

**INTERIM REPORT OF THE JOINT COMMITTEE IN THE MATTER OF
OA.No.21/2022 SUBMITTED TO HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE CHENNAI IN COMPLIANCE TO HON'BLE NGT ORDER
DATED:17.02.2022 AND 31.03.2022.**

SUBMITTED TO

**HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE, CHENNAI**

APRIL' 2022

I. Preamble.

M/s. Green Society Coastal Corridor Regd. No. 116/2021, C/o Sri Dhanvi Weigh Bridge, Chinthavaram Village, Chillkur Mandal, SPSR Nellore District (Represented by its Secretary Bandla Muni Shankar) has filed OA No. 21/2022 before Hon'ble National Green Tribunal, South Zone on seeking direction "to the respondents to stop illegal mining activities in Mining Lease area i.e., 1). In an extent of 4.67 Ha in Sy No. 612/P, 613/P, 615/P, 616/P, 617/P of Thaminapatnam Village, Chillakuru Mandal, SPSR Nellore district and 2) in an extent of Ac. 4.98 Ha in Sy No. 589 & 594/P of Thaminapatnam Village, Chillakuru Mandal, SPSR Nellore District and to take action for recovery of Penalty for the illegal Mining in excess to the permitted quantity and in violation of Mining lease conditions and Environmental Clearances.

II. Orders of the Hon'ble Tribunal dated 17.02.2022 and 31.03.2022.

The Hon'ble Tribunal in O.A. No. 21 of 2022 vide order dated 17.02.2022 and 31.03.2022 constituted a joint committee.

"07. In order to ascertain the genuineness of the allegations made in the application, we feel it appropriate to appoint a Joint Committee comprising of 1). A Senior Officer from MoEF&CC, Integrated Regional Office, Vijayawada, 2) Senior Officer SEIAA, Andhra Pradesh, 3). a Senior Officer from Andhra Pradesh Pollution Control Board and also 4). a Senior Officer from Directorate of Mines and Geology not below the rank of Deputy Director of Mines and Geology, 5). District, Collector, Nellore and his nominee not below the rank of Assistant Collector and Sub Divisional Magistrate nominated by the District Collector to inspect the unit as well as the area in question and submit a factual as well as action taken report in case, if there is any violation found".

08. The Committee directed to ascertain:

- i. Whether respondents 8 and 9 are having all necessary permissions and clearances required for conducting the mining work under the environmental laws.*

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- ii. *Whether they have committed any violation of the conditions imposed.*
 - iii. *Whether any illegal mining has been conducted by them over and above the permission granted and also conducting mining without leaving the buffer zone and safe zone against the provisions of the mining regulations in the State of Andhra Pradesh, if so what is the quantity of excess mining done and assess the compensation for the same.*
 - iv. *The Committee is also directed to ascertain as to whether on account of illegal mining conducted any damage has been caused to the environment and if so what the nature of damage is caused and suggest the remedial measures to restore the damage caused to environment apart from assessing environmental compensation for the same.*
 - v. *If there is any violation of conditions imposed in the Environmental Clearance and consent granted then they are directed to ascertain the violations and also assess compensation on that account also on the basis of the directions given by the Principal Bench in several matters of this nature applying the guidelines provided by the Central Pollution Control Board in this regard.*
 - vi. *They are also directed to ascertain whether the pollution control mechanism provided are sufficient and if not suggest the further measures to be taken to curb the possible pollution that is likely to be caused on account of the operation of the 8th respondent unit.*
 - vii. *They are also directed to verify whether heavy machineries are being used sparingly or as on a regular basis.*
9. *Director, Mines and Geology will be the nodal agency for coordination and*
Providing necessary logistics for this purpose.

A copy of the Hon'ble NGT order is enclosed as **Annexure – I.**

In compliance to the Hon'ble NGT Orders dated 17.02.2022, as a Nodal Agency, the Department of Mines & Geology, Andhra Pradesh has constituted Joint Committee as per the nominations received from the concerned organizations, the Joint Committee comprising with the following members:

1. Dr. Suresh Babu Pasupuleti, Scientist 'D', Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Vijayawada.
2. Sri K. Venkata Ramana, Member-State Expert Appraisal Committee (SEAC) Andhra Pradesh, representative of State Environmental Impact Assessment Authority (SEIAA), Andhra Pradesh.
3. Sri. Ch. Rajasekhar, Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, Nellore.
4. Sri V.Murali Krishna, the Revenue Divisional Officer, Gudur.
5. Sri. B Jagannadha Rao, Deputy Director, Department of Mines & Geology, Nellore (Nodal Officer).

A copy of the Joint Committee constitution is enclosed as **Annexure – II.**

III. Terms of References (ToR) of the Joint Committee.

As per the Hon'ble NGT Order dated 17.02.2022 the committee is entrusted to visit and inspect the site in question and following TOR:

- i. Whether the respondents 8 and 9 are having necessary clearances as well as 'Consent' under the environmental laws for doing such Silica sand mining.
- ii. Whether there are any violations of conditions imposed either in the environmental clearance or in the consent to operate if any obtained while carrying out the mining operation.

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- iii. Whether any illegal mining has been conducted by the respondents 8, 9 over and above the permissions granted and any damage has been caused to the environment.
- iv. To ascertain as to whether on account of illegal mining conducted any damage has been caused to the environment and if so the nature of damage is caused and suggest the remedial measures to restore the damage caused to environment apart from assessing environmental compensation for the same.
- v. To ascertain the violations and also assess compensation on that account also on the basis of the directions given by the Principal Bench in several matters of this nature applying the guidelines provided by the Central Pollution Control Board in this regard.
- vi. To ascertain whether the pollution control mechanism provided are sufficient and if not suggest the further measures to be taken to curb the possible pollution that is likely to be caused on account of the operation of the 8th respondent unit.
- vii. Conducting of mining without leaving buffer zone and safe zone against the provisions of the mining regulations in the state of Andhra Pradesh. If so, what is the quantity of excess mining done and assess the compensation for the same.

IV. Site visit by the Joint Committee.

Silica Sand quarry lease held by M/s APMDC LTD. in SPSR Nellore District.

S. no.	Extent	Location	Lease period		Remarks
			From	To	
1.	4.670 Hectares	SY.NO. 612/P, 613/P, 615/P, 616/P & 617/P of Thamminapatnam Village, Chillakuru Mandal.	04.02.2021	03.02.2023	At present M/s APMDC LTD has applied for surrender of two quarry leases on.30.03.2022
2.	4.980 Hectares	IN SY. NO. 589 & 594/P of Thamminapatnam Village, Chillakuru Mandal.	04.02.2021	03.02.2023	

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M/s Andhra Pradesh Mineral Development Corporation Limited is having following statutory permissions.

With respect quarry lease 1 (4.670 Hect.).

1. Approved Mining Plan Letter No. 530/MP/Silica Sand/NLR/2020, dated 21.04.2020 for a quantity of 1,86,800 MTs issued by the DDMG, SPSR Nellore.
2. EC Order No. SEIAA/AP/NLR/MIN/04/2020/1813-215, dated 08.07.2020 for period of 1 year for a quantity of 1,86,800 TPA issued by the Senior Environmental Engineer, State Environmental Impact Assessment Authority (SEIAA), Vijayawada
3. CFE Order No.N-511/APPCB/ZO-VJA/CFE/RED/2020, dated 21.08.2020 for period of 1 year for a quantity of 1,86,800 TPA issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawada.
4. CFO Order No.N-511/APPCB/ZO-VJA/CFO/W&A/2020, dated 11.09.2020 for period of 1 year for a quantity of 1,86,800 TPA issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawada.

With respect quarry lease 2. (4.980 Hect.)

1. Letter No. 489/MP/Silica Sand/NLR/2020, dated 21.08.2020 for a quantity of 1,97,688 MTs issued by the DDMG, SPSR Nellore.
2. EC Order No. SEIAA/AP/NLR/MIN/05/2020/1813-193, dated 08.07.2020 for a period of 1 year for a quantity of 1,97,688 TPA issued by the Senior Environmental Engineer, State Environmental Impact Assessment Authority (SEIAA), Vijayawada
3. CFE Order No.N-510/APPCB/ZO-VJA/CFE/RED/2020, dated 21.08.2020 for a period of 1 year for a quantity of 1,97,688 TPA issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawada.

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4. CFO Order No.N-510/APPCB/ZO-VJA/**CFO**/W&A/2020, dated 11.09.2020 for period of 1 year for a quantity of 197,688 TPA issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawada.

Further M/s Andhra Pradesh Mineral Development Corporation Limited have obtained **Extension of Environmental Clearances, CFE and CFO** from the State Environmental Impact Assessment Authority (SEIAA), Vijayawada with respect to above two leases as detailed below.

With respect quarry lease 1.(4.670 Hect.)

- 1) **Extension of EC** Order No. SEIAA/AP/E.G-84/2013-167.79 & 164.70, dated 26.10.2021 for the period ending with 31.03.2022 for a quantity of 186800 TPA.
- 2) Order No.N-511/APPCB/ZO-VJA/**CFE**/2021, dated 27.11.2021 for the period ending with 31.03.2022 for a quantity of 84,595 TPA and also submitted fresh Consent For Operations (CFO) issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawad for continuing further mining Operations.
- 3) Order No.N-511/APPCB/ZO-VJA/**CFO**/W&A/2021, dated 10.12.2021 for the period ending with 31.03.2022 for a quantity of 84,595 TPA for continuing further mining Operations.

With respect quarry lease 2.(4.980 Hect.)

- 1) Extension EC Order No.SEIAA/AP/E.G-84/2013-167.79 & 164.71, dated 26.10.2021 valid up to 31.03.2022.
- 2) Order No.N-510/APPCB/ZO-VJA/**CFE**/2021, dated 27.11.2021 for the period ending with 31.03.2022 for a quantity of 101408 TPA and also submitted fresh Consent For Operations (CFO) issued by the Joint Chief Environmental Engineer, Andhra Pradesh Pollution Control Board, Vijayawada.
- 3) Order No.N-510/APPCB/ZO-VJA/**CFO**/W&A/2021, dated 10.12.2021 for the period Ending with 31.03.2022 for a quantity of 1,01,408 TPA for continuing further mining Operations.

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Further as per the records of Mines Department the details of the approved quantities and productions/permits obtained and dispatched by the lessee up to 31.03.2022 and the details are as given below:

S. no.	Extent	Location	Approved Quantity (In Mts)	Production/ Dispatch quantity up to 27.03.2022 (In Mts)
1.	4.670 Hectares	SY.NO. 612/P, 613/P, 615/P, 616/P & 617/P of Thamminapatnam Village, Chillakuru Mandal. (Lessee Id.0911210910)	1,86,697	1,83,627
2.	4.980 Hectares	IN SY. NO. 589 & 594/P of Thamminapatnam Village, Chillakuru Mandal. (Lessee Id.0911210909)	1,97,688	1,97,648

Further the inspection was proposed on 25.04.2022 and the committee has inspected the subject two (02) quarry leases and verified the necessary clearances (EC, CFE&CFO) as well as 'Consent' under the environmental laws for doing such Silica sand mining as detailed above and verified two quarry leases to ascertain the compliance status of conditions laid down in Environmental Clearance orders, and also verified the quarrying activity against the provisions of the mining regulations in the state of Andhra Pradesh.

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Prayer:

It is most respectfully submitted that the committee has completed the joint inspection on 25.04.2022 and for finalization of the report some time is required. Hence, we humbly prayed that the time period of four (04) weeks may kindly be given to this committee for submission of detailed report in front of Hon'ble National Green Tribunal, Southern Zone, Chennai.

Signatures of the Committee Members:



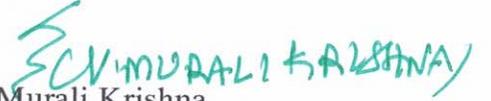
Dr. Suresh Babu Pasupuleti,
Scientist 'D', MoEF&CC
Integrated Regional Office,
Vijayawada



Sri. K. Venkata Ramana
Member (SEAC), SEIAA
Andhra Pradesh



Sri Ch. Raja Sekhar
Environmental Engineer,
APPCB, Regional Office, Nellore



Sri V. Murali Krishna,
Revenue Divisional Officer,
Gudur



Sri Jagannadha Rao,
Deputy Director,
Department of Mines & Geology, Nellore
(Nodal Officer)