

**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 SEIAA 10<sup>th</sup> 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,

Email: [reddymadhuri09@gmail.com](mailto:reddymadhuri09@gmail.com)

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

**Original Application No. 19 of 2023 & I.A.No.51 of 2023**

Between

KOTARI MURALIDHAR BABU  
H.No. 1-7, Kappaladoddi village  
Guduru Mandalam, Machilipatnam District  
Andhra Pradesh-521366  
Mobile No. 9010472345  
Mail id: [muraliithire@gmail.com](mailto:muraliithire@gmail.com)

... Applicant

VERSUS

1. STATE OF ANDHRA PRADESH

Rep. by its Chief Secretary Secretariat,  
Velagapudi, Guntur District  
Andhra Pradesh-522503  
Mail: [cs@ap.gov.in](mailto:cs@ap.gov.in) and 10 others

... Respondents

**INDEX**

<b>Sl.No.</b>	<b>Description of the Document</b>	<b>Page No.</b>
1.	SEIAA, A.P Report on Hon'ble NGT (SZ), Chennai in O.A.No.19 of 2023.	1-2
2.	The Hon'ble NGT(SZ), Chennai order dt.22.08.2023. <b>Annexure-1</b>	3-5
3.	G.O.Ms.No.120, dated.01.11.2018 issued by Environmental Forest, Science & Technology(Sec.I) Department, Govt. of A.P. <b>Annexure-2</b>	6
4.	S.O.804(E), dated 14.03.2017 issued by MoEF & CC. <b>Annexure-3</b>	7-10
5.	The SEIAA, A.P has addressed letters/ Mails to the APPCB. <b>Annexure-4</b>	11-20
6.	The SEIAA, A.P has addressed letters/ Mails to the Director of Mines & Geology, Ibrahimpatnam. <b>Annexure-5</b>	21-24
8.	Report in O.A.No.19 of 2023 submitted by Mines and Geology, Department <b>Annexure-6</b>	25-38
7.	The SEIAA, A.P has addressed letter/ Mails to the Director of Mines & Geology, Ibrahimpatnam. <b>Annexure-7</b>	39-40

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

Date: 01-05-2024

  
**Member Secretary  
SEIAA, AP**

**Report of SEIAA,A.P submitted in compliance to Hon'ble NGT(SZ) order dt.22.08.2023 in O.A.No.19 of 2023 and I.A.No 51 of 2023**

It is to submit that, a case was filed by Sri.Kotari Muralidhar babu in O.A.No.19 of 2023(SZ) in the Hon'ble NGT in the matter of Kotari Muralidhar babu Vs The State of Andhra Pradesh and others against the illegal sand mining 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 and adjoining agriculture lands in Kappaladoddi Village of Gudur mandal in Krishna District of Andhra Pradesh.

In this connection, the SEIAA, A.P has filed a counter on 01.08.2023 stating that the SEIAA, A.P has not issued Environmental Clearance (EC) for carrying out sand and soil mining operations in the Said lands mentioned in Hon'ble NGT (SZ), Chennai in O.A.No.19 of 2023.

Subsequently, the Hon'ble NGT(SZ), Chennai heard the matter and issued directions to SEIAA, A.P vide Order dated 22.08.2023(**Annexure- 1**) 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 this regard, it is to submit that the **SEIAA, A.P has no monitoring functionaries**. The Govt. of A.P. on request of MoEF&CC, GoI issued **G.O.Ms.No.120 dt.01.11.2018 notifying the A.P. Pollution Control Board as the Monitoring agency** to monitor compliance with the terms & conditions of EC granted by SEIAA, A.P (**Annexure- 2**).

Further, it is to submit that as per **S.O.804 (E), dated 14.03.2017** issued by **MoEF & CC**, in cases of violation, action shall be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate shall be issued till the project is granted Environmental Clearance (**Annexure- 3**).

In compliance with the order of the Hon'ble NGT(SZ), Chennai dt.22.08.2023, the SEIAA, A.P, addressed letters dt.16.10.2023, 07.11.2023, 17.11.2023 and mails dt.11.10.2023, 16.11.2023, 20.04.2024, 23.04.2024, 29.04.2024 to APPCB and requested a detailed report on violations mentioned in the applications as APPCB is the monitoring agency for SEIAA, A.P (**Annexure- 4**). The SEIAA, A.P has not received any report so far from A.P Pollution Control Board and a letter dated 17.11.2023 was addressed to Department of Mines and Geology for a detailed report in the said matter (**Annexure- 5**).

In this regard, the Department of Mines & Geology vide letter dt.30.11.2023 furnished a report to SEIAA, A.P, wherein it was informed that on physical observations, two old worked pits were noticed in the subject area in 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 & Pit-2 covered area an extent of 0.40 Acrs and it is not possible to assess the quantity excavated in the said area. It was also reported that after receding of water in the pits the quantity will be assessed (**Annexure- 6**).

Further, it is to submit that the SEIAA, A.P again addressed a letter to Director, Mines and Geology Department on 24.04.2024 and 26.04.2023 requesting to submit action taken report duly mentioning the present status in O.A.No.19 of 2023 (**Annexure-7**).The report from the Department of Mines and Geology and AP Pollution Control Board are awaited.

**Vijayawada,**  
**dt:01.05.2024**

  
**Member Secretary,**  
**SEIAA, A.P.**  
**Member Secretary**  
**SEIAA, AP**

**Item No.08:-****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI***(Through Video Conference)***Original Application No. 19 of 2023(SZ) &  
I.A. N o. 51 of 2023(SZ)****IN THE MATTER OF:**Kotari Muralidhar Babu,  
Andhra Pradesh.***Versus***

...Applicant(s)

State of Andhra Pradesh,  
Rep. by its Chief Secretary,  
Andhra Pradesh and Ors.

...Respondent(s)

**Date of hearing: 22.08.2023.****CORAM:****HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Mr. Sravan Kumar.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R2, R4 to R7.  
Mr. G.M. Syed Nurullah Sheriff for R3.  
Mr. Vishranth represented  
Mr. Gautam S Raman for R8.

**ORDER**

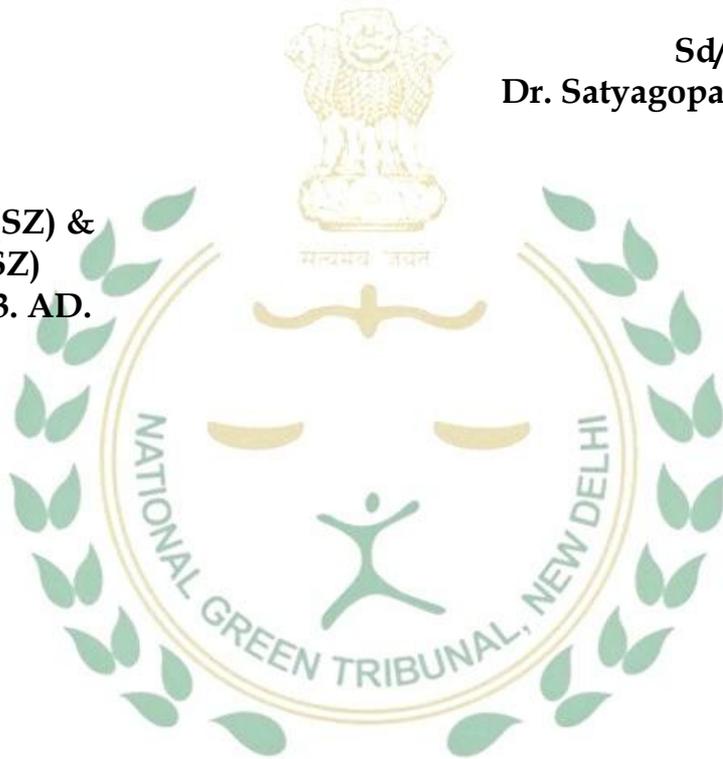
1. Let notice be issued to the proposed parties through the Tribunal as well as privately.
2. The SEIAA - Andhra Pradesh has filed the report even before the impleadment, but has made a stating statement that it had not issued any EC for mining in Survey Nos.87-1, 87- 2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2b, 95-2, 85-1A, 89-3B and adjoining agriculture lands in Kappaladoddi Village, Guntur Mandal, Krishna District of State of Andhra Pradesh.
3. Even in the report of the Revenue Divisional Officer (RDO), it is mentioned that they have not only seized the vehicles and let them go off on payment of a negligible amount of fines which would not deter the violators from continuing their act.
4. 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.
5. Let the reports of the individuals also state what actions they have taken to stop such kind of illegal acts not only in the application mentioned areas but even in the other potential mining areas.

6. We regret to state that if no such actions from the appropriate authorities/officers are taken, we may have to take action against the individual officers who are failing in their duty.
7. Post the matter on **05.10.2023**.

**Sd/-**  
**Smt. Justice Pushpa Sathyanarayana, JM**

**Sd/-**  
**Dr. Satyagopal Korlapati, EM**

O.A. No.19/2023(SZ) &  
I.A. No.51/2023(SZ)  
22<sup>nd</sup> August, 2023. AD.



**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

EFS&T Department – Notify the A.P. Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental and CRZ Clearance (s) granted by the SEIAA and DEIAA - Notification - Orders - Issued.

---

**ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.I) DEPARTMENT**

**G.O.MS.No. 120**

**Dated: 01-11-2018.  
Read the following.**

From the Addl.PCCF (Central), MoEF&CC, GoI, Regional Office (South Eastern Zone), Chennai, Lr.F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017.

&&&

**ORDER:**

The following notification shall be published in an Extraordinary issue of the Andhra Pradesh Gazette; Dated.01.11.2018.

**NOTIFICATION**

In pursuance of the Ministry of Environment, Forests & Climate Change, Letter F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017, the Governor of Andhra Pradesh hereby notify the Andhra Pradesh Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental and CRZ Clearance (s) granted by the State level Environment Impact Assessment Authority and District level Environment Impact Assessment Authority of Andhra Pradesh, with immediate effect.

2. The Member Secretary, Andhra Pradesh Pollution Control Board shall take further necessary action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**G. ANANTHA RAMU  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Member Secretary, A.P. Pollution Control Board, Vijayawada  
The Member Secretary, SEIAA, O/o Andhra Pradesh Pollution Control Board  
All District Magistrate & Collectors in the State

Copy to:

The PS to Minister for EFS&T

The PS to Principal Secretary, EFS&T

The Law (G) Department

The MoEFS&CC, Regional Office (South Eastern Zone),

1<sup>st</sup> & 2<sup>nd</sup> Floor, HEPC Building No. 34,

Cathedral Garden Road, Nungam Bakkam, Chennai.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**

से पूर्व जमा किया जाएगा और उसे मंत्रालय के प्रादेशिक कार्यालय, विशेषज्ञ मूल्यांकन समिति तथा विनियामक प्राधिकरण के अनुमोदन के पश्चात् सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के सफलतापूर्वक कार्यान्वयन के पश्चात् निर्मुक्त किया जाएगा।

14. ऐसी परियोजनाएं और क्रियाकलाप, जो इस अधिसूचना की तारीख को उल्लंघनकारी हैं, इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए आवेदन करने के पात्र होंगे और परियोजना प्रस्तावक इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए केवल इस अधिसूचना की तारीख से छह मास के भीतर ही आवेदन कर सकते हैं।

[फा. सं. 22-116/2015-आईए-III]

मनोज कुमार सिंह, संयुक्त सचिव

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
NOTIFICATION**

New Delhi, the 14th March, 2017

**S.O. 804(E).**—Whereas, a draft notification under sub-section (1), and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), *vide* number S.O. 1705(E), dated the 10<sup>th</sup> May, 2016, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for finalising the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

2. And whereas, copies of the said notification were made available to the public on the 10<sup>th</sup> May, 2016;

3. And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government.

4. Whereas, subject to the provisions of the Environment (Protection) Act, 1986, under sub-section (1) of section 3 of the Act, the Central Government has the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling, and abating environment pollution;

5. Whereas, section 5 of the Environment (Protection) Act, 1986 empowers the Central Government to give directions which reads as “Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;

6. Whereas the Ministry of Environment, Forest and Climate Change issued Office Memoranda dated 12.12.2012 and 27.06.2013 to establish a process for grant of environmental clearance to cases of violation.

7. Whereas, the Hon’ble High Court of Jharkhand had passed an order dated the 28<sup>th</sup> November, 2014 in W.P. (C) No. 2364 of 2014 in the matter of Hindustan Copper Limited *Versus* Union of India in which the High Court held that the conditions laid down under Office Memorandum dated 12<sup>th</sup> December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon’ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws;

8. And whereas, Hon'ble National Green Tribunal, Principal Bench *vide* its order dated 7<sup>th</sup> July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had also held that the Office Memoranda dated 12<sup>th</sup> December, 2012 and 24<sup>th</sup> June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same;

9. And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for projects which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance;

10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;

12. And whereas, Hon'ble Supreme Court in *Indian Council for Enviro-Legal Action Vs. Union of India* (the Bichhri village industrial pollution case), while delivering its judgment on 13<sup>th</sup>. February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 (1996 [3] SCC 212). The Hon'ble Court observed that ..... section 3 of the Environment (Protection) Act, 1986 expressly empowers the Central Government [or its delegate, as the case may be] to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment.....". Section 5 clothes the Central Government [or its delegate] with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2 (a), Sections 3 and 5 clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. In the present case, the said powers will include giving directions for the removal of sludge, for undertaking remedial measures and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures..... Hon'ble Court has further observed that levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The question of liability of the respondents to defray the costs of remedial measures can also be

looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

13 (1). Now, therefore, in exercise of the powers conferred by sub-section (1) and sub clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986; the Central Government hereby directs that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under sub-section (3) of Section 3 of the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the following manner:-

(2) In case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product- mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) Section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level.

(3) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.

(4) The cases of violation will be appraised by respective sector Expert Appraisal Committees constituted under sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can be run sustainably under compliance of environmental norms with adequate environmental safeguards; and in case, where the finding of the Expert Appraisal Committee is negative, closure of the project will be recommended along with other actions under the law.

(5) In case, where the findings of the Expert Appraisal Committee on point at sub-para (4) above are affirmative, the projects under this category will be prescribed the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan. Further, the Expert Appraisal Committee will prescribe a specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants. The collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

(6) The Expert Appraisal Committee shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.

---

---

(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

14. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental clearance under this notification and the project proponents can apply for environmental clearance under this notification only within six months from the date of this notification.

[F. No. 22-116/2015-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

	<p><b>State Level Environment Impact Assessment Authority (SEIAA)</b> <b>Andhra Pradesh</b> <b>Ministry of Environment, Forests &amp; Climate Change,</b> <b>Government of India</b> D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010</p>
---	--

**Lr. No.6/SEIAA/AP/ Gen/2016 -177.**      **16/10/2023**

To  
The Member Secretary,  
A.P Pollution Control Board,  
Vijayawada, 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.  
            2. Hon'ble NGT Order dated 22.08.2023 in O.A.No.19 of 2022.  
            3. MoEF&CC, Notification S.O. 804(E) dated.14.03.2017.  
            4. MoEF&CC Office Memorandum dated 07.07.2021.  
            5. EFS&T Dept., G.O.Ms.120, dated.01.11.2018.



\*\*\*

In the reference 1<sup>st</sup> 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 2<sup>nd</sup> 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 this regard it is to inform that, the MoEF & CC, New delhi issued S.O. 804(E), dated 14.03.2017 vide reference 3<sup>rd</sup> cited, wherein at para No. 13 (3) it is mentioned as follows:

In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or

Ph  
16/10

occupancy certificate will be issued till the project is granted the environmental clearance”.

And vide reference 4<sup>th</sup> cited, the MoEF & CC issued OM dated 07.07.2021 as follows:

The Central pollution Control Board, all state Pollution control Boards and all union Territory Pollution Control committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/ Union Territory Level Environmental Impact Assessment Authority, As the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.

Further the EFS&T department issued G.O.Ms.120 dated 01.11.2018 vide reference 5<sup>th</sup> cited, as follows:

In pursuance of the Ministry of Environment, Forests & Climate Change, Letter F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017, the Governor of Andhra Pradesh hereby notify the Andhra Pradesh Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental Clearance (s) granted by the State level Environment Impact Assessment Authority.

In view of the above the Member Secretary APPCB is requested to furnish detailed report on O.A.No.19 of 2023 so as to submit in Hon'ble NGT Chennai. This case listed on 20.11.2023

This may be treated as most urgent.

Yours faithfully

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

copy to:

1. Chief Engineer, APPCB for information and necessary action.
2. Legal cell Head Office, APPCB for information and necessary action

 <p>सत्यमेव जयते</p>	<p><b>State Level Environment Impact Assessment Authority (SEIAA)</b> <b>Andhra Pradesh</b> <b>Ministry of Environment, Forests &amp; Climate Change,</b> <b>Government of India</b> D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010</p>
---	--

**Lr. No.6/SEIAA/AP/ Gen/2016 -228**

**07/11/2023**

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

Sir,

Sub: SEIAA, A.P- The Hon'ble NGT, Chennai order dated 22.08.2023 in O.A.No.19 of 2023 (SZ) –Detailed report-requested - **Reminder**- 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 2022.  
3. MoEF&CC, Notification S.O. 804(E) dated.14.03.2017.  
4. MoEF&CC Office Memorandum dated 07.07.202.  
5. EFS&T Dept., G.O.Ms.120, dated.01.11.2018.  
6. T.O Lr.No.6/SEIAA/AP/Gen/2016-179 dated. 16.10.2023.

\*\*\*

In the reference 1<sup>st</sup> 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 2<sup>nd</sup> 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 the reference 3<sup>rd</sup> cited, the MoEF & CC issued Notification S.O. 804(E), dated 14.03.2017 at para No. 13 (3) as follows:

In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental

clearance”.

In the reference 4<sup>th</sup> cited, the MoEF & CC issued OM dated 07.07.2021 as follows:

The Central pollution Control Board, all state Pollution control Boards and all union Territory Pollution Control committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/ Union Territory Level Environmental Impact Assessment Authority, As the case may be and also revoke CTO, if grated to the unit after giving an opportunity of being heard.

In the reference 5<sup>th</sup> cited, the EFS&T department issued G.O.Ms.120 dated 01.11.2018 as follows:

In pursuance of the Ministry of Environment, Forests & Climate Change, Letter F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017, the Governor of Andhra Pradesh hereby notify the Andhra Pradesh Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental Clearance (s) granted by the State level Environment Impact Assessment Authority.

In the reference 6<sup>th</sup> cited, the SEIAA addressed a letter to APPCB for detailed report in O.A.No.19 of 2023 on 16.10.2023.

In view of the above the Member Secretary APPCB is requested to furnish detailed report on O.A.No.19 of 2023 so as to submit in Hon'ble NGT Chennai to avoid further legal complications. **This case is listed on 20.11.2023**

Yours faithfully

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



	<p><b>State Level Environment Impact Assessment Authority (SEIAA)</b> <b>Andhra Pradesh</b> <b>Ministry of Environment, Forests &amp; Climate Change,</b> <b>Government of India</b> D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010</p>
---	--

Lr. No.6/SEIAA/AP/ Gen/2016 -243 17/11/2023 f

To  
The Member Secretary,  
A.P Pollution Control Board,  
Vijayawada, 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 - **Remainder**- 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 2022.
  3. MoEF&CC, Notification S.O. 804(E) dated.14.03.2017.
  4. MoEF&CC Office Memorandum dated 07.07.202.
  5. EFS&T Dept., G.O.Ms.120, dated.01.11.2018.
  6. T.O Lr.No.6/SEIAA/AP/Gen/2016-179 dated. 16.10.2023.
  7. T.O Lr.No.6/SEIAA/AP/Gen/2016-228 dated. 07.11.2023.

\*\*\*

In the reference 1<sup>st</sup> 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 2<sup>nd</sup> 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 the reference 3<sup>rd</sup> cited, the MoEF & CC issued Notification S.O. 804(E), dated 14.03.2017 at para No. 13 (3) as follows:

In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of

the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance”.

In the reference 4<sup>th</sup> cited, the MoEF & CC issued OM dated 07.07.2021 as follows:

The Central pollution Control Board, all state Pollution control Boards and all union Territory Pollution Control committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/ Union Territory Level Environmental Impact Assessment Authority, As the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.

In the reference 5<sup>th</sup> cited, the EFS&T department issued G.O.Ms.120 dated 01.11.2018 as follows:

In pursuance of the Ministry of Environment, Forests & Climate Change, Letter F.No.DP/12.1/2016-17/ROSEZ/Mon.SEIAA & DEIAA/1458, Dt. 12.09.2017, the Governor of Andhra Pradesh hereby notify the Andhra Pradesh Pollution Control Board, Vijayawada as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental Clearance (s) granted by the State level Environment Impact Assessment Authority.

In the reference 6<sup>th</sup> cited, the SEIAA addressed a letter to APPCB for detailed report in O.A.No.19 of 2023 on 16.10.2023.

In the reference 7<sup>th</sup> cited, the SEIAA addressed a reminder letter to APPCB for detailed report in O.A.No.19 of 2023 on 07.11.2023.

In view of the above, the Member Secretary APPCB 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.**



Yours faithfully

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



seiaa ap &lt;seiaaap2023@gmail.com&gt;

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

4 messages

seiaa ap &lt;seiaaap2023@gmail.com&gt;

Thu, Nov 16, 2023 at 11:28 AM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in, hopcblegal@gmail.com, rovja-ee1@appcb.gov.in

Cc: pvr\_reddy59@yahoo.co.in, Chalapathi Rao Pasala &lt;Chalapathipasala@gmail.com&gt;

### Court Case -Most Urgent

Sir,

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 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 this regard it is to inform that, the MoEF & CC, New Delhi issued S.O. 804(E), dated 14.03.2017 & OM dated 07.07.2021 , wherein it was directed State Pollution Control Board to take action against the project proponent on violation cases.

Further the EFS&T department issued G.O.Ms.120 dated 01.11.2018 to APPCB as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental Clearance (s) granted by the State level Environment Impact Assessment Authority

In view of the above the Member Secretary APPCB is requested to furnish a detailed report on O.A.No.19 of 2023 so as to submit the report to Hon'ble NGT Chennai.

### The case is listed on 20.11.2023

This may be treated as most urgent.

with regards

For SEIAA,A.P.

----- Forwarded message -----

From: seiaa ap <seiaaap2023@gmail.com>

Date: Wed, Oct 11, 2023 at 4:05 PM

Subject: The Hon'ble NGT, Chennai order dated 22.08.2023 in O.A.No.19 of 2022 –Detailed report-requested - Reg.

To: <pa-ms@appcb.gov.in>, <chiefengineer@appcb.gov.in>

Cc: <pvr\_reddy59@yahoo.co.in>, Chalapathi Rao Pasala <Chalapathipasala@gmail.com>, <hopcblegal@gmail.com>

Sir,

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 directed the SEIAA, A.P as follows:

18  
"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 this regard it is to inform that, the MoEF & CC, New Delhi issued S.O. 804(E), dated 14.03.2017 & OM dated 07.07.2021, wherein it was directed State Pollution Control Board to take action against the project proponent on violation cases.

Further the EFS&T department issued G.O.Ms.120 dated 01.11.2018 to APPCB as the Monitoring Agency to monitor compliance with the terms and conditions of Environmental Clearance (s) granted by the State level Environment Impact Assessment Authority

In view of the above the Member Secretary APPCB is requested to furnish detailed report on O.A.No.19 of 2023 so as to submit the report to Hon'ble NGT Chennai.  
The case listed on 20.11.2023

This may be treated as most urgent.

with regards  
For SEIAA,A.P.

---

#### 3 attachments

-  **Court order 19 of 2023.pdf**  
528K
-  **OA 19 of 2023- reminder letter to PCB.pdf**  
736K
-  **O A No19 of 2023-letter to PCB.pdf**  
696K

---

seiaa ap <seiaaap2023@gmail.com>

Sat, Apr 20, 2024 at 1:19 PM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in

Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan <srisaravanan123@gmail.com>, hopcblegal@gmail.com

### Reminder- Most Urgent- Court case

Sir,

Your attention is requested at trailing mail dt.11.10.2023, 16.11.2023 and letter dated 17.11.2023 addressed by SEIAA (Copy enclosed), requesting APPCB to submit a detailed report in [O.A.No. 19 of 2023](#) as per the S.O.804(E), dated 14.03.2017 issued by MoEF & CC. However, the report is not yet received from the APPCB.

In view of the above it is once again requested to submit the report so as to submit the same to Hon'ble NGT, Chennai as the case is listed on 02.05.2024

With regards,  
For SEIAA, A.P.

[Quoted text hidden]

---

#### 4 attachments

-  **Court order 19 of 2023.pdf**  
528K
-  **OA 19 of 2023- reminder letter to PCB.pdf**  
736K
-  **O A No19 of 2023-letter to PCB.pdf**  
696K
-  **Letter dated 17.11.2023.pdf**  
759K

---

seiaa ap <seiaaap2023@gmail.com>

Tue, Apr 23, 2024 at 7:00 PM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in

Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan &lt;srisaravanan123@gmail.com&gt;, hopcblegal@gmail.com

## Reminder- Most Urgent- Court case

Sir,

Your attention is requested at trailing mail dt.11.10.2023, 16.11.2023 and letter dated 17.11.2023 addressed by SEIAA (Copy enclosed), requesting APPCB to submit a detailed report in [O.A.No. 19 of 2023](#) as per the S.O.804(E), dated 14.03.2017 issued by MoEF & CC. However, the report is not yet received from the APPCB.

In view of the above it is once again requested to submit the action taken report so as to submit the same to Hon'ble NGT, Chennai as the case is listed on 02.05.2024

With regards,  
For SEIAA, A.P.

----- Forwarded message -----

From: **seiaa ap** <seiaaap2023@gmail.com>

Date: Sat, Apr 20, 2024 at 1:19 PM

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

To: &lt;pa-ms@appcb.gov.in&gt;, &lt;chiefengineer@appcb.gov.in&gt;

Cc: &lt;pvr\_reddy59@yahoo.co.in&gt;, Sri Saravanan &lt;srisaravanan123@gmail.com&gt;, &lt;hopcblegal@gmail.com&gt;

## Reminder- Most Urgent- Court case

Sir,

Your attention is requested at trailing mail dt.11.10.2023, 16.11.2023 and letter dated 17.11.2023 addressed by SEIAA (Copy enclosed), requesting APPCB to submit a detailed report in [O.A.No. 19 of 2023](#) as per the S.O.804(E), dated 14.03.2017 issued by MoEF & CC. However, the report is not yet received from the APPCB.

In view of the above, it is once again requested to submit the report so as to submit the same to Hon'ble NGT, Chennai as the case is listed on 02.05.2024

[Quoted text hidden]

[Quoted text hidden]

### 5 attachments

 **Court order 19 of 2023.pdf**  
528K

 **OA 19 of 2023- reminder letter to PCB.pdf**  
736K

 **O A No19 of 2023-letter to PCB.pdf**  
696K

 **Letter dated 17.11.2023.pdf**  
759K

 **Court order dated. 01.04.2024.pdf**  
522K

seiaa ap &lt;seiaaap2023@gmail.com&gt;

Mon, Apr 29, 2024 at 3:00 PM

To: pa-ms@appcb.gov.in, chiefengineer@appcb.gov.in

Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan &lt;srisaravanan123@gmail.com&gt;, hopcblegal@gmail.com

## Reminder- Most Urgent- Court case

Sir,

Your attention is requested at trailing mails dt.11.10.2023, 16.11.2023, 20.04.2024, 23.04.2024 and letters dated 16.10.2023, 07.11.2023, 17.11.2023, addressed by SEIAA (Copy enclosed), requesting APPCB to submit a detailed report in [O.A.No. 19 of 2023](#) as per the S.O.804(E), dated 14.03.2017 issued by MoEF & CC. However, the report is not yet received from the APPCB.

In view of the above, it is once again requested to submit the action taken report in [O.A.No. 19 of 2023](#) as per the S.O.804(E), dated 14.03.2017 issued by MoEF & CC so as to submit the same to Hon'ble NGT, Chennai as the case is listed on 02.05.2024

[Quoted text hidden]

[Quoted text hidden]

### 5 attachments

 **Court order 19 of 2023.pdf**  
528K

 **OA 19 of 2023- reminder letter to PCB.pdf**  
736K

 **O A No19 of 2023-letter to PCB.pdf**  
696K

 **Letter dated 17.11.2023.pdf**  
759K

 **Court order dated. 01.04.2024.pdf**  
522K

ofc

Annexure- 5

 सत्यमेव जयते	<b>State Level Environment Impact Assessment Authority (SEIAA)</b> <b>Andhra Pradesh</b> <b>Ministry of Environment, Forests &amp; Climate Change,</b> <b>Government of India</b> D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010
---	--

**Lr. No.6/SEIAA/AP/ Gen/2016-243** 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.  
 2. Hon'ble NGT Order dated 22.08.2023 in O.A.No.19 of 2022.

17.11.2023  
**DESPATCHED**

S.122

\*\*\*

In the reference 1<sup>st</sup> 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 2<sup>nd</sup> 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

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



seiaa ap &lt;seiaaap2023@gmail.com&gt;

**Fwd: SEIAA,A.P- The Hon'ble NGT, Chennai order dated 22.08.2023 in O.A.No.19 of 2023 –Present Statues and action taken report-requested - Reg.**

3 messages

seiaa ap &lt;seiaaap2023@gmail.com&gt;

Wed, Apr 24, 2024 at 6:47 PM

To: dmgap@ap.gov.in, directormines@yahoo.co.in

Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan &lt;srisaravanan123@gmail.com&gt;

Sir,

Your attention is requested at trailing mail dt.17.11.2023 and letter dated 17.11.2023 addressed by SEIAA (Copy enclosed), requesting Director, Mines and Geology Department to submit a detailed report in O.A.No. 19 of 2023 as per the Hon'ble NGT directions dated 22.08.2023. In this connection the SEIAA report dated 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 & 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 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.

With regards,  
For SEIAA, A.P.

----- Forwarded message -----

From: seiaa ap &lt;seiaaap2023@gmail.com&gt;

Date: Fri, Nov 17, 2023 at 3:48 PM

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

To: &lt;dmgap@ap.gov.in&gt;, &lt;directormines@yahoo.co.in&gt;

Cc: &lt;pvr\_reddy59@yahoo.co.in&gt;, Chalapathi Rao Pasala &lt;Chalapathipasala@gmail.com&gt;

Sir,

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 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 an action taken report duly mentioning present status in O.A.No.19 of 2023(SZ) so as to submit in Hon'ble NGT, Chennai.

with regards,  
For SEIAA, A.P

 **OA 19 of 2023 letter to DMG.pdf**  
442K

seiaa ap <seiaaap2023@gmail.com>  
To: dmgap@ap.gov.in, directormines@yahoo.co.in  
Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan <srisaravanan123@gmail.com>

Fri, Apr 26, 2024 at 4:23 PM

Sir,

Your attention is requested at trailing mail dt.17.11.2023, 24.04.2024 and letter dated 17.11.2023 addressed by SEIAA (Copy enclosed), requesting Director, Mines and Geology Department to submit a detailed report in [O.A.No. 19 of 2023](#) as per the Hon'ble NGT directions dated 22.08.2023. In this connection the SEIAA report dated 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 & 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 SEIAA addressed a letter to the Director Department of Mines and Geology on 26.04.2024 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**.

with regards,  
For SEIAA, A.P

[Quoted text hidden]

---

#### 2 attachments

 **OA 19 of 2023 letter to DMG.pdf**  
442K

 **DMG letter- 26.04.2024.pdf**  
559K

seiaa ap <seiaaap2023@gmail.com>  
To: dmgap@ap.gov.in, directormines@yahoo.co.in  
Cc: pvr\_reddy59@yahoo.co.in, Sri Saravanan <srisaravanan123@gmail.com>

Mon, Apr 29, 2024 at 5:21 PM

Sir,

Your attention is requested at trailing mail dt.17.11.2023, 24.04.2024, 26.04.2024 and letter dated 17.11.2023, 26.04.2024 addressed by SEIAA (Copy enclosed), requesting Director, Mines and Geology Department to submit a detailed report in [O.A.No. 19 of 2023](#) as per the Hon'ble NGT directions dated 22.08.2023.

In view of the above, it is once again 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**.

with regards

[Quoted text hidden]

---

#### 2 attachments

 **OA 19 of 2023 letter to DMG.pdf**  
442K

 **DMG letter- 26.04.2024.pdf**  
559K

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

From

V.G.Venkata Reddy,  
Director of Mines and Geology,  
5<sup>th</sup> Floor, 'B' Block,  
Sri Anjaneya Towers,  
Ibrahimpatnam, NTR District.  
Andhra Pradesh

To

The Member – Secretary,  
SEIAA,  
D.No.33-26-14 D/2, Near Sunrise  
Hospital, Pushpa Hotel Center,  
Chalama Vari Street, Kasthuribai Pet,  
Vijayawada - 520 010.

**Letter No. 1863/D6-NGT/2023, Date:30.11.2023**

Sir,

Sub:- Mines & Minerals – The Hon'ble National Green Tribunal (NGT), South Zone, Chennai has issued following order in O.A. 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 –Report called for – Copy of Report submitted - Regarding.

- Ref: 1. NGT O.A.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Mualidhar Babu before the Hon'ble National Green Tribunal (NGT), Southern Bench, Chennai.  
2. This office Lr.No.1863/D6-NGT/2023, Dt:26.10.2023.  
3. Letter No:6/SEIAA/AP/Gen/2016-243, Dt: 17.11.2023 from the Member Secretary, SEIAA, AP

\*\*\*\*\*

I invite kind attention to the subject and references cited, through the reference 3<sup>rd</sup> cited, the Member Secretary, SEIAA, A.P., has informed that the Hon'ble NGT has passed orders on 22.08.2023 in the O.A.No.19 of 2023 directing the SEIAA, A.P. as follows:

*"Hence, we direct the Department of Mines & Geology, SEIAA-Andhra Pradesh and also 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.,"*

Finally, requested this office to furnish detailed report on O.A.No.19 of 2023 so as to submit the same to the Hon'ble NGT, Chennai. The case is listed on 20.11.2023.

Further it is submitted that, through the reference 2<sup>nd</sup> cited, this office has submitted Preliminary report to the Advocate, Standing Council, Hon'ble NGT, Chennai and requested to apprise the facts to Hon'ble NGT, Chennai and seek time to submit final report.

In view of the above, a copy of said report is herewith enclosed for taking further necessary action in the matter.

Encl : As above.

Yours faithfully,  
Sd/- P.RAJA BABU

For DIRECTOR OF MINES & GEOLOGY

// Attested //

N. Subhakar  
MINERAL REVENUE OFFICER



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

From

V.G.Venkata Reddy,  
Director of Mines and Geology,  
5<sup>th</sup> Floor, 'B' Block,  
Sri Anjaneya Towers,  
Ibrahimpattam, NTR District.  
Andhra Pradesh

To

Mrs. Maduri Donti Reddy,  
Advocate,  
Standing Council,  
Hon'ble National Green Tribunal,  
Chennai - 600 094.

**Letter No. 1863/D6-NGT/2023, Date:26.10.2023**

Madam,

Sub:- Mines & Minerals - The Hon'ble National Green Tribunal (NGT), South Zone, Chennai has issued following order in O.A. 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 -Preliminary Report Submitted - Regarding.

- Ref: 1. NGT O.A.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu before the Hon'ble National Green Tribunal (NGT), Southern Bench, Chennai.  
2. DM&G, Memo No.1863/D6/2023, dt.06.02.2023, dt.07.03.2023, dt.05.05.2023 & dt.19.05.2023.  
3. DM&GO, Krishna letter No: 3590/Lokayukta/2023 Dt. .10.2023 received on 05.10.2023

\*\*\*\*\*

I invite kind attention to the subject and references cited. Through the reference 1<sup>st</sup> cited, the Hon'ble National Green Tribunal (NGT), South zone, Chennai has issued order in O.A. 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 response to this office Memo 2<sup>nd</sup> cited, the District Mines & Geology Officer, Machilipatnam, Krishna District has submitted report vide reference 3<sup>rd</sup> cited, stating that as per the Erstwhile Office of the ADM&G, Vijayawada Sri Battina Hariram has filed a complaint in Spandana Petition vide No:YSR#KRI20230109861, Dt.09.01.2023 on illegal excavation and transportation of Morrum/Busaka/Matti in Kappaladhoddi Village, Guduru Mandal, Krishna District.

The District Mines & Gology Officer, Krishna has reported that the Tahsildar, Guduru addressed a letter to the DM&GO, Machilipatnam vide Letter No.Rc.A/13/2023, Dt.11.01.2023 stating that in response to the said Spandana Petition filed before the Collector & District Magistrate, Machilipatnam, the MRI and VRO of Kappaladoddi Village have conducted enquiry in the matter and reported that the land in Sy.no.88/2B1 an extent of 0.45 Cents belongs to Smt Balla Krishnakumari and land in Sy.No.88/2B2 an extent of 0.45 cents belongs to Sri P.Kondaiah. In the said lands during the night times without getting permission from the competent authorities illegally excavating the earth and transporting the same through vehicles and on 10.01.2023 two vehicles were seized and handed over to Tahsildar office. An amount of Rs.5,000/- was collected as penalty and released the said vehicles. Finally, the Tahsildar has informed that in the above said lands illegal excavations were going on during the night times and requested to take action as per the procedure.

Further the DM&GO, Machilipatnam has reported that the Royalty inspector, O/o then ADM&G, Vijayawada has inspected the alleged illegal excavation and transportation of Soil/Sand areas on 10.01.2023 and submitted report stating that on physical verification, it is noticed that two pits were excavated with a ramp for the movement of vehicles is noticed and also that without permission from Mining & Geology Department, the excavations were made for the extraction of Busaka/Soil recently by using heavy machinery like Poclain/Excavator, etc. Basing on the report of the Tahsildar, measurements were taken. The details are given below;

::2 ::

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

Therefore, the then ADMG, Vijayawada has issued show cause Notice No.3590/Vig/2023, Dt. 10.01.2023 to the land owners i.e. Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o Chinna Aakulamannadu Village, Guduru Mandal, Krishna district to explain the reason as to why action should not be initiated against the illegal excavation and transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B1 & 88/2B2 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 also directed to submit documentary evidence for the said quantity within 15 days from the receipt of the notice. But, no reply has been received from their end by the then ADM&G, Vijayawada.

Further, the then ADM&G, Vijayawada issued Demand Notice No. 3590/Vig/2023, Dt. 25.02.2023 in favour of Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o Chinna Aakulamannadu 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/Bu saka 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/-

Further it was reported that the defaulters have neither submitted explanation nor paid any amount with regard to the above said demand notice.

As the matter stood thus, Sri Kotari Muralidhar Babu has 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.

In response to the instructions of the DDM&G, Vijayawada, the Royalty Inspector & Surveyor of then O/o ADM&G, Vijayawada accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi has been proceeded to inspect the said area on 14.03.2023 in connection with OA No.19 of 2023(SZ) & IA No. 51 of 2023 (SZ), Dt:28.01.2023 and reported that Geologically the aforesaid area covers the floodplain and surroundings of the River Krishna. The Geographical 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.

Further reported that 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 and also identified 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. The Mandal Surveyor and Village Revenue Officer furnished the details of the land owners. The Surveyor has taken the measurements of the excavated areas, but he is unable to estimate the quantity of excavated materiel Soil/Busaka(Mixing of Soil and sand) due to the area is under water logged. After receding the water in the pits the quantity of soil / Busaka / Earth will be estimated in the excavated two worked pits. The Joint inspection was concluded by taking the above decision.

:: 3 ::

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 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 has been inspected by the Technical staff of District Mines & Geology Officer, Machilipatnam on 14.09.2023 with regard to 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 and reported that the location is situated approximately one kilometer distance on the north-east of Kappaladoddi Village and it is accessible year-round via cart track. Geographically, the alleged area 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.

Further it was reported that, 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 water logged condition. 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, 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.

At the time of inspection, the representative of the petitioner Sri Kotaru Srinivasa Babu has informed 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	0.4	Balla Suvarna, W/o Vasantha Rao
2	87-2A1b	0.51	0.4	Balla Ramachandra Rao
3	87-2A1c	0.5	0.41	Balla Sarojini
4	87-2A2	0.5	0.5	Balla Rajamma
5	87-2A5	0.6	0.5	Bethala Jyothi
6	87-2A6a	0.52	0.52	Bethala Rajya Lakshmi
7	87-2A6b	0.67	0.67	Balla Nirmala
8	87-2A6c	0.6	0.5	GomathotiAnasuya
9	87-2A4	1.01	0.9	Nandyala Satyanarayana
10	87-2A3	1.07	1.07	KotariPrasada Rao
11	86-1A	5.92	0.65	BusamAgastaiah
12	86-1A	5.92	1.6	KarumanchiKameswara Rao
13	86-1A	5.92	0.3	Sammeta Aparna
Total Excavated Extent			8.41 Acres	

:: 4 ::

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	

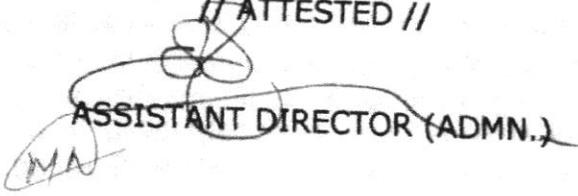
Finally, the District Mines & Geology Officer, Machilipatnam, Krishna District has reported that the exact depth and quantity excavated and transported will be arrived after receding of the water in the pits and also reported that after arriving the excavated quantities necessary action will be initiated on the defaulters.

In view of the above, it is requested the Standing Council, Hon'ble NGT, Chennai to kindly appraise the above said facts to the Hon'ble National Green Tribunal, Chennai and seek time of at least one month to submit final report.

Encl: Report of the DM&GO, Machilipatnam.

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

// ATTESTED //

  
ASSISTANT DIRECTOR (ADMN.)

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



**From:**

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

**To**

The Director of Mines and Geology,  
Ibrahimpatnam.

**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, Ibrahimpatnam.

\*\*\*

I invite kind attention to the subject and reference cited and submit that the Director of Mines and Geology, Ibrahimpatnam 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.

*B. Gova Ravata*  
District Mines and Geology Officer,  
Krishna District, Machilipatnam.

**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 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 Morrurum/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 Morrurum/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 Morrurum/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 Morrurum/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	Morrurum/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 Kappaldhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishnaha have 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), 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, Gudur 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, Gudur 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

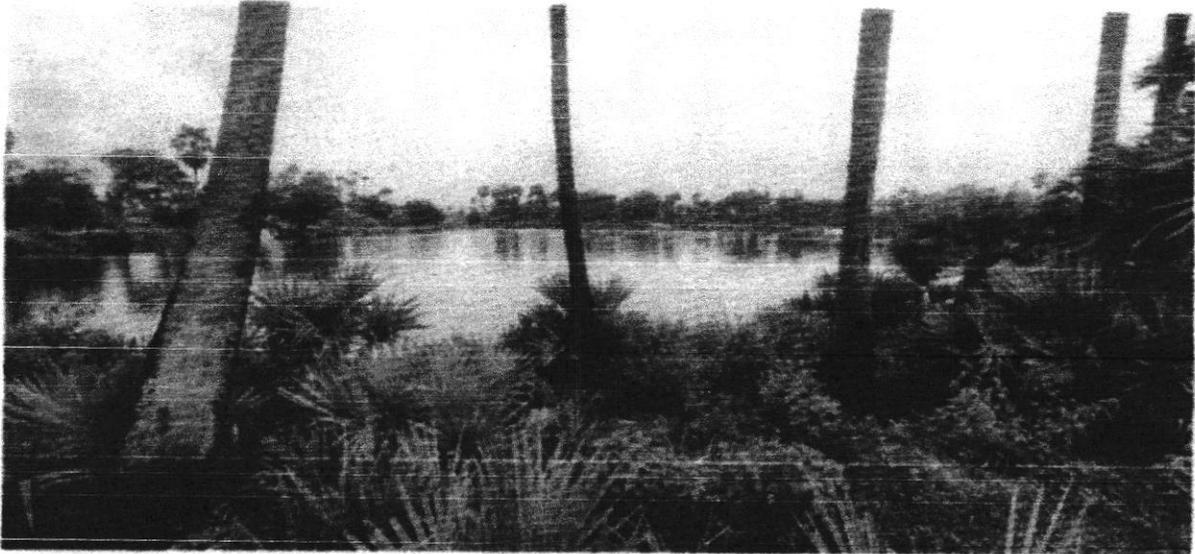
Sl. No	Sy.No	Actual extent in Acres	Excavated pit covered extent in acres	Name of the Land Owner/Pattadar
1	88-2B1	0.45	0.30	Balla Krishna Kumari
2	88-2B2	0.45	0.38	PillanarovulaKondaiah
3	88-2B3	0.45	0.38	Bethala Kumari
Total Excavated Extent			1.06	

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.

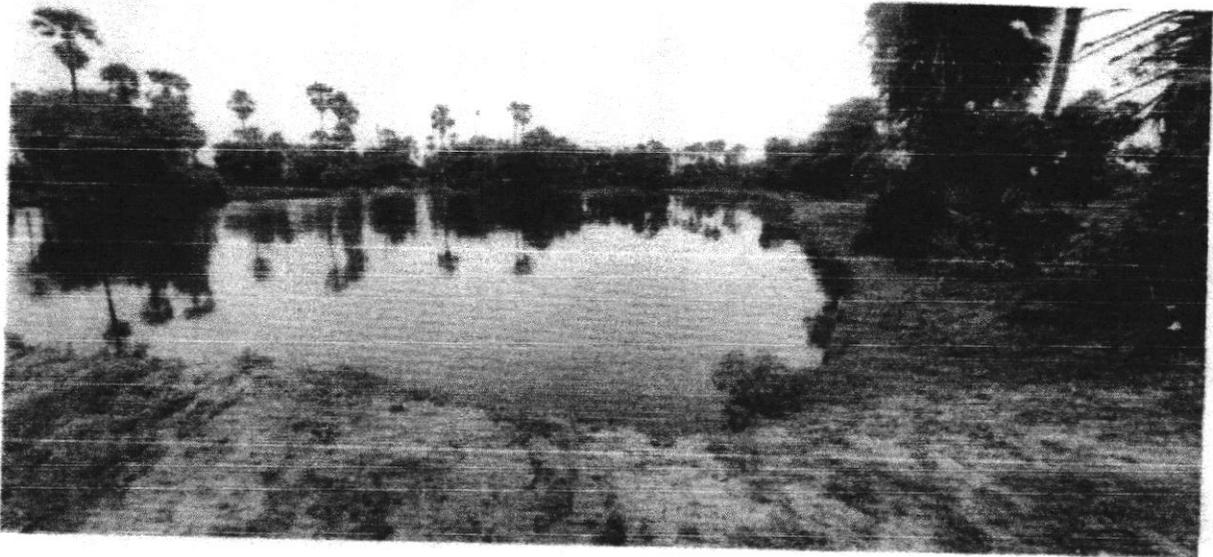
This is submitted for favor of information and to take necessary action on the petition filed by Sri Kotari Muralidhar Babu in the Hon'ble National Green Tribunal, Chennai.

  
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.



	<p align="center"><b>State Level Environment Impact Assessment Authority (SEIAA)</b>  <b>Andhra Pradesh</b>  <b>Ministry of Environment, Forests &amp; Climate Change,</b>  <b>Government of India</b></p>
	<p align="center">Dr.YSR Paryavaran Bhavan, APIIC Colony Road,  Gurunanak Colony, Auto Nagar, Vijayawada-520007.</p>

**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 2<sup>nd</sup> 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 3<sup>rd</sup> 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

& 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.