

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

OA No 19 OF 2023

IN THE MATTER OF:

KOTARI MURALIDHAR BABU

..... Applicant

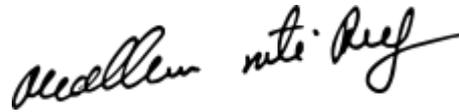
Vs

STATE OF ANDHRA PRADESH AND OTHERS

.... Respondents

REPORT FILED BY THE MINES 2nd RESPONDENT

DATE – 02.05.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

Mobile: 98407 98460 / 63831 21322,

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

ORIGINAL APPLICATION NO. 19 OF 2023

Kotari Muralidhar Babu

No. 1-7, Kappaladoddi Village,
Guduru Mandalam, Machilipatnam District,
Andhra Pradesh-521366.

..... Applicant

VERSUS

State of Andhra Pradesh
Rep by its Chief Secretary,
Secretariat, Velagapudi, Guntur District,
Andhra Pradesh-522503 and others

..... Respondents

Report of Mines and Geology in compliance to the Hon'ble N.G.T (SZ), Chennai order dated.01.04.2024 issued in O.A. No.19 of 2023 and (SZ) filed by Sri Kotari Muralidhar Babu.

It is Submitted that the Director of Mines and Geology, Ibrahimpatnam directed the undersigned to inspect the area and submit detailed report on OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by filed by Sri Kotari Muralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

In this connection it is submitted that as per the erstwhile office of the then Asst.Director of Mines and Geology, Vijayawada Sri Battina Hariram's complaint filed Spandana Petition No: YSR#KRI20230109861, Dt.09.01.2023 on illegal excavation and transportation of Morrum/Busaka/Matti in Kappaladhoddi Village, Guduru Mandal, Krishna District.

It is submitted that the Tahsildar, Guduru vide his Letter No.Rc.A/13/2023, Dt.11.01.2023 informed the then ADM&G, Vijayawada that the Village Revenue officer, Kappladhoddi stopped two vehicles i.e., one tipper & one Tractor loaded with Soil/Busaka and he asked where you loaded the vehicles and to show permissions obtained from the Government authorities. Then they replied that they didn't know and they requested him to give them one chance. After that the Tahsildar, Guduru collected the seigniorage fee Rs.5000/- from the Tipper & Tractor for illicit transportation of Soil/ Busaka. In this connection, they informed that the illicit excavation doing to an extent Ac.0.45.cents& Ac.0.45.Cents in Sy.No. 88/2B1 & 88-2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. The lands belong to Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district. This excavation and transportation of Matti/Soil/Busaka go on at night time.

It is submitted that the Royalty inspector, O/o then ADM&G, Vijayawada on 10.01.2023 has inspected the alleged illegal excavation and transportation of Soil/Busaka areas and submitted the report. "On physical verification, it is noticed that two pits were excavated with a ramp for the movement of vehicles is noticed. Further, it is observed that the excavations made for the extraction of Busaka/Soil were conducted recently by using heavy machinery like Poclain/Excavator, etc., noticed by way of excavator bucket teeth marks and excavated undercarriage chain marks, etc. Then he asked for details of the excavated lands by the Mandal Revenue Inspector & Mandal Surveyor of Guduru. The Mandal Surveyor & Grama Sachivalam

Surveyor replies that the land belongs to Smt.Balla.Krishna Kumari W/o Arjun &Sri.Pillanagrovula.Kondaiah S/o Yakobhu have Ac.0.45.cents & Ac.0.45.Cents in Sy.No. 88/2B1 & 2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. Subsequently, they took the pit measurements of the excavated area. The details are given below;

Sl . No	Length in Mts	Width in Mts	Height in Mts	Volume in Cum
1.	35	13	2	910
2	35	25	2	1750
Total volume				2660

Whereas, subsequently after verification of office records, the excavation, and transportation of the Morrum/Busaka/Matti area in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts& Ac.0.45.Cts has not issued any quarry lease/Temporary Permits. Hence, the land owners/Rythu Smt.Balla.Krishna Kumari W/o Arjun &Sri.PillanagrovulaKondaiah S/o Yakobhu has been illegally excavated and transported the minor mineral Morrum/Busaka/Matti from their lands it concludes.

The then ADMG, Vijayawada vide show cause Notice No.3590/Vig/2023, Dt. 10.01.2023 has issued a show cause notice to the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district to explain the reason why action should not be initiated against the illegal excavation and Transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts Under Rule 26 (2) of APMMC Rules, 1966 and latest amendments within 15 days from the receipt of this notice under the Principle of Natural Justices failing which necessary action will be initiated under provisions of APMMC Rules, 1966 and latest amendments thereon.But , the then ADM&G, Vijayawada has not received any explanation from the defaulters.

Accordingly, the then ADM&G, Vijayawada issued Demand Notice No. No.3590/Vig/2023, Dt. 25.02.2023to the defaulters SmtBalla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna districtillegal excavation and Transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District directing to pay Normal Seigniorage Fee along with 10 times penalty as detailed below:

S.No	Morrur/Bu aka Quantity in M3	Normal Seigniorage Fee in Rs.	Consideratio n Fee in Rs.	DMF(30 % on N.S.Fee)	Merit(2 % on N.S.Fee)	10 times penalty in Rs.	Total in Rs.
1	2660	1,19,700/-	1,19,700/-	35,910/-	2394/-	1197000/-	14,74,704/-

It is submitted that the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishnahave not furnished their replies to the Notices issued nor turned up to pay any amount regarding the Demand No.3590/Vig/2023, Dt. 25.02.2023 of the ADM&G, Vijayawada.

As the matter stood, Sri Kotari Muralidhar Babu filed OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 before the Hon'ble NGTwith regard to illegal mining of Soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

The Deputy Director of Mines and Geology, Vijayawada vide his Memo.No.286/DDM-KRI/2019-20 dated 08.03.2023 directed the then ADM&G, Vijayawada to submit his report on the OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 filed by Sri Kotari Muralidhar Babu .

In response, on 14.03.2023 the Royalty Inspector & Surveyor of then O/o ADM&G, Vijayawada accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi has been comprising the joint inspection team and proceeded to inspect the NGT O.A. Case filed area.

Geologically the aforesaid area, noticed that the area covers the floodplain and surroundings of the River Krishna. The Morphological features present in the area were flood plains, Delta lands, and undulated Terrains. The maximum elevation of the area is +4 Mts. The area covers the soils of alluvial, black cotton soil, sand, sandy clays, etc.

At the time of inspection, the joint inspection team identified the boundaries of the R.5 No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-48, 65-5A, 65-58, 68-28, 95-2, 85-1A, 89-38 of Kappaladoddi Village, Guduru Mandal, Krishna District. Further, we have noticed two old worked pits of Soil/ Busaka one (1) in Sy.No. 87-2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87- 2A6C, 87-2A4, 87-2A3, and 86-1A and another one is in Sy No 88/281, 282, & 283 of Kappaladoddi according to the revenue records. In this regard, the Mandal Surveyor and Village Revenue Officer provided the details of the land owner and pattadars. Further, the Surveyor of this office has taken the measurements of the excavated areas but is unable to estimate the quantity of excavated materiel Soil/Busaka(Mixing of Soil and sand) due to the stagnation of water. Therefore, after the exhaustion of the water storage will estimate the excavated quantity of Soil/Busaka(Mixing of Soil and sand) in the excavated two old worked pits.

Finally, the Joint inspection team concluded that the detailed survey and inspection will be submitted soon after exhaustion of the water storage in the above said areas.

The Asst.Director of Mines and Geology, Vijayawada submitted his report to the Dy.Director of Mines and Geology, Vijayawada

The Hon'ble NGT made orders on 22.08.2023 in O.A.No.19/2023(SZ) & I.A.No.51/2023(SZ) directing the Department of Mines and Geology to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application including the levy of compensation etc. the same is communicated by the Environmental Engineer, APPCB, Vijayawada with a request to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi(V), Gudur (M), Krishna District and requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Accordingly the as per the instructions of the District Mines and Geology Officer, Machilipatnam the area in Sy.No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District have been inspected by the Technical staff of this office on 14.09.2023 regarding a petition filed before Hon'ble NGT vide O.A.No.19/2023 by Sri Kotari Muralidhara Babu on illegal excavation and transportation of Earth(Soil) in the subject area.

The reported location is situated approximately one kilometer to the north-east of Kappaladoddi Village, and it is accessible year-round via cart track.

Geographically, the alleged region covers the Krishna River floodplain and its surroundings. Flood plains, delta lands, and undulating terrains were the morphological features found in the area. The region's highest point is +4 Mts. The region is covered in alluvial, black cotton, sandy clay, etc. soil.

During the course of inspection, the representative of the petitioner has shown the alleged area and as per the physical observation there are two old abundant worked pits were noticed in the subject area with stagnation of water. The village surveyor has reported that one pit covered in Sy.No. 87/2A1a, 1b,1c, 87-2A2,87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A and another pit covered in Sy.No.88/2B1, 2B2, &2B3 of Kappaladoddi Village, Guduru Mandal, Krishna District. The pit-1 covered area over an extent Ac 8.40cents & pit-2 covered area for an extent of 0.40 Acrs, but both pits are waterlogged and makes it impossible to access

the how much quantity of Soil has been excavated in the subject area. Moreover don't know how much depth under water during the course of inspection. Hence after exhaustion the water it will be possible to measure the how much quantity of soil has been excavated and transported in the subject area.

The exact depth and quantity of the pits will arrive after exhaustion of the water. At the time of inspection the representative of the petitioner Sri Kotaru Srinivasa Babu has reported that Sri Karumanchi Kameswara Rao, Rayavaram village & Sri Arepalli Rajinikanth, Uyyuru had excavated Soil in the subject area.

As per records of the then ADM&G, Vijayawada the subject area belongs to the following pattadars.

Pit -1

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	87-2A1a	0.51	0.40	Balla Suvarna, W/o Vasantha Rao
2	87-2A1b	0.51	0.40	Balla Ramachandra Rao
3	87-2A1c	0.50	0.41	Balla Sarojini
4	87-2A2	0.50	0.50	Balla Rajamma
5	87-2A5	0.60	0.50	Bethala Jyothi
6	87-2A6a	0.52	0.52	Bethala Rajya Lakshmi
7	87-2A6b	0.67	0.67	Balla Nirmala
8	87-2A6c	0.60	0.50	GomathotiAnasuya
9	87-2A4	1.01	0.90	Nandyala Satyanarayana
10	87-2A3	1.07	1.07	KotariPrasada Rao
11	86-1A	5.92	0.65	BusamAgastaiah
12	86-1A	5.92	1.60	KarumanchiKameswara Rao
13	86-1A	5.92	0.30	Sammeta Aparna
Total Excavated Extent			8.41 Acres	

Pit -2

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	88-2B1	0.45	0.30	Balla Krishna Kumari
2	88-2B2	0.45	0.38	PillanarovulaKondaiah
3	88-2B3	0.45	0.38	Bethala Kumari
Total Excavated Extent			1.06	

In view of the above the exact depth and quantity has been excavated and transported will be taken after exhaustion of the water in the subject area and after arriving the excavated quantity in the subject area, the necessary action will be taken on concerned pattadars issued by the Tahsildar, Guduru Mandal, Krishna District.

Basing on the inspection report dated 14.09.2023 by the technical staff of this office, in the reference 3rd cited submitted report to the Director of Mines and Geology for taking necessary action in the matter.

It is submitted that based on the Hon'ble NGT Orders dated 01.04.2024 in OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu directed the District Mines and Geology Officer, Krishna District to inspect the subject area and submit the detailed report so as to submit the same to the Hon'ble NGT as the case is posted on 02.05.2024.

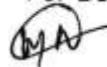
In this connection it is submitted that the technical staff of this office have inspected the subject area on 30.04.2024 and submitted their report stating that at the time of inspection, no machinery/ vehicles are found quarrying in the subject area. As per physical observation there are two old worked pits of Ordinary Earth (Busaka) were noticed in the subject area with water logged condition. Hence it is unable to estimate the quantity of excavated material Soil/Busaka

(Mixing of Soil and sand) due to the stagnation of water. Therefore, after exhaustion of the water, will be able to estimate the excavated quantity of Soil/Busaka (Mixing of Soil and sand) in the two old worked pits.

Therefore there is need to carryout bathymetric survey of the water logged subject area to estimate the quantity of Ordinary Earth/Busaka excavated and transported illegally from the two old worked pits. It is informed that the bathymetric survey equipment is available from the Department of Dredging Corporation of India (DCI) and it is a central Government organization.

In view of the above, the Director of Mines and Geology, Ibrahimpatnam is prays that this Hon'ble NGT may consider the above report and pass orders and thus render justice.

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


For DIRECTOR OF MINES & GEOLOGY


File No.APPCB-13024/9/2024-TEC-EC-APPCB

	<p>State Level Environment Impact Assessment Authority (SEIAA) Andhra Pradesh Ministry of Environment, Forests & Climate Change, Government of India Dr.YSR Paryavaran Bhavan, APIIC Colony Road, Gurunanak Colony, Auto Nagar, Vijayawada-520007.</p>
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Lr. No.6/SEIAA/AP/ Gen/2016 — 20 26/04/2024

To
 The Director,
 Mines & Geology Dept., Govt. of A.P,
 D.No. 7-104, B-Block, 5th & 6th floors,
 Sri Anjaneya Towers, Ibrahimpatnam,
 Vijayawada- 521456, Andhra Pradesh.

Sir,

Sub: SEIAA, A.P- The Hon'ble NGT, Chennai order dated 22.08.2023 in O.A.No.19 of 2023 – Present Status Report - Requested - Reg.

- Ref: 1. O.A.No.19 of 2023 filed in Hon'ble NGT Chennai.
 2. Hon'ble NGT Order dated 22.08.2023 in O.A.No.19 of 2023.
 3. T.O Lr.No.6/SEIAA/AP/ Gen/2016, dated 17.11.2023.
 4. DMG, Report dated. 30.11.2023.

In the reference 1st cited, a case was filed in Hon'ble NGT in O.A.No.19 of 2023 in the matter of Kotari Muralidhar Babu Versus The State of Andhra Pradesh and others against illegal sand mining without Environmental Clearance (EC) and mining lease in Kappaladoddi Village, Guduru Mandal, Krishna District, State of Andhra Pradesh.

The Hon'ble NGT, Chennai vide reference 2nd cited directed the SEIAA, A.P as follows:

"Hence, we direct the Department of Mines & Geology, SEIAA - Andhra Pradesh and also the Andhra Pradesh Pollution Control Board to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application, including the levy of compensation, etc".

The SEIAA vide reference 3rd cited requested the Director and Mines & Geology for detailed report in O.A.No.19 of 2023. In reply, the Director, Mines and Geology Dept., vide letter dated 30.11.2023 furnished report to SEIAA, A.P on 30.11.2023 wherein it was informed that as per the physical observations of the alleged area, there are two old abundant worked pits were noticed in the subject area with water logged conditions. The village surveyor has reported that one pit covered in Sy.No.87/2A1a,1b,1c,87-2A2,87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A and another pit covered in Sy.No.88/2B1,2B2,2B3 of Kappaladoddi Village, Gudur Mandal, Krishna District. The pit-1 covered area over an extent Ac 8.40 cents

File No.APPCB-13024/9/2024-TEC-EC-APPCB

& Pit-2 covered area for an extent of 0.40 Acrs and it is not possible to assess the quantity excavated in the said area and also reported that after receding the water in the pits the quantity will be accessed.

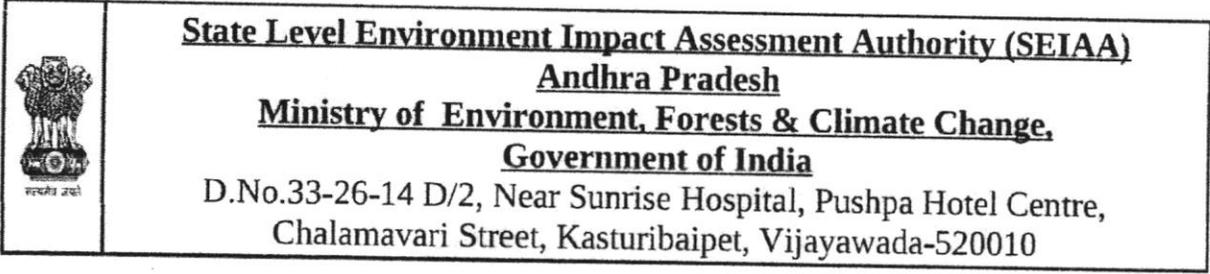
In view of the above, the Director, Department of Mines and Geology is requested to furnish action taken report duly mentioning present status in O.A.No.19 of 2023 so as to submit to Hon'ble NGT Chennai, as **this case is listed on 02.05.2024.**

This may be treated as most urgent.

Yours faithfully

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

File No.APPCB-11033/269/2023-TEC-EC-APPCB



Lr. No.6/SEIAA/AP/ Gen/2016-242 17/11/2023

To
The Director,
Mines & Geology Dept, Govt. of A.P.,
D.No. 7-104, B-Block, 5th & 6th floors,
Sri Anjaneya Towers, Ibrahimpatnam,
Vijayawada- 521456, Andhra Pradesh.

Sir,

Sub: SEIAA, A.P- The Hon'ble NGT, Chennai order dated 22.08.2023 in O.A.No.19 of 2023 –Detailed report-requested - Reg.

Ref: 1. O.A.No.19 of 2023 filed in Hon'ble NGT Chennai.
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In the reference 1st cited a case was filed in Hon'ble NGT in O.A.No.19 of 2023 in the matter Of kotari muralidhar babu Versus The State of Andhra Pradesh and others against illegal sand mining without Environmental Clearance (EC) and mining lease in Kappaladoddi Village, Guduru Mandal, Krishna District, State of Andhra Pradesh.

In the reference 2nd cited, the Hon'ble NGT Chennai directed the SEIAA, A.P as follows:

"Hence, we direct the Department of Mines & Geology, SEIAA - Andhra Pradesh and also the Andhra Pradesh Pollution Control Board to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application, including the levy of compensation, etc".

In view of the above, the Director Department of Mines and Geology is requested to furnish detailed report on O.A.No.19 of 2023 so as to submit in Hon'ble NGT Chennai. **This case is listed on 20.11.2023**

This may be treated as most urgent.

Yours faithfully

File No.APPCB-11033/269/2023-TEC-EC-APPCB

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

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

From:
Dr.R.Prathap Reddy, M.Sc.Ph.D.,
District Mines and Geology Officer,
Krishna District, Machilipatnam.

To
The Director of Mines and Geology,
Ibrahimpattam.

Letter No.3590/Vig/2023 Dt.30.04.2024.

Sir,

Sub: Mines and Minerals – Court cases – NGT OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District – Detailed report called for – Submitted - Reg.

Ref: 1. Memo No.1863/D6/2023, dt.23.04.2024 of the Director of Mines and Geology, Ibrahimpattam.
2. Letter No.3590/Vig/2023, dt.17.03.2023 of the then Asst.Director of Mines and Geology, Vijayawada addressed to the Dy.Director of Mines and Geology, Vijayawada.
3. This office Letter No.3590/Lokayuta/2023, dt.04.10.2023 addressed to the Director of Mines and Geology, Ibrahimpattam.

I invite kind attention to the subject and reference cited and submit that in the reference 1st cited, the Director of Mines and Geology, Ibrahimpattam directed the undersigned to inspect the area and submit detailed report on OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

In this connection it is submitted that as per the erstwhile office of the then Asst.Director of Mines and Geology, Vijayawada Sri Battina Hariram's complaint filed Spandana Petition No: YSR#KRI20230109861, Dt.09.01.2023 on illegal excavation and transportation of Morrum/Busaka/Matti in Kappaladhoddi Village, Guduru Mandal, Krishna District.

It is submitted that the Tahsildar, Guduru vide his Letter No.Re.A/13/2023, Dt.11.01.2023 informed the then ADM&G, Vijayawada that the Village Revenue officer, Kappladhoddi stopped two vehicles i.e., one tipper & one Tractor loaded with Soil/Busaka and he asked where you loaded the vehicles and to show permissions obtained from the Government authorities. Then they replied that they didn't know and they requested him to give them one chance. After that the Tahsildar, Guduru collected the seigniorage fee Rs.5000/- from the Tipper & Tractor for illicit transportation of Soil/ Busaka. In this connection, they informed that the illicit excavation doing to an extent Ac.0.45.cents& Ac.0.45.Cents in Sy.No. 88/2B1 & 88-2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. The lands belong to Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district. This excavation and transportation of Matti/Soil/Busaka go on at night time.

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Surveyor replies that the land belongs to Smt.Balla.Krishna Kumari W/o Arjun & Sri.Pillanagrovula.Kondaiah S/o Yakobhu have Ac.0.45.cents & Ac.0.45.Cents in Sy.No. 88/2B1 & 2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. Subsequently, they took the pit measurements of the excavated area. The details are given below;

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2	35	25	2	1750
Total volume				2660

Whereas, subsequently after verification of office records, the excavation, and transportation of the Morrur/Busaka/Matti area in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts has not issued any quarry lease/Temporary Permits. Hence, the land owners/Rythu Smt.Balla.Krishna Kumari W/o Arjun & Sri.PillanagrovulaKondaiah S/o Yakobhu has been illegally excavated and transported the minor mineral Morrur/Busaka/Matti from their lands it concludes.

The then ADMG, Vijayawada vide show cause Notice No.3590/Vig/2023, Dt. 10.01.2023 has issued a show cause notice to the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district to explain the reason why action should not be initiated against the illegal excavation and Transportation of Morrur/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts Under Rule 26 (2) of APMMC Rules, 1966 and latest amendments within 15 days from the receipt of this notice under the Principle of Natural Justices failing which necessary action will be initiated under provisions of APMMC Rules, 1966 and latest amendments thereon. But , the then ADM&G, Vijayawada has not received any explanation from the defaulters.

Accordingly, the then ADM&G, Vijayawada issued Demand Notice No. No.3590/Vig/2023, Dt. 25.02.2023 to the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district illegal excavation and Transportation of Morrur/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaladhoddi Village, Guduru Mandal, Krishna District directing to pay Normal Seigniorage Fee along with 10 times penalty as detailed below:

S.No	Morrur/Busaka Quantity in M3	Normal Seigniorage Fee in Rs.	Consideration Fee in Rs.	DMF(30 % on N.S.Fee)	Merit(2 % on N.S.Fee)	10 times penalty in Rs.	Total in Rs.
1	2660	1,19,700/-	1,19,700/-	35,910/-	2394/-	1197000/-	14,74,704/-

It is submitted that the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishnahave not furnished their replies to the Notices issued nor turned up to pay any amount regarding the Demand No.3590/Vig/2023, Dt. 25.02.2023 of the ADM&G, Vijayawada.

As the matter stood, Sri Kotari Muralidhar Babu filed OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 before the Hon'ble NGT with regard to illegal mining of Soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

The Deputy Director of Mines and Geology, Vijayawada vide his Memo.No.286/DDM-KRI/2019-20 dated 08.03.2023 directed the then ADM&G, Vijayawada to submit his report on the OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 filed by Sri Kotari Muralidhar Babu .

In response, on 14.03.2023 the Royalty Inspector & Surveyor of then O/o ADM&G, Vijayawada accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi has been comprising the joint inspection team and proceeded to inspect the NGT O.A. Case filed area.

Geologically the aforesaid area, noticed that the area covers the floodplain and surroundings of the River Krishna. The Morphological features present in the area were flood plains, Delta lands, and undulated Terrains. The maximum elevation of the area is +4 Mts. The area covers the soils of alluvial, black cotton soil, sand, sandy clays, etc.

At the time of inspection, the joint inspection team identified the boundaries of the R.5 No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-48, 65-5A, 65-58, 68-28, 95-2, 85-1A, 89-38 of Kappaladoddi Village, Guduru Mandal, Krishna District. Further, we have noticed two old worked pits of Soil/ Busaka one (1) in Sy.No. 87-2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87- 2A6C, 87-2A4, 87-2A3, and 86-1A and another one is in Sy No 88/281, 282, & 283 of Kappaladoddi according to the revenue records. In this regard, the Mandal Surveyor and Village Revenue Officer provided the details of the land owner and pattadars. Further, the Surveyor of this office has taken the measurements of the excavated areas but is unable to estimate the quantity of excavated materiel Soil/Busaka(Mixing of Soil and sand) due to the stagnation of water. Therefore, after the exhaustion of the water storage will estimate the excavated quantity of Soil/Busaka(Mixing of Soil and sand) in the excavated two old worked pits.

Finally, the Joint inspection team concluded that the detailed survey and inspection will be submitted soon after exhaustion of the water storage in the above said areas.

The Asst. Director of Mines and Geology, Vijayawada vide reference 2nd cited submitted his report to the Dy. Director of Mines and Geology, Vijayawada

The Hon'ble NGT made orders on 22.08.2023 in O.A.No.19/2023(SZ) & I.A.No.51/2023(SZ) directing the Department of Mines and Geology to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application including the levy of compensation etc. the same is communicated by the Environmental Engineer, APPCB, Vijayawada with a request to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi(V), Gudur (M), Krishna District and requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Accordingly the as per the instructions of the District Mines and Geology Officer, Machilipatnam the area in Sy.No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District have been inspected by the Technical staff of this office on 14.09.2023 regarding a petition filed before Hon'ble NGT vide O.A.No.19/2023 by Sri Kotari Muralidhara Babu on illegal excavation and transportation of Earth(Soil) in the subject area.

The reported location is situated approximately one kilometer to the north-east of Kappaladoddi Village, and it is accessible year-round via cart track.

Geographically, the alleged region covers the Krishna River floodplain and its surroundings. Flood plains, delta lands, and undulating terrains were the morphological features found in the area. The region's highest point is +4 Mts. The region is covered in alluvial, black cotton, sandy clay, etc. soil.

During the course of inspection, the representative of the petitioner has shown the alleged area and as per the physical observation there are two old abundant worked pits were noticed in the subject area with stagnation of water. The village surveyor has reported that one pit covered in Sy.No. 87/2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A and another pit covered in Sy.No.88/2B1, 2B2, & 2B3 of Kappaladoddi Village, Guduru Mandal, Krishna District. The pit-1 covered area over an extent Ac 8.40cents & pit-2 covered area for an extent of 0.40 Acre, but both pits are waterlogged and makes it impossible to access

the how much quantity of Soil has been excavated in the subject area. Moreover don't know how much depth under water during the course of inspection. Hence after exhaustion the water it will be possible to measure the how much quantity of soil has been excavated and transported in the subject area.

The exact depth and quantity of the pits will arrive after exhaustion of the water. At the time of inspection the representative of the petitioner Sri Kotaru Srinivasa Babu has reported that Sri Karumanchi Kameswara Rao, Rayavaram village & Sri Arepalli Rajinikanth, Uyyuru had excavated Soil in the subject area.

As per records of the then ADM&G, Vijayawada the subject area belongs to the following pattadars.

Pit -1

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	87-2A1a	0.51	0.40	Balla Suvarna, W/o Vasantha Rao
2	87-2A1b	0.51	0.40	Balla Ramachandra Rao
3	87-2A1c	0.50	0.41	Balla Sarojini
4	87-2A2	0.50	0.50	Balla Rajamma
5	87-2A5	0.60	0.50	Bethala Jyothi
6	87-2A6a	0.52	0.52	Bethala Rajya Lakshmi
7	87-2A6b	0.67	0.67	Balla Nirmala
8	87-2A6c	0.60	0.50	Gomathoti Anasuya
9	87-2A4	1.01	0.90	Nandyala Satyanarayana
10	87-2A3	1.07	1.07	Kotari Prasada Rao
11	86-1A	5.92	0.65	Busam Agastaiah
12	86-1A	5.92	1.60	Karumanchi Kameswara Rao
13	86-1A	5.92	0.30	Sammeta Aparna
Total Excavated Extent			8.41 Acres	

Pit -2

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	88-2B1	0.45	0.30	Balla Krishna Kumari
2	88-2B2	0.45	0.38	Pillanaravula Kondaiah
3	88-2B3	0.45	0.38	Bethala Kumari
Total Excavated Extent			1.06	

In view of the above the exact depth and quantity has been excavated and transported will be taken after exhaustion of the water in the subject area and after arriving the excavated quantity in the subject area, the necessary action will be taken on concerned pattadars issued by the Tahsildar, Guduru Mandal, Krishna District.

Basing on the inspection report dated 14.09.2023 by the technical staff of this office, in the reference 3rd cited submitted report to the Director of Mines and Geology for taking necessary action in the matter.

It is submitted that in the reference 1st cited, basing on the Hon'ble NGT Orders dated 01.04.2024 in OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu directed the District Mines and Geology Officer, Krishna District to inspect the subject area and submit the detailed report so as to submit the same to the Hon'ble NGT as the case is posted on 02.05.2024.

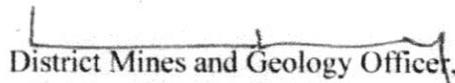
In this connection it is submitted that the technical staff of this office have inspected the subject area on 30.04.2024 and submitted their report stating that at the time of inspection, no machinery/ vehicles are found quarrying in the subject area. As per physical observation there are two old worked pits of Ordinary Earth (Busaka) were noticed in the subject area with water logged condition. Hence it is unable to estimate the quantity of excavated material Soil/Busaka (Mixing of Soil and sand) due to the stagnation of water. Therefore, after exhaustion of the water, will be able to estimate the excavated quantity of Soil/Busaka (Mixing of Soil and sand) in the two old worked pits.

Therefore there is need to carryout bathymetric survey of the water logged subject area to estimate the quantity of Ordinary Earth/Busaka excavated and transported illegally from the two old worked pits. It is informed that the bathymetric survey equipment is available from the Department of Dredging Corporation of India (DCI) and it is a central Government organization.

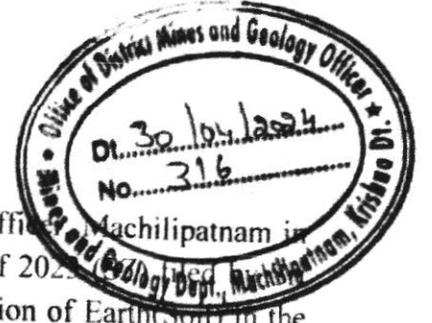
In view of the above, the Director of Mines and Geology, Ibrahimpatnam is requested to appraise the same before the Hon'ble NGT.

Yours faithfully,

Encl: As above.


District Mines and Geology Officer,
Krishna District, Machilipatnam.

INSPECTION REPORT



As per the instructions of the District Mines and Geology Officer, Machilipatnam in connection with the Hon'ble NGT O.A.No.19/2023(SZ) & I.A.51 of 2022, Kotari Muralidhar Babu regarding illegal excavation and transportation of Earth (Soil) in the Sy.No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B in Kappaladoddi Village, Guduru Mandal, Krishna District, we have proceeded to inspect and survey the alleged area in Kappaladoddi Village, Guduru Mandal, Krishna District on 30.04.2024.

The alleged area situated towards North-East side of the Kappaladoddi Village at a distance of about 01 KM and the area can be approached by cart track in all seasons.

At the time of inspection, no machinery/ vehicles are found quarrying in the subject area. As per physical observation there are two old worked pits of Ordinary Earth (Busaka) were noticed in the subject area with water logged condition. Hence it is unable to estimate the quantity of excavated material Soil/Busaka (Mixing of Soil and sand) due to the stagnation of water. Therefore, after exhaustion of the water, will estimate the excavated quantity of Soil/Busaka (Mixing of Soil and sand) in the excavated two old worked pits. The photographs are enclosed. The details of the pits are given below;

Pit -1:

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	87-2A1a	0.51	0.40	Balla Suvarna, W/o Vasantha Rao
2	87-2A1b	0.51	0.40	Balla Ramachandra Rao
3	87-2A1c	0.50	0.41	Balla Sarojini
4	87-2A2	0.50	0.50	Balla Rajamma
5	87-2A5	0.60	0.50	Bethala Jyothi
6	87-2A6a	0.52	0.52	Bethala Rajya Lakshmi
7	87-2A6b	0.67	0.67	Balla Nirmala
8	87-2A6c	0.60	0.50	Gomathoti Anasuya
9	87-2A4	1.01	0.90	Nandyala Satyanarayana
10	87-2A3	1.07	1.07	Kotari Prasada Rao
11	86-1A	5.92	0.65	Busam Agastaiah
12	86-1A	5.92	1.60	Karumanchi Kameswara Rao
13	86-1A	5.92	0.30	Sammeta Aparna
Total Excavated Extent			8.41 Acres	

Pit -2:

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	88-2B1	0.45	0.30	Balla Krishna Kumari
2	88-2B2	0.45	0.38	Pillanaravula Kondaiah
3	88-2B3	0.45	0.38	Bethala Kumari
Total Excavated Extent			1.06	

It is submitted that previously, the technical staff of office of the then Assistant Director of Mines and Geology, Vijayawada along with Revenue Officials of Kappaladoddi Village have inspected the subject area in connection with the present case on 14.03.2023 and reported that two old worked pits of Ordinary Earth (Busaka) were noticed in the subject area and then the Surveyor has taken the measurement of the excavated area but was unable to estimate the quantity of Soil/Busaka due to the stagnation of water and furnished their report vide Letter No.3590/Vig/2023, dt.17.03.2023 stating that soon after exhaustion of the water storage in the subject area, detailed survey and inspection will be submitted.

Again the technical staff of office of District Mines and Geology Officer, Krishna District, Machilipatnam have inspected the subject area in connection with the present case on 14.09.2023 and reported that two (02) pits were waterlogged and it impossible to access the how much quantity of Soil/Earth has been excavated in the subject area.

Now again basing on the instructions of the Director of Mines and Geology, Ibrahimpatnam in Memo No.1863/D6/2023, dt.23.04.2024 and instructions of the District Mines and Geology Officer, Machilipatnam have been once again inspected and noticed the same and submit that only after exhaustion of the water in the 2 two pits, detailed survey and inspection can be carried out to assess the quantities of illegal mining of soil/earth in the subject area.

This is submitted for favor of information and for necessary action in the matter.


Surveyor,
O/o DM&GO, Machilipatnam


Technical Assistant
O/o DM&GO, Machilipatnam

The photograph of the Pit -1 (Sy.No. 87-2A1a, 87-2A1b, 87-2A1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A in Kappaladoddi Village, Guduru Mandal, Krishna District.)



The photograph of the Pit -2 (Sy.No.88-2B1, 88-2B2 & 88-2B3 in Kappaladoddi Village, Guduru Mandal, Krishna District.)



**GOVERNMENT OF ANDHRAPRADESH
DEPARTMENT OF MINES AND GEOLOGY**

Letter No.3590/Vig/2023

Date:17.03.2023

From,
B.Ravi Kanth, M.Sc.(Tech).,
Assistant Director Of Mines & Geology,
Vijayawada, N.T.R.District.

To,
The Deputy Director of Mines & Geology,
Vijayawada.

Sub:- Mines and Quarries – Court cases – NGT O.A.No.-----/2023 – filed by Sri Kotari Muralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District – Detailed report called for – Submitted - Reg.

Ref:- 1. Memo No. 286/DDM-KRI/2019-20, Dt.08.03.2023 of the Deputy Director of Mines & Geology, Vijayawada.
2. Joint Survey & Inspection Report, Dated.14.03.2023 of this office Royalty Inspector & Surveyor.

I invite kind attention to the subject and reference 2nd cited., the Deputy Director of Mines & Geology, Vijayawada has called for a detailed report on the aforesaid subject matter to this office.

In this regards, it is submitted that this office Royalty Inspector & Surveyor has inspected the area and submitted the report "in response to Sri Kotari Muralidhar Babu has filed a case NGT O.A.No.____/2023, in the Hon'ble National Green Tribunal, Southern Bench at Chennai on illegal quarrying/Mining of Soil and Sand in R.S No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B of Kappaladoddi Village, Guduru Mandal, Krishna District. In response, on 14.03.2023 the Royalty Inspector & Surveyor of this office accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi has been comprising the joint inspection team and proceeded to inspect the NGT O.A. Case filed area.

Geologically the aforesaid area, it is noticed that the area covers the floodplain and surroundings of the River Krishna. The Morphological features present in the area were flood plains, Delta lands, and undulated Terrains. The maximum elevation of the area is +4 Mts. The area covers the soils of alluvial, black cotton soil, sand, sandy clays, etc.

At the time of inspection, the joint inspection team identified the boundaries of the R.S No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B of Kappaladoddi Village, Guduru Mandal, Krishna District. Further, we have noticed two old worked pits of Soil/ Busaka one (1) in Sy.No. 87-2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3, and 86-1A and another one is in Sy.No.88/2B1, 2B2, & 2B3 of Kappaladoddi according to the revenue records. In this regard, the Mandal Surveyor and Village Revenue Officer provided the details of the land owner and pattadars. Further, the Surveyor of this office has taken the measurements of the excavated areas but is unable to estimate the quantity of excavated materiel Soil/Busaka(Mixing of Soil and sand) due to the stagnation of water. Therefore, after the exhaustion of the water storage will estimate the excavated quantity of Soil/Busaka(Mixing of Soil and sand) in the excavated two old worked pits.The details are given below;

Pit No.01:

Sl. No.	R.S.No.	Actual extent in Acers	Excavated pits extent in Acers	Name of the Land owner/ Pattadar
1.	87-2A1a	0.51	0.40	Balla Suvarna W/o Vasantha Rao

2.	87-2A1b	0.51	0.40	Balla Ramachandra Rao S/o Nageswaramma (Mother)
3.	87-2A1c	0.50	0.40	Balla Sarojini W/o chinna Basavaiah
4.	87-2A2	0.50	0.50	Balla Rajamma W/o Ramesh Babu
5.	87-2A5	0.60	0.50	Bethala Jyothi W/o Venkateswara Rao
6.	87-2A6a	0.52	0.52	Bethala Rajyalakshmi
7.	87-2A6b	0.67	0.67	Balla Nirmala W/o Balavarthi
8.	87-2A6c	0.60	0.50	Gomathoti Anasuya
9.	87-2A4	1.01	0.90	Nandhyala Satya Narayana S/o Nagabhusanam
10.	87-2A3	1.07	1.07	Kotari Prasada Rao, Prattipati Peddintiamma W/o Dasaradha Ramaiah
11.	86-1A	5.92	0.65	Busam Agastaiah S/o Baneswara Rao
12.	86-1A	5.92	1.60	Karumanchi Kameswara Rao S/o Arjuna Rao
13.	86-1A	5.92	0.30	Sammeta Aparna W/o Gopi Krishna Kishore.
Total excavated extent			8.41	

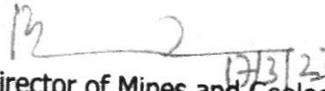
Pit No.02:

Sl. No.	R.S.No.	Actual extent in Acers	Excavated pits extent in Acers	Name of the Land owner/ Pattadar
1.	88-2B1	0.45	0.30	Balla Krishna Kumari W/o Arjuna ✓
2.	88-2B2	0.45	0.38	Pillanagrovula Kondaiah S/o Yakobu ✓
3.	88-2B3	0.45	0.38	Bethala Kumari W/o Venkaiah
Total excavated area			1.06	

Further, it is submitted that the detailed survey and inspection report will be submitted soon after exhaustion of the water storage in the above said areas..

This is submitted for favour of information.

Yours faithfully,


Assistant Director of Mines and Geology,
Vijayawada, N.T.R.District.

Copy Submitted to the District Collector & Magistrate, Krishna District for favour of information.

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

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

From:**To**

T.Konda Reddy.,
District Mines & Geology Officer(F.A.C),
Krishna District, Machilipatnam.

The Director of Mines and Geology,
Ibrahimpattam.

Letter No.3590/Lokayukta/2023 Dt..10.2023.

Sir,

Sub: Mines and Quarries - Court cases - NGT OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ)- filed by Sri KotariMuralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District - Detailed report called for - Submitted - Reg.

Ref: Memo No.1863/D6/2023, dt.06.02.2023,dt.07.03.2023, dt.05.05.2023 &dt.19.05.2023 of the Director of Mines and Geology, Ibrahimpattam.

I invite kind attention to the subject and reference cited and submit that the Director of Mines and Geology, Ibrahimpattam directed the undersigned to submit detailed report on OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by filed by Sri KotariMuralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

In view of the above, I am here with enclosing the report for favor of information and for taking necessary action in the matter.

Yours faithfully,

Encl: As above.

fu

B. Gova Ravati
District Mines and Geology Officer,
Krishna District, Machilipattam.

Report submitted to the Director of Mines and Geology, Ibrahimpatnam on the NGT OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri KotariMuralidhar Babu with regard to illegal mining of Soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

It is submitted that the Director of Mines & Geology, Ibrahimpatnam has called for a detailed report on the aforesaid subject matter to this office.

In this connection it is submitted that as per the Erstwhile Office of the ADM&G, Vijayawada Sri Battina Hariram's complaint filed Spandana Petition No: YSR#KRI20230109861, Dt.09.01.2023 on illegal excavation and transportation of Morrum/Busaka/Matti in Kappaladhoddi Village, Guduru Mandal, Krishna District.

It is submitted that the Tahsildar, Guduru vide his Letter No.Rc.A/13/2023, Dt.11.01.2023 informed the then ADM&G, Vijayawada that the Village Revenue officer, Kappladhoddi stopped two vehicles i.e., one tipper & one Tractor loaded with Soil/Busaka and he asked where you loaded the vehicles and to show permissions obtained from the Government authorities. Then they replied that they didn't know and they requested him to give them one chance. After that the Tahsildar, Guduru collected the seigniorage fee Rs.5000/- from the Tipper & Tractor for illicit transportation of Soil/ Busaka. In this connection, they informed that the illicit excavation doing to an extent Ac.0.45.cents& Ac.0.45.Cents in Sy.No. 88/2B1 & 88-2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. The lands belong to Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district. This excavation and transportation of Matti/Soil/Busaka go on at night time.

It is submitted that the Royalty inspector, O/o then ADM&G, Vijayawada on 10.01.2023 has inspected the alleged illegal excavation and transportation of Soil/Busaka areas and submitted the report. "On physical verification, it is noticed that two pits were excavated with a ramp for the movement of vehicles is noticed. Further, it is observed that the excavations made for the extraction of Busaka/Soil were conducted recently by using heavy machinery like Poclain/Excavator, etc., noticed by way of excavator bucket teeth marks and excavated undercarriage chain marks, etc. Then he asked for details of the excavated lands by the Mandal Revenue Inspector & Mandal Surveyor of Guduru. The Mandal Surveyor & Grama Sachivalam Surveyor replies that the land belongs to Smt.Balla.Krishna Kumari W/o Arjun &Sri.Pillanagrovula.Kondaiah S/o Yakobhu have Ac.0.45.cents & Ac.0.45.Cents in Sy.No. 88/2B1 & 2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District.

Subsequently, they took the pit measurements of the excavated area. The details are given below;

Sl No	Length in Mts	Width in Mts	Height in Mts	Volume in Cum
1.	35	13	2	910
2	35	25	2	1750
Total volume				2660

Whereas, subsequently after verification of office records, the excavation, and transportation of the Morrum/Busaka/Matti area in Sy.No. 88/2B of Kappaldhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts has not issued any quarry lease/Temporary Permits. Hence, the land owners/Rythu Smt.Balla.Krishna Kumari W/o Arjun & Sri.PillanagrovulaKondaiah S/o Yakobhu has been illegally excavated and transported the minor mineral Morrum/Busaka/Matti from their lands it concludes.

The then ADMG, Vijayawada vide show cause Notice No.3590/Vig/2023, Dt. 10.01.2023 has issued a show cause notice to the defaulters SmtBalla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district to explain the reason why action should not be initiated against the illegal excavation and Transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaldhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts Under Rule 26 (2) of APMMC Rules, 1966 and latest amendments within 15 days from the receipt of this notice under the Principle of Natural Justices failing which necessary action will be initiated under provisions of APMMC Rules, 1966 and latest amendments thereon. But , the then ADM&G, Vijayawada has not received any explanation from the defaulters.

Accordingly, the then ADM&G, Vijayawada issued Demand Notice No. No.3590/Vig/2023, Dt. 25.02.2023 to the defaulters SmtBalla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district illegal excavation and Transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaldhoddi Village, Guduru Mandal, Krishna District directing to pay Normal Seigniorage Fee along with 10 times penalty as detailed below:

S.No	Morrum/Bus aka Quantity in M3	Normal Seigniorage Fee in Rs.	Consideratio n Fee in Rs.	DMF(30 % on N.S.Fee)	Merit(2 % on N.S.Fee)	10 times penalty in Rs.	Total in Rs.
1	2660	1,19,700/-	1,19,700/-	35,910/-	2394/-	1197000/-	14,74,704/-

It is submitted that the defaulters Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishnahave not furnished their replies to the Notices issued nor turned up to pay any amount regarding the Demand No.3590/Vig/2023, Dt. 25.02.2023 of the ADM&G, Vijayawada.

As the matter stood, Sri Kotari MuralidharBabu filed OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 before the Hon'ble NGTwith regard to illegal mining of Soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

The Deputy Director of Mines and Geology, Vijayawada vide his Memo.No.286/DDM-KRI/2019-20 dated 08.03.2023 directed the then ADM&G, Vijayawada to submit his report on the OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 filed by Sri Kotari Muralidhar Babu .

In response, on 14.03.2023 the Royalty Inspector & Surveyor of then O/o ADM&G, Vijayawada accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi has been comprising the joint inspection team and proceeded to inspect the NGT O.A. Case filed area.

Geologically the aforesaid area, is noticed that the area covers the floodplain and surroundings of the River Krishna. The Morphological features present in the area were flood plains, Delta lands, and undulated Terrains. The maximum elevation of the area is +4 Mts. The area covers the soils of alluvial, black cotton soil, sand, sandy clays, etc.

At the time of inspection, the joint inspection team identified the boundaries of the R.5 No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-48, 65-5A, 65-58, 68-28, 95-2, 85-1A, 89-38 of Kappaladoddi Village, Guduru Mandal, Krishna District. Further, we have noticed two old worked pits of Soil/ Busaka one (1) in Sy.No. 87-2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87- 2A6C, 87-2A4, 87-2A3, and 86-1A and another one is in Sy No 88/281, 282, & 283 of Kappaladoddi according to the revenue records. In this regard, the Mandal Surveyor and Village Revenue Officer provided the details of the land owner and pattadars. Further, the Surveyor of this office has taken the measurements of the excavated areas but is unable to estimate the quantity of excavated materiel Soil/Busaka(Mixing of Soil and sand) due to the stagnation of water. Therefore, after the exhaustion of the water storage will estimate the excavated quantity of Soil/Busaka(Mixing of Soil and sand) in the excavated two old worked pits. Finally , the Joint inspection team concluded that the detailed survey and inspection will be submitted soon after exhaustion of the water storage in the above said areas.

The Hon'ble NGT made orders on 22.08.2023 in O.A.No.19/2023(SZ) & I.A.No.51/2023(SZ) directing the Department of Mines and Geology to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application including the levy of compensation etc. the same is communicated by the Environmental Engineer, APPCB, Vijayawada with a request to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi(V), Guduru (M), Krishna District and requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Accordingly the As per the instructions of the District Mines and Geology Officer, Machilipatnam the area in Sy.No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District have been inspected by the Technical staff of this office on 14.09.2023 regarding a petition filed before Hon'ble NGT vide O.A.No.19/2023 by Sri Kotari Muralidhara Babu on illegal excavation and transportation of Earth(Soil) in the subject area.

The reported location is situated approximately one kilometer to the north-east of Kappaladoddi Village, and it is accessible year-round via cart track.

Geographically, the alleged region covers the Krishna River floodplain and its surroundings. Flood plains, delta lands, and undulating terrains were the morphological features found in the area. The region's highest point is +4 Mts. The region is covered in alluvial, black cotton, sandy clay, etc. soil.

During the course of inspection, the representative of the petitioner has shown the alleged area and as per the physical observation there are two old abundant worked pits were noticed in the subject area with stagnation of water. The village surveyor has reported that one pit covered in Sy.No. 87/2A1a, 1b,1c, 87-2A2,87-2A5, 87-2A6a, 87-2A6b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A and another pit covered in Sy.No.88/2B1, 2B2, &2B3 of Kappaladoddi Village, Guduru Mandal, Krishna District. The pit-1 covered area over an extent Ac 8.40cents & pit-2 covered area for an extent of 0.40 Acrs, but both pits are waterlogged and makes it impossible to access the how much quantity of Soil has been excavated in the subject area. Moreover don't know how much depth under water during the course of inspection. Hence after exhaustion the water it will be possible to measure the how much quantity of soil has been excavated and transported in the subject area.

The exact depth and quantity of the pits will arrive after exhaustion of the water. At the time of inspection the representative of the petitioner Sri Kotaru Srinivasa Babu has reported that Sri Karumanchi Kameswara Rao, Rayavaram village & Sri Arepalli Rajinikanth, Uyyuru had excavated Soil in the subject area.

As per records of the then ADM&G, Vijayawada the subject area belongs to the following pattadars.

Pit -1

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	87-2A1a	0.51	0.40	Balla Suvarna, W/o Vasantha Rao
2	87-2A1b	0.51	0.40	Balla Ramachandra Rao
3	87-2A1c	0.50	0.41	Balla Sarojini
4	87-2A2	0.50	0.50	Balla Rajamma
5	87-2A5	0.60	0.50	Bethala Jyothi
6	87-2A6a	0.52	0.52	Bethala Rajya Lakshmi
7	87-2A6b	0.67	0.67	Balla Nirmala
8	87-2A6c	0.60	0.50	GomathotiAnasuya
9	87-2A4	1.01	0.90	Nandyala Satyanarayana
10	87-2A3	1.07	1.07	KotariPrasada Rao
11	86-1A	5.92	0.65	BusamAgastaiah
12	86-1A	5.92	1.60	KarumanchiKameswara Rao
13	86-1A	5.92	0.30	Sammeta Aparna
Total Excavated Extent			8.41 Acres	

Pit -2

Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	88-2B1	0.45	0.30	Balla Krishna Kumari
2	88-2B2	0.45	0.38	PillanarovulaKondaiah
3	88-2B3	0.45	0.38	Bethala Kumari
Total Excavated Extent			1.06	

In view of the above the exact depth and quantity has been excavated and transported will taken after exhaustion of the water in the subject area and after arriving the excavated quantity in the subject area, the necessary action will be taken on concerned pattadars issued by the Tahsildar, Guduru Mandal, Krishna District.

This is submitted for favor of information and to take necessary action on the petition filed by Sri Kotari Muralidhar Babu in the Hon'ble National Green Tribunal, Chennai.



B. Siva Praveen
District Mines & Geology Officer (F.A.C),
Krishna District, Machilipatnam.

The following photographs are pertains to the Pit -1 in Kappaladoddi Village, Guduru Mandal, Krishna District with stagnation of water.



The following photographs are pertains to the Pit -2 in Kappaladoddi Village, Guduru Mandal, Krishna District with stagnation of water.

