years for the original works and one year for maintenance works, duly taking into account normal wear and tear.

3.01.3 LIQUIDATED DAMAGES:

The liquidated damages are imposed on the contractors as per the present practice basing on the milestones.

3.01.4 SEIGNIORAGE CHARGES & SALES TAX:

The Seigniorage charges will be recovered from contractor's bills as per the rates prescribed in the contract documents for the materials used on the work only. The present practice of insisting for production of documentary evidence for having paid the Seigniorage charges in items of GO Ms.No.243, dt.8.5.86 and in the absence of such production of the evidence, the imposition of five times penalty is dispensed with.

For sales tax / tax on works contract, contractors are given an option to opt for the composing schemes under Section 5 (g) of the APGST Act and those opting for it are subject to a tax deduction of 2% at source on the total value of the contract. In such case, the departments will not insist on production of clearance certificate and no assessment of tax will be needed.

3.01.5 MOBILISATION ADVANCE:

The contractors for works exceeding more than Rs.1 Crore of estimated cost value are permitted to avail the facility of mobilization advance upto 10% of the value of the contract against an unconditional and irrevocable bank guarantee. The advance will attract a suitable rate of interest (as per Govt. borrowing rate) and be deducted in suitable installments from the bills of the contractors.

3.01.6 PAYMENT OF BILLS:

The contractors will be permitted to submit their work bills once in a month and payment will be made after proper check of quantity and quality within a reasonable time limit. The final payment of the contractor should not be delayed for want of certificate from the quality control staff.

GOVT OF ANDHRA PRADESH
ABSTRACT

I&CAD Department- Tender procedures and Registration of contractors Rules – Comprehensive – Orders Issued.

IRRIGATION AND CAD (PW –COD) DEPARTMENT

G.O.MS.No .94

Date- 01-07-2003

Read the following:-

1. GOMS.NO 521, I&CAD (PW) Deptt. Dated 10-12-1984.
2. GOMS.No. 132, TR&B (RI) Deptt. Dated 11-8-1998.
3. GOMS.No. 23, I&CAD (PW) Deptt., Dated 05-3-1999.
4. GOMS.NO. 8, TR&B (R1) Deptt. Dated 08-01-2003.

ORDER:-

Government have constituted a Cabinet Sub- Committee in GO.938 TR&B [R.1] Department, dated. 29.11.2000. The Cabinet Sub- Committee examined various issues relating to revision and streamlining of tender procedures with the following objectives.

- (1) Simplification of procurement procedures.
- (2) Achieving greater transparency in procurement.
- (3) Reducing delay in procurement.
- (4) Improving quality of construction.
- (5) Ensuring timely completion of projects

2. The Cabinet Sub –Committee analyzed the deficiencies in the existing procedures in respect of registration of contractors, qualification criteria, verification of certificates, standard bidding documents, tender premium, purchase of tender documents by non-serious bidders, prevention of cartel formation, deduction of taxes at source, maintenance of assets, grading of contractors and engineers, quality control measures etc., and examined different alternatives in order to achieve better results and made recommendations to the Government for consideration. Government, after careful examination of the recommendations of the Cabinet Sub –Committee and in partial modification of the orders issued in the G.O.first 2nd and 3rd read above, have issued certain modified orders in Go 4th read above.

3. In order to simplify the adoption of the Government orders, issued in the G.Os 1st to 4th read above. Government hereby issue a comprehensive order on all the issues covered in the G.Os, in the Annexures appended to this order.

4. These orders are now made applicable with immediate effect.

5. This orders issue with the concurrence of Finance and Plg.(PW)Department U.O.Note No.

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

J. HARINARAYAN
PRINCIPAL SECRETARY TO GOVERNMENT

Encl: Annexure. I to VII.

To
The Engineer –in-Chief (AW/IW) (Irrigation)

All the Engineers-in-Chief & Chief Engineers of I&CAD Department.
The Engineer-in-Chief [R&B], Admn., Hyderabad.
The Commissionerate of Tenders, BRKR Bhavan, Hyderabad.
The Engineer-in-Chief, P.R. & RD, Hyderabad.

(16) **PRICE ADJUSTMENT:**

Price adjustment shall be granted where administered prices are enforced and that too for works estimated at more than Rs. 2.00 Crores and having completion period of more than 18 months. This should be applicable within the original contract period or extended period owing to departmental delays. This will not apply to cases attributed to contractors fault.

(17) **MOBILISATION ADVANCE:**

The contractor shall have the facility of obtaining mobilization advance up to 10 % of contract value on works costing more than Rs. 1 crore against Bank Guarantee which will attract suitable rate of interest. The advance and interest shall be recovered from the contractor's bills in appropriate installments.

(18) **CONSTRUCTION MATERIALS:**

The present practice that the contractor has to procure at his own cost the principal construction materials like cement, steel, bitumen, sand metal soils ect., shall continue.

(19) **SEIGNIORAGE CHARGES:**

The Seigniorage charges will be recovered from Contractors bills as per the rates prescribed in the contract documents for the materials used on the work only. The present practice of insisting for production of documentary evidence for having paid the seigniorage charges in items of GO Ms No. 243, Dated 8.5.1986 and in the absence of such production of the evidence, the Imposition of five times penalty is dispensed with.

(20) **SALES TAX:**

For sales tax / tax on works contract, contractors are given an option to opt for the composing schemes under section 5 (g) of the APGST Act and those opting for it are subject to a tax deduction of 2 % at source on the total value of the contract. In such case, the departments will not insist on production of clearance certificate and no assessment of tax will be needed.

(21) **LIQUIDATED DAMAGES:**

The liquidated damages are imposed on the contractors as per the present practice basing on the milestones.

(22) **PAYMENT OF BILLS:**

The contractors will be permitted to submit their work bills once in a month and payment will be made after proper check of quantity and quality with in a reasonable time limit. The final payment of the contractor should not be delayed for want of certificate from the quality control staff.

(23) **PAYMENT FOR EXCESS QUANTITIES:**

Payments for execution of quantities, in excess of agreement quantities, should be made without delay and the EEs should take prompt action to obtain the approvals of the competent authority to make the payment to the contractors. Failure in this regard shall result in disciplinary action being taken against the concerned engineers. Similarly, final payments to contractors should not be delayed for want of a certificate from the Quality Control Staff. The Chief Engineers should ensure proper performance of the Quality Control Wing and see that they give the certificates in time on pain of disciplinary action to avoid delays in the payment of final bills to the contractors.

(24) **QUALITY CONTROL:**

- (a) The Contractor and the Engineers in charge of construction / maintenance are responsible for the quality of construction / maintenance. The departmental executing Engineers will act as Quality Assurance Engineers. The Quality Control Officials are accountable for the quality of the work where certification issued by them. They should also act as Quality Audit Engineers.

GOVERNMENT OF TELANGANA
ABSTRACT

Mines and Minerals – Revision of Rates of Seigniorage Fee and Dead Rent - Orders
- Issued.

INDUSTRIES AND COMMERCE (MINES.I) DEPARTMENT

G.O.MS.No. 67

Dated: 26/09/2015
Read the following

- 1) G.O.Ms.No.198, Industries & Commerce (M.I) Dept., dt:13.08.2009
- 2) Government Memo No.418/M.I(1)/2015, dated:08.07.2015.
- 3) From the Director of Mines and Geology, Hyderabad Letter No.3305/MR/2014, dated:08.07.2015.

ORDER:

The following notification will be published in the Extra-Ordinary Issue of the Telangana Gazettee dated:the 26th September, 2015.

NOTIFICATION

In exercise of the powers conferred by Section Sub-Section (1) of 15 of the Mines & Minerals (Development & Regulation) At, 1957 (Central Act No.67 of 1957), the Government of Telangana hereby issue the following amendments to the A.P. Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries & Commerce (Mines-I) Department, dated:04-09-1967 and as amended subsequently from time to time and as adapted vide G.O.Ms.No.55, Industries & Commerce (Mines.I) Department, dated:26.08.2015 as A.P. Minor Mineral Concession Rules, 1966 (Telangana Adaptation) order, 2015.

AMENDMENTS

In the said rules, under rule 10 for Schedules I and II the following shall be substituted, namely:

SCHEDULE-I
RATES OF SEIGNIORAGE FEE

Sl. No.	Name of the Minor Mineral	Unit	Rate of Seigniorage fee (In Rupees)
1	Building Stone, Rough Stone/ Boulders, Road Metal and Ballast	M3/MT	75/50
2	Dimensional Stone used for Kerbs & Cubes	MT	100/MT
3	Lime Kankar/ Limestone	MT	The rate of royalty as applicable to Limestone (other than LD Grade) in respect of major Minerals as per the 2 nd Schedule of the Mines & Minerals (D&R) Act, 1957.
4	Marble	M3/MT	250/100
5	Mosaic chips	MT	45
6	Morrum/Gravel & Ordinary Earth	M3/MT	30/20
7	Ordinary Sand	M3/MT	40/27
8	Shingle	M3/MT	25/17
9	Chalcedony Pebbles	M3/MT	75/50
10	Fullers Earth/ Bentonite	MT	150
11	Shale/Slate	MT	150
12	Rehmatti	MT	25
13	Limestone slabs	M2/MT	8/100

14	Brick Earth used in the manufacture of Bricks including Mangalore Tiles.	-	Rs.6000/- per kiln per annum	
15	Granite useful for cutting and polishing	Gangsaw above 270 x above 150	Below 270 X below 150	Equal and below 70
a	Black Granite	3000	2300	1200
b	Colour Granite	2300	2000	1000

The rates shown at Sl.No.15 shall come into force w.e.f., two years from the date of this G.O. until then the rates ordered in G.O.Ms.No.198, Industries & Commerce (M.I) Dept., dt:13.08.2009 shall continue to be inforce.

SCHEDULE-II
Rates of Dead Rent

Sl. No.	Name of the mineral	Rate of Dead Rent per hectare per Annuam (in Rs.)
1	Black Granite	1,00,000
2	Colour Granite	80,000
3	Limestone other than classified as Major Minerals used for Lime burning or building construction purposes, Marble, Boulders, Building Stone including Stone used for Road Metal, Fullers Earth, Ballast Concrete and other Constructions purposes, Slate and Pyllites.	50,000
4	Gravel Morrum, Shingle, Limestone Slabs, used for Flooring purposes, Chalcedeny Pebbles used in the building purposes, Limeshell for burning used for building purposes and Rehmatti.	40,000

2. The rate of royalty revised by Government of India with effect from 01.09.2014 in respect of (31) Major Minerals now declared as Minor Minerals and transferred to the State Government in the extra-ordinary issue of the Gazette Government of India Notification No.423(E) dated:10.02.2015 shall be continued, until further orders.

3. This order issues with the concurrence of Finance Department vide their U.O.No.11350/292/EBS-VII/I&C/2015, dated:18-09-2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

ARVIND KUMAR
SECRETARY TO GOVERNMENT & CIP

To,
The Commissioner of Printing, Stationary & Stores Purchase (Ptg. Wing)
Hyderabad. (He is requested to publish the above Notification in the Extra-Ordinary issue of Telangana Gazette, and arrange to send 1000 copies of the same to Government in Industries & Commerce (M.I) Department).

The Director of Mines and Geology, Telangana State, Hyderabad
The Vice Chairman & Managing Director, Telangana State Mineral Development Corporation Ltd., Hyderabad.

All the Joint Director/Deputy Director/Assistant Directors of Mines and Geology through the Director of Mines and Geology, Hyderabad

Copy to:

The Secretary to Government, Ministry of Mines, GoI

The Law (A) Department.

The Finance Department.

The Industries and Commerce (Mines.II) Department.

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

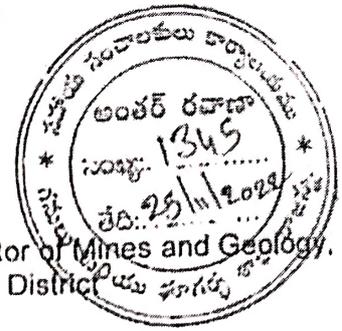
The P.S. to Secretary to Government & CIP, Ind. & Com. Dept.,

SF/Sc.(C.No.418/M.I(1)/2015)

//Forwarded::By order//

SECTION OFFICER

Government of Telangana
Roads and Buildings Department



From
A. Kishan Rao, M.Tech.,
District R&B Officer,
Executive Engineer (R&B),
Rajanna-Sircilla District.

To
The Asst. Director of Mines and Geology,
Rajanna-Sircilla District

Lr. No. EE/R&B/S/DB/T1/2022-23, 212

Date 24-11-2022.

Sir,

Sub- R&B Department - (R&B) Division, Sircilla - Representation of Sri Gunnala Laxman, R/o. Dharmaram Village, Konaraopet Mandal, Rajanna-Sircilla District - Procurement / Consumption of Gravel/ Morram/Ordinary earth in R&B Works in the District - Seigniorage Fee deduction / recovery on Gravel Quantities together with source - Regarding.

Ref:- The AD of Mines and Geology, Rajanna-Sircilla District File No. 1324/Vg/Complaint/2022, date 23-11-2022.

Adverting to the subject and reference cited above, I have to submit that, it was requested by Asst., Director of Mines and Geology, Rajanna-Sircilla District to furnish the information regarding the Seigniorage Charges Fee deductions on gravel consumption for the R&B works. I herewith submit the particulars of Seigniorage Charges deducted till date as follows:

Sl No	Name of the Work	Name of the Agency	Agmt No & Date	Utilized / Consumed Quantities of Gravel/Morram/ Ordinary Earth (in Cum/MT)	Recovery of Statutory Taxes upto date				Source of Gravel/ Lead/ Approved Quarry
					Seig. Fee in Rs.	Permit Fee in Rs.	DMFT in Rs.	SMET in Rs.	
1	Construction of Four Lane Bypass Road from Km 0/0 to 11/0 in Karimnagar District (Now in Rajanna-Sircilla District)	M/s. KSR Constructions, Karimnagar	LS AB No. /2016-17, Dt. 08-02-2017	499466.00 Cum	1,49,83,980/-	Nil	14,98,398/-	29,968/-	Identification of Quarry and Source of Gravel is vested in the hands of Agency
2	Widening of Left Side By-pass Road to Sircilla from Km 0/0 to 4/070 in Rajanna-Sircilla District	M/s Ayyappa Constructions, Karimnagar	LS AB No. /2022-23, dt 27-05-2022	135000.00 Cum	40,50,000/-	Nil	12,15,000/-	81,000/-	

This is submitted for favour of information and for further disposal.

Yours faithfully,

A. Kishan Rao
District R&B Officer,
Executive Engineer (R&B),
Rajanna-Sircilla District.

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Government of Telangana
Roads and Buildings Department

From
N. Shyam Sunder, B.Tech.,
District R&B Officer,
Executive Engineer (R&B),
Rajanna-Siricilla District.

To
The Asst., Director of Mines and Geology,
Rajanna-Siricilla District

Lr.No. EE/R&B/S/AB/A1/2022-23/151 Date 28-03-2023.



Sir,

Sub:- NGT Case – O.A.No. 20/2023 (SZ) filed by Sri B. Ravitheja before the Hon'ble National Green Tribunal, Southern Zone, Chennai – Certain information on source(s) and consumption/utilization of Ordinary Earth/Mound Soil in Construction of By-pass road executed by M/s. KSR Construction – Report Called for - Submitted- Regarding.

Ref:- 1.The AD of Mines & Geology, Rajanna-Siricilla File No. 311/Complaints 2022, dated 23-03-2022.
2. The AD of Mines & Geology, Rajanna-Siricilla District Lr No. 269/NGT/B.R/2023, dated 23-03-2022.

* * *

Adverting to the subject and reference cited above, I have to submit that, the ordinary earth used for the work "Construction of Four Lane Siricilla By-pass Road from Km 0/0 to 11/0 in Karimnagar District (Now in Rajanna-Siricilla District)" is as follows.

SI No	Name of the Work	Total Ordinary Earth Quantity	Date of Commencement of the Work	Date of Completion of the Work
1	Construction of Four Lane Siricilla By-pass Road from Km 0/0 to 11/0 in Karimnagar District (Now in Rajanna-Siricilla District)	497939.553 Cum	08-02-2017	Work is in progress

The bill wise seigniorage charges deduction details are as follows,

SI No	Bill Type	Seigniorage Charges Amount	Payment Details Voucher No. & Date
1	1 st & Part Bill	25,50,682=00	V. No. 836, Dated 18-07-2018.
2	2 nd & Part Bill	9,36,001=00	V. No. 834, Dated 18-07-2018.
3	3 rd & Part Bill	13,23,670=00	V. No. 889, Dated 18-07-2018.
4	4 th & Part Bill	3,99,900=00	V. No. 01, Dated 01-03-2019
5	5 th & Part Bill	6,43,839=00	V. No. 01, Dated 01-03-2019

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6	6 th & Part Bill	62,33,001=00	V. No. 20, Dated 18-02-2022
7	7 th & Part Bill	11,85,554=00	V. No. 28, Dated 24-03-2022
8	8 th & Part Bill	15,48,383=00	V. No. 02, Dated 10-11-2022
9	9 th & Part Bill	0=00	V. No. 09, Dated 24-03-2023.
10	10 th & Part Bill	1,17,166=00	The bill was pending at APAO (W&P), Rajanna-Siricilla District, after the payment, the voucher details will be informed.

The last date of recording of earth work is 06-06-2022.

Further, it is to inform that, the above Ordinary Earth quantity used for the above subject work at his own arrangements by the contractor as per the Agreement Clause (A copy is herewith enclosed for perusal).

Encl: As above.

Yours faithfully

[Signature]
28/3/23
District R&B Officer,
Executive Engineer (R&B),
Rajanna-Siricilla District.

[Signature]
25/3/23

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 28th March, 2020

S.O. 1224(E).—WHEREAS, *vide* the Mineral Laws (Amendment) Act, 2020 (2 of 2020), the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) (hereinafter referred to as MMDR Act) has been amended with effect from the 10th day of January, 2020 and, *inter alia*, new section 8B relating to the provisions for transfer of statutory clearances has been inserted;

AND WHEREAS, sub-section (2) of section 8B of the MMDR Act provides that notwithstanding anything contained in this Act or any other law for the time being in force, the successful bidder of mining leases expiring under the provisions of sub-sections (5) and (6) of section 8A and selected through auction as per the procedure provided under this Act and the rules made thereunder, shall be deemed to have acquired all valid rights, approvals, clearances, licences and the like vested with the previous lessee for a period of two years;

AND WHEREAS, sub-section (3) of section 8B of the MMDR Act provides that notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the new lessee to continue mining operations on the land, in which mining operations were being carried out by the previous lessee, for a period of two years from the date of commencement of the new lease;

AND WHEREAS, in pursuance of the aforesaid amendment to the MMDR Act, the Central Government deems it necessary to align the relevant provisions of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 (hereinafter referred to as the EIA Notification, 2006);

AND WHEREAS, the Ministry of Environment, Forest and Climate Change is in the receipt of representations for waiver of requirement of prior environmental clearance for borrowing of ordinary earth for roads; and manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules, in public interest, and in supersession of the notification number S.O. 4307(E), dated the 29th November, 2019, hereby makes the following further amendments in the EIA Notification, 2006, namely:-

In the said notification,-

(i) in paragraph 11, after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:-

“(3) The successful bidder of the mining leases, expiring under the provisions of sub-sections (5) and (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and selected through auction as per the procedure provided under that Act and the rules made thereunder, shall be deemed to have acquired valid prior environmental clearance vested with the previous lessee for a period of two years, from the date of commencement of new lease and it shall be lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee on the said lease area for a period of two years from the date of commencement of new lease or till the new lessee obtains a fresh environmental clearance with the terms and conditions mentioned therein, whichever is earlier:

Provided that the successful bidder shall apply and obtain prior environmental clearance from the regulatory authority within a period of two years from the date of grant of new lease.”;

(ii) in the Schedule, against the item 1(a), in the column (5), after clause (2) of the Note, the following clause shall be inserted, namely:-

“(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.”;

(iii) for Appendix-IX, the following Appendix shall be substituted, namely:-

12. का. आ. 562 (अ), तारीख 26 फरवरी, 2014;
13. का. आ. 637 (अ), तारीख 28 फरवरी, 2014;
14. का. आ. 1599 (अ), तारीख 25 जून, 2014;
15. का. आ. 2601 (अ), तारीख 7 अक्टूबर, 2014;
16. का. आ. 2600 (अ), तारीख 9 अक्टूबर, 2014;
17. का. आ. 3252 (अ), तारीख 22 दिसंबर, 2014;
18. का. आ. 382 (अ), तारीख 3 फरवरी, 2015;
19. का. आ. 811 (अ), तारीख 23 मार्च, 2015;
20. का. आ. 996 (अ), तारीख 10 अप्रैल, 2015;
21. का. आ. 1142 (अ), तारीख 17 अप्रैल, 2015;
22. का. आ. 1141 (अ), तारीख 29 अप्रैल, 2015;
23. का. आ. 1834 (अ), तारीख 6 जुलाई, 2015;
24. का. आ. 2571 (अ), तारीख 31 अगस्त, 2015;
25. का. आ. 2572 (अ), तारीख 14 सितंबर, 2015;
26. का. आ. 141 (अ), तारीख 15 जनवरी, 2016;
27. का. आ. 648 (अ), तारीख 3 मार्च, 2016;
28. का. आ. 2269 (अ), तारीख 1 जुलाई, 2016;
29. का. आ. 2944 (अ), तारीख 14 सितंबर, 2016;
30. का. आ. 3518 (अ), तारीख 23 नवंबर, 2016;
31. का. आ. 3999 (अ), तारीख 9 दिसंबर, 2016;
32. का. आ. 4241 (अ), तारीख 30 दिसंबर, 2016;
33. का. आ. 3611 (अ), तारीख 25 जुलाई, 2018;
34. का. आ. 3977 (अ), तारीख 14 अगस्त, 2018;
35. का. आ. 5733 (अ), तारीख 14 नवंबर, 2018;
36. का. आ. 5736 (अ), तारीख 15 नवंबर, 2018;
37. का. आ. 5845 (अ), तारीख 26 नवंबर, 2018;
38. का. आ. 345 (अ), तारीख 17 जनवरी, 2019;
39. का. आ. 1960 (अ), तारीख 13 जून, 2019;
40. का. आ. 236 (अ), तारीख 16 जनवरी, 2020;
41. का. आ. 751 (अ), तारीख 17 फरवरी, 2020; और
42. का. आ. 1223 (अ), तारीख 27 मार्च, 2020।

“APPENDIX-IX

EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require Prior Environmental Clearance, namely:-

1. Extraction of ordinary clay or sand by manual mining, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand by manual mining, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works, like, de-silting of village ponds or tanks, construction of village roads, ponds or bunds undertaken in Mahatma Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes and community efforts.
6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.
7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.
8. Traditional occupational work of sand by Vanjara and Oads in Gujarat vide notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
9. Manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community.
10. Digging of wells for irrigation or drinking water purpose.
11. Digging of foundation for buildings, not requiring prior environmental clearance, as the case may be.
12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority.
13. Activities declared by the State Government under legislations or rules as non-mining activity.”

[F. No. Z-11013/47/2018-IA.II (M)]

GEETA MENON, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended vide the following numbers:-

1. S.O. 1949 (E), dated the 13th November, 2006;
2. S.O. 1737 (E), dated the 11th October, 2007;
3. S.O. 3067 (E), dated the 1st December, 2009;
4. S.O. 695 (E), dated the 4th April, 2011;
5. S.O. 156 (E), dated the 25th January, 2012;
6. S.O. 2896 (E), dated the 13th December, 2012;
7. S.O. 674 (E), dated the 13th March, 2013;
8. S.O. 2204 (E), dated the 19th July, 2013;
9. S.O. 2555 (E), dated the 21st August, 2013;
10. S.O. 2559 (E), dated the 22nd August, 2013;
11. S.O. 2731 (E), dated the 9th September, 2013;
12. S.O. 562 (E), dated the 26th February, 2014;
13. S.O. 637 (E), dated the 28th February, 2014;

F. No. 3-70/2020-IA.III [141127]
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi - 110003

Dated: 8th August, 2022

OFFICE MEMORANDUM

Subject: Clarification on the applicability of EIA Notification 2006 for excavation of Ordinary Earth from borrow area for linear projects - reg.

The Ministry, vide Notification S.O. 1224 (E) dated 28.03.2020, amended the appendix IX of EIA Notification to inter-alia provide exemption from Environmental Clearance (EC) for "extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc."

2. Subsequently, the above mentioned Notification was challenged before the National Green Tribunal, Principal Bench in Original Application No. 190/2020 in the matter of Noble M. Paikada Vs. Union of India & Ors., wherein the Hon'ble Tribunal while disposing of the application vide order dated 28/10/2020, *inter-alia* held that ".....the exemption should strike balance and instead of being blanket exemption, it needs to be hedged by appropriate safeguards such as the process of excavation and quantum..." and directed to revisit the impugned notification dated 28.03.2020.

3. Subsequently vide order dated 31/05/2022, the Hon'ble NGT in M.A. No. 07/2022(WZ) & M.A. No. 08/2022(WZ) in Original Application No. 68/2020(WZ) titled Shri Rajiv Babasaheb Waman & Ors. vs. Ministry of Environment, Forest & Climate Change & Ors *inter-alia* held that "... that excavation of earth and mining of sand and other minor minerals being hazardous activity having serious adverse impact on environment in view of 'Precautionary' and 'Sustainable Development' principles, such activity cannot be left unregulated by statutory enforceable mechanism. Blanket exemption is against ecologically sustainable development norms and judgment of Hon'ble Supreme Court..."

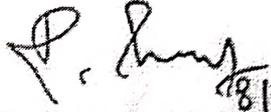
4. The matter was referred to the concerned Expert Appraisal Committee (EAC) for deliberation. After due deliberation, the EAC was of the opinion that if such linear project has obtained EC based on EIA studies incorporating such sourcing of construction material or other activities, necessary safeguards are already incorporated in the EC appraisal process. However, if such sourcing of material is not considered in the EIA or such linear project does not attract provisions of EC, then

such individual activities will be subject to extant environmental regulations as per EIA Notification 2006, as amended and/or applicable environmental safeguard related directions issued by the State Government /SPCB which need to be observed while sourcing construction material.

5. Based on the recommendations of the EAC and keeping in view the direction of Hon'ble NGT, the matter has been examined by the Ministry in detail and it has been decided that the exemption from EC provided vide S.O. 1224 (E) dated 28.03.2020 for "extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc." shall be subject to Standard Operating Procedure (SOP) as enclosed to this Office Memorandum.

6. This is issued with the approval of the Competent Authority.

Encl: as above.


8/8/22
(Sundar Ramanathan)
Scientist 'E'

To

1. Chairman and Member Secretaries of SEIAA/ SEACs.
2. Chairman, Central Pollution Control Board (CPCB).
3. Chairpersons/ Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/PPS to JS (SKB)
6. Website, MoEF&CC/Guard file

SOP for Borrow Area Identification; its operation, safety and redevelopment

The activity relates to identification of borrow areas to obtain earth/soil materials; its operation, safety and redevelopment shall be carried out as per the following criteria:

1. Selection of site, operation and site-specific measures to adopt

- i. Environmental issues like siting borrow pit location, soil erosion aspects, accumulation of run-off and associated problems, disposal of debris by local community in open borrow area, transport of borrow earth to construction site, preservation of top soil of 15m depth and reuse for plantation, reinstatement of borrow pits and sites shall be considered before selection of site.
- ii. Guidelines, Manuals, Notifications etc issued by various agencies from time to time like IRC, MoRTH, MoEFCC etc shall be followed.
- iii. For selection of the site for the borrow area, agricultural land, cut material available from other road construction projects, dredging material from dredging operations of ponds, lakes, rivers and canals, material from barren land or land without tree cover outside the road RoW, material from excavation of proposed culverts can be considered. Provided further that, highly productive top-soil shall be stored separately and used for planation activity.
- iv. Borrowing shall be avoided on the lands close to toe line, irrigated agricultural lands, grazing land, lands within settlements, 1 Km from environmentally sensitive areas such as Reserve Forests, Protected Forests, Sanctuary, National Parks, Conservation Reserve, Wetlands etc, unstable and fragile side-hills, streams and seepage areas, areas supporting rare plants/ animal species. It should be ensured that unsuitable soft rock is not prominent within the proposed depth of excavation which will render rehabilitation difficult.

2. The General Guidelines

- i. The preservation of topsoil will be carried out in stockpile.
- ii. A 15 cm topsoil will be stripped off from the borrow pit and this will be stored in stockpiles in a designated area for height not exceeding 2m and side slopes not steeper than 1:2 (Vertical: Horizontal).
- iii. Preservation of Top Soil of 15cm depth and its reuse for plantation
- iv. Validation of the work of re-use of Top Soil by the AE/IE. Competent authority to check the re-use anytime if warranted.
- v. Borrowing of earth will be carried out up to a depth of 2m from the existing ground level.
- vi. Borrowing of earth will not be done continuously throughout the stretch.
- vii. Ridges of not less than 8m widths will be left at intervals not exceeding 300m.
- viii. Small drains will be cut through the ridges, if necessary, to facilitate drainage.
- ix. Depends upon the location of borrow areas, the safeguard measures & management specific treatment as a particular borrow area depending upon its

location viz Agriculture Land, Elevated Land, Waterbody, near Settlement and along the alignment.

3. Re-development of Borrow Areas

The objective of the rehabilitation programme is to return the borrow pit sites to a safe and secure area, which the general public should be able to use safely. Securing borrow pits in a stable condition is fundamental requirement of the rehabilitation process. This could be achieved by filling the borrow pit approximately to the road level. Following measures shall be taken for Rehabilitation:

- i. Borrow pits shall be backfilled with rejected construction wastes (unserviceable materials) including fly ash, compacted and will be given a turfing or vegetative cover on the surface. If this is not possible, then excavation slope should be smoothed, and depression is filled in such a way that it looks more or less like the original ground surface.
- ii. During works execution, the Contractor shall ensure preservation of trees during piling of materials; spreading of stripping material to facilitate water percolation and allow natural vegetation growth; re-establishment of previous natural drainage flows; improvement of site appearance; digging of ditches to collect runoff; and plantation may be carried out wherever feasible or pit may be developed for water storage as per Amrit Sarovar Scheme of MoRTH.

4. Development of Amrit Sarovar

Under Amrit Sarovar Programme, water bodies are being developed by MoRTH/NHA/other road development agencies and the desilting of existing water body is also being taken up for water harvesting and re-charge of ground water. The earth available from development of such water bodies is to be utilised for road works and plantations as per suitability of soil. The State Authorities have already been advised not to levy any royalty for borrowing of earth for development of water bodies under Amrit Sarovar Programme.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI

O.A NO: 20 OF 2023

BURRA RAVITHEJA,....APPLICANT

-VS-

UNION OF INDIA AND OTHERS

...RESPONDENTS

COUNTER AFFIDAVIT FILED BY THE 4th & 5th RESPONDENT

Mrs.H.YASMEEN ALI,

COUNSEL FOR THE 4th & 5th RESPONDENT