

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE BENCH AT CHENNAI

Original Application No.188 of 2025 (SZ)
Earlier O.A. No. 379 of 2025 (PB)

IN THE MATTER OF:

Tribunal on its own motion SUOMOTU
Based on the News Item in The New Indian
Express Newspaper, dated 22.07.202,
**“Villagers protest, stall illegal sand
Mining in Andhra’s Srikakulam”**

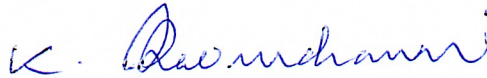
..Versus

District Collector, Srikakulam
And others

... Respondents

SEIAA, ANDHRA PRADESH REPORT
RESPONDENT No.4

Date: 03.01,2026



M/S. K. RAVINDRANATH
ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
ANDHRA PRADESH POLLUTION CONTROL BOARD

No.35, Flat No. A-2 ‘Aurora’ Apartments,
Kandhan Street, Shenoy Nagar, Chennai-600 030

Mobile No.9840057777

E-mail : ravindranath.kilari@gmail.com

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... Respondents

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

Date: 02.01.2026.


**Member Secretary
SEIAA, AP**

Report of SEIAA, A.P submitted in compliance to the Hon'ble NGT (SZ) order dated 24.09.2025 in O.A.No.188 of 2025.

It is respectfully submitted that the Hon'ble NGT (Principal Bench), New Delhi, has cognizance of the matter SUO MOTU and registered O.A.No.379 of 2025 based on the News item published in "The Indian Express" dated 22.07.2025 titled "**Villagers protest, stall illegal sand mining in Andhra's Srikakulam**". Subsequently, the matter was transferred to the Hon'ble NGT(SZ), Chennai and renumbered as Original Application No.188 of 2025.

After hearing the case, the Hon'ble NGT, Chennai, vide order dated 24.09.2025, issued directions as follows:

"As the Central Pollution Control Board (Respondent No.4) is not a necessary party to this proceeding, it is deleted from the array of parties. The SEIAA – Andhra Pradesh, being a necessary party, is suo motu impleaded and substituted in place of Respondent No.4."

"The learned counsel appearing for the official respondents are directed to take the papers from the Registry and file a report before the next date of hearing."

Copy of the court order is enclosed as **Annexure-I**.

In obedience to the Hon'ble NGT, Chennai orders dated 24.09.2025, it is to submit that, the SEIAA, A.P., has not issued Environmental Clearance to any sand reach in the vicinity of Pathuru Village, Amadalavalasa Mandal, Srikakulam District.

It is further submitted that the SEIAA, A.P. issued Environmental Clearance on 28.06.2024 to an extent of 0.87 Ha Ordinary Sand Mine proposed in the name of District Mines and Geology Officer, Srikakulam, Nagavali River at Muddadapeta Sand Reach of Muddadapeta Village,

Etcherla Mandal, Srikakulam District, Andhra Pradesh, under B2 category with manual method of mining, for a period of one-year, subject to certain conditions. As per the KML (Google Earth) Map submitted by the proponent, the distance between the Muddadapeta Sand Reach and Pathuru is approximately 3 Km. A Copy of the EC order enclosed as **Annexure-II**.

It is respectfully submitted that the State Pollution Control Board is the Nodal Authority in the State for dealing with cases related to pollution or environment management falling under the purview of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act 1986.

It is respectfully submitted that the State Department of Mines and Geology is the Nodal Authority in the State for allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act), 1957 and is entrusted with the enforcement and regulation of mining operations in the State, including illegal mining. It is further submitted that the State Government is empowered under Section 23 C of the Mines and Minerals (Development and Regulation) Act 1957 (MMDR Act) to frame rules for prevention of illegal mining, transportation and storage of minerals.

It is further respectfully submitted that the Government of Andhra Pradesh vide G.O.MS.No.43 dt. 08.07.2024 (**Annexure-III**), has framed the New Sand Mining Policy, 2024. Further, vide GO MS NO.49 dt. 02.09.2024 (**Annexure-IV**) the Government issued revised guidelines for Free Sand Policy, prescribing specific measures for monitoring and prevention of illegal sand mining, which inter alia includes the following:

- a) District Level Task Forces (DLTF) should be constituted by the District Collectors with line departments for periodic inspections of

all the stockyards and the sand sources to ensure smooth functioning of sand operations and to curb illegal mining/transportation.

- b) A Divisional Level Vigilance & Monitoring committee with RDO/SC, DSP, Divisional Development Officer, DLPO, DE, Irrigation, AD, Mining and Mandal Level monitoring with Tahsildar/MPDO, Irrigation AE, SI shall be constituted to monitoring of Sand transportation.
- c) In 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 Waybill /invoice, illegal excavation of sand shall be penalized and the officers authorized to levy, collect penalties etc., are mentioned in the new sand mining policy 2024 and revised guidelines for free sand policy 2024.
- d) Special Enforcement Bureau (SEB) shall take necessary action to curb illegal mining/transportation, black marketing, hoarding and cross border transportation of sand by constituting revenue division wise teams and also arranging inter-state check posts.

This report is submitted to the Hon'ble National Green Tribunal in due compliance of the directions issued by the Hon'ble Tribunal. The SEIAA, A.P. undertake to abide by all such further directions, as the Hon'ble Tribunal may deem fit and appropriate.

Vijayawada,
dt:02.01.2025


Member Secretary,
SEIAA, A.P.

Member Secretary
SEIAA, AP

Item No.02:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

[Through Physical Hearing (Hybrid Option)]

Original Application No. 188 of 2025 (SZ)

[Earlier O.A. No. 379/2025(PB)]

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the News Item in *The New Indian Express* Newspaper, dt: 22.07.2025, **“Villagers protest, stall illegal sand mining in Andhra’s Srikakulam”**.

District Collector,
Srikakulam and Ors.



...Respondent(s)

Date of hearing: 24.09.2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. PRASHANT GARGAVA, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Dr. D. Shanmuganathan represented
Mrs. Madhuri Donti Reddy for R1 to R4.

ORDER

1. The above matter was Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi, as *Original Application No. 379 of 2025 (PB)*, based on a news item published in 'The New Indian Express' dated 22.07.2025, titled "*Villagers protest, stall illegal sand mining in Andhra's Srikakulam*". Thereafter, it has been transferred to this Bench and renumbered as *Original Application No. 188 of 2025 (SZ)*.

2. As the Central Pollution Control Board (Respondent No.4) is not a necessary party to this proceeding, it is deleted from the array of parties. The SEIAA - Andhra Pradesh, being a necessary party, is suo motu impleaded and substituted in place of Respondent No.4.

3. The Registry is directed to carry out the amendment in the cause title by substituting the SEIAA - Andhra Pradesh in place of the CPCB.

4. Let notice be issued to all the respondents through the Tribunal along with a copy of the newspaper report.

5. The learned counsel Dr. D. Shanmuganathan representing Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondents No.1 to 4.

6. The learned counsel appearing for the official respondents are directed to take the papers from the Registry and file a report before the next date of hearing.

7. Post the matter on **09.01.2026**.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Prashant Gargava, EM

O.A. No. 188/2025 (SZ)
24th September, 2025. AD.





सत्यमेव जयते

File No: AP MIN EC SR 03 2024 176

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA),
ANDHRA PRADESH)



Dated 28/06/2024



To,

LOMADA REDDY
LOMADA REDDY

Assistant Geologist District Mines & Geology Office Srikakulam District Plot No: 505, 10th lane ,
P.N.Colony Srikakulam District-532005, Srikakulam, SRIKAKULAM, ANDHRA PRADESH, 532005
dlscsandsklm.ec13@gmail.com

Subject: Grant of EC under the provision of the EIA Notification 2006-regarding.


Sir/Madam,

This is in reference to your application for Grant of EC under the provision of the EIA Notification 2006-regarding in respect of project Muddadapeta Sand Reach submitted to Ministry vide proposal number SIA/AP/MIN/465381/2024 dated 08/03/2024.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0107AP5141701N
(ii) File No.	AP MIN EC SR 03 2024 176
(iii) Clearance Type	EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Muddadapeta Sand Reach
(viii) Name of Company/Organization	LOMADA REDDY
(ix) Location of Project (District, State)	SRIKAKULAM, ANDHRA PRADESH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

N/A

 <p>सत्यमेव जयते</p>	<p>State Level Environment Impact Assessment Authority (SEIAA) Andhra Pradesh Ministry of Environment, Forests & Climate Change, Government of India Dr.YSR Paryavaran Bhavan, APIIC Colony Road, Gurunanak Colony, Auto Nagar, Vijayawada-520007.</p>
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REGD.POSTWITH ACK.DUE

OrderNo.SEIAA/AP/SR/MIN/EC/03/2024/176/243.15&243.15

Sub SEIAA, A.P. – 0.87 Ha Ordinary Sand Mine proposed in the name of : District Mines and Geology Officer, Srikakulam, Nagavali River in Muddadapeta Sand Reach of Muddadapeta Village, Etcherla Mandal Srikakulam District, Andhra Pradesh–Environmental Clearance – Issued-Reg.

- i. This has reference to your application submitted through online on 08.03.2024 (SIA/AP/MIN/465381/2024), seeking Environmental Clearance for the proposed mine of 0.87 Ha Ordinary Sand Mine proposed in favour of **District Mines and Geology Officer, Srikakulam**, Nagavali River in Muddadapeta Sand Reach of Muddadapeta Village, Etcherla Mandal Srikakulam District Andhra Pradesh. It was reported that the nearest human habitation viz., Muddadapeta (V) is existing at a distance of about 0.61 kms from the mine lease area and the project requires 4.3 KLD of water. It was noted that the capital investment of the project is Rs.8.0 Lakhs and capacity of the project is as follows:

Mining of Ordinary Sand Mine –8,700 m³/Annum in 0.87 Ha

- ii. The location of the sand mine as per the mining plan is as follows:

BP. No	North Latitude	East Longitude
1	18°14'12.08012"N	83°55'11.99987"E
2	18°14'07.81997"N	83°55'11.66985"E
3	18°14'08.09995"N	83°55'09.84990"E
4	18°14'13.09985"N	83°55'09.80006"E

- iii. The proposal comes under category 'B2'. The proposed project falls under Item No.1(a) of the schedule of the EIA Notification 2006-(i) Mining of Minerals (≤250 Ha of mining lease area in respect of non-coal mine lease).

The proposal has been examined and processed in accordance with EIA Notification, 2006 and its amendments thereof; The State Level Expert Appraisal Committee (SEAC) examined the application, in its meetings held on **22.04.2024**.

Minutes of the SEAC Meeting:-

Category: B2.

The project proposal is for mining Ordinary Sand in an area of 0.87 Ha with a proposed production quantity of Ordinary Sand Mine – 8,700 m³/Annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme plan.

The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof Mining of minerals (≤250 ha of mining lease area in respect of non-coal mine lease).

The District of Mines and Geology Officer and their consultant M/s. SV Environ labs have attended the meeting and presented their proposal. The SEAC Committee noted that:

- a. The Department of Mines and Geology submitted DSR of Srikakulam District. The District Collector and Chairman, DLSC Srikakulam has identified the subject mine through Joint inspection Committee of the District. The Joint inspection was conducted and report was submitted on 03.07.2023.
- b. The District Mines and Geology Officer, Srikakulam vide order dt. 27.02.2024 issued Memo to the Asst. Geologist for obtaining Environmental clearance to the subject mine.
- c. As per the cluster letter dated: 07.03.2024 issued by the Mines Department, there are no existing leases within the radius of 500 mtrs area and the total applicable cluster area is < 5.0Ha.
- d. As per the approved mining plan dt.05.03.2024 the total available mineral reserves are 8,700 m³ (As per WALTA Act only 1m sand excavation is permitted) after mined quantity of extracted pit in the mine and the entire quantity is proposed to be excavated within the period of 1 year with manual mining activity.
- e. The lease holder informed that they have allocated Rs. 3.5 Lakhs as capital cost and Rs. 2.94 Lakhs as a recurring cost budget for the EMP. The project proponent volunteered to provide 2 Computers for Muddadapeta Village School under Corporate Social Responsibility (CSR) activity.
- f. The SEAC is made recommendation without any prejudice to the Hon'ble NGT/any other court orders. The applicant shall abide by the Hon'ble NGT / Other court orders, if any, in future also.

The Committee after examining the project proposals, presentations, MoEF&CC Notifications & OMs, report of the pre-scrutiny sub-committee of SEAC and detailed deliberations, recommended to issue Environmental clearance for the mining of Ordinary Sand with the maximum production quantity of 8,700 m³/Annum for one-year period with manual method of mining with the following conditions:

1. There shall be no change in the production quantities approved in Environment Clearance order.
2. All the conditions and guidelines issued by MoEF&CC, Govt of India in respect of sand mining shall be followed.
3. The directions issued by the Hon'ble NGT, Southern Zone, Chennai in the

matter of O.A.No. 47 of 2016 (SZ) & 177 of 2016 (SZ), Order dated:14.12.2020 shall be scrupulously followed.

4. The standard environmental conditions for sand mining specified in the Sustainable Sand Mining Guidelines, issued by MoEF&CC, Govt of India, 2016 shall be followed. The mine operator shall not carry mining more than 1 meter depth in compliance with AP WALTA Act.
5. The lease holder shall follow the procedures mentioned in Enforcement & Monitoring Guidelines for Sand Mining January, 2020.
6. The lease holder shall comply with the recommendation and suggestion made by the High-Power Committee as applicable.
7. The mining activities on river beds are allowed strictly as per the provisions of river / stream bed mining policy.
8. The ramp (i.e., approach road) shall be removed after sand mining is completed.
9. Under any circumstance under water sand mining shall not be carried out.
10. The committee directed the lease holder that they shall not carry out river bed mining operation in monsoon period.
11. No sand mining shall be done during the rainy season.
12. The lease holder should demarcate boundary with geo-coordinates or geo-fenced to ensure that sand extraction is going on only within the permitted area.
13. The functioning time of quarries/depots shall be 7.00 AM to 6.00 PM. No sand transporting vehicles to be parked inside the quarry/depot site during night time.
14. The vehicles carrying the mined material shall be covered with tarpaulin during vehicular movement.
15. The transportation route should be selected in such a way that the movement of trucks/tippers/tractors from the villages having habitation should be avoided.
16. The lease holder to maintain electronic weighbridges at the appropriate location identified by the district mining officer, in order to ensure that all mined minerals from that particular mine are accounted for before the material is dispatched from the mine. The weighing bridge shall have the provision of CCTV camera and all dispatch from the mine shall be accounted.
17. The lease holder shall keep GPS tracking to the vehicle from source to destination.
18. The lease holder shall not obstruct the river flow, water transport and restoring the riparian rights and instream habitats.
19. The lease holder shall plant the plants all along the river bank/embankment to control the erosion of river bank.
20. The lease holder shall restrict vehicles movement during the peak hours to avoid accidents.

The committee in the appraisal report clearly stated that they have examined the approved Mining Plan, Form-I/II, PFR/DPR and EMP for compliance by the proponent.

The State Level Environment Impact Assessment Authority (SEIAA), in its meeting held on **09.05.2024** examined the proposal and the recommendations of SEAC and decided to accept SEAC recommendations aforesaid for strict compliance by the proponent and to issue EC with further conditions that the sand mining proposal (i)

Shall not attract the Forest Conservation Act 1980, Wild life Protection Act,1972; CRZ Notification, 2011; The Eco sensitive areas as notified under EP Act,1986; Critically polluted areas as notified by CPCB and ii) Shall not harm live stock and human beings and disturb their activities. The SEIAA, A.P **hereby accords Environmental Clearance for Manual Method of mining to the new Sand Reach** as mentioned at Para No. I under the provisions of the EIA Notification 2006 and its subsequent amendments issued under Environment (Protection) Act, 1986 subject to implementation of the following cluster, specific and general conditions:

A. Specific Conditions:

- i. The proposal shall not attract the following Acts & Rules:
 - a. Forest Conservation Act,1980;
 - b. Wild Life (Protection) Act,1972;
 - c. CRZ Notification, 2011;
 - d. The Eco sensitive areas as notified under Environment (Protection) Act,1986;
 - e. Critically polluted areas as notified by CPCB and also shall not harm livestock and human beings and disturb their activities.
- ii. The project proponent shall carryout mining only one meter depth sand from the top **manual method** of mining and no underwater mining is undertaken.
- iii. The lease holder informed that they have allocated Rs. 3.5 Lakhs as capital cost and Rs. 2.94 Lakhs as a recurring cost budget for the EMP. The project proponent volunteered to provide 2 Computers for Muddadapeta Village School under Corporate Social Responsibility (CSR) activity.
- iv. There shall be no change in the production quantities approved in Environment Clearance order.
- v. All the conditions and guidelines issued by MoEF&CC, Govt of India in respect of sand mining shall be followed.
- vi. The directions issued by the Honb'le NGT, Southern Zone, Chennai in the matter of O.A.No. 47 of 2016 (SZ) & 177 of 2016 (SZ), Order dated: 14.12.2020 shall be scrupulously followed.
- vii. The standard environmental conditions for sand mining specified in the Sustainable Sand Mining Guidelines, issued by MoEF&CC, Govt of India, 2016 shall be followed. The mine operator shall not carry mining more than 1 meter depth in compliance with AP WALTA Act.
- viii. The lease holder shall follow the procedures mentioned in MoEF & CC Enforcement & Monitoring Guidelines for Sand Mining January, 2020.
- ix. The lease holder shall comply with the recommendation and suggestion made by the High Power Committee as applicable.
- x. The mining activities on river beds are allowed strictly as per the provisions of river / stream bed mining policy as under.
- xi. The ramp (i.e., approach road) shall be removed after sand mining is completed.
- xii. Under any circumstance under water sand mining shall not be carried out.
- xiii. The lease holder shall not carryout river bed mining operation in monsoon period. The period as defined by IMD Nagpur for each state shall be adhered

- with.
- xiv. No sand mining shall be done during the rainy season.
 - xv. The lease holder should demarcate boundary with geo-coordinates or geo-fenced to ensure that sand extraction is going on only within the permitted area.
 - xvi. The lease holder shall maintain functioning time of quarries/depots shall be from 7.00 AM to 6.00 PM. No sand transporting vehicles to be parked inside the quarry/depot site during night time.
 - xvii. The vehicles carrying the mines material shall be covered with tarpaulin during vehicular movement.
 - xviii. The committee suggested the lease holder to the transportation route should be selected in such a way that the movement of trucks/tippers/tractors from the villages having habitation should be avoided.
 - xix. The lease holder shall maintain electronic weighbridges at the appropriate location identified by the district mining officer, in order to ensure that all mined minerals from that particular mine are accounted for before the material is dispatched from the mine. The weighing bridge shall have the provision of CCTV camera and all dispatch from the mine shall be accounted for.
 - xx. The lease holder shall keep GPS tracking to the vehicle from source to destination.
 - xxi. The lease holder shall not obstruct the river flow, water transport and restore the riparian rights and instream habitats.
 - xxii. The lease holder shall remove the sheds constructed at the quarry site. All the roads and pathways may be levelled so that there is no obstruction for the normal flow in the river.
 - xxiii. The lease holder shall carry out bank stabilization works.
 - xxiv. The leaseholder shall take up planting all along the river bank/embankment to control the erosion of river bank.
 - xxv. The project proponent shall restrict vehicles movement during the peak hours to avoid accidents.
 - xxvi. **This EC is valid for a period of 1 year only.**
 - xxvi. The proponent shall carry mining by scrupulously following conditions
 - i. stipulated for river sand mining in MoEF O.M .No.J-13012/12/2013-1A-II(I) dated 24.12.2013 and in A.P. WALTA Rules, 2004. The mining plan or permission shall get modified to this extent.
 - xxvi. No stacking allowed on road side along National Highways.
 - ii.
 - xxix. It shall be ensured that sand mining does not in any way disturb the flow pattern of the river water.
 - xxx. Sand quarrying shall not be carried out in streams within 15 meters or 1/5of the width of the stream bed from the bank, whichever is more.
 - xxxi. Sand mining shall not be carried out within 500m of any existing structure such as bridges, dams, weirs, ground water extraction structure(s) either for irrigation or drinking water purposes, or any other cross drainage structure.

- xxxix Sand mining operations shall not affect the existing sources for irrigation or i. drinking water or industrial purpose.
- xxxix Vehicles carrying sand shall not Ply over the flood banks except at crossing ii. points or bridges or on a metal road. The emissions from the vehicles shall be maintained within the emission norms.
- xxxix **The depth of the sand mining shall not exceed 1m.** The thickness of the v. sand in the mining area shall be more than 3m. Regulatory Authority prior concurrence shall be taken for this activity.
- xxx Sand mining shall not be carried out below the ground water table under any v. circumstances. Regulatory Authority prior concurrence shall be taken for this activity.
- xxx To assess the sand thickness, the Mines & Geology Department shall map vi. out the area establishing the width and depth / thickness of the sand.
- xxx Permission from the Competent Authority shall be obtained for drawl of vii. ground water, if any, required for the project.
- xxx The vehicles transporting sand shall not be overloaded. The trucks shall be viii. covered with Tarpaulin.
- xxxix Personnel working in the project shall be provided with personnel protection x. devices such as masks, gloves etc., Regulatory Authority instructions be taken if there are any better alternatives.
- xi. Transportation of sand from mine lease area shall be done during daytime only.
- xli. The proponent shall obtain necessary permission from the River Water Conservator.
- xlii. The proponent shall take necessary measures to ensure that there shall not be any adverse impacts on human habitation existing nearby due to mining operations.
- xliii. A separate Environment Management cell with suitable qualified persons shall be setup to implement various environmental protection measures.
- xliv. Plantation shall be undertaken on either sides of the approach katchapath (through which the vehicles ply) between the bund of the river and the main road by the proponent at his cost.
- xlv. The proponent shall take appropriate measures to ensure that the GLC shall comply with the revised NAAQ norms notified by MoE&F, GoI on 16.11.2009.
- xlvi. Hydro geological studies in the mine lease area are to be carried out by the Ground Water Department.
- xlvii Regular monitoring of Ground Water levels shall be carried out in and around the mine lease area to assess the quality of the groundwater.

B. Special Conditions:

The Ministry of Environment Forest and Climate Change have constituted to formulate the "Guideline for Sustainable sand mining in the Country". The Guidelines, inter-alia, included the following recommendations. The project Proponent shall implement the following special conditions so as to mitigate the

environment impact of mining activities:-

Impact Category	S.No	Environmental Conditions
Stakeholder Engagement	1.	The project proponent shall create Stakeholder awareness and ability to raise concerns and getting it to be addressed.
	2.	Valid lease and all the permits is very much needed for undertaking mining / quarrying activity.
	3.	Monitoring Committee including Local Panchayat, to check on traffic due to transportation and submit an annual report on the same.
	4.	The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 may be strictly followed.
	5.	All the provisions made and restrictions imposed as covered in the Minor Mineral Rule, shall be complied with, particularly regarding Environment Management Practices and its fund management and Payment of compensation to the land owners.
Sustainable Mining Practices	6.	District level Survey Report should be prepared and area suitable for mining and area prohibited for mining be identified.
	7.	No River sand mining be allowed in rainy season.
	8.	To submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
	9.	In River flood plain mining a buffer of 3 meter to be left from the River bank for mining.
	10.	Mining shall be done in layers of 1 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
	11.	No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
	12.	No blasting shall be resorted to in River mining and without permission at any other place

	13.	Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining shall be manual.
Identification and Preparation of Mining Site	14.	Mining should be done only in area / stretch identified in the District Level Survey Report suitable for mining and so certified by the Sub Divisional Level Committee after site visit.
	15.	Mining should begin only after pucca pillar marking the boundary of lease area is erected at the cost of the lease holder after certification by the mining official and its geo coordinates are made available to the District Level Committee.
Monitoring the Mining of Mineral and its Transportation	16.	The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers of Central Government and State for inspection
	17.	For each mining lease site the access should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for.
	18.	The State / District Level Environment Committee should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the lease area and the number of trucks moving out with the mineral.
	19.	There should be regular monitoring of the mining activities in the State to ensure effective compliance of stipulated EC conditions and of the provisions under the Minor Mineral Concessions Rules framed by the State Government
Noise Management	20.	Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit.
	21.	Restricted working hours. Sand mining operation has to be carried out between 6 am to 7 pm.
Air Pollution and Dust Management	22.	The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly
	23.	Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.

	24.	The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used
Management of Visual Impact	25.	The mining operations are to be done in a systematic manner so that the operations shall create a major visual impact on the site.
Bio-Diversity Protection	26.	Restoration of flora affected by mining should be done immediately. Twice the number of trees destroyed by mining to be planted preferably of indigenous species. Each EC holder should plant and maintain for lease period at least 5 trees per hectare in area near lease
	27.	No mining lease shall be granted in the forest area without forest clearance in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made thereunder
	28.	Protection of turtle and bird habitats shall be ensured.
	29.	No felling of tree near quarry is allowed. For mining lease within 10km of the National Park / Sanctuary or in Eco-Sensitive Zone of the Protected Area, recommendation of Standing Committee of National Board of Wild Life (NBWL) have to be obtained as per the Hon'ble Supreme Court order in I.A. No. 460 of 2004.
	30.	Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
Management of Instability and Erosion	31.	Removal, stacking and utilization of top soil in mining are should be ensured. Where top soil cannot be used concurrently, it shall be stored separately for future use keeping in view that the bacterial organism should not die and should be spread nearby area.
	32.	Adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures
	33.	Oversize material to control erosion and movement of sediments
	34.	No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.

	35.	No extraction of stone / boulder / sand in landslide prone areas.
	36.	Controlled clearance of riparian vegetation to be undertaken
Waste Management	37.	Site clearance and tidiness is very much needed to have less visual impact of mining.
	38.	Dumping of waste shall be done in earmarked places as approved in Mining Plan
	39.	Rubbish burial shall not be done in the Rivers
Pollution Prevention	40.	The EC holder shall take all possible precautions for the protection of environment and control of pollution
	41.	Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
Protection of Infrastructure	42.	Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply / irrigation scheme, 100 meters from the edge of National Highway and railway line, 50 meters from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meters from the edge of other roads except on special exemption by the Sub-Divisional level Joint Inspection Committee.
	43.	For carrying out mining in proximity to any bridge or embankment, appropriate safety zone (not less than 200 meters) should be worked out on case to case basis, taking into account the structural parameters, location aspects and flow rate, and no mining should be carried out in the safety zone so worked out.
	44.	Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archeological importance.
	45.	Vehicles used for transportation of sand are to be permitted only with of fitness and PUC Certificates.
Enhancement Road Safety	46.	Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
	47.	Project Proponent shall ensure that the road may not be damaged due to transportation of the

		mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
	48.	No stacking allowed on road side along National Highways.
Closure and Reclamation of Mined Out Area	49.	The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
	50.	Restoration, reclamation and rehabilitation in cluster should be done systematically and jointly by each EC holder in that cluster.
	51.	Site specific plan with eco-restoration should be in place and implemented.
Health and Safety	52.	Health and safety of workers should be taken care of.
	53.	Transport of mineral will not be done through villages / habitations
	54.	The Project Proponent shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
	55.	Project Proponent shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.
	56.	Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health checkups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
Monitoring the Impact of Mining	57.	The Project Proponent shall report monitoring data on replenishment, traffic management, levels of production, River Bank erosion and Mining maintenance of Road etc.,

Mineral Conservation	58.	Use of alternate material such as M-sand in place of natural River sand shall be encouraged in order to reduce stress on natural eco-system
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C. General Conditions:

- i. "Consent for Establish" & "Consent for Operation" shall be obtained from Andhra Pradesh Pollution Control Board under Air and Water Act to carry out mining.
- ii. No change in mining technology and scope of working should be made without prior approval of the SEIAA, A.P. No further expansion or modifications in the mine shall be carried out without prior approval of the SEIAA, AP/ MoEF&CC, GoI, New Delhi, as applicable.
- iii. The half-yearly compliance reports in respect of the terms and conditions stipulated in this order & monitoring reports shall be uploaded in the website of the project periodically. It shall simultaneously be submitted in hard and soft copies to the SEIAA, A.P., District Collector and Ministry's Regional office, Vijayawada on 1st June and 1st December of each calendar year.
- iv. Officials from the Regional Office of MoEF&CC, Vijayawada / The SEIAA, Andhra Pradesh through the Regional Offices of Andhra Pradesh Pollution Control Board who would be monitoring the implementation of environmental safeguards should be given full co-operation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents shall be submitted to the CCF, Regional Office to MOEF&CC, Vijayawada.
- v. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed in consultation with concerned Regulatory Authority.
- vi. The funds earmarked for environmental protection measures (**Capital cost Rs.3.5 Lakhs and Recurring cost Rs.2.94 Lakhs/annum**) should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Vijayawada.
- vii. At least 2% of the total project cost shall be allocated for Corporate Environment Responsibility (CER) and item-wise details along with time bound action plan shall be prepared in accordance to the MoEF&CC's office Memorandum No.F.No.22-65/2017- IA.III, dated.01.05.2018 and submit to the SEIAA, A.P and Ministry's Regional Office, Vijayawada.

- viii. The project proponent shall submit the copies of the environmental clearance to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- ix. The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA,A.P.
- x. The SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- xi. The proponent shall obtain all other mandatory clearances from respective departments.
- xii. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act,2010.
- xiii. Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act,1986.
- xiv. The SEIAA may revoke or suspend the order, if implementation of any of the above conditions is not satisfactory. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- xv. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their subsequent amendments and Rules.

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

Special Secretary To Govt

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

**CHAIRMAN,
SEIAA, A.P.**

To

**The Assistant Geologist District Mines & Geology Office,
Srikakulam District Plot No: 505, 10th lane,**

P.N.Colony Srikakulam District-532005, A.P.

Copy to:

1. The Chairman, SEAC, A.P. for kind information.
2. The Member Secretary, APPCB for kind information.
3. The EE, RO: Srikakulam, APPCB for information.
4. The Regional Officer, MoEF&CC, GOI Vijayawada for kind information.
5. The Secretary, MoEF&CC, GOI New Delhi for kind information.
6. Monitoring cell, MoEF&CC, GOI, New Delhi for kind information.
7. The District Collector, Srikakulam District, Andhra Pradesh for kind information.



Signature Not Verified

Digitally Signed by : S Sri Saravanan
Member Secretary, SEIAA

Date: 28/06/2024

Mines & Minerals – Sand – Withdrawal of existing sand policies i.e., New Sand Mining Policy 2019 and Upgraded Sand policy 2021 and setting up of Interim Mechanism for supply of sand to the consumers without any revenue to Govt., till formulation of Sand Mining Policy, 2024 for the State of Andhra Pradesh - Orders – Issued.

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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No.43

Dated:08.07.2024

Read the following:

1. Govt. MemoNo.3066/M.II(1)/2016-3, dated 04.03.2016.
2. Govt. Memo No.3066/M-II(1)/2016-12 & 13, dated 11.06.2019
3. G.O. Ms. No. 70, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
4. G.O. Ms. No. 71, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
5. G.O. Ms. No. 72, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
6. G.O. Ms. No. 73, I.I.I & C (MINES-II) Dept, dated 04.09.2019.
7. G.O. Ms. No. 86, I.I.I & C (MINES-II) Dept, dated 11.10.2019.
8. G.O. Ms. No. 99, I.I.I & C (MINES-II) Dept, dated 15.11.2019.
9. G.O. Ms. No. 31, I&C (MINES-III) Dept, dated 09.06.2020.
- 10.G.O. Ms. No. 32, I&C (MINES-III) Dept, dated 25.06.2020.
- 11.Govt. Memo No.MG0SAND/63/2020/M.III, dated 17.07.2020.
12. G.O. Ms. No. 40, I&C (MINES-III) Dept, dated 10.08.2020.
- 13.G.O. Ms. No. 41, I&C (MINES-III) Dept, dated 10.08.2020.
- 14.G.O. Ms. No. 69, I&C (MINES-III) Dept, dated 23.10.2020.
- 15.G.O. Ms. No. 78, I&C (MINES-III) Dept, dated 12.11.2020.
- 16.Govt. Memo No. MG0DMGE/342/M-III/A2/2020, dated 25.11.2020.
- 17.G.O. Ms. No. 5, I&C (MINES-III) Dept, dated 16.02.2021.
- 18.G.O. Ms. No. 25, I&C (MINES-III) Dept, dated 16.04.2021.
- 19.Govt. Memo No. INC01-MG0SAND/6/2021-M-III, dated 15.08.2021.
- 20.Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 17.08.2021.
21. Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 24.11.2021.
- 22.Govt. Memo No. INC01-MG0DMGE/294/2021-M-III, dated 18.02.2022.
- 23.Hon'ble NGT Orders dated 23.03.2023 in O.A. No. 152 of 2021 and O.A. No. 53 of 2022 and in O.A. No. 187 of 2021
- 24.Hon'ble NGT Orders dated 02.08.2023 in O.A. No. 152 of 2021 and O.A. No. 53 of 2022 and in O.A. No. 187 of 2021
- 25.Hon'ble NGT Orders dated 21.02.2024 in M.A. No. 9 of 2023 in O.A. No. 187 of 2021, M.A. No. 10 of 2023 in O.A. No. 53 of 2022, E.A. No. 4 of 2023 in O.A. No. 187 of 2021
- 26.Hon'ble SC Order dated 10.05.2024 in C.A. No. 4091-4093 of 2023
- 27.Hon'ble SC Order dated 16.05.2024 in C.A. No. 4091-4093 of 2023.
28. Minutes of Meeting held by Commissioner & Director of Mines & Geology with the representatives of agencies M/s Prathima Infrastructure Limited and M/s GCKC Projects and Works Pvt Limited, dated 05.07.2024.
29. From the C&DM&G, A.P., INC04-26024/2/2024-SAND SECTION-DMG, dt: 05/07/2024.
- 30.From the Water resources Dept., Memo No. ICD01 -542/2019/ Reforms/ (925528), Dt.0607.2024.
31. From the Learned Advocate General, AP., Opinion No.65/2024, vide letter No.289/2024, Dt. 06.07.2024.

ORDER

In the memo 1st read above, Government have introduced Revised Sand Policy, 2016 making sand available to the public without charging any fee from 02.03.2016.

2. In the memo 2nd read above, Government have issued instructions to withdraw the Free Sand Policy 2016. In the G.O. 3rd read above,

Government have introduced the New Sand Mining Policy, 2019 and in G.Os 4th to 14th read above, Government have issued necessary consequential orders for implementation of the policy.

3. Subsequently, in the G.O. 15th read above, Government have upgraded Sand Policy 2021 and vide G.O.s & Memos 16th to 22nd read above, Government have issued necessary consequential orders for implementation of the policy, including amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

4. While the matter stood thus, Government conducted a thorough review of the existing sand policy (New Sand Mining Policy 2019 and Upgraded Sand policy 2021) and the status of current sand operations in the State and observed that there is an imminent need to improve it by formulating a comprehensive sand policy, 2024 so that the interests of consumers are protected and environmental and other concerns are addressed properly.

5. Accordingly, vide single file 29th read above, Commissioner and Director of Mines & Geology, AP., has submitted a proposal with detailed modalities as an Interim Mechanism for Sand Supply till formulation of Sand Policy, 2024 for the State of Andhra Pradesh.

6. Government, after careful examination of the entire issue, have decided to supply the sand to consumers without charging any revenue share except cost of operations and statutory levies and taxes, duly withdrawing the existing sand policies i.e., New Sand Mining Policy 2019 and Upgraded Sand policy 2021. Accordingly, Govt., in supersession of the orders issued vide G.O.s & Memos 3rd to 22nd read above, hereby set up an Interim Mechanism for Sand Supply till formulation of Sand Policy, 2024 for the State of Andhra Pradesh as detailed hereunder;

I. Preamble

Sand is a basic input for the construction sector, which employs a large number of people, directly and indirectly. Unless the cost of sand is kept under reasonable check, there is likelihood of adverse socio-economic consequences of unemployment, loss of wages and impact on investment climate and industrialization process in the State. It is the obligation of the State Government to ensure that sand, which is an essential ingredient of construction activities such as irrigation works, infrastructure projects, capital buildings, etc., is available at reasonable cost to the consumers.

Therefore, it is necessary in the greater public interest, to take measures to ensure availability of affordable sand to the consumers so as to maintain the pace of infrastructure growth and avoid adverse socio-economic consequences.

II. Objectives

- a) Making sand available to consumers at affordable rates
- b) Transparency and visibility on the sand operations.
- c) Prevention of any scope for illegal sand excavation & transportation through an effective vigilance & monitoring mechanism
- d) Compliance with all environmental regulations and orders issued by the Hon'ble Supreme Court, Hon'ble High Court and Hon'ble NGT, so as to mitigate the environmental impact of sand excavation.

III. Salient Features

A. District Level Sand Committee:

All sand operations at the district level shall be managed & overseen by the District Level Sand Committee (DLSC) comprising of

- a. District Collector: *Chairman*
- b. Superintendent of Police: *Member*
- c. Joint Collector: *Member*

- d. Sub-Collector/ RDO Concerned - *Member*
- e. District Enforcement Officer (SEB): *Member*
- f. District Mines & Geology Officer concerned: *Member Convener*
- g. District Panchayat Officer: *Member*
- h. Regional Transport Officer: *Member*
- i. Dy. Director, Ground Water Dept.: *Member*
- j. Executive Engineer, Irrigation/River Conservation: *Member*
- k. Executive Engineer, Rural Water Supply: *Member*
- l. Environmental Engineer, Andhra Pradesh State Pollution Control Board: *Member*
- m. Any other invitees as suggested by the Chairman.

B. Sand Stocks available in existing depots:

- i. The DLSC shall immediately takeover the sand stocks available in the depots maintained by the private agencies.
- ii. The DLSC shall take all necessary actions, as required, for safeguarding and further disposal of the stocks.

C. De-siltation of Reservoirs / Tank Beds - Identification:

- i. The de-siltation of Major, Medium & Minor Reservoirs and Tanks as defined by the Water Resources Dept., shall be taken up to enhance the storage capacity of the reservoirs and augment Ground Water recharge in Command Areas.
- ii. The following authorities shall identify the de-siltation of reservoirs and intimate to the District Level Sand Committee:
 - a. Major, Medium, Reservoirs – Chief Engineer
 - b. Minor Reservoirs and Tanks – Superintendent Engineer, Water Resources Department of the District.

D. De-siltation of Reservoirs / Tank Beds – Obtaining Clearances & Operations:

- i. Water Resources Dept., (WRD) being the custodian of the rivers, canals and reservoirs shall prepare the Feasibility Report along with Environment Management Plan for undertaking de-siltation activities shall obtain Consent for Establishment / Consent for Operation from APPCB by submitting the CTE and CTO applications in the Single desk Portal which will be considered at Zonal office Level.
- ii. DM&GO shall assist the EE, Water Resources Department in preparation of feasibility report, so as to facilitate in obtaining CTE/ CTO applications from APPCB, along with Environment Management Plan.
- iii. Water Resources Dept., for de-siltation activities taken up by them in the foreshore areas (water spread area at FTL) of Reservoirs / Barrages/ tanks, shall appoint agencies/ boatsman societies for the purpose and DM&GO, with the help of DLSC, shall appoint boatsman societies for de-siltation activities beyond the foreshore areas of Reservoirs/ Barrages/ tanks in river course taken up by Mines & Geology Dept., strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- iv. **Chief Engineer** concerned of the Water Resources Dept shall identify contractors for de-siltation of major reservoirs such as Prakasam & Dhawaleswaram Barrages, duly taking all necessary permissions and approvals from all the stakeholders concerned strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- v. The de-silted materials, useful for construction activity shall be handed over to the DLSC for further disposal.
- vi. The District Collector shall reimburse the entire cost incurred by the Water Resources Dept., towards obtaining clearances and de-siltation operations from the revenues received from the disposal of sand handed over to DLSC by WRD. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.

- vii. The District Collector shall extend necessary support for obtaining clearances and undertaking de-siltation operations (including identifying agencies required) and supervise the smooth functioning of the entire de-siltation activities in the respective districts. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.
- viii. The DLSC shall dispose the sand taken over from the WRD as per the modalities prescribed by the Govt., from time to time. strictly in compliance with all applicable acts, rules and directions of MOEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.

E. Appointment of Manpower/Other Agencies for Various Activities:

- i. The Chairman, DLSC shall appoint VRO/VRAs/ Gram & Ward Sachivalayam officials or any other official, as deemed fit, as stockyard in-charges for each of the sand depots/desiltation points.
- ii. The stockyard in-charges shall be responsible for smooth functioning of all the activities such as excavation, loading, sales & dispatches, in strict compliance with the sand policy and all applicable acts & rules.
- iii. The Chairman, DLSC shall also appoint agencies/manpower to undertake various activities viz. loading, ramp maintenance, security etc.

F. Fixation of rates of sand:

- i. There shall be no revenue share to the Government under this policy. However, the cost of operations, along with statutory levies & taxes shall be charged on the consumers.
 - a. The cost of operations shall include the expenditure for activities such as excavation, loading, transportation to sale point, ramp maintenance, administrative expenses etc.
 - b. Statutory levies & taxes shall mean Seignorage fee, DMF, MERIT and GST, as applicable.
- ii. DLSC shall fix and notify the amount to be charged at each source i.e., depots/de-siltation points, based on the cost of operations along with statutory levies & taxes.
- iii. The DLSCs shall be authorized to modify these rates, wherever necessary, taking into consideration the changes in operating costs/ levies & taxes from time to time.

G. Sales & Dispatch:

- i. The details of all the depots/desiltation points (referred as "stockyard") such as location, available quantity, notified charges shall be displayed in DMG Website (www.mines.ap.gov.in) on a daily basis to inform the public.
- ii. The consumers requiring sand shall be required to go to their desired stockyard to purchase sand.
- iii. At the stockyard, the stockyard in-charge shall
 - a. Collect all relevant details of the consumer such as Aadhaar number., Mobile number, Delivery Address, Vehicle Number.
 - b. Collect the notified charges through digital mode (i.e., UPI) and issue sale receipt/invoice to the consumer.
 - c. Allot sand to the consumers on first-come first-serve basis and oversee the loading of sand into the vehicle.
- iv. The dispatch permits shall be issued manually on the secured stationary as an immediate measure.
- v. The stockyard in-charges shall ensure that the stockyards operate only from 6 AM to 6 PM.
- vi. They shall further reconcile the sand dispatches made during the day and upload the daily dispatch data on the online portal developed by DMG by 8 PM every day.

H. Transportation:

- i. The consumers shall make their own transportation arrangements for transporting sand from stockyard to destination.
 - a. To facilitate this, the list of transporters operating at various locations shall be provided on the website of DMG.

- b. Transporters shall be able to register themselves on the DMG website, along with relevant details (vehicle details, contact number, area of operation etc.).
- ii. DLSC shall notify the maximum transportation charges to be collected, based on vehicle type/capacity etc.
- iii. The transportation charges from stockyard to the consumer's destination shall be paid by the consumer directly to the transporter.
- iv. DLSC shall ensure water spraying of sand carried in the vehicles and also covering of sand transport vehicles with tarpaulin sheets, to avoid spillage and dust emissions during the transportation.

I. Revenue & Expenditure:

- i. In each district, a Joint Account of District Collector and District Mines & Geology Officer shall be opened, with online banking facility.
- ii. All financial transactions related to sand operations, including sand receipts and operating expenses, shall be made through the Joint Account
- iii. The receipts from sand supplies shall be used only to meet the expenditure related to sand operations such as cost of approvals, manpower, payments to contractors, administrative and other incidental expenses.
- iv. No expenditure, other than those related to sand operations shall be met through the receipts from sand supplies, except with the approval of the Government.
- v. The DLSC of each district shall reconcile the receipts and expenditure incurred on a monthly basis and submit the statements to DMG, who shall consolidate the data of all districts and submit to the State Government.
- vi. The DLSC, with assistance of the DMG, shall put in place mechanism to ensure compliance with GST regulations.

J. Digital Enablement

- i. Availability of sand at stockyards and sand sources shall be digitised to know the comparative availability of sand for better operational management at district level.
- ii. All the payments (receipts and expenditure) shall be only through the banking system and no cash transactions shall be permitted.
- iii. Sand receipts shall be collected only through digital means, by displaying the QR Code/ UPI ID of the Joint Account at the stockyards.
- iv. DMG shall develop a system for issue of online permits at the earliest.
- v. GPS based vehicle tracking shall be mandated to enable tracking of the sand despatches. Towards this, all sand transporting vehicles shall be required to install GPS based Vehicle tracking devices at the earliest.
- vi. District Collectors shall maintain command-and-control center at the district level to monitor the sand operations with CCTV feeds within the district and handle all the complaints relating to sand issues.
- vii. DMG shall maintain the command-and-control center at the State level to monitor the overall sand operations within the State.

K. Remittance of Seigniorage Fee, DMF & MERIT:

- i. DLSC shall ensure that the statutory levies (Seigniorage Fee, collected for DMF & MERIT) collected from the sand supplies are remitted towards the respective Heads of Account of the consolidated fund of the State Government.
- ii. DLSC shall remit Rs. 2 per MT of sand dispatched, towards the DMG current account for maintenance of the command & control room, as well as other IT initiatives related to sand operations.

L. Limits on Purchase of Sand:

- i. To prevent hoarding/ black marketing of sand and ensure availability of sand for larger number of consumers, each consumer shall be permitted to purchase a maximum of 20 MT per day till supplies stabilize.

- ii. The limits may be revisited and modified by DLSC, based on the demand-supply scenario within the district. Accordingly, DLSC shall notify the modified limits to inform the public by providing wide publicity.
- iii. DLSC may grant appropriate relaxations for Govt. Works based on the request of concerned Engg. Depts.

M. Prohibited activities:

- i. The following activities are prohibited:
 - a. Stocking of sand more than the requirement for own construction
 - b. Re-sale of sand
 - c. Transportation of sand to other States.
 - d. Sand using for filling purpose or any other purpose, other than building construction.
 - e. Any other activity as prescribed by State Govt./DLSC.
- ii. Stringent action, including filing of criminal cases/levy of hefty penalties shall be taken on offenders who are indulging in the prohibited activities.

N. Vigilance & Monitoring

- i. District Level Task Forces (DLTF) should be constituted by the District Collectors with line departments for periodic inspections of all the stockyards and the sand sources to ensure smooth functioning of sand operations and to curb illegal mining/transportation.
- ii. Special Enforcement Bureau (SEB) shall take necessary action to curb illegal mining/transportation, black marketing, hoarding and cross border transportation of sand by constituting revenue division wise teams and also arranging inter-state check posts.
- iii. A Divisional Level Vigilance & Monitoring committee with RDO/SC, DSP, Divisional Development Officer, DLPO, DE, Irrigation, AD, Mining and Mandal Level monitoring with Tahsildar/MPDO, Irrigation AE, SI shall be constituted to monitoring of Sand transportation etc.
- iv. The Chairman DLSC shall conduct a fortnightly co-ordination meeting with the task forces and SEB on the action taken and minutes of meeting shall be communicated to DMG.

O. Complaint Redressal Mechanism

- i. DLSC shall setup a complaint redressal mechanism including maintenance of district level toll free numbers, e-mail Ids to redress the complaints made by any citizen/ NGO in an effective and time-bound manner.
- ii. Similarly, a State-wide toll-free number and email-Id shall be established and maintained by DMG to register any complaints related to illegal sand mining/transportation/hoarding/black marketing activities etc.
- iii. control room at District level under JC control and Divisional Level cell under the chairmanship of RDOs/SCs shall be established.

P. Compliance of Environmental Rules & Regulations:

- i. DLSC shall ensure all the operations shall be in compliance with Sand Policy of Andhra Pradesh, Mines Act 1952, MMDR Act 1957, WALTA Act & Rules, MOEF&CC notifications, Office Memorandums & Guidelines and any other applicable law, rules, Hon'ble SC Orders, Hon'ble High Court & Hon'ble NGT Orders, Government orders, Instructions issued by Government and Department of Mines & Geology from time to time.

Q. Offences and Penalties:

- i. In 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 Waybill /invoice 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/-

- ii. In case of bullock carts engaged in illegal/ un-authorized hoarding and selling, the penalty besides seizer of the sand shall be levied as follows:-

Vehicle Type	First Time (In Rs.)	Second Time (In Rs.)	Repeated offence (in Rs.)
Bullock cart	2,000/-	3,000/-	5,000/-

- iii. Any vehicle transporting sand, if found, carrying sand in excess of the quantity specified in Sand transit form /invoice or in excess of quantity permitted by the Transport Dept., penalty shall be levied on such excess quantity @ Rs.2000/- per MT
- iv. Whenever any person extracts sand or has extracted sand in the areas other than those notified for lawful excavation, the officers authorized 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
- v. 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. The person shall be punishable with imprisonment up to 2 years and a fine of Rs.2,00,000/- (Rupees Two Lakhs). DLSC shall take-over the seized sand and arrange to dispose the same, at the rates fixed by DLSC.
- vi. 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:
- District Collector (Concerned)
 - Joint Collector (Concerned)
 - Superintendent of Police (Concerned)
 - Additional Superintendent of Police/OSD(Concerned)
 - Sub-Collector/ Revenue Divisional Officer (Concerned)
 - Tahsildar (Concerned) Mandal.
 - Sub-Divisional Police Officer (Concerned)
 - Station House Officer (Concerned)
 - District/Divisional Panchayat Officer(Concerned)
 - District Mines & Geology Officer (Concerned)
 - Any other officer nominated by Dist. Collector (Concerned) /Director of Mines & Geology
 - SHO (Special Enforcement Bureau), concerned
 - Additional Superintendent of Police (Special Enforcement Bureau), concerned.

- n) Enforcement Superintendent, Division, (Special Enforcement Bureau), concerned.
- vii. The vehicle/machinery, found involved in any violation more than two times, such vehicle/machinery along with sand shall be seized by officers authorized duly following the procedure as under:
- a) Issue show cause notice to the person/owner from whom the vehicle/machinery is seized.
 - b) 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/Section 497 of newly enacted Bharatiya Nagarik Surakshit Sanhita, 2023/ appropriate section of Law, for release of vehicle/machinery.
 - c) 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
 - d) 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.
 - e) 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 Director of Mines & Geology concerned.

R. Appeals and Revisions:

1. Any person aggrieved by an order passed by any officer authorized, other than District Collector may prefer an Appeal before the District Collector within 30 days from the date of receipt of such order
2. Any person / agency aggrieved by an order passed by the District Collector /Officials of Special Enforcement Bureau (SEB) pertaining to sand matters may prefer a Revision before the State Government from the date of receipt of such order.

S. Publicity

- i. The stockyard-wise rates, transportation rates, as well as the complaint redressal mechanism notified by the DLSC shall be given wide publicity through banners & flexies at major centers such as Stockyards, Collectorate, RDO offices, Mandal Offices, Gram & Ward Sachivalayams, Public places, and advertisements in newspapers.
- ii. Similarly, the above mentioned details shall also be published on the websites of Department of Mines & Geology and the respective districts.

T. Powers to issue Orders/Clarifications/Guidelines:

- a) The Government shall be the sole Authority to issue clarifications, exemptions, guidelines or relaxation orders from time to time, in implementation of this policy.
- b) Director of Mines and Geology shall issue operational guidelines from time to time for extraction and sale of sand to maintain environmentally sustainable sand mining in the State.

7. The VC & MD, APMDC shall ³⁰ provide initial financial support to Commissioner & Director, Mines and Geology, AP., to make this Sand Policy operational, subject to reimbursement.

8. The Commissioner & Director, Mines and Geology, Govt. A.P., shall submit proposals for necessary amendments accordingly to Andhra Pradesh Minor Mineral Concession (APMMC) Rules, 1966.

9. These orders shall come into force with immediate effect.

10. The Government may revise the Sand Policy in future as and when required.

11. The Commissioner & Director, Mines and Geology, A.P., and all the concerned officers mentioned in the address entries shall take necessary action accordingly in the matter.

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

N YUVARAJ
PRINCIPAL SECRETARY TO GOVERNMENT (MINES) (FAC)

To

The Commissioner & Director, Mines & Geology, A.P, Ibrahimpatnam,
NTR District.

The VC&MD, APMDC Ltd., APMDC Ltd., Kanuru, Vijayawada.

The Commissioner Special Enforcement Bureau, Mangalagiri.

All the District Collectors in the State of A.P.

All the members of District Level Sand Committees (through C&DM&G)

Copy to:

The Finance Dept., A.P.Secretariat.

The Law Dept., A.P.Secretariat

The Home Dept., A.P.Secretariat

The Revenue Dept., A.P.Secretariat

The Water Resources Dept., A.P.Secretariat.

The EFS&T Dept., A.P.Secretariat.

The Learned Advocate General, A.P., High Court Buildings, Nelapadu,
Amaravati.

All the Superintendents of Police in the State.

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 GA(SEB) Dept.

The P.S. to Prl. Secy to CM.

The P.S. to CS.

The OSD to Hon'ble Minister for M&G and Excise

The P.S. to Hon'ble Minister for Finance, Planning & Legislative Affairs

The P.S. to Hon'ble Minister for Civil Supplies & Consumer Affairs

The P.S. to Hon'ble Minister for Transport and Information & Public
Relations

The P.S. to Hon'ble Advisor to Govt. Of A.P. (Public Affairs)

The P.S. to Prl., Secy (Mines)

SF/SC

//FORWARDED :: BY ORDER//


SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Mines & Minerals – Sand – Revised Free Sand Policy guidelines - Online, user friendly and with strengthened Institutional Mechanism - Orders – Issued.
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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No: 49

Dated:02.09.2024

Read the following:

1. G.O. Ms. No. 43, I&C (MINES-III) Dept, Dated 08.07.2024.
2. From the Commissioner & Director of Mines & Geology, A.P., single e-file bearing No. INC04-26024/25/2024-SAND SECTION-DMG, Dt.23.08.2024.

ORDER

In the G.O 1st read above, Government, while withdrawing the prevailing sand policies (New Sand Mining Policy 2019 and Upgraded Sand policy 2021) introduced the Interim Mechanism for supply of sand to the consumers without any revenue to the Government till formulation of Sand Mining Policy 2024 with certain objectives as mentioned therein.

2. In single e-file 2nd read above, the Commissioner and Director of Mines & Geology, AP., has stated that the implementation of the free sand supply mechanism has been reviewed and it is noted that there are certain areas related to sand supplies which need to be further improved to overcome the challenges faced in implementation of the Interim Mechanism for supply of sand issued vide G.O. 1st read above.

3. Accordingly, the Commissioner and Director of Mines & Geology, AP., after discussions at different levels has submitted a proposal with guidelines for improvement of Mechanism for supply of sand.

4. Government, after careful examination of the entire issue and in continuation of the orders issued vide G.O 1st read above, hereby issue the following Revised Free Sand Policy guidelines to further improve the sand supply mechanism;

- a) to make the process; technology based, user friendly, transparent and open.
- b) to regulate unrestricted discretion in demand of transportation charges.
- c) for efficient management of stock yards/reaches.
- d) for proper vigilance mechanism.
- e) for effective feedback and audit mechanism.

A. Identification of Sources:

I, II & IIIrd Order Streams

1. Customary extraction of sand in river streams of I, II & III orders by the public within the Gram Panchayat shall be permitted for personal use or community work in village.
2. The extraction of sand shall only be permitted through manual methods and no mechanical means be allowed.
3. Sand may be sourced for local needs by bullock carts.
4. Seigniorage Fee, DMF & MERIT shall be exempted for I, II & III order streams.
5. District Collector shall devise the mechanism for proper administration for extraction of sand from I, II & III order streams.

IV, V & Higher Order Streams

1. Sand excavation in river streams of IV, V & higher order streams will be permitted subject to obtaining all the applicable approvals, permissions and compliance of APMMC Rules, 1966, EIA Notification 2006, guidelines issued by MOEF&CC, orders of Hon'ble NGT & Supreme Court.
2. DLSC shall identify the reaches in IV, V and Higher Orders streams and obtain all necessary statutory clearances from competent authorities prior to commencement of operations.
3. Sand extraction by public through bullock carts for personal use or community work in village within Gram Panchayat shall be permitted in IV, V and Higher Orders streams with exemption of Seigniorage Fee, DMF & MERIT.

Patta Lands

1. Sand casted in Patta lands shall have to be removed to make them fit for agriculture purposes.
2. DLSC on obtaining the consent from Pattadars may approve de-casting of the Patta lands.
3. Mining outside the riverbed on Patta land shall be granted. Sand excavation in patta lands shall be permitted with the following conditions.

Condition	Excavation Responsibility	End Users
Possibility of Replenishment (or)	Pattadars/private persons	No Restriction on End Consumers

No possibility of replenishment and no riverbed mining possibility within 5 KM		
No Possibility of Replenishment and riverbed mining possibility within 5 KM	DLSC/Any govt nominated agency	Government Projects only. Material shall not be used for sale in open market.

4. Patta lands falling within riverbed shall only be de-casted by DLSC after obtaining statutory clearances.

5. A beneficiary amount, as fixed by Government shall be paid to the Pattadars for the excavation conducted by DLSC/ any Government agency nominated for this purpose.

6. Upper Price Limit of sand shall be fixed by the DLSC of the respective district for the sand excavated by Pattadars.

7. Separate guidelines for sand excavation, loading & transportation from the patta land/ khatedari land shall be formulated and circulated in due course of time.

iv. Sand Extraction in Scheduled Areas:

- a. Excavation 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 thereunder with Technical and Administrative support from DLSC under the direct supervision and control of the ITDA / District Collector & Magistrate concerned.
- b. DLSC shall dispose the excavated sand by following the prescribed norms.

v. De-Siltation of Rivers/ Canals/ Dams/ Reservoirs/Barrages:

- De-Siltation operations shall be undertaken as per the detailed guidelines provided vide G.O.Ms. No. 43, Ind & Com (Mines-III) Dept. dt. 08.07.2024.
- Water Resources Dept., shall take up de-siltation activities in the foreshore areas (water spread area at FTL) of Reservoirs/Barrages/ tanks. De-siltation beyond foreshore areas of Reservoirs / Barrages / Tanks in river course may also be taken up by the Water Resources Dept wherever feasible as per the availability of existing staff. In case of manpower issues additional resources and multi departmental coordination will be guided by the Joint Collector of the district to facilitate de-siltation by WRD dept., in compliance with all applicable acts, rules and directions of MoEF&CC, Hon'ble NGT, Hon'ble HC & Hon'ble SC.

B. Sand Booking & Supplies:

- i. The process of sand booking and supplies shall be digitized to enhance ease of booking for public, facilitate transportation at optimum-cost, streamline operations and strengthen vigilance mechanism.
- ii. DMG shall develop an online system for booking of sand by consumers. Sand booking shall also be permitted from Village/Ward Secretariats (VSWS).
- iii. Consumers who require sand for personal use (General consumers) shall be able to book directly from the online application/VSWS by providing details of the project and sand requirement. Post delivery of sand, validation of sand consumption shall be taken up through a reputed 3rd party agency.
- iv. After booking, each order shall be provided a specific delivery slot (time & date) at which sand shall be despatched from the reach/stockyard.
- v. Consumers who require sand for commercial use (Bulk consumers) shall be able to submit request for sand from the online application by providing details of the project and sand requirement. Sand shall be allotted to the consumers after pre-validation of the sand requirement by the Government.
- vi. Necessary Provisions may be made in the portal to facilitate development of weaker section housing programmes.

C. Transportation:

- i. All Vehicles which intend to transport sand shall have to be equipped with GPS devices and get registered with DMG.
- ii. General consumers shall be given the option of arranging either their own vehicle for sand delivery or can request Government to arrange for transportation of sand to their project location. Bulk consumers shall be required to arrange for own transportation for delivery of sand to their respective project locations. Proper accounting shall be done for sand supplied post-delivery. Collectors to ensure such accounting for all such deliveries made.
- iii. Transportation agencies, which intend to participate in Government facilitated sand delivery to consumers, shall have to empanel themselves with DMG/District Administration and provide their preferred area of operations (reaches/stockyards and destinations). Detailed guidelines for empanelment, including the Service Level Agreement (SLA) and submission of Performance Security Deposit (PSD) shall be issued from time to time.
- iv. DLSC shall
 - a. fix the maximum transportation cost to be charged by the transporters based on the type of vehicle, vehicle capacity and distance.
 - b. arrange for empanelment of transporters complying with the transportation cost duly signing Service Level Agreements (SLAs) and collecting Performance Security Deposits
 - c. facilitate the transportation of sand by the empanelled vehicles for the consumers opted for Government facilitation.
- v. DMG shall

- a. develop an online application to facilitate the transporters in the registration & empanelment process.
 - b. develop an online application to facilitate GPS tracking of all sand carrying vehicles to ensure sand is being delivered at the prescribed location, without any deviation.
- vi. All the Sand Carrying Vehicles shall display a banner of "Uchita Isuka Ravana Vahanam" in the front.

D. Operations:

- i. DLSC shall appoint agencies to undertake various activities viz. sand extraction, loading, ramp maintenance, security etc. at the reaches/pattalands/stockyards etc., through an open and transparent process.
- ii. Access to the reach or stockyard will be strictly controlled, with only authorized personnel being allowed entry.
- iii. DLSC shall ensure installation of CCTV cameras to monitor activities at all the sand sources.

E. Strengthening Institutional Mechanism:

- i. At State level, a Command & Control Centre shall be established to oversee all sand excavation, transportation activities and timely redressal of the grievances received from consumers.
- ii. At District level, Facilitation Centers shall be established to monitor sand supplies on real-time basis and improve co-ordination between consumers, transporters & other stakeholders.
- iii. Joint Collector shall be appointed as Special Officer for Sand Monitoring in respective districts.
- iv. Artificial Intelligence (AI) shall be leveraged to further improve the ease of sand booking for consumers and curb any scope for illegal hoarding/ mining/ transportation.

F. Periodic Audits and Collection of Feedback:

- i. Public satisfaction on sand policy shall be assessed through periodic feedback collection from public/consumers.
- ii. Toll-Free No. and email-ids shall be provided for the public to submit grievances, if any.
- iii. To ensure this, audits by third-party agencies at reaches/ stockyards & sand delivery locations shall be taken up to ensure quantity, quality and process audits.

5. The Commissioner & Director of Mines and Geology, Government of A.P., shall submit proposals for necessary amendments accordingly to Andhra Pradesh Minor Mineral Concession (APMMC) Rules, 1966.

6. These orders shall come into force with immediate effect.

7. The Government may revise the Sand Policy in future as and when required.

8. The Commissioner & Director of Mines and Geology, A.P., and all the concerned officers mentioned in the address entries shall take necessary action accordingly in the matter.

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

MUKESH KUMAR MEENA IAS
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

To

The Commissioner & Director of Mines & Geology, A.P, Ibrahimpatnam, NTR District.

The VC&MD, APMDCLtd., Kanuru, Vijayawada.

The Commissioner Special Enforcement Bureau, Mangalagiri.

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All the members of District Level Sand Committees (through C&DM&G)

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All the Superintendents of Police in the State.

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The P.S. to Prl., Secy (Mines)

SF/SC(2486879)

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SECTION OFFICER

