

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH AT
CHENNAI**

APPEAL NO. 51 OF 2022

1. K. RUKMANGADA REDDY

S/o Shri K Mumnuswamy Reddy

R/o KapuVeedhi, Puttur,

Tirupati District, Andhra Pradesh and 2 others**APPELLANTS**

Versus

UNION OF INDIA

Through Secretary, Government of India

Ministry of Environment, Forests and Climate Change

Indira ParyavaranBhawanJorBagh Road,

New Delhi-110003

Secy-moef@gov.nic.in

Contact no. +91 11 20819308, 20819408 and 5 others**RESPONDENTS**

COUNTER AFFIDAVIT FILED BY THE 2nd RESPONDENT

DATE-14-10-2022



**M/s MADHURI DONTI REDDY
ADVOCATE**

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A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

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Counsel for 2nd respondent

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
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It is certified that all the documents contained in the above annexure are true copies.

Date: 07.10.2022


Member Secretary
SEIAA, AP

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

APPEAL NO. 51 OF 2022

1. K. RUKMANGADA REDDY

S/o Shri K Mumnuwamy Reddy
R/o Kapu Veedhi, Puttur,
Tirupati District, Andhra Pradesh

2. B. VENKATARAMA RAJU

S/o Shri B. Chengalraju,
R/o Ontimitta, Rachapalam, Puttur,
Tirupati District, Andhra Pradesh

3. K. MANOHAR

S/o Shri Narasimha Reddy,
R/o 17-193 Beedi Colony,
Puttur, Tirupati District,
Andhra Pradesh

..... APPELLANTS

Versus

1. UNION OF INDIA

Through Secretary, Government of India
Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhawan Jor Bagh Road,
New Delhi-110003
Secy-moef@gov.nic.in.
Contact no. +91 11 20819308, 20819408

2. STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ANDHRA PRADESH

Through Member Secretary
Ministry of Environment, Forests & Climate Change
Government of India
apseaams@gmail.com
Contact no. 9949122144

3. COLLECTOR AND DISTRICT MAGISTRATE,

Tirupati Road, New Balaji Colony,
Tirupati District,
Andhra Pradesh-517501
collectortirupati@gmail.com
Contact No. 0877 227 0984

4. DEPARTMENT OF MINING AND GEOLOGY

Government of Andhra Pradesh,
Through its Secretary,
State government office,
Ibrahimpattanam, Krishna district,
Andhra Pradesh 521456
admin@apmines.gov.in/directormines@yahoo.com.
Contact no. 0866-2882170

5. ANDHRA PRADESH STATE POLLUTION CONTROL BOARD

Through Member Secretary
1st APSFC Building, Balaji Colony, Tirupati,
Andhra Pradesh 517502
Contact No. 040-23451133


Member Secretary
SEIAA, AP

6. M/S AMARA COMMODITY VENTURES,

through the Proprietor,
 Sy No. 388/1, 388/2, 387/3, 383 & 6P (Old Sy No. 6)
 Eswarapuram village, Puttur Municipality,
 Tirupati District, Andhra Pradesh
amaracommodities@gmail.com;
jagadessh@plrpprojects.com
 Contact No. 9490951922/

...RESPONDENTS**COUNTER AFFIDAVIT FILED BY THE 2nd RESPONDENT**

I, Dr. P.V.Chalapathi Rao, S/o Pasala Lakshmaiah, Aged about 53 years, Member Secretary, A.P State Environment Impact Assessment Authority, Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows;

1. I am the 2nd Respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.
3. The Answering Respondent states that it has granted Environment Clearance to the private Respondent after following due procedures, as contemplated under law, and taking to account all factors that are required to be considered before such grant.
4. It is submitted that the proponent applied for Environmental Clearance through online in PARIVESH portal. The proposal was placed in the SEAC meeting held on 29.07.2022.
5. It is submitted that the Committee, after examining the project proposals, presentations, EIA appraisal, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to issue Environmental Clearance with following conditions in addition to other conditions:
 - a. The proponent shall comply with the proposals furnished in Environmental management plan.
 - b. The project proponent shall acquire 1.0 Ha additional land for waste dump after 2nd year.


 Member Secretary
 SEIAA, AP

c. The project proponent shall construct 750m (1mx1m) trench on western (300 m) & southern side (450m) of boundary lease area to prevent surface runoff.

d. The proponent shall maintain plantation along the roadside.

6. It is submitted that the project proponent shall use parallel road for transportation minerals. This issue was placed in the SEIAA meeting held on 12.08.2022 and the SEIAA agreed with recommendation of the SEAC to issue Environmental Clearance. Accordingly, the SEIAA issued Environmental Clearance (EC) to the 6th respondent **M/s Amara Commodities** (6.553 Ha) (Colour Granite - 12888 cum/Annum) at Sy No. 388/1, 388/2, 387/3, 383&6/P (Old Sy.No. 6), Eswarapuram (V), Puttur (M), Tirupati District, Andhra Pradesh vide Order No. SELAA/AP/CTR/MIN/03/2022/4101/194.51&191.34 dated 16.08.2022. **(Annexure-I)**
7. It is submitted that during this process, vide G.O. Rt.No. 35 to 60 Revenue (Lands-IV) dated 25thJanuary, 2022, the Government of A.P reorganized the existing 13 districts of Andhra Pradesh into 26 districts. The Answering Respondent had requested the Director of Mines and Geology vide Lr No. SEIAA/AP/MIN/VJA/IBPM/2021 on 13/05/2022 to obtain District Survey Reports (DSRs) revised for Sand and minor minerals wise for all 26 districts immediately and furnish the same to SEIAA, AP. **(Annexure-II)**
8. It is submitted that the director of mines and Geology department vide Lt. No. 911/P-DS/2014 on 03.06.2022 has informed that the district survey reports for the reorganized new districts are not prepared and that the same is a time-consuming process. Hence, EC applications are being processed based on the mining department's approved mining plan. It was also considered that the mining plans had been prepared and approved based on the existing DSRs of erstwhile combined districts. It is further submitted that the reorganization only effected political and administrative aspects, and the same did not bear any impact in affecting the answering respondent's assessment of the Project's impact on the surrounding ecology in the region **(Annexure-III)**. It is pertinent to mention that the DSR for Chittoor district was also approved only recently and remains valid till 2023. As such, the Director of Mines and Geology Department called upon the Answering Respondent to consider the earlier DSR

while granting clearances until such time new DSRs are prepared. The same was also intimated to MoEF& CC, Govt. of India, New Delhi vide Lr-N-6/AP/SEIAA/GEN/2021-1241 dated 11-07-2022 (**Annexure-IV**).

9. With regard to averments made in introductory paragraphs 1 and 2 of the Appeal, the contents thereof are denied for the reasons set out herein.
10. With regard averments made in introductory paragraph 3 of the Appeal is denied as false. It is submitted that the conduct of public hearing is primarily within the purview of APPCB. However, the SEIAA observed that the EE (RO), Tirupati, APPCB, issued press notification on 16.06.2022 in Telugu & English dailies intimating the public before 30 days of date of public hearing. The public hearing was conducted by EE (RO), Tirupati, APPCB on 19.07.2022 along with Presiding Officer Sri. M. Sreenivasa Rao, District Revenue Officer & Addl. District Magistrate, duly following the procedure mentioned in the EIA notification, 2006 and its amendments thereof and recorded the minutes (**Annexure-V**). The said public hearing was attended by a significant number of people.
11. With regard averments made in paragraph 4 of the affidavit is denied as false. It is submitted that the SEIAA issued Environmental clearance to the 6th respondent on 16.08.2022 with a condition that the project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA, A.P. However, the SEIAA uploaded the EC Order on 16.08.2022 in public domain in **PARIVESH** portal.
12. With regard to the averments made in paragraph 5 of the affidavit, it is submitted that the EC in the instant case has been granted after considering all relevant materials, in a manner wholly consistent with the legal mandates applicable. The allegations raised by the Appellant are unfounded as detailed hereinbelow.
13. With regard to the averments made in paragraph 1 & 2 of the Appeal (portion titled 'Facts in Brief') is not related to this respondent and hence there are no remarks.


Member Secretary
SEIAA, AP

14. With regard to the averments made in paragraph 3 & 4 of Appeal are denied as false. It is submitted that as per the cluster letter dated 19.03.2022 issued by Dept. of Mines & Geology, the total cluster area including the other mines mentioned by appellant, within 500 mts radius is more than 5 Ha. and hence the respondent R6 have gone for public hearing. It is further submitted that it is true that the 6th Respondent have applied for TOR to SEIAA (R2) on 26.03.2022.
15. With regard to the averments made in paragraph 5 of the Appeal, the same appear to be a matter of record. Since the averments are not related to the Answering respondent, the Answering Respondent is not setting out a specific response.
16. With regard to the averments made in paragraph 6 of the Appeal is denied as false. The Answering Respondent repeats and reiterates that as per G.O.Rt.No.35 to 60 Revenue (Lands-IV), 25thJanuary, 2022, the Govt of A.P reorganized the existing 13 districts of Andhra Pradesh into 26 districts by State Government of Andhra Pradesh. The SEIAA has requested the Director of Mines and Geology vide Lr No. SEIAA/AP/MIN/VJA/IBPM/2021 on 13/05/2022 to get District Survey Reports (DSRs) revised for Sand and minor minerals wise for all 26 districts immediately and furnish the same to SEIAA, AP. It is submitted that the director of mines and Geology department vide Lt. No. 911/P-DS/2014 on 03.06.2022 has informed that the district survey reports for the reorganized new districts are not prepared and it takes time for the same. Since the earlier reports were approved recently and there was minimal impact on the same as a consequence of the reorganization, the Director of Mines and Geology had called upon the Answering Respondent to consider the earlier DSR while granting clearances until such time as the new DSRs are prepared. The same is also intimated to MoEF& CC, Govt. of India, New Delhi.
17. The averments made in paragraph 6,7 & 8 of the Appeal are denied as false. While the contents of the TOR are a matter of record, the Answering Respondent denies that it was required to obtain a fresh DSR for the newly constituted district before granting the environmental clearance. The Answering Respondent states that there is no such requirement contemplated in law.


Member Secretary
SEIAA, AP

Further, even as per the Appellant's case, if the function of the DSR is to assess the impact of mining on ecology, the Department of Mining and Geology, vide its letter dated 03.06.2022, has confirmed that the impact of reorganization of district on the concentrated cluster of mines is minimal. Therefore, insistence on a fresh DSR is an empty formality and there is no procedural irregularity on the part of the Answering Respondent in granting the Environmental Clearance to Respondent No.6.

18. With regard to the averments in Paragraphs 9 to 12, the same advert to correspondence between other officials, do not pertain to the Answering Respondent and are best left to be explained by the said officials. The Answering Respondent however states that assuming without admitting that the letter dated 02.06.2022 was addressed to the Panchayat Secretary, the same is not a ground to quash the Environment Clearance as contended. It is humbly submitted that, in matters pertaining to official acts and correspondence, there exists a legal presumption regarding the regularity of the same and the answering respondent herein, upon perusing the available material, had no reason or justification to further scrutinize the matter.

19. With regard to the averments in Paragraph 13 of the Appeal read with Ground B, the contents thereof are denied in to. Firstly, there has been no postponement in the date of hearing, as alleged by the Appellant, in as much as the notification issued by way of paper publication contained the date of public hearing as 19.07.2022, which notice was issued 30 days in advance as required. Therefore, there has been no change or postponement of the date of hearing. Secondly, the consequence of not conducting the public hearing within the prescribed period of 45 days is only to enable the Answering Respondent to request the State Government to engage another agency or authority to complete the process. The time limit of 45 days prescribed endures to the benefit of the Project Proponent in order to ensure an expeditious consideration of the Application for EC and the consequence of failure to meet the same cannot result in the cancellation of the EC. No prejudice has been caused to the Appellant or any member of the general public as a result of any delay, as alleged or at all.


Member Secretary
SEIAA, AP

20. With regard to the averments in Paragraph 14 of the Appeal read with Ground D, the Answering Respondent submits that there has been no derogation with the requirements under the extant provisions of law pertaining to the public consultation for cluster of mines. On the contrary, the Answering Respondent states that all the hearings were conducted on the same day and the public was given a longer window of time and adequate opportunity to put forth their representations by fixing a dedicated time slot to each of the Applicants in the cluster as opposed to cramming all the hearings in one slot. The argument that separate hearings were afforded, merely because the timeslots were different for each application is fallacious to say the least and is in any event, a hyper technical approach. The Answering Respondent states that the public consultation in the matter has complied with the spirit and letter of the law.

21. With respect to averments in Paragraphs 15 and 16 of the Appeal, the same are denied as being false and baseless in so far as they allege procedural infirmities in the conduct of the public hearing. The Public Hearing has been arranged in a systematic, time bound and transparent manner ensuring widest possible public participation. The allegations regarding lack of adequate notice of the said public hearing are wholly unfounded and baseless. Separate notifications were issued for all the proposed mining projects, with different timings, in telugu and English newspapers, clearly giving 30 days advance intimation to public as per EIA Notification. It is understood that two employees of AP Pollution Control Board, Tirupati who were supervising the Environmental Public hearing arrangements on 18.07.2022 and 19.07.2022, had also been deputed to intimate as many people as possible. Further, the law only envisages that the competent authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums in places where newspapers do not reach. In the instant case, no such scenario arose.

22. With regard to the averments made in paragraph 16 of the Appeal, it is also submitted that the EC order was issued with a condition under Air Pollution that, suitable drilling & cutting method shall be adopted to control dust emissions, as per approved mining plan. There will be no blasting activity in granite mining.


Member Secretary
SEIAA, AP

23. It is submitted that the SEAC committee carefully examined the kml map and observed that the nearest mine in this cluster is 650m to summer storage tank. As per the NGT principal bench in O.A No. 304 of 2019 order dated 21.07.2020, the minimum distance criteria from residential / public building, inhabited site location to be considered, when blasting is not involved 100 mts & when blasting is involved 200 mts for permitting stone quarry **(Annexure-VI)**.
24. With regard to the averments made in paragraph 17 of the Appeal, the contents of the same are denied. It is stated that the answering respondent granted the impugned EC after due consideration of all material facts, and the allegations raised regarding conduct of public hearing by the competent authorities and the regarding the non-consideration of DSR are wholly lacking in merit.
25. It is submitted that the SEIAA issued Environmental clearance to respondent (R6) on 16.08.2022 with a condition that the project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA, A.P. It is also stated that the SEIAA uploaded the EC Order on 16.08.2022 in public domain in PARIVESH portal.
26. It is submitted that the APPCB is the compliance monitoring authority for EC conditions as per the G.O.MS.No.120 on 01.11.2018 and will take necessary action in case of any violation is observed **(Annexure-VII)**.
27. With regard to the averments made in paragraph 18 of the Appeal, the same is denied as false. It is submitted that the State Expert Appraisal Committee has appraised EIA studies carried by NABET accredited consultants and recommended to issue Environmental Clearance and the SEIAA has issued EC to R7 with a condition that "Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project", under water pollution point No.VI.
28. With regard to the averments made in paragraph 19 of the affidavit in fact in briefs is not related to this respondent and merit no response.

29. With regard to the various grounds sought to be raised, the same are untenable in law and on the facts of the present case. The answering respondent has also addressed the grounds pertaining to its enquiry during the grant of EC hereinabove. This respondent's response to the principal grounds of challenge are summarized as follows:

- a. The EC is granted based on the approved mining plan by the Mines & Geology Department which has been prepared considering the DSR of the previous Chittoor District where the proposed mine area is located, after due consultation with the said Department. The subsequent district reorganization does not have any significant impact on the area assessment carried out, as elaborated hereinabove.
- b. The provision for conduct of public hearing within 45 days enures to the benefit of the Applicant, as elaborated hereinabove. No prejudice was caused to the Appellant or any other member of the general public on account of the public hearing being conducted after 45 days. In fact, this only increased the notice period given to enable publicity amongst the general public. The paper notifications, carried on 16.06.2022, gave more than sufficient publicity and time to the public to prepare for the hearing, which evinced due compliance with the letter and spirit of the provisions relating to public hearing.
- c. The requirement for consolidated public consultation, ostensibly envisaged in Appendix XI of the EIA Notification, 2006 are inapplicable at present, and there was no legal mandate upon the competent authorities to carry out the same. In any event, the public consultation/hearings for all projects in the cluster have been carried out on the same day with sufficient time intervals inbetween to enable full and holistic participation by concerned members of the public.
- d. The authorities have provided sufficient and adequate notice of the public consultation in local dailies and through local offices, in accordance with law, and there was no scenario in the instant case requiring communication by beating of drums etc.
- e. The water requirements stipulated as well as the area characteristics have been considered during grant of EC, to stipulate adequate

conditions to ensure that there is no unchecked utilization of ground water for the project. The SEIAA has not permitted for utilization of water for mining from the storage tank / ponds.

- f. The present project does not entail any blasting activity and the siting requirements have been fully complied with, as elaborated hereinabove. The summer storage tank is located at 650 meters from the nearest mine of the cluster. As per the NGT order dated 21.07.2020, the minimum distance criteria from residential / public building, inhabited site location to be considered, when blasting is not involved 100 mts & when blasting is involved 200 mts for permitting stone quarry.
30. It is further submitted that the Publishing of EC order at Newspapers is responsibility of the proponent. The APPCB is the compliance monitoring authority for EC conditions as per the G.O.MS.No.120 on 01.11.2018 and will take necessary action in case of any violation is observed.
31. It is submitted that this respondent craves leave of this Hon'ble Tribunal to address any further queries that may arise during the course of proceedings, through an additional counter, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above APPEAL No.51 of 2022 and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed Vijayawada
Andhra Pradesh on
this the 7th day of October 2022
and signed his name in my presence



BEFORE ME


Member Secretary
SEIAA, AP

VERIFICATION

I, Dr. P.V.Chalapathi Rao, S/o Pasala Lakshmaiah, Aged about 53 years, Member Secretary, A.P State Environment Impact Assessment Authority, Andhra Pradesh hereby verify that the contents of Para's of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

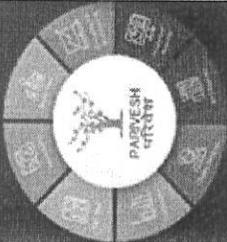
Hence, verified on the 7th day of October 2022 at Vijayawada


Member Secretary
SEIAA, AP

ENVIRONMENTAL
CLEARANCE

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Andhra Pradesh)

Annexure- I

To,

The Proprietrix
PONNALURU PRATHYUSHA
D.No. 2, Rutlandgate, 2nd Street, Chennai, Tamil Nadu. -600006

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/AP/MIN/74363/2022 dated 28-Jul-2022. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|-------------------------|
| 1. EC Identification No. | EC22B001AP123383 |
| 2. File No. | AP MIN CTR 03 2022 4101 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | |
| 7. Name of Company/Organization | PONNALURU PRATHYUSHA |
| 8. Location of Project | Andhra Pradesh |
| 9. TOR Date | 26 Apr 2022 |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 16/08/2022

(e-signed)
DR. P.V.CHALAPATHI RAO
Member Secretary
SEIAA - (Andhra Pradesh)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

This is a computer generated cover page.



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

REGD.POST WITH ACK.DUE

Order No. SEIAA/AP/CTR/MIN/03/2022/4101/194.51&191.34

Sub: SEIAA, A.P. – 6.553 Ha. Mining of Colour Granite of M/s. Amara Commodities at Sy.No: 388/1, 388/2, 387/3, 383 & 6/P (Old Sy. No.6), Eswarapuram Village, Puttor Mandal, Chittoor District, Andhra Pradesh - Environmental Clearance – Issued - Reg.

I. This has reference to your application submitted through online on 28.07.2022 (SIA/AP/MIN/74363/2022), seeking Environmental Clearance for the proposed mine of **6.553 Ha. Mining of Colour Granite at Sy.No: 388/1, 388/2, 387/3, 383 & 6/P (Old Sy. No.6), Eswarapuram Village, Puttor Mandal, Chittoor District, Andhra Pradesh** in favour of **M/s. Amara Commodities**. It was reported that the nearest human habitation viz., Cherlopalii (V) exists at a distance of about 0.35 Km from the mine lease area. It was noted that the capital investment of the project is Rs.69.0 Lakhs and capacity of the project is as follows:

Mining of Colour granite – 12,888 m³/annum in 6.553 Ha,

II. As seen from the Mining plan approved by the competent Government Authority the following two aspects are noted.

i. The location of the mine is as follows:

Sl.No	Latitude	Longitude
P	13°27'20.48697"N	79°31'39.16211"E
Q	13°27'08.10965"N	79°31'56.99887"E
R	13°26'54.48466"N	79°32'00.41014"E
A	13°26'55.40799"N	79°31'52.74497"E
To		
I	13°27'02.90697"N	79°31'42.29537"E
J	13°27'01.61807"N	79°31'42.81806"E
K	13°26'56.69667"N	79°31'43.34361"E
L	13°26'55.91522"N	79°31'52.10746"E

ii. It is an open cast semi-mechanized mine. The total mine lease area is **6.553 Ha.**

This proposal has been referred to SEAC, A.P along with all the documents submitted by the proponent for their appraisal and for their specific recommendations on EC aspect. The proposal has been examined and processed in accordance with EIA Notification, 2006 and its amendments thereof. The State Level Expert Appraisal Committee (SEAC) examined the

application, in its meeting held on **29.07.2022**. The proposed project is for mining of **Colour granite** in an area of **6.553 Ha.** with a proposed production quantity of **Colour granite – 12,888 m³/annum** with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan. The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (≤ 250 ha of mining lease area in respect of non-coal mine lease). The representative of proponent and their M/s. SV Enviro Labs & Consultants have attended the meeting. The Committee noted that as per cluster letter issued by Asst. Director of Mines & Geology, Chittoor, vide Lr. dated: 19.03.2022. There are 03 existing quarry leases within the radius of 500 mts area. The Committee noted that the extent of proposed mine lease area is **6.553 Ha.** The project falls under B1 category. **Mine life 25 years.** Earlier TOR was issued on 26.04.2022 and public hearing was held on 19.07.2022. The committee perused the letter received from the Hon'ble minister for Tourism and carefully examined the contents and noted that the nearest mine in this cluster is 650 m to Summer storage tank. Public welcomed the project. As there is no blasting is involved in these color granite mines, no significant impact is anticipated.

The reply of the project proponent during the Public hearing is as follows:

Sri S.Sudhakar Raju, Managing partner of M/s. Amara Commodities while answering the concerns raised by the public during the public hearing informed the following

- i. Roads will be developed and maintained without causing any inconvenience to the surrounding villagers.
- ii. Suitable job opportunities will be provided to the surrounding villagers.
- iii. Greenbelt shall be developed as per the norms.

The proponent volunteered to provide Digital Class Rooms and primary benches to the **Eswarapuram** High school as a part of Corporate Social Responsibility (CSR) activity and shall maintain till the life of the mine. The Committee after examining the project proposals, presentations, EIA appraisal, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to issue **Environmental Clearance** with following conditions:

1. The proponent shall comply with the proposals furnished in Environmental management plan.
2. The project proponent shall acquire 1.0 Ha additional land for waste dump after 2nd year.
3. The project proponent shall construct 750m (1mx1m) trench on western (300 m) & southern side (450m) of boundary lease area to prevent surface runoff.
4. The proponent shall maintain plantation along the road side.
5. The project proponent shall use parallel road for transportation of minerals.
6. No drilling and blasting is allowed.

The committee in the appraisal report clearly stated that they have approved the approved Mining Plan, Form-I/II, PFR/DPR and EMP for compliance by the proponent. The State Level Environment Impact Assessment Authority (SEIAA), in its meeting held on **12.08.2022** examined the proposal and the recommendations of SEAC and decided to accept SEAC recommendations aforesaid for strict compliance by the proponent and to issue EC. The SEIAA, A.P **hereby accords Environmental Clearance to the project** as mentioned at Para No. I under the provisions of the EIA Notification 2006 and its subsequent amendments issued under Environment (Protection) Act, 1986 subject to implementation of the following specific and general conditions:

Part A. Special Conditions:

- i. The proposal shall not attract the following Acts & Rules:
 - a. Forest Act 1980,

- b. Wild Life (Protection) Act, 1972;
 - c. CRZ Notification, 2011;
 - d. The Eco sensitive areas as notified under Environment (Protection) Act, 1986;
 - e. Critically polluted areas as notified by CPCB and also shall not harm live stocks and human beings and disturb their activities.
- ii. The total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.
 - iii. The proponent volunteered to provide Digital Class Rooms and primary benches to the **Eswarapuram** High school as a part of Corporate Social Responsibility (CSR) activity and shall maintain till the life of the mine.
 - iv. The proponent shall comply with the proposals furnished in Environmental management plan.
 - v. The project proponent shall acquire 1.0 Ha additional land for waste dump after 2nd year.
 - vi. The project proponent shall construct 750m (1mx1m) trench on western (300 m) & southern side (450m) of boundary lease area to prevent surface runoff.
 - vii. The proponent shall maintain plantation along the road side.
 - viii. The project proponent shall use parallel road for transportation of minerals.
 - ix. No drilling and blasting is allowed.
 - x. The project proponent shall maintain the setback distance 7.5 meters buffer zone all around the mine lease area for greenbelt development and other conditions are to be fulfilled.
 - xi. The avenue plantation with tall plants of at least 1.5m height for 1 km length of the approach road on either side of the road is to be developed and maintained. Entire greenbelt should be developed in the first year itself.
 - xii. The proponent is advised to ensure safety to animal and public life.

Part B. Specific Conditions:

1. Air Pollution:-

- i. The proponent shall comply with the mining methodology mentioned in approved mining plan and Form-1.
- ii. Greenbelt shall be developed along the boundary of mining lease area and also in back filled and reclaimed areas with tall growing native species in consultation with the local DFO/Agriculture Department. The proponent of mine shall carry mining operations in such a manner so as to cause least damage to the flora of the mining area and nearby areas. He shall take immediate measures for planting in the same area or any other area selected by authorities not less than twice the number of trees going to be felled by mining operations. He shall also take measures for restoration of other flora /fauna if damaged by mining operations. In case any felling or damage to fauna and flora is involved, prior permission shall be taken from the concerned regulatory authority, by the proponent, without which mining shall not be taken up.
- iii. Effective safe guard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of SPM and RSPM such as haul road, loading and unloading point and transfer points. It shall be ensured that the ambient air quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard. Prior concurrence of regulatory Authority must be obtained by the proponent

- iv. The proponent of mine shall carry air quality monitoring in the core zone as well as buffer zone for RSPM and Noise levels. Location of monitoring stations should be decided based on the metrological data topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with Andhra Pradesh Pollution Control Board. The data so recorded should be regularly submitted to the Ministry including its Regional office located at Chennai and the Andhra Pradesh Pollution Control Board/Central Pollution Control Board once in six months. Prior concurrence of regulatory Authority must be obtained by the proponent.
- v. The proponent shall construct graded roads connecting the mining area to the nearby roads to avoid dust nuisance due to vehicular movements. Prior concurrence of regulatory Authority must be obtained by the proponent.
- vi. The proponent shall take precautions against noise arising out of mining operations and shall be abated or controlled at the source so as to keep it within the permissible limits notified under Environmental (Protection) Act, 1986 / Noise Pollution (Regulations & Control) Rules, 2010 by implementing the following noise control measures.
 - o Proper and regular maintenance of vehicles and other equipment.
 - o The proponent shall ensure that there shall be no excessive noise, while taking up mining activity.
 - o The workers employed shall be provided with protection equipment and earmuffs etc.
 - o Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.
- vii. Whenever any damage to public buildings or monuments is apprehended due to their proximity to the mining lease area, scientific investigations shall be carried out by the holder of mining lease so as to keep the ground vibrations caused by blasting operations within safe limit. In such cases, Prior concurrence of concerned Regulatory Authority must be obtained by the proponent, without which, mining shall not be taken up.
- viii. The proponent shall not take-up mining activity unless he obtains the safety clearance certificate from the Govt. competent authority.

2) Water Pollution:-

- i. As per records the source of water is Bore well. Total water requirement is 16.5 KLD. Out of that, 9.0 KLD is used for Dust suppression; 3.0 KLD is used for Wet drilling & Wire saw cutting; 3.0 KLD is used for development of Green belt; 1.5 KLD is used for Domestic Activities.
- ii. Garland drain and Siltation ponds of appropriate size should be constructed for the working pit to arrest flow of silt and sediment. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains should be regularly desilted, particularly after monsoon, and maintained properly.

Prior concurrence of Regulatory Authority concerned shall be taken for this activity before taking up mining.

- iii. The proponent of the mine shall take all possible precautions to prevent or reduce the discharge of toxic and objectionable liquid effluents from mine, workshop, tailing ponds into surface bodies, ground water aquifer and useable lands to a minimum. The effluents shall be suitably treated, if required, to conform to the general standards notified under Environmental (Protection) Act, 1986. Prior concurrence of Regulatory Authority concerned shall be taken for this activity before taking up mining.
- iv. Monitoring of ground water level and quality should be carried out quarterly by the project proponent in and around the project area in consultation with State Ground Water Department/Central Ground Water Authority and data thus collected shall be submitted regularly to the MoE&F and its Regional Office Vijayawada, CGWA, and the Regional Director, Central Ground Water Board, Hyderabad. If at any stage, it is observed that the ground water table is getting depleted due to the mining activity, necessary correction measures shall be carried out in consultation with concerned Regulatory Authority.
- v. Suitable conservation measures to augment groundwater resources in the area shall be planned and implemented in consultation with Regional Director, CGWB, Southern Region, Hyderabad. Suitable measures should be taken for rainwater harvesting in consultation with concerned Regulatory Authority.
- vi. Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project.

3) Solid Waste :-

- i. **Topsoil:** Wherever top soil exists and is to be excavated for mining operations, remove it separately and the top soil so removed shall be utilized for restoration or rehabilitation of the land, which is no longer required for mine operations or for stabilizing or landscaping the external dumps. Whenever the top soil cannot be utilized concurrently, it shall be stored separately for future use. Prior concurrence of Regulatory Authority must be taken for this activity.
- ii. **Overburden:** The proponent of mine shall take steps so that the overburden, waste rock, rejects and fines generated during mining operations shall be stored in separate dumps preferably on impervious grounds. The waste rock, overburden etc. shall be backfilled into the mine excavations so as to restore the land to its original use as far as possible. In the case of non feasibility of back filling, the waste dump shall be suitably terraced and stabilizes through the vegetation. The proponent shall maintain proper angle of repose to ensure stability to the dump. Prior concurrence of Regulatory Authority must be taken for this activity.
- iii. The proponent of the mine shall construct required number of retaining walls to provide stability to the dumps. Dimensions of the retaining walls shall be based on the rainfall data. Prior concurrence of Regulatory Authority must be taken for this activity.
- iv. The proponent of mines shall construct required number of garland drains to arrest mineral particles being carried away as runoff during rainy seasons around the dump

yards. Dimensions of the garland rains shall be based on rainfall data. Prior concurrence of Regulatory Authority must be taken for this activity.

- v. The proponent of the mine shall undertake phased restoration, reclamation and rehabilitation of the lands affected by the mining operations and shall complete this work before the conclusion of such operations and the abandonment of the mine. This activity shall be taken up under the guidance of Appropriate Regulatory Authority, by the proponent, to ensure that environment is protected.
- vi. The proponent will be squarely responsible for proper implementation of solid waste management plan, prevention of air pollution, water pollution, and any other kind of pollution/health hazard.

Part C. General Conditions:

- i. **This order is valid a period of 20 Years or the expiry date of mine lease or land lease period issued by the Government of A.P., whichever is earlier.**
- ii. While giving CFE/CFO, the APPCB is to kindly ensure compliance of guidelines issued in G.O RT No 239 dt 16.04.2020 and Memo. No/ covid-19/2020/HMFW dt 18.04.2020 issued by Medical, Health and Family welfare department, Government of AP and the Ministry of Home Affairs order No 40-3/2020/DM-DA dt 15.04.2020 scrupulously.
- iii. The proponent shall scrupulously follow any conditions stipulated by Revenue department/ Panchayat Raj/ Municipal administration/local self government bodies (Gram panchayat/Gram secretariat) in ensuring safety to human and animal life. The APPCB to ensure the same while according CFE/CFO. The APPCB to ensure the same while according CFE/CFO.
- iv. Proponent shall ensure that there is no disturbance to flora and fauna. Serenity of nature must be protected at any cost.
- v. In respect of government land for mining, the responsibility fixed on AD mines to check whether necessary clearances from revenue department are obtained.
- vi. In case of patta land while granting mine lease ADMG should verify the land lease documents.
- vii. In respect of forest land given in lease for mining, the proponent shall scrupulously adhere to the mining conditions stipulated by the forest department, Government of Andhra Pradesh.
- viii. Any change in mining plan/ production/ mining methodology the proponent shall apply afresh EC.
- ix. While taking up mining activity the proponent shall meticulously follow approved mining plan/Form-1/EMP.
- x. Once in an year proponent shall conduct impact analysis on environment by reputed

institute recognized by Director General, Mines and Safety.

- xii. No change in mining technology and scope of working should be made without prior approval of the SEIAA, A.P. No further expansion or modifications in the mine shall be carried out without prior approval of the SEIAA, AP/ MoE&F, GoI, New Delhi, as applicable.
- xiii. Personnel working in dusty areas shall be provided by the proponent with protective respiratory devices and they should wear, and they should also be provided with adequate training and information on safety and health aspects. Prior instructions and guidance of Regulatory authority shall be taken for this activity.
- xiv. The project proponent shall ensure that no natural watercourse and/or water resources shall be obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any, originating from the mine lease shall be taken.
- xv. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed. Prior instructions and guidance of Regulatory authority shall be taken for this activity.
- xvi. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- xvii. The funds earmarked for environmental protection measures (**Capital cost Rs.7.0 Lakhs and Recurring cost Rs.6.3 Lakhs/annum**) should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Vijayawada.
- xviii. At least 2% of the total project cost shall be allocated for Corporate Environment Responsibility (CER) and item-wise details along with time bound action plan shall be prepared in accordance to the MoEF&CC's office Memorandum No.F.No.22-65/2017-IA.III, dated.01.05.2018 and submit to the SEIAA, A.P and Ministry's Regional Office, Vijayawada.
- xix. Officials from the Regional Office of MoEF&CC, Vijayawada / The SEIAA, Andhra Pradesh through the Andhra Pradesh Pollution Control Board, who would be monitoring the implementation of environmental safeguards should be given full co-operation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents shall be submitted to the CCF, Regional Office to MoEF&CC, Vijayawada.
- xx. The project proponent shall submit six monthly reports on the status of compliance of

the stipulated environmental clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment & Forests, its Regional Office, Vijayawada, SEIAA, A.P., Zonal Office of Central Pollution Control Board, Bangalore, District Collector and A.P. Pollution Control Board. The proponent shall upload the status of compliance of the environmental clearance conditions including results of monitored data on their websites and shall update the same periodically.

- xxi. Post Environment Clearance Monitoring: It shall be mandatory for the project manager to submit half yearly compliance reports in respect of the stipulated prior EC terms and conditions in hard and soft copy to SEIAA on 1st June and 1st December of each calendar year. (Refer 10(i) and 10(ii) of S.O. 1533(E) of Ministry of Environment and Forests Notification, New Delhi, dt 14th September, 2006.)
- xxii. The APPCB shall monitor the EC conditions stipulated by SEIAA as per GO MS No 120 dated 01.11.2018 of EFS&T Dept., and ensure the compliance.
- xxiii. The proponent shall obtain prior permissions and continued guidance from regulatory authorities for all the above conditions wherever it is required.
- xxiv. All safety norms as stipulated in various laws and statutes shall be scrupulously followed by the proponent. PCB shall ensure compliance to the conditions stipulated by SEIAA.
- xxv. The Proponent shall follow G.O. Ms 107 dated 30.07.2016 of Industries & Commerce (Mines-II) Department wherever applicable.
- xxvi. Consent for Establishment” shall be obtained from Andhra Pradesh Pollution Control Board under Air and Water Act before the start of any activity /construction work at site.
- xxvii. The project proponent shall submit the copies of the environmental clearance to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- xxviii. The environmental statement for each financial year ending 31st March in Form-V as mandated is to be submitted by the project proponent to the A.P. Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional office of the Ministry of Environment and Forests, Vijayawada by e-mail.
- xxix. The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA, A.P.
- xxx. The proponent shall obtain all other mandatory clearances from respective departments

before taking-up the mining activity.

- xxxi. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- xxxii. Concealing the factual data or submission of false fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xxxiii. The SEIAA may revoke or suspend the order, if implementation of any of the above conditions is not satisfactory. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- xxxiv. SEIAA also reserves the right to cancel the EC issued at anytime, if EC has been obtained by the proponent through suppression of any information or furnishing false information.
- xxxv. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and Rules.

MEMBER SECRETARY, SEIAA, A.P.	MEMBER, SEIAA, A.P.	CHAIRMAN, SEIAA, A.P.
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To

M/s. Amara Commodities,
Smt. P. Prathyusha, Proprietrix,
D.No.2, Rutlandgate,
2nd Street, Chennai,
Tamil Nadu – 600006.
Ph.No : +91 9841011579.

Copy to:

1. The Chairman, SEAC, A.P. for kind information.
2. The Member Secretary, APPCB for kind information.
3. The EE, RO: Tirupati, APPCB for information.
4. The Regional Officer, MoEF&CC, GoI, Vijayawada for kind information.
5. The Secretary, MoEF&CC, GoI New Delhi for kind information.
6. Monitoring cell, MoEF&CC, GoI, New Delhi for kind information.
7. The District Collector, Chittoor District, Andhra Pradesh for kind information.

Signature Not Verified

Digitally signed by DR.
P.V.CHALAPATHY RAO

Member Secretary

Date: 8/16/2022 6:27:20 PM



By Speed Post

Lr No. SEIAA/AP/MIN/VJA/IBPM/2021

13/05/2022

To

The Director of Mines & Geology,
Ibrahimpattanam,
Vijayawada, Krishna District.

Sir,

Sub: SEIAA, A.P. – District Survey Report for all 26 Districts - Request - Reg.

Ref: Reorganization of 13 districts of Andhra Pradesh into 26 districts by State Government of Andhra Pradesh - **G.O.Rt.No.35 to 60 Revenue (Lands-IV), 25th January, 2022.**

* * *

With reference to above the Govt., of AP has reorganized the 13 districts of Andhra Pradesh into 26 districts.

In view of the Government decision to reorganize the districts, the DMG is requested to get District Survey Reports (DSRs) revised for Sand and minor minerals wise for all 26 districts immediately and furnish the same to SEIAA, AP.

Yours faithfully,

Special Secretary To Govt
MEMBER SECRETARY,
SEIAA, A.P.

Copy to the Member Secretary, APPCB for kind information and necessary action.

Signed by Dr P V
Chalapathi Rao
Date: 13-05-2022 08:22:56
Reason: Approved

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

Letter No. 911/P-DS/2014

Date:03.06.2022

From
V.G.Venkata Reddy,
Director of Mines & Geology,
5th & 6th Floor, Block – B,
Anjaneya Towers, Ibrahimpatnam,
Vijayawada, Krishna District.

To
The Member Secretary
SEIAA,
Chalamavari Street, Kasturibaipet,
Vijayawada-520010.

Sir,

Sub: Mines and Minerals – District Survey Reports (DSRs) – Consideration of available District Survey Reports (DSRs) of erstwhile 13 districts for reorganized 26 districts – Request - Regarding.

Ref: Lr. No. SEIAA/AP/MIN/VJA/IBPM/2021 – 1189 dt. 13.05.2022

I invite kind attention to the subject and reference cited. It is submitted that District Survey Reports (DSRs) for Sand and Minor Minerals of the erstwhile 13 districts of Andhra Pradesh were prepared and approved by District Magistrates (DM) of respective districts.

The details of validity of these District Survey Reports (DSRs) are as follows:

Sl. No.	District (As on 31.03.2022)	Validity
1	Srikakulam	2025
2	Vizianagaram	2025
3	Visakhapatnam	2023
4	East Godavari	2025
5	West Godavari	2025
6	Krishna	2023
7	Guntur	2025
8	Prakasam	2023
9	Nellore	2023
10	Chittoor	2023
11	Kadapa	2023
12	Anantapur	2025
13	Kurnool	2023

State Government vide G.O.Rt. No. 35 to 60, Revenue (Lands-IV), Dt: 25.01.2022 has reorganized 13 districts of Andhra Pradesh into 26 districts and through reference cited above, SEIAA requested to get the DSRs revised for Sand and Minor Minerals for all reorganized 26 districts.

In this connection, it is submitted that these DSRs have been prepared and approved recently and considerable time is required to prepare the DSRs for the reorganized districts. It is pertinent to mention that draft mining plans are being approved by the Department keeping in view of the sustainable and environment friendly mining practices. Further, since the mining zones are concentrated in clusters and have minimal impact due to reorganization of the districts.

In view of the above, I request SEAA to consider the existing District Survey Reports (DSRs) of erstwhile 13 districts and grant requisite statutory clearances till the revised DSRs of the reorganized districts are being finalized.

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

//ATTESTED//

V. V. Royasabhi
ROYALTY INSPECTOR

Annexure- IV

	<p><u>State Level Environment Impact Assessment Authority (SEIAA)</u> <u>Andhra Pradesh</u> <u>Ministry of Environment, Forests & Climate Change</u> <u>Government of India</u> D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada-520010.</p>
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Lr. No.6/AP/SEIAA/Gen/2021 - 1241

11/07/2022

To
The Joint Secretary (IA),
MoEF&CC, (IA Division)
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-110003,
E-mail: sujit.baju@gov.in.

Sir,

Sub SEIAA, A.P. – Processing the Environmental Clearance (EC) applications of minor minerals and sand mines considering the existing DSRs prepared by Mines and Geology Department Govt. of A.P for the erstwhile 13 Districts before reorganization into 26 Districts – intimation-Reg.

- Ref : 1. Reorganization of 13 districts of Andhra Pradesh into 26 districts by State Government of Andhra Pradesh – G.O.Rt. No. 35 to 60 Revenue (Lands-IV), 25th January.2022.
2. The Dept. of Mines & Geology, Ibrahimpatnma vide letter No.911/P-D5/2014, dated 03.06.2022.
3. Letter received by Chairman, SEIAA from Chairman, SEAC.

It is informed that the SEAC, A.P. and SEIAA, A.P. are processing EC applications of minor minerals and sand mines based on the mining plans approved by the Department of Mines and Geology, Government of A.P. Construing that mining plans approved are prepared as per the District Survey Reports (DSRs) prepared in the year 2018 by the Mines and Geology Department and placed in the public domain in their web site.

Of late, vide reference 1st cited, the Government of Andhra Pradesh, reorganized the 13 Districts of Andhra Pradesh into 26 Districts. This office has requested the Department of Mines and Geology, Govt of A.P. to get District Survey Reports revised for Sand and Minor Minerals for all 26 Districts.

The Director of Mines and Geology has informed that the DSRs were prepared for the 13 Districts, approved and placed in their website for public purpose and further submitted that considerable the time is required to prepare the DSRs for the reorganized districts. And also informed that the draft mining plans are being approved by the department keeping the sustainable and Environment friendly practices in view. Since the mining zones are concentrated in clusters and have minimal impact due the reorganization of the districts, the

Director of Mines requested to consider the existing DSRs of erstwhile 13 districts for granting statutory clearances till the revised DSRs of the reorganized districts finalized.

It is to submit that the DSR is information of tentative mineral resources and the approvals are based on the mineral resources available in applied areas which are susceptible to change during resurvey of the area in the course of time.

Under the circumstances explained above, it is submitted that the SEAC, A.P. and SEIAA, A.P. will apprise the Environmental Clearances applications based on the Mines and Geology Department approved mining plans which were approved keeping the sustainable and Environment friendly practices till revised DSRs of the reorganized districts are finalized and placed in public domain.

Yours

faithfully

Special Secretary To Govt

**MEMBER SECRETARY,
SEIAA, AP**

Copy submitted to the:

1. Special Chief Secretary, EFS&T, Secretariat, A.P. for kind information.
2. The Director of Mines and Geology, Anjaneya towers, Ibrahimpatnam, Vijayawada-521456.

Signed by Dr P V
Chalapathi Rao
Date: 11-07-2022 14:07:54
Reason: Approved



ANDHRA PRADESH POLLUTION CONTROL BOARD

REGIONAL OFFICE

Annexure- V

1st Floor, APSFC Building, Narasimha Theertham Road, TIRUPATI - 517502

A.NARENDRA BABU,
Environmental Engineer.

Ph.:2253481

Lr.No. C-2625/PCB/RO/TPT/2022-1319

Dt. 26.07.2022

To
P. Prathyusha,
D.No. 2, Rutlandgate, 2nd street, Chennai, Tamil Nadu – 600006
Cell No. 9490951922, 8555952708
email. jagadeesh@plrprojects.com

Sir,

Sub:- EIA Notification – Public Hearing of M/s. Amara Commodities on the proposed Colour Granite mine of lease area 6.553 Ha, with the proposed production capacity of Colour Granite - 12888 cum/annum at Sy No. 388/1, 388/2, 387/3, 383 & 6/P (Old Sy.No.6), Eswarapuram (V), Puttur (M), Tirupati Dist., Andhra Pradesh – Communication of Minutes of the Public Hearing for your records – Reg.

Ref:- Public Hearing Meeting held on 19.07.2022 at 10.00 AM at Near by the proposed mining area i.e., Sy No. 388/1, 388/2, 387/3, 383 & 6/P (Old Sy.No.6), Eswarapuram (V), Puttur (M), Tirupati Dist., Andhra Pradesh.

#

With reference to the above, it is here with communicating a copy of the Minutes of the Public Hearing of M/s. Amara Commodities on the proposed Colour Granite mine of lease area 6.553 Ha, with the proposed production capacity of Colour Granite - 12888 cum/annum at Sy No. 388/1, 388/2, 387/3, 383 & 6/P (Old Sy.No.6), Eswarapuram (V), Puttur (M), Tirupati Dist., Andhra Pradesh held on 19.07.2022 for your records.

Submitted for favour of information and taking necessary action.

Yours faithfully,

ENVIRONMENTAL ENGINEER

Encl: Minutes of Public Hearing.

Minutes of the Environmental Public Hearing of M/s. Amara Commodities, Sy No. 388/1, 388/2, 387/3, 383 & 6/P (Old Sy.No.6), Eswarapuram (V), Puttur (M), Tirupati District, Andhra Pradesh on proposed Colour Granite mine at an lease area of 6.553 Ha to produce Colour Granite of capacity - 12,888 cum/Annum and the same was held nearer to the proposed mining site on 19.07.2022 at 10.00 AM.

In accordance with the Notification No. S.O. 1533 dt. 14.09.2006 of Ministry of Environment & Forests, Government of India, New Delhi, the Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, Tirupati has issued a Notification pertaining to the Environmental Public Hearing on the proposal of M/s. Amara Commodities a proposed Colour Granite mine at a lease area of 6.553 Ha with proposed production capacity of 12,888 cum/Annum at Sy No. 388/1, 388/2, 387/3, 383 & 6/P (Old Sy.No.6), Eswarapuram (V), Puttur (M), Tirupati District, Andhra Pradesh in one major National Daily and one Regional vernacular daily on 16.06.2022 inviting suggestions, views, comments and objections of the general public and the same was conducted on **19.07.2022 at 10.00 AM** and the minutes of the meeting is as follows:

The following Officials attended the Environmental Public Hearing:

- 1) **Sri. M. Sreenivasa Rao** **District Revenue Officer & Addl. District Magistrate**
Tirupati District and Authorized representative from the Chairman of the Environmental Public Hearing Panel.
- 2) **Sri. A.Narendra Babu,** **Member Convener**
Environmental Engineer
APPCB, Regional Office, Tirupati.

The following Departmental Officials attended the hearing:

- 1) Sri. I. Subramanayam, Tahsildar, Puttur (M), Tirupati District.
- 2) Sri. Jyothi Manohar Cheeli, AEE, RO, Tirupati.
- 3) Sri. V. Sudhakar, Analyst Gr-I, RO, Tirupati.

Representatives of the Industry:

- 1) Sri. S. Sudhakar Raju, Managing Partner, M/s. Amara Commodities.
- 2) Sri. K.A. Sunil Kumar, M/s. S.V Enviro Labs & Consultants, Visakhapatnam, Environmental consultant of the proposed project.

The Environmental Engineer, A.P. Pollution Control Board, Regional office, Tirupati has welcomed the District Revenue Officer & Addl. District Magistrate, Tirupati District and the Authorized representative from Chairman of the Environmental Public Hearing Panel, Local officials, Press, Police, NGO's and the Public gathered at the Public Hearing venue. He also explained that, as per the Terms of Reference (TOR), State Level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh issued Terms of Reference (TOR) No: Lr No. SEIAA/AP/MIN/CTR/ 03/2022/4101-1176, Dt. 26.04.2022 it is necessary to get the public hearing conducted for this type of project for obtaining the Environment Clearance in accordance with the procedure prescribed under the EIA Notification 2006.

He further explained that, the draft EIA reports and Executive summaries were displayed at all Govt. Offices for the reference of public about the proposed project. Then he requested the public gathered there to express their suggestions, views, comments and objections on the proposed project before public hearing panel under the chairmanship of District Revenue Officer, Tirupati and the same will be recorded and forwarded to the Government for taking decision on the proposed mining project. Then the Environmental Engineer requested the District Revenue Officer, Tirupati for taking over the proceedings of the Environmental Public hearing.

The District Revenue Officer, Tirupati District and Chairman of the Environmental Public Hearing Panel while speaking on the occasion, welcomed the gathering and informed that, usually the mining activity is specifically area specific for the mining projects not only generates considerable revenue to the Government but also provides moderate employment opportunities to the surrounding villagers.

He further explained that, the proposed mining project shall follow the Rules framed by the explosive department, during blasting operations and all safety precautions shall have to be taken during mining operations. Then, he requested the gathering to express their views on the proposed mining project 1st by the surrounding villagers followed by subject experts and NGO's. All the views

of the public will be recorded and corresponding minutes will be prepared and send to Government for taking decision on the proposed mining project. He finally requested the authorities of the mining project to explain about the project profile for information of the gathering before obtaining the public views on the proposed project.

Then, K.A. Sunil Kumar, M/s. S.V Enviro Labs & Consultants, Visakhapatnam, Environmental consultant of the proposed project, while explaining the salient features of the proposed project on behalf of the management, informed that M/s. Amara Commodities has obtained LOI from Asst. Director Mines and Geology and further submitted approved mining plan. As per EIA Notification 2006 and subsequent amendments, it is mandatory to go through the Environmental Public hearing for obtaining the Environmental Clearance. Mining leases will be granted to the mining project only after submission of Environmental clearance from the Department of M/s. Ministry of Environment & Forest and Climate Change (MoEF&CC), Consent For Establishment (CFE) and Consent For Operation (CFO) from AP Pollution Control Board.

Subsequently, the mining project has obtained Terms of Reference (TOR) from State Level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh for conduct of Environmental Public Hearing.

He also informed that, a base line environmental data was collected for the period of 3 months i.e., from February,2022 to April,2022 at the proposed mine area. All the parameters PM2.5, PM10, SOx, NOx are found to be within national ambient air quality standards. The proposed mining project will perform mining operations by open cast drilling and semi mechanized wire saw cutting method for mining operations. Blasting operations (very minimum) will be carried out in the form of controlled blasting techniques as per the norms of the Directorate of Geology & Mining for removing the over burden and for blasting the waste rocks.

He further informed that, an environmental management plan (EMP) is prepared to address the pollution problems viz., dust pollution during mining operations by way of haulage of roads, Water sprinkling at roads and wet drilling

methods will be followed. The mining operations will be carried out without causing any harm to the surrounding villagers.

He also informed that, job opportunities will be provided to the surrounding villagers and CSR budget will be spent on development of surrounding villages and for providing infrastructure facilities at the schools located at surrounding villagers. He finally concluded by informing to the public that, the mining operations will be resumed only after obtaining the Environmental clearance (EC) & CFE and CFO from AP Pollution Control Board.

Then The District Revenue Officer, Tirupati District and Chairman of the Environmental Public Hearing Panel, requested the public to express their suggestions, views, comments and objections if any on the proposed mining project.

Sri. Venkatadri, Resident of Cherlopalli (V) while speaking on the occasion, welcomed the proposed project.

Sri. T.Jayachandra reddy, Resident of Cherlopalli (V) while speaking on the occasion, welcomed the proposed project and expressed his unhappiness on not getting the funds from District Mineral fund for developing the Roads connecting to his village.

The District Revenue Officer, intervened and clarified that the District Mineral fund will be apportioned as per the guidelines and it may take some time and defiantly the part of the fund will be District Mineral fund will be expended by corresponding with the local bodies.

Sri Pathipati Ravi, NGO, Tirupati, while speaking on the occasion welcomed the proposed project and opined that, small issues can be solved by forming coordination committees by involving the surrounding villagers. The CSR funds shall be utilized for conducting of medical camps and development of schools located at the surrounding villages. He also requested the management to involve the women in the activities of greenbelt development ect,.

Sri B.V.Reddy, NGO, M/s. Shakthi Environment and Rural Development Society, Ananthapur, while speaking on the occasion informed that, the activity of the mining project involves blasting operations and hence there shall be some problems and at the same time he stressed the importance of the establishment of industries for development. He suggested the management for forming coordination committees for solving the issues with the villagers. He also submitted a written representation to the chair which is enclosed along with the minutes copy.

Smt Silpa, Resident of Bojjanatham ST Colony, working as a Seva Rathna, requested for construction of Village organization building for convening the meetings and also requested the District authorities for sanction of 20 No. of Households who belonging to her colony and who are not having Pakka houses.

The District Revenue Officer, intervened and requested the Tahsildar, Puttur for taking necessary action on the request made by Smt Silpa, Resident of Bojjanatham ST Colony.

Sri S.Sudhakar Raju, Managing Partner of M/s. Amara Commodities while answering the concerns raised by the public during the public hearing informed the following:

- i. Roads will be developed and maintained without causing any inconvenience to the surrounding villagers.
- ii. Suitable job opportunities will be provided to the surrounding villagers.
- iii. Greenbelt shall be developed as per the norms.

Then The District Revenue Officer, while making the conclusive remarks informed that, 3 Nos of villagers and 2 Nos of NGO's have expressed their suggestions and requests on the occasion and all the concerns will be recorded in the form of minutes and send to the Government for taking decision. He further informed to the public that, now a days modern technology is available for carrying out mining operations with minimum effect on the environment. He also

suggested to the management that the present roads cannot bear more than 10tons capacity vehicles and hence, the management shall identify a parallel road for transporting the material without causing any public nuisance to the surrounding villages or the existing roads have to be improve to cater the needs of vehicular traffic with the tonnage capacity by for using layers as per the technical specifications.

On seeing no more suggestions, views, comments and objections from the public the District Revenue officer, Tirupati District and Chairman of the Environmental Public Hearing Panel, informed to the public that all the views suggestions expressed during the public hearing and the written representations received from surrounding villagers and others are herewith submitted to the Government for taking further decision. Then the public hearing was concluded with vote of thanks by Asst. Environmental Engineer, APPCB, Regional Office, Tirupati.

After completion of public hearing, Hon'ble minister for Tourism and Culture and Youth advancement, Govt. of Andhra Pradesh & Local MLA, Nagari has represented the District Collector, Tirupati and written representation Dt.22.07.2022 has given which is also submitted here with for perusal and to take decision in the matter.


Environmental Engineer
APPCB, Regional Office,
Tirupati.


District Revenue Officer,
Tirupati, Tirupati District.

Annexure- VI

Item No. 09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 304/2019

(With report dated 09.07.2020)

M. Haridasan & Ors.

Applicant(s)

Versus

State of Kerala

Respondent(s)

Date of hearing: 21.07.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Ms. Soni Singh, Advocate for CPCB
Mr. Jogy Scaria, Advocate for KSPCB

ORDER

1. The Issue for consideration is the safeguards in operation of stone quarries close to residences and public roads. At present, the Kerala State PCB has permitted the stone quarry beyond 50 mtrs. from residences and public roads.

2. The Tribunal considered the matter on 28.02.2020. Finding the distance to be inadequate, CPCB was required to consider the matter and report. It was observed:

“2. Accordingly, a report has been filed by the Kerala State PCB on 17.12.2019 retreating the distance criteria of 50 mtrs. and mentioning that no study is available with the CPCB.

3. We are of the view, as earlier observed that the **distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health.**
4. In view of above, we direct the **CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.** The State Board may take further action accordingly. Compliance reports be filed before the next date by email at judicial-ngt@gov.in.”

3. Accordingly, the CPCB has filed its report on 09.07.2020 concluding as follows:

“6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining Type		Minimum Distance	Locations
A.	When Blasting is not involved	100 m	<i>Residential/Public buildings, Inhabited sites, locations to be considered by States.</i>
B.	When Blasting is involved	200 m **	

****Note: The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.**

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.”

4. In view of the above, the said criteria be followed throughout India. The CPCB may monitor compliance.

A copy of this order be sent to the CPCB and all the State PCBs/PCCs by email for compliance.

The application is disposed of.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

July 21, 2020
Original Application No. 304/2019
AK

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Annexure- VII

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),
1st & 2nd Floor, HEPC Building No. 34,
Cathedral Garden Road, Nungam Bakkam, Chennai.

//FORWARDED:: BY ORDER//

SECTION OFFICER