

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

**Execution Application No. 04 of 2023 (SZ)
In
ORIGINAL APPLICATION NO. 187 OF 2021**

IN THE MATTER OF:

NAGENDRAKUMAR

S/o Sathyannarayan
Dharanikota Villiage,
Amaravathi Mandal,
Guntur District, Andhra Pradesh.

..... Applicant /Applicant

-Vs-

GOVERNMENT OF INDIA,

Rep. by its Secretary,
Ministry of Environment, Forest and Climate Change
And 19 others

..... Respondent/Respondents

**ADDL COUNTER FILED BY THE 4TH RESPONDENT
(SEIAA.A.P)**

Date-15-07-2023



**MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA
PRADESH**

**A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 9840798460 / 63831 21322, Email:

reddymadhuri09@gmail.com

COUNSEL FOR 4TH RESPONDENT

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

**Execution Application No. 04 of 2023 (SZ)
In
ORIGINAL APPLICATION NO. 187 OF 2021**

IN THE MATTER OF:

Nagendrakumar
S/o Sathyanarayan
Dharanikota Villiage,
Amaravathi Mandal,
Guntur District, Andhra Pradesh.

..... Applicant / Applicant

-Vs-

1. Government of India,
Rep. by its Secretary,
Ministry of Environment, Forest and Climate Change
And 19 others Respondent/Respondents

INDEX

Sl.No.	Date	Description of the Document	Page No.
1.	06-07-2023	4 th Respondent Addl Counter	1-7
2.	24.04.2023	Directions issued to M/s. Jai Prakash Power Ventures Limited and Director of Mines&Geology, Vijayawada Annexure -I	8-13
3.	25.04.2023, 13.06.2023 & 19.06.2023	Letters / mails addressed to M/s. Jai Prakash Power Ventures Limited and Director of Mines&Geology, Vijayawada Annexure -II	14-17
4.	24.04.2023, 25.05.2023, 13.06.2023 & 19.06.2023	Letters / mails addressed to APPCB, Vijayawada Annexure -III	18-24
5.	01.11.2018	Go.Ms. No. 120, dated 01.11.2018 issued by EFS&T Dept., Annexure-IV	25
6.	26.06.2023	Letter addressed to Director of Mines&Geology, Vijayawada by APPCB Annexure-V	26-41

It is certified that all the documents contained in the above annexure are true copies.

Date: 06.07.2023


Member Secretary
SEIAA, AP

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

**Execution Application No. 04 of 2023 (SZ)
In
ORIGINAL APPLICATION NO. 187 OF 2021**

IN THE MATTER OF:

Nagendrakumar

S/o Sathyanarayan
Dharanikota Villiage,
Amaravathi Mandal,
Guntur District, Andhra Pradesh.
Email: dandanagendra@gmail.com
Phone: 9949900000

..... Applicant / Applicant

-Vs-

1. Government of India,
Rep. by its Secretary,
Ministry of Environment, Forest and Climate Change
central Secretariat
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi – 110003.
Email: secy-moef@nic.in
Ph No. 011-24695132,
2. State of Andhra Pradesh,
Represented by its Secretary to Government,
Department of Mines and Geology
Sri Anjaneya Towers, D.No.7 – 104,
B-Block, 5th & 6th Floors
Vijayawada Ibrahimpatnam,
Andhra Pradesh - 521456.
Email: secy_mines@ap.gov.in, Ph: 0863 - 2442117
3. The Andhra Pradesh Mineral Development Corporation Ltd.,
D.No. 294/1D, 100 feet Tadigadapa to Enikepadu Road,
Kanuru, Vijayawada-521137
Krishna District, Andhra Pradesh.
Ph: 08662429999
4. State Level Environment Impact Assessment Authority
(SEIAA),
Paryavaran Bhavan,
APIIC Colony, Auto Nagar,
Vijayawada – 520007, Andhra Pradesh.
5. The Director,
Department of Mines and Geology
Sri Anjaneya Towers, D.No.7 – 104,
B-Block, 5th & 6th Floors Vijayawada
Ibrahimpatnam, Andhra Pradesh – 521456.
Email: directormines@yahoo.co.in. Ph: 0866-2882170


Member Secretary
SEIAA, AP

6. The Deputy Director
Department of Mines and Geology, Srikakulam
Plot No.6, 1st Floor, Vysya Bank Colony,
Srikakulam – 532001, Andhra Pradesh,
Email: ddmgskl@gmail.com
Ph: 9100688818
7. The Deputy Director
Department of Mine and Geology, Vizianagaram,
H.NO.1-15-18 Plot No. 31,
Near St. Pauls Lutharan Church,
SBI Cantonment Road
Vizianagaram-535003, Andhra Pradesh.
Email: ddmgvizianagaram@gmail.com
Ph: 9100688808
8. The Deputy Director
Department of Mine and Geology, Visakhapatnam,
D.No.2-2/4D/15, M.I.G-108,
M.V.P. Colony, Sector -6,
Visakhapatnam-17, Andhra Pradesh.
Email: ddmgvsp@yahoo.com
Ph: 9100688813
9. The Deputy Director
Department of Mine and Geology, Kakinada
Vishwa House, Palam Raj Nagar,
Road No. 2, Kakinada-533001, Andhra Pradesh.
Email: ddmgkkd@yahoo.com
Ph: 9100688814
10. The Deputy Director
Department of Mine and Geology, West Godavari
D.No.23A-9-2, Near Atidhi Hotel,
R.R.Peta, Eluru, West Godavari District,
Andhra Pradesh – 534002.
Email: ddmgelt@gmail.com
Ph: 9100688827
11. The Deputy Director
Department of Mine and Geology, Krishna
D.No.54-18-67/1B, LIC Colony,
Vijayawada, Krishna District,
Andhra Pradesh – 520008.
Email: ddmgkrishna@gmail.com
Ph: 9100688838
12. The Deputy Director
Department of Mine and Geology, Guntur,
D.No. 17-14-830, 3/5, Vidya Nagar,
Guntur – 522007, Guntur District, Andhra Pradesh.
Email: ddmgguntur@gmail.com, Ph: 9100688815
13. The Deputy Director
Department of Mine and Geology, Prakasam,
Block No. 58 & 59, RIMS,
Government Officers Complex,

Poo. Collectorate, Ongole,
Prakasam District, Andhra Pradesh – 523001.
Email: ddmgogl@gmail.com, Ph: 9100688836

14. The Deputy Director
Department of Mine and Geology, Nellore,
Lakshmi Villa, D.No. 11/28, Talpagiri Colony,
Buja Buja Nellore, Nellore Rural Mandal,
Nellore – 524004, Andhra Pradesh.
Email: ddmgnellore@gmail.com,
Ph: 9100688836
15. The Deputy Director
Department of Mine and Geology, Chittoor,
D.No.2-55/2, Officers Line, Guru Nagar Colony,
Near Municipal Office, Chittoor-517001,
Andhra Pradesh.
Email: ddminesctr@gmail.com, Ph: 9100688841
16. The Deputy Director
Department of Mine and Geology, Kadapa,
G-3, New Collectorate Complex,
Kadapa-516004, YSR District,
Andhra Pradesh.
Email: ddmineskdp2@gmail.com,
Ph: 9100688817
17. The Deputy Director
Department of Mine and Geology, Anantapuramu,
D.No. 6/3/116, 1st Floor,
Opp. Comfort Apartment, Ram Nagar,
Anantapuramu - 515002, Andhra Pradesh.
Email: ddmgatp@gmail.com, Ph: 9440817899
18. The Deputy Director
Department of Mine and Geology, Kurnool,
45/86- 6, Upstairs, Narassimhareddy Nagar,
Kurnool – 518004, Andhra Pradesh.
Email: deputydirectorkurnool@gmail.com,
Ph: 9100688816
19. Jaiprakash Power Ventures Limited,
Registered Office at
Complex of Jaypee Nigrie Super Thermal Power Plant,
Tehsil Sarai, Nigrie, Singrauli,
Madhya Pradesh – 486669.
Email: jpv.investor@jalindia.co.in
Ph: 7801286021-39
20. Jaiprakash Power Ventures Limited,
Corporate Office at
'JA House' 63 Basant Lok,
Vasant Vihar, New Delhi – 110057.
Email: sectl.dept@jalindia.co.in
Ph: 01149828500 ... Respondents / Respondents

ADDL COUNTER AFFIDAVIT FILED BY THE 4th RESPONDENT

I, Sri Anand Kumar Jha, IFS, S/o. Shyam Nandan Jha, Aged 53 years, Occ: Member Secretary(FAC), AP State Environment Impact Assessment Authority (SEIAA), Vijayawada do hereby solemnly and sincerely affirm and make oath and state as follows:

- 1) I am the deponent herein and as such, I am well acquainted with the facts of the case.
- 2) This respondent denies each and averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.
- 3) With regard to the averments made in paragraph 1 of the affidavit is not related to this respondent and hence there are no remarks.
- 4) With regard averments made in paragraph 2 of the affidavit is denied as false. It is submitted that the SEIAA has complied the directions issued by Hon'ble NGT vide judgment dated 23.03.2023.
- 5) It is submitted that in compliance with Hon'ble NGT order this respondent has issued directions on 24.04.2023 to the M/s.Jaiprakash Power venture Limited, Andhra Pradesh and the Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District for immediate stoppage of semi-mechanized mining activity stipulating a condition that "no mining /construction/ expansion or development work shall be carried out without obtaining Environmental Clearance as per the provision laid under E(P) Act, 1986and EIA notification 2006 dt. 14.09.2006 and its amendments thereof failing which you


Member Secretary
SEIAA, AP

are liable for penal action under section 15 of E(P) Act, 1986.”

(Annexure-I)

- 6) With regard averments made in paragraphs 3,4,5,& 6 of the affidavit is denied as false. It is submitted that the SEIAA vide letter dated 24.04.2023 issued directions to M/s.Jaiprakash Power venture Limited, Andhra Pradesh and the Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District.
- 7) Further, it is submitted that the SEIAA, A.P vide mail dated 25.04.2023 and vide letter dated 13.06.2023 and vide mail dated 19.06.2023 requested the Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District to take necessary action immediately against the Sand mines operating illegally as per the Hon'ble NGT directions and also requested to submit the action taken report to SEIAA, A.P. **(Annexure-II)**
- 8) It is submitted that the SEIAA while issuing directions to M/s.Jaiprakash Power venture Limited and the Director of Mines & Geology marked a copy of directions to APPCB vide letter dated 24.04.2023 to take necessary action. Further, the SEIAA, A.P vide mail dated 25.05.2023 forwarded the additional affidavit filed by applicant and requested to take necessary action against the Sand Mines operating illegally in certain villages around Krishna River and vide letter dated 13.06.2023 & vide mail dated 19.06.2023 requested the Member Secretary, A.P. Pollution Control Board to verify the facts and to take necessary action as per the Hon'ble NGT directions, as APPCB is the monitoring agency to monitor compliance with the terms and conditions of Environmental Clearances granted by SEIAA, A.P., as per GO Ms. No.120,


Member Secretary
SEIAA, AP

dated 01.11.2018. And also requested to submit the action taken report to SEIAA, A.P **(Annexure-III&IV)**

- 9) It is submitted that the APPCB addressed a letter to Director, Mines & Geology Dept., vide letter dated 26/06/2023, to furnish a detailed status report in the matter urgently, as the Govt. of AP notified Amendment to Andhra Pradesh Minor Mineral Concession Rules,1966 vide GO MS No. 71, dt 04.09.2019 and the procedures for complaint redressal mechanism, constitution of Complaint Redressal Committee/ Enquiry Team, officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining/stocking/hording/selling/black marketing; etc are specified. A copy of the letter was marked to SEIAA, A.P. **(Annexure-V)**

- 10) It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to record this addl counter affidavit and dismiss the above Execution Application No. 04 of 2023 In ORIGINAL APPLICATION NO. 187 OF 2021 and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed Vijayawada
Andhra Pradesh on
this the 6th day of July 2023
and signed his name in my presence

BEFORE ME

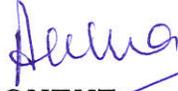
Advocate


Member Secretary
SEIAA, AP

VERIFICATION

I, Sri Anand Kumar Jha, S/o. Shyam Nandan Jha, Aged 53 years, Occ: Member Secretary(FAC), AP State Environment Impact Assessment Authority (SEIAA), Vijayawada do hereby verify that the contents of Para's of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 6th day of July 2023 at Vijayawada


DEPONENT

**Member Secretary
SEIAA, AP**

File No.APPCB-11033/149/2023-TEC-EC-APPCB

ok

 ॐ सत्यमेव जयते	State Level Environment Impact Assessment Authority (SEIAA) Andhra Pradesh Ministry of Environment, Forests & Climate Change Government of India
	D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010.

REGD.POST WITH ACK.DUE

Order No. SEIAA/AP/MIN/Sand/Directions issued/2021²⁷ 24/04/2023

Sub: SEIAA, A.P. – 110 Nos of EC orders issued to Sand Reaches in the State of Andhra Pradesh – Directions - Issued - Reg.

Ref: Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021.

**

1. The SEIAA, AP had issued Environmental Clearances to the Sand reaches – (110 Nos), the project proponent being M/s. Jai Prakash Power Ventures Limited / Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District in the State of Andhra Pradesh for a period of 1 year stipulating the following condition:

A. Specific Condition:

" The project proponent shall carryout mining only one meter depth sand from the top Semi-Mechanized mining method and no underwater mining is undertaken".

2. In the reference cited above, the Hon'ble NGT had issued the following directions to the SEIAA, A.P in O.A.Nos.152/2021 & 53/2022 and 187/2021.
 - a. The amendments granted to the Environmental Clearance and Sl. No. 1 to 10, table-1 permitting Semi-mechanized mining under B2 category and all Environmental Clearances under B2 category permitting Semi-mechanized sand mining i.e. Sl. No. 11 to 18 are declared to be illegal and set aside as they are violating of guidelines issued for B2 category and are also in violation of sustainable sand mining management guidelines 2016.
 - b. The operation should be stopped forthwith and project proponent may be directed by SEIAA to obtain afresh Environmental Clearance before proceeding further.
 - c. SEIAA, Andhra Pradesh is directed to verify all the Environmental Clearances granted for sand mining under „B2“ Category if permission has been granted for semi[1]mechanized or mechanized mining and re-examine the proposal either under „B2“ category (manual mining) or „B1“ Category (if semi-mechanized or mechanized mining is sought) following the prescribed procedures.
3. The issue was examined by the SEIAA, A.P and decided to issue the following directions to the project proponent in compliance with Hon'ble NGT order:
The proponent is directed to stop all Semi-mechanized sand mining operations

25/04/2023
DESPATCHED

File No.APPCB-11033/149/2023-TEC-EC-APPCB

immediately till obtain fresh EC before proceeding further.

In view of the above, the SEIAA hereby issues the following direction in compliance with Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021: "The proponent is directed to stop all Semi-mechanized sand mining (Listed in Annexure) operations immediately as per Hon'ble NGT directions cited above".

Further this direction is also applicable to all Sand mining activities for which ECs issued under Semi-mechanized mining even if it is not listed in the above Annexure.

No mining / construction / expansion or development work shall be carried out without obtaining Environmental Clearance as per the provisions laid under E(P) Act, 1986 and EIA notification 2006 dt.14.09.2006 and its amendments thereof failing which you are liable for penal action under section 15 of E(P) Act, 1986.

**MEMBER SECRETARY,
SEIAA, A.P.**

Special Secretary To Govt
**MEMBER, CHAIRMAN,
SEIAA, A.P. SEIAA, A.P.**

To

1. M/s Jaiprakash Power Ventures Limited,
2nd Floor 40-14-7, Chandra Moulipuram, Benz circle, Vijayawada, Krishna District,
Andhra Pradesh-520010
2. The Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District

Copy to:

1. The Chairman, SEAC, A.P. for kind information.
2. The Member Secretary, APPCB for necessary action.
3. The Regional Officer, MoEF&CC, GoI, Vijayawada for necessary action.

Signed by Dr P V
Chalapathi Rao
Date: 24-04-2023 21:34:21
Reason: Approved

List of issued EC Sand Mines			
Sno.	Proposal No.	Project Name	Date of issued
1	SIA/AP/MIN/265780/2022	Gaddamvaripalli River Sand Reach	18-Apr-22
2	SIA/AP/MIN/265825/2022	Somavaram River Sand reach	18-Apr-22
3	SIA/AP/MIN/265837/2022	Veeraballi River Sand reach	18-Apr-22
4	SIA/AP/MIN/265844/2022	Yerrabommanapalli River Sand reach	18-Apr-22
5	SIA/AP/MIN/263320/2022	S.S.B. PETA -4 ORDINARY SAND REACH	21-Apr-22
6	SIA/AP/MIN/263407/2022	NANDANAM-3 ORDINARY SAND REACH	21-Apr-22
7	SIA/AP/MIN/263442/2022	NANDANAM-5 ORDINARY SAND REACH	21-Apr-22
8	SIA/AP/MIN/263515/2022	SANAMBATLA SAND REACH	21-Apr-22
9	SIA/AP/MIN/265411/2022	ANAGALLU1 SAND REACH	21-Apr-22
10	SIA/AP/MIN/266255/2022	S.S.B.Peta 3 Sand Reach	21-Apr-22
11	SIA/AP/MIN/263420/2022	NANDANAM-4 ORDINARY SAND REACH	3-May-22
12	SIA/AP/MIN/263448/2022	B.K.BEDU-1 SAND REACH	3-May-22
13	SIA/AP/MIN/263455/2022	MUSALIPEDU-1 SAND REACH	3-May-22
14	SIA/AP/MIN/263464/2022	PENUMALLAM-1 SAND REACH	3-May-22
15	SIA/AP/MIN/263468/2022	VIRUPAKSHAPURAM SAND REACH	3-May-22
16	SIA/AP/MIN/263508/2022	RAMALINGAPURAM SAND REACH	3-May-22
17	SIA/AP/MIN/263518/2022	VAVILTHOTA SAND REACH	3-May-22
18	SIA/AP/MIN/266063/2022	Muthukuru 1 Sand Reach	3-May-22
19	SIA/AP/MIN/244063/2021	Ganiathkur-3 Sand reach	22-Jun-22
20	SIA/AP/MIN/263510/2022	RAMIREDDYPALLI SAND REACH	22-Jun-22
21	SIA/AP/MIN/263522/2022	KOTRAKONA-1 & NANDANOOR SAND REACH	22-Jun-22
22	SIA/AP/MIN/267329/2022	Vykuntapuram 4 Sand Reach	24-Jun-22
23	SIA/AP/MIN/267355/2022	Potharlanka 4 Sand Reach	24-Jun-22
24	SIA/AP/MIN/267373/2022	Annavaram 3 Sand Reach	24-Jun-22
25	SIA/AP/MIN/267387/2022	Bommuvanipalem 12 Sand Reach	24-Jun-22
26	SIA/AP/MIN/267393/2022	Bommuvanipalem 14 Sand Reach	24-Jun-22
27	SIA/AP/MIN/267427/2022	Bommivanipalem 15 Sand Reach	24-Jun-22
28	SIA/AP/MIN/267436/2022	Vallabhapuram 4 Sand Reach	24-Jun-22

29	SIA/AP/MIN/267451/2022	Veerlapalem 2 Sand Reach	24-Jun-22
30	SIA/AP/MIN/266667/2022	Pondugala Sand Reach	24-Jun-22
31	SIA/AP/MIN/267470/2022	Ambadipudi 6 Sand Reach	24-Jun-22
32	SIA/AP/MIN/267479/2022	Ambadipudi 7 Sand Reach	24-Jun-22
33	SIA/AP/MIN/267531/2022	Ambadipudi 8 Sand Reach	24-Jun-22
34	SIA/AP/MIN/267548/2022	Konuru 8 Sand Reach	24-Jun-22
35	SIA/AP/MIN/267554/2022	Konuru 9 Sand Reach	24-Jun-22
36	SIA/AP/MIN/271929/2022	Bommuvanipalem 13 Sand Reach	24-Jun-22
37	SIA/AP/MIN/271970/2022	Amaravathi 6 Sand Reach	24-Jun-22
38	SIA/AP/MIN/271980/2022	Vykuntapuram 3 Sand Reach	24-Jun-22
39	SIA/AP/MIN/265783/2022	Matli River Sand Reach	2-Aug-22
40	SIA/AP/MIN/279974/2022	CHENNAMUKKAPALLI RIVER SAND REACH	2-Aug-22
41	SIA/AP/MIN/280085/2022	KOTHAGANGIREDDYPALLY RIVER SAND REACH	2-Aug-22
42	SIA/AP/MIN/280182/2022	JAMMALAMADUGU RIVER SAND REACH	2-Aug-22
43	SIA/AP/MIN/279879/2022	JYOTHI RIVER SAND REACH III	4-Aug-22
44	SIA/AP/MIN/404891/2022	Mukkamala-1 Sand Reach	8-Dec-22
45	SIA/AP/MIN/288323/2022	Tatapudi/2022-4 Sand Reach Of M/s. Jaiprakash Power Ventures Limited	16-Dec-22
46	SIA/AP/MIN/288337/2022	Kapileswarapuram/2022-6 Sand Reach Of M/s. Jaiprakash Power Ventures Limited	16-Dec-22
47	SIA/AP/MIN/288378/2022	Kapileswarapuram/2022-7 Sand Reach Of M/s. Jaiprakash Power Ventures Limited	16-Dec-22
48	SIA/AP/MIN/405258/2022	Vegeswarapuram Sand reach 3.00 Ha.,	28-Dec-22
49	SIA/AP/MIN/405271/2022	Vegeswarapuram Sand Reach 4.98 Ha.,	28-Dec-22
50	SIA/AP/MIN/408376/2022	Proposed Ordinary Sand Mine in Junjurampalli SandReach-III of Hagari River by M/s. Jai Prakash PowerVentures Limited	13-Jan-23
51	SIA/AP/MIN/408396/2022	Proposed Ordinary Sand Mine in Peddapappuru SandReach of Penna River by M/s. Jai Prakash Power Ventures Limited	13-Jan-23
52	SIA/AP/MIN/408606/2022	Marali River Sand reache-I	13-Jan-23
53	SIA/AP/MIN/408829/2022	ILLURU RIVER SAND REACH	13-Jan-23
54	SIA/AP/MIN/408890/2022	Gudikambali River sand Reach - I	13-Jan-23
55	SIA/AP/MIN/408791/2022	GOVALANKA/2022-1 SAND REACH	13-Jan-23
56	SIA/AP/MIN/408826/2022	Pillanka/2022-3 Sand Reach	18-Jan-23

57	SIA/AP/MIN/408995/2022	Nagaladinne River Sand reach	18-Jan-23
58	SIA/AP/MIN/408927/2022	Gudikambali River sand Reach - III	18-Jan-23
59	SIA/AP/MIN/408973/2022	Marali sand Reach-II	18-Jan-23
60	SIA/AP/MIN/408912/2022	ALAMURU/2022-10 SAND REACH	18-Jan-23
61	SIA/AP/MIN/408892/2022	Pillanka/2022-2 Sand Reach	18-Jan-23
62	SIA/AP/MIN/408956/2022	Sompalli/2022-12 Sand Reach	18-Jan-23
63	SIA/AP/MIN/409563/2022	Proposed Ordinary Sand Mine in Veparalla Sand Reach-III of Hagari River by M/s. Jai Prakash Power Ventures Limited	18-Jan-23
64	SIA/AP/MIN/409567/2022	Proposed Ordinary Sand Mine in Nitturu Sand Reach of Chitravathi River by M/s. Jai Prakash Power Ventures Limited	18-Jan-23
65	SIA/AP/MIN/408665/2022	GUDIKAMBALI RIVER SAND REACH - II	22-Feb-23
66	SIA/AP/MIN/412983/2023	Kasarabada - 1 Sand Reach	22-Feb-23
67	SIA/AP/MIN/413011/2023	Kasarabada - 2 Sand Reach	22-Feb-23
68	SIA/AP/MIN/412798/2023	Pendyala - 2 sand Reach	22-Feb-23
69	SIA/AP/MIN/413083/2023	PENUGANCHIPROLU -1 SAND REACH	22-Feb-23
70	SIA/AP/MIN/413077/2023	Penuganchiprolu - 2 Sand Reach	22-Feb-23
71	SIA/AP/MIN/412915/2023	Pokkunuru - 1 Sand Reach	22-Feb-23
72	SIA/AP/MIN/412929/2023	Pokkunuru - 2 Sand Reach	22-Feb-23
73	SIA/AP/MIN/412936/2023	Pokkunuru - 3 Sand Reach	22-Feb-23
74	SIA/AP/MIN/412823/2023	Vemullapalli - 1 Sand Reach	22-Feb-23
75	SIA/AP/MIN/412831/2023	Vemulapalli - 2 Sand Reach	22-Feb-23
76	SIA/AP/MIN/413033/2023	Venganayakunipalem -1 Sand Reach	22-Feb-23
77	SIA/AP/MIN/412790/2023	Allurupadu - 1 Sand Reach	22-Feb-23
78	SIA/AP/MIN/412793/2023	Chevitikallu - 1 Sand Reach	22-Feb-23
79	SIA/AP/MIN/413027/2023	Eturu -1 Sand Reach	22-Feb-23
80	SIA/AP/MIN/412844/2023	Ganiathkuru - 1 Sand Reach	22-Feb-23
81	SIA/AP/MIN/412853/2023	Ganiathkuru - 2 Sand Reach	22-Feb-23
82	SIA/AP/MIN/412876/2023	Ganiathkuru -3 Sand Reach	22-Feb-23
83	SIA/AP/MIN/412775/2023	INDUGUPALLI 1 SAND REACH	22-Feb-23
84	SIA/AP/MIN/412780/2023	Kanniveedu - 1 Sand Reach	22-Feb-23

85	SIA/AP/MIN/412794/2023	Kunikinapadu - 1 Sand Reach	22-Feb-23
86	SIA/AP/MIN/412912/2023	Malkapuram - 1 Sand Reach	22-Feb-23
87	SIA/AP/MIN/412797/2023	Pendyala - 1 Sand Reach	22-Feb-23
88	SIA/AP/MIN/413062/2023	Senagapadu -1 Sand Reach	22-Feb-23
89	SIA/AP/MIN/413049/2023	Senagapadu - 2 Sand Reach	22-Feb-23
90	SIA/AP/MIN/412963/2023	Ustepalli - 1 Sand Reach	22-Feb-23
91	SIA/AP/MIN/414043/2023	VIRUVURU - III SAND REACH	22-Feb-23
92	SIA/AP/MIN/409060/2022	IBRAHIMPETA-GANAPAVARAM SAND REACH	27-Feb-23
93	SIA/AP/MIN/416331/2023	Amballavalasa Sand Reach	27-Feb-23
94	SIA/AP/MIN/416412/2023	Dompaka Sand Reach (4.20 Ha.,)	27-Feb-23
95	SIA/AP/MIN/416422/2023	Gopalapenta Sand Reach	27-Feb-23
96	SIA/AP/MIN/415061/2023	Y.V.PALEM/2022-13 SAND REACH	2-Mar-23
97	SIA/AP/MIN/415931/2023	B.N.R. PETA -II SAND REACH (NEEVA RIVER)	9-Mar-23
98	SIA/AP/MIN/415936/2023	KOTRAKONA-II SAND REACH IN (NEEVA RIVER)	9-Mar-23
99	SIA/AP/MIN/415938/2023	MUKKALATURU SAND REACH IN (NEEVA RIVER)	9-Mar-23
100	SIA/AP/MIN/415949/2023	MUKKARAVANIPALLI SAND REACH	9-Mar-23
101	SIA/AP/MIN/415954/2023	RAMAPURAM SAND REACH	9-Mar-23
102	SIA/AP/MIN/415972/2023	UTHARA BRAHMANAPALLI SAND REACH IN (BAHUDA RIVER)	9-Mar-23
103	SIA/AP/MIN/415978/2023	VAVILTHOTA-II SAND REACH	9-Mar-23
104	SIA/AP/MIN/416119/2023	Proposed Ordinary Sand Mine in Kodigenahalli Sand Reach of Penna River by M/s. Jai Prakash Power Ventures Limited	9-Mar-23
105	SIA/AP/MIN/416121/2023	Proposed Ordinary Sand Mine in Thumukunta Sand Reach of Penna River by M/s. Jai Prakash Power Ventures Limited	9-Mar-23
106	SIA/AP/MIN/416470/2023	Lukalam Sand Reach	9-Mar-23
107	SIA/AP/MIN/416503/2023	Purushothapuram-1 Sand Reach (4.82 Ha.,)	9-Mar-23
108	SIA/AP/MIN/416565/2023	Purushothapuram-2 Sand Reach (4.62 Ha.,)	9-Mar-23
109	SIA/AP/MIN/416593/2023	Muddadapeta Sand Reach	9-Mar-23
110	SIA/AP/MIN/416594/2023	Venkatapuram Sand Reach	9-Mar-23

4/25/23, 12:41 PM

Gmail - SEIAA, A.P. - Directions issued to Sand Reaches in the State of Andhra Pradesh - Reg



seiaa ap <seiaaap2023@gmail.com>

SEIAA, A.P. - Directions issued to Sand Reaches in the State of Andhra Pradesh - Reg

2 messages

seiaa ap <seiaaap2023@gmail.com>

Tue, Apr 25, 2023 at 12:39 PM

To: dmgap@ap.gov.in, jpvleco@gmail.com, jpyt.sand@gmail.com, ganiathkur1234@gmail.com, jppvl@yahoo.com, jwestgodavari1@gmail.com, jaiprakashsand@gmail.com, jpeastec@gmail.com, jpsklm23.ec@gmail.com, jpvl.investor@jalindia.co.in, quarrygirijanasociety.ec@gmail.com

Cc: pvr_reddy59@yahoo.co.in, pvrreddy@yahoo.com, Chalapathipasala@gmail.com, chiefengineer@appcb.gov.in, membersecy@appcb.gov.in

Sir/Madam,

The directions issued to the sand reaches are herewith attached to take necessary action. List of sand reaches is attached .

with regards
for SEIAA ,AP

2 attachments

list of Issued EC sand Mines.pdf
77K

Ngt sand directions despatched letter.pdf
697K

seiaa ap <seiaaap2023@gmail.com>

Tue, Apr 25, 2023 at 12:41 PM

To: suresh.pasupuleti@gov.in

[Quoted text hidden]

2 attachments

list of Issued EC sand Mines.pdf
77K

Ngt sand directions despatched letter.pdf
697K

File No.APPCB-11033/181/2023-TEC-EC-APPCB

	State Level Environment Impact Assessment Authority (SEIAA)
	Andhra Pradesh
	Ministry of Environment, Forests & Climate Change,
	Government of India
D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010	

Lr. No. SEIAA/AP/MIN/Sand/Directions issued/2021-65 13/06/2023

To
The Director,
Mines & Geology Dept, Govt. of A.P.,
D.No. 7-104, B-Block, 5th & 6th floors,
Sri Anjaneya Towers, Ibrahimpatnam,
Vijayawada- 521456, Andhra Pradesh



Sir,

Sub: SEIAA, A.P - Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021, E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ) and additional affidavit in E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ) - On Sand Mining in Andhra Pradesh - Action taken report - Request - Reg.

- Ref:
1. The Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021.
 2. The Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ).
 3. T. O. Order No. SEIAA/AP/MIN/Sand/Directions issued/2021, dt.24.04.2023.
 4. Additional affidavit in E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ).
 5. The Hon'ble NGT order in E.A.04 of 2023 in O.A. No.187 of 2021(SZ), dated 26.05.2023.

In the reference 1st cited, the Hon'ble NGT vide Order dated 23.03.2023 issued directions to SEIAA in O.A.Nos.152/2021 & 53/2022 and 187/2021.

In the reference 3rd cited, the SEIAA issued directions to 110 operating Sand Mines to M/s Jaiprakash Power Ventures Limited and the Director of Mines & Geology as per the Hon'ble NGT Order in O.A.Nos.152/2021 & 53/2022 and 187/2021.

Subsequently, the appellant filed an execution application E. A. No. 04 of 2023 in O. A. No.187 of 2021(SZ) vide reference 2nd cited and the Hon'ble NGT vide order dated 26.05.2023 stated as follows:

"The project proponents are continuing with their work despite the order stating that all works should be stopped forthwith"

In the reference 4th cited, an additional counter affidavit was filed on 24.05.2023 before Hon'ble NGT against the Sand Mines operating illegally in certain villages. The copy of the same is attached for information.

In view of the above, it is requested to direct the concerned officer to verify the facts and to take necessary **action immediately** as per the Hon'ble NGT orders dated

DESPATCHED
S. P. S.
14/06/2023

23.03.2023 & 26.05.2023, under intimation to this office to avoid legal complications.

Yours faithfully

Special Secretary To Govt
Member Secretary,
SEIAA, A.P.

Copy to

1. The Member Secretary, APPCB for kind information and necessary action.
2. The Member Secretary, SEAC, A.P for kind information .
3. The IRO, MoEF&CC, Vijayawada for kind information and necessary action.



Signed by Dr P V
Chalapathi Rao
Date: 13-06-2023 16:38:37
Reason: Approved

27/06/2023, 20:03

Gmail - SEIAA,A.P-Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ) on Illegal Sand Mining - Necessary action-re...



seiaa ap <seiaaap2023@gmail.com>

SEIAA,A.P-Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ) on Illegal Sand Mining - Necessary action-requested - Reg

1 message

seiaa ap <seiaaap2023@gmail.com>

Mon, Jun 19, 2023 at 10:48 AM

To: dmgap@ap.gov.in, directormines@yahoo.co.in

Cc: pvr_reddy59@yahoo.co.in, Chalapathi Rao Pasala <Chalapathipasala@gmail.com>

Sir,

The SEIAA issued directions to 110 operating Sand Mines to M/s Jaiprakash Power Ventures Limited and The Director of Mines & Geology as per the Hon'ble NGT Order in O.A.Nos.152/2021 & 53/2022 and 187/2021.

The appellant filed an execution application E. A. No. 04 of 2023 in O. A. No.187 of 2021(SZ) and the SEIAA filed a counter in Hon'ble NGT.

Subsequently, the appellant filed an additional counter affidavit filed on 24.05.2023 before Hon'ble NGT against the Sand Mines operating illegally in certain villages around Krishna River.

In view of the above, it is requested to direct the concerned officer to verify the facts and take necessary action immediately as per the Hon'ble NGT orders dt.23.05.2023 & 26.05.2023, under intimation to this office to avoid legal complications.

with regards,
For SEIAA,A.P.

 **SEIAA letter to DMG on NGT orer.pdf**
492K

o/c

File No.APPCB-11033/149/2023-TEC-EC-APPCB

	State Level Environment Impact Assessment Authority (SEIAA)
	Andhra Pradesh
	Ministry of Environment, Forests & Climate Change
	Government of India
	D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010.

REGD.POST WITH ACK.DUEOrder No. SEIAA/AP/MIN/Sand/Directions issued/2021-24/04/2023

Sub: SEIAA, A.P. – 110 Nos of EC orders issued to Sand Reaches in the State of Andhra Pradesh – Directions - Issued - Reg.

Ref: Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021.

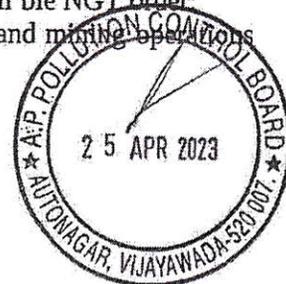
**

1. The SEIAA, AP had issued Environmental Clearances to the Sand reaches – (110 Nos), the project proponent being M/s. Jai Prakash Power Ventures Limited / Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District in the State of Andhra Pradesh for a period of 1 year stipulating the following condition:

A. Specific Condition:

" The project proponent shall carryout mining only one meter depth sand from the top Semi-Mechanized mining method and no underwater mining is undertaken".

2. In the reference cited above, the Hon'ble NGT had issued the following directions to the SEIAA, A.P in O.A.Nos.152/2021 & 53/2022 and 187/2021.
 - a. The amendments granted to the Environmental Clearance and Sl. No. 1 to 10, table-1 permitting Semi-mechanized mining under B2 category and all Environmental Clearances under B2 category permitting Semi-mechanized sand mining i.e. Sl. No. 11 to 18 are declared to be illegal and set aside as they are violating of guidelines issued for B2 category and are also in violation of sustainable sand mining management guidelines 2016.
 - b. The operation should be stopped forthwith and project proponent may be directed by SEIAA to obtain afresh Environmental Clearance before proceeding further.
 - c. SEIAA, Andhra Pradesh is directed to verify all the Environmental Clearances granted for sand mining under „B2“ Category if permission has been granted for semi[1]mechanized or mechanized mining and re-examine the proposal either under „B2“ category (manual mining) or „B1“ Category (if semi-mechanized or mechanized mining is sought) following the prescribed procedures.
3. The issue was examined by the SEIAA, A.P and decided to issue the following directions to the project proponent in compliance with Hon'ble NGT order:
The proponent is directed to stop all Semi-mechanized sand mining operations



25/04/2023
DESPATCHED

File No.APPCB-11033/149/2023-TEC-EC-APPCB

immediately till obtain fresh EC before proceeding further.

In view of the above, the SEIAA hereby issues the following direction in compliance with Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021: "The proponent is directed to stop all Semi-mechanized sand mining (Listed in Annexure) operations immediately as per Hon'ble NGT directions cited above".

Further this direction is also applicable to all Sand mining activities for which ECs issued under Semi-mechanized mining even if it is not listed in the above Annexure.

No mining / construction / expansion or development work shall be carried out without obtaining Environmental Clearance as per the provisions laid under E(P) Act, 1986 and EIA notification 2006 dt.14.09.2006 and its amendments thereof failing which you are liable for penal action under section 15 of E(P) Act, 1986.

**MEMBER SECRETARY,
SEIAA, A.P.**

Special Secretary To Govt
**MEMBER, CHAIRMAN,
SEIAA, A.P. SEIAA, A.P.**

To

1. M/s Jaiprakash Power Ventures Limited,
2nd Floor 40-14-7, Chandra Moulipuram, Benz circle, Vijayawada, Krishna District,
Andhra Pradesh-520010
2. The Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District

Copy to:

1. The Chairman, SEAC, A.P. for kind information.
2. The Member Secretary, APPCB for necessary action.
3. The Regional Officer, MoEF&CC, GoI, Vijayawada for necessary action.

Signed by Dr P V
Chalapathi Rao
Date: 24-04-2023 21:34:21
Reason: Approved



seiaa ap <seiaaap2023@gmail.com>

SEIAA,A.P - The additional affidavit of Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ) on Illegal Sand Mining - Communicated - Reg

2 messages

seiaa ap <seiaaap2023@gmail.com>

Thu, May 25, 2023 at 4:49 PM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in

Cc: dmgap@ap.gov.in, pvr_reddy59@yahoo.co.in, pvrreddy@yahoo.com, Chalapathipasala@gmail.com, rogtr-ee1@appcb.gov.in

Sir,

The SEIAA issued directions to 110 operating Sand Mines to M/s Jaiprakash Power Ventures Limited and The Director of Mines & Geology as per the Hon'ble NGT Order in O.A.Nos.152/2021 & 53/2022 and 187/2021, marking a copy to APPCB to take necessary action.

The appellant filed an execution application E. A. No. 04 of 2023 in O. A. No.187 of 2021(SZ) and the SEIAA filed a counter in Hon'ble NGT.

Now an additional counter affidavit filed on 24.05.2023 before Hon'ble NGT against the Sand Mines operating illegally in certain villages around Krishna River. The copy of the same is attached for information.

In view of the above, it is requested to direct the concerned Regional Office to verify the facts and to take necessary action in the matter under intimation to this office. The para wise remarks on the additional affidavit may also be forwarded after verification of facts by concerned RO, to this office so as to file a counter in the Hon'ble NGT, Chennai.

With regards,
For SEIAA, A.P.

3 attachments

-  **Additional Affidavit on behalf of the Applicant.pdf**
6138K
-  **SEIAA directions on Sand reaches.pdf**
697K
-  **List of Sand Mines - ECs 110 Sand directions in O A No 152 of 2021.pdf**
400K

seiaa ap <seiaaap2023@gmail.com>

Tue, Jun 20, 2023 at 4:37 PM

To: seacap2020@gmail.com

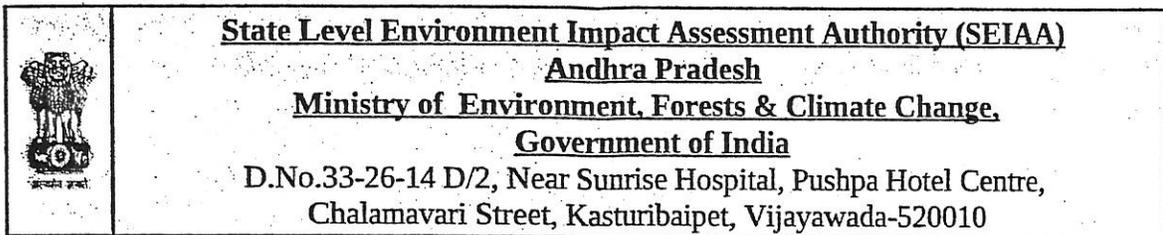
3 attachments

27/06/2023, 20:23

Gmail - SEIAA,A.P - The additional affidavit of Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ) on Illegal Sand Mi...

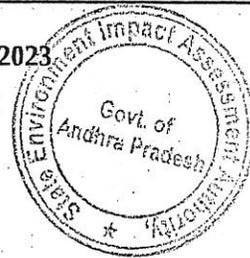
-  **Additional Affidavit on behalf of the Applicant.pdf**
6138K
-  **SEIAA directions on Sand reaches.pdf**
697K
-  **List of Sand Mines - ECs 110 Sand directions in O A No 152 of 2021.pdf**
400K

File No.APPCB-11033/181/2023-TEC-EC-APPCB



Lr. No. SEIAA/AP/MIN/Sand/Directions issued/2021 -66 13/06/2023

To
The Member Secretary,
A.P. Pollution Control Board,
Board Office, Vijayawada.



Sir,

Sub: SEIAA, A.P - Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021, E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ) and additional affidavit in E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ) - On Sand Mining in Andhra Pradesh - Action taken report - Request - Reg.

- Ref:
1. The Hon'ble NGT order in O.A.Nos.152/2021 & 53/2022 and 187/2021.
 2. The Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ).
 3. T. O. Order No. SEIAA/AP/MIN/Sand/Directions issued/2021, dt.24.04.2023.
 4. Additional affidavit in E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ).
 5. The Hon'ble NGT order in E.A.04 of 2023 in O.A. No.187 of 2021(SZ), dated 26.05.2023.
 6. G.O. Ms.No.120, dated 01.11.2018 issued by EFS&T Dept., Govt of A.P.
 7. MoEF&CC, GoI, New Delhi Notification S.O.No.804(E), dated 14th March, 2017.

In the reference 1st cited, the Hon'ble NGT vide Order dated 23.03.2023 issued directions to SEIAA in O.A.Nos.152/2021 & 53/2022 and 187/2021.

In the reference 3rd cited, the SEIAA issued directions to M/s Jaiprakash Power Ventures Limited and the Director of Mines & Geology as per the Hon'ble NGT Order in O.A.Nos.152/2021 & 53/2022 and 187/2021 to stop all Semi-mechanized sand mining operations immediately.

Subsequently, the appellant filed an execution application E. A. No. 04 of 2023 in O. A. No.187 of 2021(SZ) and the Hon'ble NGT vide order dated 26.05.2023 stated as follows:

"The project proponents are continuing with their work despite the order stating that all works should be stopped forthwith"

In the reference 4th cited, an additional counter affidavit was filed on 24.05.2023 before Hon'ble NGT against the Sand Mines operating illegally in certain villages. A copy of the same is attached for information.

In the reference 6th cited, the EFS&T Dept., issued G.O.Ms.120 dated.01.11.2018. As

DESPATCHED
S. P. S. J.
14/06/2023

per the G.O., the APPCB is the monitoring agency to SEIAA, A.P. Further, in the reference 7th cited, the MoEF&CC issued Notification dated 14.03.2017 for taking action against violation cases.

In view of the above, it is requested to verify the facts and take necessary action immediately. The action taken report may be intimated to this office so as to submit the action taken report to Hon'ble NGT, Chennai to avoid legal complications.

Yours faithfully

Special Secretary To Govt
Member Secretary,
SEIAA, A.P.

Copy to

1. The Director, Mines & Geology Dept, Govt. of A.P., D.No. 7-104, B-Block, 5th & 6th floors, Sri Anjaneya Towers, Ibrahimpatnam, Vijayawada- 521456, Andhra Pradesh for kind information.
2. The Member Secretary, SEAC, A.P for kind information.
3. The IRO, MoEF&CC, Vijayawada for kind information and necessary action.



Signed by Dr P V
Chalapathi Rao
Date: 13-06-2023 16:40:12
Reason: Approved



seiaa ap <seiaaap2023@gmail.com>

SEIAA,A.P-Hon'ble NGT in E.A.04 of 2023 in O.A. No.187 of 2021(SZ) on Illegal Sand Mining - action taken report-requested - Reg

1 message

seiaa ap <seiaaap2023@gmail.com>

Mon, Jun 19, 2023 at 10:28 AM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in

Cc: pvr_reddy59@yahoo.co.in, Chalapathi Rao Pasala <Chalathipasala@gmail.com>

Sir,

The SEIAA issued directions to 110 operating Sand Mines to M/s Jaiprakash Power Ventures Limited and The Director of Mines & Geology as per the Hon'ble NGT Order in O.A.Nos.152/2021 & 53/2022 and 187/2021, marking a copy to APPCB to take necessary action.

The appellant filed an execution application E. A. No. 04 of 2023 in O. A. No.187 of 2021(SZ) and the SEIAA filed a counter in Hon'ble NGT.

Subsequently, the appellant filed an additional counter affidavit filed on 24.05.2023 before Hon'ble NGT against the Sand Mines operating illegally in certain villages around Krishna River.

In view of the above, it is requested to verify the facts and take necessary action immediately. The action taken report may be intimated to this office so as to submit the action taken report to Hon'ble NGT, Chennai to avoid legal complications.

with regards,
For SEIAA,A.P.

 SEIAA letter to APPCB on NGT order.pdf
576K

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

EFS&T Department – Notify the A.P. Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental and CRZ Clearance (s) granted by the SEIAA and DEIAA - Notification - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.I) DEPARTMENT

G.O.MS.No. 120

**Dated: 01-11-2018.
Read the following.**

From the Addl.PCCF (Central), MoEF&CC, GoI, Regional Office (South Eastern Zone), Chennai, Lr.F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017.

&&&

ORDER:

The following notification shall be published in an Extraordinary issue of the Andhra Pradesh Gazette; Dated.01.11.2018.

NOTIFICATION

In pursuance of the Ministry of Environment, Forests & Climate Change, Letter F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017, the Governor of Andhra Pradesh hereby notify the Andhra Pradesh Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental and CRZ Clearance (s) granted by the State level Environment Impact Assessment Authority and District level Environment Impact Assessment Authority of Andhra Pradesh, with immediate effect.

2. The Member Secretary, Andhra Pradesh Pollution Control Board shall take further necessary action in the matter accordingly.

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

**G. ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Member Secretary, A.P. Pollution Control Board, Vijayawada
The Member Secretary, SEIAA, O/o Andhra Pradesh Pollution Control Board
All District Magistrate & Collectors in the State

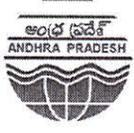
Copy to:

The PS to Minister for EFS&T
The PS to Principal Secretary, EFS&T
The Law (G) Department
The MoEFS&CC, Regional Office (South Eastern Zone),
1st & 2nd Floor, HEPC Building No. 34,
Cathedral Garden Road, Nungam Bakkam, Chennai.

//FORWARDED:: BY ORDER//

SECTION OFFICER

File No.APPCB-13024/11/2023-LEGAL SEC-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
Dr. YSR Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200, Website : https://pcb.ap.gov.in/

**Lr No. APPCB/ Legal /11023/15/2023****26/06/2023****To,**

The Director of Mines & Geology Dept,
 Govt. of A.P.,
 D.No. 7-104, B-Block,
 5th & 6th floors, Sri Anjaneya Towers,
 Ibrahimpatnam, Vijayawada- 521456

Sir,

Sub	APPCB – Directions dt 24.04.2023 of SEIAA issued to the proponent & Director : Mines and Geology to stop all semi-mechanized sand mining operations - Hon'ble NGT order in E.A. No.04 of 2023 in O.A. No.187 of 2021(SZ) dt 26.05.2023 – compliance status report – Called for - Reg.
Ref:	<ol style="list-style-type: none"> 1. The Hon'ble NGT order dt 23.03.2023 in O.A.Nos.152/2021 & 53/2022 and 187/2021. 2. SEIAA Order No. SEIAA/AP/MIN/Sand/Directions issued/2021-27, dt.24.04.2023. 3. The Hon'ble NGT order in E.A.04 of 2023 in Q.A. No.187 of 2021(SZ), dated 26.05.2023. 4. SEIAA Ir No SEIAA/AP/MIN/sand/Directions issued/2021 – 65 & 66 dt 13.06.2023 5. Telephonic discussions held on 26.06.2023.

It is to inform that the Hon'ble NGT vide Order dated 23.03.2023 (ref 1) issued certain directions to State Level Environment Impact Assessment Authority (SEIAA) in O.A.Nos.152/2021 & 53/2022 and 187/2021.

In compliance with the above order, the SEIAA vide ref 2nd cited (copy enclosed) issued directions to M/s Jaiprakash Power Ventures Limited and the Director of Mines & Geology to stop all Semi-mechanized sand mining operations in 110 sand reaches (list enclosed) immediately. Further they were also directed to stop all sand mining activities for which Environmental Clearances were issued by SEIAA for semi-mechanized mining even if it is not listed in said 110 sand reaches.

Subsequently, the appellant filed an execution application E. A. No. 04 of 2023 in O.A. No.187 of 2021(SZ) alleging that the project proponents are continuing with their work despite the order stating that all works should be stopped forthwith. The applicant has also produced an additional affidavit (copy enclosed) along with photographs with latitude and longitude details which make evidence that work is being carried on by the project proponents. The matter is listed for hearing on 11.07.2023. A copy of the Hon'ble NGT order dt 26.05.2023 is attached for information.

File No.APPCB-13024/11/2023-LEGAL SEC-APPCB

The SEIAA vide ref 4th cited requested the Director, Mines & Geology dept and APPCB to verify the facts and to take necessary action immediately.

In this connection it is also to inform that the Govt of AP notified Amendment to Andhra Pradesh Minor Mineral Concession Rules,1966 vide GO MS No. 71, dt 04.09.2019 (copy enclosed) and the procedures for complaint redressal mechanism, constitution of Complaint Redressal Committee/ Enquiry Team, officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining/stocking/hording/selling/black marketing; etc are specified.

In view of the urgency in the matter and as per our discussions held on 26.06.2023, you are requested to get the facts verified and ensure implementation of Hon'ble NGT orders and subsequent stop operation orders issued by SEIAA.

It is requested to furnish a detailed status report in the matter urgently by 03.07.2023 without fail, for filing Action Taken Report by SEIAA in Hon'ble NGT, Chennai to avoid legal complications.

Encl: a/a

Yours faithfully,

B Sreedhar Ias

MEMBER SECRETARY

Copy to

1. The Member Secretary, SEIAA, A.P for information.
2. The CEE, APPCB, Head Office
3. To all ZOs & ROs .

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Regulation of Sand Mining in the State - Amendment to Andhra Pradesh Minor Mineral Concession Rules, 1966 - Orders - Issued

=====

INDUSTRIES, INFRASTRUCTURE, INVESTMENT & COMMERCE (MINES-II)
DEPARTMENT

G.O.MS.No. 71

Dated: 04-09-2019.
Read the following:

1. G.O.Ms.No.1172, Ind. & Com. Dept, dt:04-09-1967.
2. Govt. Memo.No.3066/M.II(1)/2016-3, Dt:04.03.2016.
3. Govt. Memo.No.3066/M.II(1)/2016-4, Dt:10.03.2016.
4. Govt. Memo.No.3066/M.II(1)/2016-7, Dt:22.03.2016.
5. G.O.Ms.No.42, Ind. & Com. (M.II) Dept., Dt:29.03.2016.
6. G.O.Ms.No.43, Ind. & Com. (M.II) Dept., Dt:06.04.2016.
7. G.O.Ms.No.104, Ind. & Com. (M.II) Dept., Dt:26.07.2017.
8. Government Memo No.6950/M.II(1)/2017-4, Dt. 07-06-2018
9. G.O.Ms.No.76, Ind. & Com. (M.II) Dept., Dt:25.06.2018
10. Govt. Memo.No. 3066/M-II(1)/2016-12 dt. 11.06.2019
11. Govt. Memo.No. 3066/M-II(1)/2016-14 dt. 12.06.2019
12. G.O.Ms.No.38, Ind. & Com. (M.II) Dept., Dt:17.03.2016
13. G.O.Ms.No.70, Ind. & Com. (M.II) Dept., Dt:04.09.2019
14. From the DMG, A.P., e-file No.INC01/MG0-POLI/18/2019-M.II (Computer No.910066)

ORDER:-

In the G.O. 13th read above, Government have introduced a New Sand Policy 2019, and decided to issue amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. Accordingly, the following notification shall be published in the Extra-Ordinary issue of the Andhra Pradesh Gazette dt.04.09.2019.

NOTIFICATION

In supersession of the orders issued in the references 2nd to 10th read above and other relevant notification / orders issued if any on the subject and in exercise of the powers conferred under sections 15 (1), (1A), 21 (2), 22, 23 and 23(c) of MMDR Act, 1957, the Government hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries (B-1), 4th September, 1967 as subsequently amended.

AMENDMENT

In the said rules, for the rule 9-B and the paras appended therein, the following shall be substituted namely,-

(1) Sand sourced from Rivers & Streams**(a) Sand extraction in I, II and III order streams:**

- (i) Sand extraction shall not be permitted in notified over-exploited areas except for local use in villages or towns bordering the Streams for bonafide purposes
- (ii) The Sand extraction shall be as per Rule 23-(1) (a) of Water Land and Tree Rules, 2004 or any subsequent rules/amendments to be issued by Government from time to time.
- (iii) Transportation of sand shall be by means of bullock carts/Tractors to the nearest specified stockyard only within the jurisdiction of the concerned Districts.
- (iv) The sand shall be supplied for local use within the District from the Specified stockyards as follows:

- (a) Sand may be sourced from streams of I, II and III order for local needs by bullock carts. In such cases, the Tahsildar of Mandal concerned shall issue a permit on payment of sale price per ton, as fixed by the Government.
- (b) Sand should be made available for Government sponsored weaker section housing schemes free of cost duly paying applicable charges on a certificate issued by the District Collector or any officer authorized by the District Collector;
- (c) Sand is supplied for local use of sand in Government works on payment of Sale price and other applicable taxes & charges.
- (d) M/s APMDC Ltd shall dispose the Sand as per the procedure laid down in the sub-rule 1(d) of Rule 9-B below.

- (v) The District Collector shall put in place proper administrative mechanism for enforcement of WALTA regulations in extraction and transportation of sand in I, II and III order Streams comprising of:

- (a) Tahsildar concerned
- (b) Representative of Deputy Director, Ground water Department.
- (c) Assistant Engineer / Deputy Executive Engineer (concerned), RWS/Irrigation Department
- (d) Station House Officer (concerned), Police Department
- (e) Assistant Motor Vehicle Inspector / Motor Vehicle Inspector (concerned) from Transport Department

(b) Identification of Sand reaches in IV, V and Higher order streams**(i) Constitution of District Level Sand Committee (DLSC):**

The identification of feasible sand bearing areas in IV, V and above

order streams/rivers for extraction shall be done by the District Level Sand Committee. The members of the committee are as follows:

- (a) District Collector : Chairman
- (b) Joint Collector : Vice-Chairman
- (c) *Project Officer, ITDA concerned. : Member
- (d) Superintendent of Police: Member
- (e) District Panchayat Officer : Member
- (f) Regional Transport Officer: Member
- (g) Dy. Director, Ground Water Dept. : Member
- (h) Executive Engineer, Irrigation/River Conservator. : Member
- (i) Executive Engineer, Rural Water Supply : Member
- (j) Environmental Engineer, Andhra Pradesh State Pollution Control Board. Member
- (k) Assistant Director of Mines & Geology concerned: Member
- (l) Deputy Director of Mines & Geology concerned. : Member-Convener
- (m) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited : Member
- (n) Any other invitees as suggested by the Chairman

*In case of sand reaches falling partly or fully in Scheduled Areas.

- (ii) The Member-Convener shall convene the District Level Sand Committee (DLSC) meetings frequently to ensure sand availability in the District.
- (iii) The Deputy Director of Mines & Geology concerned shall identify the potential sand bearing areas on regular basis and place proposals for extraction before District Level Sand Committee.
- (iv) The Chairman, District Level Sand Committee shall order for joint inspection of identified sand bearing areas and obtain reports from the following:
 - (a) The Revenue Department shall demarcate the specified sand bearing area, where Sand is feasible for extraction, as per the geo-coordinates recorded along with two permanent reference points and furnish the sketch.
 - (b) The Ground Water Dept. shall issue the feasibility report under Water, Land and Tree Rules, 2004 or any subsequent rules/ amendments to be issued by the Govt. from time to time, record the geo-coordinates of the specified sand bearing area as marked on ground by the Revenue Dept., with two permanent reference points along with specific recommendations on the thickness and mode of sand extraction.
 - (c) The Executive Engineer/River Conservator shall issue clearance for the specified sand bearing areas with Geo-coordinates along with details of the ramps.
 - (d) The Assistant Director of Mines & Geology concerned shall arrive at the quantity of sand feasible to be extracted basing on the Ground Water Department's feasibility report.

- (e) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited shall accompany the team during the joint inspection to plan the subsequent operations.
- (v) The Collector & Chairman, District Level Sand Committee shall finalize the specified sand bearing areas based on Joint Inspection report and order the Deputy Director of Mines & Geology to obtain Approved Mining Plan, Environmental Clearance, Consent for Establishment and Consent for Operation from the competent authorities in the name of District Collector.
- (vi) After obtaining Statutory Clearances, District Collector shall entrust the work to M/s APMDC Ltd. and M/s APMDC Ltd. shall start extraction from the specified sand bearing area.

(c) Extraction of sand from specified sand bearing areas:

M/s. Andhra Pradesh Mineral Development Corporation Ltd. shall:

- (i) Extract sand by engaging a raising contractor from the specified sand bearing area to an approved stock yard. The raising contractor will be selected through a competitive reverse bidding process.
- (ii) Ensure the extraction of sand shall be as per the approved mining plan, Environment Clearance & CFE/CFO.
- (iii) Ensure that the extracted sand shall be moved to specified stock yards along with the Trip sheet in Form-S1.
- (iv) Establish CCTV cameras for monitoring of sand operations and vehicular movement.

(d) Disposal of sand from specified Stockyards:

M/s. Andhra Pradesh Mineral Development Corporation Ltd. shall:

- (i) Collect sale price and other applicable taxes and charges from the purchaser of Sand and credit the same to the Government Treasury account through the online system and issue Sand Sale Booking order in Form- S2 to the customer.
- (ii) Load the sand as per the approved capacity of the vehicle through weighment. In case of exigency, volume based loading is permitted for only a limited period.
- (iii) Issue Sand Waybill in Form -S3 to the vehicle driver prior to dispatch of sand from the stockyard
- (iv) Maintain daily production and dispatch register and statutory returns/clearances prescribed under various statutes
- (v) Furnish a sand reach area-wise monthly and yearly returns statement in Form -S4 and Form -S5 on the quantity of sand excavated and transported to specified stockyard(s) as well as sand dispatched from the specified stockyard to the end customers.
- (vi) Establish weighbridges and CCTV cameras to monitor sand operations and vehicular movement

- (vii) Put in place a system for real time tracking of sand carrying vehicles with GPS devices till the sand is delivered to the end consumer.

(e) Regulation of sand transportation in IV, V and above order streams/ Rivers:

- (i) The sand extracted from IV, V and above order Streams/Rivers shall be utilized anywhere within the State.
- (ii) The District Collector shall put in place a proper administrative mechanism for enforcement of extraction and transportation of sand by constituting Mandal level teams
- (iii) Sand used in the weaker section housing programme shall be exempted from any fee on a certificate issued by the District Collector or any officer authorized by District Collector.
- (iv) The period of extraction shall be One (1) year from the date of Consent for Operation (CFO) or exhaustion of permitted quantity whichever is earlier.
- (v) The DLSC shall review the status of Sand quarry at least thirty (30) days before the date of expiry of CFO or exhaustion of permitted quantity and order for joint inspection to explore continuation of extraction.
- (a) If the specified sand bearing area is feasible for sand extraction, the Chairman-DLSC shall call for Approved Mining Plan, EC, CFE & CFO and approve for continuation of extraction upon receipt of statutory clearances.
- (b) If the specified sand bearing area is not feasible for sand extraction, the Chairman-DLSC shall order for stoppage of sand extraction for a specified period

(f) Constitution of State Level Committee (SLC):

- (i) The State Level Committee shall consists of the following Officers:

State Level Committee	
Chief Secretary	Chairman
Director General of Police	Member
Secretary, Mines, III & Com. Dept	Member
Secretary, Revenue Dept.	Member
Secretary, PR & RD Dept..	Member
Secretary, Water Resource Dept.	Member
VC&MD, M/s APMDC Ltd	Member
Commissioner, Rural Development	Member
Commissioner, Transport Dept.	Member
Member-Secretary, APPCB	Member
Director, Ground Water Dept.	Member

Engineer-in-Chief, Irrigation Dept.	Member
Director of Mines & Geology	Member – Secretary
And any invitees as suggested by the Chairman	

- (ii) The State Level Committee shall meet periodically to take up review of the performance of Sand extraction in the state, examine the matters referred by District Level Sand Committee for review of any statutory provisions and issue necessary guidelines for proper implementation of the Rules.

(g) Complaint Redressal Mechanism:

A complaint Redressal mechanism is established to redress the grievances/complaints made by any citizen/NGOs in an effective and time bound manner:

- (i) Complaint Redressal Committee comprises of the following:
- (a) Collector and District Magistrate concerned –Chairman.
 - (b) Superintendent of Police of concerned District –Member.
 - (c) Deputy Director of Mines and Geology concerned–Member – Convener.
- (ii) Enquiry Team comprises of:
- (a) Revenue Divisional Officer concerned.
 - (b) Deputy Superintendent of Police concerned.
 - (c) Assistant Director of Mines and Geology concerned.
- (iii) The procedure of the Complaint Redressal Committee (CRC) is as follows:
- (a) Any person/Non-Governmental Organization/party may file a complaint regarding illegal sand mining, illegal transportation and illegal stocking to the Collector and District Magistrate with material evidence either through online or otherwise. Each such complaint will be uniquely numbered.
 - (b) On receipt of such complaint, the Collector and District Magistrate, shall forward the complaint to the enquiry team to conduct enquiry by duly causing inspection by calling the complainant and the other party if any, and submit enquiry report within thirty (30) days from the date of receipt of complaint.
 - (c) On receipt of enquiry report, the Complaint Redressal Committee shall take the decision on the report of the Enquiry team and pass speaking orders within fifteen (15) days.

(d) If aggrieved by the orders passed by the complaint redressal committee, the complainant may prefer an appeal before the State Level Redressal Committee comprising of :

- (i) Prl. Secretary/Secretary Mines, Industries & Commerce Department - Chairman
- (ii) Additional Director General (Law and order) of Police - Member
- (iii) Director of Mines & Geology – Member - Convener

The State Level Redressal Committee after due consideration shall dispose the appeal and pass speaking orders within thirty (30) days from the date of filing of appeal.

(2) De-Siltation of Dams/Reservoirs/Barrages/Large Tanks:

The Irrigation Department shall take-up de-siltation of Dams, Reservoirs, Barrages and large tanks directly or by allotting the work to M/s APMDC Ltd.

(a) De-siltation of sand by Irrigation Department

- (i) The Executive Engineer, Irrigation Department shall define and demarcate the area to be de-silted with Geo-coordinates for the purpose.
- (ii) There shall be joint inspection of the demarcated area by the Assistant Director of Mines & Geology concerned, Executive Engineer, Irrigation Department and nominee of M/s. Andhra Pradesh Mineral Development Corporation Ltd. to ensure that the demarcated area to be de-silted by Irrigation Department shall not overlap with any of the area(s) already under de-siltation or likely to be de-silted by M/s. Andhra Pradesh Mineral Development Corporation Limited.
- (iii) The Executive Engineer, Irrigation Department shall quantify the sand likely to be sourced by de-silting process.
- (iv) The Irrigation Department shall put in place a suitable administrative mechanism, as per the rules, at the field level to efficiently supervise the de-siltation process, for monitoring of dispatched sand and also to prevent any misuse of sand sourced from de-siltation.
- (v) The sand available after desilting should be handed over to M/s APMDC Ltd. for transporting to stockyards in Form S1 for supply to Government works and public use as per the procedures laid down by M/s APMDC Ltd.

(b) De-siltation of Sand in Irrigation Projects by M/s APMDC Ltd.

In case of handing over the areas to M/s APMDC Ltd., M/s APMDC Ltd. shall undertake the de-siltation work by following the norms.

(c) Disposal of sand sourced from Irrigation Projects from Stockyards

M/s APMDC Ltd shall dispose the sand from the specified stockyards as per the procedure laid down in the sub-rule 1(d) of Rule 9-B.

(3) De-casting sand from Patta lands:

(a) De-casting in patta lands falling within River bed:

- (i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.
- (ii) District Collector shall forward the application to the Asst. Director of Mines & Geology (ADMG) concerned and the ADMG shall take up joint inspection of the patta land with the following:

- (a) Tahsildar shall identify the patta land, possessor/ occupier and furnish attested sketch demarcating the area. The boundaries will then be fixed on ground.
- (b) The project officer/nominee of M/s APMDC Ltd. shall also be part of joint inspection team for the patta land where the pattadar is giving willingness/consent for de-casting sand to M/s APMDCLtd.
- (c) Mandal Agriculture Officer shall assess the thickness of the sand to be removed to make the land fit for agriculture.
- (d) The Ground Water Dept. shall record the geo coordinates of the patta land as per boundaries fixed by the Tahsildar and give feasibility report.
- (e) Executive Engineer, Irrigation Dept., concerned shall issue clearance for de-casting of patta lands and the location of patta land with reference to river course/bed along with the ramp points.
- (f) Assistant Director of Mines & Geology shall stipulate the period of de-casting and assess the feasible quantity of sand to be de-casted.

- (iii) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.
- (iv) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.
- (v) After receipt of orders from the District Level Sand Committee (DLSC), District Collector shall issue necessary permission to the Deputy Director of Mines & Geology to obtain necessary statutory clearances from the competent authorities in the name of District Collector.
- (vi) Upon receipt of the statutory clearances, the District Collector shall entrust the work to M/s APMDC Ltd. for de-casting.
- (vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.
- (viii) The Pattadar will be paid a beneficiary amount as fixed by the Government.

- (ix) M/s APMDC Ltd. shall appoint a raising contractor under competitive reverse bidding process.
 - (x) The sand so de-casted shall be moved to stockyards managed by M/s. APMDC Ltd. for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.
- (b) De-casting in patta lands falling outside River bed and sand casted due to Marine sea transgression & regression
- (i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.
 - (ii) District Collector shall forward the application to the Asst. Director of Mines & Geology (ADMG) concerned
 - (iii) The ADMG along with the concerned officials, as per the procedure laid down in sub-rule 3 (a)(ii) of Rule 9-B, shall take up joint inspection of the patta lands and submit the joint inspection report to DLSC.
 - (iv) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.
 - (v) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.
 - (vi) The District Collector shall entrust the work to M/s APMDC Ltd. for de-casting and disposal of the sand.
 - (vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.
 - (viii) The pattadar will be paid a beneficiary amount as fixed by the Government.
 - (ix) Depending upon the extent of patta land or quantity of sand to be de-casted, the Andhra Pradesh Mineral Development Corporation shall appoint a raising contractor under competitive bidding process.
 - (x) The sand so de-casted shall be moved to stockyards managed by the Andhra Pradesh Mineral Development Corporation for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.
 - (xi) Any contravention of conditions for de-casting by the pattadar, the Chairman, DLSC may order for collection of:
 - (a) Rs.1,00,000/- or Rs.500/- per TON whichever is higher as penalty on de-casting sand beyond the specified extent or in excess of permitted depth.
 - (b) Repeated violations will result in cancellation of permission
 - (xii) To prevent indiscriminate removal of sand from patta lands abutting the Riverbed, more rigorous vigilance and inspections shall be taken up.
- (4) Fixation/Revision of Sale price of Sand:**
- (a) The sand shall be disposed to the end consumer from the specified

stockyards at a sale price as fixed by the Government plus transportation charges and other applicable taxes and charges.

(b) Sale price of sand per ton shall be reviewed and revised by the State Government as and when necessary.

(5) Incidental charges:

M/s APMDC Ltd. may, with the prior approval of the Government, collect incidental charges additionally towards maintenance of village link roads and service charges for stockyard maintenance.

(6) Apportionment of Seigniorage Fee to Zilla Parishad General Funds:

100% Seigniorage Fee shall be remitted to the General Funds under the Head of Account of Zilla Parishad concerned. The same shall be apportioned in the ratio of 25:50:25 among Zilla Parishad, Mandal Parishad and Gram Panchayat respectively.

(7) Contribution to DMF:

The Director of Mines & Geology shall issue apportionment orders to the districts.

(8) Contribution to MERIT:

The Director of Mines & Geology shall issue apportionment orders to the MERIT.

(9) Remittance of sale proceeds of the Sand:

The sale proceeds of the sand shall be remitted to the Government as per the procedure laid down by the Finance Department.

(10) Release of operating expenditure to M/s APMDC Ltd.:

The operating costs, administrative charges and Service charges incurred by M/s APMDC Ltd, shall be reimbursed by the Government and will be released by Director of Mines & Geology, Ibrahimpatnam periodically to M/s APMDC Ltd.

(11) Sand extraction in Scheduled areas:

(a) Excavation and transportation of Sand to the designated stockyards from Sand bearing areas located partially/fully in Scheduled Areas shall be done by forming Tribal Societies as per the Panchayats Extension to Scheduled Areas (PESA) Rules, 2011 or any rules/amendments made there under with Technical and Administrative support from M/s APMDC Ltd. under the direct supervision and control of the Agency Magistrate/District Collector concerned. M/s APMDC Ltd. shall dispose the sand from the stockyards by following the norms as per sub-rule 1 (d) of Rule 9-B.

(b) Operational guidelines shall be issued by the District Collector from time to time.

(12) Registration of Vehicles/carriers/lorries for Sand Transportation:

All the vehicles/carriers/lorries involved in sand transportation shall be registered online with M/s. APMDC Ltd. / Director of Mines & Geology for detection from other vehicles transporting sand through un-authorized sources. All Sand carrying vehicles shall have to be equipped with AIS 140 GPS devices.

(13) Prohibition of sand quarrying within Safety zones

Excavation and transportation of sand is prohibited within the safety zones of 500 meters, or as prescribed by the concerned Departments, from the Groundwater structures, road & railway bridges, railway lines and cross drainage structures, National and state highways etc. The concerned Departments shall protect the structures by displaying Boards near the prohibited structures. The officers shall be nominated by the concerned Heads of the Departments to exercise the powers mentioned in the sub-rule 16 of Rule 9-B to prevent unauthorized sand quarrying in prohibited areas.

(14) Prohibition of stocking of sand

No person, unless permitted by the Government, is allowed to stock the sand beyond the stated requirement in its application made online and shall not sell nor involve in any re-sale of sand. The applicant at all times would be obliged to utilize the sand only for the purpose stated in the application.

(15) Ban on sand transportation across the border:

Transportation of sand beyond the borders of the state is prohibited.

(16) Offences and Penalties:

The following penal provisions are applicable against the persons who involved in sale/illegal extraction/un-authorized excavation of sand in prohibited areas, trading and selling of sand, charging beyond cost of transportation and excavation, transporting sand without GPS devices, use or usage of machinery and vehicles in un-authorized excavation and transportation of sand to other States.

- (a) In the case of the vehicles engaged in illegal/ un-authorized excavation in the prohibited areas (i.e. within 500 meters from the Ground water structures, Bridges, Dams, Railway lines and cross drainage structures etc.), transportation of sand outside the State and found transporting sand without valid Sand Way bill issued by the Asst. Director of Mines & Geology concerned, shall be penalized as follows:

Vehicle Type	First time (In Rs.)	Second time (In Rs.)
Tractor	Upto 10,000/-	Rs. 10,001 to 20,000/-
Lorry fitted with upto 10 tires capacity	Upto 25,000/-	Rs. 25,001/ to -50,000/-
Lorry fitted with above 10 tires	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-
Machinery	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-

- (b) Any vehicle transporting sand, if found, carrying sand in excess of the quantity specified in the Sand Way bill OR in excess of quantity permitted by the Transport Dept., penalty shall be levied on such excess quantity @ Rs.2000/- per MT.
- (c) Any vehicle transporting sand, if found, without installing GPS devices, shall be considered as illegal transportation of sand and the penalty shall be levied on the total quantity of sand available in the truck @ Rs.2000/- per ton.
- (d) Whenever any person extracts sand or has extracted sand in the areas other than those notified for lawful excavation, the officer authorized under sub-rule 16(f) of Rule 9-B shall assess such quantity of sand and levy and collect @ Rs.2,000/-per ton of sand or Rs.2.00 lakhs, whichever is higher, as penalty.
- (e) If any stock of sand beyond a person's reasonable requirement is stocked / hoarded / black marketed / sold, it shall be seized by the officer authorized under sub-rule 16(f) of Rule 9-B. The person shall be penalized as per sub-rule 16(d) of Rule 9-B.
- (f) Officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining / stocking / hoarding / selling / black marketing in the State authorized under these rules are as follows:
- (i) District Collector(Concerned)
 - (ii) Joint Collector(Concerned)
 - (iii) Superintendent of Police(Concerned)
 - (iv) Additional Superintendent of Police/OSD(Concerned)
 - (v) Sub-Collector/ Revenue Divisional Officer (Concerned).
 - (vi) Tahsildar (Concerned) Mandal.
 - (vii) Sub-Divisional Police Officer (Concerned).
 - (viii) Station House Officer (Concerned).
 - (ix) District/Divisional Panchayat Officer
 - (x) Deputy Director of Mines and Geology (Concerned)
 - (xi) Asst. Director of Mines & Geology (Concerned).
 - (xii) Any other officer nominated by Dist. Collector (Concerned)
- (g) The vehicle/machinery, found involved in any violation more than two times, such vehicle/machinery along with sand shall be seized by officers authorized in sub-rule 16 (f) of Rule 9-B duly following the procedure as under:
- (i) Issue show cause notice to the person/owner from whom the vehicle/machinery is seized.
 - (ii) Immediately take steps by preparing seizure report and produce the vehicle/machinery before the Competent Court to enable the person/owner from whom the vehicle/machinery is seized to file an application under Section 451 of Criminal Procedure Code (Cr.P.C) for release of vehicle/machinery.

- (iii) In the alternative, the person/owner from whom vehicle/machinery is to be seized shall be permitted to submit explanation to the show cause notice along with an application to the authorized officer seeking release of vehicle/machinery.
- (iv) Upon receipt of explanation to the show cause notice and the application for release of vehicle/machinery, the authorized officer shall consider the application and pass appropriate orders in accordance with law, within a period of two weeks there from, on production of security of Rs.25,000/- in case of tractor; Rs.1,00,000/- in case of vehicle upto 10 tonnes capacity; Rs.1,50,000/- in case of vehicle above 10 tonnes capacity and Rs.2,00,000/- for any machinery, in the form of Demand Draft drawn in favour of the authorized officer along with an affidavit/undertaking to produce the seized vehicle/machinery as and when required.
- (v) The fine paid as per the orders of Competent Court; the security furnished as per clause (iv) above shall be deposited in the head of account '0853- 102-81-other receipts' and the original challan shall be sent to the Asst. Director of Mines & Geology concerned.

(h) Disposal of seized sand illegally stored:

- (i) The Tahsildar (or) the officers nominated by Tahsildar at Mandal Level; Sub-Collector/Revenue Divisional Officer (or) the officers nominated by the Sub-Collector/Revenue Divisional Officer at Divisional Level; the Joint Collector/the District Collector (or) the Officers nominated by the Joint Collector/the District Collector at District Level shall seize illegal sand stocks.
 - (ii) Such seized sand shall be disposed by concerned Tahsildar/Sub Collector/RDO or any officer nominated by District Collector with the approval of the District Collector & Chairman of the District Level Sand Committee (DLSC) at the sale price as adopted and sale proceeds shall be remitted to the Government treasury.
 - (iii) The Sand Way bill for the seized sand shall be issued by the Asst. Director of Mines & Geology concerned in Form-S3.
- (i) M/s Andhra Pradesh Mineral Development Corporation Ltd. being the agent, shall be penalized for any extraction of sand beyond the specified area beyond the specified thickness and for any other violations by levying penalty of Rs.1,00,000/- or Rs.500/- per TON of sand quarried beyond the specified limits or in excess of thickness stipulated, whichever is higher.

(17) Appeals and Revisions:

(a) In case of I, II & III order (notified over exploited) streams:

- (i) Any person aggrieved by an order passed by the Authority at mandal level may prefer the appeal before the Joint Collector within fifteen (15) days from the date of receipt of such order.

(ii) Any person aggrieved by an order of the Joint Collector may prefer revision before the District Collector within fifteen (15) days from the date of receipt of such order.

(b) In case of IV, V (non-notified) and above order streams/rivers:

Against any order passed by the Chairman, DLSC, Deputy Director of Mines & Geology or Asst. Director of Mines & Geology, the aggrieved person may prefer a revision to the Government within thirty (30) days from the date of receipt of such order.

(18) Powers to issue Orders/Clarifications/Guidelines:

The Government shall be the sole Authority to issue clarifications, exemptions, guidelines or relaxation orders from time to time, in implementation of these rules.

(19) Applicability of General Provisions:

The General provisions of Minor Mineral Concession Rules, 1966 or any subsequent rules/amendments to be issued by Government or the orders, guidelines, clarifications issued by Government in this regard from time to time shall apply to any situation, which is not expressly stated herein."

(Encl: Annexures Form - S1 to Form - S5)

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

K. RAMGOPAL
SECRETARY TO GOVERNMENT (MINES)

To

All the District Collectors in the State of A.P.
The Director of Mines & Geology, A.P, Hyderabad.
The Vice Chairman & Managing Director, APMDC Ltd.

Copy to:

All the District Treasury Officers in the State of A.P.
The Director, Treasuries & Accounts, A.P., Vijayawada.
The Pay and Accounts Officer, Vijayawada.
The Accountant General of Andhra Pradesh, Vijayawada.
The P.S. to Hon'ble Deputy Chief Minister for Revenue
The P.S. to Hon'ble Minister for PR & RD and Mines & Geology
The P.S. to Hon'ble Minister for Water Resources (Irrigation)
The P.S. to Hon'ble Minister for Finance & Planning
The P.S. to Hon'ble Minister for Home
The P.S. to Hon'ble Minister for Housing
The P.S. to Secy. (Mines)
The Law (H) Department.
The Finance (FMU-REV-I&C) Department
Sf/Sc (File No: INC01-MG0POLI/18/2019.M.II) (Com. No. 910066)

//FORWARDED :: BY ORDER//

SECTION OFFICER