



सत्यमेव जयते

File No: AP MIN TOR NE 03 2024 196

Government of India

Ministry of Environment, Forest and Climate Change

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



Dated 03/09/2024



To,

DEVISINGH HANUMANSINGH
DEVISINGH HANUMANSINGH
ROYELTY INSPECTOR O/o DISTRICT MINS AND GEOLOGY OFFICER SPSR NELLORE, Nellore,
SPSR NELLORE, ANDHRA PRADESH, 524001
dmgosandap@gmail.com

Sub: Rejection of Terms of Reference (ToR) to the proposed Project under the EIA Notification 2006-and as amended thereof -regarding.

Sir,

This is in reference to your application submitted to Ministry vide proposal number SIA/AP/MIN/465705/2024 dated 21/08/2024 for Rejection of prior Terms of Reference (ToR) to the project under the provision of the EIA Notification 2006-and as amended thereof.

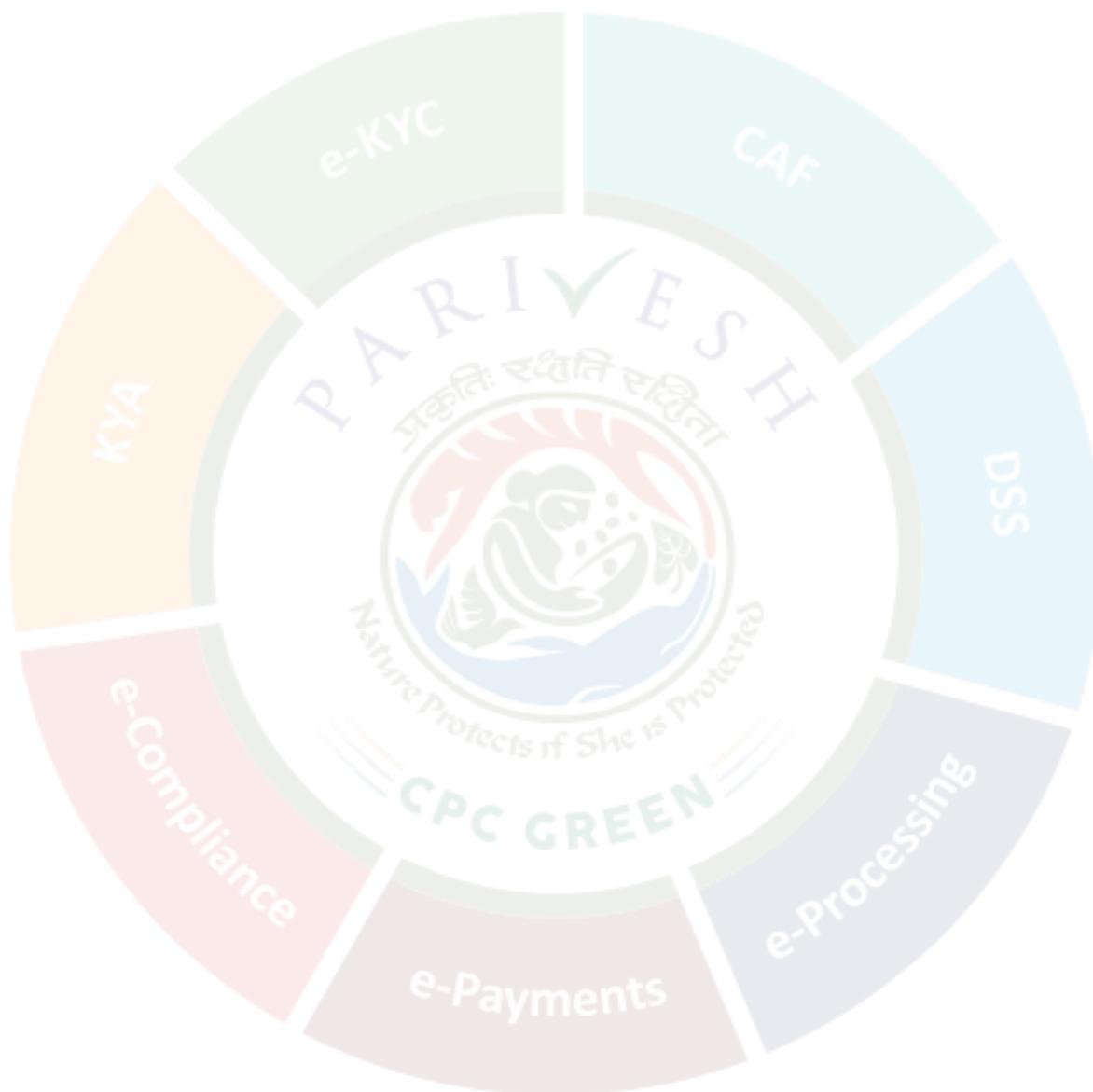
The particulars of the proposal are as below :

(i) TOR Identification No.	TO24B0107AP5890391N
(ii) File No.	AP MIN TOR NE 03 2024 196
(iii) Clearance Type	Fresh ToR
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vi) Name of Project	Kulluru Sand Reach
(vii) Name of Company/Organization	DEVISINGH HANUMANSINGH
(viii) Location of Project (District, State)	SPSR NELLORE, ANDHRA PRADESH
(ix) Issuing Authority	SEIAA
(xi) Applicability of General Conditions	no

N/A

Additional Terms of Reference

Send Approval Copy To (In case of multiple use comma as separator)



 <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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By Speed Post

Lr No. SEIAA/AP/MIN/TOR/NE/03/2024/196

To

**The Royalty Inspector,
O/o the District Mines and Geology Office,
Nellore, SPSR Nellore District,
Andhra Pradesh -524001.**

Sir,

Sub: SEIAA, A.P.– 25.0 Ha Ordinary Sand Mine proposed in the name of Kulluru Sand Reach of SPSR Nellore, Kulluru Village, Kaluvoya Mandal, SPSR Nellore District by Royalty Inspector O/o District Mins and Geology Officer, SPSR Nellore District – Reject the TOR application – Reg.

Ref: 1. Your application received through online vide Proposal No. **SIA/AP/MIN/465705/2024.**
2. Recommendation of SEAC on 22.04.2024.
3. 243rd SEIAA meeting held on 09.05.2024.

With reference to the above, it is to inform that your application was examined by the State Expert Appraisal Committee (SEAC), A.P in its 243rd meeting held on 22.04.2024 and committee noted that:

1. The project proposal is for mining Ordinary Sand in an area of 25.0 Ha with a proposed production quantity of Ordinary Sand Mine – **2,50,000 m³/Annum** with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme plan.
2. 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).
3. The District of Mines and Geology officer and their consultant M/s. SV Enviro Labs & Consultants have attended the meeting and presented their proposal. The SEAC Committee noted that:
 - a. The Department of Mines and Geology submitted DSR of SPSR Nellore District. The District Collector and Chairman, DLSC Nellore has identified the subject mine through Joint inspection Committee of the District. The Joint inspection was conducted and report was submitted on 11.01.2024.
 - b. The District Mines and Geology Officer, Nellore vide order dt. 07.02.2024 issued Proceedings to the Royalty Inspector for obtaining Environmental clearance to the subject mine.
 - c. As per the cluster letter dated: 07.03.2024 issued by the Mines Department, the total applicable cluster area is > 5.0 Ha. Hence, the subject mine falls in B category.

- d. As per the approved mining plan dt. 07.03.2024, the total available mineral reserves are 2,50,000 m³ (As per WALTA Act only 1m sand excavation is permitted) and the entire quantity is proposed to be excavated within the period of 1 year.
 - e. The proponent proposed semi mechanized mining.
 - f. Hon'ble NGT in its order dated 23.03.2023 in O.A. No. 152 of 2021 (SZ) directed SEIAA, Andhra Pradesh to verify all the Environmental Clearances granted for sand mining under 'B2' Category if permission has been granted for semi-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.
 - g. The present application is made for semi mechanized mining. Hence, it is considered under B1 category for issue of TOR as per the Environmental Clearance procedure stipulated for B1 category units.
 - h. The proposed Project area falls into the Protected Area or ESZ and the Mining within 1 km of the Protected Area notified under Wildlife (Protection) Act, 1974 is prohibited.
 - i. Therefore, the proposed project requires clearance / NOC under Wildlife (Protection) Act,1974.
 - j. The SEAC committee noted that proposals involving mining of minerals within the ESZ (or) one kilometer from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
4. 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 **reject** the TOR application as the proposed project falls within the Protected Area or ESZ and the Mining within 1 km of the Protected Area notified under Wildlife (Protection) Act,1974 is prohibited:
5. The issue was placed before the SEIAA, A.P., in its 243rd SEIAA day-1 meeting held on 09.05.2024 and SEIAA Agreed with the recommendations of SEAC to Reject the TOR application.

In view of the above, your TOR application is **Rejected**. Further, No mining/ construction/Expansion or developmental work shall be carried out without obtaining Environmental Clearance as per the Provisions of laid under E(P) Act, 1986 and EIA notification 2006 dt. 14.09.2006 and its amendments thereof. Any appeal against this order 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.

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