

**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 APPCB 4th RESPONDENT

DATE – 09.10.2023



**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,

Email: reddymadhuri09@gmail.com

Before the National Green Tribunal
Principle Bench, New Delhi.

Original Application No.19 of 2023

Sri Kotari Muralidhar Babu

.....Applicant

Versus

State of Andhra Pradesh & Others

.....Respondents

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Place : Vijayawada
Date : 09.10.2023.


Environmental Engineer,
A.P. Pollution Control Board,
Regional office, Vijayawada.

Report of A.P. Pollution Control Board in compliance to the Hon'ble N.G.T (SZ), Chennai order dated.22.08.2023 issued in O.A. No.19 of 2023 and I.A. No. 51 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu.

It is to submit that an original application filed in O.A.No.19 of 2023 (SZ) by Sri Kotari Muralidhar Babu complaining massive illegal soil and sand mining, has become a threat to the Environment, Agriculture and Safety of the people, carried out in Sy.Nos.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 (V), Guduru (M), Krishna District in an extent of 30 Acres.

The said lands, in which illegal mining being carried out belongs to private parties for which the Board has not issued CTE / CTO for carrying out the mining operations and as well the parties have not obtained Environmental Clearance (EC) for carrying out the sand and soil mining operations.

It is to submit that earlier, a complaint was filed before the Spandana programme by Sri Battina Hariram on 09.01.2023 on illegal mining soil and sand. In response to that the Mines & Geology Department, Govt. of A.P. has issued notice no.3590/VIG/2023, Dated.11.01.2023 to the private parties viz. Smt Balla Krishna Kumari, W/o. Arjuna, Kappaladoddi (V), Guduru (M), Krishna District and Sri PillanagrovulaKondaiah, S/o. Yacob, Kappaladoddi (V), Guduru (M), Krishna District.

The AD, Mines & Geology Department, Vijayawada has submitted a report to DD, Mines & Geology Department on 13.02.2023 in-connection with the O.A. No.19 of 2023 (SZ) informing that illegal mining was carried out by the above parties to the volume of 2660 Cubic meters and informed that they have not issued any quarry lease and temporary permits to the said parties for carrying out the mining operations. It was observed that the private Respondent nos. 8 & 9 were mentioned in the original application i.e., SriKarumanchi Kameswara Rao, Dodlapalem (V), Guduru(M), Krishna District and Sri Rajulapati Srinivas, Vuyyuru, Krishna District, alleging that they were involved in mining operations.

The Board officials inspected the site on 11.02.2023 and made certain observations. The Board has been enquired with Tahasildar, Guduru for furnishing the information pertaining to the permissions given for excavation of sand and soil in the said area. The copy of the report dated.17.02.2023 is herewith enclosed.

The applicant Sri Kotari Muralidhar Babu has filed I.A. No.51 of 2023 in O.A. No. 19 of 2023 (SZ) alleging that illegal mining activity is being continued in the said area. The Hon'ble N.G.T (SZ), Chennai has issued directions on 22.08.2023 to the Mines & Geology Department, SEIAA and APPCB for furnishing individual Action Taken Reports.

In this regard, it is to submit that on receipt of the Hon'ble N.G.T directions dated.22.08.2023, the RO, Vijayawada has addressed a letter on 08.09.2023 to the DD, Mines & Geology Department, Krishna District for taking action on the illegal mining activity. It is reiterated that the Board has not issued CTE / CTO to any of the private parties for carrying out the mining operations in the above said area. Further, it is to humbly submit that the Board has also requested the Revenue authorities viz. Revenue Divisional Officer (RDO), Machilipatnam and Tahasildar, Guduru, Krishna District on 08.09.2023 for taking action

against the illegal mining activity not only in the application mentioned areas but even other potential mining areas in their jurisdiction.

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

Place: vijayawada

Date: 09.10.2023


A.P. Pollution Control Board

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



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



Ph: 0866-2543542

Lr.No.O.A.No.19 of 2023/PCB/RO-VJA/2023- 691

Date.03.10.2023

To
 The Member Secretary,
 A.P. Pollution Control Board,
 Board Office, Vijayawada.

Sir,

Sub: APPCB-RO-VJA- The Hon'ble N.G.T. Orders issued in I.A. No. 51 of 2023 in O.A.No.19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, Kappaladoddi (V), Guduru (M), Krishna District against illegal soil and sand mining at Kappaladoddi (V), Guduru (M), Krishna District- Report submitted – Reg.

- Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District in the Hon'ble N.G.T. Southern Bench, Chennai.
 2. T.O.Lr.No.8/PCB/RO-VJA/2023-1340, Dt.17.02.2023.
 3. The Hon'ble N.G.T order dated.22.08.2023 in I.A.No.51 of 2023 in O.A. No. 19 of 2023.
 4. T.O.Lr.No.8/PCB/RO-VJA/2023-575, Dt.08.09.2023.
 5. T.O.Lr.No.8/PCB/RO-VJA/2023-576, Dt.08.09.2023.
 6. T.O.Lr.No.8/PCB/RO-VJA/2023-577, Dt.08.09.2023.

It is to submit that this office is in receipt of the directions of the Hon'ble N.G.T issued in I.A. No.51 of 2023 in O.A. No.19 of 2023, vide reference 3rd cited, for furnishing the individual report by A.P. Pollution Control Board in the above matter.

In this regard, it is to submit that this office submitted a report earlier, vide reference 2nd cited along with the Parawise remarks (Copy enclosed).

On receipt of the directions in I.A. No.51 of 2023 in O.A. No.19 of 2023, this office addressed letters to the DD, Mines & Geology Department and the Revenue authorities of Krishna District for taking further necessary action, vide reference 4th to 6th cited. Copies of letters are herewith enclosed.

The Action Taken Report in the above matter is herewith submitted for kind perusal and for furnishing the information to the Hon'ble N.G.T (SZ). The matter is listed before the Hon'ble N.G.T on 05.10.2023.

This is submitted for favour of kind information.

Yours faithfully,

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 ENVIRONMENTAL ENGINEER

Encl:A/a.

Copy submitted to

1. The SEE (Legal), APPCB, BO, Vijayawada with a request to submit the report to the Hon'ble N.G.T in the above matter.
2. The JCEE, APPCB, ZO, Vijayawada for favour of kind information.

Report of A.P. Pollution Control Board in compliance to the Hon'ble N.G.T (SZ), Chennai order dated.22.08.2023 issued in O.A. No.19 of 2023 and I.A. No. 51 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu.

It is to submit that an original application filed in O.A.No.19 of 2023 (SZ) by Sri Kotari Muralidhar Babu complaining massive illegal soil and sand mining, has become a threat to the Environment, Agriculture and Safety of the people, carried out in Sy.Nos.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 (V), Guduru (M), Krishna District in an extent of 30 Acres.

The said lands, in which illegal mining being carried out belongs to private parties for which the Board has not issued CTE / CTO for carrying out the mining operations and as well the parties have not obtained Environmental Clearance (EC) for carrying out the sand and soil mining operations.

It is to submit that earlier, a complaint was filed before the Spandana programme by Sri Battina Hariram on 09.01.2023 on illegal mining soil and sand. In response to that the Mines & Geology Department, Govt. of A.P. has issued notice no.3590/VIG/2023, Dated.11.01.2023 to the private parties viz. Smt Balla Krishna Kumari, W/o. Arjuna, Kappaladoddi (V), Guduru (M), Krishna District and Sri Pillanagrovula Kondaiah, S/o. Yacob, Kappaladoddi (V), Guduru (M), Krishna District.

The AD, Mines & Geology Department, Vijayawada has submitted a report to DD, Mines & Geology Department on 13.02.2023 in-connection with the O.A. No.19 of 2023 (SZ) informing that illegal mining was carried out by the above parties to the volume of 2660 Cubic meters and informed that they have not issued any quarry lease and temporary permits to the said parties for carrying out the mining operations. It was observed that the private Respondent nos. 8 & 9 were mentioned in the original application i.e., Sri Karumanchi Kameswara Rao, Dodlapalem (V), Guduru (M), Krishna District and Sri Rajulapati Srinivas, Vuyyuru, Krishna District, alleging that they were involved in mining operations.

The Board officials inspected the site on 11.02.2023 and made certain observations. The Board has been enquired with Tahasildar, Guduru for furnishing the information pertaining to the permissions given for excavation of sand and soil in the said area. The copy of the report dated.17.02.2023 is herewith enclosed.

The applicant Sri Kotari Muralidhar Babu has filed I.A. No.51 of 2023 in O.A. No. 19 of 2023 (SZ) alleging that illegal mining activity is being continued in the said area. The Hon'ble N.G.T (SZ), Chennai has issued directions on 22.08.2023 to the Mines & Geology Department, SEIAA and APPCB for furnishing individual Action Taken Reports.

In this regard, it is to submit that on receipt of the Hon'ble N.G.T directions dated.22.08.2023, the RO, Vijayawada has addressed a letter on 08.09.2023 to the DD, Mines & Geology Department, Krishna District for taking action on the illegal mining activity. It is reiterated that the Board has not issued CTE / CTO to any of the private parties for carrying out the mining operations in the above said area. Further, it is to humbly submit that the Board has also requested the Revenue authorities viz. Revenue Divisional Officer (RDO), Machilipatnam and Tahasildar, Guduru, Krishna District on 08.09.2023 for taking action against the illegal mining activity not only in the application mentioned areas but even other potential mining areas in their jurisdiction.



5
ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.
Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
Vijayawada – 520 008.



Ph: 0866-2543542

Lr.No.8/PCB/RO-VJA/2023- 576

Date.08.09.2023

To
The Deputy Director,
Mines & Geology Department,
Krishna District,
Machilipatnam.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, H.No.1-7, Kappaladoddi (V),Guduru (M), Krishna District - The Hon'ble N.G.T Southern Bench, Chennai order dated.22.08.2023 communicated to take stringent action on illegal mining – Reg.

- Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District in the Hon'ble N.G.T. Southern Bench, Chennai.
2. The Hon'ble N.G.T orders Dt.22.08.2023 in O.A. No. 19 of 2023 (SZ) & I.A. No. 51 of 2023 (SZ),

It is to submit that a case vide O.A. No. 19 of 2023 has filed before the Hon'ble N.G.T (SZ) by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District on illegal sand / soil mining from the agricultural lands in Sy.Nos. 887-1, 87-2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B and adjoining agricultural lands in Kappaladoddi village and is affecting the agricultural lands and a reduction of the crop yield.

This office vide notice dated.14.02.2023 has requested the Deputy Director, Mines & Geology Department not to issue work permits to the mining activity at Kappaladoddi village until obtain Environmental Clearance (EC) and Consents (CTE & CTOs) from A.P. Pollution Control Board and also to place the applications of these mines, if received in District Level Sand Committee for review and to take suitable decision.

Further, this office vide letter dated.28.07.2023 requested the Deputy Director, Mines & Geology Department, Machilipatnam, Krishna District not to issue permits to the mining units not having valid consent of the APPCB.

It is to inform that the Hon'ble N.G.T vide order dated.22.08.2023 in O.A. No. 19 of 2023 pronounced the following:

"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.,"

A copy of the Hon'ble N.G.T order dated.22.08.2023 is herewith enclosed.

In view of the above, the Mines & Geology Department, Krishna District is hereby requested to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi (V), Gudur (M), Krishna District. It is also requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Treat this as important. The case is posted on 05.10.2023 by the Hon'ble N.G.T.

Yours faithfully,

[Signature]
ENVIRONMENTAL ENGINEER

Encl: A/a.

Copy submitted to

1. The Member Secretary, APPCB, BO, Vijayawada for favour of kind information.
2. The Collector & District Magistrate, Machilipatnam, Krishna District for favour of kind information
3. The JCEEE, APPCB, ZO, Vijayawada for favour of kind information.
4. The SEE (Legal), APPCB, BO, Vijayawada for favour of kind information.

11/9/23.
ప్రముఖ
శ్రీకృష్ణ కార్యాలయం
భాగ్యలక్ష్మి - మచిలీపట్నం



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



Ph: 0866-2543542

Lr.No.8/PCB/RO-VJA/2023- 575

Date.08.09.2023

To
 The Revenue Divisional Officer (RDO),
 Machilipatnam,
 Krishna District.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, H.No.1-7, Kappaladoddi (V), Guduru (M), Krishna District - The Hon'ble N.G.T Southern Bench, Chennai order dated.22.08.2023 communicated to take necessary action on illegal mining - Reg.

- Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District before the Hon'ble N.G.T. Southern Bench, Chennai.
 2. The Hon'ble N.G.T order Dt.22.08.2023 in O.A. No. 19 of 2023 (SZ) & I.A. No. 51 of 2023 (SZ),

It is to submit that a case vide O.A. No. 19 of 2023 has filed before the Hon'ble N.G.T (SZ) by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District on illegal sand / soil mining from the agricultural lands in Sy.Nos. 887-1, 87-2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B and adjoining agricultural lands in Kappaladoddi Village and is affecting the agricultural lands and a reduction of the crop yield.

The Hon'ble N.G.T has issued stringent directions vide order dated.22.08.2023. The case is posted on 05.10.2023 by the Hon'ble N.G.T. A copy of the order is herewith enclosed.

The Revenue Divisional Officer (RDO), Machilipatnam, Krishna District is hereby requested to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi(V), Gudur (M), Krishna District and submit Action Taken Report (ATR) to this office within 7 days to take further necessary action. It is also requested to take necessary action to stop such kind of illegal mining not only in the application mentioned areas but even in the other potential mining areas.

Treat this as important.

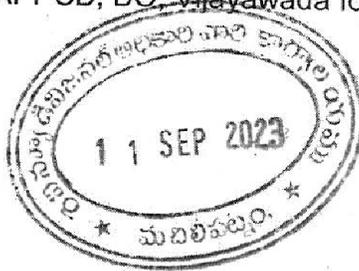
Yours faithfully,

Encl: Hon'ble NGT order dt 22.08.2023

Copy submitted to

1. The Collector & District Magistrate, Krishna District Machilipatnam for favour of kind information.
2. The JCEEE, APPCB, ZO, Vijayawada for favour of kind information.
3. The SEE (Legal), APPCB, BO, Vijayawada for favour of kind information.

11/9/23
 గుమ్మనూరి
 శ్రీకృష్ణ కార్యాలయము
 మచిలీపట్నం - మచిలీపట్నం



ENVIRONMENTAL ENGINEER



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



Ph: 0866-2543542

Lr.No.8/PCB/RO-VJA/2023-577Date.08.09.2023

To
 The Tahasildar
 Gudur Mandal,
 Krishna District.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, H.No.1-7, Kappaladoddi (V), Guduru (M), Krishna District - The Hon'ble N.G.T Southern Bench, Chennai order dated.22.08.2023 communicated to take necessary action on illegal mining - Reg.

- Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District before the Hon'ble N.G.T. Southern Bench, Chennai.
 2. The Hon'ble N.G.T orders dt.22.08.2023 in O.A. No. 19 of 2023 (SZ) & I.A. No. 51 of 2023 (SZ)

It is to submit that a case vide O.A. No. 19 of 2023 has filed before the Hon'ble N.G.T (SZ) by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District on illegal sand / soil mining from the agricultural lands in Sy.Nos. 887-1, 87-2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B and adjoining agricultural lands in Kappaladoddi Village and is affecting the agricultural lands and a reduction of the crop yield.

The Hon'ble N.G.T has issued stringent directions vide order dated.22.08.2023. The case is posted on 05.10.2023 by the Hon'ble N.G.T. A copy of the order is herewith enclosed.

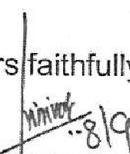
The Tahasildar, Gudur Mandal, Krishna District is hereby requested to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi (V), Gudur (M), Krishna District. It is also requested to direct the Village Revenue Officers of Kappaladoddi village to take necessary action in this matter and submit Action Taken Report (ATR) to this office within 7 days to take further necessary action.

It is also requested to take necessary action to stop such kind of illegal mining not only in the application mentioned areas but even in the other potential mining areas in Gudur Mandal.

Treat this as important.

Yours faithfully,

Encl: Hon'ble NGT order dt 22.08.2023


 ENVIRONMENTAL ENGINEER

Copy submitted to

1. The Collector & District Magistrate, Machilipatnam, Krishna District for favour of kind information.
2. The JCEEE, APPCB, ZO, Vijayawada for favour of kind information.
3. The SEE (Legal), APPCB, BO, Vijayawada for favour of kind information.

11/9/23
 నిమగ్నం
 శ్రీకృష్ణ కార్యాలయము
 పోలవరం - మచిలీపట్నం

