

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

IN

ORIGINAL APPLICATION NO. 412 OF 2023

IN THE MATTER OF:

PRADEEP KUMAR SHUKHLA

...APPLICANT

Versus

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE & ORS.

...RESPONDENTS

WITH

ORIGINAL APPLICATION NO. 462 OF 2023

RAJA RAM SINGH

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH

...RESPONDENTS

WITH

ORIGINAL APPLICATION NO. 481 OF 2023

BALBIR SANDHU & ORS.

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH

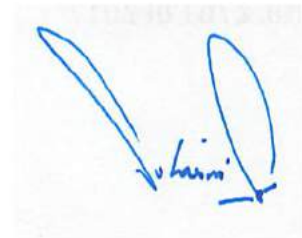
...RESPONDENTS

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THROUGH



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Date : 20.05.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

In
Original Application No. 412/2023

IN THE MATTER OF:
Pradeep Kumar Shukla

Versus

Ministry of Environment, Forest and Climate Change and Others

...Respondents

with

Original Application No. 462 of 2023

Raja Ram Singh

...Applicant

Versus

State of Uttar Pradesh

...Respondents

with

Original Application No. 481 of 2023

Balbir Sandhu &Ors.

...Applicant

Versus

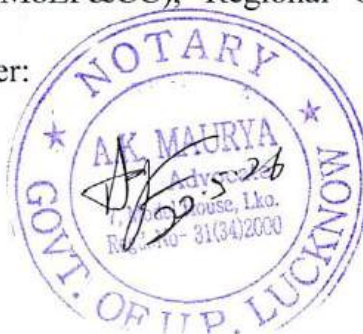
State of Uttar Pradesh

...Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE.**

MOST RESPECTFULLY SHOWETH:

I Dinesh Runiwal currently working as Scientist-F at the Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Office, Lucknow, do hereby solemnly affirm and state as under:



1. That I, in my official capacity in the Ministry of Environment, Forest and Climate Change, in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. It is submitted that the Hon'ble Tribunal vide its order dated 24.04.2024 in Original Application No. 462 of 2023 titled as Raja Ram Singh Vs State of UP & or inter alia directed as follows:

"42.. The matter needs to be examined in the context of applicability to all States and UTs and formulation of appropriate guidelines imposing requisite environmental safe guards for grant and execution of short term permits for removal of sand deposited by flood on agricultural land." That in compliance of the said order the Ministry had filed an affidavit on 27.08.2024.

3. It is respectfully submitted that the Hon'ble Tribunal vide order dated 28.08.2024 passed in O.A. No. 412 of 2023 titled as Pradeep Kumar Shukla Vs MoEF&CC & Ors inter alia directed as follows:

3. The additional affidavit dated 27.08.2024 has been filed by respondent no. 1 stating that the feasibility of inclusion of such area in District Survey Report will be discussed in the next Expert



Appraisal Committee. The meeting is going to be held in September, 2024. Learned Counsel for respondent no. 1 submits that this issue will be decided in that meeting. We expect that the decision will be taken having due regard to the potential possibility of misuse of such mining lease/permits and its larger impact on the environment.

4. The prayer is allowed and further six week's time is granted to respondent no. 1 to file the report.

That, the Ministry in compliance of order supra filed an additional affidavit on 03.12.2024 wherein it has submitted that *"The Expert Appraisal Committee (EAC) has felt it necessary to have further detailed deliberations on this issue. Accordingly, the matter will be referred back to the EAC, the Special Expert Members, and relevant stakeholders. Subsequently, a report will be submitted to the Hon'ble Tribunal."*

4. Thereafter, the Hon'ble Tribunal vide its order dated 16.12.2024 has directed as follows:

- a. *Learned Counsel for MoEF&CC has informed that the Expert Appraisal Committee is in the process of undertaking the exercise and deliberations are in progress.*



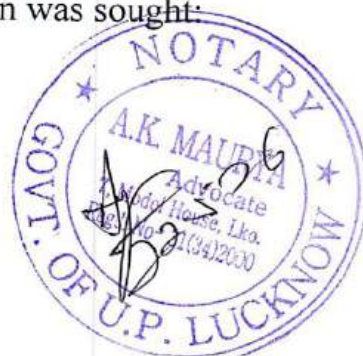
- b. *In the said background, a prayer for grant of further four weeks has been made to place on record the recommendations of the Expert Appraisal Committee. Prayer is allowed.*
5. Thereafter, the Expert Appraisal Committee (Non-coal mining) of Ministry in its series of meetings deliberated upon the responses received from different states/UTs, environmental safeguards and steps to be taken for prevention of illegal mining and accordingly filed another affidavit on 03.09.2025 wherein the Ministry has *inter alia* submitted various environmental safeguards for removal of sand from agricultural fields.
6. It is respectfully submitted that the matter was further listed on 19.11.2025 wherein Hon'ble NGT *inter alia* directed as follows:

"Before framing any guideline, the extent and area of agricultural fields which is affected by sand deposits during the monsoon in different States and the quantity of such sand deposit requiring removal need to be estimated by adopting modern technological means, so that a balance can be drawn between the required protection of such agricultural land and the damage to the environment which is caused on account of misuse of the provision relating to removal of sand deposit from the agricultural fields. The possibility of carrying out such an activity of removal of sand deposit



from the agricultural fields through the Mining Department or its agencies can also be explored so that the private project proponents do not misuse the provision and carry out illegal sand mining in the garb of removal of sand from the agricultural field. The regulatory mechanism which is existing presently has not proved to be effective in checking the illegal sand mining based on the short-term permit approach adopted by the States. The MoEF&CC may consider introducing a regulatory framework to plug the present loopholes which are misused by the unscrupulous persons for achieving the objective of illegal sand mining.” Copy of the order dated 19.11.2025 annexed as **Annexure-1**.

7. That in compliance with the order dated 19.11.2025 passed by the Hon'ble NGT, Ministry has issued letter dated 23.12.2025 to the Principal Secretaries, Department of Mines and Geology of all States and Union Territories with a copy to Ministry of Mines, Principal Secretary, Environment and Forests of all States/UTs, Central Pollution Control Board, SEIAA and State Pollution Control Board/ Pollution Control Committees of all States/Uts for providing comments/inputs, whereby the following information was sought:



- i. As per Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/ farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UT's may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.
- ii. It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.
- iii. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.

Copy of the letter dated 23.12.2025 is annexed as **Annexure-2**.



8. Further, the Hon'ble NGT vide order dated 12.02.2026 has directed as follows:

"Learned Counsel for the MoEF&CC seeks eight weeks' time to do the needful in terms of the order dated 12.11.2025 and file a fresh report. A letter to this effect was already circulated by Learned Counsel for MoEF&CC. Hence, prayer is allowed."

9. It is submitted that in response to the Ministry's letter dated 23.12.2025 inputs/information has been received from various States/UTs. The said information has been collated and compiled and the same is annexed as **Annexure-3.**

10. In this regard, it is also submitted that the information received from various States/UTs was deliberated upon in the meeting of the Expert Appraisal Committee (EAC) (Non-Coal Mining) held on 10.04.2026. After detailed deliberations on the submissions made by CPCB, Ministry of Mines, and various States/UTs, the Committee observed that a uniform approach may not be feasible given the diversity in geographical and topographical conditions across States and Union Territories. Accordingly, the following framework has been recommended by EAC for the removal of sand from agricultural fields by landowners/farmers:



1. Formulation of State-Specific Regulatory Framework

Each State/UT shall formulate a comprehensive regulatory framework for the removal of sand deposited due to flood events on agricultural lands, on a case-to-case basis, considering local geography, hydrology, and land-use patterns.

2. Mandatory Elements of the Regulatory Framework

A. Land Identification & Demarcation with hydrological data

- Ground Level RL shall be established through detailed topographic surveys using DGPS/Auto Level/Digital Elevation SRTM data to ensure accurate elevation data prior to the monsoon season for flood prone areas.
- Khasra number / Survey number of the affected agricultural land shall be clearly identified and recorded.
- Affected areas of sand deposition due to floods shall be demarcated at the district level.
- Data on rainfall (in mm) preceding the flood event.
- Rainfall trends for the past five years.
- Assessment of whether sand deposition is site-specific or regional, to establish natural causation.

B. Preservation of Natural Land Profile

- The natural ground level shall not be altered during sand removal.
- Removal shall be restricted strictly to the deposited sand layer above the original ground level.
- No excavation or mining below the natural ground level shall be permitted.



C. Purpose Limitation

- Sand removal shall be permitted only to the extent necessary for reclamation of agricultural land.
- Any activity beyond reclamation shall be treated as ~~unauthorized~~-illegal mining.

D. Verification & Quantification of Sand Deposition

- Removal shall be allowed only after assessment of the thickness and quantity of deposited sand.
- Such assessment shall be carried out by the Land Management Committee of the Gram Panchayat or other competent authority of the State Government.
- Quantification shall be based on area and permissible depth or scientific volumetric analysis using DGPS, drone surveys, or conventional and modern techniques.

E. Scientific Assessment & Monitoring Mechanisms

- States/UTs shall adopt modern scientific and technological tools, including:
 - DGPS-based surveys for geo-referencing
 - Drone-based mapping for monitoring
 - GIS/DEM analysis for volumetric estimation
 - Survey-based and drilling techniques, where required
- **In addition, States/UTs may incorporate real-time monitoring and digital surveillance mechanisms, including:**
 - **GPS tracking of vehicles and machinery engaged in sand removal and transportation**
 - **Deployment of CCTV cameras at vulnerable locations/routes, wherever feasible**
 - **Use of digital transport monitoring systems such as e-challans, RFID tagging, or equivalent mechanisms to ensure traceability**

F. Environmental safeguards for the removal of sand from agricultural fields have been stipulated by the Ministry of



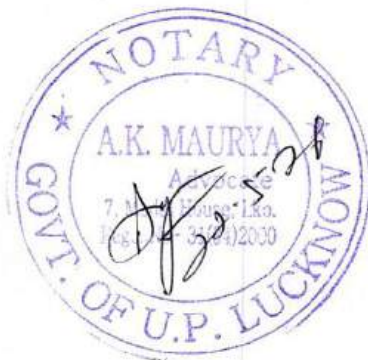
Environment, Forest and Climate Change (MoEF&CC) pursuant to the approval of the Expert Appraisal Committee (Non-Coal Mining) [EAC (NCM)]. The same were stated in the Ministry's affidavit dated 03.09.2025 and were subsequently taken on record by the Hon'ble National Green Tribunal vide its Order dated 19.11.2025.

G. Preventive Measures Against Illegal Mining

- A fixed time window (weeks/months) shall be notified for permitted sand removal.
- Removal outside the prescribed period shall be strictly prohibited.
- **States/UTs shall ensure integration of monitoring data (including GPS/CCTV inputs, where deployed) with district-level authorities for timely detection of violations.**
- Measures and safeguards against illegal sand mining from agricultural fields have been stipulated by the Ministry of Environment, Forest and Climate Change (MoEF&CC) pursuant to the approval of the Expert Appraisal Committee (Non-Coal Mining) [EAC (NCM)]. The same were stated in the Ministry's affidavit dated 03.09.2025 and were subsequently taken on record by the Hon'ble National Green Tribunal vide its Order dated 19.11.2025.

3. Monitoring and Enforcement mechanism for Regulatory Framework

- i. Each State/UT shall ensure that the regulatory framework, as formulated above, is implemented in a time-bound manner, incorporating all the aforesaid provisions and safeguards.

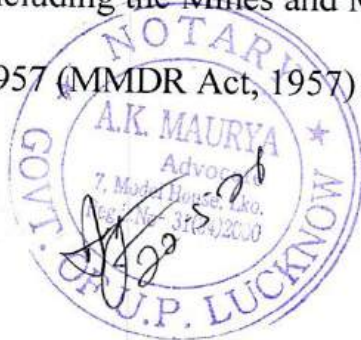


ii. The implementation and monitoring of the regulatory framework may be entrusted to the District Level Task Force constituted under the Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMGSM, 2020). The Task Force shall function under the Chairmanship of the Deputy Commissioner/District Magistrate/Collector and shall include:

- Superintendent of Police
- Divisional Forest Officer
- District Transport Officer
- Regional Officer of State Pollution Control Board (SPCB)
- Senior Officer of the Irrigation Department
- District Mining Officer
- Any other Officer or Independent Member (s) as deemed appropriate by the Deputy Commissioner/District Magistrate/Collector.

The Task Force may also undertake coordinated field inspections and, where required, constitute joint teams for monitoring in vulnerable areas.

iii. In case of any deviation from the prescribed regulatory framework by the user agency/individual, the District Level Task Force shall take cognizance upon receipt of complaints or otherwise, and the State Government shall initiate appropriate action against the user agency/individual in accordance with applicable statutory provisions, including the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act, 1957) and other relevant laws.

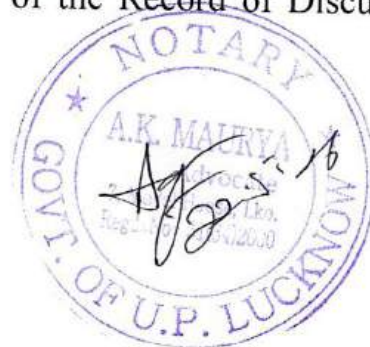


- Such action may include seizure of vehicles/machinery, initiation of prosecution, and commencement of confiscation proceedings, in accordance with law.
- States/UTs shall also ensure assessment and recovery of environmental compensation from violators on the basis of the "Polluter Pays" principle, through a scientific and transparent methodology.

4. Data Base Management regarding removal of sand from agricultural fields: The Department of Mining and Geology of the respective State/UT shall be responsible for maintaining comprehensive data and records specifically in respect of sand deposited on agricultural lands due to flood events, including its assessment, permitted removal for land reclamation, transportation, and related enforcement actions, so as to ensure transparency, traceability, and accountability in the entire process.

- Such records shall, as far as practicable, be maintained in digitized form with provisions for integration of monitoring data (including transport and surveillance inputs) to enable end-to-end traceability.
- States/UTs may establish district-level monitoring/control systems, wherever feasible, for centralized receipt and analysis of data generated through technological and surveillance tools, to facilitate timely enforcement action.
- States/UTs may also institute periodic review and reporting mechanisms to assess the effectiveness of the regulatory framework and undertake necessary modifications.

The aforesaid recommendations have been accepted by the Ministry which may be followed by States/UTs. Copy of the Record of Discussion dated 10.04.2026 is annexed as **Annexure-4**



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11. It is submitted that the Ministry reserves its right to file additional affidavit/information till pende-lite, as and when required.
12. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.

VERIFICATION

DEPONENT
 दिनेश रूनीवाल
 DINESH RUNI WAL
 वैज्ञानिक 'एफ' / Scientist 'F'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय, लखनऊ-226024
 Regional Office, Lucknow-226024

Verified at lucknow on this 22nd day of May 2026 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

DEPONENT

दिनेश रूनीवाल
 DINESH RUNI WAL
 वैज्ञानिक 'एफ' / Scientist 'F'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय, लखनऊ-226024
 Regional Office, Lucknow-226024

EXECUTION ADMITTED
 BEFORE ME.

A. K. Maurya
 Advocate Notary
 7, Model House, Lucknow



I identify the deponent/executant
 who has signed before me

Item No. 03 to 06

Court No. 1

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

Original Application No. 412/2023
(IA No. 602/2023 & IA No. 603/2023)

Pradeep Kumar Shukla & Anr.

Applicant(s)

Versus

MoEF&CC & Ors.

Respondent(s)

With

Original Application No. 462/2023

Raja Ram Singh

Applicant

Versus

State of UP & Ors.

Respondent(s)

With

Original Application No. 481/2023

(IA No. 153/2025, IA No. 467/2025, IA No. 622/2024, IA No.621/2024,
IA No. 619/2024, IA No. 490/2024, IA No. 93/2024, IA No. 70/2024)

Balbir Sandhu & Ors.

Applicant(s)

Versus

State of UP& Ors.

Respondent(s)

With

Original Application No. 1222/2024
(I.A. Nos. 492/2024 & 493/2024)

Gaurav Sharma

Applicant

Versus

MoEF&CC & Ors.

Respondent(s)

Date of hearing: 12.11.2025

Date of uploading: 19.11.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**



Applicant: Ms. Pushpila Bisht & Mr. Shubham Karnwal, Advocates for Applicant No. 5 in OA 481/2023
Mr. Tanay, Adv. for Applicant in OA 1222/2024

Respondents: Mr. Ankit Verma, Adv. for the State of UP
Ms. Suhasini Sen & Ms. Masooma Rizvi, Adv. for MoEF & CC in OA 481/2023 & OA 412/2023
Mr. Amit Shukla, Adv. for UPPCB in OA 412/2023
Ms. Priyanka Swami, Adv. for SEIAA, UP
Mr. Gaurav Agarwal, Adv. for R - 13 in OA 481/2023
Mr. Mukesh Verma & Ms. Vatsala Tripathi, Adv. for the Mining Department, U.P.
Dr. Sapna Aggarwal Advocate for MoEF & CC in OA 462/2023 (Through VC)
Mr. Pradeep Misra & Mr. Daleep Dhyani, Adv. for UPPCB in OA 462/2023 & OA 481/2023 (Through VC)
Mr. Atif Suhrawardy, Advocate for CPCB in OA 462/2023 & OA 481/2023 (Through VC)
Mr. Rahul Khurana, Advocate for Respondent No. 6 to 10 in OA 481/2023
Mr. Hasil Jain & Mr. Shaam Hasan, Adv. in I.A No. 467/2025
Mr. Hem Chandra Joshi & Mr. Ashish Pandey, Adv. for R - 6 in OA 462/2023
Mr. Sharad Chauhan, Adv. for R - 5 in OA 462/2023
Mr. Ajit Sharma, Adv. in I.A. 621-622/2024 (Through VC)

ORDER

1. In these Original Applications, one of the issues under consideration relates to grant of short-term permits to the agricultural field owners/farmers for the removal of sand from the agricultural fields. These short-term permits are extensively misused resulting in illegal sand mining. Hon'ble Supreme Court also in Civil Appeal No. 6037-6038/2024 in the matter of **State of Uttar Pradesh and Ors. v. Raja Ram Singh and Ors.**, wherein the interim orders dated 07.11.2023 and 08.11.2023 passed in OA 462/2023 were under challenge, has observed following while disposing of the appeal by the order dated 03.05.2024: -

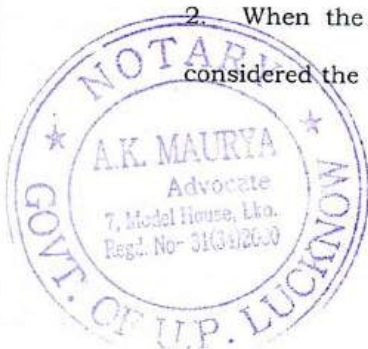
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4. *We also request the Tribunal to examine the Notification dated 15.01.2016 issued by Ministry of Environment, Forest and Climate Change and such other related governmental instruments which enable removal of sand deposits from agricultural fields. **There is a great scope for misusing of this notification as it may lead to illegal mining and top soil erosion causing enormous damage to the environment. We say no more than request the Tribunal to examine this in close scrutiny.***

2. When the matter was taken up on 16.12.2024, the Tribunal had considered the affidavit of the Ministry of Environment Forest and Climate



Change (MoEF&CC) dated 03.12.2024 and submission of counsel for the MoEF&CC that the Expert Appraisal Committee (EAC) is in the process of undertaking the exercise and deliberations are in progress. The Tribunal had accordingly directed for placing on record the recommendations of the EAC.

3. In terms of the above direction, the additional affidavit dated 06.03.2025 by the MoEF&CC has been placed on record. The progress made and the deliberations which have taken place between the concerned States and the stakeholders are as under: -

"xxx

xxx

xxx

5. It is submitted that consequently two meetings were conducted in this regard. The first online meeting was held on 05.03.2025 with five States viz. Haryana, Bihar, Jharkhand, Uttarakhand and Uttar Pradesh (U.P.) in which officials of SEIAA, SPCB, DMG of the states and officials of MoEF&CC participated.

6. It is pertinent to mention herein that prior to the second meeting a questionnaire was circulated amongst all the stake holders. The second meeting was held on 11.06.2025. in which Chairman and members of Expert Appraisal Committee (EAC), Non-Coal Mining Sector, MoEF&CC and Representatives/officials from the Departments of Mines and Geology (DMG), State Environment Impact Assessment Authorities (SEIAAs), State Expert Appraisal Committees (SEACs), and State Pollution Control Boards (SPCBs) of different States and UTs participated. A copy of the questionnaire is annexed as Annexure-1 and copy of record of discussion along with the responses received from the States/UTs are compiled and annexed herein as Annexure-2 respectively.

7. It is submitted that Expert Appraisal Committee (NCM) again deliberated the issue in its meeting on 25-26th June, 2025 and subsequent meetings on 21st -22nd July, 2025 and 07th-08th August 2025 in which responses received from different states, environmental safeguards and steps to be taken for prevention of illegal mining, etc. were discussed. The recommendation of EAC (NCM) are annexed as Annexure-3.

8. It is respectfully submitted that as per direction of Hon'ble Tribunal four main issues were raised and discussed during the meeting supra:

- a. **Short-term permit**- The EIA Notification 2006 does not speak about short term permit therefore this Ministry has not allowed short term permit for removal of sand from agricultural field to any state. As per the information received, some of the states viz. Bihar, U.P., Gujarat and Uttarakhand short term permits are issued under state Mineral Concession Rules as the Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957, empowers State Governments to make rules for



regulating the grant of quarry leases, mining leases, or other mineral concessions in respect of minor minerals. As per Sustainable Sand Mining Management Guidelines 2016, "Removal of sand from the agricultural field by the owner farmer of the land from environment point of view will not be considered as mining operation and its removal and disposal can be allowed without the requirement of environment clearance till it is done only to the extent of reclaiming the agricultural land. The sand deposited after flood only be removed, so no mining/digging below the ground level is allowed." Customary rights to remove and dispose off the sand should be given to the farmer affected by deposition of sand on account of sudden flood in his agricultural land.

As per the responses received from States at present four states viz. U.P. Bihar, Gujarat and Uttarakhand issue short term permits for removing of sand on agricultural land due to flooding using their own environmental safeguard norms. The U.P. state has reported that Rule 52 of the Uttar Pradesh Sub-Mineral (Prevention) Rules, 2021 provides for a period not exceeding three months for the landholder of agricultural land to remove sand or gravel or boulders or any of these in a mixed state deposited on his land. The Bihar state has reported that as per Rule 37 (4) of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Amendment Rule, 2024, Mineral Disposal Permit is to be given for removal of the Dhush/Sand mixed soil required to convert the raiyat land into agricultural land.

It is further submitted that all these four states viz. UP, Bihar, Gujarat and Uttarkhand are issuing short term permits without requirement of EC for removal of sand from agricultural field. Remaining states have stated that at present no short-term permits are issued in their state. The Mineral Concession Rules of multiple states are framed by state/UTs as per the power delegated under MMDR Act and MCR rules. That during the discussion it was known that there are district committees constituting officers from Mining and Geological department along with officers from Irrigation and revenue departments who are surveying the area and short-term permits are issued on the basis of afore-said survey report. The EAC opined that the District Committees with the officials of Mining, Geology, Irrigation and Revenue departments, etc. are competent enough to determine as to whether the deposited sand is on account of flood or otherwise. These district committees with the help of latest technology like remote sensing, GIS, satellite imagery, drone /photogrammetry and survey equipment like theodolite survey, total station, etc. can determine the nature and quantity of deposition. The District Committee may also examine their District/ Tehsil records of flooding in the area for determination of the above. If the above district committee recommend that the sand deposit is from flooding, adversely affecting the land of farmers, then MoEFCC Sustainable Sand Mining Guidelines, SSMG, 2016 and serial no 3 of Appendix IX of S.O 1224 (E) dated 28.03.2020 will be applicable i.e. short term permits can be issued for sand removal with appropriate environmental safeguards without the requirement of EC. The EAC opined that customary rights to remove and dispose of the sand are available with the affected farmer in terms of the



provisions of the sand mining guidelines SSMG, 2016 and they may be allowed to dispose of the sand so removed as per their customary rights.

In all other cases, the requirement of EC for sand mining will be applicable since it may be concluded as mining. It is pertinent to mention herein that the Hon'ble Courts has also time and again ruled that mining must come under purview of EC.

b. **Environmental safeguards for removal of sand from agricultural fields:** Based on the review of the measures being taken by different states and as per the provisions of SSMG 2016 and EMGSM 2020, EAC (NCM) recommended following safeguards that can be taken during removal of sand from agricultural fields:

- i. The depth of sand removal shall be strictly limited to the original topsoil level. At no point shall excavation be carried out below the original ground level to avoid damaging soil profile.
- ii. During the removal of the sand from agricultural land, Mining Department shall ensure that at no point in time, the depth of sand removal exceeds below.
- iii. To control air pollution due to dust, constant water sprinkling may be done on all pathways and dust-prone areas within and around the agriculture land. Additionally, all sand-transporting vehicles must be covered with tarpaulin. Transportation of wet sand should be avoided to prevent any spillage.
- iv. The removal of sand from agricultural land should be undertaken during daylight
- v. Restricting excavation depth and degree of side slopes are recommended to prevent erosion of adjoining lands and silting of the bottom of sand pits. The excavation depth and degree of slope shall vary from site to site depending upon soil texture and other site characteristics. Temporary barriers may be installed around the agricultural field to prevent erosion during and after sand removal from the agricultural field.
- vi. Sand removal is strictly permitted only after the cessation of floodwater and the monsoon season. This prevents interference with active hydrological processes and ensures the activity is a genuine post-disaster recovery measure.
- vii. The deployment of large-scale heavy earth-moving equipment (like excavators typically used in large-scale commercial mining) for deep or extensive excavation beyond surface clearing is generally restricted or disallowed to avoid compacting the remaining soil or damaging roots and also to protect nearby trees, vegetation, and water source, if any. The focus is on clearing the deposited layer. For smaller affected areas,



manual labour or light machinery is preferred to minimize soil compaction and environmental disturbance.

- viii. While the use of machinery (e.g., JCBs, tractors with trolleys) is often necessary for efficient removal of large quantities of sand, the permits issued by the district authorities will specify the type and capacity machinery allowed.
- ix. Operators must ensure that adjacent agricultural fields with standing crops, orchards, or natural vegetation (including trees) are not damaged during the sand removal process. Heavy penalties may be imposed if the adjacent agricultural lands of other farmers are damaged in any form.
- x. The activity must not obstruct or alter the natural course of any river, stream, nala, or existing drainage lines. Care must be taken to prevent sand, silt, or debris from washing back into water bodies.
- xi. The primary restoration requirement is to return the agricultural land to its original cultivable state after the removal of flood-deposited sand. For areas with significant sand deposition, farmers are encouraged to incorporate organic matter (e.g., farmyard manure, compost) and potentially other soil amendments to improve the water-holding capacity, nutrient retention, and overall fertility of the sandy soil, as recommended by agricultural extension services.

States/UTs may also follow safeguards as per site specific conditions in consultation with SPCB and DMG.

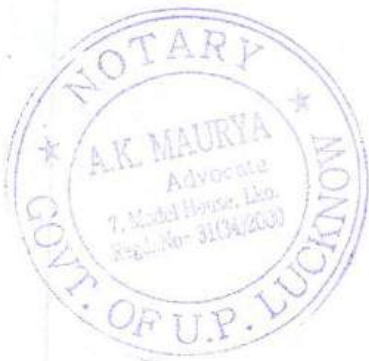
- c. **Illegal mining**-After reviewing measures taken by different States and provided in the SSMG 2016 and EMGSM 2020, EAC (NCM) recommended the following steps that may be adopted for preventing illegal mining under garb of sand removal from agricultural field:

- i. To ensure environmental compliance, States must mandate that short-term permits for removal of sand deposited by floods on agricultural lands are subject to applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- ii. States may adopt dedicated rules, which impose specific environmental safeguards, prohibitions, regulations and restrictions on sand mining activities. These rules can be adapted to regulate short-term permits for flood-affected lands and deter their misuse for commercial mining.
- iii. A structured application and inspection process should be institutionalized. For instance, the applicant (farmer/pattadar) should submit the proposal to the district-level authority who shall initiate a joint inspection with Mining, Geology, Revenue, irrigation and other



concerned departments. The inspecting authority shall capture the geotagged locations of the land in question and capturing the "as is" situation and the situation after removal of the sand deposited to ensure that the top soil is not removed and there is no digging/excavation of the earth. This ensures verification of the claim and safeguards against fraudulent permit use.

- iv. The team with the help of latest technologies like remote sensing, GIS, satellite imagery, drone/photogrammetry and survey equipments like theodolite survey, Total station, etc. can determine the nature and quantity of deposition. The team should verify the Ground/Surface Level (in meter above MSL) around the area where removal of sand has to be done.
- v. The District Level Sand Committee (DLSC) can be authorized to issue formal proceedings based on the joint inspection report after which the accountability and sand removal process can start. This centralized execution mechanism adds transparency.
- vi. Temporary boundary pillars should be erected at the boundaries of the identified agricultural land.
- vii. The process must aim primarily at agricultural land reclamation, with regulatory checks and balances embedded. States should ensure that sand removal under short-term permits is not used as a pretext for unauthorized extraction or commercial gain.
- viii. Permits for sand removal should be strictly time-bound and quantity-capped. Farmers may be allowed their customary rights to remove and dispose of the quantity capped sand from their agricultural land, as provided in the sand mining guidelines SSMG, 2016 only for a fixed duration.
- ix. States shall maintain electronic weighbridges at the appropriate location identified by the District Mining officer, in order to ensure that all removed sand from the agricultural land is accounted for. The weighing bridge shall have the provision of CCTV camera.
- x. The removed sand from agricultural land may be monitored and controlled through the GPS enabled transportation vehicle. The transportation vehicle should be colour coded or may have distinct permit to differentiate the source of sand i.e. from agricultural land or otherwise. State Mining department and district level mining officer shall be responsible for ensuring that there is no illegal mining in the garb of sand removal from agricultural fields.
- xi. The movement of minerals shall be reconciled with the data collected from the mines and various Naka/check posts can be installed in the villages where such sand removal is taking place. An electronic log/register should



be maintained at the check post where transportation details mentioning amount of removed sand from agricultural land and registration number of vehicle should be maintained or any such alternate method may be put in place to capture the quantity of sand being transported and other necessary details to prevent illegal transportation of sand.

- xii. *The operational hours of sand quarries and depots shall be during daylight. No sand-transporting vehicles shall be allowed to park overnight on the agricultural land.*
- xiii. *After the permitted quantity of sand is exhausted, officials shall ensure that:*
 - o *No sand beyond the approved limit is extracted.*
 - o *Temporary sheds at the site are dismantled.*
 - o *All roads and pathways created for mining are levelled to restore natural flow and avoid obstruction in the river system.*
- xiv. *The Mining Department is responsible for ensuring that sand removal operations are conducted in an environmentally friendly and ecologically sustainable manner.*
- xv. *Encourage citizens to report illegal mining activities through dedicated mobile apps or web portals.*
- xvi. *Involve community leaders and gram panchayat to ensure that no illegal mining is carried out under the garb of short-term permit for agricultural field deposit by flooding.*
- xvii. *Ensure better coordination between different government agencies involved in mining regulation and enforcement.*
- xviii. *All States and Union Territories should be guided by the Ministry of Mines guidelines, along with binding judicial pronouncements of the Hon'ble Supreme Court, High Courts, and the National Green Tribunal, especially with respect to environmental safeguards for short-term permits.*

States/UTs may take additional steps for prevention of illegal mining and transportation in the states.

- d. **District Survey Report (DSR)**- Majority of States suggested that the inclusion of mining on flood affected agricultural land in DSR is not feasible due to the following reasons:-

- i. *Floods/ Natural calamities are random and dynamic in nature and cannot be forecasted.*



- ii. *Deposition of minor mineral in agricultural fields as a result of Floods/Natural calamities is not planned or known beforehand.*
- iii. *Many rivers change their direction every year. EAC was also of the opinion that inclusion of mining on flood affected agricultural land in DSR is not feasible."*

4. The above reply reflects that there is no provision of issuance of short-term permit for sand mining in the EIA Notification, 2006 nor the MoEF&CC has allowed short-term permit for removal of sand from agricultural fields to any State but some of the States, such as Bihar, Uttar Pradesh, Gujarat and Uttarakhand are issuing short-term permit on the basis of rules framed by them under the Mines and Minerals (Development and Regulation) Act, 1957.

5. As per the Sustainable Sand Mining Management Guidelines (SSMMG), 2016 removal of sand from the agricultural fields by the owners/farmers of the land from an environmental point of view is not considered as a mining operation. The SSMMG, 2016 in this regard provides as under:-

"Management of Sand Deposited after flood on Agricultural Field of Farmers

Mining of Sand

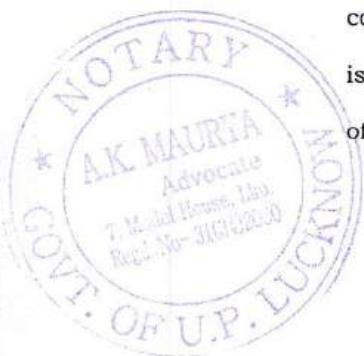
"xxx

xxx

xxx

Removal of sand from the agricultural field by the owner farmer of the land from environment point of view will not be considered as mining operation and its removal and disposal can be allowed without the requirement of environment clearance till it is done only to the extent of reclaiming the agricultural land. The sand deposited after flood only be removed, so no mining/digging below the ground level is allowed. Customary rights to remove and dispose off the sand should be given to the farmer affected by deposition of sand on account of sudden flood in his agricultural land."

6. Under the above guideline, removal of sand from the agricultural field by the owner/farmer of the land from an environmental point of view is not considered as mining and for this activity no environmental clearance (EC) is required. This guideline has been misused resulting in the illegal mining of sand and topsoil. Hence, this guideline is required to be made more



stringent ensuring that it does not result in or promote the illegal sand mining in the name of removal of sand deposit from the agricultural field by the owner/farmer of the land or by any other entity in the name of owner/farmer of the land. The present regulatory framework at the district level has also not proved to be effective.

7. Before framing any guideline, the extent and area of agricultural fields which is affected by sand deposits during the monsoon in different States and the quantity of such sand deposit requiring removal need to be estimated by adopting modern technological means, so that a balance can be drawn between the required protection of such agricultural land and the damage to the environment which is caused on account of misuse of the provision relating to removal of sand deposit from the agricultural fields. The possibility of carrying out such an activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can also be explored so that the private project proponents do not misuse the provision and carry out illegal sand mining in the garb of removal of sand from the agricultural field. The regulatory mechanism which is existing presently has not proved to be effective in checking the illegal sand mining based on the short-term permit approach adopted by the States. The MoEF&CC may consider introducing a regulatory framework to plug the present loopholes which are misused by the unscrupulous persons for achieving the objective of illegal sand mining.

8. Learned Counsel for the MoEF&CC submits that the issue can be looked into again keeping in view the apprehension expressed by the Tribunal and the observations made above. Let the fresh report be filed by the MoEF&CC considering the above observations within six weeks.



9. List on 12.02.2026.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 12, 2025
OA No. 412/2023, OA No. 462/2023,
OA No. 481/2023 and OA No. 1222/2024
avt



Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division (NCM))

.....

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

Dated: 23rd December, 2025

To,

Principal Secretary, Department of Mines and Geology of all States & UTs.

Sub: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB) – reg.

Madam/ Sir,

It is to inform that Hon'ble NGT in its order dated 19.11.2025 in O.A. No. 412/2023 (IA No. 602/2023...), O.A. No. 462/2023, O.A. No. 481/2023 (IA No. 153/2025, IA No. 467/2025.) and O.A. No. 1222/2024 (I.A. Nos. 492/2024 & 493/2024) has inter alia observed that:

7. Before framing any guideline, the extent and area of agricultural fields which is affected by sand deposits during the monsoon in different States and the quantity of such sand deposit requiring removal need to be estimated by adopting modern technological means, so that a balance can be drawn between the required protection of such agricultural land and the damage to the environment which is caused on account of misuse of the provision relating to removal of sand deposit from the agricultural fields. The possibility of carrying out such an activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can also be explored so that the private project proponents do not misuse the provision and carry out illegal sand mining in the garb of removal of sand from the agricultural field. The regulatory mechanism which is existing presently has not proved to be effective in checking the illegal sand mining based on the short-term permit approach adopted by the States.

In the light of the order *supra* (copy of the NGT order dated 19.11.2025 enclosed for ready reference), it is requested to provide information on the following issues:

1. As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines(SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.
Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States / UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.
2. It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The



2278
present system adopted by States for such estimation (extent, area and quantity) may also be provided.

26

3. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.

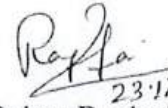
Inputs/comments on the issues highlighted above may kindly be provided within a period of 10 days from receipt of this letter, to enable preparation of a comprehensive report for submission before the Hon'ble NGT (PB).

4. This issues with the approval of competent authority.

Encl.:

Hon'ble NGT order dated 19.11.2025.

Yours faithfully,


23.12.2025

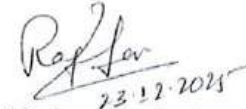
(Rajeev Ranjan)

Scientist 'E'/Additional Director

Copy to:

1. Joint Secretary (Policy), Ministry of Mines, Govt. of India, New Delhi (with a request to provide inputs to stop illegal sand mining in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land, in light of the NGT order dated 19.11.2025).
2. Principal Secretary, Environment and Forest of all States/UTs (with a request to provide inputs to stop illegal sand mining in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land, in light of the NGT order dated 19.11.2025).
3. The Member Secretary, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 110032. Email: mscb.cpcb@nic.in (with a request to provide inputs in light of the NGT order dated 19.11.2025).
4. The Member Secretary, State Environment Impact Assessment Authorities of all States & UTs (with a request to provide inputs in light of the NGT order dated 19.11.2025).
5. The Member Secretary, State Pollution Control Boards of all States & UTs,(with a request to provide inputs in light of the NGT order dated 19.11.2025).

Yours faithfully,


23.12.2025

(Rajeev Ranjan)

Scientist 'E'/Additional Director





केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

By Speed Post/Email

No. CM-13011/101/2025-IPC-II-HO-CPCB-/

January 13, 2026

To,

Sh. Rajeev Ranjan,
Scientist-'E'/Additional Director,
Impact Assessment Division (Non-coal Mining),
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhavan,
Jor Bagh, Aliganj, New Delhi — 110 003.

Sub: Inputs/Comments pursuant to NGT Order dated 19.11.2025 in O.A. Nos. 412/2023, 462/2023, 481/2023, and 1222/2024 – reg.

Ref.: MoEF&CC letter no. IA-L-11011/76/2023-IA-I, dated 23.12.2025

Sir,

With reference to the subject cited above, this is to inform that CPCB vide response dated 08.08.2024 in the matter of 462/2023 with 481/2023 (IA 93/2024 & IA 70/2024) submitted the following checks/safeguards for consideration before Hon'ble NGT:

- The natural ground level of the area should not be changed during removal of the sand deposited by flood above the ground level by farmers.
- Digging of old deposits below the ground level should be allowed only with Environmental Clearance.
- Short-term permits for digging of old deposits below the ground level should not be considered by state governments without Environmental Clearance.

Copy of the said response dated 08.08.2024 is attached herewith for ready reference.

Yours faithfully,

P. Gargava

(Prasoon Gargava)
Scientist-'F' & Head
IPC-II Division

Ru
19.01.2026
Sci'D (N.M.) / R.A (P.R.)
to be included in response for
stakeholders / concerned.
P.1. Compile other inputs.

R.A. (Pranod) / L.A. (Suman)
LL
22/1/26

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष / Tel : 43102030, 22305792, वेबसाइट / Website: www.cpcb.nic.in



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 462/2023

In the matter of:

Raja Ram Singh

Vs.

Applicant

State of U.P & Ors.

WITH

Respondents

Original Application No. 481/2023
(I.A. No. 93/2024 and I.A. No. 70/2024)

Balbir Sandhu & Ors.

Vs.

Applicants

State of U.P. & Anr.

Respondents

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Sr. No.	Particulars	Page No.
1.	Response on Central Pollution Control Board in Original Application No. 481/2023 & Original Application No. 462/2023 in compliance of Hon'ble NGT order dated 24.04.2024	
2.	Annexure – I. A copy of Gazette notification of India S.O. 1224(E) dated 28.03.2020.	
3.	Annexure – II A copy of Hon'ble NGT order dated 24.04.2024	

Nazimuddin
Scientist 'F'
Central Pollution Control Board

Place: - Delhi
Dated: 08.08.2024



**Response of Central Pollution
Control Board in order dated-
24.04.2024 in the matter of OA
No. 462/2023 (with OA No.
481/2023)**



1. Background (OA NO. 462/2023):

Hon'ble NGT (PB) vide order dated-02.08.2023 in the matter of OA No. 462/2023 constituted a joint committee as below:

"....

3. 3. *In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Ministry of Environment, Forest and Climate Change (MoEF&CC), Central Pollution Control Board (CPCB), National Mission for Clean Ganga (NMCG), Uttar Pradesh Pollution Control (UPPCB) and District Magistrate, Gonda and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The Committee may particularly clarify on compliance with Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020 including remediation/rehabilitation of mined areas and damage caused to river Saryu. The State PCB will be the nodal agency for coordination and compliance...."*

In compliance of the order dated-02.08.2023, the report of joint committee was submitted to Hon'ble NGT (PB) through e-mail dated-30.10.2023 by nodal agency in the matter. The case was heard on 07.11.2023 and Hon'ble NGT (PB) directed as under:

"....

9. *However, in view of the precautionary principle embodied in Section 20 of National Green Tribunal Act, 2010, we consider it appropriate to direct that till the next date of hearing fixed no short term permit for mining of minor mineral (sand, Morrum etc.) be granted in the State of Uttar Pradesh without EC from SEIAA and consent from UPPCB and without following Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020 in this regard...."*

The case was further listed/heard on 01.12.2023 and 21.12.2023, and vide order dated-21.12.2023, Hon'ble NGT (PB) impleaded MoEF&CC and CPCB as respondents and directed to submit reply/response with respect to **the permissibility of short term permits and environmental requirements/safeguards**, and listed the case for hearing on 23.02.2024.



In compliance of above order dt.-21.12.2023, CPCB submitted its reply on **22.02.2024** to Hon'ble NGT (PB). The case was listed/heard on **23.02.2024** and adjourned to 02.04.2024. The case was further heard on **02.04.2024** and Hon'ble NGT (PB) directed as below:

“ ...

*5. Short reply has been filed by respondent no.7-CPCB vide email dated 22.02.2024 without giving any specific response to the question of **permissibility of short term mining permit and environmental safe guards relating to the same.***

11. Replies/reports be filed by respondents no. 2 (the Director, Geology and Mining, U.P.), 3 (the District Magistrate, Gonda) , 4 (UPPCB), 7 (MoEF&CC) and 8 (CPCB) as directed vide order dated 21.12.2023

12. List for further consideration on 24.04.2024.

...”

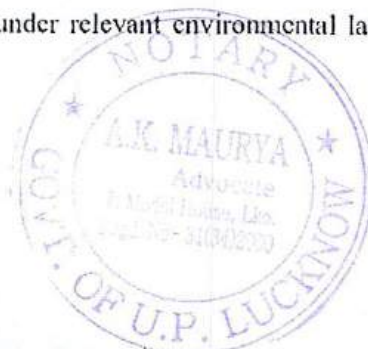
In compliance to above order dated-02.04.2024, CPCB submitted its reply on **22.04.2024** with respect to **the permissibility of short-term mining permit and environmental safeguards relating to the same** as below:

*“Ministry has issued Notification S.O. 1224 (E) dated 28.03.2020 wherein certain cases are exempted from requirement of obtaining Environmental Clearance, including for, “3. Removal of sand deposits on agricultural field after flood by farmers”. Such exemption may apply only in case of **removal of the sand deposited above surface in the agricultural fields by a flood.***

*However, **mining** of the minor minerals, except for activities exempted by the aforesaid notification dated 28.03.2020, require Environmental Clearance as per the EIA Notification, 2006 (and its amendments time to time). Further, the said notifications do not stipulate exemption from Environmental Clearance for short-term mining of the minor minerals as such.”*

2. Background (OA No. 481/2023):

Hon'ble NGT (PB) vide order dated-**04.08.2023** in the matter of OA No. 481/2023 titled as Balbir Sandhu & Ors vrs State of U.P. and Anr. directed constitution of two joint committees to submit report in the matter. District Magistrates and SSP of districts Yamuna Nagar and Saharanpur were directed to ensure no mining and crushing is carried out in districts Yamuna Nagar and Saharanpur without grant of EC, CTE & CTO under relevant environmental laws. Reports of the two joint



committees as Part-A and Part-B respectively, were submitted to Hon'ble NGT (PB) vide e-mail dated-19.04.2024.

The recommendations of the first joint committee (i.e., Part A) included a recommendation as below:

“...
b. Ministry vide Notification S.O. 1224 dated 28.03.2020 has given exemption of certain cases from requirement of Environmental Clearance including for, “Removal of sand deposits on agricultural field after flood by farmers”, which applies only for the sand deposited in the agricultural fields by annual floods.
...”

3. Order dated-24.04.2024 in the matter:

The OA No. 462/2023 along with OA No. 481/2023 was listed/heard on 24.04.2024 and Hon'ble NGT (PB) directed as below:

“... ”

42. The matter needs to be examined in the context of applicability to all States and UTs and formulation of appropriate guidelines imposing requisite environmental safe guards for grant and execution of short term permits for removal of sand deposited by flood on agricultural land.

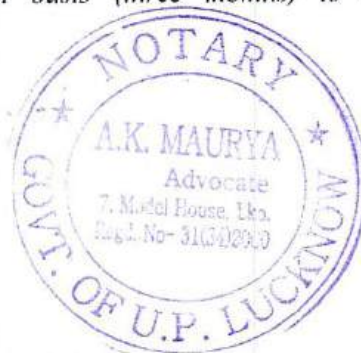
43. The Director, Mining and Geology, U.P. and the Member Secretary, UPPCB and CPCB and MoEF & CC are directed to file their responses in this regard within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

44. List on 12.08.2024 for further consideration.

45. However, till such time the validity of exemption of short term permits for removal of sand deposited on agricultural land by flood from prior environmental clearance is adjudicated upon, we consider it to be appropriate that order dated 07.11.2023 regarding requirement of EC for the same be modified and Order dated 07.11.2023 is modified accordingly to that extent in respect of “removal of sand deposit on agricultural fields by farmer” which will not require “prior environmental clearance” till further orders to the contrary.

46. However, while granting such short term permits to the farmers for removal of sand deposited on agricultural land by flood, the District Magistrate shall mention environmental safeguards/remedial measures required to be implemented by the farmers while carrying out sand mining on short term basis (three months) to avoid adverse environmental impact/pollution.

“... ”



4. Response

It is humbly submitted that the MoEF&CC Notification S.O. 1224 (E) dated-28.03.2020 has exempted the requirement of EC for certain cases as per Appendix-IX, which includes - **removal** of sand deposits on agricultural field after flood by farmers. To prevent misuse of the said exemption - case no. 3 of Appendix-IX of Notification S.O. 1224 (E) dated 28.03.2020, (**Annexure-I**) the following checks/safeguards may be considered:

- a. The natural ground level of the area should not be changed during removal of the sand deposited by flood above the ground level by farmers.
- b. Digging of old deposits below the ground level should be allowed only with Environmental Clearance.
- c. Short-term permits for digging of old deposits below the ground level should not be considered by state governments without Environmental Clearance.



GENT Fwd: Letter No. 2336 Dated 06-02-2026 ओ०ए० संख्या-412/2023 (आई०ए० नं०-602/2023...), ओ०ए० सं०-462/2023, ओ०ए० सं०-481/2023, एवं ओ०ए० सं०-1222/2024 में मा० राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 12.11.2025 के सम्बन्ध में।

Rajeev Ranjan < ranjan.rajeev@nic.in >

Mon, 09 Feb 2026 12:22:39 PM +0530

To "SUMAN KHARB"<suman.kharb@gov.in>,"prabhakar Kandpal"<prabhakar.kandpal@gov.in>,"Sakshi Rawat"<sakshi.rawat10@gov.in>

For compilation

regards,

Rajeev Ranjan
Scientist E & Member Secretary
IA-Non Coal Mining Sector
MoEF&CC, Govt. of India

==== Forwarded message =====

From: Chief Mines Officer DGM <cmo.lko62@gmail.com>

To: <ranjan.rajeev@nic.in>, <sakshi.rawat10@gov.in>, <suman.kharb@gov.in>, <prabhakar.kandpal@gov.in>

Date: Fri, 06 Feb 2026 12:50:37 +0530

Subject: Letter No. 2336 Dated 06-02-2026 ओ०ए० संख्या-412/2023 (आई०ए० नं०-602/2023...), ओ०ए० सं०-462/2023, ओ०ए० सं०-481/2023, एवं ओ०ए० सं०-1222/2024 में मा० राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 12.11.2025 के सम्बन्ध में।

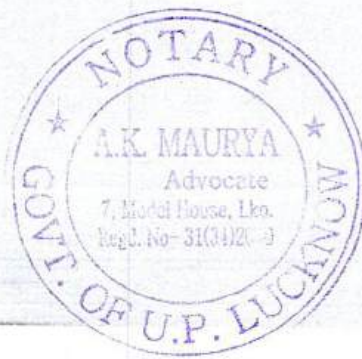
==== Forwarded message =====

Respected Sir/Ma'am,

PFA

1 Attachment(s)

2336 Rajaram Singh .pdf
1.5 MB



प्रेषक,

निदेशक,

भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,
खनिज भवन, लखनऊ।

सेवा में,

श्री राजीव रंजन,

वैज्ञानिक ई/अपर निदेशक,

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,

भारत सरकार, इंदिरा-पर्यावरण भवन,

अलीगंज जोर बाग रोड, नई दिल्ली-110003

संख्या 2336 / एम०-एन०जी०टी वाद (II) / 2023

दिनांक: 06 फरवरी, 2026

विषय:- ओ०ए० संख्या-412/2023 (आई०ए० नं०-802/2023...), ओ०ए० सं०-462/2023, ओ०ए० सं०-481/2023, एवं ओ०ए० सं०-1222/2024 में मा० राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 12.11.2025 के सम्बन्ध में।

महोदया,

कृपया उपर्युक्त विषयक शासन के पत्र संख्या-1/1189451/2025(1770424) दिनांक 29.12.2025 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा आपके पत्र संख्या-File No-IA-L-11011/76/2023-IA-1 दिनांक 23.12.2025 में मा० अधिकरण के आदेश दिनांक 12.11.2025 के आलोक में तीन बिन्दुओं पर सूचना/आख्या भारत सरकार को एक सप्ताह में उपलब्ध कराने तथा कृत कार्यवाही से शासन को अवगत कराने की अपेक्षा की गयी है।

अतः उक्त तीन बिन्दुओं पर वांछित सूचना/आख्या संलग्न कर सादर प्रेषित है।

संलग्नक: यथोपरि।

भवदीया,

(माला श्रीवास्तव)
निदेशक।

संख्या: / एम०-एन०जी०टी वाद (II) / 2023 तद्दिनांक।

प्रतिलिपि:-सचिव, भूतत्व एवं खनिकर्म विभाग, उत्तर प्रदेश शासन, लखनऊ का शासन के पत्र संख्या-1/1189451/2025(1770424) दिनांक 29.12.2025 के संदर्भ में।

(माला श्रीवास्तव)
निदेशक।



ओ०ए० संख्या-412/2023 (आई०ए० नं०-602/2023...), ओ०ए० सं०-462/2023, ओ०ए० सं०-481/2023, एवं ओ०ए० सं०-1222/2024 में मा० राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 12.11.2025 के सम्बन्ध में:-

क्र० सं०	पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा वांछित सूचना / आख्या	सूचना/आख्या
1	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>शासनादेश संख्या 1/435766/2023/86-01099/136/2019 दिनांक 29.11.2023 (छायाप्रति संलग्न) द्वारा जिलाधिकारी की अध्यक्षता में राजस्व विभाग, वन विभाग, पुलिस विभाग, परिवहन विभाग व खनन विभाग के अधिकारियों की आठ सदस्यीय टास्क फोर्स का गठन कर अवैध खनन व परिवहन पर प्रभावी अंकुश सुनिश्चित करने के निर्देश दिये गये हैं। अवैध खनन व परिवहन पर प्रभावी अंकुश उक्त आठ सदस्यीय टास्क फोर्स का दायित्व है।</p> <p>उ०प्र० उपखनिज (परिहार) नियमावली, 2021 के नियम-52 के अन्तर्गत कृषि भूमि का भूमिधर द्वारा अपनी भूमि पर जमा बालू या मौरम या बजरी या बोल्टर या इनमे से कोई भी जो मिलीजुली अवस्था में हो, को हटाने के लिये खनन अनुज्ञा-पत्र प्राप्त कर अपनी भूमि को कृषि योग्य बनाकर समयबद्ध कृषि कार्य कर सकता है। चूंकि कृषि कार्य समयबद्ध कार्य है, उक्त अनुज्ञा न मिलने की स्थिति में समयबद्ध कृषि कार्य प्रतिकूल रूप से प्रभावित होगा व उपखनिज के अवैध उत्तान की सम्भावना होगी।</p>
2	<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.</p>	<p>कृषि भूमि पर उपलब्ध उपखनिज की मात्रा का आकलन वर्तमान में प्रश्नगत क्षेत्र के क्षेत्रफल व उपखनिज की अधिकतम 02 मीटर तक गहराई के अनुसार किया जाता है।</p> <p>कृषि भूमि पर उपलब्ध उपखनिज की मात्रा का आकलन ऑगर (Auger) होल ड्रिलिंग के आधार पर किया जा सकता है।</p>
3	<p>States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>उ०प्र० उपखनिज (परिहार) नियमावली, 2021 के नियम-52 के अन्तर्गत कृषि भूमि का भूमिधर द्वारा अपनी भूमि पर जमा बालू या मौरम या बजरी या बोल्टर या इनमे से कोई भी जो मिलीजुली अवस्था में हो, को हटाने के लिये खनन अनुज्ञा-पत्र प्राप्त कर अपनी भूमि को कृषि योग्य बनाकर समयबद्ध कृषि कार्य कर सकता है। चूंकि कृषि कार्य समयबद्ध कार्य है, उक्त अनुज्ञा न मिलने की स्थिति में समयबद्ध कृषि कार्य प्रतिकूल रूप से प्रभावित होगा व उपखनिज के अवैध उत्तान की सम्भावना होगी।</p>





(डा० विनोद कुमार) (कुमार)
सहा० रसायनज्ञ। सहा० रसायनज्ञ।

(लालता प्रसाद)
सहा० भू-भौतिकविद।

(डा० राजेश कुमार सिंह)
संयुक्त निदेशक।



	<p>/86-01099/136/2019 दिनांक 29.11.2023 द्वारा जिलाधिकारी की अध्यक्षता में राजस्व विभाग, वन विभाग, पुलिस विभाग, परिवहन विभाग व खनन विभाग के अधिकारियों की आठ सदस्यीय टास्क फोर्स का गठन कर अवैध खनन व परिवहन पर प्रभावी अंकुश सुनिश्चित करने के निर्देश दिये गये हैं।</p>
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(डा० विनोद कुमार यादव) (अशोक कुमार) (लालता प्रसाद) राजेश कुमार सिंह
सहा० रसायनज्ञ। सहा० रसायनज्ञ। सहा० भू-भौतिकविद। सहा० भू-भौतिकविद।

(डा० राजेश कुमार सिंह)
संयुक्त निदेशक।



11435766/2023

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कृपया सर्वोच्च प्राथमिकता/समर्थन

प्रेषक,

अनिल कुमार-III,

प्रमुख सचिव,

उ० प्र० शासन।

सेवा में,

समस्त जिलाधिकारी,

उत्तर प्रदेश।

भूतत्व एवं खनिकर्म अनुभाग लखनऊ: दिनांक ²⁹ 28/11/2023

विषय:- अवैध खनन एवं परिवहन रोकने हेतु कार्यबल का गठन।

महोदय,

उपर्युक्त विषयक शासकीय पत्र संख्या-616/86-2018-371/2005, दिनांक 20.03.2018 का कृपया सन्वर्ध ग्रहण करें, जिसके द्वारा प्रदेश में अवैध खनन एवं परिवहन पर प्रभावी नियंत्रण लगाये जाने हेतु जिलाधिकारी की अध्यक्षता में 07 सदस्यीय जनपद स्तरीय कार्यबल (Task force) का गठन किया गया है।

2. इस संबंध में मुझे यह कहने का निदेश हुआ है कि सम्यक विद्यारोपरान्त उक्त जनपद स्तरीय कार्यबल (Task force) में वरिष्ठ पुलिस अधीक्षक/पुलिस उपायुक्त (DCP), अपर जिलाधिकारी (दित्त एवं राजस्व)/प्रभारी खनन, सहायक पुलिस आयुक्त (ACP) तथा जनपदीय ज्येष्ठ खान अधिकारी/खनन निरीक्षक को भी सम्मिलित करते हुये प्रश्नगत कार्यबल की संरचना निम्नवत् निर्धारित किए जाने का निर्णय लिया गया है :-

1. जिलाधिकारी	अध्यक्ष
2. वरिष्ठ पुलिस अधीक्षक/ पुलिस अधीक्षक/ पुलिस कमिश्नर द्वारा नामित पुलिस उपायुक्त (DCP)	सदस्य
3. अपर जिलाधिकारी (दित्त एवं राजस्व)/ प्रभारी खनन	सदस्य
4. प्रभागीय यनाधिकारी	सदस्य
5. उपजिलाधिकारी	सदस्य



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6. पुलिस क्षेत्राधिकारी/ सहायक पुलिस आयुक्त (ACP)	सदस्य
7. सहायक सम्भागीय परिवहन अधिकारी	सदस्य
8. जनपदीय ज्येष्ठ खान अधिकारी /खान अधिकारी /खनन निरीक्षक (खान अधिकारी नियुक्त होने की दशा में)	सदस्य/सचिव

3. साथ ही मुझे यह भी कहने का निर्देश हुआ है कि कृपया अब उपरोक्तानुसार गठित 08 सदस्यीय कार्यबल द्वारा प्रदेश में अवैध खनन व परिवहन पर प्रभावी अंकुश लगाने हेतु प्रत्येक माह 02 औचक निरीक्षण के साथ-साथ नियमित रूप से प्रवर्तन कार्य किया जाय। कार्यबल द्वारा प्रत्येक सप्ताह अवैध खनन/परिवहन की सघन चेकिंग की जाय तथा उक्त सूचना निर्देशक, भूतत्व एवं खनिकर्म, उ० प्र०, लखनऊ को प्रत्येक माह की 05 तारीख तक नियमित रूप से ई-मेल cmo.lko62@gmail.com पर उपलब्ध करायी जाए।

जनपद स्तरीय मासिक समीक्षा बैठक में आपके द्वारा स्वयं प्रवर्तन कार्यों की प्रभावी समीक्षा तथा प्रवर्तन सम्बन्धी कार्यों में शिथिलता पाये जाने पर सम्बन्धित उत्तरदायी अधिकारियों/कर्मचारियों व कार्य से संबंधित व्यक्तियों के विरुद्ध नियमों के अधीन कार्यवाही सुनिश्चित की जाए।

कृपया उक्त निर्देशों का कडाई से अनुपालन सुनिश्चित किया जाय।

भवदीय,

Digitally Signed by अनित
(अमित कुमार-111)
Date: 28-11-2023 18:21:29
रजिस्ट्रार सचिवालय

संख्या एवं दिनांक: उपरोक्तानुसार।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. पुलिस महानिदेशक, उत्तर प्रदेश लखनऊ।
2. समस्त मण्डलायुक्त, उत्तर प्रदेश।
3. समस्त पुलिस आयुक्त, उत्तर प्रदेश।
4. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उत्तर प्रदेश को इस निर्देश के साथ प्रेषित कि कृपया जनपदों से कार्यबल द्वारा प्रेषित मासिक रिपोर्ट को संकलित कर उसके आधार पर एक समेकित रिपोर्ट संस्तुति सहित प्रतिमाह शासन को उपलब्ध करायी जाय।
5. समस्त वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक, उत्तर प्रदेश।



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6. सम्स्त जनपदीय ज्येष्ठ खान अधिकारी/खान अधिकारी/खान निरीक्षक, उत्तर प्रदेश (द्वारा
निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उत्तर प्रदेश)

7. गार्ड फाईल।

आज्ञा से,
विजय कुमार
विशेष सचिव।



Government of Gujarat
COMMISSIONER OF GEOLOGY & MINING

Block No.15, Sector-10, Dr. Jivraj Mehta Bhavan,
Old Sachivalaya, Gandhinagar

☎ 079-232-54151/53956

Web site : <https://cgm.gujarat.gov.in>

E-mail : ad-devp-cgm@gujarat.gov.in

No. CGM/LEASE/QL /Sand Removal/2025-26/ 298

Dt. 3/02/2024

To

The Scientist 'E'/ Additional Director,
Ministry of Environment,
Forest and Climate Change,
(Impact Assessment Division (NCM)),
Indira Paryavaran Bhawan, Aliganj,
New Delhi-110003.

Subject: Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023
regarding removal of sand from agricultural fields - reg.

Reference: MoEF&CC Letter No. IA-L-11011/76/2023-1A-1 dated 23rd December, 2025

Madam/Sir,

With reference to the subject and letter cited above, the State of Gujarat (Commissioner of Geology and Mining) provides the following specific inputs based on the prevailing geological conditions and the existing regulatory framework in the state:

1. Occurrences of Sand Deposition in Gujarat

It is observed that unlike states with perennial Himalayan River systems, the geographical and climatic conditions in Gujarat do not result in frequent or large-scale sand deposition on agricultural lands due to flooding. Consequently, the state receives very few applications for the "removal of sand" under the Sustainable Sand Mining Management Guidelines (SSMMG) 2016. Because these incidents are rare, the risk of large-scale misuse for illegal mining under the guise of clearing sand is significantly lower in Gujarat.

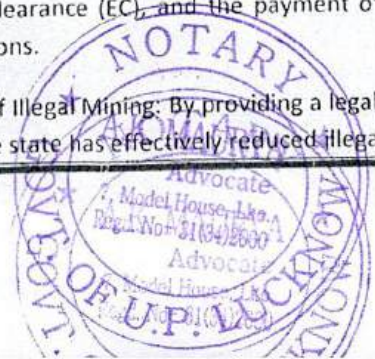
2. Regulatory Framework: GMMCR-2017 Amendment (2022)

The State of Gujarat has already strengthened its regulatory mechanism through an amendment to the Gujarat Minor Mineral Concession Rules (GMMCR) 2017 in the year 2022 and add new lease regime, under this amendment, a formal regime has been established where private land owners can apply for a Quarry Lease (QL) on their own land.

Integration & Transparency: This shift from "temporary permits" to a "lease-based regime" ensures that any mineral extraction on private/agricultural land is governed by formal lease terms, mandatory Environmental Clearance (EC), and the payment of applicable Royalties and District Mineral Foundation (DMF) contributions.

Prevention of Illegal Mining: By providing a legal, long-term pathway for land owners to utilize minerals on their land, the state has effectively reduced illegal sand mining

E-176008/2026 CR
3/3/2026
R-Permit
PDA
L.A. (S.W.) 03/26




3. Technical Estimation & Departmental Oversight

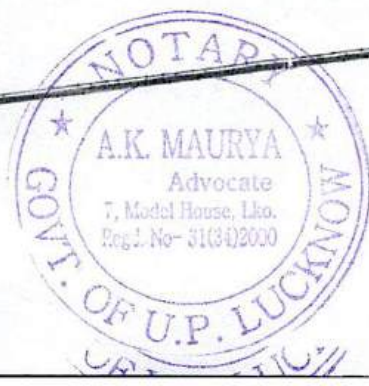
Estimation: Since the state now emphasizes a lease-based approach for private lands, the estimation of sand quantity is conducted through a formal Survey and Demarcation process by the Department's technical staff before the grant of the lease.

Modern Technology: We utilize DGPS (Differential Global Positioning System) for precise boundary marking and volume estimation to ensure that extraction does not exceed the approved mining plan.

State Agency Involvement: While the current GMMCR-2017 framework empowers the land owner, the Department maintains strict oversight via the Integrated Lease Management System Online Portal, where every metric ton of sand moved is tracked through E-Challans, preventing any misuse of the 2016 SSMMG provision.

In view of the above, the State of Gujarat suggests that the NGT may consider the "Lease - base regime for Private Lands" (as adopted by Gujarat) as a successful model to bring "sand removal" under a formal, transparent and revenue-generating regulatory umbrella.
(Draft Approved by CGM Sir)


S. J. Chavda (GAS)
Additional Director (Development)
Commissioner of Geology & Mining
Gujarat





Government of Gujarat
COMMISSIONER OF GEOLOGY & MINING



Block No.15, Sector-10, Dr. Jivraj Mehta Bhavan,

Old Sachivalaya, Gandhinagar

☎ 079-232-54151/53956

Web site : <https://cgm.gujarat.gov.in>

E-mail : ad-devp-cgm@gujarat.gov.in

No. CGM/LEASE/QL /Sand Removal/2025-26/ 288

Dt. 3/02/2026

To

The Scientist 'E'/ Additional Director,
 Ministry of Environment,
 Forest and Climate Change,
 (Impact Assessment Division (NCM)),
 Indira Paryavaran Bhawan, Aliganj,
 New Delhi-110003.

Subject: Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023
 regarding removal of sand from agricultural fields - reg.

Reference: MoEF&CC Letter No. IA-L-11011/76/2023-1A-1 dated 23rd December, 2025

Madam/Sir,

With reference to the subject and letter cited above, the State of Gujarat (Commissioner of Geology and Mining) provides the following specific inputs based on the prevailing geological conditions and the existing regulatory framework in the state:

1. Occurrences of Sand Deposition in Gujarat

It is observed that unlike states with perennial Himalayan River systems, the geographical and climatic conditions in Gujarat do not result in frequent or large-scale sand deposition on agricultural lands due to flooding. Consequently, the state receives very few applications for the "removal of sand" under the Sustainable Sand Mining Management Guidelines (SSMMG) 2016. Because these incidents are rare, the risk of large-scale misuse for illegal mining under the guise of clearing sand is significantly lower in Gujarat.

2. Regulatory Framework: GMMCR-2017 Amendment (2022)

The State of Gujarat has already strengthened its regulatory mechanism through an amendment to the Gujarat Minor Mineral Concession Rules (GMMCR) 2017 in the year 2022 and add new lease regime, under this amendment, a formal regime has been established where private land owners can apply for a Quarry Lease (QL) on their own land.

Integration & Transparency: This shift from "temporary permits" to a "lease-based regime" ensures that any mineral extraction on private/agricultural land is governed by formal lease terms, mandatory Environmental Clearance (EC), and the payment of applicable Royalties and District Mineral Foundation (DMF) contributions.

Prevention of Illegal Mining: By providing a legal, long-term pathway for land owners to utilize minerals on their land, the state has effectively reduced illegal sand mining



3. Technical Estimation & Departmental Oversight


Estimation: Since the state now emphasizes a lease-based approach for private lands, the estimation of sand quantity is conducted through a formal Survey and Demarcation process by the Department's technical staff before the grant of the lease.

Modern Technology: We utilize DGPS (Differential Global Positioning System) for precise boundary marking and volume estimation to ensure that extraction does not exceed the approved mining plan.

State Agency Involvement: While the current GMMCR-2017 framework empowers the land owner, the Department maintains strict oversight via the Integrated Lease Management System Online Portal, where every metric ton of sand moved is tracked through E-Challans, preventing any misuse of the 2016 SSMMG provision.

In view of the above, the State of Gujarat suggests that the NGT may consider the "Lease - base regime for Private Lands" (as adopted by Gujarat) as a successful model to bring "sand removal" under a formal, transparent and revenue-generating regulatory umbrella.

(Draft Approved by CGM Sir)


S. J. Chavda (GAS)
Additional Director (Development)
Commissioner of Geology & Mining
Gujarat





MIZORAM POLLUTION CONTROL BOARD

No.H.88088/Poltn/140/19-MPCB/

Dated Aizawl, the 22nd January, 2026

To,

Shri Rajeev Ranjan
Scientist 'E'/ Additional Director
Impact Assessment Division (NCM)
Ministry of Environment, Forest and Climate Change

Sub: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB)- reg.

Reference: Y/L No. File No. IA-L-11011/76/223-IA-I dt. 23.12.2025

Sir,

With reference to the subject and letter number cited above, this is to bring to your kind notice that the farming system in the State may not entail removal of soil from the land as no permanent farming system are practiced. Such activity has not been experienced before and not foreseen.

Hence, there may be no chances of misuse of the provisions of Sustainable Sand Mining Management Guidelines (SSMMG) 2016, in the garb of removal of sand from the agricultural field.

Yours faithfully,

(C. LALDUHAWMA)
Member Secretary
Mizoram Pollution Control Board



बिहार सरकार
खान एवं भूतत्व विभाग

सं०सं०-03/एम०एम०(बा०)-34/25-614/एम०, पटना, दिनांक-22/01/26

Email

प्रेषक,

भारत भूषण प्रसाद,
सरकार के अपर सचिव।

सेवा में,

Sri Rajeev Ranjan,
Scientist E/ Additional Director,
Ministry of Environment, Forest and Climate Change,
Government of India,
Indira Paryavaran Bhawan,
Jor Bagh, Aliganj, New Delhi-110003

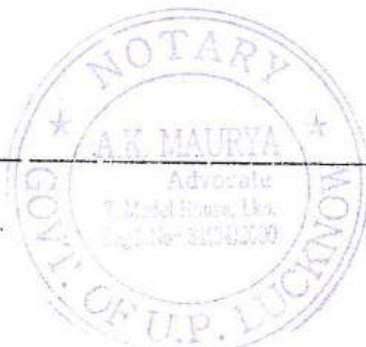
विषय:- Request for inputs/comments pursuant to Order dated 19.11.2025 in O.A. No.-412/2023, O.A. No.-462/2023 O.A. No.-481/2023 and O.A. No.-1222/2024 pending before the Hon'ble NGT.

प्रसंग:- आपका पत्रांक-IA-L-11011/76/2023-IA-I, दिनांक-23.12.2025

महाशय,

उपर्युक्त विषयक प्रसंगाधीन पत्र के आलोक में विभागीय
Inputs/Comments निम्नवत है :-

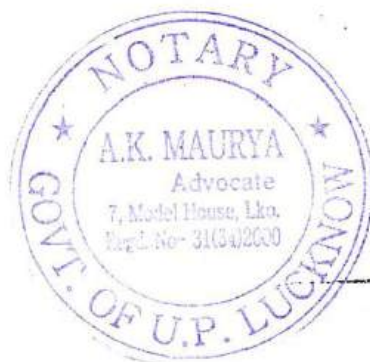
Sl no.	Question	Answer
1	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>As Per SSMG guidelines following provisions were added to Bihar Mineral (Concession, Prevention of illegal Mining, Transportation & Storage Rules) 2019 (amendment) Rules 2024 to incorporate the sand mining activity from agricultural fields and make it suitable for agriculture.</p> <p><i>29 (G) shall be substituted as follows:- Removal of Silt- On the written report/recommendation of the Water Resources Department, for the purpose of maintaining the flow of the river/canal route, the silt deposited in the river/canals shall be disposed of by the Collector by selecting a contractor for a fixed period through e-auction. The contractor/highest bidder shall obtain all the necessary statutory No Objection Certificates (NOC) from the competent authority and shall dispose of the silt by following the prescribed procedure of the rules. Provided that if the working area is forest land/ wildlife protected area (PA)/ Eco Sensitive zone (ESZ), auction shall be conducted only after obtaining Forest</i></p>



P.T.O.

		<p>Clearance, Wildlife Clearance as the case may be and Environmental Clearance.</p> <p>37 (4)-Mineral Disposal Permit to be given for removal of the Dhush/Sand mixed soil required to convert the raiyat land into agricultural land- Notwithstanding anything contained in these rules, in rivers other than Son, Kiul, Falgu, Morhar, Chanan and Ganga, where minor minerals/sandy soil is found in the raiyati land, outside the radius of 03 km (Aerial Distance) from the river bank, the Collector, after verification by the Circle Officer, may grant a permit to remove and use any minor mineral/sandy soil on the report of the concerned Mining Officer. Concerned raiyat shall submit an application to the Mining Officer for issuance of permit for disposal of the said mineral. The said permission may be granted for a maximum period of One year for the specified quantity after advance payment of applicable royalty to the government and other taxes and obtaining all prevailing statutory clearances. 5 (Five) working days is fixed as time limit for this.</p>
2	<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.</p>	<p>As per Rule no. -29(3) The maximum depth for sand Mining is enumerated as 3m. So, Total Quantity of sand excavated will be Area of agricultural field multiplied by maximum depth i.e. 3m.</p>
3	<p>States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>There is clear provision of removal of sand from agricultural fields as per provision enumerated in point no 1. As far as illegal Mining is concerned, there are stringent provisions under Bihar Mineral Bihar Mineral (Concession, Prevention of illegal Mining, Transportation & Storage Rules) 2019 (amendment) Rules 2024 to curb illegal mining. (Annexure I)</p>

कृपया।



विश्वासभाजन

सरकार के अपर सचिव

124

निबंधन संख्या पी0टी0-40



बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

13 अग्रहायण 1948 (श10)

(सं० पटना 1146) पटना, बुधवार, 4 दिसम्बर 2024

खान एवं भूतत्व विभाग

अधिसूचना

3 दिसम्बर 2024

सं० प्र०-II/अवैध खनन-30/22-5142—खान एवं भूतत्व विभाग, बिहार, पटना की अधिसूचना संख्या-4374, दिनांक-16.10.2024 का निम्नलिखित अंग्रेजी अनुवाद, बिहार राज्यपाल के प्राधिकार से एतद् द्वारा प्रकाशित किया जाता है कि जो भारतीय संविधान के अनुच्छेद 348 के खण्ड (3) के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायेगा।

Notification

The 3rd December 2024

No.-Pra-II/Avaidh Khanan-30/22-5142/M.—In exercise of the powers conferred under section 15 read with section 23 C of the Mines and Minerals (Development and Regulation) Act, 1957, the Governor of Bihar hereby pleased to make the following Rules regarding the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019:-

1. **Short title, extent and commencement:-** (1) These rules shall be called the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) (Amendment) Rules, 2024.
 - (2) It shall extend to the whole of the State of Bihar.
 - (3) It shall come into force from the date of its publication in the Official Gazette.
2. **Rule- 17 (4) shall be substituted as follows:-**
 - (4) **Approval and submission of Mining Plan:-**
 - (i) The mining plan may be prepared by the State Government through an agency authorised by the State Government or an officer authorised by the Department or the mineral concession holder, in which assistance



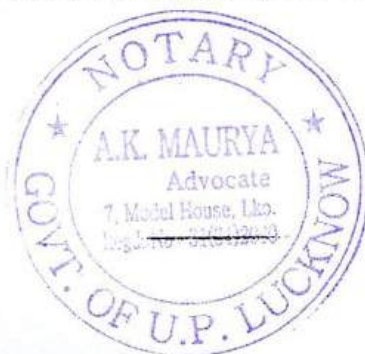
- may be taken by the above three in preparation of the mining plan from a recognised qualified person/institution.
- (ii) In case the settlee prepares the mining plan, the settlee shall submit the mining plan to the Department for approval within maximum 15 (fifteen) days of issuance of the In Principal Sanction Order (LOI).
- (iii) In case of non submission of the mining plan within the stipulated time, the settlee shall be imposed a penalty of Rs. 1,00,000/- for the first one week of delay, Rs. 2,00,000/- for the next one week and 0.5% of the highest bid for the next two weeks of delay. In case the imposed penalty is not deposited, the amount of the penalty shall be deducted from the security deposit. Even after this, if the settlee does not submit the mining plan/application for environmental clearance, the Collector shall cancel the LOI and forfeit the security amount after serving a show cause notice to the settlee.
- (iv) The committee constituted by the Department/authorized educational institution will approve/reject the submitted mining plan within one week on receipt of the same. The reasons for rejection will be clearly mentioned, so that the concerned can submit the mining plan again within the next 15 days.
- (v) If the Government finds it appropriate, before the e-auction of the mining lease, the State Government may authorize any agency or any officer not below the rank of Assistant Director to prepare the mining plan in their favour as per the prevailing environmental provisions. The said approved mining plan for the concerned mining lease may be transferred in favour of the highest bidder selected in the e-auction. The expenses and fees incurred in preparation of the mining plan will be recovered from the concerned mineral concession holder/ settlee.

3. **Rule-18 (2) shall be substituted by the following:-**

18 (2) Environmental Clearance-(i) All mineral Concession holders or agency authorized by the Government or an Officer authorized by the Department shall obtain prior environmental clearance within the prescribed time limit and comply with the rules as per the prevailing Environmental Impact Assessment (EIA) Notification, orders of Pollution Control Board and latest instructions issued by the Competent Authority of the Ministry of Environment, Forest and Climate Change, Government of India and as per the provisions of the Environment Protection Act.

Provided that before e-auction of mining lease, the State Government may authorize any agency or any officer not below the rank of Assistant Director to obtain environmental clearance in its favour as per prevailing environmental rules. The said environmental clearance for the concerned mining lease shall be transferred in favour of the highest bidder selected in the e-auction. The expenditure incurred in obtaining environmental clearance (including fees) shall be recovered from the concerned mineral concession holder/settlee.

- (ii) In case the settlee obtains environmental clearance, the proposal/application for Terms of Reference (TOR) approval shall be submitted by him on the Parivesh Portal of State Environment Impact Assessment Authority (SEIAA) within maximum 15 (fifteen) working days of the mining plan approval.
- (iii) After receiving the in-principle sanction order (LOI), the settlee shall submit the draft Environment Impact Assessment (EIA) report and the prescribed fee for public hearing to the Bihar State Pollution Control



(10)

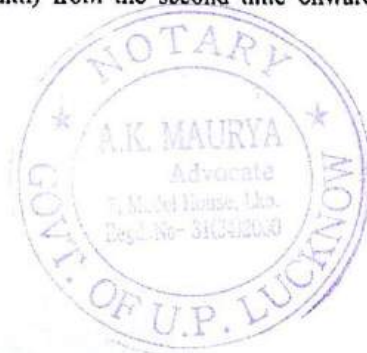
- (2) (i) For mining within the restricted area, penalties shall be imposed under Section 21 (1) of the Mines and Minerals (Development and Regulation) Act. Also, action shall be taken to cancel the mining lease.
(ii) In case of mining outside the mining lease area, the quantity of excavated mineral shall be assessed and the cost of mineral as defined in Rule 56 shall be recovered by the Collector.
- (3) In case of sand mining more than the permissible depth in the mining lease area, the quantity of excavated sand shall be assessed for the first and second time and the cost of mineral as defined in Rule 56 shall be recovered by the Collector from the concerned settlement holder.

Provided that whenever the mineral concession holder is found involved in such offence under sub-rule-2 (ii) and sub rule 3, for the third time or more, the settlement of that particular sand ghat may be temporarily suspended by the Collector for a maximum period of one month until the violations are rectified and the penalty is deposited. If the violations are not rectified within the time given by the Collector in this regard, then the settlement of that particular sand ghat may be suspended for a maximum period of 03 months after giving the settlement holder an opportunity of being heard. No claim for compensation shall be accepted during the period of suspension. Thereafter, if the violation is not rectified or the penalty is not deposited, action for cancellation of mineral concession shall be taken by the Collector.

- (4) Transportation of minor minerals shall be carried out only in covered vehicles painted in a specific colour and wet sand shall not be loaded in the vehicles. In case Minor mineral is transported without being specifically coloured, wet sand or uncovered and tampering/switching off the GPS device, following penalties may be imposed-

Sl. No.	Subject	Fine (in Rs.)	
1	On Transportation of uncovered minor mineral	Tractor	5,000/-
		Other heavy vehicles	25,000/-
2	On transporting wet sand	Tractor	5,000/-
		Other heavy vehicles	25,000/-
3	On issuance of challan for a vehicle painted without the specific colour	for first time violation	1,00,000/-
		For second time violation action will be taken as per rules considering illegal mining/dispatch.	
4	On tampering or switching off the GPS device installed in the vehicle during sand transportation.	Tractor	20,000/-
		For other heavy vehicles	1,00,000/-

- (6) In case the settlee encourages illegal transportation of minerals (In case of loading more quantity than the valid challan), penalty of Rs. 5,00,000/- (Rs. Five lakh) (on each vehicle) for the first time and Rs. 10,00,000/- (Rs. Ten Lakh) from the second time onwards (on each vehicle) may be imposed.



11. *A new proviso shall be added in sub rule (1) of rule 33 Grant of Quarrying Permits as follows:-*

No royalty shall be levied for non-commercial use of ordinary earth.

For commercial use of mining/dispatch of ordinary earth, commercial license has to be obtained by following the prescribed procedure, for which online application in the prescribed form will be mandatory to apply and the officer authorized by Department shall grant the approval within 05 (five) working days after deposit of advance royalty.

12. *After rule 37 (3), the following new sub-rule 37(4) shall be added as follows: -*

Notwithstanding anything contained in these rules, in rivers other than Son, Kiul, Falgu, Morhar, Chanan and Ganga, where minor minerals/sandy soil is found in the raiyati land, outside the radius of 03 km (Aerial Distance) from the river bank, the Collector, after verification by the Circle Officer, may grant a permit to remove and use any minor mineral/sandy soil on the report of the concerned Mining Officer. Concerned raiyat shall submit an application to the Mining Officer for issuance of permit for disposal of the said mineral. The said permission may be granted for a maximum period of One year for the specified quantity after advance payment of applicable royalty to the government and other taxes and obtaining all prevailing statutory clearances. 5 (Five) working days is fixed as time limit for this.

13. *Rule 38 (6) shall be substituted as follows:-*

38 (6) -If the brick earth remover / brick kiln owner fails to submit the required Environmental Clearance from the competent authority as notified by MoEF & CC and / or the required Emission Consent Order from the Bihar State Pollution Control Board (BSPCB), the Competent Officer/ Regional Officer, Bihar State Pollution Control Board/ Sub Divisional Officer/ Circle Officer shall stop the business and report the matter to competent authority as notified by MoEF & CC/ BSPCB for initiating penal provisions for violation of rules..

14. *Rule 39(1) shall be substituted as follows:*

Rule 39 (1) Every person who carried business of minor/major mineral beyond any lease hold area shall obtain a stockist license from the Mining Officer in Form "K" which shall be displayed at a conspicuous place of business and shall maintained proper accounts of purchase and sale of all such minerals in a register in form-H which shall be produced before the Mines Commissioner, Director of Mines, Additional Director of Mines and Deputy Director, Mines or Mining Officer or any other officer authorized by the State Government, for inspection. The fee/required condition for obtaining the license according to the size of the business shall be as follows-

- (a) **Small Businessmen-** For maximum storage of 25,000 (Twenty Five Thousand) cubic feet of minor minerals at the storage license site, on payment of an application fee of Rs. 5,000 (Rs. Five Thousand), license can be obtained for One calendar year, which can be renewed every year on payment of an application fee of Rs. 5,000/- (Rs. Five Thousand). In case such license holder installs CCTV cameras at the storage site, the license can be obtained at one go for five years on payment of application fee of Rs 20,000/- (Rs. Twenty Thousand).



- (b) Medium Businessmen- For storage of 25,000 (Twenty Five Thousand) cubic feet to 1,00,000 (One Lakh) cubic feet of minor mineral at storage license site, on payment of an application fee of Rs. 50,000 (Rs. Fifty Thousand), license can be obtained for Five years. It will be mandatory for such licensee to install CCTV camera, his own Weighbridge or joint Weighbridge at the storage place. Such licensee may use public weighbridge, but it will be mandatory for that weighbridge to have CCTV camera installed (integrated with Department).
- (c) Large Businessmen- For storage of minor minerals from 1,00,000 (One Lakh) cubic feet to 10,00,000 (Ten Lakh) cubic feet, on payment of application fee of Rs 2,00,000/- (Rs. Ten Lakh)) storage license can be obtained for five years. It will be mandatory for such licensee to install Weighbridge and CCTV cameras at the storage place.
- (d) All installed weighbridge and CCTV cameras shall be mandatorily integrated with the departmental portal
15. After Rule 41, a new second proviso shall be added as follows: -
Provided that it will be mandatory for all vehicles carrying minor minerals from other states to have Transit Pass (TP). The regulatory fee for this will be determined by the department.
16. **Rule-44 shall be substituted as follows-**
Rule 44: Restrictions on vehicles carrying minerals-(i) The State Government may impose reasonable restrictions on vehicles carrying any minor mineral and may require them to adhere to certain specifications.
(ii) The State Government may require installation of GPS or such other device in transport vehicles as may be necessary and give such directions as it may consider appropriate.
(iii) The State Government shall make mandatory to specific colour and words mandatory for the identification of vehicles used in mineral transportation.
(iv) Transportation of minerals through waterways shall be carried out as per The Bihar Ferry ghat Settlement and Management Act, 2023 and rules promulgated under this Act.
17. **Sub-rule (1) and sub-rule (2) of rule 56 will be substituted as follows:-**
56- Illegal mining, transportation and storage of minerals-
(1) (i) No person shall extract or remove or undertake any mining operation in any area without holding any mineral concession, permit or any other permission granted or permitted under these rules.
(ii) No person shall transport or store any mineral without a valid challan. Also, minerals will not be transported by unrealistic, unregistered and non-commercial vehicles.
(2)(1) For violation of the above, penalty shall be imposed under Section 21 (1) of the Act.
(ii) Where complainant is the District Mining Officer or Assistant Director or Mine Inspector, after the written permission of the Collector, he may either before or after the institution of the prosecution, compound the offence of violation above sub-rule (1) (ii) on payment of cost of mineral and compound fee as mentioned below:-

Sl. No.	Vehicles/equipment	Compound fee (in Rs.)
1	tractor and trolley	1,00,000/-
2	Matador/Half Truck 407, 408	2,50,000/-



Sl. No.	Vehicles/equipment	Compound fee (in Rs.)
3	Full Body Trucks/Vehicles (06 Wheel)	4,00,000/-
4	Dumper (Hydraulic 06 wheel) / 10 and above	8,00,000/-
5	Crane, boat, excavator, loader, power hammer, compressor, drilling machine and other equipment/machines of similar capacity.	10,00,000/-

(iii) If the complainant is a Deputy Director or Additional Director or Director of Mines or any other official authorized by the Government may, exercise the power of compounding only after the permission of the Mines Commissioner.

(iv) Compounding fee mentioned in the table, twenty-five times of the royalty may be imposed from the violator in lieu of the cost of the mineral, compensation for environmental damage and tax payable for acquiring land without legal rights.

Provided that in case of vehicles/machines other than the vehicles/machines mentioned above, the compounding fee along with the mineral cost will not be less than twenty five thousand rupees.

(vi) In case of transportation with valid challan, when the quantity of mineral loaded in the vehicle is more than the quantity mentioned in the challan by 5 percent, then the authorized officer may be able to recover the mineral price only for the difference quantity as per sub-rule-2 (iv).

(vi) In case of storage of quantity different from the valid challan, in addition to the mineral cost as per sub-rule 2 (iv), a penalty of Rs 5,00,000/- (Five Lakh) may be imposed. In case of transportation, the assessment of quantity shall be determined only with Weighbridge and in case of storage, it shall be determined only through Drone/Total station/The odolite etc.

18. **Rule-57 shall be substituted as follows:-**

Seigniorage Fees in Government Projects-

(1) The contractor of Government Works Department shall submit challan/permit related to transportation of minor minerals for his scheme and project to concerned Works Department.

If the contractor of the Government Works Department failed to submit a valid challan/permit for the minor minerals used for the schemes and projects to the concerned Works Department, the mineral cost under Rule 56 (2) (iv) shall be deducted from suppliers/contractors and deposited in the concerned Mining Head.

(2) All Government Departments will deduct Seigniorage Fee from their suppliers or contractors for using any minor mineral purchased from within the State or outside the State. Such Seigniorage Fee shall be at a flat rate of 10 (ten) percent of the mineral value involved in the estimate and shall be deducted by the Works Department from their supplier/ works contractors and deposited in the respective mining head.

The State Government by notification, may increase or decrease the Seigniorage Fee from time to time..

(3) Royalty will not be payable on minor minerals supplied from other states.



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बिहार गजट (असाधारण), 4 दिसम्बर 2024

9

19. Paragraph 6 of Part-IX General Provisions of Form-B will be substituted as follows:-

Part-IX General Provisions of Form-B Paragraph-6 The lessee having first paid and discharged the rents and royalties payable by virtue of these presents may at the expiration or sooner determination of the said term or within six calendar months thereafter take down and remove for his own benefit all or any machinery, plant, building, minerals excavate/ produced/crushed during the lease period and other works erections and conveniences which may have been erected, set up on placed by the lessee in or upon the said lands.

Provided that the excavated/produced/crushed minor minerals shall be removed from the lease area within a maximum of 60 days and as per requirement, after obtaining storage license under Rule 39, the minerals shall be removed from the lease area and stored at the licensed site.

*By order of the Governor of Bihar,
Narmdeshwar Lal,
Principal Secretary to the Government.*

अधीक्षक, सचिवालय मुद्रणालय,
बिहार, पटना द्वारा प्रकाशित एवं मुद्रित।
बिहार गजट (असाधारण) 1146-571+10-डी0टी0पी0।
Website: <http://egazette.bih.nic.in>



भूतत्व एवं खनिकर्म निदेशालय,
"खनिज भवन"
भोपालपानी, उत्तराखण्ड, देहरादून।
(ई-मेल आईडी0 dir.ukdgm@gmail.com)

सेवा में,

कु0 साक्षी रावत,
ASO (IA Non Coal Mining) Moef & CC।

संख्या: /मू0आ10सं0 412/2025/भू0खनि0नि0/2025-26

दिनांक 31 जनवरी 2026

विषय : माननीय राष्ट्रीय हरित प्राधिकरण नई दिल्ली में योजित मूल आवेदन संख्या 462/2023, 481/2023 1222/2024 के सम्बन्ध में।

महोदय,

उपरोक्त विषयक अपने ई-मेलीय पत्र दिनांक 16 जनवरी 2026 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा Ministry of Environment, Forest and Climate Change, Govt. of India के पत्र दिनांक 23 दिसम्बर 2025 की प्रति संलग्न कर प्रेषित करते हुए माननीय राष्ट्रीय हरित प्राधिकरण नई दिल्ली में योजित मूल आवेदन संख्या 462/2023, 481/2023 1222/2024 के सम्बन्ध में पत्र में उल्लिखित बिन्दुओं के सम्बन्ध में विभागीय टिप्पणी उपलब्ध कराये जाने हेतु पत्र प्रेषित किया गया है।

उक्त के सम्बन्ध में अवगत कराना है कि Ministry of Environment, Forest and Climate Change, Govt. of India के पत्र दिनांक 23 दिसम्बर 2025 में उल्लिखित बिन्दुओं पर विभागीय टिप्पणी निम्नवत है :-

क्र0 सं0	बिन्दु	विभागीय टिप्पणी
01	As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.	<p>उत्तराखण्ड राज्य में अवैध खनन पर प्रभावी अंकुश लगाये जाने के उद्देश्य से निम्न प्रमुख प्रावधान किये गये हैं :-</p> <ol style="list-style-type: none"> राज्य के प्रत्येक जनपद में जनपद स्तर पर जिलाधिकारी की अध्यक्षता में तथा तहसील स्तर पर उप जिलाधिकारी की अध्यक्षता में जिला अवैध खनन निरोधक दल (District Anti Illegal Mining Force) का गठन किया गया है, जिसमें राजस्व विभाग, वन विभाग, पुलिस विभाग, खनन विभाग के अतिरिक्त पर्यावरणीय विशेषज्ञ तथा स्थानीय ग्राम प्रधान को सदस्य के रूप में नामित किया गया है। निदेशालय स्तर पर प्रवर्तन दल (Enforcement Cell) का गठन किया गया है, जिसके द्वारा अवैध खनन/अवैध परिवहन/अवैध भण्डारण पर औचक छापेमारी की कार्यवाही की जाती है। अवैध खनन से सम्बन्धित जनसाधारण से प्राप्त शिकायतों के त्वरित निस्तारण हेतु विभागीय ई-रवन्ना पोर्टल dgmapp1.uk.gov.in में ऑनलाईन Complaint Redressal Portal तैयार कर लागू किया

24.3.26
L.A. (S.u.)
for Compliance



		<p>गया है।</p> <p>4. राज्य क्षेत्रान्तर्गत अवैध खनन/अवैध खनिज परिवहन के प्रभावी रोकथाम एवं राजस्व वृद्धि हेतु 04 मैदानी जनपदों में 40 स्थानों पर 45 Unmand e-check gate with Verifocal camera, ANPR Camera, RFID Tag, LED Flood light, मुख्यालय एवं 04 जनपदों में कमाण्ड सेन्टर, वेब एप्लीकेशन के अन्तर्गत Mineral Management System & e-Ravanna, Mining e-Services for citizen and concessionaire, Mining Surveillance Enforcement System, Mobile Application for inspection, Decision Support System (DSS), Mobile Application for all stakeholders, VTS Integration, Weighbridge Integration & Management तैयार की जा रही है।</p> <p>5. ई-रवन्ना प्रपत्रों का दुरुप्रयोग रोकने तथा राजस्व हित में खनिजों के परिवहन हेतु पूर्व में साधारण पेपर पर ई-रवन्ना प्रपत्र प्रिन्ट/निर्गत किये जाने की व्यवस्था के स्थान पर खनिजों के परिवहन हेतु विशेष प्रकार के सिक््योरिटी फीचर युक्त कागज में ई-रवन्ना प्रपत्र एम0एम0-11, प्रपत्र "जे", प्रपत्र "एन" एवं प्रपत्र "के" को प्रिन्ट कर प्रयुक्त किये जाने की व्यवस्था लागू कर दी गयी है।</p> <p>6. उक्त के अतिरिक्त अवैध खनन, परिवहन एवं भण्डारण पर प्रभावी नियंत्रण एवं अंकुश लगाये जाने हेतु सम्भावित क्षेत्रों में Drone (with Night Vision Cameras) की तकनीक का उपयोग करते हुए निगरानी की जा रही है।</p>
02	<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural with the help of modern technologies can be done. The present system adopted by States for such estimation (extent area and quantity) may also be provided.</p>	<p>उत्तराखण्ड उप-खनिज (परिहार) (द्वितीय संशोधन) नियमावली 2024 के नियम-53 के उपनियम-7 में प्रावधानित है कि "वर्षाकाल के दौरान निजी भूमि में गधेरो से मलवा/पत्थर जमा होने की दशा में सम्बन्धित भूमिधर के द्वारा जमा मलवे/पत्थर को हटाने हेतु आवेदन करने पर निदेशक द्वारा प्राधिकृत अधिकारी या सम्बन्धित मण्डल के संयुक्त निदेशक के द्वारा जिला खान अधिकारी की अध्यक्षता में गठित समिति की आख्या के आधार पर अधिकतम 03 माह की अवधि हेतु अनुज्ञा स्वीकृत की जायेगी। उक्त क्रियाकलाप खनन की श्रेणी में नहीं आयेंगे तथा उक्त हेतु पर्यावरणीय अनुमति की आवश्यकता नहीं होगी"।</p> <p>उक्तानुसार गठित समिति के द्वारा अपनी आख्या में</p>



		उपखनिज की मात्रा का आंकलन किये जाने के उपरान्त संस्तुति सहित प्रस्ताव सम्बन्धित मण्डल के संयुक्त निदेशक प्रेषित किया जाता है तथा अनुज्ञाधारक के पक्ष में अल्प अवधि की अनुज्ञा सम्बन्धी आदेश निर्गत होने के उपरान्त आंकलित उपखनिज की मात्रा पर आंगणित रॉयल्टी व अन्य देयक सम्बन्धित अनुज्ञाधारक के द्वारा निर्धारित विभागीय लेखा शीर्षक/बैंक खाते में अग्रिम रूप से जमा कराया जाता है।
03	States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions in the garb of removal of sand from the agricultural field.	राज्य अन्तर्गत वर्तमान में उत्तराखण्ड उप-खनिज (परिहार) (द्वितीय संशोधन) नियमावली 2024 के नियम-53 के उपनियम-7 के प्रावधानानुसार ही उक्तानुसार अनुमति प्रदान की जाती है। साथ ही यह भी अवगत कराना है कि राज्य के द्वारा अवैध खनन पर प्रभावी अंकुश लगाये जाने के उद्देश्य से किये गये मुख्य प्रावधानों को क्रम संख्या 01 में उल्लिखित किया गया है।

अतः उपरोक्तानुसार विभागीय टिप्पणी अग्रेत्तर कार्यवाही हेतु सादर प्रेषित है।

भवदीय,

(अनिल कुमार)
अपर निदेशक
कृते-निदेशक

पृष्ठांक : 6374 /मू0आ0सं0 412/2025/भू0खनि0नि0/2025-26, तददिनांकित।
प्रतिलिपि : निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, खनन, उत्तराखण्ड शासन।
2. श्री राजीव रंजन, Scientist E/Additional Director, Ministry of Environment, Forest and Climate Change, Govt. of India को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(अनिल कुमार)
अपर निदेशक
कृते-निदेशक



Ph: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman:
2318150 Member Secretary: 2318151

e-mail: ghn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web:
kspcb.kerala.gov.in

KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്



Pattom P.O., Thiruvananthapuram – 695 004
പട്ടം പി.ഒ, തിരുവനന്തപുരം 695 004



KSPCB/1002/2025-SEE-1

Date: 17-01-2026

From
The Member Secretary
To
The Additional Director,
Ministry of Environment, Forest and Climate Change,
Impact Assessment Division (NCM)
Government of India,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi-110003

Sub: Comments sought for on the matter of removal of sand deposited by floods on agricultural fields and guidelines for Sustainable Sand Mining Management-NGT order dated 19.11.2025 in OA 412/2023

Ref: Letter NO. IA-L-11011/76/2023-IA-I dated 23.12.2025

Sir,

Kind attention is invited the subject matter. Comments were sought for, vide letter under reference, on the matter of removal of sand deposited by floods on agricultural fields. It is respectfully submitted that as the aforementioned matter is dealt with in the State by the State Environmental Impact Assessment Authority (SEIAA) and Department of Mining & Geology, Board has not issued any specific guidelines/ instructions in this regard.

Yours Faithfully

MEMBER SECRETARY



Signed by

Ratish Menon

Date: 17-01-2026 14:23:51

Re: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB) – reg.

Director Industries UT of Ladakh <directorindustriessladakh@gmail.com >

Fri, 16 Jan 2026 12:16:59 PM +0530

To "Sakshi Rawat"<sakshi.rawat10@gov.in>

Cc "Administrative Secretary Industries & Commerce"<adm.secyindustries@gmail.com>,"Geology Mining Ladakh"<dgmladakh@gmail.com>

Respected Madam,

Kindly find the attached pdf. regarding the subject. The information pertaining to this office is submitted for your kind information and onward submission.

This information is submitted with prior approval of higher authority.

*Regards,
Office of the Director,
Industries and Commerce,
Union Territory of Ladakh.*

On Wed, Dec 31, 2025 at 10:16 AM Sakshi Rawat <sakshi.rawat10@gov.in> wrote:

Reminder

Respected Sir/Madam

The undersigned is directed to refer to this ministry's email dated 23.12.2025 on the subject mentioned above and to request that inputs on the same be provided at the earliest.

Regards,
Sakshi Rawat(ASO)
MoEF&CC

==== Forwarded message =====

From: Sakshi Rawat <sakshi.rawat10@gov.in>

To: "secymine-bih"<secymine-bih@nic.in>, "secy-mines"<secy-mines@rajasthan.gov.in>, "acsmining"<acs.mining@maharashtra.gov.in>, "secretarymines"<secretarymines@jhr.gov.in>, "dmrdirector"<dmrdirector@gmail.com>, "minesitcell"<minesitcell@gmail.com>, "dmmgsikkim"<dmmgsikkim@gmail.com>, "dirmines"<dirmines@gmail.com>, "dir-minegoa"<dir-mine.goa@nic.in>, "dgmupexp"<dgmupexp@gmail.com>, "mines"<mines@rajasthan.gov.in>, "admgdirldmg"<admg.dir.dmg@kerala.gov.in>, "amdo-anjaw-arn"<amdo-anjaw-arn@nic.in>, "cgmchennai32"<cgmchennai32@gmail.com>, "commissioner-cgm"<commissioner-cgm@gujarat.gov.in>, "cs-lak"<cs-lak@nic.in>,



"dclmanipur"<dclmanipur@gmail.com>, "dcdm-hq"<dcdm-hq@py.gov.in>, "dgmcg"<dgm.cg@nic.in>, "dgmassam"<dgmassam@gmail.com>, "dgmjak"<dgmjak@gmail.com>, "dirdmm-wb"<dir.dmm-wb@nic.in>, "dirgeology"<dir.geology@orissaminerals.gov.in>, "dirindus-hp"<dir.indus-hp@nic.in>, "dirukdgm"<dir.ukdgm@gmail.com>, "direnvdelhi"<direnv.delhi@nic.in>, "dirgeomn"<dirgeomn@nic.in>, "directorgeology_odisha"<directorgeology_odisha@yahoo.in>, "director-mines"<director-mines@jharkhandmail.gov.in>, "directorudamg"<director.uda.mg@rajasthan.gov.in>, "director"<director@dgmup.org>, "director"<director@mahadgm.gov.in>, "directorindustriessadakh"<directorindustriessadakh@gmail.com>, "directormines361"<directormines361@gmail.com>, "directorminests"<directorminests@gmail.com>, "dirind"<dirind@nic.in>, "dirmines_odisha"<dirmines_odisha@rediffmail.com>, "dmgmines-hry"<dmg.mines-hry@gov.in>, "dmgap"<dmgap@ap.gov.in>, "dste-tr"<dste-tr@gov.in>, "geomine"<geomine@nic.in>, "geominenaga"<geominenaga@gmail.com>, "geologicalwing"<geologicalwing@gmail.com>, "lak-dcf"<lak-dcf@nic.in>, "memines-hry"<me.mines-hry@nic.in>, "pers-dd"<pers-dd@nic.in>, "rzirtluanga"<rzirtluanga@gmail.com>
Cc: "environmentimpact14"<environmentimpact14@gmail.com>, "mauchmibarua"<mauchmibarua@yahoo.in>, "chseacas"<chseacas@gmail.com>, "expertappraisalassam"<expertappraisalassam@gmail.com>, "shantanucpcb"<shantanucpcb@gmail.com>, "ashudir"<ashu.dir@gmail.com>, "seiaamsbr"<seiaa.ms.br@gmail.com>, "arvinderifs"<arvinderifs@gmail.com>, "seacmsbr"<seac.ms.br@gmail.com>, "sharmaharishpcb"<sharma.harishpcb@gmail.com>, "direnvchandigarh"<direnvchandigarh@gmail.com>, "sharmaj7"<sharmaj7@gmail.com>, "kanuthind659"<kanu.thind659@punjab.gov.in>, "ssladhar"<ssladhar@yahoo.com>, "garg_pardeep"<garg_pardeep@rediffmail.com>, "guruprasadce"<guruprasadce@yahoo.co.in>, "msseiaakarnataka"<msseiaakarnataka@gmail.com>, "aradavallimahesh"<aradavallimahesh@gmail.com>, "seacsec"<seacsec@gmail.com>, "artichaudhary"<arti.chaudhary@nic.in>, "mizoramforest"<mizoramforest@yahoo.co.in>, "mzsingson"<mzsingson@gmail.com>, "purushottampednekar"<purushottam.pednekar@yahoo.com>, "pccfaizawlmizoram"<pccfaizawlmizoram@gmail.com>, "jhonsonbody38"<jhonsonbody38@gmail.com>, "pascolbnoronha"<pascolbnoronha@gmail.com>, "sanjucac"<sanjucac@yahoo.com>, "chseiaagj"<chseiaagj@gmail.com>, "msseiaagj"<msseiaagj@gmail.com>, "akshaysaxena6559"<akshaysaxena6559@gmail.com>, "membersecretarygpcb"<membersecretarygpcb@gmail.com>, "ms-gpcb"<ms-gpcb@gujarat.gov.in>, "gowravaramsr"<gowravaramsr@yahoo.com>, "msseiaatg"<msseiaa.tg@gmail.com>, "mrgreddy85"<mrgreddy85@yahoo.com>, "msseactg"<msseac.tg@gmail.com>, "gargmunish40"<gargmunish40@gmail.com>, "seiaams2021"<seiaams2021@gmail.com>, "akguptaifs"<akguptaifs@gmail.com>, "rajseac1six"<rajseac1six@gmail.com>, "tcv1963"<tcv1963@gmail.com>, "rajseac2six"<rajseac2six@gmail.com>, "ayaramsaharan83"<ayaramsaharan83@gmail.com>, "shilpisharma141"<shilpisharma141@gmail.com>, "rahlbudr"<rahlbudr@yahoo.co.in>, "kattavinay"<katta.vinay@yahoo.com>, "nahatavijay31"<nahatavijay31@gmail.com>, "psecenv"<psec.env@maharashtra.gov.in>, "khanapuresudhir"<khanapuresudhir@gmail.com>, "Suryakantnikam"<Suryakant.nikam@nic.in>, "mhaisekarenvironment"<mhaisekarenvironment@gmail.com>, "joythakur"<joy.thakur@nic.in>, "kamleshpandey1626"<kamleshpandey1626@gmail.com>, "singhkumar105ashok"<singhkumar105ashok@gmail.com>, "seacjkh"<seac.jkh@gmail.com>, "amulyasinha"<amulyasinha@yahoo.co.uk>, "dirsecccdudk"<dir.secccdudk@gmail.com>, "shalibist"<shalibist@yahoo.co.in>, "Bhattakias93"<Bhattakias93@gmail.com>, "mpseiaa"<mpseiaa@gmail.com>, "Pcdubey2007"<Pcdubey2007@gmail.com>, "seacofmadhyapardesh"<seacofmadhyapardesh@rediffmail.com>





**THE ADMINISTRATION OF UNION TERRITORY OF LADAKH
LADAKH POLLUTION CONTROL COMMITTEE**

e-mail: regionaldirectorlpcc@gmail.com

Sh. Rajeev Ranjan,
Scientist 'E'/Additional Director,
Impact Assessment Division (NCM),
MoEFCC, GoI,
New Delhi-110003.

Sub: Inputs/Comments pursuant to order dated 19/11/2025 in O.A. No. 412/2023, O.A. No.462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB)-reg.

Sir,

This is in reference to the communication received from the CPCB vide No: IA-L-11011/76/2023-IA-I, dt: 23/12/2025 regarding the aforementioned subject. In this regard, the inputs regarding the subject cited above as per the information provided by the Department of Geology and Mining, UT of Ladakh is given below: -

S. No.	Points	Inputs
1.	As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States / UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.	<p>Within the jurisdiction of the Union Territory of Ladakh, no case has been reported pertaining to the removal of sand deposits from agricultural land.</p> <p>In Ladakh, agricultural practices are largely influenced by high-altitude terrain, limited arable land, and climatic factors, etc.</p>

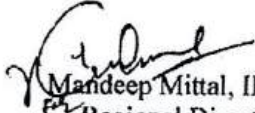


2.	<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done.</p> <p>The present system adopted by States for such estimation (extent, area and quantity) may also be provided.</p>	<p>In Ladakh, where terrain is rugged and agricultural land is limited, drone surveys combined with GIS mapping and AI analytics may be considered.</p>
3.	<p>States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>As per report received from Department of Geology and Mining till date, no case has been reported in the Union Territory of Ladakh concerning the accumulation and removal of sand deposits from agricultural fields.</p> <p>However, in order to ensure transparency and to prevent any possible misuse of the provisions under the Sustainable Sand Mining Management Guidelines (SSMMG), 2016, such activities may undertaken strictly through the Mining Department or its designated agencies.</p>

No: LPCC/UTL/O.A 412/2026/111-113

Dated: 17/01/2026

Yours sincerely,


Mandeep Mittal, IFS,
Regional Director,
Ladakh Pollution Control Committee,
Union Territory of Ladakh

Copy to the:

- i) Chairman, Ladakh Pollution Control Committee, UT of Ladakh for favour of information.
- ii) Member Secretary, Ladakh Pollution Control Committee, UT Ladakh for favor of information.





संघ-शासित राज्यप्रशासन, लद्दाख

भूविज्ञान और खनन विभाग, लद्दाख

THE ADMINISTRATION OF
UNION TERRITORY OF LADAKH
Department of Geology and Mining

OFFICE OF THE DEPUTY DIRECTOR GEOLOGY AND MINING

उप निदेशक भूविज्ञान एवं खनन कार्यालय

e-mail: dgmladakh@gmail.com

Upper Skampari, Khardungla Road, Leh-194101

The Director,
Industries & Commerce,
UT of Ladakh

No: DD-DGM (UTL)/NGT/ F- 68 /2025-26/922-924 Date: 14 /01/2026

Subject: Request for Inputs/Comments pursuant to order dated: 19.11.2025 in O.A. No 412/2023, O.A. 462/2023, O. A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble NGT.

Reference:

- DD/DGM (UTL)/NGT/F-68/2025/833-36 dated: 31/12/2025
- M/2971/2025-I&C SECTION/4961-63 Dated: 13.01.2026

Sir,

Kindly refer to the subject and reference cited above, as per the direction of the worthy Administrative Secretary, Industries and Commerce, UT of Ladakh the detail is incorporated in place of the previously submitted response pertaining to this department vide letter NO: DD/DGM(UTL)/NGT/F-68/2025/833-836 dated: 31/12/2025.

Hence, The requisite updated information is hereby submitted for your kind consideration and perusal.

Yours faithfully,

Enclosed (01 leaves)

(Mohd Aslam Reli)
Deputy Director
Deptt of Geology & Mining
UT Ladakh.


Copy to the:

1. P.A. to the Administrative Secretary, Industries and Commerce for kind information of DIR I&C, UT Ladakh.
2. Office copy.



Annexure A

S.No	Questions	Reply
1.	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UT may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>It is to note that, within the jurisdiction of the Union Territory of Ladakh, no cases have been reported pertaining to the removal of sand deposits from agricultural land. The absence of such instances indicates that agricultural fields in the region have not been subjected to sand deposition. This observation underscores the unique geographical and environmental conditions prevailing in Ladakh, where agricultural practices are largely influenced by high-altitude terrain, limited arable land and climatic factors rather than issues of sand accumulation.</p> <p>The matter may therefore be considered non-applicable in the present context of Ladakh's agricultural landscape, unless future developments necessitate policy formulation or case-specific action.</p>
2.	<p>It is requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by states for such estimation (extent, area and quantity) may also be provided.</p>	<p>In Ladakh, due to the rugged mountainous terrain, instances of sand deposit on agricultural is limited and not reported. Further, It is suggested that GIS-based mapping may not be practically feasible for identifying small-scale sand deposits on agricultural land.</p> <p>Instead, the use of drones, already applied in agricultural services such as spraying etc. can be explored for mapping these localized deposits.</p>
3.	<p>To provide views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the grab of removal of sand from the agricultural field.</p>	<p>Till date, no case has been reported in the Union Territory of Ladakh concerning the accumulation and removal of sand deposits from agricultural fields.</p> <p>However, in order to ensure transparency and to prevent any possible misuse of the provisions under the Sustainable Sand Mining Management Guidelines (SSMMG), 2016, it may be considered appropriate that such activities, if required in future, be undertaken strictly through the Mining Department or its designated agencies.</p>


Deputy Director
Deptt of Geology & Mining
UT Ladakh.



F.No-10/3/2026-MinesV
Government of India
Ministry of Mines

GPOA -3, Netaji Nagar
New Delhi - 110023
Dated the 11th February, 2026

OFFICE MEMORANDUM

Subject: Misuse of Sustainable Sand Mining Management Guidelines – Order of Hon'ble NGT - reg.

Reference: MoEFCC's letter dated 23.12.2025

The undersigned is directed to refer to MoEFCC's letter under reference and to inform that the requisite inputs/suggestions regarding measures to prevent illegal sand mining under the guise of removal of sand deposited on agricultural fields by landowners/farmers or any other entity, as well as methods for estimation of removal of such sand deposits using modern technologies, are enclosed herewith for kind perusal and necessary action.

2. This issue with the approval of the Competent Authority.

Enclosure: As above



(Johnny Tom Varghese)

Deputy Secretary

Email: varghese.johnytom@gov.in

The Additional Secretary
Impact Assessment Division
Ministry of Environment, Forest and Climate Change.
Jor Bagh Rd, Lodi Colony, New Delhi 110003.
Email: asag-moefcc@gov.in, js.ia-moefcc@gov.in

Inputs/Suggestions of Ministry of Mines regarding measures to prevent illegal sand mining under the guise of removal of sand deposited on agricultural fields by landowners/farmers or any other entity, as well as



methods for estimation of removal of such sand deposits using modern technologies:

As per Section 23C of the MMDR Act, 1957, the State Government is empowered to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith. Therefore, the prevention of illegal mining is primarily the responsibility of the concerned State Government. Further, the Central Government does not have power to revise any order passed by State Government or any of its authorized officers under the rules made under Section 23C. However, the matter was examined in consultation with Indian Bureau of Mines, a sub-ordinate office to the Ministry and following suggestions are furnished:

- i. To prevent illegal sand mining, it is suggested to demarcate the affected areas at the district level where sand is being deposited in the agricultural fields during flood seasons and allow fixed period in weeks or months during which such sand can be removed.
- ii. The sand deposited after flood can only be removed to the extent of reclaiming the agricultural land, so no mining / digging below the ground level can be allowed.
- iii. This operation of removal of sand deposited on agricultural field should be done after the thickness of deposition is ascertained by the Land Management Committee of the Gram Panchayat.
- iv. For the purpose of removal of sand deposited from the agricultural fields, a State agency may be authorized by the State department so that there is no scope of misuse of the SSMMG 2016 provisions.
- v. The State Government may maintain the record of sand removed from the agricultural field.



Most Urgent
By Mail

F.No.19 (4)/Legal/ Hq/ For-25/33206-209

Govt. of Tripura

Office of the Principal Chief Conservator of Forests & HoFF

Tripura::Agartala

Date 19/02/2026

To
The Scientist 'E/Additional Director
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division(NCM))
Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi-110003

Subject: - Inputs/Comments pursuant to Order dated 19.11.2025 in O.A No.412/2023, O.A No.462/2023, O.A No.481/2023 and O.A No.12222/2024 pending before the Hon'ble National Green Tribunal (PB) reg

Ref: - Letter File No.IA-L-11011/76/2023-IA-I dated 23.12.2025 of the MoEF & CC, Govt. of India, New Delhi.

Sir,

With reference to the letter cited on the subject mentioned above, I am directed to inform you that no such permits have been issued till date for the removal of sand from agricultural land thus the question of methods does not arise in respect of the State of Tripura.

This is for favour of your kind information and doing the needful.

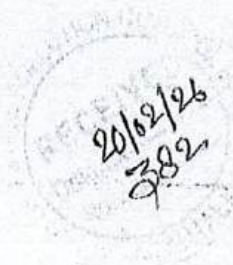
Yours faithfully

(Gautam Das, IFS)
Nodal Officer, Legal

Copy to:-

1. The PS to the PCCF & HoFF, Tripura for kind information of the PCCF & HoFF.
2. The Chief Conservator of Forests (Protection) for kind information.
3. The Member Secretary, State Pollution Control Board, Pt. Nehru Complex, Gurnhabasti for kind information.

Nodal Officer, Legal



Government of Punjab
Department of Mines and Geology

No. 178....

Date. 25/03/2026

From,

Chief Engineer,
Department of Mines & Geology,
Punjab, Chandigarh.

To,

Scientist 'E'/Additional Director,
Ministry of Environment, Forest & Climate Change,
Impact Assessment Division (NCM),
Government of India.

Subject: Request for inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB) - reg.

Ref: Your Office letter dated 23.12.2025

In connection to subject cited above, the point wise reply to the information sought vide the letter under reference is furnished as under:-

Sr. No.	Information sought	Reply
1.	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States / UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused</p>	<p>It is submitted that in the State of Punjab, a District-level Monitoring Committee has been constituted for checking and prevention of illegal mining activities.</p>



2. It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.

Further submitted that floods cause large-scale damage to agricultural land. During flood events, sand, silt, and other debris are deposited over fertile fields, resulting in loss of soil fertility, reduced crop productivity, and serious hardship to the farming community. In this regard, Punjab witnessed severe flood situations during the years 2019, 2023, and 2025, wherein agricultural land was particularly badly affected. Although special notifications and specific Standard Operating Procedures (SOPs) were issued during the years 2023 and 2025 for the removal of flood-borne material. It is also submitted that framing of uniform guidelines applicable throughout India may not be feasible, as the ecology and geographical conditions vary from State to State and region to region.

Methodology adopted by IIT Ropar is listed below: -

Sr.No	Aspect	IIT-Adopted Method
1	Area estimation	GIS-based Orthomosaic
2	Thickness	DEM surface differencing
3	Volume	Cut-Fill computation
4	Accuracy	High (cm-level)
5	Repeatability	Fully reproducible


3. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of
- It is also submitted that the removal of flood deposits (sand/silt) and restoration of the affected areas requires a coordinated and multi-departmental approach. The Mining Department alone cannot address the



misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.

issue, as the works involve vast areas and multiple administrative and technical aspects. Therefore, active involvement and close coordination of all concerned departments are essential to ensure timely, effective, and sustainable remedial action.

Submitted for kind consideration please.


Chief Engineer,
Department of Mines & Geology,
Punjab, Chandigarh.





Government of India

Ministry of Environment, Forest & Climate Change

J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**DIRECTORATE OF ECOLOGY, ENVIRONMENT & REMOTE SENSING**Paryavaran Bhawan, Gladeni Transport Nagar Narwal, Jammu - 180006/SDA Housing Colony, Bemina, Srinagar. 190018
email: ms-jkeiaa@jk.gov.in, website: www.parivesh.nic.in

The Scientist 'E'/Additional Director
Ministry of Environment, Forest & Climate Change
(Impact Assessment Division)
Indira Paryavaran Bhawan
New Delhi

No:JKEIAA/2018/V/106/4198

Dated: 14/02/2026

Subject: Submission of comments pursuant to MoEF&CC letter dated 23.12.2025 regarding sand deposition on agricultural land due to floods – reg.

Sir,

Kindly refer to the MoEF&CC letter No. IA-L-11011/76/2023-IA-I dated 23.12.2025 issued in compliance with the order dated 19.11.2025 of the Hon'ble National Green Tribunal in O.A. No. 412/2023 and connected matters, seeking inputs/comments from States/UTs regarding removal of sand deposited on agricultural land due to floods.

In this regard, I am directed to submit that the matter has already been taken up with the Govt. of J&K for obtaining inputs from the concerned Revenue and Agriculture Departments so as to assess the extent, if any, of agricultural land affected by sand deposition. However, considering the predominantly mountainous topography, steep gradients and confined river channels in J&K, very limited agricultural area is expected to be affected by large-scale sand deposition necessitating removal akin to alluvial plain regions.

I am to further submit that JKEIAA has not, till date, come across any proposal seeking Environmental Clearance specifically for removal of sand deposited on agricultural land due to floods. In case any regulatory framework or guidelines are contemplated in this regard, it is suggested that:

- i. any such permission, where warranted, may be strictly case-specific and time-bound, preferably limited to a maximum validity of nine months;
- ii. removal depth should be restricted to the bare minimum necessary to restore agricultural productivity, based on site-specific assessment; and estimation of quantity and depth may be undertaken through sample-based scientific studies, with adequate safeguards to prevent misuse under the guise of removal activity.

Hence submitted for kind consideration.

Yours faithfully,




(Majid Farooq) 2026

Staff Officer
to PCCF/Member Secretary
JKEIAA



**OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA
BAMUNIMAIDAM, GUWAHATI-21**

No. SEIAA.856/Pt-II/2022/310

Dated. 08/01/2026

From,

Shri. Ramen Ch. Malakar ACS,
Member Secretary, SEIAA, Assam
Bamunimaidam Ghy-21

To,

**Rajeev Ranjan,
Additional Director/ Scientist' E,
Impact Assessment Division,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
New Delhi-110003
Email: ranjan.rajeev@nic.in**

Sub: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB) – reg.

Ref: Your letter no. File No. IA-L-11011/76/2023-IA-I dated 23rd December, 2025.

Sir,

With reference to the subject cited above, this office would like to suggest for constituting the District level committee relating to removal of sand deposit from agriculture field .

The District Level Committee may be pertaining to following members:

1. District Commissioner – Chairman
2. Divisional Forest Officer- Member Secretary
3. Executive Engineer, Water Resource Department.- Member
4. District Agricultural Officer - Member
5. Executive Engineer Irrigation Department - Member
6. District Geologist, Geology and Mining Department - Member
7. Regional Officer, Pollution Control Board -Member

Yours faithfully,

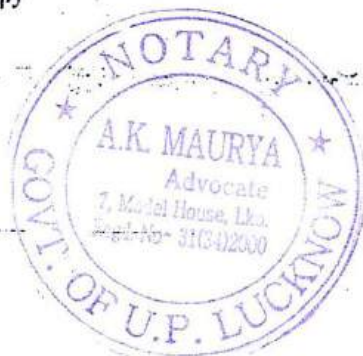
**Ramen Chandra Malakar, ACS
Member Secretary
SEIAA, Assam**

Memo No. SEIAA.856 /Pt-II/2022/ 310

Dated. 08/01/2026

Copy to:

- 1) The Special Chief Secretary (Forest) to the Govt. of Assam, Environment and Forest Department, Janata Bhawan, Dispur, Ghy-6 for favour of kind information.
- 2) The Chairman, SEIAA, Assam for favour for kind information.
- 3) The Member Secretary, APCB for favour of kind information.
- 4) Office copy



**Ramen Chandra Malakar, ACS
Member Secretary
SEIAA, Assam**



DEPARTMENT OF MINES & GEOLOGY
GOVERNMENT OF SIKKIM
GANGTOK.

Ref No: 150/Dm4/26-27.

Date: 06.05.2026.

To,

Shri. Rajeev Ranjan,
Scientist' E/Additional Director,
Ministry of Environment, Forest & Climate Change,
(Impact Assessment Division (NCM)),
Government of India.

Sub:-Reply on Submission of inputs/comments pursuant to order dated 19.11.2025 in O.A No.412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal reg.

Sir,

With reference to letter dated 23.12.2025 vide email receive from Shri. Rajeev Ranjan, Scientist' E/Additional Director, Ministry of Environment, Forest & Climate Change, regarding the subject mentioned above.

In this regard, I am directed to forward with inputs/comments pursuant to order no. O.A No.412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal received from Forest & Environment Department, Government of Sikkim for kind information please.

Thanking You

Yours faithfully,

Pauley
(Joint Director)
Joint Director (Geology)
Dept. of Mines & Geology
Government of Sikkim

Enclosed: - Comments/Inputs



2326

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R.R.No. 311/46/Dugher/27

Date 17/4/2026

GOVERNMENT OF SIKKIM
FOREST AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI,
GANGTOK- 737102.

Ref.No/GoS/FED/FTC/ 1-33/57

Dated: 17/04/2026

To,

Joint Director
Mines and Geology Department
Government of Sikkim.

Sub: Reply on Submission of inputs/comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal -reg.

Sir/Madam,

I am directed to forward herewith the inputs/comments on the above mentioned subject in compliance with the Order dated 19.11.2025 passed by the Hon'ble National Green Tribunal in the aforesaid matters.

In this regard, the requisite inputs/comments are enclosed herewith for kind perusal and necessary action, please.

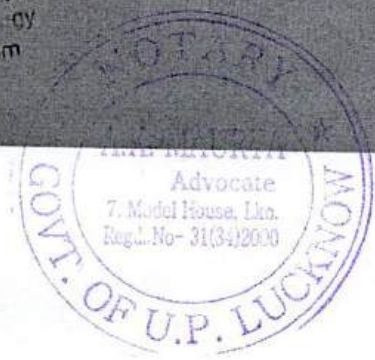
Thanking you,

Encl: As above.

Yours Sincerely,

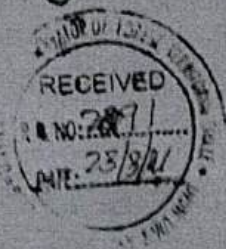
(Daud Singh, SCS)
Joint Secretary (T)
(Daud Singh, SCS)
Joint Secretary
Territorial Circle
Forest & Env. Department
Government of Sikkim

AGI
for n.a pl
24/4/26
Joint Director (Geology)
Deptt. of Mines & Geology
Government of Sikkim



RECEIVED
CCF
R.No. 340-6
Date: 20/3/26

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DEPARTMENT OF MINES & GEOLOGY
GOVERNMENT OF SIKKIM
GANGTOK.

Ref No 1387/DM 6/25-26

Date 20/03/2026

To
Chief Conservator of Forest
Forest and Environment Department
Government of Sikkim
Gangtok

Subject: Submission of inputs/comments pursuant to Order dated 19.11.2025 in O.A. No 412/2023, 462/2023, 481/2023 and 1222/2024 before Hon'ble NGT - regarding.

Sir

I am directed to forward herewith a copy of the letter No. 176/2023-IA-I dated 23rd December, 2025 received from the Ministry of Environment, Forest and Climate Change, Government of India, seeking inputs/comments pursuant to the Order dated 19.11.2025 of the Hon'ble National Green Tribunal (NGT) in respect of issues relating to removal of sand deposits from agricultural fields and prevention of illegal sand mining.

In this regard, I am directed to inform you that the matter has been being forwarded to Forest and Environment Department, Government of Sikkim for furnishing the necessary inputs/comments as sought by the Government of India. The letter received from Government of India is self-explanatory and a copy of the same is enclosed herewith for kind reference and necessary action please.

Yours faithfully

[Signature]

Joint Director (Geology)
Deptt. of Mines & Geology,
Government of Sikkim

Enclosed Copy of letter.
Copy to: Scientist E/Additional Director, Ministry of Environment, Forest and Climate Change, Impact Assessment Division, Indira Prayavaran Bhawan, Government of India, New Delhi-110003.

Saei
Pl. put up
in the relevant file
28/3
is done
pl.
29/3



OFFICE/AM (G/T)
Pl. process with inputs from
the divisions
[Signature]
20/3/26



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Submission of inputs/comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, 462/2023, 481/2023 and 1222/2024 before Hon'ble NGT regarding.

Q.1 As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States / UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.

Ans: In Sikkim context, due to hilly topography and small land holdings, agriculture is largely limited to terrace farming on slopes. As such, sand accumulation in agricultural fields is generally not observed, and no instances of sand removal from agricultural fields have been reported. Hence, misuse of provisions under SSMMG 2016 has no documented instance of violation.

Q.2 It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The system adopted by States for such estimation (extent, area and quantity also be provided).

Ans. Sand removal from agriculture field is not done in the state of Sikkim. Hence, no system is adopted. Suggested method is to allow or ensure sand removal only for agriculture restoration, not commercial purposes.

Q.3 States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.

Ans. To reduce the scope of misuse of the provisions of SSMMG 2016, it is suggested that sand removal from agricultural fields be undertaken in the misuse of mechanized equipment for commercial-scale extraction under supervision of a Government Department.





NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

NPCB/GEN/ 862-863

Dated 02/02/2026

To

✓
Shri Rajeev Ranjan
Scientist 'E'/Additional Director
Ministry of Environment, Forest and Climate Change
Impact Assessment Division (NCM)
Indra Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi - 110003

Sub: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. No. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal – regarding

Ref: No. IA-L-11011/76/2023-IA-I Dated 23rd December, 2025

Sir,

With reference to the subject and letter cited above, I would like to inform you that given Nagaland's hilly terrain, the effect of sand deposition in agricultural fields is minimal.

The extraction and removal of sand deposited in the agricultural fields during monsoon does not take place.

This is for your kind information.

Yours faithfully,


(K. Hukato Chishi, IFS)
Member Secretary

Dated 02/02/2026

NPCB/IND-5/CON/ ✓

Copy to:

Shri Bharat Kumar Sharma, Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032, for kind information.

Member Secretary



Handwritten notes:
A 24-3-26
L-A / (S.H.)
for computerisation.



2330

78

Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh - 160019

No: CPCC/Misc./2026/2707

Dated: 24/03/26

To

Sh. Rajeev Ranjan
Scientist 'E' & Member Secretary (Non-Coal Mining),
Impact Assessment Division (Non-Coal Mining Sector),
Ministry of Environment, Forest & Climate Change, GoI,
Vayu Wing, 3rd Floor, Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003.

Subject: Request for Inputs/Comments pursuant to Order dated 19.11.2025 in O.A. no. 412/2023, O.A. No. 462/2023, O.A. No. 481/2023 and O.A. No. 1222/2024 pending before the Hon'ble National Green Tribunal (PB)-reg.

This is in reference to your letter No. IA-L-11011/76/2023-IA-I dated 23.12.2025 and subsequent e-mail dated 11.02.2026, on the above cited subject.

2. In this regard, it is hereby reported that U.T. Chandigarh has insignificant agriculture area/land and no river stream flows through the U.T. Thus, even during monsoons, there is negligible sand deposition on agricultural areas.

Scientist B
For Member Secretary

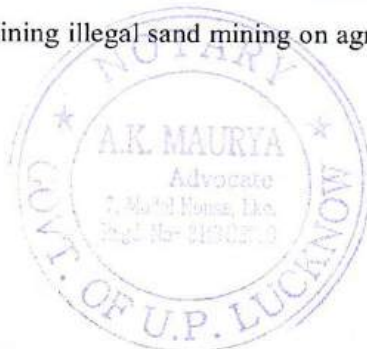
Recd
27-03-26
L.A. (S.M.)
Pl. Complete - all info.
Ann states/025
put up quickly.



Record of discussion held on 10.04.2026 with members of Expert Appraisal Committee (EAC), Non-Coal Mining Sector compliance with the directions dated 19/11/2025 of the Hon'ble National Green Tribunal in O.A. Nos. 412/2023, 462/2023, 481/2023 and 1222 of 2024 regarding removal of sand deposited by floods on agricultural lands

A. Background

- i. The Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi vide its order dated 24.04.2024 in Original Application No. 462 of 2023 titled as Raja Ram Singh Vs State of UP & Ors. inter alia directed as follows:
 42. *The matter needs to be examined in the context of applicability to all States and UTs and formulation of appropriate guidelines imposing requisite environmental safe guards for grant and execution of short term permits for removal of sand deposited by flood on agricultural land.*
 43. *The Director, Mining and Geology, U.P. and the Member Secretary, UPPCB and CPCB and MoEF & CC are directed to file their responses in this regard within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF..."*
- ii. In compliance of the aforesaid order, the Ministry has filed an affidavit on 27.08.2024, wherein the Ministry has stated that the existing framework under the EIA Notification, 2006, Enforcement & Monitoring Guidelines for Sand Mining, 2020 and Sustainable Sand Management Guidelines, 2016 does not explicitly provide for inclusion of removal of sand from agricultural land in the District Survey Report (DSR). The matter has been examined at the Ministry level, and it was deliberated that feasibility of incorporating such activities within the DSR requires further detailed consideration. Accordingly, it was decided that the issue shall be placed before the Expert Appraisal Committee (EAC), Non-Coal Mining Sector of Ministry of Environment, Forest and Climate Change in its forthcoming meeting for comprehensive deliberation. Further action will be taken based on the recommendations of the EAC.
- iii. O.A. No. 412 of 2023 titled as Pradeep Kumar Shukla Vs MoEF&CC & Ors., was further listed for hearing on 28.08.2024 before the Hon'ble NGT. On 28.08.2024, the Tribunal continued examining illegal sand mining on agricultural land under the guise



of flood deposit removal and granted six weeks' time to MoEF&CC to file a detailed report on feasibility and safeguards.

- iv. Thereafter, the Ministry in compliance of order dated 28.08.2024 in O.A. No. 412 of 2023 titled as Pradeep Kumar Shukla Vs MoEF&CC & Ors., filed an additional affidavit on 03.12.2024 wherein the Ministry has submitted that *"The EAC has felt it necessary to have further detailed deliberations on this issue. Accordingly, the matter will be referred back to the EAC, the Special Expert Members, and relevant stakeholders. Subsequently, a report will be submitted to the Hon'ble Tribunal."*
- v. Thereafter, the Hon'ble Tribunal vide its order dated 16.12.2024 has directed as follows:
5. *Learned Counsel for MoEF&CC has informed that the Expert Appraisal Committee is in the process of undertaking the exercise and deliberations are in progress.*
 6. *In the said background, a prayer for grant of further four weeks has been made to place on record the recommendations of the Expert Appraisal Committee. Prayer is allowed*
- vi. The Ministry in compliance of the aforesaid order sought comments/inputs from all stake holders. That, responses received from different States/UTs, environmental safeguards and steps to be taken for prevention of illegal mining, etc. were discussed in the multiple EAC meetings. Accordingly, the recommendation of EAC (NCM) has been submitted before the Hon'ble NGT through affidavit on 03.09.2025, which inter – alia includes that while short-term permits are not provided under the EIA Notification 2006, some States issue them under their own rules for removing flood-deposited sand without environmental clearance, provided it is limited to land restoration and verified by district committees using modern technology. The Expert Appraisal Committee recommended strict environmental safeguards (such as limiting removal to surface level, preventing ecological damage, and ensuring land restoration), along with robust monitoring and regulatory mechanisms (including inspections, geotagging, GPS tracking, and community oversight) to prevent illegal mining under the guise of such permits. It also concluded that including such activities in District Survey Reports is impractical due to the unpredictable nature of floods.



B. Latest order of the Hon'ble NGT

The Hon'ble NGT Vide order dated 19.11.2025 has further directed as follows:

"Before framing any guideline, the extent and area of agricultural fields which is affected by sand deposits during the monsoon in different States and the quantity of such sand deposit requiring removal need to be estimated by adopting modern technological means, so that a balance can be drawn between the required protection of such agricultural land and the damage to the environment which is caused on account of misuse of the provision relating to removal of sand deposit from the agricultural fields. The possibility of carrying out such an activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can also be explored so that the private project proponents do not misuse the provision and carry out illegal sand mining in the garb of removal of sand from the agricultural field. The regulatory mechanism which is existing presently has not proved to be effective in checking the illegal sand mining based on the short-term permit approach adopted by the States. The MoEF&CC may consider introducing a regulatory framework to plug the present loopholes which are misused by the unscrupulous persons for achieving the objective of illegal sand mining."

C. Compliance of order dated 19.11.2025

In compliance with the order dated 19.11.2025 passed by the Hon'ble NGT, Ministry has issued letter dated 23.12.2025 to the Ministry of Mines, CPCB and Principal Secretaries, Department of Mines and Geology of all States and Union Territories for providing comments/inputs, whereby the following information was sought:

- i. As per Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/ farmers has been misused resulting in the illegal mining of sand and topsoil.
- ii. Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UT's may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.



- iii. It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.
- iv. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the grab of removal of sand from the agricultural field.

In response with the Ministry's letter dated 23.12.2025, information was furnished by various States/UTs which are given at **Annexure-I**.

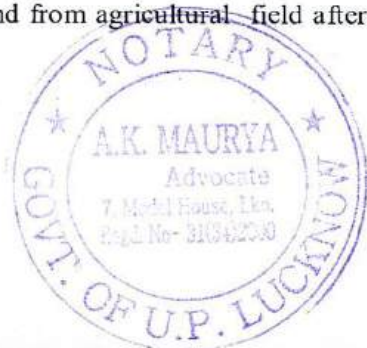
D. Deliberation by Expert Appraisal Committee on 10.04.2026

The response received from CPCB, Ministry of Mines and various States/UTs were deliberated in the EAC meeting held 10.04.2026. At the outset, Member Secretary, Non Coal Mining (NCM) welcomed the Chairman, EAC-Non Coal Mining Sector and members and provided a detailed outline on the ongoing issue of removal of sand deposited on agricultural land after flood by farmers and discussed the inputs provided by various States/UTs in response to the Ministry's letter dated 23.12.2025.

The EAC Members were apprised about the order dated 19.11.2025 passed by Hon'ble NGT in Original Application No. 462 of 2023 in the matter of Raja Ram Singh Vs State of UP & ors along-with other related orders issued in the matter. The existing provisions of Ministry's Notification S.O.141 [E] dated 15.01.2016 and S.O. 1224[E] dated 28.03.2020 was highlighted during the meeting. It was informed that in both the notifications at Appendix IX serial number "3" exemption from requirement of Environmental Clearance has been provided for "Removal of sand deposits on agricultural field after flood by farmers." The relevant portions of Sustainable Sand Mining Guidelines 2016 and the Enforcement and Monitoring Guidelines for Sand Mining, 2020 (EMGSM) concerning the removal of sand deposits on agricultural field after flood by farmers and monitoring mechanism for prevention of illegal mining were also highlighted.

The EAC after detailed deliberation on the issue noted the following:-

- i. The provision for exemption from requirement of Environmental Clearance for removal of sand from agricultural field after flood by farmers was introduced vide

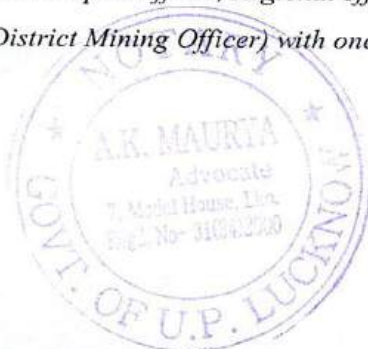


Notification S.O.141 [E] dated 15.01.2016 wherein following is mentioned at serial number 3 of Appendix-IX: -

"Removal of sand deposits on agricultural field after flood by farmers."

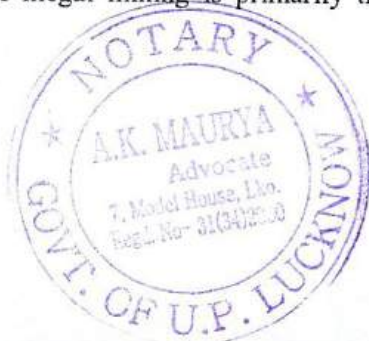
- ii. The aforementioned provision has also been reiterated at serial number 3 of Appendix-IX - Exemption of certain cases from requirement of Environmental Clearance in Notification S.O. 1224[E] dated 28.03.2020.
- iii. In the Sustainable Sand Mining Guidelines 2016, under, "Management of Sand Deposited after Flood on Agricultural Field of Farmers" following has been mentioned:
-
".....Removal of sand from the agricultural field by the owner farmer of the land from environment point of view will not be considered as mining operation and its removal and disposal can be allowed without the requirement of environment clearance till it is done only to the extent of reclaiming the agricultural land. The sand deposited after flood only be removed, so no mining / digging below the ground level is allowed. For removing sand in case where private land has gone into the river due to erosion, the requirement of mining lease and environment clearance will continue. This operation of removal of sand deposited on agricultural field should be done after a mapping of deposition is done by the Land Management Committee of the Gram Panchayat. The sand so deposited post flood can be removed by the farmer owning the land / group of farmers affected by this post flood sand deposition or the Gram Panchayat. Customary rights to remove and dispose off the sand should be given to the farmer affected by deposition of sand on account of sudden flood in his agricultural land."
- iv. Further, in Enforcement & Monitoring Guidelines for Sand Mining, 2020, under 9.4 Monitoring Mechanism following has been provided at serial number-9:

"State Government shall constitute a District Level Task Force (DLTF) under the Chairmanship of Deputy Commissioner/District Magistrate/Collector with Superintendents of Police and other related senior functionaries (District Forest Officer, District transport officer, Regional officer- SPCBs, Senior Officer of Irrigation Department, District Mining Officer) with one/two independent member nominated by



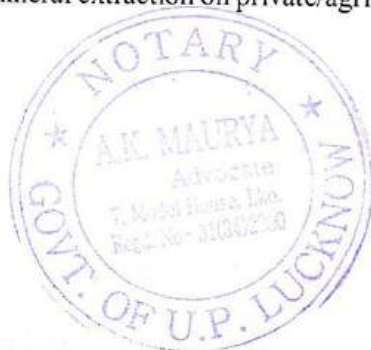
the Commissioner concerned. The independent member shall be retired government officials/teacher or ex-serviceman or ex-judiciary member. The DLTF shall keep regular watch over the mining activities and movement of minerals in the district. The DLTF shall have its regular meeting, preferably every month to reconcile the information from the mining activity, and other observations made during the month and take appropriate corrective and remedial action, which may include a recommendation for revoking mining lease or environmental clearance. The DLTF may constitute an independent committee of the expert to assess the environmental or ecological damage caused due to illegal mining and recommend recovery of environmental compensation from the miner's concern. The recommendation may also include action under the provision of E(P) Act, 1986."

- v. Central Pollution Control Board has stated that MoEF&CC Notification S.O. 1224 (E) dated 28.03.2020 has exempted the requirement of EC for certain cases as per Appendix-IX, which includes - removal of sand deposits on agricultural field after flood by farmers. To prevent misuse of the said exemption -case no. 3 of Appendix-IX of Notification S.O. 1224 (E) dated 28.03.2020, (Annexure-IX) the following checks/safeguards may be considered:
- a. The natural ground level of the area should not be changed during removal of the sand deposited by flood above the ground level by farmers.
 - b. Digging of old deposits below the ground level should be allowed only with Environmental Clearance.
 - c. Short-term permits for digging of old deposits below the ground level should not be considered by state governments without Environmental Clearance.
- vi. Ministry of Mines has stated that as per Section 23C of the Mines and Minerals (Development and Regulation) Act (MMDR Act) MMDR Act, 1957, the State Government is empowered to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith. Therefore, the prevention of illegal mining is primarily the responsibility of the concerned State



Government, Further, the Central Government does not have power to revise any order passed by State Government or any of its authorized officers under the rules made under Section 23C. However, the matter was examined in consultation with Indian Bureau of Mines, a sub-ordinate office to the Ministry and following suggestions are furnished:

- To prevent illegal sand mining, it is suggested to demarcate the affected areas at the district level where sand is being deposited in the agricultural fields during flood seasons and allow fixed period in weeks or months during which such sand can be removed.
 - The sand deposited after flood can only be removed to the extent of reclaiming the agricultural land, so no mining/digging below the ground level can be allowed.
 - This operation of removal of sand deposited on agricultural field should be done after the thickness of deposition is ascertained by the Land Management Committee of the Gram Panchayat.
 - For the purpose of removal of sand deposited from the agricultural fields, a State agency may be authorized by the State department so that there is no scope of misuse of the SSMMG 2016 provisions.
 - The State Government may maintain the record of sand removed from the agricultural field.
- vii. It has also been noted that States such as Uttar Pradesh, Uttarakhand etc. have put in place institutional mechanisms at the district level, including Task Forces, Monitoring Committees, and Enforcement Cells, involving multiple departments such as Revenue, Mining, Forest, Police, and Transport, to curb illegal mining and transportation of minerals.
- viii. Certain States, particularly Gujarat, have adopted a structured, lease-based regulatory framework for mineral extraction on private/agricultural land, incorporating mandatory



Environmental Clearance, royalty payment, and digital monitoring systems, which has helped in enhancing transparency and minimizing illegal mining.

- ix. Modern technological tools such as DGPS surveys, drone-based mapping, GIS/DEM analysis, and digital tracking systems (including e-challans, RFID, and surveillance mechanisms) are increasingly being adopted by States for accurate estimation, monitoring, and control of sand removal activities.
- x. Methodologies for estimation of sand quantity vary across States, generally based on area and permissible depth or through scientific techniques such as drilling, survey, and GIS-based volumetric analysis.
- xi. In several States/UTs such as Mizoram, Ladakh, Nagaland, Tripura, Chandigarh, and parts of J&K, the issue of sand deposition on agricultural fields is minimal or non-existent due to specific geographical and climatic conditions, including hilly terrain, limited floodplains, etc.
- xii. The EAC has deliberated on the issue of removal of sand deposit from the agricultural fields through the Mining Department or its agencies as directed by the Hon'ble NGT vide its order dated 19/11/2025. After deliberations as well as examination of inputs received from the States, the EAC is of the view that legal status of the agricultural land being owned by an individual/group of individuals and entrusting the land to Mining department for removal of sand may affect the agricultural activity of the farmers.

E. Recommendation of the EAC:-

After detailed deliberations on the submissions made by CPCB, Ministry of Mines, and various States/UTs, the Committee observed that a uniform approach may not be feasible given the diversity in geographical and topographical conditions across States and Union Territories. Accordingly, it was recommended that:

1. Formulation of State-Specific Regulatory Framework



Each State/UT shall formulate a comprehensive regulatory framework for the removal of sand deposited due to flood events on agricultural lands, on a case-to-case basis, considering local geography, hydrology, and land-use patterns.

2. Mandatory Elements of the Regulatory Framework

A. Land Identification & Demarcation with hydrological data

- Ground Level RL shall be established through detailed topographic surveys using DGPS/Auto Level/Digital Elevation SRTM data to ensure accurate elevation data prior to the monsoon season for flood prone areas.
- Khasra number / Survey number of the affected agricultural land shall be clearly identified and recorded.
- Affected areas of sand deposition due to floods shall be demarcated at the district level.
- Data on rainfall (in mm) preceding the flood event.
- Rainfall trends for the past five years.
- Assessment of whether sand deposition is site-specific or regional, to establish natural causation.

B. Preservation of Natural Land Profile

- The natural ground level shall not be altered during sand removal.
- Removal shall be restricted strictly to the deposited sand layer above the original ground level.
- No excavation or mining below the natural ground level shall be permitted.

C. Purpose Limitation

- Sand removal shall be permitted only to the extent necessary for reclamation of agricultural land.
- Any activity beyond reclamation shall be treated as ~~unauthorized~~ illegal mining.

D. Verification & Quantification of Sand Deposition

- Removal shall be allowed only after assessment of the thickness and quantity of deposited sand.



- Such assessment shall be carried out by the Land Management Committee of the Gram Panchayat or other competent authority of the State Government.
- Quantification shall be based on area and permissible depth or scientific volumetric analysis using DGPS, drone surveys, or conventional and modern techniques.

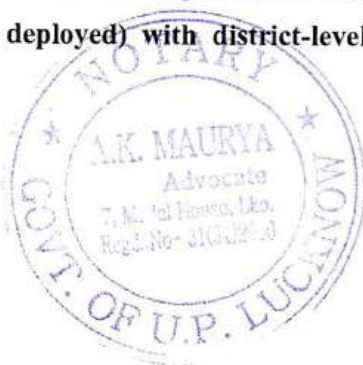
E. Scientific Assessment & Monitoring Mechanisms

- States/UTs shall adopt modern scientific and technological tools, including:
 - DGPS-based surveys for geo-referencing
 - Drone-based mapping for monitoring
 - GIS/DEM analysis for volumetric estimation
 - Survey-based and drilling techniques, where required
- **In addition, States/UTs may incorporate real-time monitoring and digital surveillance mechanisms, including:**
 - **GPS tracking of vehicles and machinery engaged in sand removal and transportation**
 - **Deployment of CCTV cameras at vulnerable locations/routes, wherever feasible**
 - **Use of digital transport monitoring systems such as e-challans, RFID tagging, or equivalent mechanisms to ensure traceability**

F. Environmental safeguards for the removal of sand from agricultural fields have been stipulated by the Ministry of Environment, Forest and Climate Change (MoEF&CC) pursuant to the approval of the Expert Appraisal Committee (Non-Coal Mining) [EAC (NCM)]. The same were stated in the Ministry's affidavit dated 03.09.2025 and were subsequently taken on record by the Hon'ble National Green Tribunal vide its Order dated 19.11.2025.

G. Preventive Measures Against Illegal Mining

- A fixed time window (weeks/months) shall be notified for permitted sand removal.
- Removal outside the prescribed period shall be strictly prohibited.
- **States/UTs shall ensure integration of monitoring data (including GPS/CCTV inputs, where deployed) with district-level authorities for timely detection of violations.**



- Measures and safeguards against illegal sand mining from agricultural fields have been stipulated by the Ministry of Environment, Forest and Climate Change (MoEF&CC) pursuant to the approval of the Expert Appraisal Committee (Non-Coal Mining) [EAC (NCM)]. The same were stated in the Ministry's affidavit dated 03.09.2025 and were subsequently taken on record by the Hon'ble National Green Tribunal vide its Order dated 19.11.2025.

3. Monitoring and Enforcement mechanism for Regulatory Framework

i. Each State/UT shall ensure that the regulatory framework, as formulated above, is implemented in a time-bound manner, incorporating all the aforesaid provisions and safeguards.

ii. The implementation and monitoring of the regulatory framework may be entrusted to the District Level Task Force constituted under the Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMGSM, 2020). The Task Force shall function under the Chairmanship of the Deputy Commissioner/District Magistrate/Collector and shall include:

- Superintendent of Police
- Divisional Forest Officer
- District Transport Officer
- Regional Officer of State Pollution Control Board (SPCB)
- Senior Officer of the Irrigation Department
- District Mining Officer
- Any other Officer or Independent Member (s) as deemed appropriate by the Deputy Commissioner/District Magistrate/Collector.

The Task Force may also undertake coordinated field inspections and, where required, constitute joint teams for monitoring in vulnerable areas.

iii. In case of any deviation from the prescribed regulatory framework by the user agency/individual, the District Level Task Force shall take cognizance upon receipt of complaints or otherwise, and the State Government shall initiate appropriate action against the user agency/individual in accordance with applicable statutory provisions, including the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act, 1957) and other relevant laws.



- Such action may include seizure of vehicles/machinery, initiation of prosecution, and commencement of confiscation proceedings, in accordance with law.
- States/UTs shall also ensure assessment and recovery of environmental compensation from violators on the basis of the “Polluter Pays” principle, through a scientific and transparent methodology.

4. Data Base Management regarding removal of sand from agricultural fields: The Department of Mining and Geology of the respective State/UT shall be responsible for maintaining comprehensive data and records specifically in respect of sand deposited on agricultural lands due to flood events, including its assessment, permitted removal for land reclamation, transportation, and related enforcement actions, so as to ensure transparency, traceability, and accountability in the entire process.

- Such records shall, as far as practicable, be maintained in digitized form with provisions for integration of monitoring data (including transport and surveillance inputs) to enable end-to-end traceability.
- States/UTs may establish district-level monitoring/control systems, wherever feasible, for centralized receipt and analysis of data generated through technological and surveillance tools, to facilitate timely enforcement action.
- States/UTs may also institute periodic review and reporting mechanisms to assess the effectiveness of the regulatory framework and undertake necessary modifications.



Annexure-I

S.No.	Reply received from State & UTs	Inputs/Comments	
1	Reply received from Central Pollution Control Board vide letter dated 13.01.2026 from.	<p>MoEF&CC Notification S.O. 1224 (E) dated-28.03.2020 has exempted the requirement of EC for certain cases as per Appendix-IX, which includes - removal of sand deposits on agricultural field after flood by farmers. To prevent misuse of the said exemption -case no. 3 of Appendix-IX of Notification S.O. 1224 (E) dated 28.03.2020, (Annexure-I) the following checks/safeguards may be considered:</p> <p>a. The natural ground level of the area should not be changed during removal of the sand deposited by flood above the ground level by farmers.</p> <p>b. Digging of old deposits below the ground level should be allowed only with Environmental Clearance.</p> <p>c. Short-term permits for digging of old deposits below the ground level should not be considered by state governments without Environmental Clearance.</p>	
2	Reply received from Director, Directorate of Mines and Geology Uttar Pradesh dated 06.02.2026	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand</p>	<p>By Government Order No. 1/4357/6/2023/Dated 29.11.2023 01009/136/2010 , instructions have been given to constitute an eight-member task force comprising officers of Revenue Department, Forest Department, Police Department, Transport Department and Mining Department under the chairmanship of District Magistrate to ensure effective control on illegal mining and transportation. The said eight-member task force is responsible for effective control on illegal mining and transportation.</p> <p>Under Rule 52 of the Minor Mineral (Prevention) Rules 2021, the landholder of agricultural land can obtain a mining permit to remove sand, gravel, boulder, or any of these in a mixed state, deposited on his land, and make his land cultivable, and carry out time-bound agricultural work. Since agricultural work is a time-bound</p>



	<p>deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>work, in the event of not getting the said permission, time-bound agricultural work will be adversely affected and there will be a possibility of illegal lifting of minor minerals.</p>
	<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided.</p>	<p>The quantity of minor mineral available on agricultural land is currently estimated according to the area of the area in question and the maximum depth of the minor mineral up to 02 meters.</p> <p>The amount of minerals available on agricultural land can be estimated based on Auger hole drilling.</p>
	<p>States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>Under Rule 52, the landholder of agricultural land can obtain a mining permit to remove sand, gravel, stone, boulders, or any of these in a mixed state, deposited on his land, and make his land cultivable, and carry out time-bound agricultural work. Since agricultural work is a time-bound work, in the event of not getting the said permission, time-bound agricultural work will be adversely affected and there will be a possibility of illegal lifting.</p> <p>By Government Order No. 1/4357/6/2023 /86- 01099/136/2019 dated 29.11.2023, instructions have been given to</p>



		constitute an eight-member task force of officers from Revenue Department, Forest Department, Police Department, Transport Department and Mining Department under the chairmanship of the District Magistrate to ensure effective control on illegal mining and transportation.
3	Reply received from Commissioner of Geology and Mining, Gujarat dated 03.02.2026	<p>Occurrences of Sand Deposition in Gujarat</p> <p>It is observed that unlike states with perennial Himalayan River systems, the geographical and climatic conditions in Gujarat do not result in frequent or large-scale sand deposition on agricultural lands due to flooding. Consequently, the state receives very few applications for the "removal of sand" under the Sustainable Sand Mining Management Guidelines (SSMMG) 2016. Because these incidents are rare, the risk of large-scale misuse for illegal mining under the guise of clearing sand is significantly lower in Gujarat.</p> <p>2. Regulatory Framework: GMMCR-2017 Amendment (2022)</p> <p>The State of Gujarat has already strengthened its regulatory mechanism through an amendment to the Gujarat Minor Mineral Concession Rules (GMMCR) 2017 in the year 2022 and add new lease regime, under this amendment, a formal regime has been established where private land owners can apply for a Quarry Lease (QL) on their own land.</p> <p>Integration & Transparency: This shift from "temporary permits" to a "lease-based regime" ensures that by mineral extraction on private/agricultural land is governed by formal lease terms, mandatory Environmental Clearance (EC), and the payment of applicable Royalties and District Mineral Foundation (DMF) contributions.</p> <p>Prevention of Illegal Mining: By providing a legal, long-term pathway for land owners to utilize minerals on their land, the state has effectively reduced illegal sand mining.</p> <p>3. Technical Estimation & Departmental Oversight</p> <p>Estimation: Since the state now emphasizes a lease-based approach for private lands, the estimation of sand quantity is conducted through a formal Survey and Demarcation process by the Department's technical staff before the grant of the lease.</p>



		<p>Modern Technology: We utilize DGPS (Differential Global Positioning System) for precise boundary marking and volume estimation to ensure that extraction does not exceed the approved mining plan.</p> <p>State Agency Involvement: While the current GMMCR-2017 framework empowers the land owner, the Department maintains strict oversight via the Integrated Lease Management System Online Portal, where every metric ton of sand moved is tracked through E-Challans, preventing any misuse of the 2016 SSMMG provision.</p> <p>In view of the above, the State of Gujarat suggests that the NGT may consider the "Lease - base regime for Private Lands" (as adopted by Gujarat) as a successful model to bring "sand removal" under a formal, transparent and revenue-generating regulatory umbrella.</p>	
4	Reply received from Member Secretary, Mizoram Pollution Control Board dated 22.01.2026	<p>That the farming system in the State may not entail removal of soil from the land as no permanent farming system are practiced. Such activity has not been experienced before and not foreseen.</p> <p>Hence, there may be no chances of misuse of the provisions of Sustainable Sand Mining Management Guidelines (SSMMG) 2016, in the garb of removal of sand from the agricultural field.</p>	
5	Reply received from Under Secretary, Department of Mines and Geology, Bihar dated 22.01.2026	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that</p>	<p>As Per SSMMG guidelines following provisions were added to Bihar Mineral (Concession, Prevention of illegal Mining, Transportation & Storage Rules) 2019 (amendment) Rules 2024 to incorporate the sand mining activity from agricultural fields and make it suitable for agriculture.</p> <p>29 (G) shall be substituted as follows: Removal of Silt- On the written report/recommendation of the Water Resources Department, for the purpose of maintaining the flow of the river/canal route, the silt deposited in the river/canals shall be disposed of by the Collector by selecting a contractor for a fixed period through e-auction.</p> <p>The contractor/highest bidder shall obtain all the necessary statutory No Objection Certificates (NOC) from the</p>



		<p>illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>competent authority and shall dispose of the silt by following the prescribed procedure of the rules. Provided that if the working area is forest land/wildlife protected area (PA)/ Eco Sensitive zone (ESZ), auction shall be conducted only after obtaining Forest Clearance, Wildlife Clearance as the case may be and Environmental Clearance.</p> <p>37 (4)-Mineral Disposal Permit to be given for removal of the Dhush/Sand mixed soil required to convert the raiyat land into agricultural land- Notwithstanding anything contained in these rules, in rivers other than Son Kiul, Falgu, Morhar, Chanan and Ganga, where minor minerals/sandy soil is found in the rayati land, outside the radius of 03 km (Aerial Distance) from the river bank, the Collector, after verification by the Circle Officer, may grant a permit to remove and use any minor mineral/sandy soil on the report of the concerned Mining Officer. Concerned raiyat shall submit an application to the Mining Officer for issuance of permit for disposal of the said mineral. The said permission may be granted for a maximum period of One year for the specified quantity after advance payment of applicable royalty to the government and other taxes and obtaining all prevailing statutory clearances. 5 (Five) working days is fixed as time limit for this.</p>
		<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States</p>	<p>As per Rule no. 29(3) The maximum depth for sand Mining is enumerated as 3m. So, total quantity of sand excavated will be area of agricultural field multiplied by maximum depth i.e. 3m.</p>



	<p>for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	
	<p>States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>There is clear provision of removal of sand from agricultural fields as per provision stated above.. As far as illegal Mining is concerned, there are stringent provisions under Bihar Mineral (Concession, Prevention of illegal Mining, Transportation & Storage Rules) 2019 (amendment) Rules 2024 to curb illegal mining.</p>



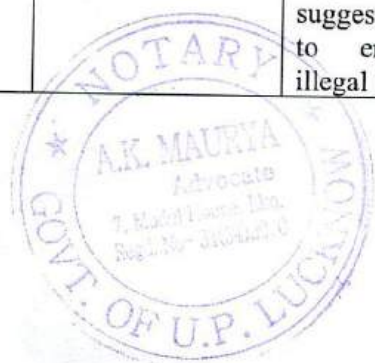
6	<p>Reply received from. Additional Director of Directorate of Mines and Geology Uttrakhand dated 31.01.2026</p>	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>The following major provisions have been made in order to effectively curb illegal mining in the state of Uttarakhand:-</p> <ol style="list-style-type: none"> 1. In every district of the state, District Anti-Illegal Mining Force has been constituted under the chairmanship of District Magistrate at the district level and under the chairmanship of Sub-District Magistrate at the Tehsil level, in which apart from Revenue Department, Forest Department, Police Department, Mining Department, environmental experts and local village head have been nominated as members. 2. An Enforcement Cell has been constituted at the Directorate level, through which surprise raids are conducted on illegal mining/illegal transportation/illegal storage. 3. For quick redressal of complaints received from the public regarding illegal mining, an online portal dgmappl.uk.gov.in has been prepared and implemented in the departmental e-Ravana. 4. For effective prevention of illegal mining/illegal mineral transportation within the state area and increase in revenue, 45 Unmanned e-check gates with Verifocal camera, ANPR Camera, RFID Tag, LED Flood light at 40 places in 04 plain districts, Command Centre at Headquarters and 04 districts, Mineral Management System & e-Ravanna under web application, Mining e-Services for citizen and concessionaire, Mining Surveillance Enforcement System, Mobile Application for inspection, Decision Support System (DSS), Mobile Application for all stakeholders, VTS Integration, Weighbridge Integration & Management are being prepared.
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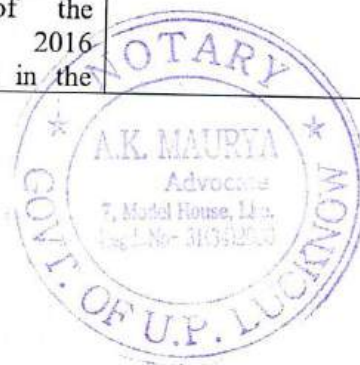
			<p>5. In order to prevent misuse of e-mining forms and for transportation of minerals in the interest of revenue, instead of the earlier system of printing/issuing e-Ravanna forms on ordinary paper, a system of printing and using e-Ravanna forms MM-11, Form "J", Form "N" and Form "K" on special type of paper having security feature has been implemented for transportation of minerals.</p> <p>6. Apart from the above, surveillance is being carried out using Drone (with Night Vision Cameras) technology in the potential areas to effectively control and curb illegal mining, transportation and storage.</p>
		<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the</p>	<p>It is provided in Rule-53, Sub-rule-7 of Uttarakhand Minor-Mineral (Prevention) (Second Amendment) Rules 2024 that "In case of accumulation of debris/stones in drains in private land during the rainy season, on application by the concerned landholder for removal of the accumulated debris/stones, permission will be granted for a maximum period of 03 months on the basis of the report of the committee constituted under the chairmanship of District Mining Officer. This committee is constitute by Director/ Joint Director, State DMG. The said activities will not fall under the category of mining and environmental permission will not be required for the same."</p> <p>The committee constituted as aforesaid, in its report after estimating the quantity of the minor-mineral, the proposal along with the recommendation is sent to the Joint Director of the concerned Board and after the order regarding short term permission is issued in favour of the license holder, the royalty calculated on the quantity of the minor-mineral and other dues are deposited in advance by the concerned license</p>



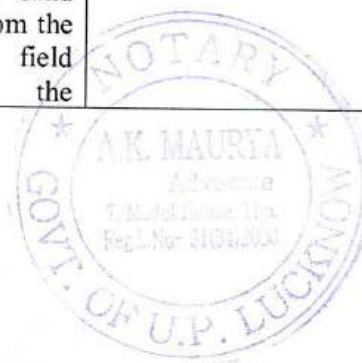
		garb of removal of sand from the agricultural field.	holder in the prescribed departmental account head/bank account.
		States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.	Currently, permission is granted within the state only as per the provisions of sub-rule 7 of rule 53 of the Uttarakhand Sub-Mineral (Prevention) (Second Amendment) Rules 2024. It is also to be noted that the main provisions made by the state to effectively curb illegal mining are already stated above.
7	Reply received from Member Secretary Kerala Pollution Control Board dated 17.01.2026	That the matter regarding removal of sand deposited by floods on agricultural fields is dealt with in the State by the State Environmental Impact Assessment Authority (SEIAA) and Department of Mining & Geology. Board has not issued any specific guidelines/ instructions in this regard.	
8	Reply received from Regional Director, Ladakh Pollution Control Committee on 17.01.2026 and	As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure that illegal sand mining	Within the jurisdiction of the Union Territory of Ladakh, no case has been reported pertaining to the removal of sand deposits from agriculture land. In Ladakh, agricultural practices are largely influenced by high-altitude terrain, limited arable land, and climatic factors, etc.



		<p>does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	
		<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the</p>	<p>In Ladakh, where terrain is rugged and agricultural land is limited, drone surveys combined with GIS mapping and AI analytics may be considered.</p>



		garb of removal of sand from the agricultural field.	
		States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.	As per report received from Department of Geology and Mining till date, no case has been reported in the Union Territory of Ladakh concerning the accumulation and removal of sand deposits from agricultural fields. However, in order to ensure transparency and to prevent any possible misuse of the provisions under the Sustainable Sand Mining Management Guidelines (SSMMG), 2016, such activities may undertake strictly through the Mining Department or its designated agencies.
9	Reply received from Deputy Director, Geology and Mining Department, UT of Ladakh on 14.01.2026	As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil. Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the	It is to note that, within the jurisdiction of the Union Territory of Ladakh, no cases have been reported pertaining to the removal of sand deposits from agricultural land. The absence of such instances indicates that agricultural fields in the region have not been subjected to sand deposition. This observation underscores the unique geographical and environmental conditions prevailing in Ladakh, where agricultural practices are largely influenced by high-altitude terrain, limited arable land and climatic factors rather than issues of sand accumulation. The matter may therefore be considered non-applicable in the present context of Ladakh's agricultural landscape, unless future developments necessitate policy formulation or case-specific action.



		<p>owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	
		<p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>In Ladakh, due to the rugged mountainous terrain, instances of sand deposit on agricultural land is limited and not reported.</p> <p>Further, it is suggested that GIS-based mapping may not be practically feasible for identifying small-scale sand deposits on agricultural land.</p> <p>Instead, the use of drones, already applied in agricultural services such as spraying etc., can be explored for mapping these localized deposits.</p>
		<p>States/UTs may also provide their</p>	<p>Till date, no case has been reported in the Union Territory of Ladakh</p>

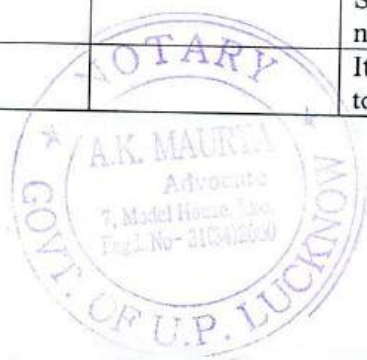




		views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.	concerning the accumulation and removal of sand deposits from agricultural fields. However, in order to ensure transparency and to prevent any possible misuse of the provisions under the Sustainable Sand Mining Management Guidelines (SSMMG), 2016, it may be considered appropriate that such activities, if required in future, be undertaken strictly through the Mining Department or its designated agencies.
10	Reply received from Deputy Secretary, Ministry of Mines dated 11.02.2026	<p>As per Section 230 of the MMDR Act, 1957, the State Government is empowered to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith. Therefore, the prevention of illegal mining is primarily the responsibility of the concerned State Government, Further, the Central Government does not have power to revise any order passed by State Government or any of its authorized officers under the rules made under Section 23C. However, the matter was examined in consultation with Indian Bureau of Mines, a sub-ordinate office to the Ministry and following suggestions are furnished:</p> <ol style="list-style-type: none"> 1. To prevent illegal sand mining, it is suggested to demarcate the affected areas at the district level where sand is being deposited in the agricultural fields during flood seasons and allow fixed period in weeks or months during which such sand can be removed. ii. The sand deposited after flood can only be removed to the extent of reclaiming the agricultural land, so no mining/digging below the ground level can be allowed. iii. This operation of removal of sand deposited on agricultural field should be done after the thickness of deposition is ascertained by the Land Management Committee of the Gram Panchayat. iv. For the purpose of removal of sand deposited from the agricultural fields, a State agency may be authorized by the State Department so that there is no scope of misuse of the SSMMG 2016 provisions. 	



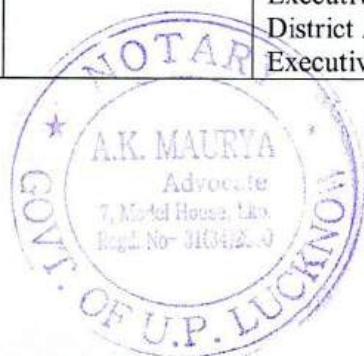
		v. The State Government may maintain the record of sand removed from the agricultural field.	
11	Reply received from PCCF & HoFF, Tripura on 19.02.2026	No such permits have been issued till date for the removal of sand from agricultural land thus the questions of methods does not arise in respect of State of Tripura.	
14	Reply received from Chief Engineer, Department of Mines of Geology, Punjab Chandigarh, Government of Punjab, Chandigarh on 25.03.3026.	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p>	<p>It is submitted that in the State of Punjab, a District-level Monitoring Committee has been constituted for checking and prevention of illegal mining activities.</p>
		It is also requested to suggest methods	Further submitted that floods cause large-scale damage to agricultural



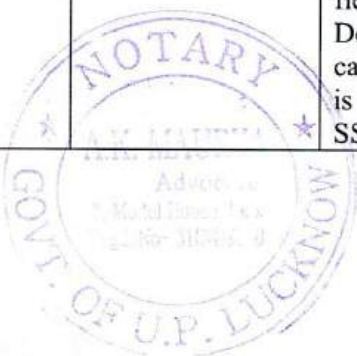
		<p>so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.</p>	<p>land. During flood events, sand, silt, and other debris are deposited over fertile fields, resulting in loss of soil fertility, reduced crop productivity, and serious hardship to the farming community. In this regard, Punjab witnessed severe flood situations during the years 2019, 2023, and 2025, wherein agricultural land was particularly badly affected. Although special notifications and specific Standard Operating Procedures (SOPs) were issued during the years 2023 and 2025 for the removal of flood-borne material. It is also submitted that framing of uniform guidelines applicable throughout India may not be feasible, as the ecology and geographical conditions vary from State to State and region to region. Methodology adopted IIT Ropar is listed below:-</p> <table border="1" data-bbox="885 981 1340 1662"> <thead> <tr> <th>Sr.No</th> <th>Aspect</th> <th>IT-Adopted Method</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Area estimation</td> <td>GIS-based Orth mosaic</td> </tr> <tr> <td>2</td> <td>Thickness</td> <td>DEM surface differencing</td> </tr> <tr> <td>3</td> <td>Volume</td> <td>Cut-Fill computation</td> </tr> <tr> <td>4</td> <td>Accuracy</td> <td>High (cm-level)</td> </tr> <tr> <td>5</td> <td>Repeatability</td> <td>Fully reproducible</td> </tr> </tbody> </table>	Sr.No	Aspect	IT-Adopted Method	1	Area estimation	GIS-based Orth mosaic	2	Thickness	DEM surface differencing	3	Volume	Cut-Fill computation	4	Accuracy	High (cm-level)	5	Repeatability	Fully reproducible
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15		<p>States/UTs may also provide their views/opinion whether activity of</p>	<p>It is also submitted that the removal of flood deposits (sand/silt) and restoration of the affected areas requires a coordinated and multi-</p>																		



		removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.	departmental approach. The mining department alone cannot address the issue, as the works involves vast areas and multiple administrative and technical aspects. Therefore, active involvement and close coordination of all concerned department are essential to ensure timely, effective and sustainable remedial action.
16	Reply received from Staff Officer, to PCCF/Member Secretary, J& K Environment Impact Assessment Authority on 14.02.2026	The matter has already been taken up with the Govt. of J&K for obtaining inputs from the concerned Revenue and Agriculture Departments so as to assess the extent, if any, of agricultural land affected by sand deposition. However, considering the predominantly mountainous topography, steep gradients and confined river channels in J&K, very limited agricultural area is expected to be affected by large-scale sand deposition necessitating removal akin to alluvial plain regions. JKEIAA has not, till date, come across any proposal seeking Environmental Clearance specifically for removal of sand deposited on agricultural land due to floods. In case any regulatory framework or guidelines are contemplated in this regard, it is suggested that: i. Any such permission, where warranted, may be strictly case-specific and time-bound, preferably limited to a maximum validity of nine months; ii. Removal depth should be restricted to the bare minimum necessary to restore agricultural productivity, based on site-specific assessment; and estimation of quantity and depth may be undertaken through sample-based scientific studies, with adequate safeguards to prevent misuse under the guise of removal activity.	
18.	Reply received from Member Secretary SEIAA, Assam on 08.01.2026	SEIA suggested for constituting the District level committee relating to removal of sand deposit from agriculture field The District Level Committee may be pertaining to following members: District Commissioner -Chairman Divisional Forest Officer- Member Secretary Executive Engineer Water Resource Department.- Member District Agricultural Officer – Member Executive Engineer Irrigation Department .- Member	



		District Geologist, Geology and Mining Department – Member Member Regional Officer, Pollution Control Board – Member	
19	Reply received from Joint Director, Department of Mines and Geology, Sikkim on 06.05.2026	<p>As per the Hon'ble NGT order the provision of Sustainable Sand Mining Management Guidelines (SSMMG) 2016 for removal of sand from the agricultural fields by the owners/farmers has been misused resulting in the illegal mining of sand and topsoil.</p> <p>Therefore, it is requested to suggest measures to ensure that illegal sand mining does not occur in the name of removal of sand deposited from the agricultural field by the owner/farmer of the land or by any other entity. States/UTs may propose stringent regulatory framework at the district level to ensure the above provision of SSMMG 2016 is not misused.</p> <p>It is also requested to suggest methods so that estimation of removal of sand deposit from the agricultural fields with the help of modern technologies can be done. The present system adopted by States for such estimation (extent, area and quantity) may also be provided. States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of misuse of the SSMMG 2016 provisions, in</p>	<p>In Sikkim context, due to hilly topography and small land holdings, agriculture is largely limited to terrace farming on slopes. As such, sand accumulation in agricultural fields is generally not observed, and no instances of sand removal from agricultural fields have been reported. Hence, misuse of provisions under SSMMG 2016 has no documented instance of violation.</p> <p>Sand removal from agriculture field is not done in the state of Sikkim. Hence, no system is adopted. Suggested method is to allow or ensure sand removal only for agriculture restoration, not commercial purposes.</p>



		the garb of removal of sand from the agricultural field.	
		States/UTs may also provide their views/opinion whether activity of removal of sand deposit from the agricultural fields through the Mining Department or its agencies can be adopted so that there is no scope of SSMMG 2016 provisions, in the garb of removal of sand from the agricultural field.	To reduce the scope of misuse of the provisions of SSMMG 2016, it is suggested that sand removal from agricultural fields be undertaken under supervision of a Government Department.
20	Reply received Member Secretary, Nagaland Pollution Control Board, Nagaland on 02.02.2026.	That the Nagaland is a hilly terrain, the effect of sand deposition in agricultural fields is minimal. The extraction and removal of sand deposited in the agricultural fields during monsoon does not take place.	
21	Reply received from Scientist-B, Chandigarh Pollution Control Committee on 24.03.2026	That U.T. Chandigarh has insignificant agriculture area/land and no river stream flows through the U.T. Thus even during monsoons, there is negligible sand deposition on agricultural areas.	

