

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 179 of 2021

IN THE MATTER OF

Tribunal on its own motion-SUO MOTU based on the News item in
Eenadu Telugu News Paper, A.P, Kurnool District on 20.07.2021
UNDER THE CAPTION "MINING OF POTSTONE (NAPARALLU)
EXCAVATION BEING DONE WITHOUT LEAVING
MARGINS ON EITHER SIDE OF THE ROADS"

...Applicant(s)

Versus

The Chief Secretary to Government of Andhra Pradesh and Others.

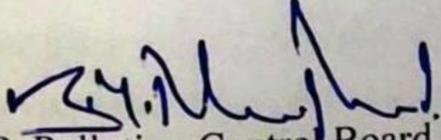
...Respondent(s)

INDEX

S. No.	Particulars	Page No.
1.	A Report on Hon'ble National Green Tribunal Southern Zone, Chennai in Original Application No.179 of 2021 (SZ).	1
2.	Annexure - I Letter addressed to the Deputy Director of Mines and Geology to take action against defaulting mining units and not to issue work permits.	2-4
3.	Annexure - II Letters addressed to the Assistant Director of Mines and Geology, Kurnool and Banaganapalli to take action against defaulting mining units and not to issue work permits.	5-10
4.	Annexure - III Hon'ble NGT (SZ) order dated.23.11.2021 in O.A. No. 179 of 2021	11-13

Place: Kurnool.

Date: 03.12.2021.


For A.P. Pollution Control Board
Environmental Engineer
A.P. Pollution Control Board
Regional Office, KURNOOL.

①

Further Report of A. P. Pollution Control Board submitted in compliance to Hon'ble NGT (SZ) order dated.23.11.2021 in O.A. No. 179 of 2021

The matters are pertaining to newspaper report under caption "Mining of Potstone (Naparallu) excavation being done without leaving margins on either side of the roads and the Hon'ble NGT registered the case Suo Motu in O.A. No. 179 of 2021. The A.P. Pollution Control Board (7th respondent) earlier filed action taken report on 20.09.2021 in O.A. No.179 of 2021.

The Hon'ble NGT in it's order dated.23.11.2021 mentioned that the Tribunal had considered the report submitted by the Andhra Pradesh Pollution Control Board (APPCB) dated 20.09.2021, e-filed on 22.09.2021 and passed the order to file independent response before the Tribunal regarding the allegations made in the newspaper report and also the action taken by the concerned departments

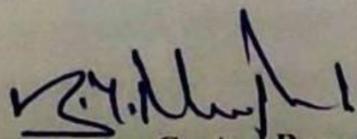
In compliance to the above order the further report of A.P. Pollution Control Board is submitted below:

Action taken by A.P. Pollution Control Board:

- i. The Environmental Engineer, A.P. Pollution Control Board, Regional office, Kurnool has addressed letters to the Deputy Director, Mines and Geology, Kurnool and Assistant Director, Mines and Geology, Kurnool & Banaganapalli on 01.09.2021 & 03.09.2021 (Annexure - I & Annexure - II) and requested to submit the list of mining units operating without obtaining EC and consents of the Board so as to submit a detailed report to the higher authorities of APPCB (as per delegation of powers) to take action against the defaulting Mining units. The Mines department was also requested not to allow the mining activity by the mining units and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board. With regard to environmental compensation, it is to submit that, the Joint Committee had requested the Dept. of Mines and Geology, Govt. of Andhra Pradesh to submit the required inputs such as quantity of material excavated, quantity of solid waste generated and stored/ disposed by the illegal mining units to calculate the environmental compensation.
- ii. After receiving the required information from the Department of Mines and Geology, opportunity of hearing will be given to the units before passing appropriate orders to the mining units in accordance with law under the provisions of Water (Prevention and control of Pollution) Act, 1974 & its amendments thereof and Air (Prevention and control of Pollution) Act, 1981 & its amendments thereof.

This further report is submitted to the Hon'ble NGT in due compliance of the directions issued by this Hon'ble Tribunal. APPCB will abide by all such directions as this Hon'ble Tribunal may deem fit and appropriate.

Dated at Kurnool, A.P. on this the Third day of December, 2021.


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



ANDHRA PRADESH POLLUTION CONTROL BOARD

REGIONAL OFFICE KURNOOL

1st Floor, Shankar Shopping Complex, Krishna Nagar Main Road, Kurnool - 518 002

B.Y. Muni Prasad
Environmental Engineer

Tele : 08518 235800

Email : roknl-ec1@appcb.gov.in

2

Lr.No. PCB/RO-KNL/Tech/Mining/2021-

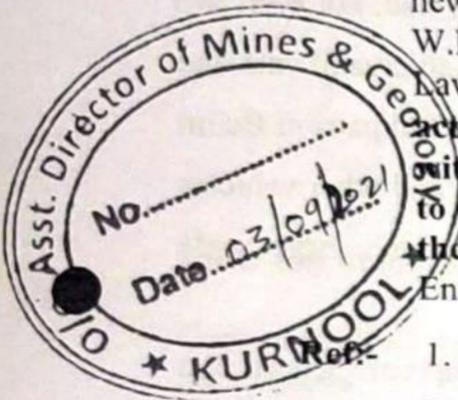
Dt: 03.09.2021

To

The Deputy Director of Mines & Geology,
45/86-6, Upstairs, Narasimhareddy Nagar,
Kurnool - 518003.

Sir,

Sub:- APPCB - R.O: Kurnool - Hon'ble NGT in the matter of O.A. No. 179 of 2021 has appointed a Joint Committee and directed the committee to submit the report to Hon'ble NGT on or before 13.09.2021 & also directed to file independent response before Hon'ble NGT, SZ, Chennai regarding the allegations made in the newspaper report - Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012 - Operation of mining units in violation of Environmental Laws - **Take action against the Mining units and not to allow the mining activities & not to issue mining permits to the operators which are operating without obtaining Environmental Clearance, Consents of the Board and not to carrying out illegal excavations in mine lease areas and stop transporting the minerals/ore, etc., illegally** - Violation of provisions laid under Environment (Protection) Act, 1986 - Requested - Regarding.



1. Hon'ble NGT (SZ) in O.A. No.179 of 2021 order dated: 11.08.2021.
2. Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012.
3. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 15.07.2020.
4. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 10.09.2020.
5. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 05.10.2020.
6. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 11.08.2020.

In continuation to the Regional Office, Kurnool letter dt.11.08.2021, it is requested to submit the list of mining units operating without obtaining Environmental Clearance and Consents of the Board so as to submit a detailed report to the higher authorities of APPCB (as per delegation of powers) to take legal action against the defaulting mining units. For taking legal action against the unit your kind co-operation is solicited in this regard to make them under Law abiders, vide reference 6th cited above.

Kind attention is invited to the reference 1st cited above, Hon'ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Eenadu, Telugu Newspaper, Kurnool Edition dated 20.07.2021 under the caption "అక్రమాల్ గనులే! లీజుల పేరుతో ఇష్టానుసారంగా తవ్వకాలు రోడ్ల పక్క స్థలాలను వలని వైనం" (Mining of potstone [Naparallu] excavation being done without leaving margins on either side of the roads)". It is alleged in the newspaper report that this type of illegal activities are going on in Banganapally, Bethancherla, Dhone etc. in Kurnool District of Andhra Pradesh. These deposits are spread over thousands of hectares. According to the regulations, excavations are to be carried out in the area prescribed by the Government, but the leaseholders are acting at will as the authorities at filed

3

level ignore them thereby, huge loss is being caused to the exchequer. It is alleged in the newspaper report that Banaganapally Mines are spread over a large extent and in Kurnool District Geological Survey (potstone deposits) covers tens of mandals. There are plenty of white stone deposits along with maple mines in the area. The district has mainly maple and white stone mines in Banaganapally, Avuku, Kolimigundla, Gadivemula, Nandikotkur and Dhone Mandal. They are also doing excess mining illegally and that is not being monitored by the authorities as well. As per the provisions of the rules, the lessee has to pay up to Rs.25,000 per hectare under Dead Rent per annum whereas, they are excavating mineral worth hundreds of crores whereas the Government is receiving a revenue of Rs.60 Crores only annually. As per the Government regulation, excavations are to be carried out about 100 meters away from R & B roads and panchayat roads. It is also alleged in the report that on the way from Banaganapally to Palukuru, excavations were carried out without leaving even ten meters on either side of the road. The condition of the road leading Palukuru and Ramakrishnaram has become very bad, not even two meters are left. Not a meter margin was left on the road from Patapadu to Katikavanikunta and Fattenagar. Similar situation can be seen on the road leading to Nandyala and Tadipatri in Belim and Ankireddy areas of Kolimigundla Mandal though hundreds of RTC buses and other vehicles ply daily. Though it is the main road to Anantapur, Tadipatri and Bangalore, large scale excavations even poses danger to the persons travelling through that area.

It is to submit that, vide reference 2nd cited above, the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

This office has issued several notices to the mining units to apply for CFO of the board. However, it is requested to insist upon the mining units to obtain the renewal consent orders of the Board in validity as per Laws in Vogue by using your good offices as and when the unit holder approaches for permits.

It is reminded that, earlier, the A.P. Pollution Control Board, Regional Office, Kurnool requested the Deputy Director, Department of Mines and Geology, Kurnool.

- i. Not to allow the mining units not to carry out the mining activity and not to issue work permits to the mining units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board as the Hon'ble Supreme Court also instructed the State Pollution control Boards/concerned departments not to allow the units to operate without valid Consent for Operation (CFO), vide reference 3rd cited above.
- ii. To take stringent action on the mining unit and requested not to issue any licenses / permits to the mining of Sri Challa Chinnaiah [0.757 Ha. Lime Stone Slabs (Black)], Sy.No.135/1, Palkur (V), Banaganapally(M), Kurnool District under any circumstances as a complaint was received from Sri K.Hanumantha Reddy, H.No:4-348, Betamcherla (V&M), Kurnool District against the mining unit for operating the mining activity without obtaining Environmental Clearance and Consent from the APCB and requested not to issue the mining permits, vide reference 4th cited above.

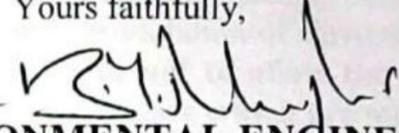
To take action against the Mining units, not to allow the mining activity by the mining units (List of defaulting mining enclosed) and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for

Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO), vide reference 5th cited above.

In view of the above, the Deputy Director, Department of Mines and Geology, Kurnool is requested to take action against the defaulting Mining unit as the Hon'ble NGT (SZ) in O.A No. 179 of 2021, order dated.11.08.2021. Also the Deputy Director, Department of Mines and Geology, Kurnool is requested not to allow the mining activity by the mining units and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

Hence your kind co-operation is solicited in this regard to make them under Law abiders.

Yours faithfully,



ENVIRONMENTAL ENGINEER

Encl: List of mining units having valid consents of the Board.

Copy submitted to the Joint Chief Environmental Engineer, Zonal office, Kurnool for kind information.

Copy submitted to the Assistant Director of Mines & Geology, M/s. VA commercial building, 4th floor, Kurnool – 518003 for kind information.

Copy submitted to the Assistant Director of Mines & Geology, Kanakaragureddy Complex, Banaganapalli, Kurnool District - 518124.


ANDHRA PRADESH POLLUTION CONTROL BOARD

REGIONAL OFFICE KURNOOL

 1st Floor, Shankar Shopping Complex, Krishna Nagar Main Road, Kurnool - 518 002

B.V. Muni Prasad
 Environmental Engineer

Tele : 08518 235800

Email : roknl-cc1@ap PCB.gov.in

Lr.No. PCB/RO-KNL/Tech/Mining/2021-
Dt: 01.09.2021

 To
 The Assistant Director of Mines & Geology,
 Kanakaragureddy Complex,
 Banaganapalli,
 Kurnool District - 518124.

Sir,

Sub:- APPCB - R.O: Kurnool - Hon'ble NGT in the matter of O.A. No. 179 of 2021 has appointed a Joint Committee and directed the committee to submit the report to Hon'ble NGT on or before 13.09.2021 & also directed to file independent response before Hon'ble NGT, SZ, Chennai regarding the allegations made in the newspaper report - Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012 - Operation of mining units in violation of Environmental Laws - **Take action against the Mining units and not to allow the mining activities & not to issue mining permits to the operators which are operating without obtaining Environmental Clearance, Consents of the Board and not to carrying out illegal excavations in mine lease areas and stop transporting the minerals/ore, etc., illegally** - Violation of provisions laid under Environment (Protection) Act, 1986 - Requested - Regarding.

- Ref:-**
1. Hon'ble NGT (SZ) in O.A. No.179 of 2021 order dated: 11.08.2021.
 2. Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012.
 3. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 06.09.2018.
 4. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 16.07.2020.
 5. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 05.10.2020.
 6. From APPCB, RO, Kurnool to Deputy Director, Mines and Geology, letter dated. 11.08.2020.

* * * * *

In continuation to the Regional Office, Kurnool letter dt.11.08.2021, it is requested to submit the list of mining units operating without obtaining Environmental Clearance and Consents of the Board so as to submit a detailed report to the higher authorities of APPCB (as per delegation of powers) to take legal action against the defaulting mining units. For taking legal action against the unit your kind co-operation is solicited in this regard to make them under Law abiders, vide reference 6th cited above.

Kind attention is invited to the reference 1st cited above, Hon'ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Eenadu, Telugu Newspaper, Kurnool Edition dated 20.07.2021 under the caption "అక్రమాల్లో గనులే! లీజుల పేరుతో ఇష్టానుసారంగా తవ్వకాలు రోడ్ల పక్క స్థలాలనూ వలని వైనం" (Mining of potstone [Naparallu] excavation being done without leaving margins on either side of the roads)". It is alleged in the newspaper report that this type of illegal activities are going on in Banganapally, Bethancherla, Dhone etc. in Kurnool District of Andhra Pradesh. These deposits are spread over thousands of hectares. According to the regulations, excavations are to be carried out in the area

6

prescribed by the Government, but the leaseholders are acting at will as the authorities at filed level ignore them thereby, huge loss is being caused to the exchequer. It is alleged in the newspaper report that Banaganapally Mines are spread over a large extent and in Kurnool District Geological Survey (potstone deposits) covers tens of mandals. There are plenty of white stone deposits along with maple mines in the area. The district has mainly maple and white stone mines in Banaganapally, Avuku, Kolimigundla, Gadivemula, Nandikotkur and Dhone Mandal. They are also doing excess mining illegally and that is not being monitored by the authorities as well. As per the provisions of the rules, the lessee has to pay up to Rs.25,000 per hectare under Dead Rent per annum whereas, they are excavating mineral worth hundreds of crores whereas the Government is receiving a revenue of Rs.60 Crores only annually. As per the Government regulation, excavations are to be carried out about 100 meters away from R & B roads and panchayat roads. It is also alleged in the report that on the way from Banaganapally to Palukuru, excavations were carried out without leaving even ten meters on either side of the road. The condition of the road leading Palukuru and Ramakrishnaram has become very bad, not even two meters are left. Not a meter margin was left on the road from Patapadu to Katikavanikunta and Fattenagar. Similar situation can be seen on the road leading to Nandyala and Tadipatri in Belim and Ankireddy areas of Kolimigundla Mandal though hundreds of RTC buses and other vehicles ply daily. Though it is the main road to Anantapur, Tadipatri and Bangalore, large scale excavations even poses danger to the persons travelling through that area.

It is to submit that, vide reference 2nd cited above, the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

This office has issued several notices to the mining units to apply for CFO of the board. However, it is requested to insist upon the mining units to obtain the renewal consent orders of the Board in validity as per Laws in Vogue by using your good offices as and when the unit holder approaches for permits.

It is reminded that, earlier, the A.P. Pollution Control Board, Regional Office, Kurnool requested the Deputy Director, Department of Mines and Geology, Kurnool.

- i. Not to allow the mining units not to carry out the mining activity and not to issue work permits to the mining units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board as the Hon'ble Supreme Court also instructed the State Pollution control Boards/concerned departments not to allow the units to operate without valid Consent for Operation (CFO), vide reference 3rd cited above.
- ii. Not to allow the mining activity by the mining units and not to issue permits to the unit till the mine operator obtains Environmental Clearances and Consent for Establishment (CFE)/Consent to Operation (CFO) of the Board as per the Supreme Court directions dated 22.02.2017 in W.P.No.375 of 2012 and reference as MOEF & CC, GOI notifications dated 14.03.2017 & APPCB, Regional Office, Kurnool letter dated: 06.09.2018, vide reference 4th cited above.

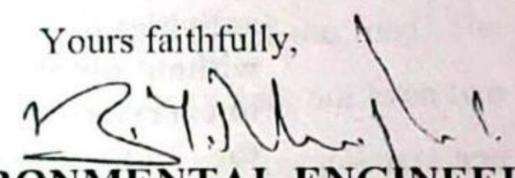
To take action against the Mining units, not to allow the mining activity by the mining units (List of defaulting mining enclosed) and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for

Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO), vide reference 5th cited above.

In view of the above, the Deputy Director, Department of Mines and Geology, Kurnool is requested to take action against the defaulting Mining unit as the Hon'ble NGT (SZ) in O.A No. 179 of 2021, order dated.11.08.2021. Also the Deputy Director, Department of Mines and Geology, Kurnool is requested not to allow the mining activity by the mining units and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

Hence your kind co-operation is solicited in this regard to make them under Law abiders.

Yours faithfully,



ENVIRONMENTAL ENGINEER



Encl: List of mining units having valid consents of the Board.

Copy submitted to the Joint Chief Environmental Engineer, Zonal office, Kurnool for kind information.

Copy submitted to the Deputy Director of Mines & Geology, 45/86-6, Upstairs, Narasimhareddy Nagar, Kurnool – 518003



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE KURNOOL

1st Floor, Shankar Shopping Complex, Krishna Nagar Main Road, Kurnool – 518 002

Tele : 08518 235800

Email : roknl-ee1@appcb.gov.in

B.Y. Muni Prasad
Environmental Engineer

Lr.No. PCB/RO-KNI/Tech/Mining/2021-

Dt: 01.09.2021

To
The Assistant Director of Mines & Geology,
VA commercial building,
4th floor, Kurnool – 518003.

Sir,

Sub:- APPCB – R.O: Kurnool – Hon'ble NGT in the matter of O.A. No. 179 of 2021 has appoint a Joint Committee and directed the committee to submit the report to Hon'ble NGT on or before 13.09.2021 & also directed to file independent response before Hon'ble NGT, SZ, Chennai regarding the allegations made in the newspaper report – Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012 – Operation of mining units in violation of Environmental Laws – **Take action against the Mining units and not to allow the mining activities & not to issue mining permits to the operators which are operating without obtaining Environmental Clearance, Consents of the Board and not to carrying out illegal excavations in mine lease areas and stop transporting the minerals/ore, etc., illegally** – Violation of provisions laid under Environment (Protection) Act, 1986 – Requested – Regarding.

- Ref:-**
1. Hon'ble NGT (SZ) in O.A. No.179 of 2021 order dated: 11.08.2021.
 2. Hon'ble Supreme Court directions dated.22.02.2017 in W.P.No.375 of 2012.
 3. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 06.09.2018.
 4. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 16.07.2020.
 5. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 01.07.2021.
 6. From APPCB, RO, Kurnool to Assistant Director, Mines and Geology, Kurnool letter dated: 31.07.2021.

In continuation to the Regional Office, Kurnool letter dt.11.08.2021, it is requested to submit the list of mining units operating without obtaining Environmental Clearance and Consents of the Board so as to submit a detailed report to the higher authorities of APPCB (as per delegation of powers) to take legal action against the defaulting mining units. For taking legal action against the unit your kind co-operation is solicited in this regard to make them under Law abiders, vide reference 6th cited above.

Kind attention is invited to the reference 1st cited above, Hon'ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Eenadu, Telugu Newspaper, Kurnool Edition dated 20.07.2021 under the caption “అక్రమాల్లో గనులే! లీజుల పేరుతో ఇష్టానుసారంగా తవ్వకాలు రోడ్ల పక్క స్థలాలనూ ఖననం చేసినం” (Mining of potstone [Naparallu] excavation being done without leaving margins on either side of the roads). It is alleged in the newspaper report that this type of illegal activities are going on in Banganapally, Bethancherla, Dhone etc. in Kurnool District of Andhra Pradesh. These deposits are spread over thousands of hectares. According to the regulations, excavations are to be carried out in the area prescribed by the Government, but the leaseholders are acting at will as the authorities at filed

level ignore them thereby, huge loss is being caused to the exchequer. It is alleged in the newspaper report that Banaganapally Mines are spread over a large extent and in Kurnool District Geological Survey (potstone deposits) covers tens of mandals. There are plenty of white stone deposits along with maple mines in the area. The district has mainly maple and white stone mines in Banaganapally, Avuku, Kolimigundla, Gadivemula, Nandikotkur and Dhone Mandal. They are also doing excess mining illegally and that is not being monitored by the authorities as well. As per the provisions of the rules, the lessee has to pay up to Rs.25,000 per hectare under Dead Rent per annum whereas, they are excavating mineral worth hundreds of crores whereas the Government is receiving a revenue of Rs.60 Crores only annually. As per the Government regulation, excavations are to be carried out about 100 meters away from R & B roads and panchayat roads. It is also alleged in the report that on the way from Banaganapally to Palukuru, excavations were carried out without leaving even ten meters on either side of the road. The condition of the road leading Palukuru and Ramakrishnaram has become very bad, not even two meters are left. Not a meter margin was left on the road from Patapadu to Katikavanikunta and Fattenagar. Similar situation can be seen on the road leading to Nandyala and Tadipatri in Belim and Ankireddy areas of Kolimigundla Mandal though hundreds of RTC buses and other vehicles ply daily. Though it is the main road to Anantapur, Tadipatri and Bangalore, large scale excavations even poses danger to the persons travelling through that area.

It is to submit that, vide reference 2nd cited above, the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

This office has issued several notices to the mining units to apply for CFO of the board. However, it is requested to insist upon the mining units to obtain the renewal consent orders of the Board in validity as per Laws in Vogue by using your good offices as and when the unit holder approaches for permits.

It is reminded that, earlier, the A.P. Pollution Control Board, Regional Office, Kurnool requested the Assistant Director, Department of Mines and Geology, Kurnool.

- i. Not to allow the mining units not to carry out the mining activity and not to issue work permits to the mining units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board as the Hon'ble Supreme Court also instructed the State Pollution control Boards/concerned departments not to allow the units to operate without valid Consent for Operation (CFO), vide reference 3rd cited above.
- ii. Not to allow the mining activity by the mining units and not to issue permits to the unit till the mine operator obtains Environmental Clearances and Consent for Establishment (CFE)/Consent to Operation (CFO) of the Board as per the Supreme Court directions dated 22.02.2017 in W.P.No.375 of 2012 and reference as MOEF & CC, GOI notifications dated 14.03.2017 & APPCB, Regional Office, Kurnool letter dated: 06.09.2018, vide reference 4th cited above.
- iii. Not to allow the mining activity & not to issue permits to M/s. Shashi Mining Solution (4.656 Ha.), Sy.No.194, Chinnahyata Village, Holagunda Mandal, Kurnool District unit till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board as the Hon'ble National Green Tribunal (NGT) based on the News Item Published in

10. Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO), vide reference 5th cited above.

In view of the above, the Deputy Director, Department of Mines and Geology, Kurnool is requested to take action against the defaulting Mining unit as the Hon'ble NGT (SZ) in O.A No. 179 of 2021, order dated.11.08.2021. Also the Deputy Director, Department of Mines and Geology, Kurnool is requested not to allow the mining activity by the mining units and not to issue permits to the units till the mine operator obtains Environmental Clearance and Consent for Establishment (CFE)/Consent for Operation (CFO) of the Board. As the Hon'ble Supreme Court also instructed the State Pollution control Boards not to allow the units to operate without valid Consent for Operation (CFO).

Hence your kind co-operation is solicited in this regard to make them under Law abiders.

Yours faithfully,



ENVIRONMENTAL ENGINEER

Encl: List of mining units having valid consents of the Board.

Copy submitted to the Joint Chief Environmental Engineer, Zonal office, Kurnool for kind information.

Copy submitted to the Deputy Director of Mines & Geology, 45/86-6, Upstairs, Narasimhareddy Nagar, Kurnool - 518003

Item No.3:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.179 of 2021 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the news item published in
Eenadu Telugu Newspaper, Andhra Pradesh Edition,
Kurnool District, dt. 20.07.2021,
"Mixing of Potstone (Naparallu) Excavation being done
without leaving margin on either side of the roads"

...Applicant(s)

Versus जयते

The Chief Secretary to Government of Andhra Pradesh,
1st Block, 1st Floor, Interim Government Complex,
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh and others.

...Respondent(s)

Date of hearing: 23.11.2021.

CORAM:

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

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

For Applicant(s): Suo Motu by Court.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R8.

ORDER

1. As per order dated 27.09.2021, this Tribunal had considered the report submitted by the Andhra Pradesh Pollution Control Board (APPCB)

dated 20.09.2021, e-filed on 22.09.2021 which was extracted in Para (2) of the order and then passed the following order:-

“ 3. The learned counsel appearing for the respondents submitted that the committee has inspected the area and they are preparing the report and they want some time for filing the report as directed by this Tribunal.

4. Considering the circumstances, we feel that some time can be granted to them to file the report.

5. In the meantime, the respondents are also directed to file their independent response before this Tribunal regarding the allegations made in the newspaper report and also the action taken by them in this regard without delay.

6. The committee as well as the official respondents are directed to submit the report and independent response respectively to this Tribunal on or Page 11 of 11 before 27.10.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

7. The Registry is directed to communicate this order to the members of the committee and also to the official respondents by e-mail immediately so as to enable them to comply with the direction.”

- 2. The case was originally posted to 27.10.2021 for completion of pleadings and also for consideration of report. On 27.10.2021, the matter was adjourned to today by notification.
- 3. The 5th respondent/District Collector, Kurnool District has filed his counter affidavit.
- 4. The learned counsel appearing for the State Departments representing the

committee submitted that though the committee report was e-filed, due to some defect it was returned and they wanted some time for resubmit the same.

5. The other respondents are also directed to file their independent statements regarding the allegations made and the nature of action taken by them, on the basis of the violations, if any, noted.
6. The respondents are directed to complete the pleadings and committee to submit the report on or before **07.12.2021** by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.
7. The Registry is directed to communicate this order to the members of the committee and also to the official respondents by e-mail immediately, so as to enable them to comply with the direction.
8. For completion of pleadings and also for consideration of report, post on **07.12.2021**.

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

Sd/--
.....E.M.
(Dr. K. Satyagopal)

O. A. No. 179/2021,
23.11. 2021, Sr.