

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

ORIGINAL APPLICATION No 115 OF 2021

IN THE MATTER OF:

TRIBUNAL ON ITS OWN MOTION

Suo Motu based on the News Item Published in
The Times of India, E-Paper dated 08.05.2021,
Under the Caption "Andhra Pradesh: 10 feared dead,
Several injured in blast at quarry in Kadapa".

with

1. THE CHIEF SECRETARY TO GOVT. OF ANDHRA PRADESH,

1st Block, 1st Floor, Interim Government Complex,

A.P. Secretariat Office, Velagapudi,

Guntur, Andhra Pradesh- 522297 and 9 others Respondents

**COMPLIANCE REPORT FILED BY THE DISTRICT
COLLECTOR KAKINADA 5TH RESPONDENT APPCB**

DATE- 28-10-2023



M/s MADHURI DONTI REDDY

ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

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[Counsel for 5TH Respondent APPCB](#)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE,
CHENNAI IN COMPLIANCE TO HON'BLE NGT ORDER DATED 02.03.2022.**

ORIGINAL APPLICATION No.115 of 2021(SZ)

IN THE MATTER OF:

Hon'ble NGT on its own motion
Suo Motu based on the News Item Published in
The Times of India, E-Paper dated 08.05.2021,
Under the Caption "Andhra Pradesh: 10 feared dead,
Several injured in blast at quarry in Kadapa".

... Applicants

WITH

The Chief Secretary to Govt. of Andhra Pradesh,
Secretariat, Guntur & Others.

... Respondents

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Nawudh Sarok
ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office:
YSR Dist, KADAPA

Further report of A.P. Pollution Control Board submitted in compliance to the Hon'ble N.G.T, Chennai order dt.02.03.2022 in O.A. No. 115 of 2021(SZ) taken up on its own motion Suo Motu based on the News Item Published in The Times of India, E-Paper dated 08.05.2021, Under the Caption "Andhra Pradesh: 10 feared dead, Several injured in blast at quarry in Kadapa".

It is to submit that Hon'ble National Green Tribunal(NGT), Chennai Suo Motu registered O.A. 115 of 2021(SZ) on the basis of the newspaper report published in the Times of India, E-Paper dt. 08.05.2021 under the caption "Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa". The explosion happened while unloading large quantities of gelatine sticks from a vehicle. The explosion occurred in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle village, Kalasapadu mandal, YSR District on 08.05.2021

In this regard, it is to submit that the Hon'ble NGT, Chennai, disposed the matter on 02.03.2022. The directions issued by the Hon'ble Tribunal in the disposal order are:

17." Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

18. So, the application is disposed of as follows: i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.

"i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.

ii) The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.

iii) The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.

iv) The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.

v) The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal."

19. With the above directions and observation, the application is disposed of."

A copy of the Hon'ble Tribunal order is attached for kind perusal (Annexure - I).

Item No.13:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.115 of 2021 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion

Suo Motu based on the News Item Published in
The Times of India, E-Paper dated 08.05.2021,
Under the Caption "Andhra Pradesh: 10 feared dead,
Several injured in blast at quarry in Kadapa".

With

1. The Chief Secretary to Govt. of Andhra Pradesh,
1st Block, 1st Floor, Interim Government Complex,
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh- 522297
2. Special Chief Secretary of Andhra Pradesh,
Department of Environment,
Forest, Science and Technology,
4th Block, Ground Floor, Room No. 268,
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh- 522297
3. Principal Secretary of Andhra Pradesh
Department of Mines and Geology,
2nd Block, Ground Floor, Room No.101
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh- 522297
4. The District Collector,
Kadapa District,
District Collector Office,
C-Block, RIMS road,
New Collectorate, Y.S.R. District,
Andhra Pradesh- 516003
5. The Chairman,
Andhra Pradesh Pollution Control Board,
D.No. 33-26-14, D/2 Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamalavari Street,
Kasturibaipet Vijayawada- 520 010
6. Department of Mines and Geology,
Rep by its Director,
Sri Anjaneya Towers, D.No. 7-104, B-Block,
5th and 6th Floor, Ibrahimpatnam,
Vijayawada, Andhra Pradesh- 521456
7. The Deputy Director,

Department of Mines and Geology, Kadapa,
G-3, New Collectorate Complex,
Kadapa, YSR District,
Andhra Pradesh- 516004

8. Mandal Revenue Officer,
Kalasapadu Mandal,
Mandal Revenue Office, Kalasapadu,
Andhra Pradesh- 516217
9. The Industries and Commerce Department,
Government of Andhra Pradesh,
Rep by its Secretary,
Ground Floor, Block 2,
A.P. Secretariat, Velagapudi,
Andhra Pradesh
10. State Level Environment Impact
Assessment Authority (SEIAA)
Rep by its Chairman,
O/o APPCB, D.No. 33-26-14.
D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamvari Street,
Kasturibaipet, Vijayawada- 520010



...Respondent(s)

Date of hearing: 02.03.2022.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

For Applicant(s): Suo Motu by Court.

For Respondent(s): Ms. Madhuri Donti Reddy for R1 to R8 and R9

ORDER

1. The above case has been Suo Motu registered by this Tribunal on the basis of the newspaper report published in The Times of India, E-paper dated 08.05.2021 under the caption "Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa". It was alleged in the newspaper report that the tragic incident occurred in a blast at quarry in Kadapa District of Andhra Pradesh on Saturday and at least 10 workers appeared to have died and several others sustained injuries in the incident.

2. It was alleged in the newspaper report that the blasting was done in violation of the conditions imposed and quarrying was also being carried out in that area in an unscientific manner and in excess of the permission granted by over exploiting the natural resources. It was also alleged in the newspaper report that in respect of the incident, some criminal case had been registered by the police.
3. It was also alleged in the newspaper report that explosion happened while unloading large quantities of gelatine sticks from a vehicle in the factory area, which had resulted in thick smoke emerging from that area near the Mamillapalli village. The quarrying owner was not having necessary permission or other authorisation for using such explosives as well.
4. On going through the allegations made in the newspaper report, this Tribunal was satisfied that there arose a substantial question of environment which required interference of this Tribunal. This Tribunal also suo motu impleaded the Secretary, Industries and Commerce Department, Government of Andhra Pradesh and also the Andhra Pradesh State Environment Impact Assessment Authority as additional respondents 9 and 10 respectively.
5. Though, the Learned Counsel for the Andhra Pradesh informed that in respect of the incident, some Committee had been appointed by the State of Andhra Pradesh and they had conducted inquiry and some action had been taken against the persons to whom the mining license was granted and responsible for the incident and submitted that there was no necessity for appointment of any Committee but this Tribunal overruled that objection on the ground that the Committee so appointed would not be going into the question of environmental compensation due to damage caused to environment and other aspects. So, this Tribunal had appointed a Joint Committee comprising

of 1) Senior Officer from Andhra Pradesh State Environment Impact Assessment Authority, 2) A senior officer from the Integrated Regional Office, MoEF&CC, Chennai, 3) A Senior officer from Pollution Control Board as deputed by the Chairman, 4) the District Collector, Kadapa District and 5) the Assistant Director of Mines and Geology of the respective area to inspect the area in question and submit a factual as well as action taken report, if there was any violation found.

6. The Committee was directed to go into the question as to 1) whether the persons who were doing the quarrying work were having all necessary clearances, permissions and licenses as required, 2) whether any excess mining was done than the permission granted and the area permitted, 3) whether there were any violations committed by them in respect of any condition imposed in the clearances and permission, if any, granted and 4) what was the nature of damage caused to the environment on account of over exploitation of natural resources committed by such persons and assess the nature of damage and also the environmental compensation to be recovered from such persons including the compensation payable to the injured and the deceased person on account of their over exploitation and violations committed.

7. The Committee was also directed to ascertain as to whether apart from this quarry, was there any other quarry situated in that area and whether there were any violations committed by those quarry owners by over exploiting the natural resources than permitted, if so, what was the mechanism that was being adopted by the regulators to supervise these aspects. If there were any violations found to be committed by any other quarry owners in that district, then the Committee was also directed to submit a report regarding the same.

8. The SEIAA, Andhra Pradesh was designated as the Nodal agency for coordination and providing necessary logistic for this purpose.

9. The case was originally posted to 09.07.2021 for appearance of parties and filing independent response and consideration of report.

10. On 09.07.2021, this Tribunal had considered the Joint Committee report signed by one of the member on 07.07.2021, e-filed on 09.07.2021 extracted in Para 3 of the order which reads as follows:

REPORT OF THE JOINT COMMITTEE COMPRISING IN THE MATTER OF O.A. 115 OF 2021 “TRIBUNAL ON ITS OWN MOTION SUO MOTU BASED ON THE NEWS ITEM PUBLISHED IN THE TIMES OF INDIA, E-PAPER DATED 08.05.2021, UNDER THE CAPTION “ANDHRA PRADESH: 10 FEARED DEAD, SEVERAL INJURED IN BLAST AT QUARRY IN KADAPA” SUBMITTED TO THE HON’BLE NATIONAL GREEN TRIBUNAL, SOUTH ZONE, CHENNAI, IN COMPLIANCE TO HON’BLE NGT ORDER DATED 21ST MAY, 2021

1.0 Preamble

Hon’ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Times of India, e-paper dated 08.05.2021 under the caption “Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa”. It is alleged in the newspaper report that the tragic incident occurred in a blast at quarry in Kadapa District of Andhra Pradesh on Saturday and at least 10 workers appear to be died and several others sustained injuries in the incident. It is alleged in the newspaper report that the blasting was done in violation of the conditions imposed and quarrying was also being carried out in that area in unscientific manner and in excess of the permission granted by over exploiting the natural resources. The explosion happened while unloading large quantities of gelatine sticks from a vehicle in the factory area, which has resulted in thick smoke merging from that area near the Mamillapalli village. It is also alleged in the report that the quarrying owner was not having necessary permission or other authorisation for using such explosives as well.

2.0 Orders of the Hon’ble Tribunal dated 21.05.2021

The Hon’ble National Green Tribunal, Southern Zone, Chennai, has passed an order dated 21.05.2021 to appoint a Joint Committee consisting of 1) Senior Officer from Andhra Pradesh State Environment Impact Assessment Authority, 2) A senior officer from the Integrated Regional Office, MoEF&CC, Chennai, 3) A Senior officer from Pollution Control Board as deputed by the Chairman, 4) the District Collector, Kadapa District and 5) the Assistant Director of Mines and Geology of the respective area where the incident occurred to inspect the area in question to submit a factual as well as action taken report, if there is any violation found.

In compliance to Hon’ble NGT order, a Joint Committee comprising of following members was constituted:

S.No	Name and Address	E-Mail ID
1	Sri. C. Hari Kiran, District Collector, YSR District	collector_kdp@ap.gov.in
2	Dr. P.V. Chalapathi Rao Member Secretary, SEIAA, APPCB, Vijayawada	apseaams@gmail.com
3	Dr. Suresh Babu Pasupuleti Scientist „C“, MoEF&CC Integrated Regional office, Vijayawada	iro.vijayawada-mefcc@gov.in suresh.pasupuleti@gov.in

4	Sri. K. Javeed Basha APPCB, Regional Office, Kadapa	rokdp-ee1@appcb.gov.in
5	Sri. D. Ravi Prasad Asst. Director of Mines & Geology, Kadapa	admngkdp@yahoo.co.in

The SEIAA, Andhra Pradesh is the Nodal agency for coordination and providing necessary logistic for this purpose.

Scope of Joint Committee:

The Joint Committee has been constituted with the mandate to visit and inspect the site with the following scope vide order dated 25.05.2021:

- a. Whether the persons who are doing the quarrying work are having all necessary clearances, permissions and licenses as required,
- b. Whether any excess mining is done than the permission granted and the area permitted,
- c. Whether there are any violations committed by him in respect of any condition imposed in the clearances and permission granted,
- d. What is the nature of damage caused to the environment on account of over exploitation of natural resources committed by such persons
- e. Assess the nature of damage and also the environmental compensation to be recovered from such persons including the compensation payable to the injured and the deceased person on account of their over exploitation and violations committed,
- f. Whether apart from this quarry, is there any other quarry situated in that area and whether there was any violations committed by those quarry owners by over exploiting the natural resources than permitted, if so, what is the mechanism that is being adopted by the regulators to supervise these aspects.
- g. If there is any violation found by any other quarry in that district, then the Committee is also directed to submit a report regarding the same as well.

4.0 Site Visit by the Joint Committee:

The Joint Committee inspected the incident site on 29.06.2021. As per the preliminary discussions, a major explosion occurred in the Barytes quarry lease area situated at Sy. No. 1 & 133 of over an extent of 30.696 hectares of Mamillapalli (V), Kalasapadu (M), YSR District at about 09:58hrs on 08.05.2021 while transacting explosives of likely Class 6 (Detonators) and Class 2 (Gelatin sticks & Boosters) from an unauthorised vehicle (Motor Car) reported for the use of mining purpose. About 10 (ten) persons died and NIL injured in the incident. An FIR No. 58/2021 was registered in the Kalasapadu PS u/s 304 (II) IPC, Section 3, 5 & 6 of Explosives Substance Act, 1908 and relevant investigation is in progress. The coordinates of the incident site is 15°06'22.2"N 78°58'05.4"E. Photographs of the mine lease and during site visit are as follows:

About the Mine Lease

- As per G.O.Ms.No.224 of Ind & Comm (M.III) Dept., AP dated 11.04.2001, the Government of Andhra Pradesh has granted a 30.696 ha of Barytes mine lease in favour of Smt. C. Kasturi Bai, w/o Sri. C. Ramachandrayya, Kadapa. (Annexure - I)
- The same was executed by the Asst. Director of Mines & Geology, Kadapa vide Proc.No.1527IM3/2001, Dt. 24.11.2001 for a period of 20 years w.e.f. 02.11.2001 to 01.11.2021. (Annexure - II)
- During the subsistence of the lease period, Smt. C. Kasturi Bai the original lease holder has executed General Power of Attorney (GPA) to Sri. Chilekampalli Nageswar Reddy, S/o C. Sessa Reddy a resident of Chenchaiharipalli (v), B.Mattam (M), YSR district to operate mine with effect from 01.01.2013 to 01.11.2021. (Annexure - III)
- As reported, the mine lease is a barren land and situated in the Sy. No. 1 & 133, Mamillapalli revenue village of Kalasapadu Mandal and located in Northern direction to the Mamillapalli village. The premises has Tirumala kondatippa on Eastern side, Kakarla beedutippa on Northern side, Paluguthokatippa on Western side and Telugu

- Ganga canal on Southern side.
- The lessee has obtained Approved Mining Plan from the Indian Bureau Mines (IBM) vide Lr.No. 659(426)BA/2001/NLR, dt. 14.03.2001 for a period from 2001-02 to 2005-06.
 - The lessee has failed to submit subsequent Scheme of Mining (SOM) for two block periods from 2006-07 to 2010-11 and 2011-12 to 2015-16.
 - The lessee has obtained Approved Mining Scheme from the Dy. Director of Mines and Geology, Kadapa vide Lr. No. 4312/MS/KDP/2017, dt. 21.07.2018 for proposal period from 2018-19 to 2020-21. (Annexure – IV)
 - The lessee vide Proposal No. IA/AP/MIN/69892/2017, dt. 26.09.2017 has applied for Environmental Clearance (EC) from MoEF&CC New Delhi , after the six months window period (i.e. 14.03.2017 to 13.09.2017). But the Lessee has failed to obtain Environmental Clearance from the concerned authority till date.
 - The Asst. Director of Mines & Geology, Kadapa has issued Notice No.3423/M1/2002, Dated.20.02.2019 to the lessee for not maintaining records at quarry site and not submitting quarterly returns and annual accounts which is breach under Rule 28 (3) of APMMC Rules, 1966 and not submitting EC, CFE & CFO.
 - During the subsistence of the lease period from 02.11.2001 to 08.05.2021 (i.e., incident occurred date) the lessee has obtained dispatch permits for Barytes mineral duly paying advance Royalty / Seigniorage fee as required under rule 34 (1) of APMMC Rules, 1966 and M.C Rules 1960. The details are given below:

DISPATCH PARTICULARS FOR THE PERIOD FROM 02.11.2001 TO 30.03.2021					
S.No	Year	Quantity in MTs			Royalty Amount (Rs./-)
		White Barytes	Buff Barytes	Total Quantity	
1	2001-02	0	0	0	0
2	2002-03	140	740	880	56100
3	2003-04	0	650	650	46750
4	2004-05	0	800	800	44000
5	2005-06	0	730	730	40550
6	2006-07	0	100	100	9500
7	2007-08	0	450	450	39800
8	2008-09	0	200	200	11000
9	2009-10	150	649	799	65365
10	2010-11	151	290	441	54118
11	2011-12	442	326	768	128325
12	2012-13	272	595	867	174143
13	2013-14	1133	3893	5026	1383520
14	2014-15	408	3349	3757	1078412
15	2015-16	204	1360	1564	581730
16	2016-17	0	4131	4131	1888920
17	2017-18	595	3570	4165	1309000
18	2018-19	272	1020	1292	615602
19	2019-20	1000	1450	2450	1014398
20	2020-21	0	0	0	0
TOTAL		4767	24303	29070	8541233

Reasons for incident:

- As per the observations made during site visit and information from the reports of different departments, the explosion occurred on 08.05.2021 at around 09:58 AM. The centre of blast is near to a Neem tree within 5-6 m distance towards north,

- situated in a semi flat place in the gorge terrain.
- The police reported that there are two craters of roughly 1- 1.5 feet depth and 2 feet diameter. From the centre/point of blast, within 20-30 m distance on southern side two sheet roofed sheds are there (may be for temporary dwelling sheds for mining laborers).
 - One shed is having two rooms, facing towards east and another shed with single room/space facing towards northern direction.
 - Within 40-50 m distance, Sri Tirumala Konda Swamy temple is existing.
- A mangled car with engine & chassis was lying at around 20 m distance from the spot on northern side. Body parts of a car were found scattered all around and a piece was found within 10 m from the spot.
 - Signs of flesh pieces and blood stains were found scattered all around from the spot up to 100-150 m, more precisely towards South-West direction. On North East direction and South East direction the scattering is minimum.
 - Huge Neem tree which is situated 5 meters distance from blasting spot towards south was totally broken branches with burnt leaves due to huge intensity of the blast & heat. Debris of car body is also found effected by high heat generated.
 - Huge explosion with loud sound was heard and felt by the residents of the villages of Obulapuram, which is located at a distance about 8 to 10 km from the explosion spot.
 - Explosives & Detonators were brought by the C. Nageswar Reddy, GPA holder in the dickey of the Etios Car bearing No.AP27BS-8863.
 - The cause of the accident, as apprehended, was “pre-mature detonation of explosives”, caused due to some sort of shock to the detonator(s) leads during mishandling of explosives & detonators while unloading from the dickey of the car in which 10 labourers including a supervisor and a car driver were reportedly killed.
 - As reported, the probable cause of initiation of detonator can be attributed to any of the following:
 1. The detonator(s) might have subjected to such a shock [like fall of heavy object on detonator(s)] that was sufficient to initiate/explode the detonators to which in turn made the explosive cartridges, being handled, to explode.
 2. Strong impact, sufficient to cause initiation, created due to throwing of detonators on very rough and hard surface during unloading.
 3. Use of contrabands like Beedi/Cigarette/match stick might have initiated the detonators to explode.
 4. The energy generated due to the use of mobile phone in the vicinity of the detonators, being handled, might ignite the detonator(s).
 5. The detonator leads (wires) might have come in contact with short-circuit electrical system of the car, causing premature.
 6. The other causes for accidental detonation are being enquired.
 - The Station House Officer, Kalasapadu P.S has filed a Criminal case against C. Nageswar Reddy, S/o Seshi Reddy D.No. 4/16.2, Chenchaiahgaripalli Village, B.Mattam Mandal, Y.S.R District, FIR No.58/2021, dated: 8.5.2021 under Section 304 (ii) IPC and Sec 3,5 and 6 of Explosive Substances Act. Subsequently, Raghunatha Reddy A-2, Y.S. Pratap Reddy A-4 were arrested and sent for judicial custody. But, Ponnathota Lakshminarayana Reddy A-3 was died in the incident and recorded as accused A-3 for involving in illegal procurement of explosives based on the complaint made by the Tahsildar, Kalasapadu. (The copy of FIR is herewith enclosed as Annexure - V). As per the FIR names of the deceased are;
 1. Prasad, age 40 years, Gangayapalle Village, Kalasapadu Mandal,
 2. Subbareddy, age 40 years, Gondipalli Village, now at Badvel town
 3. Balagangulu, age 35 years, E. Kothapalle Village, Vemula Mandal

4. Venkataramana, age 25 years, E. Kothapalle Village, Vempalle Mandal
 5. Venkatesu, age 25 years, Bakkannagaripalli Village, Vempalli Mandal
 6. Eswaraiah, age 45 years, Bechiaahgaripalle Village, Vemula Mandal
 7. Gangireddy, age 50 years, Rangoripalle Village, Vemula Mandal
 8. Lakshmi Reddy, age 60 years, Kothapalle Village, Vemula Mandal
 9. Abdul, age 30 years, Vemula Mandal, now at Badvel town, driver of the vehicle
 10. Korivi Prasad (Driver of car), aged about 30 years, Porumamilla.
- The detailed enquiry into the accident is under progress.
 - After the incident, the Government of Andhra Pradesh constituted an Enquiry Committee vide G.O. RT 69 dated 09.05.2021 and subsequent Proceedings No. C/76/M/2021 dated 10.05.2021 of the District Magistrate & Collector, YSR District to conduct enquiry/investigation into the incident, under the Chairmanship of the Joint Collector (RB & R), YSR District comprising of one member each from 1) Mines & Geology Dept., 2) Revenue Dept., 3) Police Dept., 4) Dept of Mines Safety 5) Explosive Dept.
 - The detailed report of the above committee has submitted to Government of Andhra Pradesh for further action.

Observations of the Joint Committee

Details about necessary clearances, permissions and licenses as required **7.1.a Environmental Clearance (EC)**

- As per Environmental Impact Assessment (EIA) Notification, 1994 vide S.O. 60 (E) dated 27.01.1994, Schedule-I, Point. 20, “Mining projects (major minerals) with leases more than 5 hectares” requires prior EC from Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
- As per Environmental Impact Assessment (EIA) Notification, 2006 vide S.O. 1533 (E) dated 14.09.2006, Schedule, Point no 1 (a) , “ Mining projects with leases \geq 5 hectares” requires prior EC from Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
- The Ministry of Mines, GoI vide Notification No. S.O. 423(E) dated 10.02.2015 declared Barytes mineral as minor mineral.
- As the said mine lease granted to the lessee in the year 2001 and the mine lease area is above 5 Ha, EC is required to the project as per EIA Notification, 1994 since its inception.
- The Ministry has issued a Notification No. S.O. 804 (E) dated 14th March, 2017 under the Environment (Protection) Act, 1986 to appraise and regularize the projects, already taken up or under implementation without having obtained prior environmental clearance in terms of the provisions of the EIA Notification, 2006 and are therefore identified in violation of the same. The said Notification had given a six months window period i.e. 14.03.2017 to 13.09.2017 for submission of such proposals.
- The lessee vide Proposal No. IA/AP/MIN/69892/2017, dt. 26.09.2017 has applied for Environmental Clearance (EC) from MoEF&CC New Delhi , after the six months window period (i.e. 14.03.2017 to 13.09.2017).
- Further, Hon'ble High Court of Madras vide order dated 14.03.2018 in the matter of W.M.P.Nos.3361 and 3362 of 2018 and W.M.P.No.3721 of 2018 in W.P.No.11189 of 2017, had provided one month additional window period i.e. 14.03.2018 to 13.04.2018 for submission of such proposals.
- Smt. C. Kasturi Bai filed an application through online to SEIAA,AP under violation (category-B) for consideration of TOR on 11.04.2018 (SIA/AP/MIN/24174/2018) in one month additional window period i.e. 14.03.2018 to 13.04.2018 .
- The proponent was requested vide letter dated 03.08.2018 and through online also to

submit an notarized affidavit / sworn in affidavit for further processing of project proposal for consideration of Environmental Clearance / Terms of Reference . The proponent has not submitted the notarized affidavit / sworn in affidavit to SEIAA,AP for further processing of application and failed to obtain Environmental Clearance from the SEIAA,A.P., till date.

Consent for Establishment and Operation (CFE & CFO)

- The Barytes mine of Smt. C. Kasturi Bai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, was operating without obtaining CFE and CFO from Andhra Pradesh State Pollution Control Board (APPCB).
- The Regional Office, APPCB, Kadapa, requested the Department of Mines & Geology, Kadapa, vide Lr. dt. 10.05.2021, to furnish the details of the mine where the accident took place.
- A detailed report on the said Barytes mine of Smt. C. Kasturi Bai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, was submitted to the Zonal Office, APPCB, Kurnool vide dated 27.05.2021 to take action against the Barytes mine for operating the mine without EC, CFE, CFO.
- After the incident, the Zonal Office, APPCB, Kurnool, issued Closure Order vide dated 29.05.2021, to the Barytes Mine of Smt. C. Kasturi Bai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, for operating the mining unit without Environmental Clearance and Consents of the Board. (Annexure - VI)
- Further, the Zonal Office, APPCB, Kurnool, also requested the Asst. Director of Mines & Geology, Kadapa, Vide Lr. Dt. 29.05.2021, not to issue work permit to the Barytes Mine of Smt. C. Kasturi Bai. (Annexure - VII)

License from Explosives Department

- It has been observed that the Lessee is using explosives and conducting blasting without permission obtained from competent authority as per Explosives Rules, 2008.

Approvals from Department of Mines & Geology

- Smt. C. Kasturi Bai has applied for grant of Mining Lease for Barytes over an extent of 79.97 acres in Sy. No. 1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District in the year 1995 before the Director of Mines and Geology, Hyderabad.
- The Director of Mines and Geology, Hyderabad vide Memo No. 26269/M2/95, dt. 16.09.1995 has forwarded the application to the Asst. Director of Mines and Geology, Kadapa and directed to submit proposal for grant of Mining Lease in favour of Smt. C. Kasturi Bai.
- The Tahsildar, Kalasapadu Mandal, YSR District vide L.Dis No. 173/2000, dt. 14.06.2000 has issued No objection certificate (NOC) duly recommending for grant of Mining Lease in favour of Smt. C. Kasturi Bai.
- The then Asst. Director of Mines and Geology, Kadapa vide Lr.No. 3399/M3/95, dt. 20.03.1997 submitted proposal to the Director of Mines and Geology, Hyderabad for grant of Mining Lease over an extent of 79.97 acres in 1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District.
- The Government vide G.O.Ms.No. 224 of Ind & Comm (M.II) Dept., Dt.11.04.2001 has granted a Mining Lease in favour of Smt. C.Kasturi Bai for Barytes over an extent of 30.696 Hectares (75.84 acres) in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R District for a period of twenty years.
- The then Asst. Director of Mines and Geology, Kadapa has executed the Mining Lease vide Proc.No.1527/M3/2001, Dt.24.11.2001 for a period of 20 years w.e.f 02.11.2001 to 01.11.2021 and issued work order.
- The lessee has intimated the opening of Mine vide Notice in Form-C submitted on 29.08.2002 and commenced mining operations for Barytes on 01.02.2002.
- The Indian Bureau Mines (IBM) vide Lr.No. 659(426)BA/2001/NLR, dt. 14.03.2001 has approved the Mining Plan (it was approved before the grant of Mining Lease).
- The lessee has failed to submit subsequent Scheme of Mining (SOM) for two block periods from 2006-07 to 2010-11 and 2011-12 to 2015-16.

- The lessee has obtained Approved Mining Scheme from the Dy. Director of Mines and Geology, Kadapa vide Lr.No. 4312/MS/KDP/2017, dt. 21.07.2018 for proposal period from 2018-19 to 2020-21.
- The first work permit was issued on 31.08.2002 for 60 MTs of Buff Barytes vide Permit No. 410/PRT/2002-03, dt. 31.08.2002 by the then Asst. Director of Mines and Geology, Kadapa.
- The then Asst. Director of Mines and Geology's, Kadapa who were worked upto 14.06.2020 since 01.02.2002 have issued the following work permits for transportation of Barytes mineral to the lessee.

PRODUCTION / DISPATCH PARTICULARS FOR THE PERIOD FROM 02.11.2001 TO 30.03.2021					
S.No	Year	Production / Dispatch in MTs			Year wise proposed Quantity as per Mining Plan/Scheme (in MTs)
		White Barytes	Buff Barytes	Total Quantity	
1	2001-02	0	0	0	244
2	2002-03	140	740	880	245
3	2003-04	0	650	650	245
4	2004-05	0	800	800	245
5	2005-06	0	730	730	245
6	2006-07	0	100	100	Scheme of Mining was not submitted by the lessee
7	2007-08	0	450	450	
8	2008-09	0	200	200	
9	2009-10	150	649	799	
10	2010-11	151	290	441	
11	2011-12	442	326	768	Scheme of Mining was not submitted by the lessee
12	2012-13	272	595	867	
13	2013-14	1133	3893	5026	
14	2014-15	408	3349	3757	
15	2015-16	204	1360	1564	
16	2016-17	0	4131	4131	Scheme of Mining was not submitted by the lessee
17	2017-18	595	3570	4165	
18	2018-19	272	1020	1292	5177.2
19	2019-20	1000	1450	2450	5203
20	2020-21	0	0	0	5177.2
TOTAL		4767	24303	29070	15557.4

- From the above table it is deduced that, the total production/dispatch of Barytes mineral made by the lessee upto date of blasting incident i.e., 08.05.2021 is 29070 MTs (4767 White Barytes + 24303 Buff Barytes) since inception of Mining operations.
-
- Action initiated by the Mines Department against the lessee on the breaches / lapses committed:
 - The Asst. Director of Mines and Geology, Kadapa vide Lr. No. 3423/M1/2002, dt. 15.10.2020 has submitted proposals to the Dy. Director of mines & Geology to suspend the quarrying operations in the leased area of Smt. C. Kasturi Bai as the quarrying operations are not in accordance with approved mining scheme under Rule 7 (A) (VI) of Andhra Pradesh Minor Mineral Concessions Rules, 1966

- in turn the Dy. Director of Mines and Geology, Kadapa has suspended the Quarry Lease operations in the lease area of Smt. C. Kasturi Bai vide Proceedings No. 1891/Q1/2020, dt. 18.05.2021.
- The Asst. Director of Mines and Geology, Kadapa vide Lr. No. 3423/M1/2002, dt. 28.05.2021 has submitted proposals to the Director of Mines & Geology, Ibrahimpatnam to cancel the quarry lease held by Smt C. Kasturi Bai for non – rectifying the breaches / violations/ lapses.
- In turn the Director of Mines and Geology, Ibrahimpatnam has cancelled the Quarry Lease held by Smt. C. Kasturi Bai vide Proceedings No. 3890189/D12-1/2020, dt. 02.06.2021.

Details with respect to excess mining

- During the subsistence of the lease period from 02.11.2001 to 08.05.2021 (i.e., incident occurred date) the lessee has obtained dispatch permits for Barytes mineral duly paying advance Royalty / Seigniorage fee as required under rule 34 (1) of APMMC Rules, 1966 and M.C Rules 1960. The details are given below:

PRODUCTION / DISPATCH PARTICULARS FOR THE PERIOD FROM 02.11.2001 TO 30.03.2021					
S.No	Year	Production / Dispatch in MTs			Year wise proposed Quantity as per Mining Plan/Scheme (in MTs)
		White Barytes	Buff Barytes	Total Quantity	
1	2001-02	0	0	0	244
2	2002-03	140	740	880	245
3	2003-04	0	650	650	245
4	2004-05	0	800	800	245
5	2005-06	0	730	730	245
6	2006-07	0	100	100	Scheme of Mining was not submitted
8	2008-09	0	200	200	by the lessee
9	2009-10	150	649	799	
10	2010-11	151	290	441	
11	2011-12	442	326	768	Scheme of Mining was not submitted by the lessee
12	2012-13	272	595	867	
13	2013-14	1133	3893	5026	
14	2014-15	408	3349	3757	
15	2015-16	204	1360	1564	
16	2016-17	0	4131	4131	Scheme of Mining was not submitted by the lessee

17	2017-18	595	3570	4165	
18	2018-19	272	1020	1292	5177.2
19	2019-20	1000	1450	2450	5203
20	2020-21	0	0	0	5177.2
TOTAL		4767	24303	29070	15557.4

- In this connection, it is submitted that the Asst. Geologist of this office has inspected the Mining lease of Smt. C. Kasturi Bai on 16.10.2019 & 18.10.2019 and submitted his report on 21.03.2020 and reported that “**the lessee excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2013-14 onwards**”.
- However, as per the above table, **the lessee excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2002-03 to 2017-18**”.
- In this connection, it is pertinent to submit that the lessee has submitted Approved Mining Plan approved by the Indian Bureau Mines (IBM) vide Lr.No. 659(426)BA/2001/NLR, dt. 14.03.2001 for a period from 2001-02 to 2005-06. But, lessee has failed to submit subsequent Scheme of Mining (SOM) for two block periods from 2006-07 to 2010-11 and 2011-12 to 2015-16. The year 2013-14 is comes under the Mining Scheme period of 2011-12 to 2015-16. But as per this office records, the lessee has not submitted the Scheme of Mining for that period of 2013-14. Hence it is construed that due to oversight / typographically mistake, the Asst. Geologist of this office has reported that the lessee excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2013-14 onwards since there was no Scheme of Mining’s for two block periods i.e., 2006-07 to 2010-11 and 2011-12 to 2015-16 and for 2016-17 & 2017-18 years also.
- The lessee has obtained Scheme of Mining only for the period from 2018-19 to 2020-21. Accordingly, the year wise proposed quantity as per Scheme of Mining and quantities produced by the lessee during 2018-19 to 2020-21 are show in the above table.
- Further, in his report it was reported that as per production / dispatch registers maintained by the lessee at quarry site there was stock of 734 MTs of White Barytes, 650 MTs of Buff Barytes totalling to 1384 MTs. But 1953.250 MT of White Barytes and 364 MTs of Buff Barytes totalling to 2317.25 MTs was available physically on ground in the lease area.
- From the above, it is evident that the lessee has obtained work permits for 2450 upto 19.03.2020 during the financial year 2019-20 and there was stock of 2317.25 MTs was available in the Mining lease area. As such the total production in the year 2019-20 was $2450 + 2317.25 = 4767.25$ MTs. **Accordingly, the total production of Barytes mineral from 2001-02 to 2020-21 is 31387.25MTs.**
- The first work permit was issued on 31.08.2002 for 60 MTs of Buff Barytes vide Permit No. 410/PRT/2002-03, dt. 31.08.2002 by the then Asst. Director of Mines and Geology, Kadapa.
- The last work permit was issued on 19.03.2020 by the then Asst. Director of Mines and Geology, Kadapa for 100 MTs of White Barytes vide Permit No. PR11120101640037, 19.03.2020 which was valid upto 28.03.2020.
- As per the records, the lessee excavated excess quantity of Barytes beyond the annual approved quantity in the Approved Mining Plan from 2002-03 to 2005-06. The details are shown below.

Year	Production / Dispatch in MTs			Year wise proposed Quantity as per Mining Plan (in MTs)	Excess produced Quantity (in MTs)
	White Barytes	Buff Barytes	Total Quantity		
2001-02	0	0	0	244	-

2002-03	140	740	880	245	635
2003-04	0	650	650	245	405
2004-05	0	800	800	245	555
2005-06	0	730	730	245	485
Total	140	2920	3060	1224	2080

- Further it is submitted that it cannot be ascertained that whether the lessee has produced excess quantity of mineral than the Mining Plan/Scheme from 2013-14 as stated by the Asst. Geologist of this office vide his report dated 21.03.2020 in absence of Mining Scheme for the two block periods from 2006-07 to 2010-11 and 2011-12 to 2015-16 and subsequent years of 2016-17 and 2017-18.
- As per the records, the lessee has not excavated excess quantity of Barytes beyond the annual approved quantity in the Approved Mining Scheme from 2018-19 to 2020-21. The details are shown below.

Year	Production / Dispatch in MTs			Year wise proposed Quantity as per Approved Mining Scheme (in MTs)	Excess produced Quantity (in MTs)
	White Barytes	Buff Barytes	Total Quantity		
2018-19	272	1020	सत्यमे 1292 यते	5177.2	(-) 3885.2
2019-20	1000	1450	2450 + (2317.25 stock at Mine) =4767.25	5203	(-) 435.75
2020-21	0	0	0	5177.2	-
Total	1272	2470	6059.25	15557.4	4320.95

- However, details/copies of approved Mining Schemes for two block periods i.e., 2006-07 to 2010-11 and 2011-12 to 2015-16 and subsequent years of 2016-17 & 2017-18 of the said mine are not available with Dept. of Mines and Geology as the lessee has not obtained the Approved Mining Scheme from the competent authority.
- The lessee has obtained Approved Mining Scheme with Mining Closure Plan from the Dy. Director of Mines and Geology, Kadapa vide Lr. No. 4312/MS/KDP/2017, dt. 21.07.2018 for proposal period from 2018-19 to 2020-21.

Since there is no EC, CFO and Approved Mining Schemes for two block periods i.e., 2006-07 to 2010-11 and 2011-12 to 2015-16 and subsequent years of 2016-17 & 2017-18 of the mine are available, it is not possible to quantify the actual excess production from the mines.

Environmental Damage and Compensation

- The mine lease attracts the provisions of EIA Notification, 1994 and requires EC from its inception.
- The mine was executed by the Asst. Director of Mines & Geology, Kadapa vide Proc.No.1527IM3/2001, Dt. 24.11.2001 for a period of 20 years w.e.f. 02.11.2001 to 01.11.2021.
- Barytes production was started from the year 2002-03 and till 2017 neither project proponent applied for EC from competent authority nor Dept. of Mines and Geology directed the process the same. Therefore, the mine is being operating and producing Barytes without prior EC from MoEF&CC and CFO from APPCB since 2001.

Environmental Damage Assessment

- The environmental compensation imposed for environmental damages essentially includes restoration/ rehabilitation expenses, fine/ penalty/ financial deterrent for the activities which caused the environmental damages and the

expenses incurred for identifying the extent of environmental degradation.

- Environmental damages significantly vary in terms of the damage's space, scope, level and magnitude. Due to this, significant indexes or markers of environmental damage differ considerably and one of the initial steps of environmental damage assessment is to determine the unique indexes or markers which help assess the actual damage.
- Environmental Damage Assessment and compensation involves three modules. The first and foremost step is to assess the interim compensation for interim/temporary restoration process. This is assessed by quantifying the interim damages with the help of equivalency analysis.
- In the present case (illegal mining), reserve equivalency method can be used where potential interim environmental damages can be assessed in each compartment of habitat like air, water, land, flora, fauna, etc. Potential damages calculated for each compartment sums up as the interim compensation for immediate restoration measures.
- After this interim assessment, environmental restoration plan has to be made by a detailed investigation and appropriate restoration measures has to be zeroed on by a panel of environmental experts.
- The actual cost of such a restoration plan/ project has to be imposed on the defaulter.
- The third component of the environmental damage is the actual cost of studies/ surveys/ investigations/ discussions/ monitoring/ reviews/ field visits/ laboratory assessments, etc. carried out by the regulatory authorities and expert team assigned with the implementation/ monitoring/ review of the restoration project.
- Therefore, Environmental damage essentially includes:
- Interim damage assessment and compensation for temporary restoration activities.
- Actual cost of long term restoration/ rehabilitation plan.
- Cost associated with all studies, investigations and reviews associated with damage assessment and restoration activities.

Interim damage assessment

- The first step of damage assessment is to impose compensation on interim damages emerged in each compartment of the habitat/ ecosystems. This include the cost of resources, which has been impaired of its intended uses after the emergence of damage.
- Since, the matter in question is illegal mining, extraction of Barytes and dumping/ disposal of solid waste in mine lease area, potential damage assessment is limited to land only as there is no water usage in the mining operation.
- The environmental damages associated with flora, fauna and wild life are assumed to be negligible and thorough investigations are required to delineate any effects if exist. Similarly, health effect of such illegal mining also requires a very detailed study and at present it is also assumed as minimal in this case due to low production quantities and low population densities.
- Therefore, interim damages to land is considered here and any other damages to other environmental components can be integrated with this methodology if required.

Land pollution/ destruction

Formula used in calculating damage to be caused to the surrounding environment because of the pollution of the ground surface with solid wastes:

$$D(GS) = q \times m \times CF(SW) \tag{1}$$

D(GS)	Damage to be caused by land reserve destruction or land surface pollution (Rs /year).
q	Index of land reserve's relative value (0.3 for barren lands to 3.0 for land falling under ecologically sensitive zones).
m	Weight/ quantity of solid waste released (Tons/ year)

	any other activities) from 1 hectare of land (Rs.)
	any other activities) from 1 hectare of land (Rs.)
	any other activities) from 1 hectare of land (Rs.)
CF(SW)	Damage to be caused by 1.0 ton of solid waste (Rs.)

The land reserve's relative value can be taken as 0.5 for barren lands, 1.0 for grass lands/ recreational plots, 1.5 for agricultural lands, 2.0 for plantations, 2.5 for forest lands and 3.0 for ecologically sensitive zones.

The amount of unit damage to be caused to the surrounding environment in the result of releasing of 1.0 ton of solid waste into the environment can be expressed by the sum of the expenses on removal, detoxification, disposal charges, cost of land polluted, expenses on hygiene and environmental restoration measures. This amount has to be fixed by an expert panel after a detailed study, considering the site specific conditions.

Land plot damage

Formula used in calculating damages caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities':

$$D(LP) = A (LT + G) \tag{2}$$

D(LP)	Damage caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities' (Rs /year).
A	Area affected by direct impact (Hectare)
LT	Average tax on land paid to the Govt. per unit land (Rs./ Hectare)
G	Cost of the lost opportunities (to be gained from recreational/ agricultural/ or any other activities) from 1 hectare of land (Rs.)

- To calculate the environmental compensation, the required inputs are not available at present with the Dept. of Mines and Geology, Govt. of Andhra Pradesh.
- As stated earlier, the lessee is operating mine since 2001 without EC and excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2013-14 onwards. However, details/copies of all approved mining plans and approved mine closure plans of the said mine are not available with Dept. of Mines and Geology from 2001 to 2018. The lessee has obtained Approved Mining Scheme from the Dy. Director of Mines and Geology, Kadapa vide Lr. No. 4312/MS/KDP/2017, dt. 21.07.2018 for proposal period from 2018-19 to 2020-21.
- Since there is no EC, CFO, and mining plans of the project are available, it is not possible to quantify the actual excess production from the mines. No information is available with respect to quantity of solid waste generated and stored/disposed from the mine.
- The Hon'ble NGT is requested to provide time for collection of required information and also requested to appoint an expert team to quantify the above required parameters (Eq. 1 and 2) for calculation of environmental damage assessment.

Compensation to injured and deceased

- The Government vide G.O.Rt. No. 69 Industries & Commerce (M.III) Department, Dt. 09.05.2021 has announced compensation of Rs. 10,00,000/- each to the next kins of the deceased persons an immediate relief and the expenditure shall be incurred from the District Mineral Foundation Trust Fund (DMF) available in the District. Accordingly, the Collector & District Magistrate, Y.S.R. District has sanctioned an amount of Rs. 1,00,00,000/- (Rupees One Crore) @ Rs. 10,00,000/- each to the next kin & kith of deceased persons from the District Mineral Foundation Trust Fund (DMF), Y.S.R District and disbursed the same to the next kin & kith of deceased persons who died in the said incident.
- Further the Asst. Director of Mines and Geology, Kadapa vide Lr. No. 3423/M1/2002, Dt. 10.05.2021 has requested the Dy. Director of Mines and Geology, Kadapa to fix the compensation in consultation with labour

department.

- In turn, the Dy. Director of Mines and Geology, Kadapa vide Lr. No. 967/Q/2021, dt. 13.05.2021 has addressed a letter to the Deputy Commissioner, Labour Department, Y.S.R District with request to inform the compensation payable by the lessee / GPA holder to the next kith & kin of each deceased persons as per rules in force so as to disburse the same to the next kins of deceased persons.
- In turn, the Deputy Commissioner, Labour Department, Y.S.R District has Show Cause Notice No. A/117/2021, dt. 19.05.2021 to Sri C. Nageswar Reddy GPA holder stating that **“as per the Employees Compensation Act 1923, Sec10 B, the Employer has to furnish the information of the accident occurred in the premises within 48 hours to the authority. Whoever fails to send the statement under Sec. 10 A and 10 B is liable for penalty under Sec 18 A, compensation when due is not paid, the Commissioner may impose 50% of the amount as pe nalty and levy 12% inte rest. But,you have not furnished any information to this office in time. Hence, you are directed to explain why action should not be initiated against you”**.

Other violations if any

- The lessee is conducting underground mining operations without appointment of statutory employees which is a breach to section 17 of Mines Act, 1952 & Regulations No. 34 of Metalliferous Mines Regulations 1961. The lessee excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2013-14 onwards.
- The lessee not provided separate inlet and outlet for entry and exit of workmen and the workmen are using crane buckets for enter and exit in the shafts which is highly dangerous condition. Ventilation system was not provided by the lessee as proposed in Approved Scheme of Mining which is violation to Rule(7)(A)(i) of APMMCR, 1966.
- The Dept. of Mines & Geology, Kadapa has inspected the leased area on 25.08.2020 and submitted their report. In the report, the teams of officia ls have reported that the lessee is conducting quarry operations & extracting Barytes mineral without obtaining EC, CFE & CFO from competent authority and also quarry operations were not as per Approved Mining Scheme.
- Quarry operations are not in accordance with approved scheme of mining. The lessee not provided separate inlet and outlet for entry and exit of workmen and the workmen are using crane buckets for enter and exit in the shafts which is highly dangerous condition. Ventilation system was not provided by the lessee as proposed in Approved Scheme of Mining which is violation to Rule(7)(A)(i) of APMMCR, 1966.
- The scheme of mining was approved on 21.7.2018 by the DDM&G, Kadapa with a condition that the lessee should furnish the financial assurance of Rs. 16,99,560/. for mine closure as required under APMMC Rules, 1966 to the ADM&G, Kadapa. Subsequently, the Government of AP vide G.O.Ms No. 53 Industries & Commerce (Mines.II) Department, dt. 27-02-2019 issued Amendments Rule 7 of APMMC Rules, 1966 as per amended Rule 7(A), the lessee has to pay an amount of Rs. 3,10,000/- towards Mine Closure Plan. Accordingly, the Asst. Director of Mines and Geology, Kadapa vide Lr. No. 3423/M1/2002, dt. 09.06.2021 has requested the lessee to pay an amount of Rs. 3,10,000/-.
- The lessee is using explosives and conducting blasting without explosives permission obtained from the competent authority which is breach to Rule 107 of Explosives Rules, 2008.
- The lessee is utilizing tipper to transport Barytes from quarry to various destinations without obtaining permission from the competent authority which is breach to Regulation No.106 (2) (b) Metalliferous Mines Regulations, 1961.
- The lessee is not maintaining correct and accurate production and dispatch register as there is huge variation in stock recorded in the register and physical

stock available at the quarry which is breach to rule 12 (5)(h)(iii) of APMMC Rules 1966.

- The lessee is intentionally recorded the stock of white Barytes in lower side and buff Barytes in higher side than the actual stocks available at the quarry to transport the white Barytes in the guise of transportation of buff Barytes with payment of S.fee to buff Barytes which leads to loss of revenue to the government exchequer and it is violation of Rule 12 (5)(h)(iii) of APMMC Rules 1966.

Recommendations of the Joint Committee

- The mine lease granted to the lessee in the year 2001 and the mine lease area is above 5 Ha, EC is required to the project as per EIA Notification, 1994 since its inception. The mine was operating without obtaining CFE and CFO from Andhra Pradesh State Pollution Control Board (APPCB). It has been observed that the Lessee is using explosives and conducting blasting without permission obtained from competent authority as per Explosives Rules, 2008. The mining operations may be suspended till obtaining all the statutory clearances / permission from the competent authority.
- The proponent was requested vide letter dated 03.08.2018 and through online also to submit a notarized affidavit / sworn in affidavit for further processing of project proposal for consideration of Environmental Clearance / Terms of Reference . The proponent has not submitted the notarized affidavit / sworn in affidavit to SEIAA, AP for further processing of application and failed to obtain Environmental Clearance from the SEIAA, A.P., till date.
- The lessee is operating mine since 2001 without EC and producing the Barytes Mineral. However, the details / copies of Approved Mining Scheme for two block periods i.e., 2006-07 to 2010-11 and 2011-12 to 2015-16 and subsequent years for 2016-17 & 2017-18 of the mine are not available with the Mines and Geology Department as the lessee has not obtained Approved Mining Scheme for the said period. The lessee has obtained Approved Mining Scheme with Mine Closure Plan from the Dy. Director of Mines and Geology, Kadapa vide Lr. No. 4312/MS/KDP/2017, dt. 21.07.2018 for proposal period from 2018-19 to 2020-21.
- Since there is no EC, CFO, and mining plans of the project are available, it is not possible to quantify the actual excess production from the mines.
- To calculate the environmental compensation, the required inputs are not available at present with the Dept. of Mines and Geology, Govt. of Andhra Pradesh. No information is available with respect to quantity of solid waste generated and stored/disposed from the mine. The Hon'ble NGT may direct the Dept. of Mines and Geology, Andhra Pradesh to provide the required information for assessing the environmental compensation.
- The Hon'ble NGT is requested to provide time for collection of required information and also requested to appoint an expert team to quantify the above required parameters (eq. 1 & 2) for calculation of environmental damage assessment.
- The concerned line department may make regular inspection of all mines and quarries to verify safety measures taken up by the lease holder to avoid blasting due to unsafe and usage of explosives in mines/quarries, including prevention of illegal mining and transportation of minerals.
- To take up training for the mining and explosives handling personnel through a faculty empanelled with professionals from PESO, DGMS and Mining & Geology Dept.

9.0 Violations of other quarries in YSR District

Since there are around 15 major mineral and around 115 minor mineral mines, the Hon'ble NGT requested to provide at least 30 days for compilation verification of all the document for finding the violations in any.

11. Pollution Control Board also filed a report wherein they have only mentioned that closure order was issued on 29.05.2021 against the

quarry owner, namely, C Kashturi Bai and further action will be taken on the basis of the further details obtained. After considering these things the Tribunal had passed the following order:

5. Though, the Joint Committee has found large number of violations including operation of quarry without obtaining necessary permissions, consent to establish and operate and excess mining, violation of labour laws, explosive laws, illegal transportation of mined articles etc they have not assessed the damage caused to the environment as well as environment compensation apart from assessing the actual value of the mined articles as from the inception it was found to be illegal and unauthorised mining.

6. The Hon'ble Apex Court as well as National Green Tribunal has issued several guidelines as to how compensation has to be assessed in such cases. There is loss occurred to exchequer also by way of non-payment of royalty for the excess mined articles as well. But those things are not specifically mentioned and amount of compensation has not been quantified. As regards, the compensation to injured and deceased are concerned, it appears that Government has made some ex gratia payment and also directed the Assistant Director, Mines and Geology, Kadapa to fix the compensation in consultation with labour department. Merely because Government had paid any ex gratia payment will not exonerate the liability of the employer to pay compensation to the kith and kin of deceased and also to the injured persons. The respective departments are directed to expedite that aspect.

7. The Joint Committee as well as Pollution Control Board are directed to file further reports assessing the environmental damage caused, environment compensation including the value of the unauthorized mined articles and expenses required for restoration for the damage caused to the environment on account of any un-scientific excess mining done. If they want any expert to be included in the Committee for that purpose, they are at liberty to co-opt any expert and then assess the environment damage and compensation and submit a further report to this Tribunal on or before 25.08.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per Rules.

8. They are also directed to ascertain the details of all the identified mines mentioned in the report and also report as to whether any violations are committed by such mines and if there is any violation, what is the nature of violation in respect of those mines and action taken as well, while submitting the report to this Tribunal.

9. We feel one more opportunity can be given to the additional 10th respondent to appear and submit their independent statement regarding the allegations made in the newspaper report. The Pollution Control Board is also directed to file an independent report as to whether the quarry owners had provided necessary pollution control mechanism and whether any pollution was caused in that area on account of non-providing of pollution control mechanism and assess compensation for that purpose as well.

10. The Mining and Geology Department is also directed to file detailed report as to how that Department is allowing such illegal activities to perpetuate by merely receiving the royalty amount even though the mining operations are being carried out without complying with the environmental laws and that too without obtaining necessary permissions by the concerned quarry owners.

11. The Mining Department is also directed to ascertain as to whether all the mines situated within that area are strictly complying with the environmental laws by getting necessary clearance and permission under EIA Notification and the pollution laws. If not, what is the nature of action proposed by them in this regard.

12. The Registry is directed to communicate this order to the members of the Committee and also to official respondents including the Chief Secretary, Principal Secretary of Environment and Industries by e-mail immediately for their information and to enable them to comply with the directions.

12. The case was posted to 25.08.2021 for consideration of further report. Thereafter, the matter has been adjourned from time to time by successive notifications and lastly it was adjourned to today by notification dated 06.02.2022.
13. We have received a report submitted by the Director of Mines and Geology, Andhra Pradesh dated 18.10.2021, e-filed on 24.01.2022 which reads as follows:

REPORT FILED BY DIRECTOR OF MINES & GEOLOGY , ANDHRA PRADESH
DIRECT BY THE HON'BLE NATIONAL TRIBUNAL SOUTH ZONE CHENNAI IN
O.A. No. 115 /2021(SZ) ORDER DATED 09-07-2021

It is to submit that an explosion was occurred in the Quarry Lease held by Smt. C. Kasturi Bai for Barytes over an extent of 30.696 Hectares in Sy.Nos.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. Kadapa District on 08.05.2021 around 9.00 to 10.30 AM causing death to 10 members of labour.

In this connection, the above case has been Suo Motu registered by the Hon'ble National Green Tribunal, Chennai on the basis of the newspaper report published in the Times of India e-paper dated 08.05.2021.

Accordingly, the Hon'ble National Green Tribunal, Chennai has passed an order dated 21.05.2021 to appoint a Joint Committee consisting of (1) Senior Officer from Andhra Pradesh State Environment Impact Assessment Authority, (2) A senior officer from the Integrated Regional Office, MoEF & CC, Chennai, (3) A Senior Officer from Pollution Control Board as deputed by the Chairman, (4) the District Collector, Kadapa District and (5) the Assistant Director of Mines and Geology of the respective area where the incident occurred to inspect the area in question to submit a factual as well as action report, if there is any violation found. In this connection, the Joint Committee inspected the incident site on 29.05.2021 and submitted interim report to the Hon'ble National Green Tribunal, Chennai.

Subsequently, the case has come for hearing before the Hon'ble National Green Tribunal, Chennai on 09.07.2021. After hearing, the Hon'ble National Green Tribunal, Chennai has passed the interim order on 09.07.2021 **PARA 10 AND 11** in Original Application No.115 of 2021 (SZ) wherein it was directed the Mines and Geology Department:

10. The Mining and Geology Department is also directed to file detailed report as to how that Department is allowing such illegal activities to perpetuate by merely receiving the royalty amount even though the mining operations are being carried out without complying with the environmental laws and that too without obtaining necessary permissions by the concerned quarry owners.

11. The Mining Department is also directed to ascertain as to whether all the mines situated within that area are strictly complying with the environmental laws by getting necessary clearance and permission under EIA Notification and the pollution laws. If not, what is the nature of action proposed by them in this regard.

Report in Para No.10 of the Hon'ble NGT Order dated 09.07.2021:

- i. An application was received from Smt. C. Kasturi Bai on 11.09.2021 which was received by the Director of Mines and Geology, Hyderabad for grant of Mining Lease for Barytes over an extent of 39.497 Hectares in Sy. Nos.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR Kadapa District for a period of 20 years.
- ii. The Mandal Revenue Officer, Kalasapadu Mandal, Y.S.R. Kadapa District has issued No Objection Certificate for grant of mining lease vide Letter Dis.173/2000, dated 14.06.2000.
- iii. The Government vide G.O. Ms. No.224 of Industries and Commerce (M.II) Department, dated 11.04.2001 has granted a Mining Lease in favour of Smt. C. Kasturi Bai for Barytes an extent of 30.696 Hectares in Sy. Nos. 1 and 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. Kadapa District for a period of (20) twenty years after obtaining the Mining Plan approved by the Indian Bureau of Mines as per rules in force then.
- iv. The lease deed was executed by the Assistant Director of Mines and Geology, Kadapa vide proceedings No.1527/M3/2001, dated 24.11.2001 for a period of 20 years w.e.f. 02.11.2001 to 01.11.2021.
- v. According to EIA notification S.O.60(E), dated 27.01.1994 of Ministry of Environment and Forest, all mining projects (Major Minerals) with lease area more than 5 Hact. required to obtain prior Environmental clearance from the competent authority. But, this statutory provision has not seen light till 2006, when S.O.1533, dated 14.09.2006 has been made for implementation by MoFF, GoI. As such, the State Government has not imposed any condition for submission of EC, CFE and CFO in the grant of order while granting the mining lease in favour of Smt. C. Kasturi Bai. Thus, the then Assistant Director of Mines and Geology, Kadapa has executed the Mining lease deed and issued work order in obedience to the grant order of the Government of Andhra Pradesh. After obtaining work order, the Mining lease holder has started mining operations in accordance with MM&DR Act, 1957 and Mineral Concession Rules, 1960.

- vi. The Government of India, Ministry of Environment and Forest has issued EIA notification S.O. No.1533, dated 14.09.2006 wherein it was stated that the Mining leases (Major Minerals) with extent of more than 5 Hectares shall be undertaken only after obtaining the prior Environmental Clearance from the competent authority.
- vii. After EIA notification S.O. No.1533, dated 14.09.2006 came into force, the Government of Andhra Pradesh has granted Mining leases duly insisting the grantees to submit the prior Environmental Clearance, CFE & CFO obtained from the competent authority before execution of Mining lease deed.
- viii. Barytes mineral was under the category of Major Mineral till 09.02.2015, when MoM, GoI vide GSR(E) No.423, dated 10.02.2015 declared 31 Major Minerals, including Barytes, as minor minerals. Thus, the Government of A.P. granted ML in the year 20012 an extent of 30.696 Hectares in favour of Smt. C. Kasturi Bai as Major Mineral.
- ix. Indian Bureau of Mines, MoM, and the Government of India is one of the Regulatory Authorities for Major Minerals along with the State Government and the Mining Plans in respect of Major Minerals are being approved by IBI only.
- x. The Government of Andhra Pradesh vide G.O. Ms. No.34, Industries and Commerce (M.II) Department, dated 14.03.2016 and G.O.Ms. No.56, Industries and Commerce (M.II) Department, dated 30.04.2016 issued amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 and delegated the powers to the Director of Mines and Geology for grant of regulation of Mineral concession for 31 Minerals and conduct of Quarry operations of the all minor minerals in accordance with the Approved Mining Plan. The Government incorporated the mandatory provision for submission of Approved Mining Plan/Scheme, EC, CFE & CFO prior to grant of leases for all minerals including 31 minerals in the Andhra Pradesh Minor Mineral Concession Rules, 1966.
- xi. The lease holder has submitted draft mining scheme to the Deputy Director of Mines and Geology, Kadapa vide Letter dated 13.10.2016 and the same was approved by the Deputy Director of Mines and Geology, Kadapa vide Lr. No.4312/MS/KDP/2017, dated 21.07.2018 for the period from 2018-10 to 2020-21.

- xii. MoF, GOI, vide Notification No.S.o.804(E), dated 14.03.2017 has given a six months window period of six months from 14.03.2017 to 13.09.2017 to submit proposals to obtain prior environmental clearance by the projects, who were not having the same hitherto. But, the leaseholder has filed an application through the online to SEIAA, AP under violation (category-B) for consideration of TOR and accordingly acknowledgement slip for having filed the application (Proposal No.IA/AP/MIN/69892/2017) from SEIAA on 26.09.2017. Thus, she has filed the application beyond the time allowed in S.O. No.804(E), dated 14.03.2017. However, the Hon'ble High Court of Madras vide orders dated: 14.03.2018 in W.P. Nos.3361, 3362 and 3721 of 2018 in W.P. No.11189 of 2017 provided one month additional window period from 14.03.2018 to 13.04.2018 for submission of such proposals. Thus, EC is not made prerequisite to conduct mining operations till 14.03.2018 by virtue of S.O. No.804(E), dated 14.03.2017 and the Judgment dated 14.03.2018 in WPMP Nos.3361, 3362 and 3721 of 2018 in W.P. No.11189 of 2017 of the Hon'ble High Court of Madras.
- xiii. Accordingly, Smt. C. Kasturi Bai, the lease holder filed fresh online application to SEIAA, AP under violation (Category-B) for consideration of TOR on 11.04.2018 (Proposal No.SIA/AP/MIN/24174/2018). Thus, she has filed the application with the time allowed by the Hon'ble High Court of Madras.
- xiv. In consideration to the application filed by the lessee, the SEIAA, AP, vide letter dated 03.08.2018, asked the leaseholder to submit notarized sworn in affidavit as per the prescribed format in original for further processing of project proposal for consideration of environmental clearance/terms of reference. But, the proponent has not submitted the said information to SEIAA, AP so for further processing of application. However, the SEIAA, AP neither rejected the said application for non-submission of required documents nor communicated to ADM&G, Kadapa for stoppage of mining operations till the date of incident.
- xv. After the incident, Zonal Office APPCB, Kurnool issued closure order vide 692/Mines/APPCB/ZO-KNL, dated 29.05.2021 and requested the ADMG, Kadaapa not to issue work permit to 30.696 Ha. Barytes mine of Smt. C. Kasturi Bai, Sy. No.1 and 133 of

Mamillapalli (V), Kalasapadu (M), YSR Kadapa District while communicating closure order dated 29.05.2021.

- xvi. As the Ministry of Environment & Forests, Government of India and SEIAA, AP have changed the method of procedure and process of Environmental Clearance for violation cases from time to time, the officials as well as lease holders are not clear about the procedures changed from time to time.
- xvii. The APPCB vide letter No.KMG-01/PCB/RO/KDP/2021-168, dated 02.08.2021 from the Environmental Engineer, APPCB, Regional Office, Kadapa requested the Assistant Director of Mines and Geology, Kadapa & Yerraguntla while monitoring the details of certain leases requested to ensure that, permits are not issued to the units till the mine operator obtain the Environmental Clearance, CFE & CFO, from the Board.
- xviii. Accordingly, notices have been issued to the lease holders to stop all the mining operations immediately and also issued strict instructions to the Technical Staff of the department for regular monitoring and vigil over the said lease for not to conduct any quarrying operations and mineral transportation and also addressed letters to the Tahsildar and the Station House Officer, concerned to arrange strict vigil and watch and ward over the subject area and to conduct regular monitoring for not to conduct any quarrying operations and transportation of mineral until further intimation by the ADM&G, Kadapa.
- xix. As the lessee failed to submit EC even after intimation from the APPCB, Show case Notice No.3890189/D12-1/2020, dated: 03.12.2020 has been issued to the leaseholder for other violations also. The lease was subsequently cancelled on 02.06.2021 vide DM&G Proceedings No.3890189/D12-1/2020, dated 02.06.2021 after following the due procedure prescribed in Law. In the meantime, the untoward incident has been occurred.
- xx. Mines & Geology Department is considered by the State Government as one of the revenue earning departments to the State exchequer since its share is 15% to the State GDP. The main objective/motto of the Department is to augment the optimum Mineral Revenue to the State Exchequer. In order to augment more mineral revenue and in absence of specific instructions from

the MoEF, SEIAA & APPCB with regard to stoppage of the mining operations because of the confusion in understanding/interpretation of the Environment Laws and Rules, the Department has issued mineral dispatch permits to the leaseholder as per the terms and conditions of lease deed.

- xxi. It is interpreted that EC is not a prerequisite to conduct mining operations till 14.03.2018 by virtue of S.O.804(E), dated 14.03.2017 and the judgment dated 14.03.2018 in WPMP Nos.3361, 3362 & 3721 of 2018 in W.P. No.11189 of 2017 of the Hon'ble High Court of Madras.
- xxii. Non-issuance of dispatch permits to the working mining lease holders all of a sudden not only affects the State Exchequer but also affect the mineral based industry and the persons/families who are directly or indirectly dependent on this activity.

Report in Para No.11 of the Hon'ble NGT Order dated 09.07.2021:

- i. Five (5) leases are in existence near by the mining lease of Smt. C. Kasturi Bai (all leases are below 5 Hectares only).
- ii. According to EIA notification S.O.60(E), dated 27.01.1994 of Ministry of Environmental and Forest, all mining projects (Major Minerals) with lease area more than 5 Hectares required to obtain prior Environmental clearance from the competent authority.
- iii. The MoEF, GoI vide Circular No.J-15012/35/2007-IA.II(M)-Part, dated 02.06.2007 has clarified regarding applicability of EIA Notification 2006 on mining lease of 5 Hectares (Major Minerals) and Mining Lease of minor minerals which have been operated before 14.09.2006 that it is clarified that all such mining projects which did not require environmental clearance under the EIA Notification, 1994 would continue to operate without obtaining Environmental Clearance till the mining lease falls due for renewal, if there is no increase in the lease area and/or there is no enhancement of production. As such, the status of 5 leases that are in existence near by the lease area is given below:

Sl. No.	Name of the Lessee	Location & Extent	Name of the Mineral	Period	Show Cause Notice	Remarks
1.	Sri D.V. Subbaiah Yadav.	Sy.No.2553/2 of Muddireddipalli Village, H/o.of Sankavaram Village, Kalasapadu Mandal, YSR District, Ex.0.607 Hectares	Barytes	29.05.2003 To 28.05.2023	No.239 93/R5-2/2015 , dt. 17.10.2017 of the DMG, Ibrahmpatnam.	Not working since inception. EC is not required till renewal of the lease since the area held under lease is below (5) Hect.However, lease cancellation proposal submitted vide letter No.1223/M1/2004, dt.30.10.2018 & 29.07.2020 & 13.07.2021.
2.	Sri M. Nageswara Rao	Sy.No.101 & 102 of Mamilla-palli Village, Kalasapadu Mandal, YSR District. Ext. 0.713	Barytes	07.06.2002 To 06.06.2022	--	Not working since 6 years. EC is not required till renewal of lease since the area held under lease is below 5 Hact. However, lease cancellation proposal submitted vide Lr. No.2280/M2/2002, dated 13.07.2021.
3.	Sri. B. Malla Reddy, Successor lessee B. Sambasiva Reddy.	Sy No.105/2 of Mamillapalli (V),Kalasapadu (M),YSR Kadapa Dist. Ext.0.243 Hect.	Barytes	06.01.2005 To 05.01.2025	No.239 29/R5-2/2015 dated 17.01.2019 of DMG, Ibrahim patnam	Not working since 14 years. EC is not required till renewal of the lease since the area held under lease is below 5 Hect. However, Lease cancellation proposals submitted vide Lr. No.102/M1/2005 & 13.7.21 for other violations.
4.	Sri N. Viswanath Reddy.	2707 (New Sy. No.2817) of Sankavaram (V), Kalasapadu (M), YSR Kadapa Dist. Ext.5,000 Hec.	RM&BS	07.05.2021 To 06.05.2031	--	The lease holder is having valid EC, CFE & CFO.
5.	Sri. M. Siva	Sy Nos.130/2,	Barytes	14.07.2021	--	The lease

Reddy	132/1A, & 1B, 131/P of Mamillapalli (V), Kalasapadu (M), YSR Kadapa Dist. Ext.0/675 Hects.	& Dolomite.	To 13.07.2041	holder is having valid EC & CFE.
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iv. As the Ministry of Environment and Forests, Government of India and SEIAA, AP have changed the method of procedure and process of Environmental Clearance for violation cases from time to time, the officials as well as lease holders are not clear about the procedures changed from time to time.

v. The APPCB vide Lr. No.KMG-01/PCB/RO/KDP/2021-168, dated 02.08.2021 from the Environmental Engineer, APPCB, Regional Office, Kadapa addressed a letter to the Asst. Director of Mines and Geology, Kadapa and Yerraguntla while monitoring the details of certain leases required to ensure that, permits are not issued to the units till the mine operator obtain the Environmental clearance, CFE&CFO from the Board.

vi. In view of the above clear instructions received from the Environmental Engineer, APPCB, Regional Office, Kadapa, notices have been issued to the leaseholders to stop all the mining operations immediately and also issued strict instructions to the Technical staff of the department for regular monitoring and vigil over the said leases to see that quarrying operations and mineral transportation are stopped from these areas.

vii. The Tahsildar and the Station House Officer concerned are also requested to arrange strict vigil, watch and ward over the subject areas and to conduct regular monitoring for not to conduct any quarrying operations and transportation of mineral until further intimation by the ADM&G, Kadapa.

In view of the above circumstances, keeping in view of the orders dated 09.07.2021 issued by the Hon'ble NGT, Southern Zone, Chennai, the further detailed report are submitted for information and necessary action.

This is submitted for kind information.

Dated at Nellore on this the 18th day of October 2021.

**DIRECTOR OF MINES & GEOLOGY.
ANDHRA PRADESH**

14. The Joint Committee also filed a further report dated 14.10.2022, e-filed on 08.02.2022 which reads as follows:

REPORT OF THE JOINT COMMITTEE COMPRISING IN THE MATTER OF O.A. 115 OF 2021 “TRIBUNAL ON ITS OWN MOTION SUO MOTU BASED ON THE NEWS ITEM PUBLISHED IN THE TIMES OF INDIA, E-PAPER DATED 08.05.2021, UNDER THE CAPTION “ANDHRA PRADESH: 10 FEARED DEAD, IN EXPLOSION OCCURED AT QUARRY IN KADAPA” SUBMITTED TO THE HON’BLE NATIONAL GREEN TRIBUNAL, SOUTH ZONE, CHENNAI, IN COMPLIANCE TO HON’BLE NGT ORDER DATED 09th JULY, 2021

1.0 Preamble

Hon’ble NGT has registered the case SuoMotu on the basis of the newspaper report published in the Times of India, e-paper dated 08.05.2021 under the caption “Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa”. It is alleged in the newspaper report that the tragic incident occurred in a blast at quarry in Kadapa District of Andhra Pradesh on Saturday and at least 10 workers appear to be died and several others sustained injuries in the incident. The Hon’ble National Green Tribunal, Southern Zone, Chennai, has passed an order dated 21.05.2021 to appoint a Joint Committee consisting of 1) Senior Officer from Andhra Pradesh State Environment Impact Assessment Authority, 2) A senior officer from the Integrated Regional Office, MoEF&CC, Chennai, 3) A Senior officer from Pollution Control Board as deputed by the Chairman, 4) the District Collector, Kadapa District and 5) the Assistant Director of Mines and Geology of the respective area where the incident occurred to inspect the area in question to submit a factual as well as action taken report, if there is any violation found.

In compliance to Hon’ble NGT order dated 21.05.2021, the joint committee has been constituted and inspected the incident site on 29.06.2021. The Joint Committee has filed a detailed report and e-filed on 09.07.2021. Hon’ble NGT has appraised the submitted report and vide Order dated 09.07.2021 directed the committee for compliance of following observations:

“7. The Joint Committee as well as Pollution Control Board are directed to file further reports assessing the environmental damage caused, environment compensation including the value of the unauthorized mined articles and expenses required for restoration for the damage caused to the environment on account of any un-scientific excess mining done. If they want any expert to be included in the Committee for that purpose, they are at liberty to co-opt any expert and then assess

the environment damage and compensation and submit a further report to this Tribunal on or before 25.08.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per Rules.

8. They are also directed to ascertain the details of all the identified mines mentioned in the report and also report as to whether any violations are committed by such mines and if there is any violation, what is the nature of violation in respect of those mines and action taken as well, while submitting the report to this Tribunal.”

In compliance to the Hon'ble NGT Order dated 09.07.2021, the Joint Committee has calculated the environmental compensation and identified the violations, if any committed by other mines in the YSR District, Kadapa (Cuddapah).

2.0 Environmental Damage and Compensation

- The mine lease attracts the provisions of EIA Notification, 1994 and requires EC from its inception.
- The mine was executed by the Asst. Director of Mines & Geology, Kadapa vide Proc.No.1527IM3/2001, Dt. 24.11.2001 for a period of 20 years w.e.f. 02.11.2001 to 01.11.2021.
- Barytes production was started from the year 2002-03 and till 2017 neither project proponent applied for EC from competent authority nor Dept. of Mines and Geology directed the process the same. Therefore, the mine is being operating and producing Barytes without prior EC from MoEF&CC and CFO from APPCB since 2001.

2.1 Environmental Damage Assessment

- The environmental compensation imposed for environmental damages essentially includes restoration/ rehabilitation expenses, fine/ penalty/ financial deterrent for the activities which caused the environmental damages and the expenses incurred for identifying the extent of environmental degradation.

- Environmental damages significantly vary in terms of the damage's space, scope, level and magnitude. Due to this, significant indexes or markers of environmental damage differ considerably and one of the initial steps of environmental damage assessment is to determine the unique indexes or markers which help assess the actual damage.
- Environmental Damage Assessment and compensation involves three modules. The first and foremost step is to assess the interim compensation for interim/ temporary restoration process. This is assessed by quantifying the interim damages with the help of equivalency analysis.
- In the present case (illegal mining), reserve equivalency method can be used where potential interim environmental damages can be assessed in each compartment of habitat like air, water, land, flora, fauna, etc. Potential damages calculated for each compartment sums up as the interim compensation for immediate restoration measures.
- After this interim assessment, environmental restoration plan has to be made by a detailed investigation and appropriate restoration measures has to be zeroed on by a panel of environmental experts.
- The actual cost of such a restoration plan/ project has to be imposed on the defaulter.
- The third component of the environmental damage is the actual cost of studies/ surveys/ investigations/ discussions/ monitoring/ reviews/ field visits/ laboratory assessments, etc. carried out by the regulatory authorities and expert team assigned with the implementation/ monitoring/ review of the restoration project.
- Therefore, Environmental damage essentially includes:
 - Interim damage assessment and compensation for temporary restoration activities.
 - Actual cost of long term restoration/ rehabilitation plan.
 - Cost associated with all studies, investigations and reviews associated with damage assessment and restoration activities.

2.1.1 Interim damage assessment

- The first step of damage assessment is to impose compensation on interim damages emerged in each compartment of the habitat/ ecosystems. This include the cost of resources, which has been impaired of its intended uses after the emergence of damage.
- Since, the matter in question is illegal mining, extraction of Barytes and dumping/ disposal of solid waste in mine lease area, potential damage assessment is limited to land only as there is no water usage in the mining operation.
- The environmental damages associated with flora, fauna and wild life are assumed to be negligible and thorough investigations are required to delineate any effects if exist.
- Similarly, health effect of such illegal mining also requires a very detailed study and at present it is also assumed as minimal in this case due to low production quantities and low population densities.
- Therefore, interim damages to land is considered here and any other damages to other environmental components can be integrated with this methodology if required.

2.1.2 Land pollution/ destruction

Formula used in calculating damage to be caused to the surrounding environment because of the pollution of the ground surface with solid wastes:

$$D(GS) = q \times m \times CF(SW) \quad (1)$$

D(GS)	Damage to be caused by land reserve destruction or land surface pollution (Rs /year).
Q	Index of land reserve's relative value (0.3 for barren lands to 3.0 for land falling under ecologically sensitive zones).
M	Weight/ quantity of solid waste released (Tons/ year)
CF(SW)	Damage to be caused by 1.0 ton of solid waste (Rs.)

The land reserve's relative value can be taken as 0.3 for barren lands, 1.0 for grass lands/ recreational plots, 1.5 for agricultural lands, 2.0 for plantations, 2.5 for forest lands and 3.0 for ecologically sensitive zones.

The amount of unit damage to be caused to the surrounding environment in the result of releasing of 1.0 ton of solid waste into the environment can be expressed by the sum of the expenses on removal, detoxification, disposal charges, cost of land polluted, expenses on hygiene and environmental restoration measures. This amount has to be fixed by an expert panel after a detailed study, considering the site specific conditions.

Asper the information provided by Asst. Director of Mines and Geology, Dept. of Mines and Geology, Kadapa, YSR District, vide letter no. 2716/NGT/2021 dated 05.08.2021, the year wise mineral production and solid waste generated are as follows:

SN	Year	Mineral Produced in MT	Solid Waste / OB Generated M ³	Remarks
1	2001-02	0	607	OB generated Under open cast mining operation in CBM
2	2002-03	880	540	
3	2003-04	650	540	
4	2004-05	800	540	
5	2005-06	730	540	
6	2006-07	100	40	
7	2007-08	450	180	
8	2008-09	200	80	
9	2009-10	799	319.6	
10	2010-11	441	176.4	
11	2011-12	768	307.2	
12	2012-13	867	436.8	
13	2013-14	5026	2010.4	
14	2014-15	3757	1502.8	
15	2015-16	1564	625.6	
16	2016-17	4131	1652.4	
17	2017-18	4165	1666	
18	2018-19	1292	3643.7	
19	2019-20	2450	2740.1	
20	2020-21	0	2904.7	
Total		31387.25	18285.70	

Damage to be caused by land reserve destruction or land surface pollution (Rs /year) is being calculated as follows:

- q is being taken as 0.3 as the land is waste land / barren land as per Revenue Dept.'s letter no. 123/2000 dated 14.06.2000.
- m is weight/ quantity of solid waste released (Tons/ year).
- CF(SW) is samage to be caused by 1.0 ton of solid waste (Rs.)in the result of releasing of 1.0 ton of solid waste into the environment can be expressed by the sum of the expenses on removal, detoxification, disposal charges, cost of land polluted, expenses on hygiene and environmental restoration measures. As per the information provided by Asst. Director of Mines and Geology, Dept. of Mines and Geology, Kadapa, YSR District, vide letter no. 2716/NGT/2021 dated 05.08.2021, the cost of production per ton is considered as Rs. 5500/- per ton.

SN	Year	q	Solid Waste / OB Generated	m ³ to ton conversion factor	CF(SW)	D(GS)
1	2001-02	0.3	607 m ³	0.88	5500	881364
2	2002-03	0.3	540 m ³	0.88	5500	784080
3	2003-04	0.3	540 m ³	0.88	5500	784080
4	2004-05	0.3	540 m ³	0.88	5500	784080
5	2005-06	0.3	540 m ³	0.88	5500	784080
6	2006-07	0.3	40 tons	1	5500	66000
7	2007-08	0.3	180 tons	1	5500	297000
8	2008-09	0.3	80 tons	1	5500	132000
9	2009-10	0.3	319.6 tons	1	5500	527340
10	2010-11	0.3	176.4 tons	1	5500	291060
11	2011-12	0.3	307.2 tons	1	5500	506880
12	2012-13	0.3	436.8 tons	1	5500	720720
13	2013-14	0.3	2010.4 tons	1	5500	3317160
14	2014-15	0.3	1502.8 tons	1	5500	2479620
15	2015-16	0.3	625.6 tons	1	5500	1032240
16	2016-17	0.3	1653.4 tons	1	5500	2728110
17	2017-18	0.3	1666 tons	1	5500	2748900

18	2018-19	0.3	3643.7 tons	1	5500	6012105
19	2019-20	0.3	2740.1 tons	1	5500	4521165
20	2020-21	0.3	2904.7 tons	1	5500	4792755
Total						34190739

The Environmental compensation due to land pollution/ destruction is **Rs. 3,41,90,739/-**.

2.1.3. Land plot damage

Formula used in calculating damages caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities':

$$D(LP) = A (LT + G) \quad (2)$$

D(LP)	Damage caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities' (Rs /year).
A	Area affected by direct impact (Hectare)
LT	Average tax on land paid to the Govt. per unit land (Rs./ Hectare)
G	Cost of the lost opportunities (to be gained from recreational/ agricultural/ or any other activities) from 1 hectare of land (Rs.)

The following information / values were considered for calculation of land plot damage:

A :Area affected by direct impact (Hectare) = 8,497 Ha

LT :Average tax on land paid to the Govt. per unit land (Rs./ Hectare) = Rs. 15,628/-per Ha
= 15628 X 8.497
= Rs. 1,32,791.11/-

G :Cost of the lost opportunities = Rs. 1,00,000/- per Ha
= 100000 x 8.497
= Rs. 8,49,700/-

$$D(LP) = A (LT + G)$$

$$D(LP) = 8.497 (132791.11 + 849700) = \text{Rs. } 83,48,227/-.$$

The Environmental compensation due to land plot damage is **Rs. 83,48,227/-**.

Total Environmental Compensation calculated asRs. 3,41,90,739/- + Rs. 83,48,227/-
= **Rs. 4,25,38,966/-**

3.0 Violations committed by other mines

3.1 Observations of MoEFCC:

- It has been observed that, in total there are around 38 major mineral Mining leases and around 228 minor mineral leases in the District of YSR District, Kadapa (Cuddapah).
- Out of the above, there are around 28 major mineral mining leases and around 147 minor mineral leases are in non-working condition in the Y.S.R. District due to various reasons.
- It has been observed that 07 working mine leases are being operated without EC/CFE/CFO.
- The MoEFCC is opined that the present non-working mine leases are also to be verified as they were may be operated without statutory clearances. In this regard, clarification / information has been sought from SEIAA, Dept. of Mines and Geology and APPC vide email letter dated 17.08.2021.

3.2 Observations of APPCB:

- The Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, was operating without obtaining Environmental Clearance from SEIAA, and Consent for Establishment(CFE)/Consent for Operation (CFO) from Andhra Pradesh State Pollution Control Board (APPCB).
- The Regional Office, APPCB, Kadapa, submitted a detailed report on the Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, to the Zonal Office, APPCB, Kurnool vide Lr. dated 27.05.2021 to take action against the Barytes mine for operating the mine without Environmental Clearance, Consent for Establishment(CFE), Consent for Operation(CFO).
- The Zonal Office, APPCB, Kurnool, issued Closure Order dated 29.05.2021, to the Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, for operating the mining unit without Environmental Clearance and Consents of the Board. Further, the Zonal Office, APPCB, Kurnool, also requested the Asst. Director of Mines & Geology, Kadapa, Vide Lr. Dt. 29.05.2021, not to issue work permit to the Barytes Mine of Smt. C. KasturiBai.
- The Barytes mine of Smt. C. KasturiBai, operated the mine without providing necessary pollution control measures such as, construction of retaining walls to provide stability to the dumps, construction of garland drains for diversion of storm

water, grading of roads to mitigate dust emissions, retention/toe walls at foot of the dumps, fencing along the boundary with signboards to prevent un-authorized entry and accidents.

- Fencing has been done around the mine pit after the accident to cordon off the area. The mining unit has not developed greenbelt along the mine lease area with tall growing trees. The explosion incident that occurred in the mine area, has damaged the tree that existed in the site, breaking its branches and burning the leaves due to intensity of the blast.

Independent Report of APPCB with regard to Para No. 9 of Hon'ble NGT Order dt.09.07.2021.

- It is submitted that, the independent report of APPCB, on the mining unit of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, has been submitted to the standing counsel for NGT through Legal Cell of APPCB on 19.08.2021, to represent before the Hon'ble National Green Tribunal, Chennai, in O.A. No, 115 of 2021, on behalf of APPCB. The Legal Cell of APPCB, has informed that the finalized independent report will be filed before the Hon'ble NGT.
- Apart from the Barytes Mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, there are two other following mining units located in Kalasapadu Mandal and these mining units have obtained Consent for Establishment(CFE) & Consent for Operation (CFO) from APPCB:

1. Sri M. Siva Reddy, (0.675 Ha.)

Barytes& Dolomite Mine, Sy.No. 130/2, 132/1A & 1B and 131/P,
Mamillapalli (V), Kalasapadu (M), YSR District.

The Board has issued Consent for Operation to the mining unit vide order dt.15.02.2021, with a validity period upto 31.12.2025. The mining unit has not yet started operation and submitted and undertaking stating that they will take all the pollution control measures and implement the conditions stipulated by the Board.

2. Sri. N. Viswanath Reddy, (5.0 Ha.)

Road Metal and Building Stone mine, Sy. No. 2707 (New Sy.No. 2817), Sankavaram (V), Kalasapadu (M), YSR District.

The Board has issued Consent for Operation to the mining unit vide order dt.12.07.2021, with a validity period upto 31.05.2022. The mining unit has not yet started operation and submitted and undertaking stating that they will take all the pollution control measures and implement the conditions stipulated by the Board.

Other identified mines in the District as per the Para No. 8 of the Hon'ble NGT Order dt.09.07.2021.

- As per the information furnished by the Department of Mines & Geology, 7 Nos. of working mines are being operated without obtaining Consent for Establishment(CFE)/ Consent for Operation(CFO) of the Board.
- Andhra Pradesh Pollution Control Board has obtained information of working mines in YSR District, from the Department of Mines and Geology, Kadapa/Yerraguntla, and identified the following 7 mining units being operated without obtaining Consent for Establishment(CFE)/ Consent for Operation(CFO) of the Board:

S.No.	Name of the mine	Area	Address of the Mine
1	M/s. G.Sandeep Reddy	2.00 Ha	Sy.No.33, Kurnoothala (V), Lakkireddypalli (M), YSR Dist.
2	M/s. K. Venu Rami Reddy	1.38 Ha	Sy.No.1453/P, Settivaripalli (V), Mydukuru (M), YSR Dist.
3	Sri. B VenkataSubba Reddy	4.45Ha	Sy.No: 459 of Devamachupalli (V), ChitvelMandal, YSR Dist.
4	M/s. Sri Pavan Micro Minerals,	2.22 Ha	Sy.No.187/P, 186/1A and 193, Vempalli (V), Vempalli (M), YSR Dist.
5	M/s. Rangaiah& Sons,	1.052 Ha	Sy.606/P & 571, Vemula (V) & (M), YSR Dist.

6	M/s. Rangaiah & Sons (V.V.RangaiahChetty),	0.915 Ha	Sy.No: 917/2, Vemula Village &Mandal, YSR Dist.
7	Sri. S. Gangi Reddy,	77.416 Ha	Sy.No.290 & 299/1, , K.V. Palli (V), Pulivendula (M), YSR Dist.

- In this connection, the Regional Office, APPCB, Kadapa, has submitted a report to the Zonal Office, APPCB, Kurnool, to take action against these mining units under the provisions of Water (Prevention and control of Pollution) Act, 1974 & its amendments thereof and Air (Prevention and control of Pollution) Act, 1981 & its amendments thereof, and further requested the Department of Mines and Geology, not to issue permits to these mining units.
- The Zonal Office, APPCB, Kurnool, issued Closure Orders dated 13.08.2021, to the 7 mining units, for operating the mining unit Consents of the Board and further requested Asst. Director of Mines & Geology, Kadapa, vide Ir. dt. 13.08.2021, not to issue permits to these mining units. (Copies of the closure orders and letters addressed to the ADMG, Kadapa, are enclosed as Annexure – I).

3.3 Observations of Dept. of Mines & Geology:

- In YSR District, Kadapa, there are two zones viz., Kadapa zone and Yerraguntla zone.
- Details of total mine leases including working and non-working in the District are as follows:

SN	Zone	Working		Non-Working		Total
		Major	Minor	Major	Minor	
1	Kadapa	04	48	11	80	143
2	Yerraguntla	06	33	17	67	123
Grand Total						266

- It has been observed that there are 38 major mineral Mining leases and 228 minor mineral leases in the District of YSR District, Kadapa.
- It has been observed that there are 28 major mineral mining leases and 147 minor mineral leases are in non-working condition in the Y.S.R. District due to various reasons.

- It has been observed that there are 04 major mineral mining leases and 48 minor mineral mine leases in Kadapa zone and 06 major mineral leases and 33 minor mineral leases in Yerraguntla zone are in working condition (Detailed mine lease list enclosed as Annexure-II (Kadapa zone) and Annexure-III (Yerraguntla zone)).

3.3.1. Action taken by the Department of Mines & Geology on the working leases which are not having EC, CFE& CFO referred by the APPCB, Kadapa:

- The Department of Mines and Geology has taken necessary action on the above said leases as per the EE, APPCB, Kadapa vide Lr.No. KMG-01/PCB/RO/KDP/2021-168, dt. 02.08.2021 and subsequent e-mail dt. 08.08.2021.

Sl. No.	Name of the mine	Zone	Action taken
1	G. Sandeep Reddy	ADMG, Kadapa	<p>1. Issued Notice to the lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Royalty Inspector of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.</p>
2	SriK.Venu Rami Reddy	ADMG, Kadapa	<p>1. Issued Notice to the lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Technical Assistant of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.</p>
3	Sri B VenkataSubba Reddy	ADMG, Kadapa	<p>1. Issued Notice to lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Technical Assistant of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till</p>

			obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.
4	M/s. Sri Pavan Micro Minerals,	ADMG, Yerraguntla	1.Lessee ID blocked in OMEPS 2.Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO. 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
5	M/s. Rangaiah& Sons, (Ext:1.052 hecets)	ADMG, Yerraguntla	1.Lessee ID blocked in OMEPS. 2. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
6	M/s. Rangaiah& Sons (V.V.RangaiahChetty), (Ext:0.915 hecets)	ADMG, Yerraguntla	1. Lessee ID blocked in OMEPS. 2. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
7	S. Gangi Reddy,	ADMG, Yerraguntla	1.In this regard, the lease holder is not having EC and he has submitted application for TOR on 12-09-2017 and got Acknowledgement vide No.IA/MIN/6854/2017. Subsequently, the same has been transferred from Category A to B vide New Proposal No.IA/AP/MIN/ 26804/2018. Further SEIAA vide Lr.No.3/SEIAA/AP/SEIAA.Mtg/2014, dt.03-08-2018 requested the Project Proposals to furnish Notarized Affidavit as per provisions. Subsequently, the lessee has applied once again for EC along with Notarized Affidavit on 25-11-2020 and got Acknowledgement vide No.SIA/AP/ MIN/58598/2020. EC meeting has conducted on 08-12-2020. Further, no information has not received by this office so far regarding EC from SEIAA. 2. Action initiated by the department I. Lessee ID blocked in OMEPS. II. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the EC, CFE/CFO. IV. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral. V. Submitted lease cancellation proposals to the DMG vide Lr.No.843/M1/2003, dated.09-08-2021.

3.3.2 Action initiated on non-working mining leases of Major mineral:

- The Asst. Director of Mines and Geology, Kadapa & Yerraguntla zone have initiated action against the 28 Major Mineral Mining leases in the District as per Rules from time to time.

3.3.3 Action initiated on non-working mining leases of Minor Mineral:

- The Asst. Director of Mines and Geology, Kadapa & Yerraguntla zone have initiated action against the 147 Minor Mineral Quarry leases in the District as per Rules from time to time.

3.3.4 Action initiated against the lease of Smt.C.Kasturi Bai

- The Director of Mines and Geology vide Proceedings No. 3890189/D12-1/2020 dated 02-06-2021 has cancelled the quarry lease of Smt. C. Kasturi Bai in accordance with Rule 12(5)(h)(xii) of Andhra Pradesh Minor Mineral Concession Rules, 1966. (Annexure - IV).
- The Asst. Director of Mines and Geology, Kadapa issued Demand Notice to Smt.C.Kasturi Bai / GPA Holder Sri C. Nageswara Reddy to pay an amount of Rs.69,87,235/- (Rs.46,70,480/- and Rs.23,16,755/-) towards Normal Seigniorage Fee together with penalty, DMF & MERIT vide Demand Notice No. 3423/M1/2002 dated 05.07.2021 and 10.08.2021, respectively. (Annexure - V & VI).

3.3.5 Awareness Programme on Mines Safety on handling of Explosives

- The Department of Mines and Geology, Kadapa along with professionals from Mines Safety, Pollution Control Board & Ministry of Environment & Forest Departments on 10.08.2021 has conducted training/ awareness programme for the district mining / quarry lease holders and explosives handling personnel on Mines Safety and safe handling of explosives while conducting mining operations in the mines and quarries. (Annexure - VII).

3.3.6 Action initiated on the directions No. 10 & 11 of the Hon'ble NGT order, dt.09.07.2021.

- Independent report of the Mines Department was filed by the Director of Mines and Geology, Ibrahimpatnam vide Lr.No. 3890189/D12-1/2020, dt. 11-08-2021 before the Hon'ble NGT, Chennai (South Zone). Annexure-VIII).

3.3.7 Compensation already paid on 11.05.2021 to the victims of the incident under District Mineral Foundation Trust Fund (DMF) :

Sl. No.	Name and address of the deceased Person	Age	Next Kin & Kith of the deceased Person & Aadhar No.	Amount in Rs.
1.	Lakshmi Narayana Reddy Ponnathota, V.Kothapalli Village of Vemula Mandal.	60	Smt P. Saraswathi (wife) & 8929 7740 3332	10,00,000/-

2.	Balagangulaiah Yerraguntla, V.Kothapalli Village of VemulaMandal.	35	SmtY.Anjanamma (wife) & 8718 0867 1572	10,00,000/-
3.	Balangi Reddy Kalluru S/o Thirupal Reddy, Rangoripalli H/o V.Kothapalli Village of VemulaMandal.	39	SmtK.Nagamalleswari (wife) & 8698 6713 4009	10,00,000/-
4.	Eeswaraiah Pippinaidugaari S/o Ramappa, Betchaiahgaripalli Village of VemulaMandal.	45	SmtP.Yasodha (wife) & 2136 3340 8238	10,00,000/-
5.	Jada Naga Subba Reddy S/o Nagi Reddy, D.No. 6-6-153, Riksha Colony, Badvel Town &Mandal.	41	SmtJ.AdiLakshamma (Wife) & 4863 3424 4115	10,00,000/-
6.	Korivi Prasad S/o Pakkeraiah, D.No. 15/125, Sreeram Nagar, Porumamilla Town &Mandal.	35	SmtK.Lakshmi (Wife) & 4793 2164 0762	10,00,000/-
7.	Y.VenkataRamana S/o Y.NagaRaju, Thallapalli Village, VempalliMandal	28	Sri Y.Nagaraju (Father)	10,00,000/-
8.	T.Venkatesh S/o Chinnaiah, Thallapalli Village, VempalliMandal.	30	SmtY.VenkataRamanamma (Wife) & 4727 1331 0327	10,00,000/-
9.	Shaik Abdul, S/o Khasim Sab, Gokul Nagar, Near Polytechnic College, Proddatur.	50	SmtKairun Bee (Wife) & 8873 5170 7175	10,00,000/-
10.	Bathula Prasad, Gangayapalli Village, KalasapaduMandal.	37	SmtB.Jyothi (Wife) 3387 4187 2095	10,00,000/-

3.3.8 Compensation already paid on 17.07.2021 to the victims of the incident under PradhanaMantry National Relief Fund (PMNRF) :

Sl. No.	Name and address of the deceased Person	Age	Next Kin & Kith of the deceased Person & Aadhar No.	Amount in Rs.
1.	Lakshmi Narayana Reddy Ponnathota, V.Kothapalli Village of VemulaMandal.	60	SmtP.Saraswathi (wife) & 8929 7740 3332	2,00,000/-
2.	Balagangulaiah Yerraguntla, V.Kothapalli Village of VemulaMandal.	35	SmtY.Anjanamma (wife) & 8718 0867 1572	2,00,000/-

3.	Balagangi Reddy Kalluru S/o Thirupal Reddy, Rangoripalli H/o V.Kothapalli Village of VemulaMandal.	39	SmtK.Nagamalleswari (wife) & 8698 6713 4009	2,00,000/-
4.	EeswaraiahPippinaidugaari S/o Ramappa, Betchaiahgaripalli Village of VemulaMandal.	45	SmtP.Yasodha (wife) & 2136 3340 8238	2,00,000/-
5.	Jada Naga Subba Reddy S/o NagiReddy, D.No. 6-6-153, Riksha Colony, Badvel Town &Mandal.	41	SmtJ.AdiLakshumma(Wife) & 4863 3424 4115	2,00,000/-
6.	Korivi Prasad S/o Pakkeraiah, D.No. 15/125, Sreeram Nagar, Porumamilla Town &Mandal.	35	SmtK.Lakshmi (Wife) & 4793 2164 0762	2,00,000/-
7.	Y.VenkataRamana S/o Y.NagaRaju, Thallapalli Village, VempalliMandal	28	Sri Y.Nagaraju (Father)	2,00,000/-
8.	T.Venkatesh S/o Chinnaiah, Thallapalli Village, VempalliMandal.	30	SmtY.VenkataRamanamma (Wife) & 4727 1331 0327	2,00,000/-
9.	Shaik Abdul, S/o Khasim Sab, Gokul Nagar, Near Polytechnic College, Proddatur.	50	SmtKairun Bee (Wife) & 8873 5170 7175	2,00,000/-
10.	Bathula Prasad, Gangayapalli Village, KalasapaduMandal.	37	SmtB.Jyothi (Wife) 3387 4187 2095	2,00,000/-

3.3.9 Compensation fixed by the Assistant Commissioner of Labour, Rajampet :

- The commissioner For Employees Compensation Under E.C. Act, 1923& Assistant Commissioner of Labour, Rajampet has calculated as follows: (Annexure - IX)

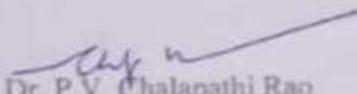
SN	Dependent of	Age	Amount (Rs. /-)
1	Late LakshmiNarayana Reddy. P	61	8,53,275/-
2	Late BalangulaiahYerraguntla	35	14,77,950/-
3	Late Balagangi Reddy, Kalluru	48	11,98,500/-
4	Late EswaraiahPippinaidugari	45	12,70,800/-
5	Late Jada Naga Subba Reddy	41	13,60,275/-
6	Late Korivi Prasad	35	14,77,950/-
7	Late Y. VenkataRamana	28	15,88,425/-
8	Late T. Venkatesh	30	15,59,850/-

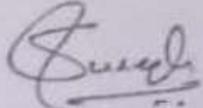
9	Late Shaik Abdul	50	11,48,175/-
10	Late Bathala Prasad	37	14,41,050/-
Total			1,33,76,250/-

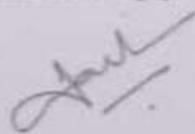
4.0 Conclusion:

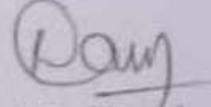
- Total Environmental Compensation calculated as Rs. 4,25,38,966/-.
- Rs. 12,00,000/- each was paid to the next kin& kith of the deceased person, by the Govt. of Andhra Pradesh.
- Rs. 1,33,76,250/- Compensation was fixed by the Assistant Commissioner of Labour, Rajampet which has to be paid by the lease holder / GPA holder.


Sri. V. Vijay Rama Raju, IAS,
District Collector, YSR District


Dr. P.V. Chalapathi Rao
Member Secretary,
SEIAA, APPCB, Vijayawada


Dr. Suresh Babu Pasupuleti
Scientist 'C', MoEF&CC,
Integrated Regional office, Vijayawada


Sri. K. Javeed Basha
Environmental Engineer,
APPCB, Regional Office, Kadapa


Sri. D. Ravi Prasad
Asst. Director of Mines & Geology,
Kadapa

15. It is seen from the Joint Committee report that they have assessed the Environmental Compensation and noted the fact that the ex-gratia compensation had been paid to the family members of the deceased to the tune of Rs. 10 lakh each under the District Mineral Foundation Trust fund and also further amount of Rs. 2 lakh each was given under the Pradhan Mantri National Relief Fund. This was given to the family members of the deceased persons.

16. As regards compensation under the Commissioner for Employees Compensation Act is concerned certain amount has been awarded by the Commissioner of Labour as per the provisions of the Act. They

also assessed Environmental Compensation against the quarry owner to the tune of Rs. 4,25,38,966/-

17. Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

18. So, the application is disposed of as follows:

- i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.
- ii) The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.
- iii) The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.
- iv) The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the

same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.

- v) The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal.

19. With the above direction and observations, the application is disposed of.



.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Dr. Satyagopal Korlapati)

O.A. No.115/2021(SZ)
2nd March, 2022. (AM).





ANDHRA PRADESH POLLUTION CONTROL BOARD

D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibaipet, Vijayawada – 520010
Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>

Notice No:718/APPCB/HO/UH-II/TF/KDP/2022-

06/09/2022

NOTICE FOR LEVYING ENVIRONMENTAL COMPENSATION

Sub:APPCB – HO – UH-II – TF - Hon'ble NGT Order dt. 02.03.2022 in O.A. No. 115 of 2021(SZ) in the matter of explosion in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District on 08.05.2021 - EAC hearing held on 18.08.2022 – Notice for levying Environmental Compensation - Issued - Reg.

Ref:

1. Closure Order issued to your mine on 29.05.2021.
2. Hon'ble NGT Order dated 02.03.2022. (copy enclosed)
3. External Advisory Committee (TF) meeting held on 18.08.2022.

WHEREAS you were operating a Barytes mine in the name of Smt C. kasturiBai at Sy No. 1 & 133 at Mamillapalle (V), Kalasapadu (M), YSR District without obtaining Environmental Clearance and Consents of the Board.

WHEREAS the Hon'ble NGT has registered a Suo Moto case in OA No 115 of 2021 based on New Paper Report published in the Times of India, E-paper dated 08.05.2021 under the caption “ Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa”.

WHEREAS the Board vide Order dt 29.05.2021 issued closure order to your mine for operating without obtaining Environmental Clearance and Consents of the Board etc.,

WHEREAS the Joint Committee constituted by the Hon'ble NGT in the matter filed its report where in the committee assessed the Environmental Compensation payable by you as Rs. 4,25,38,966/-.

WHEREAS the Hon'ble NGT, Chennai disposed the matter vide Order dated 02.03.2022 with following directions -

“Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

So, the application is disposed of as follows:

- The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.***
- The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if***

found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.

- iii. *The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.*
- iv. *The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.*
- v. *The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal.”*

With the above directions and observation, the application is disposed of.”

Copy of the above order dt 02.03.2022 containing the committee report with calculation of Environmental Compensation is enclosed.

WHEREAS the Hon'ble NGT has recorded and accepted the report and recommendation of the Joint Committee and directed the respective regulators, namely, the Mining Department and the Pollution Control Board to take action for recovery of the Environmental Compensation and file further action taken report once in three months till the amount is recovered from the violators.

WHEREAS the Board reviewed the issue in the EAC (TF) meeting held on 18.08.2022 and the Committee recommended to issue notice to the mine for levying Environmental Compensation as assessed by the committee constituted by Hon'ble NGT in the above matter.

In view of above, abiding to the orders of the Hon'ble NGT in O.A. No. 115 of 2021(SZ) you are hereby directed to pay the Environmental Compensation of Rs. 4,25,38,966/- (Rupees Four Crores Twenty Five Lakhs Thirty Eight Thousand Nine Hundred and Sixty Six only) to A. P. Pollution Control Board within 15 days.

Should you fail to pay the environmental compensation within the specified period, further coercive action will be initiated against your industry under section 33(A) of Water (Prevention & Control of Pollution) 1974 and under section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof and as provided under the respective statutes in accordance with law, in the interest of safeguarding Public Health and Environment, without any further notice.

Vijay Kumar Gsrkr las
MEMBER SECRETARY

To
The Occupier,
Barytes mine of Smt. C. Kasturi Bai,
Sy No. 1 & 133,
Mamillapalle (V), Kalasapadu (M),
YSR District.

Copy to:

1. The Joint Chief Environmental Engineer, A.P.Pollution Control Board, Zonal Office, Kurnool for information and necessary action.

2. The Environmental Engineer, A.P.Pollution Control Board, Regional Office, Kadapa for information and necessary action.

**GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES AND GEOLOGY**

BY RPAD

From
D.Ravi Prasad,
Asst. Director of Mines & Geology,
Kadapa, Y.S.R. District.

To
1. Smt. C.Kasturi Bai,
W/o. C.Ramachandraiah,
D.No.20/1064, Co-operative Colony,
Kadapa, Y.S.R. District.
2. C. Nageswar Reddy,
GPA holder of Sri C.Kasturi Bai
S/o Sheshi Reddy, D.No. 4/16-2,
Chenchaiahgaripalli Village,
B. Mattam Mandal, Y.S.R. District.

Lr.No.3423/M1/2002 , dated.04-02-2023

Sir,

Sub: Mines and Quarries – Quarry lease held by Smt. C.Kasturi Bai for Barytes an over an extent of 30.696 Hectares in Sy. No. 1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District – The Hon'ble NGT order dt:02-03-2022 in O.A.No.115 of 2021(SZ) in the matter of explosion in leased area – EAC hearing held on 18-08-2022 – Notice issued levying Environmental Compensation – Requested to pay the Environmental Compensation & Labour Compensation – Reg.

Ref: Notice No.718/APPCB/HO/UH-II/TF/KDP/2022, dt:06-09-2022 of the Andhra Pradesh Pollution Control Board, Vijayawada.

I invite kind attention to the subject and reference cited. Through the reference 1st cited, Member Secretary, AP Pollution Control Board has issued notice to the Occupier, Barytes mine of Smt. C.Kasturi Bai in Sy.Nos.1 & 133 of Mamillapalle Village, Kalasapadu Mandal, YSR District and informed that the Hon'ble National Green Tribunal has recorded and accepted the report and recommendation of joint committee and directed the respective regulators, namely the Mining Department, and Pollution Control Board to take action for recovery of Environmental Compensation of Rs.4,25,38,966/- (Rupees Four crore twenty five lakhs thirty eight thousand nine hundred and sixty six only) to the AP Pollution Control Board within 15 days failing which action will be initiated under Section 33(A) of Water (Prevention & Control of Pollution) 1974 and under Section 31(A) of Air (Prevention & Control of Pollution) 1981 and amendments thereof and as provided under the respective statutes in accordance with law, in the interest of safeguarding Public Health and Environment, without any further notice.

Further, it is informed that the Asst. Commissioner of Labour, Rajampeta has calculated the compensation for the deceased employees as Rs.3,89,18,199/- under employees compensation under EC Act, 1923. But, till date you did not pay the said amount.

pg. 1

= 2 =

In this connection, Smt. C.Kasturi Bai and Sri C. Nageswar Reddy GPA holder of Smt. C.Kasturi Bai are hereby directed to pay Environmental Compensation of Rs.4,25,38,966/- (Rupees Four crore twenty five lakhs thirty eight thousand nine hundred and sixty six only) to the AP Pollution Control Board and Rs. 3,89,18,199/- towards Labour Compensation to the Asst. Commissioner of Labour, Rajampeta within 15 days from the date of receipt of this notice failing which action will be initiated as per Rules in force without any further notice.

Yours faithfully



Asst. Director of Mines and Geology,
Kadapa, YSR District

Copy Submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of kind information.

Copy submitted to the District Collector, Kadapa, YSR District for favour of kind information.

Copy submitted to the Joint Collector, Kadapa, YSR District for favour of kind information.

Copy submitted to the Government Pleader, Hon'ble National Green Tribunal, Southern Zone, Kalas Mahal, Kamarajar Salai, PWD Estate, Chepauk, Triplicance, Chennai for favour of kind information.

Copy to the Dy. Director of Mines and Geology, Kadapa for favour of kind information.

Copy submitted to the Member Secretary, AP Pollution Control Board, D.No:26-14D/2, Near Sunrise Hospital, Pushpa Hotel, Chalamalavari Street, Kasturibaipeta, Vijayawada - 500010 for favour of kind information .

Copy submitted to the Environmental Engineer, AP Pollution Control Board Regional office, Kadapa for information.

(DUPLICATE PLAINT)

IN THE COURT OF THE HON'BLE PRINCIPAL DISTRICT JUDGE: KADAPA.

O.S.No. 57/2023

Smt.C.Kasturi Bai.

Plaintiff

- Versus -



Defendants

- 1. C.Nageswar Reddy,
- 2. The Assistant Director of Mines & Geology,
G-3, O-Block,
New collectorate complex, Kadapa City.
- 3. Andhra Pradesh Pollution Control Board,
D.No.33-26-14D/2, Near Sunrise Hospital,
Pushpa Hotel Center, Chalamalavari Street,
Kasturibaipet, Vijayawada - 520010,
Phone : 0866 - 2463200. Website : http/pcb.ap.gov.in.
- 4. The Assistant Commissioner,
Labour department, RAJAMPET. Annamaiah District.

JCEE,
Legal

PLAINT FILED ON BEHALF OF THE PLAINTIFF UNDER ORDER 7, RULE 1
r/w Sec.26 OF CIVIL PROCEDURE CODE.

1. PLAINTIFF:

Smt.C.Kasturi Bai, W/o C.Rama chandraiah, aged about 68 years, Indian Hindu,
R/at Plot No.43A, Road No.71, OPP: Jubilee Hills Public School, Jubilee Hills,
Hyderabad, Telangana State. Aahdar No;9300 0154 9769,

The counsels for plaintiff are Sri M. Sudhakar Babjee, AP/1936/1994, Cell: 9866348568, Sri T. Rajasekhar, AP/4855/1999, Cell: 9440384799, Sri D. Sreenivasulu Reddy, AP/1955/2009, Cell: 9492414451, Advocates, Raja Reddy street, Kadapa city-1.

2. DEFENDANTS:

- 1. C.Nageswar Reddy, S/o.Seshi Reddy, aged about 47 year, Indian Hindu, R/at
D.No.4/16-2, Chenchaiahgari palle village, Mallepalle Post, B.Matam (mandal),
YSR Kadapa Dt.
- 2. The Assistant Director of Mines & Geology, G-3, O-Block, New collectorate complex,
Kadapa City.
- 3. Andhra Pradesh Pollution Control Board,
D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center, Chalamalavari
Street, Kasturibaipet, Vijayawada - 520010, Phone: 0866 - 2463200. Website :
http/pcb.ap.gov.in.
- 4. The Assistant Commissioner,
Labour department, RAJAMPET. Annamaiah District.

The address of the parties for the purpose of court notices, summons etc. is as given above.

7

3. The plaintiff humbly submit that, the plaintiff was lessee on the mining lease for barites to an extent of 30.696 hectors in S.No.1 & 133 of Mamillapalli village, Kalasapadu mandal, Y.S.R dt granted by the second defendant vide proceedings No.1523/M3/2001 dated:2.11.2001 for the period of 20 years with effect from 21.11.2001 to 01.11.2021. In pursuance of the said lease, the plaintiff took possession of quarry and taken mining operation after following all precautions complying the mandatory rules for mining operation as envisaged by concern authority from time to time. Under their supervision. Unfortunately the plaintiff fell in ill-health due to severe chest pain and consequently leads to by-pass surgery and suffered pain and thereby bed-ridden. The medical practitioner advised the plaintiff that the general life of the plaintiff has badly infringed and she shall not move out as if a general healthy man. Under the said circumstances the plaintiff totally become handicape to operate the mine under her personal supervision.
4. In this context the plaintiff humbly submits that inview of her ill health and the advice of the doctors, the plaintiff became handicap to operate the mine independently. Hence she appointed the defendant No.1 as her General Power of Attorney Holder by means of executing GPA on 31.12.2012 and hand over the mine to him with the knowledge of second defendant. The second defendant accepted the GPA and allowed the 1st defendant to enter in to mine and initiate excavation of mineral. The copy of the said GPA is here with appended.
5. While so, on 08.05.2021 there was blasting held by the defendant NO.1 in normal course by taking precautions as prescribed by law. Unfortunately at about 9:30 Am due to blasting the persons who were trespassed without prior permission and knowledge of the plaintiff and defendant NO.1 succumbed due to the fall of the mining stone and died number in ten. Hence, the police of Kalasapadu registered the case against the defendant No.1 vide crime No.58/2021 dt.08.05.2021. In pursuance of the said blasting and incident, the responent No.2 and AP Pollution control board issued proceedings to pay environments compensation at

Advocate for Plaintiff

Rs.4,25,38,966/- alleging that there was grave violation of the environmental rules and regulations and thereby NGT ordered to pay compensation vide OA.No.115/2021 dated:02.03.2022. Likewise, the show cause notice was also issued to the said effect besides the commissioner of Labour, Rajampet directed the plaintiff to pay Rs.1,33,76,250/- towards compensation for the death of the persons in the mining blasting. Since the plaintiff is no way concern either with the mining operations and not responsible for the death of un-known persons.

6. At this juncture the plaintiff further humbly submits that, the defendant No.1 also gave undertaken letter dated:28.12.2020 on non-judicial stamp paper admitting that, he is absolute GPA Holder and he has been carryout mining transactions and the plaintiff is no way concern . The said letter also here with appended for kind perusal of this Hon'ble court. Under that circumstance this plaintiff is not concern with the said transactions, but the defendant NO.2 & 3 has been issuing proceedings in the name of the plaintiff and demanding for payment of compensation and also fine imposed NGT as well as Labour of Rajampet for the death of ten un-known members in the mining blasting. By virtue of this GPA the defendant No.1 is carryout personally and the plaintiff is no way concern with the act and deeds. The defendant NO.1 alone is carried the mining operation for his personal gain to which defendant No.1 affirmed before defendant NO.2 also. The process for transfer of online also pending before the defendant No.1. Thus the defendant NO.1 personally carried mining operation, on filing of application for transfer of mine in his favour, but not as agent of plaintiff. When the plaintiff due his ill health expressed her inability to operate mine and proposed to surrender the mine to defendant No.2, at that juncture the defendant NO.1 expressed willingness to operate the mine for his personal gain and thereby made correspondence with the second defendant for transfer of mine. The said application received by the second defendant and recommend for transfer to the higher authorities and the same is pending. Hence the defendant No.1 is alone operate the mine and the plaintiff is no way concern. Hence the defendant NO.1 is liable to pay the schedule

mentioned amount to the second and 3rd defendant and others. Hence the suit is filed for direct the defendant No.1 to pay the schedule mentioned amount in pursuance of the proceedings of second defendant and also the Assistant commissioner of Labour, Rajampet.

7. Cause of action for the suit arose when the plaintiff was lessee on the mining lease for barites to an extent of 30.696 hectares in S.No.1 & 133 of Mamillapalli village, Kalasapadu mandal, Y.S.R dt granted by the second defendant vide proceedings No.1523/M3/2001 dated:2.11.2001 for the period of 20 years with effect from 21.11.2001 to 01.11.2021 when plaintiff took possession of quarry and taken mining operation after following all precautions complying the mandatory rules for mining operation as envisaged by concern authority from time to time when plaintiff fell in ill-health due to severe chest pain and consequently leads to by-pass surgery and suffered pain and thereby bed-ridden when the plaintiff appointed the defendant No.1 as her General Power of Attorney Holder by means of executing GPA on 31.12.2012 and had over the mine to him with the knowledge of second defendant when second defendant accepted the GPA and allowed the 1st defendant to enter in to mine and initiate excavation of mineral when on 08.05.2021 there was mine blasting held by the defendant NO.1 in normal course by taking precautions as prescribed by law when unfortunately at about 9:30 Am due to blasting the persons who were trespassed without prior permission and knowledge of the plaintiff and defendant NO.1 succumbed due to the fall of the mining stone and died number in ten when police of Kalasapadu registered the case against the defendant No.1 vide crime No.58/2021 dt.08.05.2021 when AP Pollution control board issued proceedings to pay environments compensation at Rs.4,25,38,966/- alleging that there was grave violation of the environmental rules and regulations and thereby NGT ordered to pay compensation vide OA.No.115/2021 dated:02.03.2022 when commissioner of Labour, Rajampet directed the plaintiff to pay Rs.1,33,76,250/- towards compensation for the death of the persons in the mining blasting when the plaintiff is no way concern either with the mining

>

Advocate for Plaintiff

operations and not responsible for the death of un-known persons. When defendant NO.1 has been issuing proceedings in the name of the plaintiff and demanding for payment of compensation and also fine imposed NGT as well as Labour of Rajampet for the death of ten un-known members in the mining blasting when the suit schedule property is situated within the territorial jurisdiction of this Hon'ble court. .

8. The value of the suit for the purpose of court fee and jurisdiction is as follows :-

- (i) The relief directing the defendant No.1 to pay Rs.1,33,76,250/- to the defendant No.2 in pursuance of the proceedings of A/97/2021 dated:06.08.2021 on this a court fee of Rs.1,36,198/- is paid under section 20 of APC F & S.V.Act.
- (ii) Direct the defendant No.1 to pay Rs.4,25,38,966/- to the AP Pollution board, Vijayawada in pursuance of the notice No.718/APPCB/ dt.06.09.2022 on this a court fee of Rs.4,28,426/- is paid under section 20 of APCF & S.V. Act.

Total value of the relief Rs.5,59,15,216/-
Total court fee paid is at Rs.5,64,624/-

8. Therefore the plaintiff prays that this Hon'ble court may be pleased to pass a decree and judgment infavour of the plaintiff against the defendants

- a) Indemnify the defendant No.1 for the suit amount
- b) Grant costs of the petition and
- c) Grant such other reliefs as the Hon'ble court deems fit in the circumstances of the case as it is expedient in the interest of justice.

I, Smt.C.Kasturi Bai, W/o.C.Rama chandraiah, the above named plaintiff do hereby declare that what are stated in the above paragraphs No.1 to 8 are true to the best of my knowledge, information & belief & signed on this the day of .07.2023 at Kadapa City.

SIGNATURE OF THE PLAINTIFF

ADVOCATE FOR PLAINTIFF

Cont.6

: 6 :
SCHEDULE-A

Item No.1:

A sum of Rs.1,33,76,250/- ordered to be paid by plaintiff and defendant No.1 as per proceedings of the commissioner for employees compensation under EC Act cum Asst. Commissioner Labour, Rajampet dt.06.08.2021.

Item No.2:

Rs.4,25,38,966/- ordered to pay to the AP pollution control board, Vijayawada.

I, Smt.C. Kasturi Bai, W/o C.Rama chandraiah, the above named plaintiff do hereby declare that what are stated in the above paragraphs No.1 to 8 are true to the best of my knowledge, information & belief & signed on this the day of 07.2023 at Kadapa City.

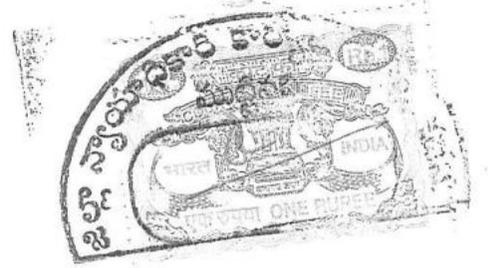
SIGNATURE OF THE PLAINTIFF

ADVOCATE FOR PLAINTIFF

**LIST OF DOCUMENTS FILED ON BEHALF OF THE PLAINTIFF UNDER ORDER 7,
RULE 14 OF CIVIL PROCEDURE CODE.**

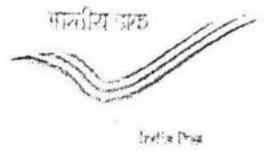
1. Demand notice dt.10.08.2021 issued by the defendant NO.2.
2. Show cause datd:21.10.2020 issued by the defendant
3. Proceedings of AP pollution control board dated: 06.09.2022
4. Representation of the plaintiff to the Hon'ble Minister Energy Forest and Environment dt.06.10.2022.
5. The show cause notice dt.03.12.2020 issued by department of Mines & Geology, Ibrahimpeta
6. Proceedings of Industries and Commerce (Mines department) dated:04.08.2022.
7. Attested copy of FIR vide Cr. No.58/2021 of Kalasapadu Police station against the defendant,
8. Attested copy of GPA dated: 31.12.2012.
9. Attested copy of undertake letter submitted by defendant No.1 dt.28.12.2020 to the defendant No.2.
10. Xerox copy of served acknowledgment of defendant No.2.
11. 1-B Namuna in the name of defendant NO.1 drawn from Mee-Seva for the land at Veerlapalli village fields.
12. 1-B Namuna in the name of the defendant NO.1's wife drawn from Mee-Seva for the lands at Mamillapalli village.
13. 1-B Namuna in the name of the defendant NO.1's wife drawn from Mee-Seva for the lands at Palugurallapalle village.
14. 1-B Namuna drawn from Mee-seva of Papireddy village fields in the name of the defendant No.1.
15. 1-B Namuna drawn from Mee-seva of Mallepalle village fields in the name of the defendant No.1.
16. Aadhar card of the plaintiff.

ADVOCATE FOR PLAINTIFF



आर. पी - 54
R.P - 54

भारतीय डाक विभाग
DEPARTMENT OF POSTS - INDIA
पावती / ACKNOWLEDGEMENT



* यदि लागू न हो तो काट दें -
* Strike out if not relevant

पंजीकृत पत्र / पार्सल प्राप्त हुआ

Received Registered Letter / Parcel /

क्रमांक / No.	तारीख / Dated.	ब.प.नं.
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श्रीमा का मूल्य रुपयों में

Insured for Rupees

प्राप्तकर्ता

Addressed to

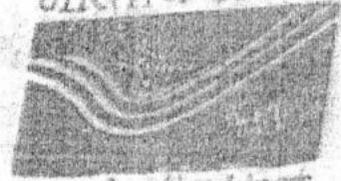
Ass. Director of Mines & Geology
G-3, 0' Block
New Collocorate
Kolar - 516004
को [Signature]



दिनांक / तारीख - मोहर
Date Stamp of office of delivery

हस्ताक्षर और नाम / Signature and Name

भारतीय डाक



India Post

11

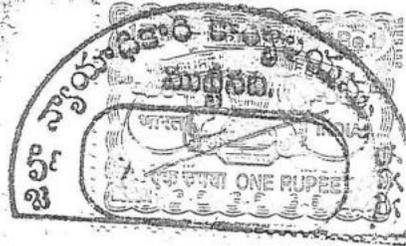
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RS. 100

ONE

HUNDRED RUPEES



INDIA NON JUDICIAL

ఆంధ్ర ప్రదేశ్ రాష్ట్రం ANDHRA PRADESH
S.No. 25/2019
28/12/2020 100
Sold to C. Paveswary Reddy S/O C. Seshu Reddy
for whom. S/O
Kondapalli

J. S. PRATAP
Stamp Vendor
Licence No : 11-03-008/200
R.L. No : 19/0 11-12-
B. A (vi, 8 200
MUDGANUR

ఈ
సహాయ సంవాలకులు,
గణులు మరియు భూగర్భశాఖ,
కడప.

పేరు:- వై.ఎస్.ఆర్. జిల్లా, కల్వచాడు మండలం, మామిళ్ళపల్లె గ్రామంలో 1 &
133 సర్వే నెంబరు గల శ్రీమతి శ్రీ కస్తూరి బాయి సెక్కు మీద గల బెర్రెటీస్
లీజునకు నేను జి.వి.వి. హోల్డర్గా ఉన్నానని తెలుపుట నులింది.

ఈ పై తెలివిన బెర్రెటీస్ లీజుకు శ్రీ నాగేశ్వరరెడ్డి తండ్రి, సి.శేషారెడ్డి అను నేను జి.వి.వి.
హోల్డర్గా ఉన్నాను. నడరు జి.వి.వి. 01.01.2013 సంవత్సరం చేయబడినది. అప్పటి నుండి
సంబంధించి ఈ కార్యాలయములో సమర్పించడం జరిగినది. అప్పటి నుండి పై తెలివిన లీజు
సంబంధించి కార్యకలాపాలు ఇతర ఉత్తర ప్రత్యుత్తరాలు రీటర్న్ నేను జరుపుకున్నాను. కాని
నేను ఈ లీజుపై నోటిసు శ్రీమతి కస్తూరి బాయికి ఈ కార్యాలయము నుండి సందించి

ఈ విషయమై తమరికి తెలుపునది ఏమనగా! జి.పి.ఎ. నా పేరున చేసినప్పటి నుండి పై లిజా పై అన్ని ఛార్జీలు నేను తీసుకొని మైనింగ్ కార్యకలాపాలు జరుపుతున్నాను. కావున పై తెలివిన ఈ కార్యలయము నుండి శ్రీమతి సి.కస్తూరి బాయి గారికి పంపినటువంటి నోటీసుపై సంజాయిషీ నేను నమర్చిస్తాను. మరియు పై తెలివిన లీజుపైన ఏ ఉత్తరప్రత్యుత్తరములు అయిన జి.పి.ఎ. హోల్డర్ అయిన నాకే పంపమని కోరుతున్నాను. మరియు ఈ లీజుపై గల అన్ని విషయములపై ననే లీజుపై గల అన్ని విషయములపై గవర్నమెంటు వారి ఎటువంటి చర్యలకు నేను ఛార్జీ వహిస్తాను. పై తెలివిన మైన్ పైన ఎటువంటి మైనింగ్ వయలేషన్స్ ఉన్నచో, దానికి ఎటువంటి బకాయిలు ఉన్నా గాని చెల్లించగలవాడను, దీనికి సంబంధించిన ఎటువంటి వయలేషన్స్ గాని ఇ.సి. సి.ఎఫ్.ఓ. సి.ఎఫ్.ఇ., తదితరులు ఎటువంటి మైనింగ్ రూల్స్ వాటిండకుండా, ఈ మైన్స్ చేసినచో దానికి మైనింగ్ ఆఫీసు వారి పెనాల్టీ నేను ఛార్జీ తీసుకొని చట్టవాదను. అట్లు నేను చేయని పక్షంలో మీరు న్యాయ ప్రకారము నా మీద చర్యలు తీసుకోనుటకు నేర్ప హక్కులు మీకు ఇచ్చుచున్నాను. దీనికి నేను ఛార్జీ ఉన్నాను, సి.కస్తూరి బాయి గారికి ఈ విషయంతో ఎటువంటి సంబంధం లేదు.

పై కండిషన్లను మనస్ఫూర్తిగా అంగీకరిస్తున్నాను.

నా చిరునామ : సి.నాగేశ్వర రెడ్డి తండ్రి. సి.శేషారెడ్డి, డోర్ నెం:4-17-1, చెంచయ్యగారిపల్లె, చి.మరం మండలం, కడప జిల్లా - 516 003.

01.01.2013న చేసినటువంటి జి.పి.ఎ. నకలు ఇందువెంట తమరి పరిశీలన మరియు తగు చర్యలు నిమిత్తం జతపరచడమైనది.

ఇట్లు
 తమ విధేయుడు
 సి.నాగేశ్వరరెడ్డి
 (సి.నాగేశ్వరరెడ్డి)
 జి.పి.ఎ. హోల్డర్ అఫ్
 శ్రీమతి సి.కస్తూరి బాయి

NOTARY
 Commissioned by the Govt. of
 AP. (S.E. 2011) No. 10 of 2011
 10/1/2013

GOVERNMENT OF ANDHRA PRADESH
OFFICE OF THE DEPUTY DIRECTOR OF MINES & GEOLOGY, KADAPA
G-3, 'G' Block, New Collectorate Premises, RIMS Road, Kadapa, YSR District.

SHOW CAUSE NOTICE

S.C.No.1891/Q1-SCN/2020

Date: 21-10-2020.

Sub:- Mines & Quarries - Quarry Lease for Barytes over an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR District held by Smt C.Kasturi Bai - Suspension of quarry operations - Show-Cause Notice Issued - Reg.

Ref :- Lt.No.3423/M1/2002, dated: 15-10-2020 from the ADM&G, Kadapa.

Adverting to the above subject and reference cited, through the above reference, the Asst. Director of Mines & Geology, Kadapa informed that and noticed that the quarry lease area held by Smt C.Kasturi Bai for Barytes over an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR District has been inspected by the technical staff of O/o.Asst. Director of Mines & Geology, (RVS), Kadapa and this office has inspected the subject area on 25-08-2020 and noticed that the lessee has committed certain violations against the APMMC Rules, 1966 and recommended for suspension of quarry operations immediately.

1. The lessee is not commencing quarry operations in accordance with approved scheme of mining.
2. Lessee is conducting quarry operations and produced thousands of tons Barytes without E.C and CFO which is breach to Section of Environmental Protection Act, 1986 and Section 25/26 of Water (prevention and Control of Pollution) Act, 1974 and Section 21 of Air prevention and Control of Pollution) Act, 1981.
3. The lessee is using explosives and conducting blasting without explosives permission obtained from the competent authority which is breach to Rule 107 of Explosives Rules, 2008.
4. The lessee not provided separate in-let and out-let for entry and exit of workmen and the workmen are using crane buckets for enter and exit in the shafts which is highly dangerous condition.
5. Out of (06) shafts developed in the lease area, the lessee constructed protection for (03) shafts only and for (03) shafts not constructed protection wall.
6. Ventilation system proposed in approved scheme of mining was not provided by the lessee.

In view of the above, Smt C.Kasturi Bai directed to Show-Cause notice as to why action should not be initiated against your mining operations within 15 (Fifteen) days from the date of receipt of this notice under Rule 7(A) (VI) of A.P.M.M.C Rules, 1966. Failing which, suitable action will be initiated.

N. S. S. K. K. K.
Dy. Director of Mines and Geology, (FAC)
Kadapa, Y.S.R. District.

To
Smt C.Kasturi Bai, W/o. C.Ramachandraiah, D.No.20/1064, Co-operative Colony, Kadapa,
Y.S.R. District, Cell No.9052707533.
Copy to the Asst. Director of Mines and Geology, Kadapa for information
Copy submitted the Director of Mines & Geology, Ibrahimpatnam for favour of kind information

URPADU

On I.G.S. Only

TO

14



C. Kartum Bai,
w/o C. Rauschandrich,
D No. 20/1064,
Co-operative Colony,
Kadapa.
YSR DDA.

Office of the
Deputy Director of Mines & Geology
G.O. 127/2000-2001
Kadapa District, AP



ఆంధ్ర ప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

No. 7278... Date 3.1.12.2012 Rs 100

old to C. KASTHURI BAI, వాణిజ్య కార్యాలయం కి.

for Whom పంపిణీ చేయబడినది పేరిట. పులివెందులూరు

G. Ravi Sankar
AX 951053
G RAVI SANKAR
LICENSED STAMP VENDOR
L.No. 11-18-4/1997
R.No. 11-18-20/2009
VALLUR (M) Y.S.R. DIST
Cell : 9963063017

GENERAL POWER OF ATTORNEY

TO ALL THOSE TO WHOM THESE PRESENTS shall come, Smt.C.KASTHURI BAI, W/o. C.RAMACHANDRAIAH, AGED ABOUT 56 Years, D/No. 20-1064, Co-operative Colony, Kadapa, ANDHRA PRADESH send my greetings,

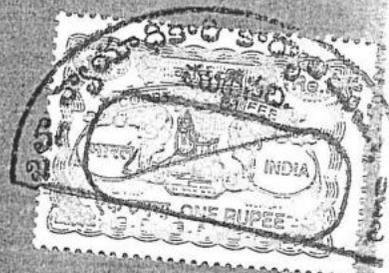
WHEREAS, I am holding a mining lease for Barytes over an extent of 30.696 hectares in the village of MAMMIDAPALLI, KALASAPADU MANDAL, KADAPA DISTRICT., vide G.O. Ms.No. 224, dated 11.04.2001 issued by Industries and Commerce Department, Govt. of Andhra Pradesh and duly executed with the Asst. Director of Mines and Geology, Kadapa on 02.11.2001 for a period of twenty years, starting from 02.11.2001 and expiring on 01.11.2021, and the same has applied for renewal.

AND WHEREAS, I am desirous of appointing a fit and proper person or persons to represent me for the purpose hereinafter set-forth.

I DO HEREBY nominate Mr.C.NAGESWARA REDDY S/o. C.SESHI REDDY, aged 34 years, D.No.4/16-2, Chenchaiahgari palli (V), Mallepalli (P), B.Mattam(M), Kadapa(Dt.), to be my true and lawful attorney to do and execute for me, in my name and on my behalf all or any of the following acts, deeds and things, that is to say

Contd.....2

C. Kasthuri Bai





ఆంధ్ర ప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

o. 2279... Date 1.12.2012 Rs. 10

60AA 728992

d to C. Kasturibai

G RAVI SANKAR
 LICENSED STAMP VENDOR
 L.No. 11-18-4/1997
 R.No. 11-18-20/2009
 VALLUR (M) Y.S.R. Dt
 Cell : 9983062317

Whom..... బి.ఎం.ఎస్.ఎస్. బి.ఎం.ఎస్.ఎస్. B.ఎం.ఎస్.ఎస్.

1. To take all steps necessary for exploiting the mine situate in Survey No.1 & 133 of Mamillapalli (V), Kalasapadu(M), Kadapa(Dt), over an extent of 30.696 hectares and winning of the Mineral Barytes.
2. To Commence and carry on Mining operations by itself and / or through contractors.
3. To appoint managers / engineers / supervisors / staff / workers for the conduct of the work.
4. To sink, pits, shafts and inclines or to deepen or extend any existing work of such nature.
5. To engage own / hired machinery and equipments for mining operations and materials handling within and outside the mines.
6. To use or remove existing fixtures, structures, conveyance systems, road ways and pathways etc., modify extent or remove them, or create new ones.
7. To use land for stocking, heaping and dumping purposes and to erect, construct, maintain and use any engines, machinery, plant, dressing floors, workshops, stores, living quarters, go-downs, sheds and other buildings and other works and conveniences of the like nature.

Contd.....3

C. Kasturibai



ఆంధ్ర ప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH
 29.12.2012 Date 29.12.2012 Rs. 10
 C. Kasturibai కె.కాస్తురబాయి

U. M. Sankar
 60AA 728993
 G. RAVI SANKAR
 LICENSED STAMP VENDOR
 L.No. 11-18-4/1997
 R.No. 11-18-20/2009
 VALLUR (M) Y.S.R. Dt
 Call : 9963062317

8. To pay Taxes, Licence Fees, Royalties, dead rents, Surface Rents, Cess and all other statutory levies and duties in respect of the working of the mines and disposal of the minerals.
9. To apply for and receive permits / licences / approvals from Central / State Govts. Local bodies or other authorities / competent persons, as the case may be, for the conduct of work at the mine, for removal and transport of the mineral won or for dumping of over burden.
10. To apply to the concerned authority for inclusion in the current mining lease of any new mineral or minerals that may be found in the lease hold area or to apply for the renewal or renewals of the current mining lease, and for such purpose sign, verify and file necessary applicants, papers.
11. Statements, explanations, reports, plans etc., as may be required by the local, State and Central Govt. authorities and to execute the lease deed on such renewal or renewals being granted.
12. To maintain all statutory registers, forms, books, plans, and records and submit all returns, reports, notices, etc., as required under the provisions of the various mining and labour laws.
13. To correspond on matters of business and to effect sale of the mineral or minerals won.

Contd...4

C. Kasturibai



ఆంధ్ర ప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

G Ravi Sankar
60AA 728994

S.No. 7281 Date 31.12.2017 Rs. 10

Sold to C. Kasturibai పి.వి.ఎ. కౌన్సిలర్.

G RAVI SANKAR
LICENSED STAMP VENDOR
L.No. 11-18-4/1997
R.No. 11-18-20/2009
VALLUR (M) Y.S.R. Dt
Cell : 9983062317

For Whom పి.వి.ఎ. కౌన్సిలర్ పేరిట. B. అం. రె. నెం. 4

- 14. To appear before local, state and central Govt. authorities and also before income tax, commercial tax, revenue, central excise, customs, foreign trade, railway, port, police and other public or govt. Officers or authorities and initiate appropriate action as deemed necessary.
- 15. To appear before all courts, civil, criminal or revenue, registration officers, and any other office and to sign, verify and file plaints, affidavits, written statements, vakalaths, executions and petitions, and also to sign, file and present appeals before any court or authority.
- 16. To settle any dispute or claim through arbitration or other proceedings.
- 17. To take all steps and actions to work the mines in a work-man like manner and to carry on the business smoothly.
- 18. The attorney shall not incur debt or raise loans on my behalf not surrender the mining lease.
- 19. The attorney shall have the authority to appoint any person in the place as agent for effectively implementing this power.

Contd.....
C. Kasturibai



ఆంధ్ర ప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH
S.No. 7282 Date 31.12.2012 Rs. 0

Miss Sankar
60AA 728995
G RAVI SANKAR
LICENSED STAMP VENDOR
No. 11-18-4/1997
R.No. 11-18-20/2009
VALLUR (M) Y.S.R. Dt
Cell : 993062317

Sold to... కస్తూరిబాయి కౌటూరి బాయి
For Whom... కస్తూరిబాయి కౌటూరి బాయి

20. This power of attorney shall remain in force and shall not be revoked by me for the period from 01.01.2013 to 01.11.2021.

21. All acts, deeds and things lawfully done by the attorney shall be deemed to be the acts, deeds and things done by me, and I hereby agree and undertake to confirm and ratify the same as though such acts, deeds and things were done by myself.

In witness whereof I have hereunto set my hands and seal at Kadapa this 1st day of January, 2013 signed, sealed and delivered by the within named Smt.C.KASTHURI BAI in the presence of:

C. Kasthuri Bai
(SMT C. KASTHURI BAI)

WITNESSES
1.
2.



4

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

1 District : YSR Kadapa Year : 2021 FIR. No.: 56/2021 Date : 08.05.2021
304 (II) IPC and Sec 3, 5 and 6 of Explosive Substances Act

2 P.S. KALASAPADU Acts and Sections Substances Act

3 a) Occurrence of Offence: Saturday Date 08.05.2021 from: Date to:
Time Period Time From around 09:30 AM Time To

b) Information received at P.S.: Date : 08.05.2021 Time : 12:00 Noon
General Diary Reference :

c) Entry No : 1 Time : 12:00 Noon
 Written

4 Type of Information : written / Oral ::

5 Place of Occurrence :: a) Direction and Distance from P.S. :: East-6 KMs
In Konda Gangamma Thalli Mines
In Survey No.1 and 133 of Mamillapalle panchayathi fields

b) Place ::
Street / Village :: near Mamillapalle village
Area / Mandal :: Kalasapadu Mandal
City / District :: YSR Kadapa District.
State :: Andhra Pradesh

c) If outside the limits to this Police Station, then the name of
concerned Police station ::
District ::

6 Complainant / Informant : Complainant

a) Name : Bayana Ramachandrudu

b) Father's / Husband's Name :

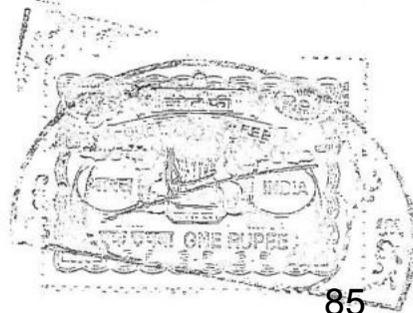
c) Date / Year of Birth : Age ::

d) Nationality :: Indian (e) Caste

f) Passport No :: Date of Issue Place of Issue ::

g) Occupation :: Tahasildar, Kalasapadu Mandal.

h) House No ::
Street / Village :: Kalasapadu Mandal
Area / Mandal :: Kalasapadu Mandal
City / District :: YSR Kadapa District.
State :: Andhra Pradesh



7 Details of Known / Suspected / Unknown accused with full particulars :

Names of the Accused :

C.Nageswara Reddy S/o Seshireddy resident of D.no.4/16-2, Chenchalahgaripalle village, B.Mattam Mandal, YSR District.

Names of the Deceased :

- 1.Prasad, age 40 years, Gangayapelle village, Kalasapadu Mandal,
- 2.Subbareddy, age 40 years, Gondipalle village, now at Badvel town
- 3.Balagangulu, age 35 years, E.Kothapalle village, Vemula Mandal.
- 4.Venkataramana, age 25 years, E.Kothapalle village, Vemula Mandal.
- 5.Vekatesu, age 25 years, Bakkannagaripalle village, Vempalle Mandal.
- 6.Esvaralah, age 45 years, Bechalagaripalle village, Vemula Mandal.
- 7.Gangireddy, age 50 years, Rangoripalle village, Vemula Mandal.
- 8.Lakshmi Reddy, age 60 years, Kothapalle village, Vemula Mandal.
- 9.Abdul, age 30 years, Vemula Mandal, now at Badvel town drive of the vehicle
- 10.Korivi Prasad.

Sl. No	Sex	Date / Year of Birth	Built	Height in CMs	Complexion	0	
1	2	3	4	5	6	7	
Deformities / Peculiarities		Teeth		Hairs	Eyes	Habits	Dress Habits
8		9		10	11	12	13
Language Dialect		Place of					
14		Burn Marks	Leucoderma	Mole	Scar	Tattoo	
		15	16	17	18	19	

8 Reasons for delay in reporting by the Complainant / Informant ::

No delay

9 Particulars of Properties Stolen / Involved (Attached Separate sheet, If necessary)

NIL

10 Total Value of Property stolen / involved ::

NIL

11 Inquest Report / U.D. Case No., if any :

12 First Information report Contents (Atach separate Sheet, if required)

A separate endorsed letter of Sri B.Ramachandrudu, Tahsildar, Kalasapadu Mandal is herewith enclosed for kind perusal.

13 Action Taken :: Since the above information reveals commission of offence(s) as item Nos. 2,

- 1) Registered the case and took up the investigation or
- 2) Directed (Name of I.O) Rank No :
- to take up the Investigation or
- 3) Refused investigation due to
- 4) Transferred to P.S. District

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost.

14 Signature / Thum Impression of complainant / Informant

Signature of Officer in charge, Police Station
 Name : B.Ghana Madduleti
 Sub-Inspector of
 Rank : Police NO : 3268

15 Date and time of dispatch to the Court :

Dt:08.05.2021

మంది

బయన రామచంద్రుడు,
తహసీల్దార్,
కలసపాడు మండలం.

వరకు

సబ్ ఇన్స్పెక్టర్ అఫ్ చొలిస్,
కలసపాడు మండలం.

విషయం:- కొండ గంగమ్మ తల్లి మైన్స్ లో విచ్చోటనం వలన జరిగిన ప్రమాదం గురించి.
@@@@@

ఈ దినం అనగా 08.05.2021 ఉదయం సుమారు 9.30 గంటలకు మా మహానంది పల్లి

VRO N.వెంకటేశ్వర్లు, మామిళ్లపల్లె పంచాయతీ లోని S.No. 1 మరియు 133 లోని 30.696 ఎకరాల లోని

తైలైటిస్ (కొండ గంగమ్మ తల్లి మైన్స్) లో బారీ విచ్చోటనం జరిగింది అని దానిలో గుర్తు తెలియని వ్యక్తులు

మరణించినారు అని తెలుపగా వెంటనే నేను, మా RI R.అమర్నాథ్ రెడ్డి, కలసపాడు మండలం మరియు

VRO N.వెంకటేశ్వర్లు తో కలసి సదరు ప్రదేశాన్ని పరిశీలించగా పేలుడు వలన జరిగిన మృతదేహాల ముక్కలు

అక్కడక్కడ పడి ఉండి ఆరు మృతదేహాలు గుర్తించినాము. ఇంకా అక్కడక్కడ చిన్న చిన్న మాంసము

ముద్దలుగా సుమారు పంద మేటర్ల దూరంలో పడి ఉండినాయి. అక్కడ ఉన్న ప్రత్యక్షసాక్షి శ్రీరాములు ను

అడుగగా వాహనంలో పేలుడు పదార్థాలు తీసుకొని వచ్చినారు అని జాగ్రతగా దింపమని అక్కడ పని చేసి

లక్ష్మీ రెడ్డి చెప్పగా నాలో పాటు పని చేసి 9 మంది దింపుతుండగా నేను, మరియు వేములకు చెందిన

రామాంజనేయ రెడ్డి నీరు తాగి వెళదాము అని దూము దగ్గరకు వెళుతుండగా ప్రమాదవ శాక్తు విచ్చోటనం

జరిగి మాలో పాటు పనిచేసి 9 మంది 1. ప్రసాద్, వయస్సు :40 సం.లు, గంగాయపల్లె గ్రామం, కలసపాడు

మండలం, 2. సుబ్బారెడ్డి, వయస్సు :40 సం.లు, గొందిపల్లె గ్రామం, ప్రస్తుతం నివాసం బద్వేల్, 3. బాల

గంగులు, 35 సం.లు, E కొత్తపల్లె గ్రామం, వేముల మండలం, 4. వెంకట రమణ, వయస్సు : 25 సం.లు,

E కొత్తపల్లె గ్రామం, వేముల మండలం, 5. వేంకటేశు, వయస్సు: 25 సం.లు, బక్కన్నగారిపల్లె, వేంపల్లె

మండలం, 6. ఈశ్వరయ్య, వయస్సు: 45 సం.లు, బెచ్చయ్యగారిపల్లె గ్రామం, వేముల మండలం, 7

గంగిరెడ్డి, వయస్సు:50 సం.లు, రంగోరి పల్లె గ్రామం, వేముల మండలం, 8. లక్ష్మీ రెడ్డి, వయస్సు :60

సం.లు, కొత్తపల్లె గ్రామం, వేముల మండలం 9. అట్టుల్, వయస్సు:30 సం.లు, వేముల మండలం, ప్రస్తుత

నివాసం బద్వేల్ టౌన్ మరియు వాహన డ్రైవర్ 10. కొరివి ప్రసాద్ చనిపోయినారు అని అనుకుంటున్నాము

అని తెలిపినాడు.

కొండ గంగమ్మ తల్లి మైన్స్ ప్రస్తుతం GPA Holder గా C.నాగేశ్వర్ రెడ్డి, తండ్రి: శిషిరెడ్డి, D

No 4/16-2, చెంచయ్య గారిపల్లె గ్రామం, బి,మఠం మండలం, కడప జిల్లా ఉండి మైన్స్ ను

నడుపుతున్నాడు. సదరు మైన్ యొక్క లీజు 01.11.2021 వరకు ఉన్నట్లు రికార్డు ప్రకారం ఉంది. కానీ

ఎటువంటి ముందు జాగ్రత్త చర్యలు తీసుకోకుండా పేలుడు పదార్థాలు దింపి 10 మంది మరణానికి కారణం

అయిన లీజు హోల్డర్ అయినటువంటి C.నాగేశ్వర్ రెడ్డి, తండ్రి: శిషిరెడ్డి, D No 4/16-2, చెంచయ్య గారిపల్లె

గ్రామం, బి,మఠం మండలం, కడప జిల్లా అను వ్యక్తి సైన చట్ట ప్రకారం చర్యలు తీసుకోమని పిర్యాదు.

Received on 08/05/2021

At 12:00 PM
SR
Kalasapadu

99: 99
TAHSILDAR
KALASAPADU
Y.S.R.(Dist)

Scanned by CamScanner

7. After hearing the arguments on both sides, basing on the remarks of the ADM&G and the grounds submitted by the Revision Applicant, the Revisional authority allowed the revision application and set-aside the D.Dis.Proc.No.3890189/D12-1/2020, Dt:02.06.2021 issued by the Director of Mines and Geology, Ibrahimpatnam subject to payment of arrears if any.

8. Accordingly, the Revision Application is disposed off under Rule 35-A of Andhra Pradesh Minor Mineral Concession Rules, 1966 and the Director of Mines & Geology, Government of Andhra Pradesh, Ibrahimpatnam shall take further necessary action in the matter.

D. RAMADEVI
DEPUTY SECRETARY TO GOVERNMENT

To
Smt. C.Kasturi Bai, W/o Sri C.Ramachandraiah, Plot No.43A, Road No.71,
Opp.Jubilee Hills Public School, Hyderabad, Telangana - (RPAD)
The Director of Mines & Geology, Ibrahimpatham.

Copy to:

The Assistant Director of Mines & Geology, Kadapa.
The PS to Hon'ble Minister (M&G), 3rd Block, AP Secretariat.
SF/SC.

//FORWARDED :: BY ORDER//



SECTION OFFICER

7



గ్రామ - వార్డు సచివాలయము

ఆంధ్రప్రదేశ్ ప్రభుత్వం



GWSC 84325735

ఫారం -1 బి

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

భూమి యజమాన్యపు హక్కుల రికార్డు ప్రకారము (1-బి) నమూనా (ROR)

Application No



ROR220909068319

Date : 09/09/2022

జిల్లా : వైఎస్సార్
మండలము : బ్రహ్మాంగారి మఠం

గ్రామము : మల్లేపల్లె

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

వరుస సంఖ్య	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా నంబర్	సర్వే నంబర్	భూమి వివరణ	మొత్తం విస్తీర్ణం	పట్టాదారుకు ఏ విధముగా సంక్రమించింది/ సాగు చేసారు
1	చిలేకాం పల్లె నాగేశ్వర రెడ్డి	శేషిరెడ్డి	600	346	మెట్ట	0.9000	అనువంశికము
2	చిలేకాం పల్లె నాగేశ్వర రెడ్డి	శేషిరెడ్డి	600	347/2	మెట్ట	0.0200	అనువంశికము
3	చిలేకాం పల్లె నాగేశ్వర రెడ్డి	శేషిరెడ్డి	600	347/3	మెట్ట	1.3400	అనువంశికము
4	చిలేకాం పల్లె నాగేశ్వర రెడ్డి	శేషిరెడ్డి	600	347/8	మెట్ట	0.0900	అనువంశికము

Verified by M
DYVADEENAM

Certified By

Name : RAJOLY JEEVAN CHANDRA SEKHAR

Designation : Tahsildar

Mandal: Brahmamgarimattam

Note: This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.gramawardsachivalayam.ap.gov.in by furnishing the application number mentioned in the Certificate.



Shd Cause Notice:3890189/D12-1/2020

Dated:03-12-2020

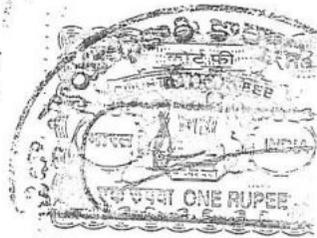
Sub: Mines & Minerals - Quarry Lease for Barytes an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR Kadapa District - held by Smt.C Kasturi Bai - Certain breaches committed by the lessee - Proposed for determination - Show Cause Notice - Issued - Regarding.

- Ref: 1. G.O.Ms.No.224, Industries & Commerce (M II) Department, dt.11.04.2001
 2. ADM&G, Kadapa Proceedings No.1523/M3/2001, dt.02.11.2001
 3. ADM&G, Kadapa Letter No.3423/M1/2002, dt.26.09.2020

Through the reference 1st cited, the Government has granted a Mining Lease for Barytes an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR Kadapa District in favour of Smt.C.Kasturi Bai for a period of 20 years. Through the reference 2nd cited, the Asst. Director of Mines and Geology, Kadapa was executed the lease deed and the lease is in force upto 01.11.2021.

Through the above reference 3rd cited, the Asst. Director of Mines and Geology, Kadapa submitted proposals for determination of quarry lease for Barytes an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR Kadapa District held by Smt.C.Kasturi Bai under Rule 12(5)(h)(xii) of A.P.M.M.C Rules, 1966 with committed the following breaches:-

- The lessee is conducting underground mining operations without appointment of statutory employees which is a breach to section 17 of Mines Act, 1952 & Regulations No.34 of Metalliferous Mines Regulations, 1961.
- The lessee excavated excess quantity of Barytes beyond the annual approved quantity in the mining plan from 2013-14 onwards.
- The lessee is conducting quarry operations and produced thousands of Tons of Barytes mineral without EC and CFO which is breach to Section of Environmental Protection Act, 1986 and Section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of Air (Prevention and Control of Pollution) Act, 1981.
- Quarry operations are not in accordance with approved scheme of mining. The lessee has not provided separate in-let and out-let for entry and exit workmen and the workmen are using crane buckets for enter and exit in the shafts which is highly dangerous condition. Ventilation system was not provided by the lessee proposed in Approved Scheme of Mining which is violation to Rule 7(A)(i) of APMMC Rules, 1966.
- The scheme of mining was approved on 21.07.2018 by the DDM&G, Kadapa with a condition that the lessee should furnish the financial assurance of Rs.16,99,560/- for mine closure as required under APMMC Rules, 1966 to the ADM&G Kadapa but the lessee has not submitted the same till to date.
- The lessee is using explosives and conducting blasting without explosives permission obtained from the competent authority which is breach to Rule 107 of Explosives Rules, 2008.
- The lessee is utilizing tipper to transport Barytes from quarry to various destinations without obtaining permission from the competent authority which is breach to Regulation No.106 (2)(b) Metalliferous Mines Regulations, 1961.



= 2 =

i. The lessee is not maintaining correct and accurate production and dispatch register as there is huge variation in stock recorded in the register and physical stock available at the quarry which is breach to Rule 12(5)(h)(iii) of APMMC Rules, 1966.

The lessee is intentionally recorded the stock of white Barytes in lower side and buff Barytes in higher side than the actual stocks available at the quarry to transport the white Barytes in the guise of transportation of buff Barytes with payment of Seig. fee to buff Barytes which leads to loss of Revenue to the Government exchequer and it is violation of Rule 12(5)(h)(iii) of APMMC Rules, 1966.

j. The lessee has not paid Mineral Revenue arrears which was accumulated to Rs.8,00,486/- and also failed to remit advance dead rent for the year 2020-21.

In view of the above, Smt.C.Kasturi Bai is hereby directed to show cause within (15) days from the date of receipt of this notice, as to why action should not be taken against the lease for determination in question and forfeit the capacity deposit in accordance with Rule 12(5)(h)(xii) of Andhra Pradesh Minor Mineral Concession Rules, 1966. Failure to submit the compliance within the stipulated time shall result action as above without further notice.

Sd/- V.G.VENKATA REDDY
DIRECTOR OF MINES AND GEOLOGY

To
Smt.C.Kasturi Bai (through ADM&G, Kadapa) ----- [BY RPAD].

Copy to the Asst. Director of Mines and Geology, Kadapa
Copy to Deputy Director of Mines and Geology, Kadapa.

// ATTESTED //

for DIRECTOR OF MINES AND GEOLOGY

4

Hyderabad,
Date: 06.10.2022.

To
Sri Peddireddi Ramachandra Reddy garu,
Hon'ble Minister of Energy, Forest,
Environment, Science and Technology, Mines and Geology
Government of Andhra Pradesh,
AMARAVATHI.

Respected Sir,

Sub:- Mines & Minerals – Smt. Kasturi Bai, W/o Sri C.Ramachandraiah
vide ADMG, Kadapa Demand Notice Lr.No.3423/M1/2002, dated
24.08.2022 in Sy. No 1 & 133 in Mamillapalli Village Kalasapadu
Mandal Y.S.R.District – Penalty Relaxation - Request- Regarding.
-:oo0oo:-

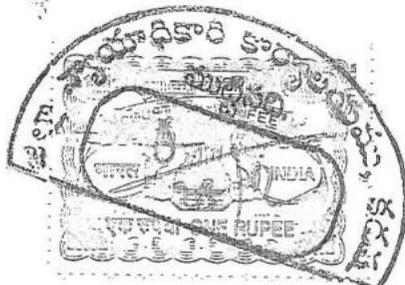
I bring to your kind notice and it is submitted that, the Govt. wise
G.O.Ms.No.224, Industries and Commerce (Mines.II) Dept., dated 11.04.2001
granted mining lease for barites to an extent of 30.696 Hectres in Survey No.1 & 133
of Mamillapalli Village, Kalasapadu Mandal, Y.S.R.District. The mining lease was
executed by the A.D.M&G., Kadapa vide Procs.No.1523/M3/2001, dated 02.11.2001
for period of 20 years with effect from 02.11.2001 to 01.11.2021.

During the subsistence of lease period, I have given G.P.A. to Sri C.
Nageswara Reddy to undertake mining operations from January, 2013 to 01.11.2021
on behalf of me till my health is recovered as I had severe chest pain, operated with
Bypass Surgery etc. and suffered with pain and I was bed ridden from 2013 to 2021,
during that period Sri C. Nageswara Reddy G.P.A. holder has undertaken the mining
operations including sales and all other related activities.

As matter stood thus, I have received a Demand Notice Lr.No.3423/M1/2002,
dated 24.08.2022 from A.D.M&G wherein I was directed to pay the amount of
Rs.46,70,486/- towards penalty for illegal transportation of 770 M.Ts. of Barites.
After while, on the Demand Notice Lr.No.3423/M2/2002, dated 10.08.2021, wherein I
was again directed to pay Rs.23,16,755/- towards penalty for illegal transportations
of 333.25 M.Ts. of barites.

Subsequently, the A.D.M & G., Kadapa vide letter no.3423/M1/2002, dated
24.08.2022 requested me to pay the Rs.1,42,244/- towards Mineral Revenue Arrears
outstanding up to the date of determination of mines lease and also requested to pay
the Rs.69,87,235/- towards penalties amount with in 15days from the date of receipt
of the letter. In this connection, I have paid an amount of Rs.1,42,244/- vide 1)
Challan No. 60092986142022. Valid up to 16-09-2022 for Rs.1,38,609/- towards
Dead Rent Arrears 2) Challan No. 60093030112022. Valid up to 16-09-2022 for
Rs.3,070/- towards Land Assessment Arrears and Challan No. 60092997692022
Valid up to 16-09-2022 for Rs.565/- towards Cess of Land Assessment to O/o AD
Mines & Geology, Kadapa and submitted same to A.D.M&G. Kadapa.

Conted... 2nd page



:: 2 ::

In this connection, it is submitted that the unauthorized transportation of 1103 M.T. of barites was done by Sri C. Nageswara Reddy, G.P.A. holder without my knowledge and consent. In this regard as I have bedridden during the year from 2013 to 2021. As such I could not know about the same till the letter received from the A.D.M&G., Kadapa on 24.08.2022.

In view of the circumstances and facts submitted above, I request the Hon'ble Revisional Authority to kindly set aside the Demand Notice No.3423/M1/2022, dated 03.07.2021 and Letter No.3423/M2/2022, dated 10.08.2021 received by the A.D.M&G., Kadapa under sympathetic and humanitarian grounds, since the transportation of 1103.25 M.Ts of barites transportation by the G.P.A.holder Sri C. Nageswara Reddy without my knowledge and consent during my bedridden situation ill health.

C. Kasturi Bai

(C. KASTURI BAI)



ANDHRA PRADESH POLLUTION CONTROL BOARD

D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibaipet, Vijayawada - 520010
Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>

Notice No:718/APPCB/HO/UH-II/TF/KDP/2022-

06/09/2022

NOTICE FOR LEVYING ENVIRONMENTAL COMPENSATION

Sub:APPCB – HO – UH-II – TF - Hon'ble NGT Order dt. 02.03.2022 in O.A. No. 115 of 2021(SZ) in the matter of explosion in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District on 08.05.2021 - EAC hearing held on 18.08.2022 – Notice for levying Environmental Compensation - Issued - Reg.

Ref:

1. Closure Order issued to your mine on 29.05.2021.
2. Hon'ble NGT Order dated 02.03.2022. (copy enclosed)
3. External Advisory Committee (TF) meeting held on 18.08.2022.

WHEREAS you were operating a Barytes mine in the name of Smt C. kasturiBai at Sy No. 1 & 133 at Mamillapalle (V), Kalasapadu (M), YSR District without obtaining Environmental Clearance and Consents of the Board.

WHEREAS the Hon'ble NGT has registered a Suo Moto case in OA No 115 of 2021 based on New Paper Report published in the Times of India, E-paper dated 08.05.2021 under the caption " Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa".

WHEREAS the Board vide Order dt 29.05.2021 issued closure order to your mine for operating without obtaining Environmental Clearance and Consents of the Board etc.,

WHEREAS the Joint Committee constituted by the Hon'ble NGT in the matter filed its report where in the committee assessed the Environmental Compensation payable by you as Rs. 4,25,38,966/-.

WHEREAS the Hon'ble NGT, Chennai disposed the matter vide Order dated 02.03.2022 with following directions -

"Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

So, the application is disposed of as follows:

- The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.*
- The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if*

found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.

- iii. *The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.*
- iv. *The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.*
- v. *The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal."*

With the above directions and observation, the application is disposed of."

Copy of the above order dt 02.03.2022 containing the committee report with calculation of Environmental Compensation is enclosed.

WHEREAS the Hon'ble NGT has recorded and accepted the report and recommendation of the Joint Committee and directed the respective regulators, namely, the Mining Department and the Pollution Control Board to take action for recovery of the Environmental Compensation and file further action taken report once in three months till the amount is recovered from the violators.

WHEREAS the Board reviewed the issue in the EAC (TF) meeting held on 18.08.2022 and the Committee recommended to issue notice to the mine for levying Environmental Compensation as assessed by the committee constituted by Hon'ble NGT in the above matter.

In view of above, abiding to the orders of the Hon'ble NGT in O.A. No. 115 of 2021(SZ) you are hereby directed to pay the Environmental Compensation of Rs. 4,25,38,966/- (Rupees Four Crores Twenty Five Lakhs Thirty Eight Thousand Nine Hundred and Sixty Six only) to A. P. Pollution Control Board within 15 days.

Should you fail to pay the environmental compensation within the specified period, further coercive action will be initiated against your industry under section 33(A) of Water (Prevention & Control of Pollution) 1974 and under section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof and as provided under the respective statutes in accordance with law, in the interest of safeguarding Public Health and Environment, without any further notice.

Vijay Kumar Gsrkr Ias
MEMBER SECRETARY

To
The Occupier,
Barytes mine of Smt. C. Kasturi Bai,
Sy No. 1 & 133,
Mamillapalle (V), Kalasapadu (M),
YSR District.

Copy to:

1. The Joint Chief Environmental Engineer, A.P.Pollution Control Board, Zonal Office, Kurnool for information and necessary action.

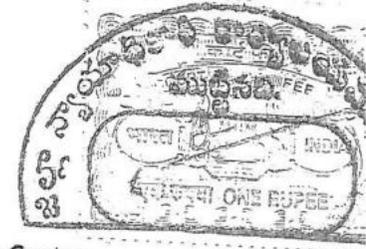
2. The Environmental Engineer, A.P.Pollution Control Board, Regional Office, Kadapa for information and necessary action.

①

Register post with Acknowledgement



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY



Office of the
Asst. Director of Mines & Geology,
G -3, "O" Block, New Collectorate Complex,
Kadapa.

DEMAND NOTICE

No. 3423/M1/2002

Dt. 10-08-2021.

Sub MINES & MINERALS - Inspection of Quarry Lease area held by Smt. C.Kasturi Bai in Sy.no.1 &133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District - Detection of un-authorized transportation of 332.25 Mts of White Barytes without payment of Seigniorage Fee - Show Cause Notice Issued - Reply not received - Demand issued-Regarding.

- Ref:
1. Inspection report, dated. 16.10.2019 & 18.10.2019 of the Assistant Geologist, Office of the Asst. Director of Mines and Geology, Kadapa.
 2. Inspection report, dated. 25.08.2020 of the Technical Staff, Office the Asst. Director of Mines and Geology, (RVS), Kadapa and Office of the Dy., Director of Mines and Geology, Kadapa.
 3. This office Show Cause Notice No. 3423/M1/2002, dt. 09.07.2021.

Attention is drawn to the subject and references cited. During the course of inspection, the Assistant Geologist, Office of the Asst. Director of Mines and Geology, Kadapa has inspected the quarry lease held by Smt. C. Kasturi Bai for Barytes over an extent of 30.696 Hectares in Sy. No. 1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District and recorded the stock of White Barytes and Off Colour Barytes available on 16.10.2019 & 18.10.2019. The quantities are as given below.

S.No	Mineral in MT's	
	White Barytes	Off Colour Barytes
1	1953.25 MT	364 Mt

Subsequently, the Technical Staff have reported that, the Asst. Geologist & Royalty Inspector O/o Asst. Director of Mines and Geology, Regional Vigilance squad, Kadapa along with Supervisor, O/o Dy. Director of Mines and Geology, Kadapa inspected the quarry lease area held by Smt. C. Kasturi Bai for Barytes covering an extent of 30.696 Hectares in Sy.No.1 &133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District on 25-08-2020 and reported that the following stock was available in the lease area on the day of inspection.

S.No	Mineral in MT's	
	White Barytes	Off Colour Barytes
1	620 MT	220 Mt

As per this office records, you have obtained dispatch permits for 1000 Mts of White Barytes and 1450 MTs of Buff Barytes between the period of two subsequent inspections dt. 16.10.2019 & 18.10.2019 and 25.08.2021.

SHOW CAUSE NOTICE

S.C.No.1891/Q1-SCN/2020

Date: 21-10-2020.

Subj: Mines & Quarries - Quarry Lease for Barytes over an extent of 30.696 Hectares in Sv.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR District held by Smt C.Kasturi Bai - Suspension of quarry operations - Show-Cause Notice issued - Reg.

Ref - Lr.No 3473/M1/2002, dated: 15-10-2020 from the ADM&G, Kadapa.

Adverting to the above subject and reference cited, through the above reference, the Asst. Director of Mines & Geology, Kadapa informed that and noticed that the quarry lease area held by Smt C.Kasturi Bai for Barytes over an extent of 30.696 Hectares in Sy.No.1 & 133 of Mamillapalli Village, Kalasapadu Mandal, YSR District has been inspected by the technical staff of O/o.Asst. Director of Mines & Geology, (RVS), Kadapa and this office has inspected the subject area on 25-08-2020 and noticed that the lessee has committed certain violations against the APMMC Rules, 1966 and recommended for suspension of quarry operations immediately.

1. The lessee is not commencing quarry operations in accordance with approved scheme of mining.
2. Lessee is conducting quarry operations and produced thousands of tons Barytes without E.C and CFO which is breach to Section of Environmental Protection Act, 1986 and Section 25/26 of Water (prevention and Control of Pollution) Act, 1974 and Section 21 of Air prevention and Control of Pollution) Act, 1981.
3. The lessee is using explosives and conducting blasting without explosives permission obtained from the competent authority which is breach to Rule 107 of Explosives Rules, 2008.
4. The lessee not provided separate in-let and out-let for entry and exit of workmen and the workmen are using crane buckets for enter and exit in the shafts which is highly dangerous condition.
5. Out of (06) shafts developed in the lease area, the lessee constructed protection for (03) shafts only and for (03) shafts not constructed protection wall.
6. Ventilation system proposed in approved scheme of mining was not provided by the lessee.

In view of the above, Smt C.Kasturi Bai directed to Show-Cause notice as to why action should not be initiated against your mining operations within 15 (Fifteen) days from the date of receipt of this notice under Rule 7(A) (vi) of A.P.M.M.C Rules, 1966. Failing which, suitable action will be initiated.

N. O. S. R. R. R.
Dy. Director of Mines and Geology, (FAC)
Kadapa, Y.S.R. District.

To
Smt C.Kasturi Bai, W/o. C.Ramachandraiah, D.No.20/1064, Co-operative Colony, Kadapa,
Y.S.R. District, Cell No.9052707833.
Copy to the Asst. Director of Mines and Geology, Kadapa for information
Copy submitted the Director of Mines & Geology, Ibrahimpattam for favour of kind information



గ్రామ - వార్డు సచివాలయము

ఆంధ్రప్రదేశ్ ప్రభుత్వం



GWSC 84325699

ఫారం -1 బి

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

భూమి యజమాన్యపు హక్కుల రికార్డు ప్రకారము (1-బి) నమూనా (ROR)

Application No



ROR220909067289

Date : 09/09/2022

జిల్లా : వైఎస్సార్
మండలము : బ్రహ్మంగారి మఠం

గ్రామము : పాపిరెడ్డిపల్లె

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

వరుస సంఖ్య	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా నంబర్	సర్వే నంబర్	భూమి వివరణ	మొత్తం విస్తీర్ణం	పట్టాదారుకు ఏ విధముగా సంక్రమించింది/ సాగు చేసారు
1	చిలకాంపల్లి నాగేశ్వర రెడ్డి	శేషి రెడ్డి	1218	244-2	మెట్ట	3.4100	అనువంశికము

Verified by M Lakshmi
Narayana

Certified By

(Signature)

Name : RAJOLY JEEVAN CHANDRA SEKHAR
Designation : Tahsildar
Mandal: Brahmamgarimattam

Note: This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.gramawardsachivalayam.ap.gov.in by furnishing the application number mentioned in the Certificate.



గ్రామ - వార్డు సచివాలయము
ఆంధ్రప్రదేశ్ ప్రభుత్వం



GWSC 84325717

ఫారం -1 బి
ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల
కంప్యూటరీకరణ

భూమి యజమాన్యపు హక్కుల రికార్డు ప్రకారము (1-బి) నమూనా (ROR)

Application No



ROR220909067880

Date : 09/09/2022

జిల్లా : వైఎస్సార్
మండలము : బ్రహ్మాంగారి మఠం

గ్రామము : పలుగురాళ్లపల్లె

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

వరుస సంఖ్య	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా సంఖ్య	సర్వే సంఖ్య	భూమి వివరణ	మొత్తం విస్తీర్ణం	పట్టాదారుకు ఏ విధముగా సంక్రమించింది/ సాగు చేసారు
1	చిలేకంపల్లె వద్దావతి	నాగేశ్వర రెడ్డి	1136	1941-1	మెట్ట	1.5000	డి పట్టా

Verified by M Lakshmi
Narayana

Certified By

Rajoly Jeevan Chandra Sekhar

Name : RAJOLY JEEVAN CHANDRA SEKHAR

Designation : Tahsildar

Mandal: Brahmamgarimattam

Note: This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.gramawardsachivalayam.ap.gov.in by furnishing the application number mentioned in the Certificate.



గ్రామ - వార్డు సచివాలయము

ఆంధ్రప్రదేశ్ ప్రభుత్వం



GWSC 84325721

ఫారం -1 బి

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

భూమి యజమాన్యపు హక్కుల రికార్డు ప్రకారము (1-బి) నమూనా (ROR)

Application No



ROR220909068034

Date : 09/09/2022

జిల్లా : వైఎస్సార్
మండలము : కలసపాడు

గ్రామము : మామిళ్లపల్లె

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

వరుస సంఖ్య	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా నంబర్	సర్వే నంబర్	భూమి వివరణ	మొత్తం విస్తీర్ణం	పట్టాదారుకు ఏ విధముగా సంక్రమించింది/ సాగు చేసారు
1	చిలేకం పల్లె పద్మావతి	నాగేశ్వర రెడ్డి	87	147	మెట్ట	0.4500	కొనుగోలు
2	చిలేకం పల్లె పద్మావతి	నాగేశ్వర రెడ్డి	87	9	మెట్ట	1.0300	కొనుగోలు
3	చిలేకం పల్లె పద్మావతి	నాగేశ్వర రెడ్డి	87	152	మెట్ట	3.2900	కొనుగోలు
4	చిలేకం పల్లె పద్మావతి	నాగేశ్వర రెడ్డి	87	25-బి3	మెట్ట	0.1600	కొనుగోలు
5	చిలేకం పల్లె పద్మావతి	నాగేశ్వర రెడ్డి	87	99-ఎ	మెట్ట	0.9000	కొనుగోలు

Verified by Nallamala Nagavahini

Certified By

G. Ramesh Reddy

Name : G.Ramesh Reddy

Designation : Tahsildar

Mandal: Kalasapadu

Note: This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.gramawardsachivalayam.ap.gov.in by furnishing the application number mentioned in the Certificate.



గ్రామ - వార్డు సచివాలయము

ఆంధ్రప్రదేశ్ ప్రభుత్వం



GWSC 84325703

ఫారం -1 బి

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవెన్యూశాఖ, భూమి రికార్డుల కంప్యూటరీకరణ

భూమి యజమాన్యపు హక్కుల రికార్డు ప్రకారము (1-బి) నమూనా (ROR)

Application No



ROR220909067629

Date : 09/09/2022

జిల్లా : వైఎస్సార్

గ్రామము : వీరపల్లె

మండలము : పోరుమామిళ్ల

విస్తీర్ణము యూనిట్లు : ఎ.గుం./ఎ.సెం.

వరుస సంఖ్య	పట్టాదారు పేరు	(తండ్రి/భర్త పేరు)	ఖాతా నంబర్	సర్వే నంబర్	భూమి వివరణ	మొత్తం విస్తీర్ణం	పట్టాదారుకు ఏ విధముగా సంక్రమించింది/ సాగు చేసారు
1	చిలేకాంపల్లి నాగేశ్వర రెడ్డి	శేపిరెడ్డి	113	2-1	మెట్ట	18.2500	కొనుగోలు
2	చిలేకాంపల్లి నాగేశ్వర రెడ్డి	శేపిరెడ్డి	113	2-4A	చెరువు	0.5000	కొనుగోలు

Verified by POGANDLA VIJAYAKUMARI

Certified By

Name : P Vijaya Kumari
Designation : Tahsildar
Mandal: Porumamilla

Note: This is a Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at www.gramawardsachivalayam.ap.gov.in by furnishing the application number mentioned in the Certificate.

