

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

**Original Application No. 155 of 2021**

**IN THE MATTER OF:**

**KONDRU MARDIYYA**

S.C. Colony,  
Gunupudi Village, Nathavaram Mandal,  
Vishakapatnam District – 53115  
Email: [litigation.life@gmail.com](mailto:litigation.life@gmail.com) Ph: +91 9312407881

**...APPLICANT**

**VERSUS**

**1. State of Andhra Pradesh**

Through the Chief Secretary  
Building No. 1, 1<sup>st</sup> Floor, Interim Government Complex,  
A.P Secretariat, Velagapudi Guntur  
Email: [cs@ap.gov.in](mailto:cs@ap.gov.in) Phone : 0863-2441024  
And 7 others

**COUNTER AFFIDAVIT FILED BY THE 7<sup>th</sup> RESPONDENT**

Date-21-11-2021

**M/S MADHURI DONTI REDDY  
ADVOCATE  
STANDING COUNCIL FOR GOVERNMENT OF  
ANDHRA PRADESH  
A.P. POLLUTION CONTROL BOARD  
T.T.D. SUPREME COURT OF INDIA  
#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu,  
Chennai – 600 094. Mobile: 98407 98460 / 6383121322  
COUNSEL FOR 7<sup>TH</sup> RESPONDENT**

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BENCH AT CHENNAI**

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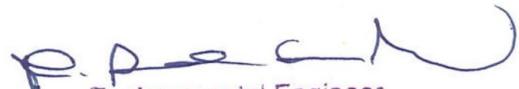
.....**RESPONDENTS**

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

Date: 19.11.2021

  
Environmental Engineer  
A.P. Pollution Control Board  
Regional Office, Visakhapatnam

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH AT  
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ORIGINAL APPLICATION NO. 155 OF 2021

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**1 State of Andhra Pradesh**

Through the Chief Secretary  
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A.P Secretariat, Velagapudi Guntur  
Email: [cs@ap.gov.in](mailto:cs@ap.gov.in) Phone : 0863-2441024

**2. Union of India,**

Through its Secretary,  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110003  
Mail: [secy-moef@nic.in](mailto:secy-moef@nic.in) Ph: 011-24695136

**3. Mines and Geology Department, Government of Andhra Pradesh**

Through Principal Secretary,  
Sri Anjaneya Towers,  
D. No. 7-04, B-Block, 5<sup>th</sup> and 6<sup>th</sup> Floors,  
Ibrahimpattanam, Vijayawada  
Email: [secy\\_mines@ap.gov.in](mailto:secy_mines@ap.gov.in) Ph: 0866-2882170

**4. Forest Department , State Government of Andhra Pradesh**

Through Principal Chief Conservator of Forests & Head of Forest Force  
Aranya Bhavan, K.M. Munshi Road,  
Nagarampalem, Guntur - 522004  
Email: [prlccf\\_hf\\_apfd@ap.gov.in](mailto:prlccf_hf_apfd@ap.gov.in) Ph: 0863-23775500

**5. Sri J. Lakshmana Rao**

S/o Ganeshwararao  
Kakarapadu Village,  
Koyyuru Mandal, Vishakhapatnam

**6. District Collector, Vishakapatnam District**

Main Road, Krishnanagar,  
Maharani Peta, Vishakapatnam - 530002  
Email: [Collector\\_vsppm@ap.gov.in](mailto:Collector_vsppm@ap.gov.in) Ph: 08912563121

**7. Andhra Pradesh Pollution Control Board**

Through the Member Secretary  
D.No.33-26-14/D2, Pushpa Hotel Center, Chalamalavari Street,  
Kasturibaipet, Vijayawada - 520 010.  
Email: [membersecy@appcb.gov.in](mailto:membersecy@appcb.gov.in), Ph: 0866-2463200

  
Environmental Engineer  
A.P. Pollution Control Board  
Regional Office, Visakhapatnam

**8. Assistant Director of Mines & Geology, Vishakapatnam**

Behind Babaa Bazaar, Lawsans Bay Colony

Pedda Waltair, Vishakapatnam – 530 017

Email: [admin@apmines.gov.in](mailto:admin@apmines.gov.in) PH: 9100688821

....RESPONDENTS

**COUNTER AFFIDAVIT FILED BY THE 7<sup>th</sup> RESPONDENT**

I, Mannuru Pramod Kumar Reddy, Son of Late Mannuru Satyanarayana Reddy, Hindu, aged about 57 years, holding the post of Environmental Engineer, A.P. Pollution Control Board, Regional Office, Visakhapatnam, Andhra Pradesh do hereby solemnly affirm and sincerely state as follows:

1. I am the deponent herein and as such I am well acquainted with the facts of the case. I have been authorized to file this Counter Affidavit on behalf of the 7<sup>th</sup> Respondent.

2. This respondent denies each and every averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.

3. With regard to the averments made in paragraphs 1 to 7 of the affidavit is not related to this respondent and hence there is no remark.

4. With regard to the averment made in Paragraph 8 of the affidavit is denied as false. The proponent has obtained Environmental Clearance (EC) from MoEF & CC, GoI, New Delhi, Consent for Establishment (CFE) & Consent for Operation (CFO) from APPCB. Copy of the orders are herewith enclosed as annexure-I, II, III.

The APPCB has issued a notice to the mining unit on 19.08.2021 for not implementing the Air & Water pollution control measures as per the conditions stipulated in CFO. Copy of the notice is herewith enclosed as annexure-V. The management of the mining unit has submitted compliance on 25.8.2021 & 11.09.2021 to the conditions stipulated in the notice dt.19.08.2021. It was due to torrential rains, the compliance of the unit could not be verified immediately after submission of compliance by the unit. Officials of this office have inspected the mining site on 10.11.2021 and verified the compliance submitted by the proponent to the conditions mentioned in the notice dated 19.08.2021 is as follows:

  
Environmental Engineer  
A.P. Pollution Control Board  
Regional Office, Visakhapatnam

S.No.	Conditions / Observations	Compliance
1.	The unit has not constructed garland drain and siltation ponds around the working pit to arrest the flow of silt & sediments being carried away as run-off.	The unit has constructed garland drain of length 1.0km approx. around the active mining area and siltation ponds- 2nos. of size 15mx12mx1.0m & 5mx15mx1.0m approx. to arrest the flow of silt & sediments.
2.	The unit has not constructed retention walls at the foot of the overburden dumps.	The unit has extended the side wall of the siltation pond of height 1.0m nearby foot of the overburden dump to act as a retaining wall which is inadequate. But, the proponent has to provide adequate height of retaining wall duly estimating the quantity of overburden to be generated by considering approved mining plan.
3.	The unit has not started development of greenbelt at possible areas around the boundary.	The unit has planted saplings 250 nos. near mine lease boundary at South-East corner & 250 nos. in buffer zone at North-East corner of the mine lease area.
4.	The unit has not made arrangements to carryout water sprinkling on haul roads to suppress the dust.	During inspection of the Board Officials on 10.11.2021, no mining activity is ongoing and also observed that no fixed water sprinkling arrangement was made in the mining area and also observed that there is no mobile water sprinkling at site.  The representative of the unit has informed that they are carrying out water sprinkling on haul roads manually using truck mounted tanker with hose pipe which is taken on hire basis while carrying mining activity.
5.	The unit has not established ambient air quality monitoring station.	The unit has not established AAQM station.  Ambient Air Quality Monitoring was conducted by 3 <sup>rd</sup> party agency recognized by MoEF & CC and NABL accredited laboratory on 06.07.2021. As per the analysis report the parameters are within the Standards.

  
 Environmental Engineer  
 A.P. Pollution Control Board  
 Regional Office, Visakhapatnam

5. With regard to the averments made in paragraphs 9 of the affidavit is not related to this respondent and hence there is no remark.

6. With regard to the averment made in Paragraph 10 to 15 of the affidavit is denied as false. It is submitted that the proponent has obtained EC from MoEF & CC, GoI, New Delhi, CFE & CFO from APPCB. Copy of the orders are herewith enclosed as annexure-I, II, III.

The APPCB has issued a notice to the mining unit on 19.08.2021 for not implementing the Air & Water pollution control measures as per the conditions stipulated in CFO. Copy of the notice is herewith enclosed as annexure-V.

The management of the mining unit has submitted compliance on 25.8.2021 & 11.09.2021 to the conditions stipulated in the notice dt.19.08.2021. It was due to torrential rains, the compliance of the unit could not be verified immediately after submission of compliance by the unit. Officials of this office have inspected the mining site on 10.11.2021 and verified the compliance submitted by the proponent to the conditions mentioned in the notice dated 19.08.2021 is as follows:

S.No.	Conditions / Observations	Compliance
1.	The unit has not constructed garland drain and siltation ponds around the working pit to arrest the flow of silt & sediments being carried away as run-off.	The unit has constructed garland drain of length 1.0km approx. around the active mining area and siltation ponds- 2nos. of size 15m x12m x1.0m & 5m x15m x1.0m approx. to arrest the flow of silt & sediments.
2.	The unit has not constructed retention walls at the foot of the overburden dumps.	The unit has extended the side wall of the siltation pond of height 1.0m nearby foot of the over burden dump to act as a retaining wall which is inadequate. But, the proponent has to provide adequate height of retaining wall duly estimating the quantity of overburden to be generated by considering approved mining plan.
3.	The unit has not started development of greenbelt at possible areas around the boundary.	The unit has planted saplings 250 nos. near mine lease boundary at South-East corner & 250 nos. in buffer zone at North-East corner of the mine lease area.

  
 Environmental Engineer  
 A.P. Pollution Control Board  
 Regional Office, Visakhapatnam

4.	The unit has not made arrangements to carryout water sprinkling on haul roads to suppress the dust.	During inspection of the Board Officials on 10.11.2021, no mining activity is ongoing and also observed that no fixed water sprinkling arrangement was made in the mining area and also observed that there is no mobile water sprinkling at site.  The representative of the unit has informed that they are carrying out water sprinkling on haul roads manually using truck mounted tanker with hose pipe which is taken on hire basis while carrying mining activity.
5.	The unit has not established ambient air quality monitoring station.	The unit has not established AAQM station.  Ambient Air Quality Monitoring was conducted by 3 <sup>rd</sup> party agency recognized by MoEF & CC and NABL accredited laboratory on 06.07.2021. As per the analysis report the parameters are within the Standards.

7. With regard to the averments made in paragraphs 16 and 17 of the affidavit is not related to this respondent and hence there is no remark.

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

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No.155 of the 2021 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

  
**SEVENTH RESPONDENT**

Environmental Engineer  
A.P. Pollution Control Board  
Regional Office, Visakhapatnam

**VERIFICATION**

I, Mannuru Pramod Kumar Reddy, Son of Late Mannuru Satyanarayana Reddy, Aged about 57 years, Occ: Environmental Engineer, A.P. Pollution Control Board, Regional Office, Visakhapatnam do hereby verify that the contents of Paras of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 19<sup>th</sup> day of November, 2021 at Visakhapatnam.



**SEVENTH RESPONDENT**

Environmental Engineer  
A.P. Pollution Control Board  
Regional Office, Visakhapatnam

## Annexure-I

**BY SPEED POST**

**No. J-11015/379/2010-IA.II (M)**  
**Government of India**  
**Ministry of Environment, Forests & Climate Change**  
**Impact Assessment Division**

3rd Floor, Vayu Wing,  
 Indira Paryavaran Bhawan,  
 Jorbagh Road, Aliganj,  
 New Delhi-110 003

**Dated: 17<sup>th</sup> November, 2014**

**To**

**M/s J. Lakshmana Rao,**  
 Village: Bhamidika, Mandal: Nathavaram  
 District: Visakhapatnam-531087  
 Andhra Pradesh  
 Telephone No. 9347777774

**Subject: Laterite Mining of M/s J. Lakshmana Rao, Village Bhamidika, Sarugudu Grampanchyat, Nathavaram Mandal, District Visakhapatnam, Andhra Pradesh (121ha) (1.0 MTPA of Laterite) - Environmental Clearance regarding.**

Sir,

This has reference to your letter no. nil dated 16.11.2010 and subsequent letters dated 01.02.2011, 04.11.2013, 28.04.2014 and 27.06.2014 on the subject mentioned above. The project was prescribed Terms of Reference (TORs) by the Ministry of Environment and Forests on 28<sup>th</sup> April, 2011 for undertaking detailed EIA study for the purpose of obtaining environmental clearance. The proposal was considered in the Expert Appraisal Committee for Environmental Appraisal of Mining Projects held during April 29-30, 2014 and re-considered during July 8-9, 2014 wherein the proposal was recommended for environmental clearance.

2. The Proposal is for opencast Laterite Mining with proposed production of 1.0 MTPA (ROM) of Laterite by M/s J. Lakshmana Rao., located at village Bhamidika, tehsil Nathavaram, Visakhapatnam District, Andhra Pradesh. The Latitude and Longitude of the site are 82°20'05" to 82°20'49" E and 17°30'58" to 17°32'12" N. The mine lease area is 121.0 ha, which is an un-surveyed hill portion (Gap area Government land). The Mining lease is granted vide Letter No. 10474 / M.II (2) / 2010-2 dated 12-10-2010 by Govt. of A.P, Industries & Commerce (M-iii) Department. The mine plan has been approved by Directorate of Mines and Geology, Government of Andhra Pradesh, Hyderabad vide letter no 5042/M/2010 dated 13.12.2010. Life of the Mine is 14 years.

3. It is proposed to carry out the mining activity with the help of semi-mechanized method by using an excavator without drilling and blasting. Laterite is formed and exposed to surface on the top of the hill without any overburden. The excavated Laterite will be loaded directly into tippers of 10 tonnes capacity without any segregation or separation of mineral. This

mineral will be transported by tippers to the mineral stacked yard/railway loading point. From there the mineral will be supplied to the consuming industries through trucks of 20 to 30 tonnes capacity or through rail wagons. About 5% waste will be generated from the proposed mining. During this plan period about 1,32,943 m<sup>3</sup> of waste will be generated from the mining activity.

4. The waste will be stacked by the side of the workings in non-mineralized zone over an extent of 160 x 20m (3,200 sq.m) and to a height of 3m. The dumps will be stabilized with retaining wall. The total water requirement is about 12 KLD for various activities such as dust suppression and domestic use including green belt. Water requirement will be met through tankers from nearby villages. Mining will not intersect the ground water. It was reported by the PP that the protected areas viz. Wild Life Sanctuary/Tiger Reserve/National Park/Schedule I species are not located within 10 km of the proposed mine lease area.

5. Baseline studies were carried out during pre monsoon season 2011 (March-May 2011) and also some studies during pre monsoon season 2012 (January-March 2012). All the parameters for water and air quality were within permissible limits. The Public Hearing for the project was conducted at Mandala Praja Parishath School at Erakannapalem Village, Nathavaram Mandal, on 17.11.2011. The public hearing was presided over by Shri Girija Shankar, Joint Collector and Additional District Magistrate. The issues raised during public hearing were also considered and discussed during the meeting, which inter-alia, included that mining activities should not result into any adverse affects on environment and that the natural resources should not be affected, air pollution control measures to be adopted, raising of plantations, sprinkling of water etc. Need to be ensured. As per the villager's requirements, it was informed by the PP that they would take care of local employment; health issues, providing education, and assistance in providing infrastructure facilities like road development, basic amenities etc. Necessary budget provision have been incorporated in the Project Plan.

6. The estimated cost of the project is Rs. 85 lakh. It was reported by the PP that there is no court case/litigation pending against the project.

7. The Ministry of Environment and Forests has examined the application in accordance with the EIA Notification, 2006 and hereby accords environmental clearance under the provisions thereof to the above mentioned proposal of M/s J. Lakshmana Rao, for production capacity of 1.0 MTPA (ROM) of Laterite production in mine lease area of 121 ha located at Village Bhamidika, Sarugudu Grampanchyat, Nathavaram Mandal, District Visakhapatnam, Andhra Pradesh subject to implementation of the following conditions and environmental safeguards.

**A. Specific Conditions**

- (i) The Project Proponent should supply the Minerals only to those industries which are having valid Air and Water consents and EC (if applicable) and also compiling satisfactorily with the conditions stipulated by regulatory authorities.
- (ii) The Project Proponent shall obtain Consent to Establish and Consent to Operate from the State Pollution Control Board, Odisha and effectively implement all the conditions stipulated therein.
- (iii) Traffic density on the route of mineral transportation shall be regularly monitored and report shall be submitted along with compliance report.
- (iv) As part of ambient air quality monitoring during operational phase of the project, the air samples shall also be analysed for their mineralogical composition and records maintained.
- (v) Mineral handling plant shall be provided with adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
- (vi) Effective safeguard measures such as conditioning of ore with water, regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as around crushing and screening plant, loading and unloading point and transfer points. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
- (vii) The project authority shall implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board.
- (viii) Regular monitoring of ground water level and quality shall be carried out in and around the mine lease by establishing a network of existing wells and installing new piezo meters during the mining operation. The periodic monitoring [(at least four times in a year- pre-monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the data thus collected may be sent regularly to the Ministry of Environment and Forests and its Regional Office Bangalore, the Central Ground Water Authority and the Regional Director, Central Ground Water Board. If at any stage, it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.
- (ix) The project proponent shall regularly monitor the flow rate of the natural water streams flowing adjacent to the mine lease and maintain the records.
- (x) The reclaimed and rehabilitated area shall be afforested. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be

- submitted to the Ministry of Environment & Forests and its Regional Office located at Bangalore on six monthly basis.
- (xi) Dimension of the retaining wall at the toe of temporary over burden dumps and OB benches within the mine to check run-off and siltation shall be based on the rain fall data.
  - (xii) Plantation shall be raised in an area of 40 ha including a 7.5m wide green belt in the safety zone around the mining lease, backfilled and reclaimed area, around the higher benches of excavated void to be converted in to water body, roads etc. by planting the native species in consultation with the local DFO/Agriculture Department. The density of the trees should be around 2500 plants per ha.
  - (xiii) Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of SPM and RPM such as haul road, loading and unloading point and transfer points. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
  - (xiv) Process water discharge and/or any waste water shall be properly treated to meet the prescribed standards before reuse/discharge. The runoff from temporary OB dumps and other surface run off shall be analyzed for iron and in case its concentration is found higher than the permissible limit, the waste water should be treated before discharge/reuse.
  - (xv) The decanted water from the beneficiation plant and slime/tailing pond shall be re-circulated within the mine and there shall be zero discharge from the mine.
  - (xvi) Regular monitoring of the flow rate of the springs and perennial nallahs shall be carried out and records maintained.
  - (xvii) Regular monitoring of water quality, upstream and downstream of natural water bodies shall be carried out and record of monitoring data should be maintained and submitted to Ministry of Environment and Forests, its Regional Office, Bangalore, Central Groundwater Authority, Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board.
  - (xviii) Suitable rainwater harvesting measures on long term basis shall be planned and implemented in consultation with Regional Director, Central Ground Water Board.
  - (xix) Vehicular emissions shall be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral from mine face to the beneficiation plant. The vehicles shall be covered with a tarpaulin and shall not be overloaded.
  - (xx) Sewage treatment plant shall be installed for the colony. ETP shall also be provided for workshop and wastewater generated during mining operation.
  - (xxi) Digital processing of the entire lease area using remote sensing technique shall be carried out regularly once in three years for

- monitoring land use pattern and report submitted to Ministry of Environment and Forests and its Regional Office, Bangalore.
- (xxii) Pre-placement medical examination and periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
- (xxiii) The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered fauna spotted in the study area. Action plan for conservation of flora and fauna shall be prepared and implemented in consultation with the State Forest and Wildlife Department. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. All the safeguard measures brought out in the Wildlife Conservation Plan so prepared specific to the project site shall be effectively implemented. A copy of action plan shall be submitted to the Ministry of Environment and Forests and its Regional Office, Bangalore.
- (xxiv) A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the Ministry of Environment & Forests 5 years in advance of final mine closure for approval.
- (xxv) The project proponent shall undertake all the commitments made during the public hearing and effectively address the concerns raised by the locals in the public hearing as well as during consideration of the project, while implementing the project.

## **B. General Conditions**

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment & Forests.
- (ii) No change in the calendar plan including excavation, quantum of mineral iron ore, beneficiation plant and waste should be made.
- (iii) The topsoil, if any, shall temporarily be stored at earmarked site(s) only and it should not be kept unutilized for long. The topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only and it should not be kept active for a long period of time. The maximum height of the dumps shall not exceed 8m and width 20 m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled and afforested. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of

Environment & Forests and its Regional Office located at Bangalore on six monthly basis.

- (iv) At least four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for RSPM (Particulate matter with size less than 10 micron i.e., PM<sub>10</sub>) and NO<sub>x</sub> monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board. The data so recorded should be regularly submitted to the Ministry including its Regional office located at Bangalore and the State Pollution Control Board / Central Pollution Control Board once in six months.
- (v) Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
- (vi) Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- (vii) Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- (viii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- (ix) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Bangalore.
- (x) The project authorities should inform to the Regional Office located at Bangalore regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (xi) The Regional Office of this Ministry located at Bangalore shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
- (xii) The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions

including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment and Forests, its Regional Office Bangalore, the respective Zonal Office of Central Pollution Control Board and the State Pollution Control Board. The proponent shall upload the status of compliance of the environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the Ministry of Environment and Forests, Bangalore, the respective Zonal Officer of Central Pollution Control Board and the State Pollution Control Board.

- (xiii) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (xiv) The State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and the Collector's office/ Tehsildar's Office for 30 days.
- (xv) The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the respective Regional Office of the Ministry of Environment and Forests, Bangalore by e-mail.
- (xvi) The project authorities should advertise at least in two local newspapers of the District or State in which the project is located and widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment and Forests at <http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of this Ministry located at Bangalore.

10. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

11. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in

withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

12. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court of Andhra Pradesh and any other Court of Law relating to the subject matter.

13. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

**(Dr. V.P. Upadhyay)**  
**Scientist `F`**

**Copy to:**

- i. The Secretary, Ministry of Mines, Government of India Shastri Bhawan, New Delhi.
- ii. Secretary, Department of Environment, Government of Andhra Pradesh, Hyderabad.
- iii. Secretary, Department of Forests, Government of Andhra Pradesh, Hyderabad.
- iv. Secretary, Department of Mines and Geology, Government of Andhra Pradesh, Hyderabad.
- v. Secretary, Department of Industries and Commerce (M-III), Govt of Andhra Pradesh, Hyderabad.
- vi. Chief Conservator of Forests, Regional Office (SZ), Kendriya Sadan, 4<sup>th</sup> Floor E&F, Wings 17<sup>th</sup> Main Road, 1 Block, Koramangala, Bangalore-560 034.
- vii. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
- viii. Chairman, Andhra Pradesh State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanath Nagar, Hyderabad - 500 018
- ix. Member Secretary, Central Ground Water Authority, A2, W- 3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
- x. Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur- 440 001.
- xi. District Collector, Visakhapatnam District, Government of Andhra Pradesh.
- xii. Guard File.

**(Dr. V.P. Upadhyay)**  
**Scientist `F`**

## Annexure-II



**ANDHRA PRADESH POLLUTION CONTROL BOARD**  
ZONAL OFFICE: VISAKHAPATNAM

**B.Madhusudhana Rao, M.E., LL.B.,**  
Joint Chief Environmental Engineer

39-33-20/4/1,  
Madhavadhara Vuda Colony, Visakhapatnam  
Phone: 2719480, Fax: 2719380  
Email: [vsp.zo.jcee@pcb.ap.gov.in](mailto:vsp.zo.jcee@pcb.ap.gov.in)

**BY REGD. POST WITH ACK. DUE**

**CONSENT ORDER FOR ESTABLISHMENT**

**Order No. 7844-VSP/APPCB/ZO-VSP/CFE/2014- 1192**

**Date: 02/12.2014**

**Sub:** PCB – ZOV – CONSENT FOR ESTABLISHMENT (CFE) – M/s.J.Lakshmana Rao (Laterite Mine), R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion), Bhamidika (V), H/o Sarugudu Grampanchyat, Nathavaram (M), Visakhapatnam District – Consent for Establishment of the Board under Sec.25 of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.21 of Air (Prevention and Control of Pollution) Act, 1981 – Issued – Reg.

**Ref:** 1. Industry's CFE application received on 18.09.2014 at APPCB, Regional Office, Visakhapatnam  
2. APPCB, Regional Office, Visakhapatnam verification report dt.07.11.2014, received by Zonal Office, Visakhapatnam on 07.11.2014  
3. CFE Committee meeting held on 21.11.2014 at APPCB, Zonal Office, Visakhapatnam.

\* \* \*

1. In the reference cited, an application was submitted to the Board seeking Consent for Establishment (CFE) to carryout Laterite Mining activity (121.0 Ha) with production capacities as mentioned below, with a proposed project cost of Rs. 85.0 Lakhs (Rupees Eighty five Lakhs Only).

Sl. No.	Product & Capacity
1.	Mining of Laterite – 1.0 MTPA

2. As per the application, the above activity is to be located at **R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion), Bhamidika (V), H/o Sarugudu Grampanchyat, Nathavaram (M), Visakhapatnam District.**

3. The above site was inspected by the Asst. Environmental Engineer, Regional Office, Visakhapatnam, A.P Pollution Control Board on 01.11.2014 and found that the industry is surrounded by **East:** Reserve forest; **West:** Hillock; **North:** Dry lands; **South:** Reserve forest.

4. The Board, after careful scrutiny of the application, verification report of Regional Officer, Visakhapatnam, recommendation by the CFE Committee meeting held on 21.11.2014 at APPCB, Zonal Office, Visakhapatnam, hereby issues CONSENT FOR ESTABLISHMENT to the industry, under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention and Control of Pollution) Act, 1981 and the rules made there under. This Order is issued to manufacture the products mentioned at para (I) only.

5. This Consent Order now issued is subject to the conditions mentioned in Schedule 'A' and Schedule 'B'.



6. This order is issued from pollution control point of view only. Zoning and other regulations are not considered.

  
JOINT CHIEF ENVIRONMENTAL ENGINEER

**Encl:** Schedules "A & B".

To

**M/s.J. Lakshmana Rao Mines,  
R.Sy.No. An Un-Surveyed Hill Portion,  
Bhamidika (V), Sarugudu Grampanchyat,  
Nathavaram (M), Visakhapatnam District,  
Andhra Pradesh**

**Email:** gouseias@gmail.com

  
Joint Chief Environmental Engineer  
A.P.POLLUTION CONTROL BOARD  
ZONAL OFFICE  
VISAKHAPATNAM

Copy submitted to the Member Secretary, APPCB, Board Office, Hyderabad for information.  
Copy to the Environmental Engineer, Regional Office, Visakhapatnam for information and necessary action.

**SCHEDULE – A**

1. Separate meters with necessary pipe-line shall be provided for assessing the quantity of water used for each of the purposes mentioned below.
  - a. Industrial cooling.
  - b. Domestic purposes.
  - c. Processing whereby water gets polluted and pollutants are easily bio-degradable.
2. The industry shall provide a minimum stack height (H) to the DG sets as per the following formula.  

$$H = h + 0.2 \text{ SQRT (KVA)}$$
 KVA = Total generation capacity, h = Height of building where DG Set is installed.
3. The generator shall be installed in a closed area with a silencer and suitable noise absorption systems. The ambient noise level shall not exceed 75 dB(A) during day time and 70 dB(A) during night time measured from a distance of 5mtrs from the DG Set.
4. The industry shall install and commission appropriate control and ventilation system for controlling the air pollution.
5. The industry shall take appropriate measures to ensure that the ground level concentrations shall comply with revised National Ambient Quality Norms notified by MoE&F, GoI on 16.11.2009.
6. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas. The applicant shall maintain good house keeping both within the factory and in the premises. All pipe valves, sewers, and drains shall be leak proof.
7. The solid waste arising in the premises shall be properly collected and disposed off.
8. There shall not be any perceptible odour outside the industry's premises.
9. All the rules and regulations notified by Ministry of Environment and Forests, Govt. of India in respect of noise pollution control measures shall be followed to avoid nuisance to public.
10. The proponent shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.
11. The applicant shall obtain Consents for operation regularly from APPCB, as required Under Sec. 25/26 of the Water (P&C of P) Act, 1974 and Under Sec. 21/22 of the Air (P&C of P) Act, 1981, for operation of the industry, before starting trial production. The Consent for Operation will be accorded only after ensuring compliance of all the conditions stipulated in this order.
12. The applicant shall comply with and carryout conditions issued by the Board in this consent order scrupulously. The applicant is liable for legal action as per the provisions of the relevant Acts in case of non-compliance of any conditions of the consent order.
13. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves its right and power Under Sec. 27(2) of Water (Prevention and Control of Pollution) Act, 1974 and Under Sec.21 (4) of Air (Prevention and Control of Pollution) Act, 1981 to review any or all the conditions imposed herein and to make such alternation as deemed fit and stipulate any additional conditions for the purpose of the Act by the Board.
14. The applicant shall exhibit the consent of the Board in the factory premises at a conspicuous place for the information of the inspecting officers of different departments.
15. Andhra Pradesh Pollution Control Board reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions of this Order. Also the Board reserves the right to withdraw the CFE without any prejudice/ notice on receiving any complaints by the Board regarding Environmental Pollution problems caused by the industry.

16. The industry is liable to pay compensation for any environmental damage caused by it, as fixed by the Collector and District Magistrate as civil liability.
17. Rain Water Harvesting (RWH) structure (s) shall be established on the plant site so that the ground water is recharged by the storm water.
18. The industry shall comply with Rules & Regulations notified by Ministry of Law and Justice, Govt. of India, regarding the Public Liability Insurance Act, 1991.
19. Any person aggrieved by an order made by the State Board under Section 25, Section 26, Section 27 of Water Act, 1974 or Section 21 of Air Act, 1981 may within thirty days from the date on which the order is communicated to him, prefer an appeal as per Andhra Pradesh Water rules, 1976 and Air Rules 1982, to such authority (herein after referred to as the Appellate Authority) constituted under Section 28 of the Water (prevention and Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981.

#### SCHEDULE – B

1. This order is valid for a period of 5 years from the date of issue.
2. The proponent shall report progress on implementation of the project to this office and A.P. Pollution Control Board, Regional Office, Visakhapatnam regularly.
3. The industry shall carry out only semi-mechanized open casting mining and carryout laterite mining in an area of **121.0 Ha** only.
4. The industry shall carry out open cast mining method using light earth moving machinery.
5. The industry shall not extract the mineral through drilling and blasting operations.
6. The crusher and screened ore shall be directly transported to the consumers. No beneficiation shall be done at the mining site.
7. The industry shall provide water spraying arrangement on haul roads, loading & unloading and at transfer points for dust suppressions.
8. The industry shall take appropriate measures to ensure that the ground level concentrations shall comply with revised National Ambient Quality Norms notified by MoE&F, GoI on dt.16.11.2009.
9. The industry shall scrupulously comply with conditions stipulated by the SEIAA, Andhra Pradesh, Govt. of India, MoEF, Hyderabad in the Environmental Clearance order dated 25.10.2013.
10. The source of water is Borewell and the maximum permitted water consumption shall not exceed the following quantities.

S. No.	Purpose	Total Consumption (KLD)
1.	Dust suppression & Green belt	2.0 KLD
2.	Domestic / Sanitary	10.0 KLD
	<b>Total</b>	<b>12.0 KLD</b>

11. The maximum waste water generation (KLD) shall not exceed the following:

S. No.	Wastewater generation	Total generation (KLD)
1.	Domestic	8.0 KLD
	<b>Total:</b>	<b>8.0 KLD</b>

Effluent source	Standards to be complied	Mode of final disposal
Domestic (8.0 KLD)	---	Septic tank followed by soak pit.

12. The industry shall implement the following measures to reduce the air pollution during transportation of the mineral.
  - Road shall be graded to mitigate the dust emissions.
  - Overfilling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
  - Water shall be sprinkled at regular interval on the main haul roads and other service roads to suppress the dust.
13. The industry shall implement the following measures to reduce the noise pollution.
  - The proper and regular maintenance of the vehicles and other equipment.
  - Limiting time exposure of workers to the excessive noise. Worker employed shall be provided with protection equipment and ear muffs.
  - Speed of the trucks entering or leaving the mine is to be limited to the moderate speed of 25 KMPH to prevent undue noise from empty trucks.
14. The industry shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.
15. The industry shall provide ear plugs / muffs for the workers engaged in the operations of HEMM, etc.,
16. The industry shall construct garland drain and siltation ponds of appropriate size for the working pit to arrest the flow of silt and sediments. The water so collected shall be utilized for watering the mine area, roads, green belt development, etc., The drains shall be regularly de-silted particularly after monsoon and maintain properly.
17. The industry shall develop 33% of the total area as thick green belt all along the boundary of the unit and also in the vacant places with all tall growing trees with wide leaf area.
18. The industry shall comply with all the Rules and Regulations specified in Water (P&C of P) Act, 1974, Air (P&C of P) Act, 1981 and Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and their amendments issued thereof.
19. The industry shall adopt the following measures to control erosion of dumps:
  - Retention/toe walls shall be provided at the foot of the dumps.
  - Worked out slopes are to be stabilized by planting appropriate shrub / grass species on the slopes.
20. The industry shall not manufacture any extra products or extra capacities without obtaining CFE/CFO of the Board.
21. The industry shall not take up trial production without obtaining Consent for Operation of the Board.
22. The industry shall comply with the conditions stipulated in Environmental Clearance order dt.17.11.2014 issued by Ministry of Environment, Forests & Climate Change, Government of India.
23. As committed in the under taking dt.23.11.2014 and the industry's Lr.dt.27.11.2014, the industry shall maintain a set back distance of 500 mtrs. from the human habitation to the boundary of mine lease area and other pollution control measures.
24. The industry shall comply with all the directions issued by the Board from time to time.

25. Concealing the factual data or submission of false information / fabricated data and failure to comply with any of the conditions mentioned in this order may result in withdrawal of this order and attract action under the provisions of relevant pollution control Acts.
26. The Board reserves its right to modify above conditions or stipulate any further conditions and to take action including revoke of this order in the interest of environment protection.
27. This Order is issued to the industry without prejudice to the action taken by the Task Force of the Board.

To  
M/s.J.Lakshmana Rao (Laterite Mine),  
Sy.No. U.S.H.P (Un-Surveyed Hill Portion),  
Bhamidika (V), H/o Sarugudu Grampanchyat,  
Nathavaram (M),  
Visakhapatnam District

B. V. 27/12/2014  
JOINT CHIEF ENVIRONMENTAL ENGINEER

Joint Chief Environmental Engineer  
A.P.POLLUTION CONTROL BOARD  
ZONAL OFFICE  
VISAKHAPATNAM



## ANDHRA PRADESH POLLUTION CONTROL BOARD

ZONAL OFFICE :: VISAKHAPATNAM

D.No.39-33-20/4/1, Madhavadhara Vuda Colony, Visakhapatnam - 530018.

Ph : 0891-2719380

RED CATEGORY  
CONSENT ORDER**Consent Order No:7844/APPCB/ZO-VSP/VSP/CFO/2021****Date: 06.05.2021**

CONSENT is hereby granted for Operation under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act 1981 and amendments thereof and the rules and orders made there under (hereinafter referred to as 'the Acts', 'the Rules') to:

**M/s. J. Lakshmana Rao (Laterite Mine),  
R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion),  
Bhamidika (V), H/o Sarugudu Grampanchayat,  
Nathavaram (M), Visakhapatnam District.**

(Hereinafter referred to as 'the Applicant') authorizing to operate the industrial plant to discharge the effluents from the outlets and the quantity of emissions per hour from the chimneys as detailed below:

**i) Outlets for discharge of effluents:**

Outlet No.	Outlet Description	Max Daily Discharge	Point of Disposal
1	Domestic	8.0 Kilo Liters/Day	Septic tank followed by soak pit.

**ii) Emissions from chimneys:**

Vent No.	Description of Chimney	Quantity of Emissions at peak flow (m <sup>3</sup> /hr)
----		

This consent order is valid for the following products along with quantities indicated only:

S. No.	Name of the Products	Capacity
1.	<b>Mining of Laterite (Over an extent of 121.0 Ha.)</b>	<b>1.0 MTPA</b>

This order is subject to the provisions of 'the Acts' and the Rules' and orders made thereunder and further subject to the terms and conditions incorporated in the schedule A, & B enclosed to this order.

This Consent order shall be valid for a period ending with the **31.03.2022.**

**Rajendra****Reddy Thuraka****JOINT CHIEF ENVIRONMENTAL ENGINEER**Digitally signed by Rajendra  
Reddy ThurakaDate: 2021.05.06 17:38:41  
+05'30'

To

**M/s. J. Lakshmana Rao (Laterite Mine),  
R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion)  
Bhamidika (V), H/o Sarugudu Grampanchayat,  
Nathavaram (M), Visakhapatnam District.**

- Copy to the Environmental Engineer, Regional Office, Visakhapatnam for information.

**SCHEDULE - A**

1. Any up-set condition in any activity of the Mining unit, which may result in, increased violation of standards stipulated in this order shall be informed to this Board, under intimation to the Collector and District Magistrate and take immediate action to bring down the discharge / emission below the limits.
2. The Mining unit should carryout analysis of air emissions for the parameters mentioned in this order on quarterly basis and submit to the Board.
3. All the rules & regulations notified by Ministry of Law and Justice, Government of India regarding Public Liability Insurance Act, 1991 should be followed as applicable.
4. The Mining Unit should put up two sign boards (6x4 ft. each) at publicly visible places at the main gate indicating the products, effluent discharge standards, air emission standards, hazardous waste quantities and validity of CFO and exhibit the CFO order at a prominent place in the factory premises.
5. Notwithstanding anything contained in this consent order, the Board hereby reserves the right and powers to review / revoke any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.
6. The Mining Unit shall submit Environment statement in Form V before 30th September every year as per Rule No.14 of E (P) Rules, 1986 & amendments thereof.
7. The Mining Unit should make applications through Online for renewal of Consent (under Water and Air Acts) and Authorization under HWM Rules at least 120 days before the date of expiry of this order, along with prescribed fee under Water and Air Acts and detailed compliance of CFO conditions for obtaining Consent & HW Authorization of the Board. The Mining Unit should immediately submit the revised application for consent to this Board in the event of any change in the raw material used, processes employed, quantity of trade effluents & quantity of emissions. Any change in the management shall be informed to the Board. The person authorized should not let out the premises / lend / sell / transfer their industrial premises without obtaining prior permission of the State Pollution Control Board.
8. Any person aggrieved by an order made by the State Board under Section 25, Section 26, Section 27 of Water Act, 1974 or Section 21/22 of Air Act, 1981 may within thirty days from the date on which the order is communicated to him, prefer an appeal as per Andhra Pradesh Water Rules, 1976 and Air Rules 1982, to Appellate authority constituted under Section 28 of the Water(Prevention and Control of Pollution) Act, 1974 and Section 31 of the Air(Prevention and Control of Pollution) Act, 1981.

**SCHEDULE - B****SPECIAL CONDITIONS:**

1. The mining unit shall comply with the conditions stipulated in the EC, CFE & CFO orders as committed in the undertaking letter dated 12.04.2021.
2. The mining unit shall carry out water sprinkling at mining area and haul roads and cover the trucks carrying Laterite with Tarpaulin to control dust while transit.
3. The mining unit Shall cover trucks carrying Laterite mineral with tarpaulin to avoid spillages on road.
4. Sewage treatment plant shall be installed for the colony. ETP shall also be provided for workshop and waste water generated during mining operation.
5. The crushed and screened ore shall be directly transported to consumers. No beneficiation shall be done at the mining site.

**WATER:**

6. The source of water being bore well. The following is the permitted water consumption:

S. No.	Purpose	Quantity
1	Dust suppression & Green belt	2.0 Kilo Liters/Day
2	Domestic / Sanitary	10 Kilo Liters/Day
	<b>Total</b>	<b>12.0 Kilo Liters/Day</b>

Separate meters with necessary pipe-line shall be maintained for assessing the quantity of water used for each of the purposes mentioned above.

**AIR:**

7. The mining unit shall ensure compliance of the National Ambient Air Quality Standards notified by MoEF, GoI vide notification GSR 826(E), dt.16.11.2009 at the boundary of the premises during construction and regular operational phase of the project.
8. The facility shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.

**SOLID WASTE:**

9. The mining unit shall dispose solid waste as follows :

S. No	Solid Waste generation	Quantity	Method of Disposal
1	Gravel	In first five years about 1,32,943 m <sup>3</sup>	Proposed to stack by the side of the working areas in non-mineralized zone over an extent of 3200 m <sup>2</sup> (160m x 20m) and to a Height of 3m.

**GENERAL CONDITIONS:**

10. The mining unit shall ensure compliance of guidelines issued in G.O. Rt.No.239, dt.16.04.2020 and Memo No. covid-19/2020/HMFW, dt.18.04.2020 issued by Medical, health and Family welfare department, Government of AP and the Ministry of Home Affairs order No. 40-3/2020/DM-DA, dt.15.04.2020 scrupulously.
11. The mining unit shall scrupulously follow any conditions stipulated by Revenue department/Panchayat Raj/Municipal administration/Local self government bodies (Gram Panchayat/Gram secretariat) in ensuring safety to human and animal life.
12. The industry shall implement the following measures to reduce the air pollution during transportation of the mineral.
  - Road shall be graded to mitigate the dust emissions.
  - Overfilling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
  - Water shall be sprinkled at regular interval on the main haul roads and other service roads to suppress the dust.
13. The industry shall implement the following measures to reduce the noise pollution.
  - The proper and regular maintenance of the vehicles and other equipment.
  - Limiting time exposure of workers to the excessive noise. Worker employed shall be provided with protection equipment and ear muffs.
  - Speed of the trucks entering or leaving the mine is to be limited to the moderate speed of 25 KMPH to prevent undue noise from empty trucks.
14. The industry shall provide ear plugs / muffs for the workers engaged in the operations of HEMM, etc.,
15. The industry shall construct garland drain and siltation ponds of appropriate size for the working pit to arrest the flow of silt and sediments. The water so collected shall be utilized for watering the mine area, roads, green belt development, etc., The drains shall be regularly de-silted particularly after monsoon and maintain properly.
16. The industry shall adopt the following measures to control erosion of dumps:
  - Retention/toe walls shall be provided at the foot of the dumps.
  - Worked out slopes are to be stabilized by planting appropriate shrub / grass species on the slopes.
17. The Mining unit shall maintain the following records and the same shall be made available to the inspecting officers of the Board:
  - a. Daily production details.
  - b. Log Books for pollution control systems.
  - c. Solid waste generated and disposed.

d. Inspection book.

18. The Mining unit shall not increase the capacity beyond the permitted capacity mentioned in this order, without obtaining CFE/CFO of the Board.
19. The Mining Unit shall scrupulously comply with conditions stipulated by the SEIAA, MoEF&CC, in the Environmental Clearance order dated: **17.11.2014**.
20. The Mining unit shall not cause ground water pollution in and around the Mining unit premises.
21. All the waste material should be accommodated within the Mining Lease Area.
22. All mining products and rejects, irrespective of size and quality, should be hauled within the mine lease area.
23. Dumping of overburden, if done, should use the retreating pyramid bench formation with concurrent, physical and biological reclamation. Dumps should be contoured and provided with relief control and stabilized. Dump tops should be compacted, leveled and be properly drained. The overburden shall not be disposed outside the mine lease area under any circumstances.
24. The mining unit shall construct retention wall around the dump and also construct garland drain to arrest mined particles being carried away as run off during rainy season around the dump yard.
25. Suitable tree species should be planted on either side of the haul roads.
26. The mining unit shall carryout open cast mining method using light earth moving machinery and shall not extract the mineral through drilling and blasting operations.
27. The Mining unit shall provide water sprinklers for wetting the roads and at dust generating sources to control fugitive dust emissions.
28. Greenbelt shall be developed at possible areas around the boundary.
29. The mine rejects shall be disposed scientifically in the earmarked area as per the mining plan.
30. Fugitive emissions from all the sources shall be controlled regularly.
31. The Mining unit shall establish one Ambient Air Quality monitoring station and monitor the critical parameters maintained in Schedule - 'B' as per CPCB guidelines and shall submit monthly reports to Regional Office and Zonal Office regularly.
32. Mining shall be carried out as per approved Mining plan.
33. The Mining unit shall submit a compliance report on CFO conditions for every 6 months as on 01<sup>st</sup> January and 01<sup>st</sup> July of every year at Regional Office and Zonal Office.

**Rajendra**  
**Reddy Thuraka**  
 Digitally signed by  
 Rajendra Reddy Thuraka  
 Date: 2021.05.06 17:38:57  
 +05'30'  
**JOINT CHIEF ENVIRONMENTAL ENGINEER**

**To**  
**M/s. J. Lakshmana Rao (Laterite Mine),**  
**R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion)**  
**Bhamidika (V), H/o Sarugudu Grampanchayat,**  
**Nathavaram (M), Visakhapatnam District.**

## Annexure-IV

**A.P. POLLUTION CONTROL BOARD**  
**REGIONAL OFFICE: VISAKHAPATNAM**

**Lr.No.2166/APPCB/RO/VSP/2021-**

**Date:21.08.2021**

To  
 The Collector & District Magistrate,  
 Visakhapatnam District.

Sir,

**Sub:** APPCB RO VSP - Hon'ble NGT Order dt:26.07.2021 in I.A No.101/2021 in O.A NO. 155/2021 filed by Sri Kondru Maridiyya against the operations of M/s.J.Lakshmana Rao, Laterite mine with an extent of 121.0 Hectares in Un-Surveyed Hill Poramboke (USHP) in Bhamidikaloddi village, H/o. Sarugudu Gram Panchayat, Nathavaram Mandal, Visakhapatnam District - Report Submitted - Reg.

**Ref:** Joint Committee inspection on 18.08.2021

\*\*\*

With reference to the above, it is to submit that officials of this office visited mine area of M/s.J.Lakshmana Rao on 18.08.2021 along with the Joint Inspection Committee constituted as per directions of the Hon'ble NGT in OA No. 155/2021 and the following are submitted with regard to A.P. Pollution Control Board:

1. M/s. J.Lakshmana Rao is a open cast Laterite mining unit with an extent of 121.0 Ha in an Un-surveyed Hill Portion, Bhamidika (V), Sarugudu Grampanchyat, Nathavaram (M), Visakhapatnam District with production of 1.0 Million Tons per Annum of Laterite.
2. In this regard, it is to submit that the proponent has obtained TOR from MoEF vide letter no.3-11015/379/2011-IAJI(M), dated:28.04.2011. Subsequently, the public hearing was conducted at Mandal Praja Parishath School at Erakannapalem village, Nathavaram Mandal, Visakhapatnam District on 17.11.2011 under the Chairmanship of Joint Collector, Visakhapatnam District. Then the proponent has obtained EC from MoEF&CC, New Delhi vide EC No.J-11015/379/2010-IA.II(M), dated:17.11.2014 (Copy enclosed).

3. The proponent obtained CFE of the Board vide Order No.7844-VSP/APPCCB/ZO-VSP/CFE/2014-1192, dated 04.12.2014. (Copy enclosed).
4. The Board issued CFO to M/s.J.Lakshmana Rao vide order No:7844/APPCCB/ZO-VSP/VSP/CFO/2021, dt:06.05.2021 duly stipulating certain conditions with validity upto 31.03.2022. The project proponent started the operations from June-2021 onwards.
5. During the visit, the following non-compliances were observed on the main conditions stipulated in consent order:
  - i. The unit has not constructed garland drain and siltation ponds around the working pit to arrest the flow of silt & sediments being carried away as run-off.
  - ii. The unit has not constructed retention walls at the foot of the overburden dumps.
  - iii. The unit has not started development of greenbelt at possible areas around the boundary.
  - iv. The unit has not made arrangements to carryout water sprinkling on haul roads to suppress the dust.
  - v. The unit has not established ambient air quality monitoring station.

In view of the above, the management of the mining project may be directed to restart the mining operations only after complying the above mentioned non-compliances.

Submitted.

Yours faithfully,

  
ENVIRONMENTAL ENGINEER



**ANDHRA PRADESH POLLUTION CONTROL BOARD  
REGIONAL OFFICE, VISAKHAPATNAM**

*D.No. 39-33-20/4/1, Madhavadhara Vuda Colony, Visakhapatnam - 530018,  
Phone: 0891 -2755356*

**BY REGD. POST WITH ACK. DUE**

**Notice**

**Notice No.2166/PCB/RO-VSP/2021-406**

**Date:19.08.2021**

**Sub:** APPCB – RO – VSP – M/s. J.Lakshmana Rao (Laterite Mine), R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion) Bhamidika (V), H/o Sarugudu Grampanchayat, Nathavaram(M), Visakhapatnam District – Non-Compliance with the consent conditions - Notice Issued - Reg.

**Ref:** 1. Consent Order No:7844/APPCB/ZO-VSP/VSP/CFO/2021, Dt: 06.05.2021.  
2. Inspection of Board Officials on 18.08.2021.

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Whereas, you are operating a Laterite mining unit in the name of M/s.J.Lakshmana Rao (Laterite Mine), R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion) Bhamidika (V), H/o Sarugudu Grampanchayat, Nathavaram(M), Visakhapatnam District.

Whereas, the Board issued CFO to the mining unit vide reference 1<sup>st</sup> cited with a validity period upto 31.03.2022 by stipulating certain conditions.

Whereas, the Hon'ble National Green Tribunal (NGT), New Delhi while admitting the O.A.No.155/2021 (SZ) and LA.No.101/2021 (SZ) filed by Sri Kondru Maridiyya against the Mining Lease held by M/s. J.Lakshmana Rao for Laterite with an extent of 121.0 Hectares in Un-surveyed Hill Poramboke (USHP) in Bhamidikaloddi Village, H/o. Sarugudu Gram Panchayat, Nathavaram Mandal, Visakhapatnam District and issued certain directions

Whereas, officials from this office inspected the mining unit on 18.08.2021 along with the Joint Committee constituted as per the directions of the Hon'ble NGT and observed the following:

- i. The unit has not constructed garland drain and siltation ponds around the working pit to arrest the flow of silt & sediments being carried away as run-off.
- ii. The unit has not constructed retention walls at the foot of the overburden dumps.
- iii. The unit has not started development of greenbelt at possible areas around the boundary.
- iv. The unit has not made arrangements to carryout water sprinkling on haul roads to suppress the dust.
- v. The unit has not established ambient air quality monitoring station.

In view of the above you are hereby directed to Show cause to why action shall not be initiated against your unit under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 under section 33 (A) of Water (Prevention and Control of

Pollution) Act, 1974 and amendments thereof for violation of CFO conditions in the interest of the Public Health and Environment.

Report the compliance on the above along with photographs and shall reach this office within 7 days of issue of this notice, failing which action will be initiated against your unit under relevant provisions laid down under Air (Prevention and Control of Pollution) Act, 1981 & amendments thereof and Water (Prevention and Control of Pollution) Act, 1974 & amendments thereof in the interest of the Public Health and Environment.

**PRAMODKUMAR** Digitally signed by  
**REDDY MANNURU** PRAMODKUMAR REDDY  
MANNURU  
Date: 2021.08.19 19:21:13 +05'30'  
**ENVIRONMENTAL ENGINEER**

**To**  
**The Occupier,**  
**M/s. J.Lakshmana Rao (Laterite Mine),**  
**R.Sy.No. U.S.H.P (Un-Surveyed Hill Portion),**  
**Bhamidika (V), H/o Sarugudu Grampanchyat,**  
**Nathavaram(M),**  
**Visakhapatnam District**