

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

OA No 165 OF 2023

IN THE MATTER OF:

**Pilli Surendra Babu,
Andhra Pradesh.**

..... Applicant

Vs

Union of India and Others

.... Respondents

REPORT FILED BY THE APPCB 14th RESPONDENT

DATE- 15.02.2024



**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.

Mobile: 98407 98460 / 63831 21322,

Email: reddymadhuri09@gmail.com

Before the National Green Tribunal
Southern Zone, Chennai

Original Application No.165 of 2023 (SZ)

Sri Pilli Surendra Babu

.....Applicant

Versus

State of Andhra Pradesh & Others

.....Respondents

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Place: Vijayawada
Dt:14.02.2024.

Pinivot
14/2
Environmental Engineer,
A.P. Pollution Control Board,
Regional office, Vijayawada.

ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Vijayawada

Further report of A.P. Pollution Control Board in O.A. No. 165 of 2023(SZ) filed by Sri Pilli Surendra Babu, R/o. Kesarapalli (V), Gannavaram (M), Krishna District before the Hon'ble National Green Tribunal, Chennai

It is to submit that a case was filed by Sri Pilli Surendra Babu, R/o. Kesarapalli(V), Gannavaram (M), Krishna District before the Hon'ble National Green Tribunal (NGT), Principal Bench (PB), New Delhi in Original Application (O.A.) No.53 of 2023 (PB) alleging that illegal mining being carried out in and around Kothuru Reserve Forest Area, Vijayawada Rural (M), NTR District. In obedience to the Hon'ble NGT order dt.10.02.2023, a Joint Committee constituted with Scientist 'D' MoEF & CC, Integrated Regional Office (IRO), Vijayawada, DFR Flying Squad, Rajahmundry, Sub-Collector, Vijayawada, NTR District and Environmental Engineer (EE), A.P. Pollution Control Board (APPCB), Regional Office (RO), Vijayawada.

The A.P. Pollution Control Board, Head Office, Vijayawada has addressed letter dt.12.05.2023 to Director of Mines & Geology, A.P. to take action for stoppage of all the illegal mining takes place in and around Kotturu Reserve Forest Area, namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages in Vijayawada Rural Mandal, NTR District. (Annexure-1)

In compliance with the Hon'ble NGT order dt.12.05.2023, the Board has again addressed letters on 18.05.2023 to Director of Mines & Geology, A.P., the Collector & District Magistrate, NTR District and Commissioner of Police, District Commissionerate, Vijayawada to take appropriate steps to ensure to stop illegal mining taking place in and around Kotturu Reserve Forest Area namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages in Vijayawada Rural Mandal, NTR District. (Annexure-2)

The Joint Committee conducted site visit on 20.03.2023 & 21.04.2023 and submitted detailed report on 19.05.2023 to the Hon'ble N.G.T (PB).

Consequent to the Joint committee report, the Collector & District Magistrate, NTR District constituted the Task Force teams at Divisional and Mandal Levels, to stop the illegal mining activities and illegal transportation of soil, excavated from the bunds of Polavaram Right main Canal, Kothuru Tadepalli Reserve Forest Area, Jakkampudi, Velagaleru, Pathapadu areas and to protect the Government properties.

The Divisional Level Team constituted with the following officials:

1. The Sub Collector, Vijayawada,
2. The Assistant Commissioner of Police, Vijayawada West,
3. The Assistant Commissioner of Police, Mylavaram,
4. The Executive Engineer, Irrigation Department (Polavaram),
5. The District Transport Commissioner,
6. The Deputy Director of Mines & Geology, NTR District,
7. The Forest Range Officer, Vijayawada.

The Mandal Level Team constituted with the Tahasildars, SHOs, Royalty Inspector in DVS, Vijayawada, The Assistant Executive Engineers, Polavaram project and Deputy Range Officer, Vijayawada.

Further, constituted 3 teams in Revenue Department by the Sub-Collector and Sub-Divisional Magistrate, Vijayawada with Village Revenue Officers & Village Revenue Assistants.

In response to the above, the Director of Mines & Geology vide letter dt.15.06.2023 communicated that the DVS, Vijayawada has collected the levied penalties of Rs.63,600/- from 6 Gravel laden vehicles found transporting the Gravel without valid transit forms in Kothuru Tadepalli Villages of Vijayawada Rural Mandal. The Board has submitted further report in this case on 11.09.2023.

The Hon'ble N.G.T (PB), New Delhi transferred the matter to the Southern Zone Bench (SZ) and the O.A. No. has been changed from O.A.No.53 of 2023 (PB) to O.A. No.165 of 2023 (SZ).

The Hon'ble NGT vide order dt. 20.11.2023 in O.A. No. 165 of 2023(SZ) directed as follows:

"10. The Andhra Pradesh Pollution Control Board as well as the Mines and Geology Department have to ensure that Respondents No.19 to 24 stop their quarrying activity forthwith and file a report to that effect.

11. To be noted is that even as early as on 12.05.2023, the Principal Bench of this Tribunal had directed the District Magistrate-Vijayawada and the Senior Superintendent of Police to take appropriate steps to ensure that no illegal mining takes place in the above-mentioned area."

Further, it is submitted that the petitioner has also filed a writ petition before the Hon'ble High Court of A.P. vide W.P. (PIL) No. 19 of 2023 and prayed that the Hon'ble High Court may be pleased to direct the Respondent authorities to forthwith take steps to stop the illegal mining activity conducting on the bunds of Polavaram Right Canal in united Krishna District.

In this connection, the Hon'ble High Court has issued Interim Orders on 06.03.2023 in the W.P. (PIL) No. 19 of 2023 filed by Sri Pilli Surendra Babu and operative portion of the order is as follows:

"Heard the learned council for the petitioner. Issue notices to the respondents returnable in four weeks personal notice is also permitted. Respondent 10 and 11 shall filed a counter(s) along with comprehensive report on the issue of illegal Mining over the subject area by the next date of hearing. Meanwhile respondent no:10 (Principal Secretary, Water Resource Department, Secretariat, Velagapudi) and 11 (The Engineer-in-Chief, Irrigation, Water Resource Department, Vijayawada) shall ensure that there is no illegal mining on the bunds of Polavaram Right Canal in united Krishna District."

In this context, it is to submit that the RO, Vijayawada, APPCB received a complaint filed by Sri Mondem Jamalaih, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District on illegal mining of gravel at Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G. Konduru Mandal, NTR District. The Board forwarded the complaint to the District Mines & Geology Officer (DMGO), Tahsildar, Vijayawada Rural & G. Konduru Mandals and Panchayat Secretaries, Kothuru Tadepalli, P. Nainavaram, Pathapadu and Velagaleru villages on 13.12.2023 to take necessary action on the illegal mining activity at the above areas. (Annexure-3 & 4)

In response to the Board letter dt.13.12.2023, the Asst. Director of Mines & Geology, District Vigilance Squad (DVS), Erstwhile, Krishna District, O/o. DMGO, Vijayawada has submitted a report that the DVS team of erstwhile Krishna District has been regularly inspecting subjected areas and imposing penalties on illegal transportation of gravel vehicles. Further informed that 3 nos. of mining check posts have been established at the entry and exit point at the required places around the clock.

Further, it is submitted that the District Vigilance Squad (DVS), erstwhile Krishna District and technical staff of O/o. The District Mines and Geology Office, Vijayawada have inspected and conducted route check in and around alleged areas of Kothuru Tadepalli, Velagaleru and Vemavaram etc., and collected penalty to a tune of an amount of Rs.71,13,219 during the period from 2022-23 & 2023-24 (upto 27.12.2023) on illegal transportation. The District Vigilance Squad, O/o. The District Mines and Geology Office, Vijayawada is regularly keep watching and taking all possible measures to curb illegal excavation and transportation of gravel. During the course of regular inspections, it is noticed that no men and machinery available at the alleged area.

It is informed by the Mines & Geology Department in the report that the ADM&G, Vijayawada requested the Tahsildar, Vijayawada Rural & G.Konduru (M) to instruct their village level staff to keep constant watch and ward over the illicit mining prone areas as they are custodians of the Government lands in their jurisdiction and to take necessary action on the culprits as they are already empowered to take action as per G.O. Ms. No.224, Dt.02.05.1980 of the Ind & Comm (M.IV) Department and G.O. Ms. No.20, Dt. 21.01.2016 of Revenue (SER-II) Dept. and also the Asst. Director of Mines & Geology, Vijayawada requested the SHO's Vijayawada Rural & G. Konduru Mandals to keep constant vigil on illegal prone areas in their jurisdiction. The copy of the report submitted by the Mines & Geology Department, NTR District is herewith attached. (Annexure-5)

This report is submitted for kind consideration. The APPCB will abide by all such directions as the Hon'ble Tribunal may deem fit and appropriate.

Place: Vijayawada

Dt.14.02.2024

Received
14/2
Environmental Engineer,
APPCB, Regional Office,
Vijayawada
ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Vijayawada

Item No.04:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No. 165 of 2023 (SZ)

IN THE MATTER OF:

Pilli Surendra Babu,
Andhra Pradesh.

...Applicant(s)

Versus

Union of India,
Rep. by its Secretary,
MOEF & CC, New Delhi.

...Respondent(s)

Date of hearing: 20.11.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Paleti V.R. Maheswararao.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R18.

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ORDER

1. This is an Original Application alleging the illegal mining activities in and around the Kotturu Reserve Forest area in Vijayawada Rural, NTR District, Andhra Pradesh.
2. The Joint Committee report dated 19.05.2023 was filed, in which, it has been clearly and categorically stated that there has been illegal mining of a large extent of lands. The Joint Committee also conceded that there are no records of granting Environmental Clearance and consent orders to the location specified in the report for excavations of gravel/clay/boulder available.
3. The Joint Committee comprises of (i) Officer from MoEF&CC, (ii) Sub Collector - Vijayawada, (iii) District Forest Officer (Flying Squad), Rajahmundry and also (iv) Environmental Engineer - Andhra Pradesh Pollution Control Board.
4. The above officers are representing the regulatory bodies with the powers to control such kind of illegal mining. In view of their own report stating that there has been illegal quarrying particularly not only excess quarrying but without any Environmental Clearance or consent order, they ought to have stopped the mining in the manner known to law.
5. Even passage of 6 (six) months after they have inspected and filed a report, the private respondents are still mining in the survey numbers mentioned in the application.

6. The notices were served to them through the Tribunal are returned, as no such person is in the said address or they are not available.
7. However, the learned counsel appearing for the applicant would state that the private notices sent by him were served on them and he also stated that the affidavit of service has already been uploaded.
8. Despite service, there seems to be no representation for these private respondents.
9. **Therefore, we are constrained to injunct Respondents No.19 to 24 herein from proceeding with their quarrying activities until further order from this Tribunal.**
10. The Andhra Pradesh Pollution Control Board as well as the Mines and Geology Department have to ensure that Respondents No.19 to 24 stop their quarrying activity forthwith and file a report to that effect.
11. To be noted is that even as early as on 12.05.2023, the Principal Bench of this Tribunal had directed the District Magistrate - Vijayawada and the Senior Superintendent of Police to take appropriate steps to ensure that no illegal mining takes place in the above-mentioned area.
12. Therefore, the District Collector - NTR District, Mines and Geology Department and Andhra Pradesh Pollution Control Board are directed to file their independent report in this regard.

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13. Post the matter on 18.12.2023.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No. 165/2023(SZ)
20th November, 2023. AD.





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



Lr No: 01/OA-53 of 2023/APPCB/Legal/NGT(PB)/2023 **Date. 12/05/2023**

To
 The Director of Mines & Geology,
 Dept. of Mines & Geology, GoAP,
 Sri Anjaneya Towers,
 D.No. 7-104, B-Block, 5th & 6th floors,
 Ibrahimpatnam, Vijayawada.
 Email Id:- dmgap@ap.gov.in

Sir,

Sub:-APPCB – Legal - Orders dated 10.02.2023 issued by the Hon'ble National Green Tribunal (N.G.T.), New Delhi in O.A.No.53 of 2023 (PB) filed by Sri Pilli Surendra Babu, R/o. Kesarapalli (V), Gannavaram (M), Krishna District against illegal mining being carried-out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District - Action requested - Reg.

- Ref:-
1. Hon'ble NGT, New Delhi Order dt. 10.02.2023 in O.A. No. 53 of 2023 (PB).
 2. Hearing held on 12.05.2023 in Hon'ble NGT, New Delhi.

It is to inform that Sri Pilli Surendra Babu has filed O.A. No.53 of 2023 (PB) before the Hon'ble National Green Tribunal (NGT), New Delhi stating that illegal mining is being carried out in surrounding area of Kottur Reserve Forest Area, Vijayawada Rural (M), NTR District without obtaining requisite permissions / clearances from the concerned Departments and prayed to the Hon'ble N.G.T. to issue directions to the concerned officials for stoppage of mining operations.

A Joint Committee has been constituted, as per the Hon'ble N.G.T. orders dated 10.02.2023 in O.A. No.53 of 2023 and the Committee was to carry out the given mandate and to file a factual report within two months. The case is listed for hearing on 12.05.2023.

In compliance with the Hon'ble N.G.T. orders, the Joint Committee had visited the site of Kottur Reserve Forest Area of Vijayawada Rural (M), NTR District on 20.03.2023 & also conducted site visit on 21.04.2023. During the above two site visits Sri Pilli Surendra Babu, the applicant and his counsel Sri Paleti V.R. Maheswara Babu has accompanied.



The Joint Committee has observed that there are number of areas where the illegal mining has reported apart from the locations mentioned by petitioner. The Joint Committee has consulted the departments concerned and collected the required information viz., Name and address of the pattadar, extent of area, name and address of the illegal extractor and transporter, excavated quantity, etc. for preparation of report.

The EE, RO: Vijayawada, APPCB vide letter dt. 29.03.2023 requested the Assistant Director, Mines & Geology Dept., NTR District to furnish the details of mine leases granted in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages, including the following:

- a. Pasupuleti Srinivasa Rao carrying illegal mining activities in R.S. No.256 of Kothuru Tadepalli village, Vijayawada Rural.
- b. Khan carrying illegal mining in R.S.No.256 in Kothuru Tadepalli village, Vijayawada Rural.
- c. Pothuraju Madhav, S/o. Seshgiri Rao carrying illegal mining in R.S. No.256, Kothuru Tadepalli village, Vijayawada Rural.
- d. Kaleswari Ravi carrying illegal mining in Jakkampudi Village area, Vijayawada Rural.
- e. Pamuluri Nageswara Rao carrying illegal mining in Vemavaram village of Vijayawada Rural.
- f. Dhulipalla Devendra Rao carrying illegal mining in R.S.No.148 in limits of Nainavaram Village area, Vijayawada Rural.

The case was heard today i.e., 12.05.2023 before Hon'ble NGT, New Delhi and the Hon'ble Tribunal took serious note in the matter for not taking action on illegal mining activity being carried out in the above mentioned areas. The Hon'ble Tribunal also informed that why penalty should not be imposed on the Joint Committee/ APPCB for not taking action even after lapse of three months.

In view of the above, the Director of Mines & Geology is requested to take action for the stoppage all the above illegal mining activities in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages.

It is also requested to send the action taken report to APPCB within three days so as to submit the detailed action taken report to the Hon'ble NGT O.A. No.53 of 2023 (PB) in the above matter.

Yours faithfully,



Member Secretary

Copy to:

1. The JCEE, Zonal Office, Vijayawada for information and necessary action.
2. The EE, Regional Office, Vijayawada for information and necessary action. He is directed to send the detailed action taken report to submit to Hon'ble NGT O.A. No. 53 of 2023 (PB).

Item No. 1

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 53/2023

Pilli Surendra Babu

...Applicant

Versus

Union of India & Ors.

...Respondents

Date of hearing: 10.02.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Mr. Paleti V. R. Maheswararao, Advocate (through VC).

ORDER**APPLICATION IS UNDER SECTIONS 14 AND 15 OF THE NATIONAL
GREEN TRIBUNAL ACT, 2010.**

1. The present application has been filed under sections 14 and 15 of the National Green Tribunal Act, 2010 complaining about illegal mining of gravel, clay and boulder being carried out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District, Andhra Pradesh with prayer for directions to the respondents to stop the illegal mining and restore the area. The applicant has averred that the mining activities are illegally carried out by private respondents without any environmental clearance or consent to operate or permissions from other Authorities and the MoEF & CC and the said activities have already caused great damage to the environment.

O. A. No. 53/2023

Pill Surendra Babu Vs. Union of India & Ors.

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2. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.
3. Let notices alongwith copies of the application and documents attached therewith be issued to the respondents requiring them to file their response/ reply to the allegations made in the application within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
4. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Regional Office, MoEF & CC at Chennai, PCCF (HoFF), Government of Andhra Pradesh, State PCB and District Magistrate, Vijayawada and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponents, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponents. The State PCB will be the nodal agency for coordination and compliance.
5. Factual and Action taken Report may also be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
6. List for further consideration on 12.05.2023.
7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Regional Office,

O. A. No. 53/2023

Pilli Surendra Babu Vs. Union of India & Ors.

-3-

MoEF & CC at Chennai, PCCF (HoFF), Government of Andhra Pradesh, State
PCB and District Magistrate, Vijayawada by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 10, 2023

AO



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



Lr No: 01/OA-53 of 2023/APPCE/Legal/NGT(PB)/2023 - 99

Date: 18.05.2023

To
 The Collector & District Magistrate,
 NTR District.

Sir,

Sub:- APPCB - Legal - Orders dated 12.05.2023 issued by the Hon'ble National Green Tribunal (N.G.T.), New Delhi in O.A.No.53 of 2023 (PB) filed by Sri Pilli Surendra Babu, R/o. Kesarapalli (V), Gannavaram (M), Krishna District against illegal mining being carried-out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District - Action requested - Reg.

- Ref:-
1. Hon'ble NGT, New Delhi Order dt. 10.02.2023 in O.A. No. 53 of 2023 (PB).
 2. Hon'ble NGT, New Delhi Order dt. 12.05.2023 in O.A. No. 53 of 2023 (PB).

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It is to inform that Sri Pilli Surendra Babu has filed O.A. No.53 of 2023 (PB) before the Hon'ble National Green Tribunal (NGT), New Delhi stating that illegal mining is being carried out in surrounding area of Kotturu Reserve Forest Area, Vijayawada Rural (M), NTR District without obtaining requisite permissions / clearances from the concerned Departments and prayed to the Hon'ble N.G.T. to issue directions to the concerned officials for stoppage of mining operations.

A Joint Committee has been constituted as per the Hon'ble N.G.T. orders dated 10.02.2023 in O.A. No.53 of 2023 and the Committee was to carry out the given mandate and to file a factual report within two months. The case is listed for hearing on 12.05.2023.

In compliance with the Hon'ble N.G.T. orders, the Joint Committee had visited the site of Kotturu Reserve Forest Area of Vijayawada Rural (M), NTR District on 20.03.2023 & also conducted site visit on 21.04.2023. During the above two site visits Sri Pilli Surendra Babu, the applicant and his counsel Sri Paleti V.R. Maheswara Rao, had accompanied.

The Joint Committee has observed that there are number of areas where the illegal mining has reported apart from the locations mentioned by petitioner. The Joint Committee has consulted the departments concerned and collected the required information viz., Name and address of the pattadar, extent of area, name and address of the illegal extractor and transporter, excavated quantity, etc. for preparation of report.

In this regard, the Hon'ble NGT, Principal Bench, New Delhi, heard the matter on 12.05.2023 and issued the following directions: (copy enclosed)

"8. In view of the mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (4) (f) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, it is ordered that till further order to the contrary no mining be allowed to be carried out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District, Andhra Pradesh.

9. The District Magistrate, Vijayawada District, Andhra Pradesh and the Senior Superintendent of Police, Andhra Pradesh are also directed to take appropriate steps to ensure that no illegal mining takes place in the above mentioned area.

10. List for further consideration on 24.05.2023.

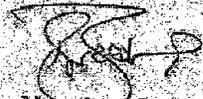
11. A copy of this order be sent to District Magistrate, Vijayawada and the Senior Superintendent of Police by email for compliance."

In view of the above, the District Collector, Vijayawada is requested to take appropriate steps to ensure that no illegal mining takes place in and around Kotturu Reserve Forest Area, namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages in Vijayawada Rural Mandal, NTR District in compliance with the above Hon'ble NGT order dated 12.05.2023.

Further, requested to send the action taken report to APPCB within three days so as to submit the detailed action taken report to the Hon'ble NGT O.A. No-53 of 2023 (PB) in the above matter.

Encl: As above

Yours faithfully,



Member Secretary

Copy to:

1. The JCEE, Zonal Office, Vijayawada for information and necessary action.
2. The JCEE, ECS Division, Task Force, Head Office, Vijayawada for information and necessary action.
3. The EE, Regional Office, Vijayawada for information and necessary action.





ANDHRA PRADESH POLLUTION CONTROL BOARD

Paryavaran Bhavan, APIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0856-2463200, Website: <https://pcb.ap.gov.in/>



Lr No: 01/OA-53 of 2023/APPCB/Legal/NGT(PB)/2023 - 98-

Date: 18.05.2023

To
The Director of Mines & Geology,
Dept. of Mines & Geology, GoAP,
Sri Anjaneya Towers,
D.No. 7-104, B-Block, 5th & 6th floors,
Ibrahimpattam, Vijayawada.
Email Id:- dmgap@ap.gov.in

Sir,

Sub:- APPCB - Legal - Orders dated 12.05.2023 issued by the Hon'ble National Green Tribunal (N.G.T.), New Delhi in O.A.No.53 of 2023 (PB) filed by Sri Pilli Surendra Babu, R/o. Kesarapalli (V), Gannavaram (M), Krishna District against illegal mining being carried-out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District - Action requested - Reg.

- Ref:-
1. Hon'ble NGT, New Delhi Order dt. 10.02.2023 in O.A. No. 53 of 2023 (PB).
 2. APPCB Lr No.01/OA - 53 of 2023 /APPCB /Legal/ NGT (PB)/2023 dt. 12.05.2023.
 3. Hon'ble NGT, New Delhi Order dt. 12.05.2023 in O.A. No. 53 of 2023 (PB).

It is to inform that Sri Pilli Surendra Babu has filed O.A. No.53 of 2023 (PB) before the Hon'ble National Green Tribunal (NGT), New Delhi stating that illegal mining is being carried out in surrounding area of Kotturu Reserve Forest Area, Vijayawada Rural (M), NTR District without obtaining requisite permissions / clearances from the concerned Departments and prayed to the Hon'ble N.G.T. to issue directions to the concerned officials for stoppage of mining operations.

A Joint Committee has been constituted, as per the Hon'ble N.G.T. orders dated 10.02.2023 in O.A. No.53 of 2023 and the Committee was to carry out the given mandate and to file a factual report within two months.

In compliance with the Hon'ble N.G.T. orders, the Joint Committee had visited the site of Kotturu Reserve Forest Area of Vijayawada Rural (M), NTR District on 20.03.2023 & also conducted site visit on 21.04.2023. During the above two site visits Sri Pilli Surendra Babu, the applicant and his counsel Sri Paleti V.R. Maheswara Rao, had accompanied.



The Joint Committee has observed that there are number of areas where the illegal mining has reported apart from the locations mentioned by petitioner. The Joint Committee has consulted the departments concerned and collected the required information viz., Name and address of the pattadar, extent of area, name and address of the illegal extractor and transporter, excavated quantity, etc. for preparation of report.

The EE, RO, Vijayawada, APPCB vide letter dt. 29.03.2023 requested the Assistant Director, Mines & Geology Dept., NTR District to furnish the details of mine leases granted in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages, including the following:

- a. Pasupuleti Srinivasa Rao carrying illegal mining activities in R.S. No.256 of Kothuru Tadepalli village, Vijayawada Rural.
- b. Khan carrying illegal mining in R.S.No.256 in Kothuru Tadepalli village, Vijayawada Rural.
- c. Pothuraju Madhav, S/o. Seshgiri Rao carrying illegal mining in R.S. No.256, Kothuru Tadepalli village, Vijayawada Rural.
- d. Kaleswari Ravi carrying illegal mining in Jakkampudi Village area, Vijayawada Rural.
- e. Pamuluri Nageswara Rao carrying illegal mining in Vemavaram village of Vijayawada Rural.
- f. Dhulipalla Devendra Rao carrying illegal mining in R.S.No.148 in limits of Nainavaram Village area, Vijayawada Rural.

The case was heard today i.e., 12.05.2023 before Hon'ble NGT, New Delhi and the Hon'ble Tribunal took serious note in the matter for not taking action on illegal mining activity being carried out in the above mentioned areas. The Hon'ble Tribunal also informed that why penalty should not be imposed on the Joint Committee/ APPCB for not taking action even after lapse of three months.

APPCB addressed a letter to the Director of Mines & Geology, Dept., of Mines & Geology, Vijayawada requesting to take action for the stoppage all the above illegal mining activities in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages. Further, requested to send the action taken report to APPCB within three days so as to submit the detailed action taken report to the Hon'ble NGT O.A. No.53 of 2023 (PB) in the above matter vide reference 2nd cited.

In this regard, the Hon'ble NGT, Principal Bench, New Delhi, heard the matter on 12.05.2023 and issued the following directions:

"8. In view of the mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (4) (i) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, it is ordered that till further order to the contrary no mining be allowed to be carried out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District, Andhra Pradesh.

9. The District Magistrate, Vijayawada District, Andhra Pradesh and the Senior Superintendent of Police, Andhra Pradesh are also directed to take appropriate steps to ensure that no illegal mining takes place in the above mentioned area.

10. List for further consideration on 24.05.2023.

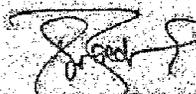
11. A copy of this order be sent to District Magistrate, Vijayawada and the Senior Superintendent of Police by email for compliance.

In view of the above, the Director of Mines & Geology, Dept., of Mines & Geology, Vijayawada is again requested to take action for the stoppage all the above illegal mining activities in and around Kotturu Reserve Forest Area, namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages in Vijayawada Rural Mandal, NTR District.

Further, requested to send the action taken report to APPCB within three days so as to submit the detailed action taken report to the Hon'ble NGT O.A. No.53 of 2023 (PB) in the above matter.

Encl: As above

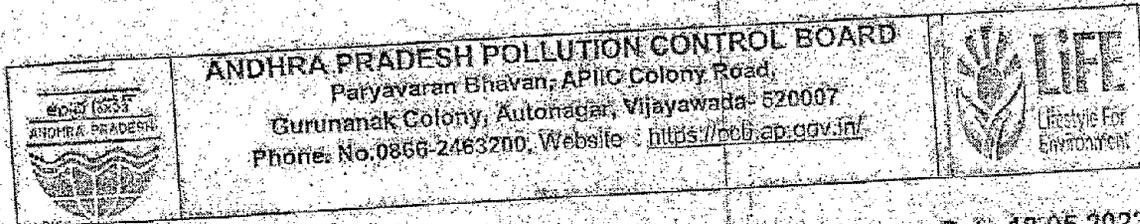
Yours faithfully,



Member Secretary

Copy to:

1. The JOEE, Zonal Office: Vijayawada for information and necessary action.
2. The EE, Regional Office: Vijayawada for information and necessary action.



Lr.No: 01/OA-53 of 2023/APP/CPB/Legal/NGT(PB)/2023 - (00)

Date: 18.05.2023

To
 The Commissioner of Police,
 District Commissionerate,
 Buckinghampeta, Vijayawada,
 NTR District.

Sir,

Sub:- APPCB - Legal - Orders dated 12.05.2023 issued by the Hon'ble National Green Tribunal (N.G.T.), New Delhi in O.A.No.53 of 2023 (PB) filed by Sri Pilli Surendra Babu, R/o. Kesarapalli (V), Gannavaram (M), Krishna District against illegal mining being carried out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District - Action requested - Reg.

- Ref:-
1. Hon'ble NGT, New Delhi Order dt. 10.02.2023 in O.A. No. 53 of 2023 (PB).
 2. Hon'ble NGT, New Delhi Order dt. 12.05.2023 in O.A. No. 53 of 2023 (PB).

**

It is to inform that Sri Pilli Surendra Babu has filed O.A. No.53 of 2023 (PB) before the Hon'ble National Green Tribunal (NGT), New Delhi stating that illegal mining is being carried out in surrounding area of Kottur Reserve Forest Area, Vijayawada Rural (M), NTR District without obtaining requisite permissions / clearances from the concerned Departments and prayed to the Hon'ble N.G.T. to issue directions to the concerned officials for stoppage of mining operations.

A Joint Committee has been constituted, as per the Hon'ble N.G.T. orders dated 10.02.2023 in O.A. No.53 of 2023 and the Committee was to carry out the given mandate and to file a factual report within two months. The case is listed for hearing on 12.05.2023.

In compliance with the Hon'ble N.G.T. orders, the Joint Committee had visited the site of Kottur Reserve Forest Area of Vijayawada Rural (M), NTR District on 20.03.2023 & also conducted site visit on 21.04.2023. During the above two site visits Sri Pilli Surendra Babu, the applicant and his counsel Sri Paleji V.R. Maheswara Rao, had accompanied.

The Joint Committee has observed that there are number of areas where the illegal mining has reported apart from the locations mentioned by petitioner. The Joint Committee has consulted the departments concerned and collected the required information viz., Name and address of the paltadar, extent of area, name and address of the illegal extractor and transporter, excavated quantity, etc. for preparation of report.

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In this regard, the Hon'ble NGT, Principal Bench, New Delhi, heard the matter on 12.05.2023 and issued the following directions: (copy enclosed)

8. In view of the mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (1) (b) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, it is ordered that till further order to the contrary no mining be allowed to be carried out in and around Kotturu Reserve Forest Area, Vijayawada Rural Mandal, NTR District, Andhra Pradesh.

9. The District Magistrate, Vijayawada District, Andhra Pradesh and the Senior Superintendent of Police, Andhra Pradesh are also directed to take appropriate steps to ensure that no illegal mining takes place in the above mentioned area.

10. List for further consideration on 24.05.2023.

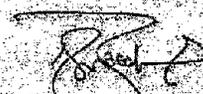
11. A copy of this order be sent to District Magistrate, Vijayawada and the Senior Superintendent of Police by email for compliance.

In view of the above, the Commissioner of Police, Vijayawada is requested to take appropriate steps to ensure that no illegal mining takes place in and around Kotturu Reserve Forest Area, namely in Nainavaram, Kothuru Tadepalli & Jakkampudi Villages in Vijayawada Rural Mandal, NTR District in compliance with the above Hon'ble NGT order dated 12.05.2023.

Further, requested to send the action taken report to APPCS within three days so as to submit the detailed action taken report to the Hon'ble NGT O.A. No.53 of 2023 (PB) in the above matter.

Encl: As above

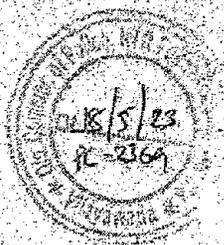
Yours faithfully,



Member Secretary

Copy to:

1. The JCEE, Zonal Office, Vijayawada for information and necessary action.
2. The JCEE, ECS Division, Task Force, Head Office, Vijayawada for information and necessary action.
3. The EE, Regional Office, Vijayawada for information and necessary action.





ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.

Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
 Vijayawada - 520 008.



20

Ph: 0866-2543542

Lr.No.D-5/PCB/RO-VJA/2023-978

Date.13.12.2023

To
 The District Mines & Geology Officer,
 Mines & Geology Department,
 Vijayawada, NTR District.

Sir,

Sub: APPCB-RO-VJA- Complaint filed by Sri Mondem Jamalalah, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal mining of gravel at Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G.Konduru Mandal, NTR District-Complaint communicated to take necessary action on curb of illegal mining - Reg.

Ref: Complaint filed by Sri Mondem Jamalalah, Kothuru Tadepalli (V), Vijayawada Rural(M), NTR District which was received from Head office, APPCB, Vijayawada through e.mail on 05.12.2023.

It is to inform that this office received a complaint filed by Sri Mondem Jamalalah, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal gravel mining in assigned and Govt. lands located Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G. Konduru Mandal, NTR District. The complainant informed illegal mining carrying at Sy.No.135 & 248 of Tadepalli village and Vasantharaya Thippa etc. Copy of the complaint is herewith enclosed.

It is informed that the District Administration has constituted Divisional, Mandal and Village level teams to take necessary action on illegal mining at Kothuru Tadepalli, Jakkampudi, Velagaleru, Pathapadu areas in connection with O.A. No. 53 of 2023 filed before the Hon'ble N.G.T.

In view of the above, it is requested to take immediate necessary action on the illegal mining activities at the above said areas.

Yours faithfully,

o/c ENVIRONMENTAL ENGINEER

Encl:A/a.

Copy submitted to

1. The Collector & District Magistrate, Vijayawada, NTR District for favour of kind information.
2. The Sub-Collector, Vijayawada, NTR District for favour of kind information.
3. The JCEE (ECS), APPCB, BO, Vijayawada for favour of kind information.
4. Sri Mondem Jamalalah, D.No.6-61, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District for information.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.
 Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
 Vijayawada - 520 008.



21

Ph: 0866-2543542

Lr.No.D-5/PCB/RO-VJA/2023-977

Date.13.12.2023

To
 The Tahsildar
 Vijayawada Rural Mandal,
 NTR District.

The Tahsildar
 G. Konduru Mandal,
 NTR District.

Sir,

Sub: APPCB-RO-VJA- Complaint filed by Sri Mondem Jamalaih, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal mining of gravel at Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G.Konduru Mandal, NTR District-Complaint communicated to take necessary action on curb of illegal mining - Reg.

Ref: Complaint filed by Sri Mondem Jamalaih, Kothuru Tadepalli (V), Vijayawada Rural(M), NTR District which was received from Head office, APPCB, Vijayawada through e.mail on 05.12.2023.

It is to inform that this office received a complaint filed by Sri Mondem Jamalaih, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal gravel mining in assigned and Govt. lands located Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G. Konduru Mandal, NTR District. The complainant informed illegal mining carrying at Sy.No.135 & 248 of Tadepalli village and Vasantharaya Thippa etc. Copy of the complaint is herewith enclosed.

It is informed that the District Administration has constituted Divisional, Mandal and Village level teams to take necessary action on illegal mining at Kothuru Tadepalli, Jakkampudi, Velagaleru, Pathapadu areas in connection with O.A. No. 53 of 2023 filed before the Hon'ble N.G.T.

In view of the above, it is requested to take immediate necessary action on the illegal mining activities carrying under your jurisdiction. It is also requested to increase vigilance of Mandal and Village level teams.

Yours faithfully,

[Signature]
 ENVIRONMENTAL ENGINEER

Encl:A/a.

Copy submitted to

1. The Collector & District Magistrate, Vijayawada, NTR District for favour of kind information.
2. The Sub-Collector, Vijayawada, NTR District for favour of kind information.
3. The JCEE (ECS), APPCB, BO, Vijayawada for favour of kind information.
4. Sri Mondem Jamalaih, D.No.6-61, Kothuru Tadepalli (V), Vijayawada Rural(M), NTR District for information.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.

Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
 Vijayawada - 520 008.



22

Ph: 0866-2543542

Lr.No.D-5/PCB/RO-VJA/2023-979

Date.13.12.2023

To
 The Panchayat Secretary,
 Kothuru Tadepalli (V), Vijayawada Rural (M),
 NTR District.

The Panchayat Secretary,
 P. Nainavaram (V), Vijayawada Rural (M),
 NTR District.

The Panchayat Secretary,
 Pathapadu (V), Vijayawada Rural (M),
 NTR District.

The Panchayat Secretary,
 Velagaleru (V), G. Konduru (M), NTR District.

Sir,

Sub: APPCB-RO-VJA- Complaint filed by Sri Mondem Jamalaiah, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal mining of gravel at Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G.Konduru Mandal, NTR District-Complaint communicated to take necessary action on curb of illegal mining - Reg.

Ref: Complaint filed by Sri Mondem Jamalaiah, Kothuru Tadepalli (V), Vijayawada Rural(M), NTR District which was received from Head office, APPCB, Vijayawada through e.mail on 05.12.2023.

It is to inform that this office received a complaint filed by Sri Mondem Jamalaiah, Kothuru Tadepalli (V), Vijayawada Rural (M), NTR District regarding illegal gravel mining in assigned and Govt. lands located Kothuru Tadepalli, P.Nainavaram, Pathapadu Villages of Vijayawada Rural Mandal and Velagaleru Village, G. Konduru Mandal, NTR District. The complainant informed illegal mining carrying at Sy.No.135 & 248 of Tadepalli village and Vasantharaya Thippa etc. Copy of the complaint is herewith enclosed.

It is informed that the District Administration has constituted Divisional, Mandal and Village level teams to take necessary action on illegal mining at Kothuru Tadepalli, Jakkampudi, Velagaleru, Pathapadu areas in connection with O.A. No. 53 of 2023 filed before the Hon'ble N.G.T.

In view of the above, it is requested to take immediate necessary action on the illegal mining activities carrying under your jurisdiction.

Yours faithfully,

o/c ENVIRONMENTAL ENGINEER

Encl:A/a.

Copy submitted to

1. The Collector & District Magistrate, Vijayawada, NTR District for favour of kind information.
2. The Sub-Collector, Vijayawada, NTR District for favour of kind information.
3. The JCEE (ECS), APPCB, BO, Vijayawada for favour of kind information.
4. Sri Mondem Jamalaiah, D.No.6-61, Kothuru Tadepalli (V), Vijayawada Rural(M), NTR District for information.

To

The Environmental Engineer,
APPCB Regional Office,
Plot 41, opp SBI, Sri Kanakadurga Officers Colony,
Gurunanak Nagar, Vijayawada.



Sir,

Lr.No.295/DVS, Vijayawada/2022

Date:27-12-2023

Sub: - Mines and Mineral – District Vigilance squad, Erstwhile Krishna District, O/o District Mines and Geology office, Vijayawada- Report on complaint filed by Sri M.Jamalayya on illegal transportation of gravel at Kotturu Tadepalli, P.Nainavaram and Pathapadu villages of Vijayawada Rural Mandal, and Velagaluru of G.Konduru Mandal, NTR District – Submitted - Regarding.

Ref:- Lr.No.D-5/PCB/RO-VJA/2023-978 dated 13-12-2023 of the Environmental Engineer, APPCB Regional Office, Vijayawada

* * * *

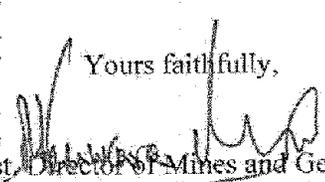
I invite kind attention to the subject cited. Through the reference cited, the Environmental Engineer, APPCB, Regional Office, Vijayawada while forwarding the complaint filed by Sri M. Jamalayya regarding illegal transportation of gravel Kotturu Tadepalli, P.Nainavaram and Pathapadu villages of Vijayawada Rural Mandal, and Velagaluru of G.Konduru Mandal, NTR District has requested to take immediate necessary action on the illegal mining activities in the above areas.

In this connection, it is submitted that the DVS team of Erstwhile Krishna District has been regularly inspecting subject areas and imposing penalties on illegal transportation of gravel vehicles. All the relevant reports and supporting documents are herewith enclosed for kind information and perusal.

Thanking you Sir,

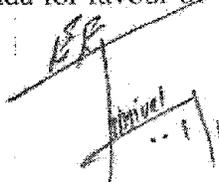
Encl: As above

Yours faithfully,


Asst. Director of Mines and Geology,
District Vigilance Squad,
Erstwhile Krishna District
O/o DMGO, Vijayawada.

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

Copy Submitted to the District Mines and Geology Office, Vijayawada for favour of information.


EP
2/1/24

Report submitted to the Environmental Engineer, APPCB Regional Office, Vijayawada on Illegal Mining activities in Kothuru Tadepalli, Vemavaram, Velagaleru etc. villages in Vijayawada Rural Mandal and G.Konduru Mandal of NTR District.

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It is submitted that the Director of Mines & Geology, Ibrahimpatnam vide memo No: 2752482/ D6-Kri/2022 Dt: 28.12.2022 & 07.03.2023 while enclosing the petition received from CMO filed by Sri Pilli Surendra Babu and certain adverse Newspaper clippings published in the Eenadu & Andhra Jyothi Daily Newspapers on illegal quarrying and transportation of Gravel at Kothuru, Tadepalli and Polavaram Canal Gattu and directed this office to submit detailed report on the matter.

In this connection, the Dy. Director of Mines and Geology, Vijayawada has directed the Asst. Director of Mines & Geology, Vijayawada on 26-11-2022 to submit a detailed report on the matter and also deputed District Vigilance Squad, Krishna on the alleged illegal quarrying prone areas.

1. The Asst. Director of Mines & Geology, Vijayawada reported that on **16.12.2022**, the Joint inspection team comprises of Revenue & Mines Department Officials of District Vigilance Squad, Erstwhile Krishna District has been proceeded to the areas of Illegal excavation and transportation of Gravel in Kothuru, Tadepalli and Vemavaram Villages, Vijayawada Rural Mandal and reported that during the course of inspection, the illegal excavation and transportation of Gravel was stopped and no men, machinery and vehicles found working in the alleged areas. Further the Forest Range Officer, Forest Beat Officer (Kothuru, Tadepalli Beat), Vijayawada Section and Range have verified Forest boundaries and declared that there is no illegal excavation and transportation of Gravel from the Forest lands.
2. Further, the Asst. Director of Mines & Geology, Vijayawada reported that the combined inspection team comprises of Revenue, Forest and Mines and Geology Department Officials of District Vigilance Squad, Erstwhile Krishna District conducted survey and inspection in Kothuru village and identified illegal excavated **20** Gravel pits in survey Numbers. **35, 36, 40, 41, 45, 227** in Kothuru Tadepalli Village and reported that at the time of Survey & Inspection some of the pits were uneven and some of the pits were logged with water. Accordingly, the Surveyor, O/o Asst. Director of Mines and Geology, Vijayawada has taken measurements of illegal excavated pits and estimated a quantity

of **4,22,818** Cum of Gravel. In this connection, on enquiry with the concerned Village Revenue Officer and Village Revenue Assistant, they have provided the details of land owners of the illegal Gravel excavated pits falling in Survey Numbers & Subdivisions with extent wise and also provided details of the persons, who were involved in illegal excavation and transportation of the Gravel in the areas concerned. Finally, the Joint inspection Team has submitted a Joint inspection report to the Deputy Director of Mines & Geology, Vijayawada and requested to take further necessary action in the matter. In turn, the Deputy Director of Mines & Geology, Vijayawada, forwarded the same report to the Asst. Director of Mines & Geology, Vijayawada and directed to initiate necessary action on the culprits who are involved in the illegal excavations and transportation as per APMMC Rules -1966. The list of defaulters who are involved in the illegal excavation & transportation are appended herewith for kind perusal. Accordingly, the Asst. Director of Mines and Geology, Vijayawada issued Demand notices to the culprits for a tune of **Rs.24,08,82,701/-**. If the culprits failed to pay the demanded amounts necessary action may initiate under R.R.Act to recover the demanded amounts by the concerned District Mines and Geology Office.

3. Further, the Asst. Director of Mines & Geology, Vijayawada reported that on **21-12-2022** the above said combined team has conducted survey and inspection in the alleged areas of Tadepalli and Vemavaram Villages and identified **11 Illegal** Gravel excavated Pits in Survey Numbers. 255, 256, 260 of Tadepalli Village and 147, 148 of Vemavaram Village and the combined team was recorded a Madyavarthula Nama on spot. Accordingly, the Surveyor, O/o Asst. Director of Mines and Geology, Vijayawada has taken measurement of the Pits and estimated a quantity of **6,07,080 Cum** of Gravel has been Illegally excavated. In this connection, the Village Revenue Officer, Village Revenue Assistant of Kothur Village has provided the details of the land owners of the illegal Gravel pits along with the details of the persons who were involved in illegal excavation and transportation of the Gravel from the areas concerned. Further, the joint inspection team has submitted Joint inspection report to the Assistant Director of Mines and Geology, Vijayawada to take necessary action as per the APMMC Rules, 1966.

4. Subsequently, the Asst. Director of Mines & Geology, Vijayawada has issued Show Cause Notices to the culprits, who were involved in the illegal excavation and transportation of Gravel in the respective areas of Kothuru, Tadepalli and Vemavaram villages, Vijayawada Rural Mandal, N.T.R.District under Rule 26 of the APMMC Rules, 1966 and latest amendments thereon.

Further it is submitted that the petitioner has also filed a writ Petition before the Hon'ble High Court vide W.P(PIL).No. 19 of 2023 and prayed that the Hon'ble High Court may be pleased to direct the Respondent authorities to forthwith take steps to stop the Illegal Mining activity conducting on the bunds of Polavaram Right Canal in united Krishna District.

In this connection, the Hon'ble High Court has issued interim Orders on 06.03.2023 in the WP.No. 19 of 2023 filed by Sri Pilli Surendra Babu and operative portion of the order is as follows:

"Heard the learned council for the petitioner. Issue notices to the respondents returnable in four weeks personal notice is also permitted. Respondent 10 and 11 shall filed a counter(s) along with comprehensive report on the issue of illegal Mining over the subject area by the next date of hearing. Meanwhile respondent No:10 (Principal Secretary, Water Resource Department, Secretariat, Velagapudi) and 11 (The Engineer-in- Chief, Irrigation, Water Resource Department, Vijayawada) shall ensure that there is no illegal mining on the bunds of Polavaram Right Canal in united Krishna District".

The Asst. Director of Mines & Geology, Vijayawada reported that on **28-04-2023 & 29-04-2023**, the Joint inspection team comprises of Revenue & Mines Department Officials of District Vigilance Squad, Erstwhile Krishna District has been proceeded to the areas of Illegal excavation and transportation of Gravel in Velagaleru Village, G.Konduru Mandal and reported that during the course of inspection, the illegal excavation and transportation of Gravel was stopped and no men, machinery and vehicles found working in the alleged areas. Further the Forest Range Officer, Forest Beat Officer (Kothuru, Tadepalli Beat), Vijayawada Section and Range have verified Forest boundaries and declared that there is no illegal excavation and transportation of Gravel from the Forest lands.

Further, the Asst. Director of Mines & Geology, Vijayawada reported that the combined inspection team comprises of Revenue, Forest and

Mines and Geology Department Officials conducted survey and inspection in Velagaleru village and identified illegal excavated **59** Gravel pits in survey Numbers. **501, 504, 508, 509, 511, 512, 520, 521, 524 and 525** in Velagaleru Village and reported that at the time of Survey & Inspection some of the pits were uneven and some of the pits were logged with water. Accordingly, the Surveyor, O/o Asst. Director of Mines and Geology, Vijayawada has taken measurements of illegal excavated pits and estimated a quantity of **5,65,352** Cum of Gravel. In this connection, on enquiry with the concerned Village Revenue Officer and Village Revenue Assistant, they have provided the details of land owners of the illegal Gravel excavated pits falling in Survey Numbers & Subdivisions with extent wise and also provided details of the persons, who were involved in illegal excavation and transportation of the Gravel in the areas concerned. Finally, the Joint inspection Team has submitted a Joint inspection report to the Deputy Director of Mines & Geology, Vijayawada and requested to take further necessary action in the matter. In turn, the Deputy Director of Mines & Geology, Vijayawada, forwarded the same report to the Asst. Director of Mines & Geology, Vijayawada and directed to initiate necessary action on the culprits who are involved in the illegal excavations and transportation as per APMMC Rules -1966. The list of defaulters who are involved in the illegal excavation & transportation are appended herewith for kind perusal. Accordingly, the Asst. Director of Mines and Geology, Vijayawada issued Demand notices to the culprits for a tune of **Rs.31.31 Cr/-**. If the culprits failed to pay the demanded amounts necessary action may initiate under R.R.Act to recover the demanded amounts by the concerned District Mines and Geology Office.

Finally, the Asst. Director of Mines & Geology, Vijayawada has issued Show cause Notices to the defaulters, who were involved in the illegal excavation and transportation of Gravel in Kothuru Tadepalli and Vemavaram Villages of Vijayawada Rural Mandal of NTR District under Rule 26 of APMMC Rules, 1966 and latest amendments thereon and also addressed letters to the Tahsildar's of Vijayawada Rural, G.Konduru, Jaggaipeta and Ibrahimpatnam Mandals to serve the Notices to the defaulters through concerned VRO's which were returned by the Postal authorities due to various reasons.

In this connection, it is submitted that the District Vigilance Squad, Vijayawada, Asst. Director of Mines and Geology, Vijayawada

along with Revenue Department Officials of Vijayawada Rural and G.Konduru Mandals. Forest Department Officials have been regularly inspecting the alleged areas and imposing the penalties on illegal gravel transporting vehicles.

Further, the ADM&G, Vijayawada requested the Tahsildar, Vijayawada Rural & G.Konduru (M) to instruct their village level staff to keep constant watch and ward over the illicit mining prone areas as they are custodians of the Government lands in their jurisdiction and to take necessary action on the culprits as they are already empowered to take action as per **G.O.Ms.No:224** Dt: 02.05.1980 of the Ind & Comm (M.IV)Department and **G.O.Ms.No. 20, Date: 21-01-2016 of Revenue (SER-II) Dept. and also the Asst. Director of Mines & Geology, Vijayawada** requested the SHO's, Vijayawada Rural & G.Konduru Mandals to keep constant vigil on illegal prone areas in their jurisdiction. Since, the majority of the lands, which are illicit prone areas belongs to Irrigation and Forest departments, the concerned departments may be addressed to keep constant watch and ward over there illicit prone areas of their jurisdiction.

Further, The Asst. Director of Mines and Geology, Vijayawada has submitted a detailed action taken report on the alleged area and issued show cause notices and demand notices as follows.

S. No	Village	No of persons involved in illegal and Excavation and Transportati on of Gravel	No of Show Cause Notices issued	No of Show Cause Notices received	No of Demand Notices Issued	No of Demand Notices served through special messenger	Quantity arrived in Cum	Penalty levied in Rs. In Cr.s.
1	Kothuru, Tadepalli, Vemavaram & Polavaram Canal in Vijayawada Rural Mandal	86	86	86	86	86	1054072	59.08 Cr.
2	Velagaleru of G.Konduru Mandal.	89	89	89	89	89	565352	31.31 Cr.
Total		175	175	175	175	175	1619424	90.39 Cr.

(29)

Further, it is submitted that, the Asst. Director of Mines and Geology, Vijayawada issued **Demand notices** to the culprits for a tune of **Rs.90,39,18,399/- (i.e. 90.39 Cr.)**. If the culprits failed to pay the demanded amounts necessary action may initiate under R.R.Act to recover the demanded amounts by the concerned District Mines and Geology Office.

Temporary Permits:-

It is submitted that, O/o District Mines and Geology Office, NTR has recently issued Temporary permits the details are as follows.

Name of the TP Holder	Mandal	Village	Extent	Sy.No	Quantity in Cum
M/s. Meil Vijayawada By pass Road Ways Pvt ltd	Vijayawada Rural Mandal	Kothuru	3.00	34,34/1C	37,350
M/s. Meil Vijayawada By pass Road Ways Pvt ltd	Vijayawada Rural Mandal	Kothuru	1.574	39/9, 39/10,39/12 & 40/12	94,440
M/s. Meil Vijayawada By pass Road Ways Pvt ltd	Vijayawada Rural Mandal	Kothuru	0.59	210	33240
Chanumolu. Sucharitha	G.Konduru	Velagaleru	0.74	443(P)	3200
Chetti Subba Reddy	P Naianavaram	Vijayawada Rural	0.314	106/1P & 106/10P	18840
IRP infra	Chainage				16000

Quarry lease areas: -

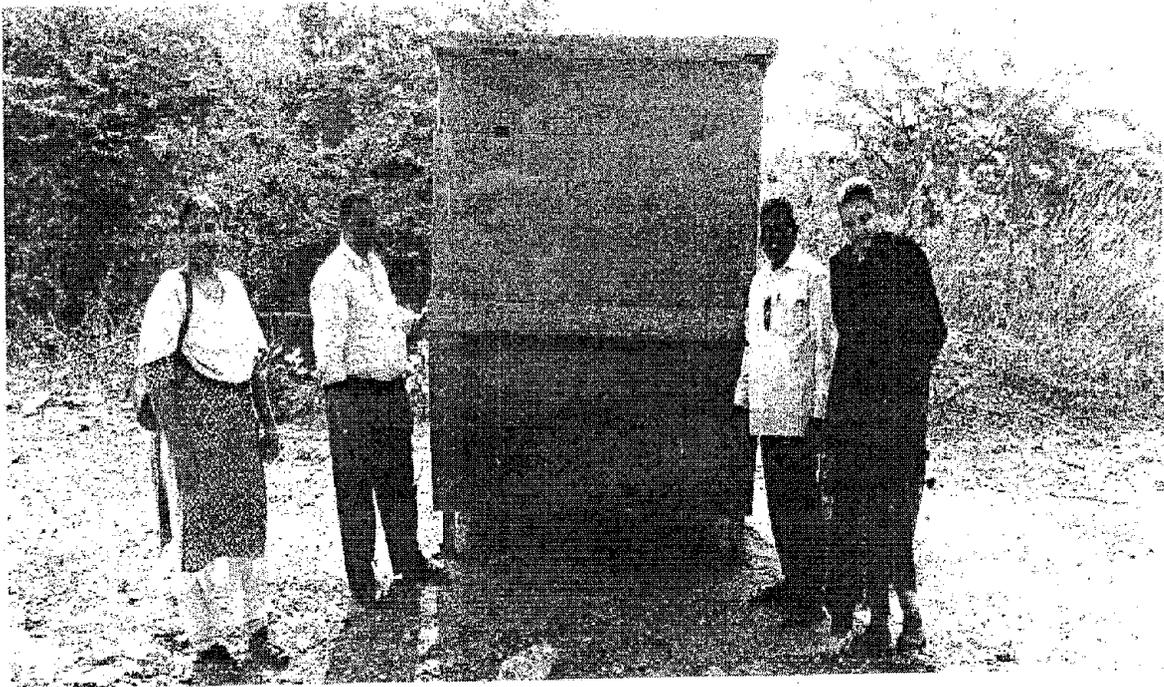
It is submitted that the following Gravel quarry leases at G.Konduru and Vijayawada Rural Mandal NTR District:

Name of the Lessee	Mandal	Village	Extent	Sy.No
Veerapaneni prabhakar	G.Konduru	Velagaleru	0.83	522/(F)P, 522/G,523/B
Devagiri Omkar Reddy	Vijayawada Rural	Pathapadu	1.519	38/2C, 2D & 2E
Sri Savaram Koteswara Rao	Vijayawada Rural	Pathapadu	0.517	2/1
Gopu Seshu Vani	Vijayawada Rural	Pathapadu	0.405	211/3A(P)
Devagiri Sankar Reddy	Vijayawada Rural	Pathapadu	1.08	38/2F, 38/3

Further, the Asst. Director of Mines & Geology, Vijayawada vide Ir No: 3598/Vig/2023 Dt: 18.03.2023 requested the District Registrar, Vijayawada,

NTR District to block / hold the land registrations of defaulters who were involved in the illegal excavation and transportation of Gravel.

Further, it submitted that, the Collector and District Magistrate, NTR District vide Lr.No: Rc.Co.ornd-3/916/2023 Dt: 29.04.2023 appointment of Divisional Task Force and Mandal Level Task Force teams to curb the illegal mining and transportation at Kothuru Tadepalli, Vemavaram, Polavaram Irrigation Project Right Main Canal, Velagaleru and Pathapadu areas and also directed the Mandal level task force teams to establish check post duly deputing the staff from Revenue, Police, Irrigation, Forest and Mines and Geology Departments at the entry and exit points at the required places round the clock (Copy enclosed). Accordingly 03 (three) mining check posts have been established.



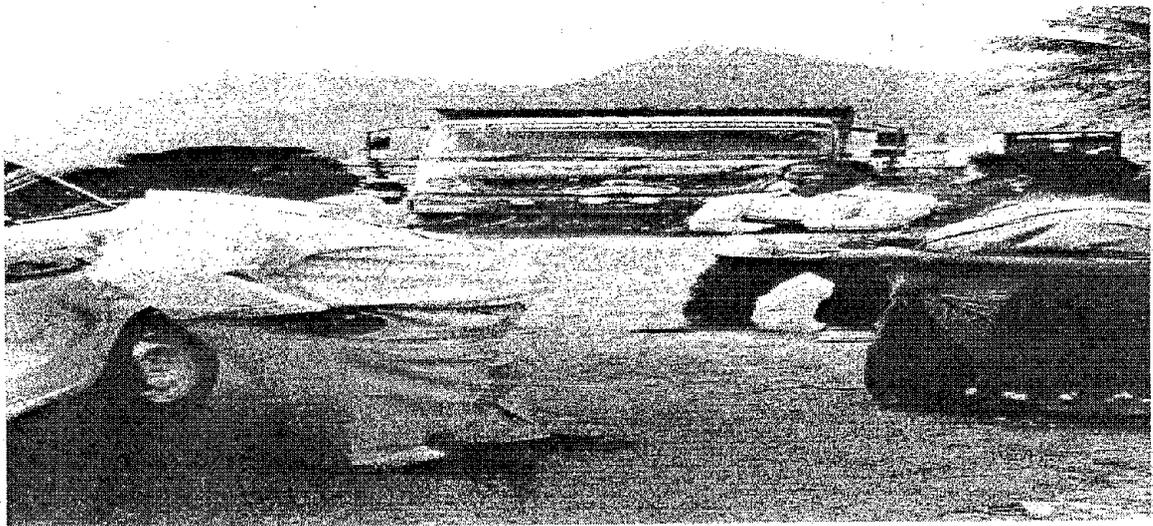
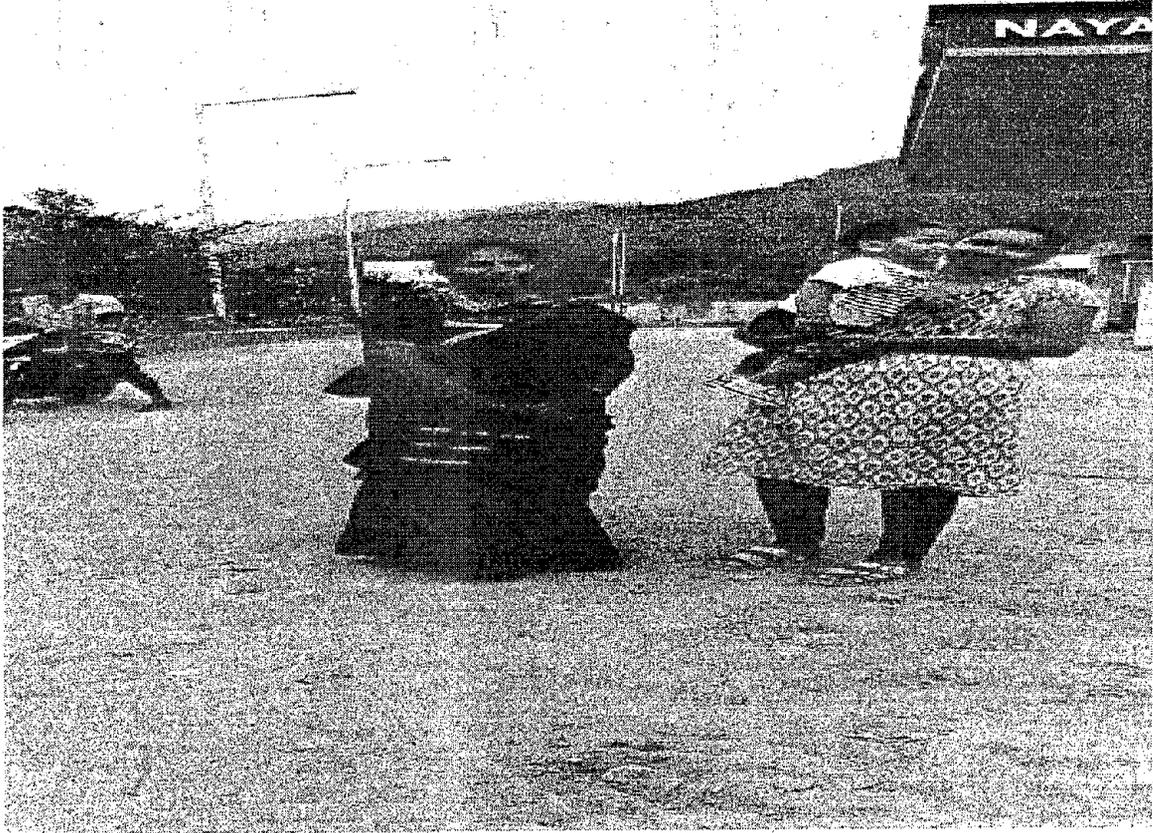
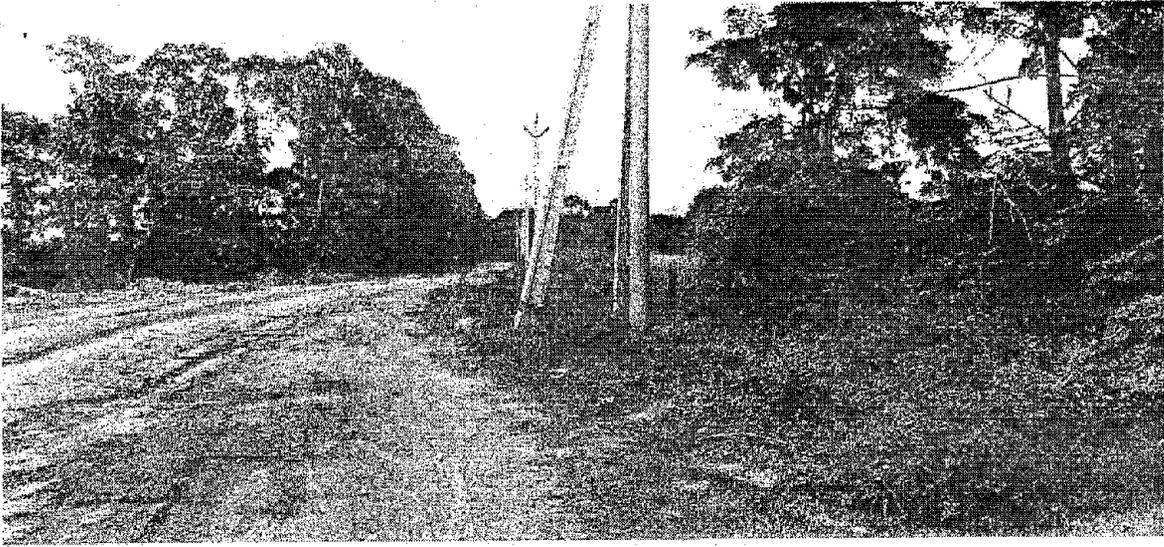
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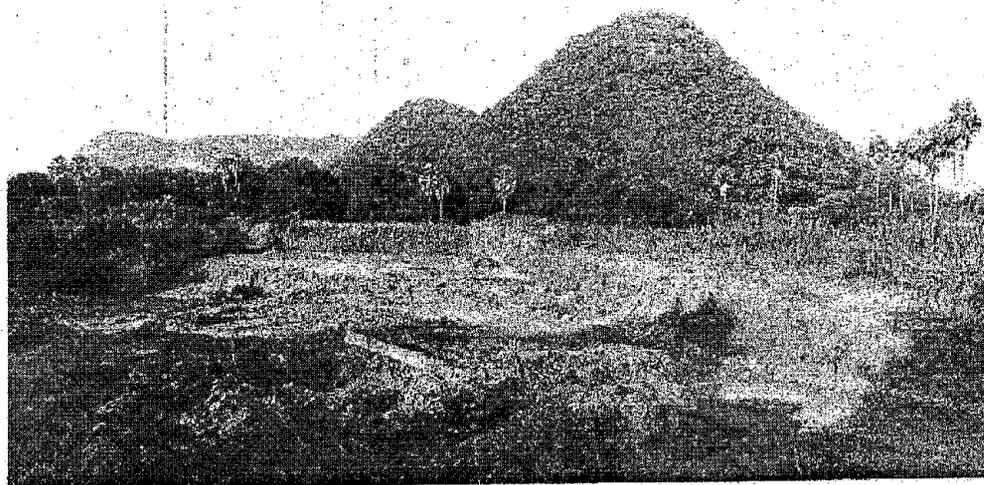
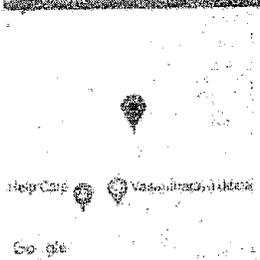
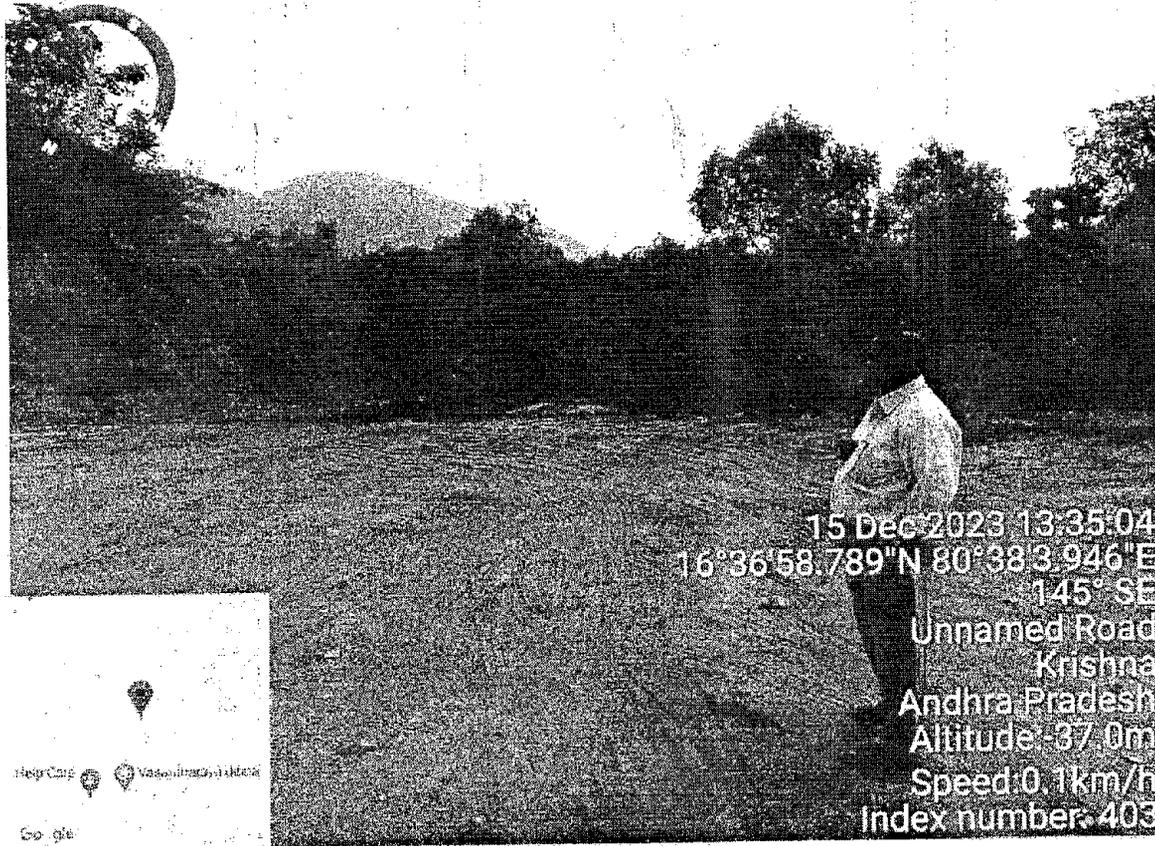
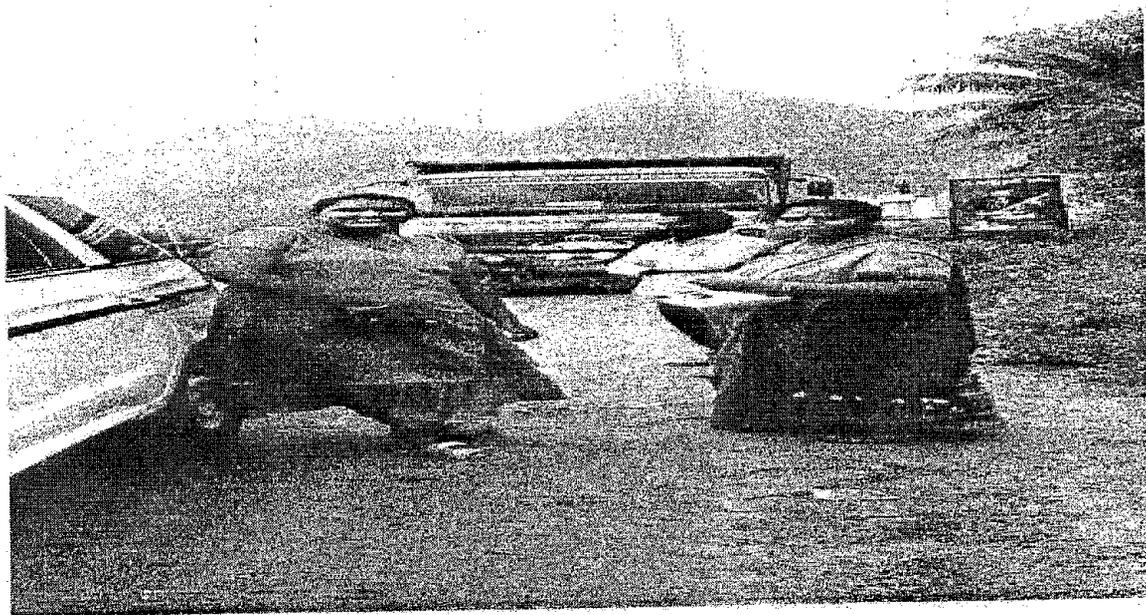
Further, it is submitted that, the District Vigilance Squad(DVS), erstwhile Krishna District and technical staff of O/o the District Mines and Geology Office, Vijayawada have inspected and conducted route check in and around alleged areas of Kothuru Tadepalli, Velagaleru and Vemavaram etc., and Collected penalty on illegal transportation to a tune of an amount of Rs.71,13,219 during the period from 2022-23 & 2023-24 (upto 27-12-2023).

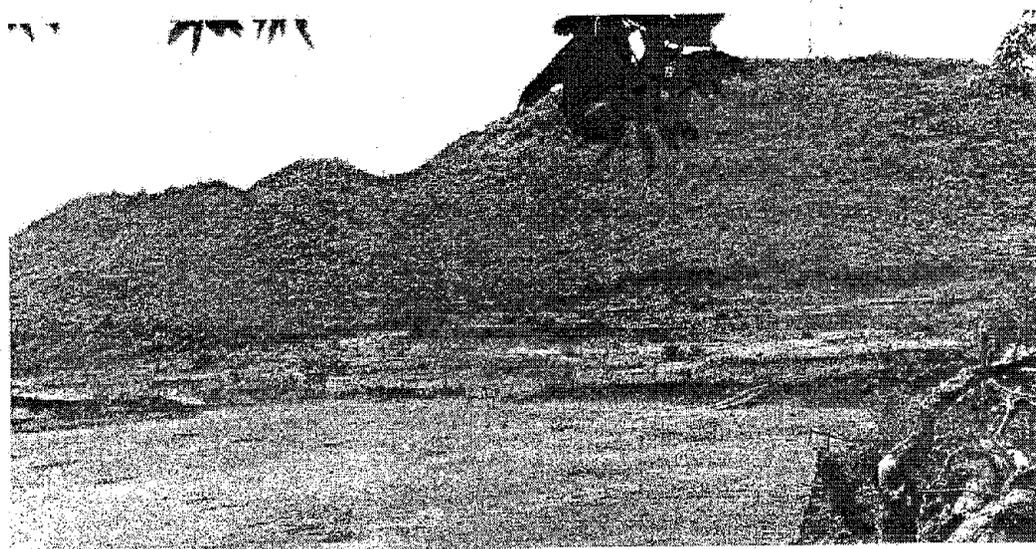
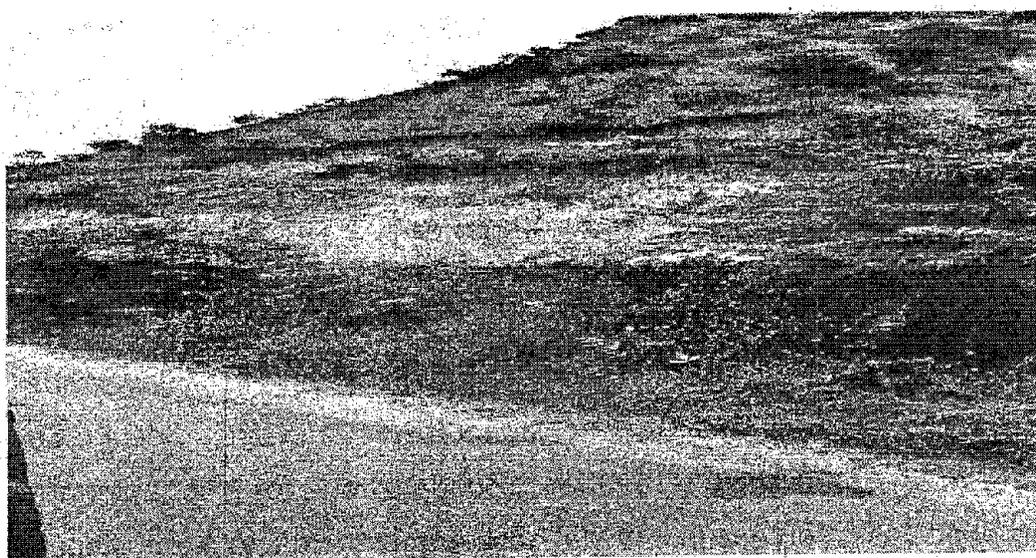
Further, it is submitted that, the District Vigilance Squad, erstwhile Krishna District technical staff of O/o the District Mines and Geology, Vijayawada regularly keep watch and ward over the illegal prone areas and taking all possible measures to curb illegal excavation and transportation of Gravel. During the course of regular inspections, It is noticed that no men and machinery available at the alleged area and the DVS team has taken some photographs and the same were herewith submitting for ready reference for kind persual.





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It is submitted that as per the Proceeding No. 27665/E/2015-1 dated 10-02-2022 of the Director of Mines and Geology, Ibrahimpatnam has issued orders to deploy staff in 13 districts to start functioning of the vigilance activity. Subsequently, as per G.O.Ms. No:02 Dated:11.01.2023 and Circular Memo No: 679/E/2023-1 Dated: 25.01.2023 of the Director of Mines and Geology, Ibrahimpatnam has issued orders for restructuring the districts. The mandals in the Erstwhile Krishna District were allotted to three newly formed district jurisdictions.

Mining Activity in Erstwhile Krishna District subdivided as per formation of new offices

S.No	Name of the District	No. of Mandals	No. of Leases	No. of MDLs	Target fixed	No. of Employees Deployed	No. of Vehicles allotted
1	NTR	19	226	108 (6 cement factories)	322 c r	10	1

2	Krishna	25	8	6	6 cr	14	1
3	Eluru	9	4	1	-	15	2 (1RVS)

Further, it is submitted that, as the number of pills were lodged in the Hon'ble NGT Southern Region, Chennai regarding illegal mining activity in Kotturu Tadepalli villages and surrounding areas in Vijayawada Rural Mandal, the Collector and District Magistrate, NTR District vide Rc.Co-ordd - 3/916/2023 dated 29-04-2023 has issued orders for the appointment of Divisional Task Force and Mandal task force teams to stop illegal mining activities across the Polavaram irrigation project right main canal, Kotturu Tadepalli Reserve Forest Area, Jakkampudi, Velagaleru and Pathapadu areas. Further the Collector and District Magistrate, NTR has directed to establish Check Posts duly deputing the staff from Revenue, Police, Irrigation, Forest, Mines and Geology Department at the entry and exit points at the required places round the clock 24*7 so as to stop illegal mining activities and transportation. Accordingly, the ADM&G and available two female staff members from the DVS erstwhile Krishna District have been deployed to control the illegal activity in the above areas (Copy Enclosed).

Further, Through Lr. No. 295/DVS/DDMG-KRI/2022 dated 02-05-2023, The Asst. Director of Mines and Geology, District Vigilance Squad, Erstwhile Krishna District has requested the Director of Mines and Geology, Ibrahimpatnam to depute one male **AG/RI/TA** from the head office to perform vigilance activity effectively (Copy Enclosed).

Further, It is to submit that as the main mining activity is confined to the NTR District, the DVS team has been concentrating in NTR District to control the illicit activity and to achieve huge target fixed by the Government with the help of staff and vehicle provided by the DM&GO, NTR District. Oftenly, The performance of the DVS team for the months of April 2023 and November 2023 is herewith enclosed for kind perusal (Copy Enclosed).

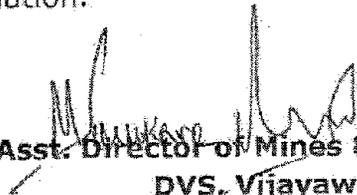
In the meanwhile, The District Mines and Geology Officer, Eluru District has requested this office to monitor the expired quarry lease of Sri L.V.V.R.V Prasad situated in Sy.No.2 of Thotapalli Village, Agiripalli Mandal that it does not operate and keep constant vigil over the subject area.

In this connection, it is to submit that the District Vigilance Squad, Erstwhile Krishna District has not been provided with vehicle to curb the

illegal activity. Hence, it is requested to each office of NTR, Krishna and Eluru Districts to provide their office vehicle for 10 days each in a month to conduct vigilance activity and curb illegal mining activity in their area. Your Cooperation in this matter is solicited.

It is submitted that the District Collector, NTR District vide Rc.104/AME/Polavaram Spoil*/Spoil/NTR/2023, Dt. 26.06.2023 has issued orders to supply and utilization of earth/spoil of Polavaram Canal for filling of basement of houses in the layouts of Y.S.R. Jagananna Colonies under YSR Urban Housing Programme for total quantity of **5,26,208 M3**. Further Government vide G.O.Ms.No. 44, Dt. 14.05.2023 (Water Resources (Project) Dept. (Copy Enclosed) have authorized the C.E. Polavaram Irrigation Project to supply **34 lakhs cbm of Spoil from Polavaram Irrigation Project on free of cost for basement of the houses taken up under flagship Programme NPL of PMAY YSR Urban Housing Programme (Copy enclosed).**

This is submitted for favour of information.


Asst. Director of Mines & Geology
DVS, Vijayawada