

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

ORIGINAL APPLICATION No.271 of 2022

Between:

Sri K. Srinivasulu and other
residents of Village Kondasamudram and
surrounding villages Gudupalli Mandal,
Chittoor District, Andhra Pradesh.

... Petitioner

VS

The State of Andhra Pradesh,
Rep. by its Chief Secretary to Government,
And 13 others

.... Respondents

COUNTER AFFIDAVIT FILED BY THE 6TH RESPONDENT

Date: 20-04-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
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[Counsel for 6TH Respondent](#)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

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

Date: 20-04-2023

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

ORIGINAL APPLICATION No.271 of 2022

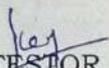
Between:

Sri K. Srinivasulu and other
residents of Village Kondasamudram and
surrounding villages Gudupalli Mandal,
Chittoor District, Andhra Pradesh. ... **Petitioner**

VS

1. The State of Andhra Pradesh,
Rep. by its Chief Secretary to Government,
2. The Principal Secretary to Govt.,
Department of Mines & Geology, A.P.,
3. The Secretary to Govt., Ministry of Environment,
Forest and Climate Change, Govt., of India.
4. The Director of Mines Safety,
O/o Directorate General of Mines Safety
Chennai Region
5. The Andhra Pradesh Pollution Control Board
6. The Collector & District Magistrate,
Chittoor District
7. M/s Rathna Mineral Enterprises,
8. M/s Sri Sai Krupa Granites,
9. M/s Sai Raghavendra Granites,
10. M/s Sri K. Siva Prakash Mine - 0.772 HA,
11. M/s Sri K.Siva Prakash Mine- 0.405 HA,
12. M/s J.R. Granites Pvt. Ltd.,
(Black Granite Mine - 4.846 HA
13. M/s J.R. Granites Pvt. Ltd.,
(Black Granite Mine - 1.620 HA)
14. M/s J.R. Granites Pvt. Ltd.,
(Black Granite Mine - 0.850 HA)

...**Respondents**

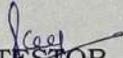

ATTESTOR

Superintendent,
Magisterial Section,
Collector's Office, Chittoor.


DEPONENT
District Collector,
Chittoor.

I, Sri Shan Mohan Sagili I.A.S S/o Sagili Venkatasivaiah, Aged about 33 Years, Occ: Working as Collector & District Magistrate, Chittoor do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the 6th Respondent herein, and as such I am filing this counter Affidavit on behalf of the 6th respondent and as such I am acquainted with the facts and circumstances in my official capacity.
2. This respondent denies each and every 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.
2. In reply to Para No.1.0 to 3.0 it is submitted the contents of the application are matter of record.
3. It is submitted that, in obedience to the Orders of the Hon'ble, NGT, Principal Bench, New Delhi, dated on 20.07.2022, 19.01.2023 and 20.03.2023 the Revenue Divisional Officer, Kuppam on behalf of the Collector & District Magistrate, Chittoor, Sub Divisional Police Officer, Palamaner on behalf of the Superintendent of Police, Chittoor along with the Assistant Director of Mines and Geology, Palamaner have inspected the mine lease areas on 17.04.2023 and submitted the report on allegations made in the application as well as observations made in the report of joint committee inspected on 22.06.2022


ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

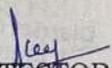

DEPONENT
District Collector,
Chittoor.

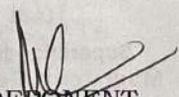
and the action taken in this regard are noted below as per the report.

Details of Mine leases:

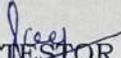
Sl. No.	Name of the Lessee	Survey .No.	Mine Lease Area
4.1	Sri K. Siva Prakash (Formerly Sri Venkata Sai Granites)	101/2	0.772 Ha.
4.2	Sri K. Siva Prakash (Formerly Sri Venkata Sai Granites)	103	0.405 Ha.
4.3	M/s VMS Granites (Formerly M/s KVK Granites)	100/1	1.000 Ha
4.4	Sri Sai Raghavendra Granites	98/3	0.607 Ha.
4.5	Sri Sai Krupa Granites	100/P	0.611 Ha.
4.6	M/s. J.R. Granites	99/4, 99/7	0.850 Ha.
4.7	M/s. J.R. Granites (Tirumala Pit)	89/1, 95/1P, 95/2P, 95/3P	1.620 Ha.
4.8	M/s. J.R. Granites (Surya Pit)	136,137,138	4.846 Ha.
4.9	M/s Rathna Mineral Enterprises	132,133,134,135	4.810 Ha.

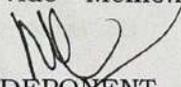
4. **In reply to Para No.4.1** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to the 10th Respondent Sri.K.Siva Prakash (Formerly Sri.Venkata Sai Granite) it was Transferred from M/s Sri Venkata Sai Granite vide Proceeding No.5410/D13-2/2021 dated: 12.10.2021 by the Director of Mines and Geology Ibrahimpatnam in favour of Sri.K.Siva Prakash for Black Granite over an extent of 0.772 Hectors in Sy.No.101/2 of Kotamakunapalli Village, Gudupalli Mandal, Chittoor District for the un expired portion of the lease period up to 02.06.2030 and the same was executed vide


ATTESTOR
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 Collector's Office, Chittoor.


DEPONENT
 District Collector
 Chittoor.

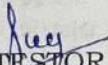
5. Further it is submitted that, the allegations made in the application as well as observations made in the report of joint committee with regard. The lessee is conducting mining out of the granted mine lease area.In this regard, it is submitted that, earlier the Technical Staff O/o Assistant Director of Mines and Geology, Palamaner have inspected the mine on 25.12.2017 and noticed as per DGPS Survey the lessee has worked out of the leased area, as such the Assistant Director of Mines and Geology, Palamaner vide Lr.No:1051/Q2/BG/2007 Dated 16.02.2018 has submitted the determination proposal to head office, in this connection vide Lr.No.1433/R5-1/2018 Dt: 13.04.2018 the Director of Mines and Geology has issued Show Cause Notice to the Lessee in question of the lessee has worked out of the leased area for the mineral quantity 1172.28 Cbm, and violated the rules, subsequently vide D.Dis Proceeding No: 1433/D13-2/2018 Dt: 13.02.2020 the Director of Mines and Geology has Determined the quarry lease for non rectification violations.
6. It is submitted that Aggrieved by the Determination order the lease holder has filed a Revision application before the Government, further the Revisional authority conducted the revision on 24.06.2020 and disposed the revision application and set aside the Determination order vide Memo.No


ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.


DEPONENT
District Collector,
Chittoor.

567/M.I(1)2020-1 Dated: 12.08.2020 with a direction to pay the an amount of Rs.12,00,000/ towards Normal Seigniorage. Fee by the lessee in this connection the lessee has paid an amount of Rs.12,00,000/. Further it is submitted that, since the date of inspection i.e., on 25.12.2017 the lessee has been not working in the out of the leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

7. **In reply to Para No.4.2** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to the 11th Respondent Sri, K.Siva Prakash (Formerly Sri, Venkata Sai Granite) it was Transferred from M/s Sri Venkata Sai Granite vide Proceeding No.5411/D13-2/2021 dt: 12.10.2021 by the Director of Mines and Geology Ibrahimpatnam in favour of Sri.K.Siva Prakash for Black Granite over an extent of 0.405 Hectors in Sy.No 103 of Kotamakunapalli Village, Gudupalli Mandal Chittoor District for the un expired portion of the lease period up to 27.04.2028 and the same was executed vide Proceeding No.1802/TQL/BG/2020 dt:10.12.2021 by the Asst, Director of

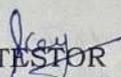

ATTESTOR
 Superintendent,
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 Collector's Office, Chittoor.

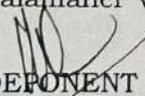

DEPONENT
 District Collector
 Chittoor,

Mines and Geology, Palamaner. With regard. The lessee is conducting mining out of the granted mine lease area.

8. In this regard it is submitted that, earlier the technical Staff O/o of the Asst, Director of Mines and Geology, Palamaner have inspected the mine on 30.10.2019 & 01.11.2019 and noticed as per DGPS Survey the lessee has worked out of the leased area as such the Asst, Director of Mines and Geology, Palamaner vide Lr.No: 1117/Q2/BG/2017 Dt: 13.11.2019 has issued Show Cause Notice, subsequently vide Lr.No: 1117/Q2/BG/2017 Dt: 13.11.2019 has issued Demand Notice to the lease holder as per the recovery percentage for the quantity of 683.124 Cbm has transported from the outside the leased area. Aggrieved by the demand notice the lease holder has filed a Revision application before the Government, further the Revisional authority has conducted the revision on 07.01.2020 and disposed the revision application vide Memo.No 5855/M.I(1)2019-2 Dt: 23.06.2022 with a direction to pay the an amount of Rs.30,10,000/ towards Normal Seig.Fee by the lessee.

9. In this connection it is submitted that the lessee has paid an amount of Rs.30,10,000/. Further it is submitted that, since the date of inspection i,e on 30.10.2019 & 01.11.2019 the lessee has not been working out of the leased area, and also the Assistant Director of Mines and Geology, Palamaner vide


ATTESTOR
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Magisterial Section,
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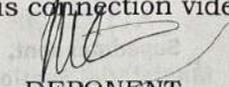

DEPONENT
District Collector,
Chittoor.

Lr.No.1802/TQL/ BG/2020 Dated:22.12.2022 has issued stop production order to the lessee until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

10. **In reply to Para No.4.3** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s V.M.S Granite it was Granted vide Proceeding No.2036/R5-1/2004 dt: 07.06.2006 by the Director of Mines and Geology, in favour of M/s V.M.S Granite for Black Granite over an extent of 1.00 Hectars in Sy.No 101/1 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.1293/Q/2004 dt:28.06.2006 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 27.06.2026.

11. Further it is submitted that the Asst, Director of Mines and Geology, Palamaner vide Lr.No 1293/Q/2005 dt. 23.05.2022 has submitted Determination Proposal to the Director of Mines and Geology under Rule 12(5) (h) (xii) of APMMC Rules, 1966 for committed the breaches and non operation of mine lease since long time, in this connection vide

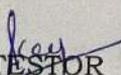

ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

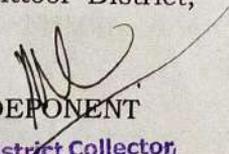

DEPONENT
District Collector
Chittoor,

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Lr.No 5942773/D13-2/2022, Dated: 10.06.2022 the Director of Mines and Geology has issued Show Cause Notice to the Lessee in question rectification of committed breaches and non operation of mine lease since long time. Further the lessee has submitted the rectification of breaches to the Director of Mines and Geology on 04.07.2022 and the same ,has forwarded to the ADM&G, Palamaner for specific remarks on rectification, as such vide Lr.No 1293/Q/2005 dt. 16.08.2022 the Asst, Director of Mines and Geology, Palamaner has submitted remarks on reply and it is under process. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

12. **In reply to Para No.4.4** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to the 9th respondent M/s Sai Raghaendra Granite, it was granted vide Proceeding No.24863/R5-1/2007 dt: 28.01.2008 by the Director of Mines and Geology in favour of M/s Sai Raghaendra Granite for Black Granite over an extent of 0.607 Hectars in Sy.No 98/3 of Kotamakunapalli Village Gudupalli Mandal Chittoor District,


 ATTESTOR
 Superintendent,
 Magisterial Section,
 Collector's Office, Chittoor.

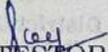

 DEPONENT
 District Collector,
 Chittoor.

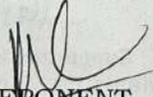
for the period of 20 years and the same was executed vide Proceeding No.1348/Q/2007 dt:29.05.2008 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 28.05.2028.

13. Further it is submitted that, the allegations made in the application as well as observations made in the report of joint committee with regard. The lessee is conducting mining out of the granted mine lease area as per the Geo coordinates.

14. In this regard, it is submitted that, earlier the technical Staff O/o of the Asst, Director of Mines and Geology, Palamaner have inspected the mine on 09.12.2009 and noticed as per DGPS Survey the lessee has worked, out of the leased area, as such the Asst, Director of Mines and Geology, Palamaner vide Lr.No: 1348/Q/07, Dt. 16.12.2009 has issued Show Cause Notice , subsequently has issued Demand Notice vide Lr.No 1348/Q/2007 Dt: 02.01.2010 to the Lessee in question of the lessee has worked, out of the leased area for the mineral quantity 230.880 Cbm, for which the Government vide Memo No. 311/M.II(1)/2012-2 Dt. 16.02.2012 stayed the demand notice and permitted mine operation.

15. Further it is submitted that, since the date of inspection i.e on 09.12.2009, the lessee has not been working in the out of the leased area. Further the Assistant Director of Mines

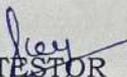

ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

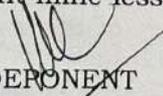

DEPONENT
District Collector
Chittoor.

and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

16. **In reply to Para No.4.5** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to 8th respondent M/s Sri Sai Krupa Granite it was Granted vide Proceeding No.30145/D13-2/2017 dt: 21.07.2020 by the Director of Mines and Geology in favour of M/s Sri Sai Krupa Granite for Black Granite over an extent of 0.611 Hectars in Sy.No 100 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.3047/Q2/BG/2009 dt:07.08.2020 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 06.08.2040. With regard. The lessee is conducting mining out of the granted mine lease area.

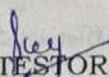
17. In this regard, it is submitted that, earlier the Technical Staff O/o the Assistant Director of Mines and Geology, Palamaner have inspected the quarry lease applied area on 25.12.2017 at the time of LOI approval to the mine lessee of M/s Sri Sai Krupa and noticed that, the adjacent mine lessee


ATTESTOR
Superintendent,
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Collector's Office, Chittoor.


DEPONENT
District Collector,
Chittoor.

i.e., M/s J.R.Granite has been encroached out of their existing lease and the same has informed by the Assistant Director of Mines and Geology, Palamaner vide Lr.No.1051/Q2/BG/2007 Dt. 13.11.2019 to the Director of Mines and Geology and also the action already initiated against the adjacent mine lessee i.e M/s J.R. Granite for the encroachment area. As such there is no question in the matter of encroachment by the mine lessee of M/s Sri Sai Krupa. Further it is submitted that, as on date of inspection i.e on 25.12.2017 there is no excavations in the encroachment area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

18. **In reply to Para No.4.6** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s J.R Granite it was Transferred vide Proceeding No.33046/R5-1/2012 dt: 13.08.2012 by the Director of Mines and Geology in favour of M/s J.R Granite from M/s Supraja Granite for Black Granite over an extent of 0.850 Hectars, in Sy.No 99/4 & 7 of Kotamakunapalli Village Gudupalli Mandal, Chittoor District


ATTESTOR
 Superintendent,
 Magisterial Section,
 Collector's Office, Chittoor.

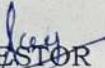

DEPONENT
 District Collector
 Chittoor,

for the unexpired portion of the lease period up to 23.10.2027 and the same was executed vide Proceeding No.2114/Q/2012 dt:30.08.2012 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 23.10.2027.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard, In this regard it is submitted that, during the day of inspection i,e on 07.03.2023 the surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

19. **In reply to Para No.4.7** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s J.R Granite it was Granted vide Proceeding No.37899/R5-1/2013 dt: 03.02.2017 by the Director of Mines and Geology in favour of to M/s J.R


ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

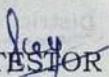

DEPONENT
District Collector,
Chittoor.

Granite for Black Granite over an extent of 4.846 Hectars in Sy.No 136,137,& 138 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.3874/Q2/BG/2012 dt:20.02.2017 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 19.02.2037.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard it is submitted that, during the day of inspection i,e on 07.03.2023 the surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

20. **In reply to Para No.4.8** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to the 14th respondent M/s J.R Granite it was Transferred vide Proceeding No.3970/R4-1/2015 dated 10.06.2015 by the Director of


ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

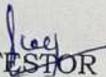

DEBONENT
District Collector
Chittoor.

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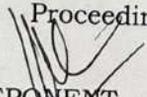
Mines and Geology in favour of M/s J.R.Granite from M/s Thirumala Granite for Black Granite over an extent of 1.620 Hectars in Sy.No.89/1, 98/1P, 95/2P 7 95/3P of Kotamakunapalli Village, Gudupalli Mandal, Chittoor District for the unexpired portion of the lease period up to 11.03.2023, and the same was executed vide Proceeding No.3800/TQL/2014 dt:05.08.2015 by the Assistant Director of Mines and Geology, Palamaner and the lease will be in force up to 11.03.2032.

21. Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

22. **In reply to Para No.4.9** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to the 7th respondent M/s Rathna Minerals it was Granted vide Proceeding


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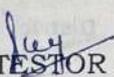
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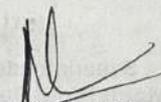

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No.36968/R5-1/2010 dt: 08.12.2010 by the Director of Mines and Geology in favour of M/s Rathna Minerals for Black Granite over an extent of 4.809 Hectars in Sy.No 132, 133,134 & 135 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years, and the same was executed vide Proceeding No.3045/Q/2010 dt:12.02.2011 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 11.02.2031.

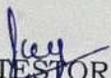
23. Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

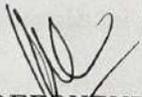
24. **Further it is submitted that with regard mine leases 4.2, 4.4 to 4.8 as per the as observations made in the report of joint committee inspected on 22.06.2022 there is discrepancy between the approved mine leases granted as per latest DGPS coordinates.**


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Director of Mines and Geology, Palamaner has stated that initially the Department of Mines and Geology has followed the plane table survey in which the mean surface of the earth is considered as a plane. While using the surveying equipments such as chain tape and cross staff in traditional method of survey would like to inform that an allowance of five cents each 1.00 acre is allowed as per survey and boundaries act whenever the traditional way of survey measurements is taken up. At this rate, there can be a permissible variation of five cents up to 1.00 Ac towards survey allowance. Subsequently, the Government of Andhra Pradesh issued instructions vide Memo No.15718/M.(1)2010, dated: 04.11.2010 while addressed to the Director of Mines and Geology with a request to process the proposals in accordance with the said memo guidelines scrupulously. The copy of same is enclosed for perusal. Hence, then onwards, the GPS coordinates are mentioned in the lease deed plan with the help of handheld GPS instruments like Garmin 72H, Etrex - 20 & 30 while setting parameters the parameters as Degrees Minutes and Seconds, Metric as units, True north as north and WGS-84 as map datum. Further, these geo coordinates are issued for only location purpose.

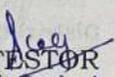

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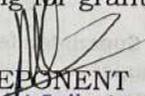

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26. In this context, it is submitted that, the Handheld GPS technology uses standalone receivers, where the location is directly calculated. This technique is prone to errors such as uncorrected satellite clock errors, orbital parameter satellite error, ionospheric and tropospheric delay, multipath errors, geometric errors and datum selection errors. To reduce these errors new technologies are evolved. GPS can gain nominal accuracy of about 0 to + or - upto 10 Mts. Further, the DGPS is an improvement to GPS. DGPS Technology can achieve accuracy up to 10cm. It reduces or eliminates the signal degradation, resulting in improving the accuracy. DGPS relies on two receivers' rover and reference receiver, rover is the user and reference receiver is also known as stationary receiver.

27. It is submitted that as the matter stood thus, the state government of A.P vide Go.Ms.No.51, I & C (M-II) Department, dated: 28.03.2018 amended the APMMC Rules,1966 wherein all application for grant or renewal of quarry leases for any kind of minor minerals including 31 Minerals shall be made along with a plan drawn to the scale demarcating the boundaries duly incorporating the DGPS readings.

28. It is submitted that In turn, vide Go.Ms.No.116, I & C, (M-II) Dept., dt: 28.03.2018 has accorded permission to the Director of Mines and Geology, A.P for empanelling the DGPS Agencies on DGPS survey of lease boundaries and preparation of maps of areas of MLs/ PLs with geo referencing for grant of


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quarry lease for all minor minerals in the state of A.P as per the revised criteria. Hence, the Department of Mines and Geology has considered the lease deed plans in tune with DGPS Surveyed plans which are approved by the Director of Mines and Geology.

29. **It is submitted that with regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 Over burden is being dumped out of the mine lease areas. Approval regarding dumping of OB out of the mine lease area is not available.**

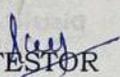
30. It is submitted that, the Assistant Director, Mines and Geology, Palamaner has stated that the mine leases 4.1 & 4.2 have applied for quarry leases in the dumping area, for use of dumping of over burden together with excavation of mineral accordingly the Assistant Director, Mines and Geology, Palamaner has submitted the Grant Proposal based on the recommendation by the Tahsildar, in this connection the Director of Mines and Geology Ibrahimpatnam has issued letters to the applicant to remit the requisite Premium amount as per G.O.Ms.No.65, Industries & Commerce (M.III) Department, Dated: 04.08.2021. But the applicants have not paid the requisite Premium amount to process the application, meanwhile the applicants has filed Writ Petition before the Hon'ble High Court A.P. against the G.O.Ms No. 65, Industries

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& Commerce (M.III) Department, Dated: 04.08.2021 and it is pending at Hon'ble High Court Andhra Pradesh.

31. It is submitted that, with regard the mine leases 4.3, 4.4, and 4.5 have filed a quarry lease applications for grant of quarry leases in the dumping area, for use of dumping of overburden together with excavation of mineral which are in processing stage at O/o the Assistant Director, Mines and Geology, Palamaner, at this juncture recently the Government vide G.O.Ms.No.13, Industries & Commerce (M.III) Department, Dated: 14.03.2022 have issued amendments to APMMC Rules, 1966, wherein it has been decided for grant of quarry leases for the minor minerals in the areas falling in Government lands shall be considered through e-auction process. Accordingly, as per Rule 12(2) amended by the Government vide G. O. Ms. No. 14, Industries & Commerce (M.III) Department, Dated:14.03.2022, all mineral concession applications for minor minerals falling in the above categories received for grant prior to the date of commencement of the Andhra Pradesh Minor Mineral Auction Rules 2021 shall become ineligible, as such at present the applications are not being processed the applications as the Department, of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Department, G.O.Ms No.14 Dated 14.03.2022. As such the applications for


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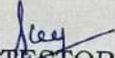

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mine leases 4.3, 4.4, and 4.5 are not being processed as the Department of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Department, G.O.Ms.No.14, Dated: 14.03.2022 all mineral concession applications received prior to the G.O issued are ineligible and the mine lease will be granted accordingly on auction basis.

32. It is submitted that, with regard the mine leases 4.9 have applied for quarry lease in the dumping area, over an extent of 4.898 Hector, in this connection this office, has submitted the grant proposal to the Director of Mines and Geology dated on 09.04.2021. But the application is not being processed at head office as the Dept, of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Dept., G.O.Ms.No.13 & 14 Dated: 14.03.2022 all mineral concession applications received prior to the G.O issued are ineligible and the mine lease will be granted accordingly on auction basis. In this connection through the state Granite Association M/s Federation of Minor Minerals Industry (FEMI) the mine lease 4.9 has filed W.P.No.19459/2022 Dated 06.07.2022 and W.P.No. 16807/2022 Dated 21.06.2022 before the Hon'ble High Court A.P aginst the G.O.Ms.No.13 Industries & Commerce (M.III) Department, Dated: 14.03.2022 and G.O.Ms No.14, Industries & Commerce (M.III) Department, Dated:

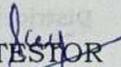

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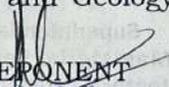

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14.03.2022 respectively and it is pending at Hon'ble High Court A.P.

33. It is submitted that, the mine leases 4.6, 4.7, and 4.8 have applied for quarry lease in the dumping area, and Asst, Director of Mines and Geology, Palamaner has submitted the grant proposals to the head office accordingly the Director of Mines and Geology, has issued Letter of intent for submission required documents of Environmental Clearance, Consent for Establishment and Mining Plan. In this connection the mine lessee has submitted required documents, further it is submitted that in the scrutiny of file demarcated Sketch by the Assistant Mines Officer, Head office it is noticed that there is a little bit variation in between applied area and No Objection Certificate issued area, in this connection the Record of Enquiry is returned to the Assistant Director of Mines and Geology, Palamaner for re-submission of grant proposal duly rectifying the lapses noticed, but proposal not yet received it is pending at O/o the Assistant Director, Mines and Geology, Palamaner for scrutiny.

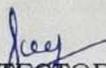
34. **Further it is submitted that with regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 buffer zone of 7.5 meters all around mine leases area for green belt development is not being maintained.**In this regards, it is submitted that the Assistant Director of Mines and Geology,

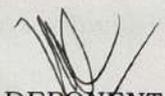

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Palamaner has stated that Geologically the area is a hill formation and also the ore body is formed as a black dolerite dyke raised to a height of 100 Mtrs with a width of 40 to 600 Mtrs trending EW occurring as intruded body into the gray Granite hillock, moreover number of lease are granted as a cluster in that area with a small extent i.e bellow 1.00 Hectar, as such there is no possible to conduct mine operation with living buffer zone around the leased area, in this connection all lease holders to be get the permission by the Director of Mines Safety under Regulation 111(3) of the MMR,1961 for grant of relaxation to work within 7.5 m of the mines boundary.

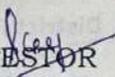
35. It is Submitted that the mine lessee M/s J.R. Granites Pvt Ltd. has submitted permission approval combined for (4.6, 4.7 and 4.8) 03 leases vide Lr.No 302577/SZ/Chennai Region /Perm/2021/194878 Dt; 24.09.2021 by the Director of Mines Safety Chennai, further it is submitted that the mine lease 4.9 i.e M/s Rathna Minerals is having quarry lease over an extent of 4.809 Hectars in Sy.No 132, 133,134 & 135 of Kotamakunapalli Village Gudupalli Mandal Chittoor District and it is a separate individual lease in this lease surrounding there is no existing lease and also the extent is sufficient to conduct mine operation with living buffer zone around the leased area.

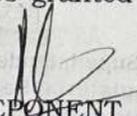

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Conclusive Remarks of the Joint Inspection Team:

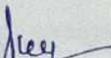
- a) With regard mine leases 4.1, 4.2, 1.5 & 4.6 as per the as observations made in the report of joint committee inspected on 22.06.2022 the mine lessees are conducting mining out of the granted mine lease area. The Department of Mines and Geology already has initiated the action against the who are conducting mining out of the granted mine lease area as per the rule and regulations, at present as per the report submitted by the Assistant Director of Mines and Geology Palamaner, the surveyor has verified the all mine leases boundaries as per the lease deed sketches and noticed that the mine operations are within the leased area and there is no out of the mine leased at present. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the all mine leases 4.1 to 4.9 until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. Further at present the mine is not in operation.
- b) Further, it is submitted that with regard mine leases 4.2, 4.4 to 4.8 as per the as observations made in the report of joint committee inspected on 22.06.2022 there is discrepancy between the approved mine leases granted as


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per latest DGPS coordinates. In this context, the chain survey there can be a permissible variation of five cents upto 1.00 Acres towards survey allowances, in the Handheld GPS Technology uses standalone receivers, where the location is directly calculated. This technique is prone to errors such as uncorrected satellite clock errors, orbital parameter satellite error, ionospheric and tropospheric delay, multipath errors, geometric errors and datum selection errors. To reduce these errors new technologies are evolved. GPS can gain nominal accuracy of about 0 to + or-upto 10 Mts. Further, the DGPS is an improvement to GPS. DGPS Technology can achieve accuracy up to 10cm. It reduces or eliminates the signal degradation, resulting in improving the accuracy. The Department of Mines and Geology has been considering the lease deed plans at present in tune with DGPS Surveyed plans which were approved by the Director, Mines and Geology, Ibrahimpatnam, Vijayawada.

- c) With regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 Over burden is being dumped out of the mine lease areas. In this context, the mine lessees are applied for additional land for dumping of overburden. But at present the Department of Mines and Geology has

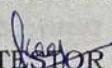

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not been processing the applications. So as implementing the auction process as per G.O.Ms.No.14, Industries and Commerce (Mines-III) Department, dated: 14-03-2022. As such all Lease Holders should obtain the quarry lease or additional land only through auction as per latest norms.

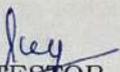
d) Further, the mine leases 4.1 to 4.5 to be get the permission by the Director of Mines Safety under Regulation 111(3) of the MMR, 1961 for grant of relaxation to work within 7.5 m of the mines boundary.

e) With regard mine leases 4.1 and 4.2 as per the as observations made in the report of joint committee inspected on 22.06.2022 the mine lease are nearer to Kondasamudram village, Gudupalle (M). In this regards, it is submitted that the mine leases are granted in the year 2008 and 2010 as per the report received by the Revenue Department Officials and as per the revenue records the mine lease area is Konda Poramboku and also there is no house hold habitation at the time of issue of No Objection Certificate together with submission of grant proposal of Mine lease, as such the Department of Mines And Geology has accorded a permission for grant of mine lease, further it is submitted that at the time of inspection by the Assistant Director of Mines and Geology, Palamaner i.e., on 17.04.2023 has observed that the households are recently constructed i.e., after the grant of quarry leases.


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- f) Further, the Team of Inspecting Officials have also interacted with the peoples near to the lease belongs to respondent 7 to 14 and during enquiry, there is no specific complaints were received from the peoples.
- g) Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor, O/o the Assistant Director, Mines and Geology, Palamaner has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area.
- h) Further it is submitted that, the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine lessees 1 to 9 until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. Copies of the mine stop production orders are leases 1 to 9 annexed as Annexure-VII.
- i) **Further it is respectively submitted that at present no mining activity is going on in the mine lessee 1 to 9 existing at Gudupalli Village & Mandal of Chittoor District as per the issue of Stop Production orders to the mine leases.**


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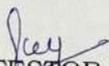
36. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No 271 of the 2022 (P.B) 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.


DEPONENT.
District Collector,
Chittoor.

Solemnly affirmed at Chittoor
District Andhra Pradesh on this
the 20th day of April 2023 and signed
his name in my presence Chennai.

BEFORE ME


ATTESTOR
Superintendent,
Magisterial Section,
Collector's Office, Chittoor.

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VERIFICATION

I, Sri Shan Mohan Sagili I.A.S S/o Sagili Venkatasivaiah, Aged about 33 Years, Occ: Working as Collector & District Magistrate, Chittoor, do here by verify that the contents of the above paras are true to the best of my personnel knowledge, believed to be true on legal advice and that I have not suppressed ant material of fact.

Verified at Chittoor

on this the 20th day of April, 2023



DEPONENT.
District Collector,
Chittoor.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH: NEW DELHI
ORIGINAL APPLICATION NO. 271 OF 2022**

REPORT SUBMITTED TO THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH : NEW DELHI, IN THE MATTER OF O.A. NO. 271 OF 2022 filed by Sri K.Srinivasulu & others, R/o Kondasamudram (Village), Gudupalli (Mandal), Chittoor District on the Granite Mining Units operating in Gudupalli (Mandal), Chittoor District, Andhra Pradesh on blasting operations and other issues facing by the surrounding villagers due to operation of the Granite mining units.

1.0 Preamble

Mr. K Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a compliant in the National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out by M/s Rathna Minerals, M/s Raghavendra Granites, M/s Thirumala Granites, M/s Venkatasai Granites, M/s. J.R. Granites, M/s KVK Granites in and around the villages of O.N. Kothur, Kotamakanapalli, Chinnakotamanapalli, Kondasamudram, Chinna Agraharam, Talli Agraharam Srinivasapuram and Krishnarajapuram and also arrangements are going on to issue new permissions for miners in the survey nos. 89, 98/1, 98/2, 103/4, 104/1, 127, 129, 129A, 130. The mining operations and blasting carried out in the said villages alongside the roads, canals and residential premises by the mining operators and causing huge damages to the residential houses and injuries to the villagers.

2.0 Details of Mine leases

S.No.	Name of the Lessee	Survey.No.	Mine Lease Area
1	Sri K. Siva Prakash (Formerly Sri Venkata Sai Granites)	101/2	0.772 Ha.

2	Sri K. Siva Prakash (Formerly Sri Venkata Sai Granites)	103	0.405 Ha.
3	M/s VMS Granites (Formerly M/s KVK Granites)	100/1	1.000 Ha
4	Sri Sai Raghavendra Granites	98/3	0.607 Ha.
5	Sri Sai Krupa Granites	100/P	0.611 Ha.
6	M/s. J.R. Granites	99/4, 99/7	0.850 Ha.
7	M/s. J.R. Granites (Tirumala Pit)	89/1, 95/1P, 95/2P, 95/3P	1.620 Ha.
8	M/s. J.R. Granites (Surya Pit)	136,137,138	4.846 Ha.
9	M/s Rathna Mineral Enterprises	132,133,134,135	4.810 .

3. The Hon'ble Tribunal vide order dated 20.03.2023 stating as follows:

In view of the observations made in the report of the Joint Committee as well as averments made in the replies/response filed by respondents no. 7 to 14, respondents no. 2 and 6 are directed to take appropriate remedial action and file Action Taken Report with requisite details, apart from their replies/responses, within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF/Word file and not in the form of Image PDF.

4. Submissions regarding spot inspection on alleged area:

It is submitted that, in obedience to the Orders of the Hon'ble, NGT, Principal Bench, New Delhi, dated on 20.07.2022, 19.01.2023 and 20.03.2023 the Revenue Divisional Officer, Kuppam on behalf of the Collector & District Magistrate, Chittoor, Sub Divisional Police Officer, Palamaner on behalf of the Superintendent of Police, Chittoor along with the Assistant Director of Mines and Geology, Palamaner have inspected the mine lease areas on 17.04.2023 and submitted herewith on allegations made in the application as well as observations made in the report of joint committee inspected on 22.06.2022 and the action taken in this regard is noted below.

Further, it is submitted that as per the as observations made in the report of joint committee inspected on 22.06.2022 as follows:-

- Mine leases 4.2, 4.4 to 4.8 there is discrepancy between the approved mine leases granted as per latest DGPS coordinates.
- Mine leases 4.1, 4.2, 4.5 & 4.6 the mine lessees are conducting mining out of the granted mine lease area.
- Mine leases 4.1 to 4.9 there is over burden is being dumped out of the mine lease areas. Approval regarding dumping of OB out of the mine lease area is not available.
- Mine leases 4.1 and 4.2 are nearer to Kondasamudram village.
- Mine leases 4.1 to 4.9 buffer zone of 7.5 meters all around mine leases area for green belt development is not being maintained.

2. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to Sri.K.Siva Prakash (Formerly Sri.Venkata Sai Granite) it was Transferred from M/s Sri Venkata Sai Granite vide Proceeding No.5410/D13-2/2021 dated: 12.10.2021 by the Director of Mines and Geology Ibrahimpatnam in favour of Sri.K.Siva Prakash for Black Granite over an extent of 0.772 Hectors in Sy.No.101/2 of Kotamakunapalli Village, Gudupalli Mandal, Chittoor District for the un expired portion of the lease period up to 02.06.2030 and the same was executed vide Proceeding No.1803/TQL/BG/2020 dt: 10.12.2021 by the Asst, Director of Mines and Geology, Palamaner.

Further it is submitted that, the allegations made in the application as well as observations made in the report of joint committee with regard. The lessee is conducting mining out of the granted mine lease area.

In this regard, it is submitted that, earlier the Technical Staff O/o Assistant Director of Mines and Geology, Palamaner have inspected

the mine on 25.12.2017 and noticed as per DGPS Survey the lessee has worked out of the leased area, as such the Assistant Director of Mines and Geology, Palamaner vide Lr.No:1051/Q2/BG/2007 Dated 16.02.2018 has submitted the determination proposal to head office, in this connection vide Lr.No.1433/R5-1/2018 Dt: 13.04.2018 the Director of Mines and Geology has issued Show Cause Notice to the Lessee in question of the lessee has worked out of the leased area for the mineral quantity 1172.28 Cbm, and violated the rules, subsequently vide D.Dis Proceeding No: 1433/D13-2/2018 Dt: 13.02.2020 the Director of Mines and Geology has Determined the quarry lease for non-rectification violations.

Aggrieved by the Determination order the lease holder has filed a Revision application before the Government, further the Revisional authority conducted the revision on 24.06.2020 and disposed the revision application and set aside the Determination order vide Memo.No 567/M.I(1)2020-1 Dated: 12.08.2020 with a direction to pay the an amount of Rs.12,00,000/ towards Normal Seigniorage. Fee by the lessee in this connection the lessee has paid an amount of Rs.12,00,000/. Further it is submitted that, since the date of inspection i.e., on 25.12.2017 the lessee has been not working in the out of the leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

3. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to Sri, K.Siva Prakash (Formerly Sri, Venkata Sai Granite) it was Transferred from M/s Sri Venkata Sai Granite vide Proceeding

No.5411/D13-2/2021 dt: 12.10.2021 by the Director of Mines and Geology Ibrahimpatnam in favour of Sri.K.Siva Prakash for Black Granite over an extent of 0.405 Hectors in Sy.No 103 of Kotamakunapalli Village, Gudupalli Mandal Chittoor District for the un expired portion of the lease period up to 27.04.2028 and the same was executed vide Proceeding No.1802/TQL/BG/2020 dt:10.12.2021 by the Asst, Director of Mines and Geology, Palamaner.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard it is submitted that, earlier the technical Staff O/o of the Asst, Director of Mines and Geology, Palamaner have inspected the mine on 30.10.2019 & 01.11.2019 and noticed as per DGPS Survey the lessee has worked out of the leased area as such the Asst, Director of Mines and Geology, Palamaner vide Lr.No: 1117/Q2/BG/2017 Dt: 13.11.2019 has issued Show Cause Notice, subsequently vide Lr.No: 1117/Q2/BG/2017 Dt: 13.11.2019 has issued Demand Notice to the lease holder as per the recovery percentage for the quantity of 683.124 Cbm has transported from the outside the leased area. Aggrieved by the demand notice the lease holder has filed a Revision application before the Government, further the Revisional authority has conducted the revision on 07.01.2020 and disposed the revision application vide Memo.No 5855/M.I(1)2019-2 Dt: 23.06.2022 with a direction to pay the an amount of Rs.30,10,000/ towards Normal Seig.Fee by the lessee.

In this connection the lessee has paid an amount of Rs.30,10,000/-. Further it is submitted that, since the date of inspection i.e on 30.10.2019 & 01.11.2019 the lessee has not been working out of the leased area, and also the Assistant Director of Mines and Geology, Palamaner vide Lr.No.1802/TQL/ BG/2020 Dated:22.12.2022 has issued stop production order to the lessee until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

4. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s V.M.S Granite it was Granted vide Proceeding No.2036/R5-1/2004 dt: 07.06.2006 by the Director of Mines and Geology, in favour of M/s V.M.S Granite for Black Granite over an extent of 1.00 Hectars in Sy.No 101/1 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.1293/Q/2004 dt:28.06.2006 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 27.06.2026.

Further it is submitted that the Asst, Director of Mines and Geology, Palamaner vide Lr.No 1293/Q/2005 dt. 23.05.2022 has submitted Determination Proposal to the Director of Mines and Geology under Rule 12(5) (h) (xii) of APMMC Rules, 1966 for committed the breaches and non operation of mine lease since long time, in this connection vide Lr.No 5942773/D13-2/2022, Dated: 10.06.2022 the Director of Mines and Geology has issued Show Cause Notice to the Lessee in question rectification of committed breaches and non operation of mine lease since long time. Further the lessee has submitted the rectification of breaches to the Director of Mines and Geology on 04.07.2022 and the same has forwarded to the ADM&G, Palamaner for specific remarks on rectification, as such vide Lr.No.1293/Q/2005 dated: 16.08.2022 the Assistant Director of Mines and Geology, Palamaner has submitted remarks on reply and it is under process. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198.

Further at present the mine is not in operation.

5. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s Sai

Raghaendra Granite, it was granted vide Proceeding No.24863/R5-1/2007 dt: 28.01.2008 by the Director of Mines and Geology in favour of M/s Sai Raghaendra Granite for Black Granite over an extent of 0.607 Hectars in Sy.No 98/3 of Kotamakunapalli Village Gudupalli Mandal Chittoor District, for the period of 20 years and the same was executed vide Proceeding No.1348/Q/2007 dated:29.05.2008 by the Assistant Director of Mines and Geology, Palamaner and the lease will be in force up to 28.05.2028.

Further it is submitted that, the allegations made in the application as well as observations made in the report of joint committee with regard. The lessee is conducting mining out of the granted mine lease area as per the Geo coordinates.

In this regard, it is submitted that, earlier the technical Staff O/o of the Assistant Director of Mines and Geology, Palamaner have inspected the mine on 09.12.2009 and noticed as per DGPS Survey the lessee has worked, out of the leased area, as such the Assistant Director of Mines and Geology, Palamaner vide Lr.No: 1348/Q/07, Dt. 16.12.2009 has issued Show Cause Notice , subsequently has issued Demand Notice vide Lr.No 1348/Q/2007 Dt: 02.01.2010 to the Lessee in question of the lessee has worked, out of the leased area for the mineral quantity 230.880 Cbm, for which the

Government vide Memo No. 311/M.II(1)/2012-2 Dt. 16.02.2012 stayed the demand notice and permitted mine operation.

Further it is submitted that, since the date of inspection i.e on 09.12.2009, the lessee has not been working in the out of the leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

6. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s Sri Sai Krupa Granite it was Granted vide Proceeding No.30145/D13-2/2017 dt: 21.07.2020 by the Director of Mines and Geology in favour of M/s Sri Sai Krupa Granite for Black Granite over an extent of 0.611 Hectars in Sy.No 100 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.3047/Q2/BG/2009 dt:07.08.2020 by the Assistant Director of Mines and Geology, Palamaner and the lease will be in force up to 06.08.2040.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard, it is submitted that, earlier the Technical Staff O/o the Assistant Director of Mines and Geology, Palamaner have inspected the quarry lease applied area on 25.12.2017 at the time of LOI approval to the mine lessee of M/s Sri Sai Krupa and noticed that, the adjacent mine lessee i.e., M/s J.R.Granite has been encroached out of their existing lease and the same has informed by the Assistant Director of Mines and Geology, Palamaner vide Lr.No.1051/Q2/BG/2007 Dt. 13.11.2019 to the Director of Mines and Geology and also the action already initiated against the adjacent mine lessee i,e M/s J.R. Granite for the encroachment area. As such there is no question in the matter of encroachment by the mine lessee of M/s Sri Sai Krupa. Further it is submitted that, as on date of inspection i,e on 25.12.2017 there is no excavations in the encroachment area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

7. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s J.R Granite it was Transferred vide Proceeding No.33046/R5-1/2012 dated: 13.08.2012 by the Director of Mines and Geology in favour of

M/s J.R Granite from M/s Supraja Granite for Black Granite over an extent of 0.850 Hectars, in Sy.No 99/4 & 7 of Kotamakunapalli Village Gudupalli Mandal, Chittoor District for the unexpired portion of the lease period up to 23.10.2027 and the same was executed vide Proceeding No.2114/Q/2012 dt:30.08.2012 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 23.10.2027.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard, In this regard it is submitted that, during the day of inspection i,e on 07.03.2023 the surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

8. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s J.R Granite it was Granted vide Proceeding No.37899/R5-1/2013 dt:

03.02.2017 by the Director of Mines and Geology in favour of to M/s J.R Granite for Black Granite over an extent of 4.846 Hectars in Sy.No 136,137,& 138 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years and the same was executed vide Proceeding No.3874/Q2/BG/2012 dt:20.02.2017 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 19.02.2037.

With regard. The lessee is conducting mining out of the granted mine lease area.

In this regard it is submitted that, during the day of inspection i.e on 07.03.2023 the surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

9. **In reply to Para No.4.8** it is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s J.R Granite it was Transferred vide Proceeding

No.3970/R4-1/2015 dated 10.06.2015 by the Director of Mines and Geology in favour of M/s J.R.Granite from M/s Thirumala Granite for Black Granite over an extent of 1.620 Hectars in Sy.No.89/1, 98/1P, 95/2P 7 95/3P of Kotamakunapalli Village, Gudupalli Mandal, Chittoor District for the unexpired portion of the lease period up to 11.03.2023, and the same was executed vide Proceeding No.3800/TQL/2014 dt:05.08.2015 by the Assistant Director of Mines and Geology, Palamaner and the lease will be in force up to 11.03.2032.

Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

10. It is submitted that as per records of O/o the Assistant Director, Mines and Geology, Palamaner the Mine lease belonging to M/s Rathna Minerals it was Granted vide Proceeding No.36968/R5-1/2010 dt: 08.12.2010 by the Director of Mines and Geology in

favour of M/s Rathna Minerals for Black Granite over an extent of 4.809 Hectars in Sy.No 132, 133,134 & 135 of Kotamakunapalli Village Gudupalli Mandal Chittoor District for the period of 20 years, and the same was executed vide Proceeding No.3045/Q/2010 dt:12.02.2011 by the Asst, Director of Mines and Geology, Palamaner and the lease will be in force up to 11.02.2031.

Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. **Further at present the mine is not in operation.**

11. **Further it is submitted that with regard mine leases 4.2, 4.4 to 4.8 as per the as observations made in the report of joint committee inspected on 22.06.2022 there is discrepancy between the approved mine leases granted as per latest DGPS coordinates.**

In this connection, it is submitted that the Assistant Director of Mines and Geology, Palamaner has stated that initially the Department of Mines and Geology has followed the plane table survey in which the mean surface of the earth is considered as a plane. While using the surveying equipments such as chain tape and cross staff in traditional method of survey would like to inform that an allowance of five cents each 1.00 acre is allowed as per survey and boundaries act whenever the traditional way of survey measurements is taken up. At this rate, there can be a permissible variation of five cents up to 1.00 Ac towards survey allowance. Subsequently, the Government of Andhra Pradesh issued instructions vide Memo No.15718/M.(1)2010, dated: 04.11.2010 while addressed to the Director of Mines and Geology with a request to process the proposals in accordance with the said memo guidelines scrupulously. The copy of same is enclosed for perusal. Hence, then onwards, the GPS coordinates are mentioned in the lease deed plan with the help of handheld GPS instruments like Garmin 72H, Etrex – 20 & 30 while setting parameters the parameters as Degrees Minutes and Seconds, Metric as units, True north as north and WGS-84 as map datum. Further, these geo coordinates are issued for only location purpose.

In this context, it is submitted that, the Handheld GPS technology uses standalone receivers, where the location is directly calculated.

This technique is prone to errors such as uncorrected satellite clock errors, orbital parameter satellite error, ionospheric and tropospheric delay, multipath errors, geometric errors and datum selection errors. To reduce these errors new technologies are evolved. GPS can gain nominal accuracy of about 0 to + or - upto 10 Mts. Further, the DGPS is an improvement to GPS. DGPS Technology can achieve accuracy up to 10cm. It reduces or eliminates the signal degradation, resulting in improving the accuracy. DGPS relies on two receivers' rover and reference receiver, rover is the user and reference receiver is also known as stationary receiver.

As the matter stood thus, the state government of A.P vide Go.Ms.No.51, I & C (M-II) Department, dated: 28.03.2018 amended the APMMC Rules,1966 wherein all application for grant or renewal of quarry leases for any kind of minor minerals including 31 Minerals shall be made along with a plan drawn to the scale demarcating the boundaries duly incorporating the DGPS readings.

In turn, vide Go.Ms.No.116, I & C, (M-II) Dept., dt: 28.03.2018 has accorded permission to the Director of Mines and Geology, A.P for empanelling the DGPS Agencies on DGPS survey of lease boundaries and preparation of maps of areas of MLs/ PLs with geo referencing for grant of quarry lease for all minor minerals in the state of A.P as per the revised criteria. Hence, the Department of Mines and Geology has considered the lease deed plans in tune with

DGPS Surveyed plans which are approved by the Director of Mines and Geology.

12. **It is submitted that with regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 Over burden is being dumped out of the mine lease areas. Approval regarding dumping of OB out of the mine lease area is not available.**

In this connection, it is submitted that, the Assistant Director, Mines and Geology, Palamaner has stated that the mine leases 4.1 & 4.2 have applied for quarry leases in the dumping area, for use of dumping of over burden together with excavation of mineral accordingly the Assistant Director, Mines and Geology, Palamaner has submitted the Grant Proposal based on the recommendation by the Tahsildar, in this connection the Director of Mines and Geology Ibrahimpatnam has issued letters to the applicant to remit the requisite Premium amount as per G.O.Ms.No.65, Industries & Commerce (M.III) Department, Dated: 04.08.2021. But the applicants have not paid the requisite Premium amount to process the application, meanwhile the applicants has filed Writ Petition before the Hon'ble High Court A.P. against the G.O.Ms No. 65, Industries & Commerce (M.III) Department, Dated: 04.08.2021 and it is pending at Hon'ble High Court Andhra Pradesh.

Further it is submitted that, with regard the mine leases 4.3, 4.4, and 4.5 have filed a quarry lease applications for grant of quarry leases in the dumping area, for use of dumping of over burden together with excavation of mineral which are in processing stage at O/o the Assistant Director, Mines and Geology, Palamaner, at this juncture recently the Government vide G.O.Ms.No.13, Industries & Commerce (M.III) Department, Dated: 14.03.2022 have issued amendments to APMMC Rules, 1966, wherein it has been decided for grant of quarry leases for the minor minerals in the areas falling in Government lands shall be considered through e-auction process. Accordingly, as per Rule 12(2) amended by the Government vide G. O. Ms. No. 14, Industries & Commerce (M.III) Department, Dated:14.03.2022, all mineral concession applications for minor minerals falling in the above categories received for grant prior to the date of commencement of the Andhra Pradesh Minor Mineral Auction Rules 2021 shall become ineligible, as such at present the applications are not being processed the applications as the Department, of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Department, G.O.Ms No.14 Dated 14.03.2022. As such the applications for mine leases 4.3, 4.4, and 4.5 are not being processed as the Department of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce

(Mines-III) Department, G.O.Ms.No.14, Dated:14.03.2022 all mineral concession applications received prior to the G.O issued are ineligible and the mine lease will be granted accordingly on auction basis.

Further, it is submitted that, with regard the mine leases 4.9 have applied for quarry lease in the dumping area, over an extent of 4.898 Hecter, in this connection this office, has submitted the grant proposal to the Director of Mines and Geology dated on 09.04.2021. But the application is not being processed at head office as the Department of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Dept., G.O.Ms.No.13 & 14 Dated: 14.03.2022 all mineral concession applications received prior to the G.O issued are ineligible and the mine lease will be granted accordingly on auction basis. In this connection through the state Granite Association M/s Federation of Minor Minerals Industry (FEMI) the mine lease 4.9 has filed W.P.No.19459/2022 Dated 06.07.2022 and W.P.No. 16807/2022 Dated 21.06.2022 before the Hon'ble High Court A.P against the G.O.Ms.No.13 Industries & Commerce (M.III)) Department, Dated: 14.03.2022 and G.O.Ms No.14, Industries & Commerce (M.III)) Department, Dated: 14.03.2022 respectively and it is pending at Hon'ble High Court A.P.

Further it is submitted that, the mine leases 4.6, 4.7, and 4.8 have applied for quarry lease in the dumping area, and Asst, Director of Mines and Geology, Palamaner has submitted the grant proposals to the head office accordingly the Director of Mines and Geology, has issued Letter of intent for submission required documents of Environmental Clearance, Consent for Establishment and Mining Plan. In this connection the mine lessee has submitted required documents, further it is submitted that in the scrutiny of file demarcated Sketch by the Assistant Mines Officer, Head office it is noticed that there is a little bit variation in between applied area and No Objection Certificate issued area, in this connection the Record of Enquiry is returned to the Assistant Director of Mines and Geology, Palamaner for re-submission of grant proposal duly rectifying the lapses noticed, but proposal not yet received it is pending at O/o the Assistant Director, Mines and Geology, Palamaner for scrutiny.

13. **Further it is submitted that with regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 buffer zone of 7.5 meters all around mine leases area for green belt development is not being maintained.**

In this regards, it is submitted that the Assistant Director of Mines and Geology, Palamaner has stated that Geologically the area is a

hill formation and also the ore body is formed as a black dolerite dyke raised to a height of 100 Mtrs with a width of 40 to 600 Mtrs trending EW occurring as intruded body into the gray Granite hillock, moreover number of lease are granted as a cluster in that area with a small extent i.e bellow 1.00 Hectar, as such there is no possible to conduct mine operation with living buffer zone around the leased area, in this connection all lease holders to be get the permission by the Director of Mines Safety under Regulation 111(3) of the MMR,1961 for grant of relaxation to work within 7.5 m of the mines boundary.

In this connection the mine lessee M/s J.R. Granites Pvt Ltd. has submitted permission approval combined for (4.6, 4.7 and 4.8) 03 leases vide Lr.No 302577/SZ/Chennai Region /Perm/2021/194878 Dt; 24.09.2021 by the Director of Mines Safety Chennai, further it is submitted that the mine lease 4.9 i.e M/s Rathna Minerals is having quarry lease over an extent of 4.809 Hectars in Sy.No 132, 133,134 & 135 of Kotamakunapalli Village Gudupalli Mandal Chittoor District and it is a separate individual lease in this lease surrounding there is no existing lease and also the extent is sufficient to conduct mine operation with living buffer zone around the leased area.

Conclusive Remarks of the Joint Inspection Team:

- a) With regard mine leases 4.1, 4.2, 1.5 & 4.6 as per the as observations made in the report of joint committee inspected on

22.06.2022 the mine lessees are conducting mining out of the granted mine lease area. The Department of Mines and Geology already has initiated the action against the who are conducting mining out of the granted mine lease area as per the rule and regulations, at present as per the report submitted by the Assistant Director of Mines and Geology Palamaner, the surveyor has verified the all mine leases boundaries as per the lease deed sketches and noticed that the mine operations are within the leased area and there is no out of the mine leased at present. Further the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the all mine leases 4.1 to 4.9 until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (PCP) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. Further at present the mine is not in operation.

- b) Further, it is submitted that with regard mine leases 4.2, 4.4 to 4.8 as per the as observations made in the report of joint committee inspected on 22.06.2022 there is discrepancy between the approved mine leases granted as per latest DGPS coordinates. In this context, the chain survey there can be a permissible variation of five cents upto 1.00 Acres towards survey allowances, in the Handheld GPS Technology uses standalone receivers, where the location is directly calculated. This technique is prone to errors such as uncorrected

satellite clock errors, orbital parameter satellite error, ionospheric and tropospheric delay, multipath errors, geometric errors and datum selection errors. To reduce these errors new technologies are evolved. GPS can gain nominal accuracy of about 0 to + or - upto 10 Mts. Further, the DGPS is an improvement to GPS. DGPS Technology can achieve accuracy up to 10cm. It reduces or eliminates the signal degradation, resulting in improving the accuracy. The Department of Mines and Geology has been considering the lease deed plans at present in tune with DGPS Surveyed plans which were approved by the Director, Mines and Geology, Ibrahimpatnam, Vijayawada.

- c) With regard mine leases 4.1 to 4.9 as per the as observations made in the report of joint committee inspected on 22.06.2022 Over burden is being dumped out of the mine lease areas. In this context, the mine lessees are applied for additional land for dumping of overburden. But at present the Department of Mines and Geology has not been processing the applications. So as implementing the auction process as per G.O.Ms.No.14, Industries and Commerce (Mines-III) Department, dated: 14-03-2022. As such all Lease Holders should obtain the quarry lease or additional land only through auction as per latest norms.

- d) Further, the mine leases 4.1 to 4.5 to be get the permission by the Director of Mines Safety under Regulation 111(3) of the MMR, 1961 for grant of relaxation to work within 7.5 m of the mines boundary.
- e) With regard mine leases 4.1 and 4.2 as per the as observations made in the report of joint committee inspected on 22.06.2022 the mine lease are nearer to Kondasamudram village.

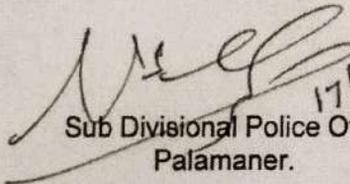
In this regards, it is submitted that the mine leases are granted in the year 2008 and 2010 as per the report received by the Revenue Department Officials and as per the revenue records the mine lease area is Konda Poramboku and also there is no house hold habitation at the time of issue of No Objection Certificate together with submission of grant proposal of Mine lease, as such the Department of Mines And Geology has accorded a permission for grant of mine lease, further it is submitted that at the time of inspection by the Assistant Director of Mines and Geology, Palamaner i.e., on 17.04.2023 has observed that the households are recently constructed i.e., after the grant of quarry leases.

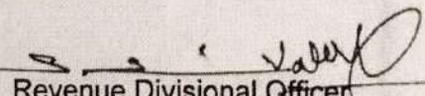
- f) Further, the Team of Inspecting Officials have also interacted with the peoples near to the lease belongs to respondent 7 to 14 and during enquiry, there is no specific complaints were received from the peoples.
- g) Further it is submitted that, during the day of inspection i.e., on 17.04.2023 the Surveyor, O/o the Assistant Director, Mines and

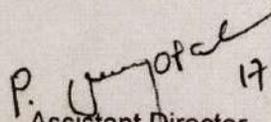
Geology, Palamaner has verified the lease boundaries as per the lease deed sketch and noticed that the mine operations are within the leased area and there is no out of the mine leased area.

- h) Further it is submitted that, the Assistant Director of Mines and Geology, Palamaner has issued stop production orders to the mine lessees 1 to 9 until further orders received from the APPCB Vijayawada on compliance under section 33(A) of water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31(A) of Air (PCP) Amendment Act, 198. Copies of the mine stop production orders are leases 1 to 9 annexed as Annexure-VII.
- i) Further it is respectively submitted that at present no mining activity is going on in the mine lessee 1 to 9 existing at Gudupalli Village & Mandal of Chittoor District as per the issue of Stop Production orders to the mine leases.

This is submitted for favour of kind information.


17/4/2023
Sub Divisional Police Officer,
Palamaner.


Revenue Divisional Officer,
Kuppam. 17/4/2023


17/4/2023
Assistant Director,
Mines and Geology,
Palamaner.

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	ANDHRA PRADESH POLLUTION CONTROL BOARD REGIONAL OFFICE : TIRUPATI
	1 st floor, APSFC Building, N.T.Road, Tirupathi - 517 501. Phone: 0877-2253981, email: rotpt-ee1@appcb.gov.in

Lr. No. NGT- O.A. No.271/2022/PCB/RO-TPT/2023 - 635

Date. 19.04.2023

To,

The Collector and District Magistrate,
Chittoor District,
Chittoor.

Sir,

Sub: APPCB - RO, Tirupati - Original Application No.271/2022 filed by Sri A.Srinivasulu & others, R/o Kondasamudram (V), Gudupalli (M), Chittoor District against Granite mining units operating near Kotamakanapalli (V), Gudupalli (M), Chittoor District - Status Report submitted - Reg.

- Ref: 1. REV-CSEC0MG(QMSG)/29/2022-MAGL4, dated:14.04.2023.
 2. Original Application No.271/2022 filed by Sri A.Srinivasulu & others before Hon'ble NGT, Principle bench, New Delhi.
 3. Joint Committee constituted by the Hon'ble NGT, Principle bench, New Delhi.
 4. Joint Committee inspection held on 22.06.2022
 5. Directions of Hon'ble NGT, Principle bench, New Delhi vide its Order Dt.20.07.2022.
 6. Directions of Hon'ble NGT, Principle bench, New Delhi vide its Order Dt.20.03.2023.
 7. Board officials inspected the mining unit on 11.04.2023.

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With reference to 1st cited above, it is to submit that, this office have received a letter from The Collector and District Magistrate, Chittoor to submit a Joint inspection Report by the Superintendent of Police, Chittoor, The Revenue Divisional Officer, Kuppam, The Assistant Director of Mines & Geology in compliance to the following direction issued by Hon'ble NGT, Principle bench, New Delhi vide its Order Dt.20.03.2023 that

"The Collector and District Magistrate, Chittoor & Superintendent of Police, Chittoor to take requisite steps for ensuring that no illegal mining takes place in the mining sites" Through reference 6th cited. Copy of the Hon'ble NGT, Principle bench, New Delhi vide its Order Dt.20.03.2023 is here with enclosed for kind perusal.

It is further submitted that, Earlier, Hon'ble NGT, Principle bench, New Delhi has constituted a Committee vide its order Dt.27.04.2022 with the following members and directed to submit a Joint Committee inspection Report within two months.

Sl. No	Constitution of the Joint committee	Name of the Person & Designation attended.
1	Regional Office of MoEF & CC, Bangalore	Dr.Suresh Babu Pasupuleti, Scientist 'D', Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Vijaywada.

2	CPCB	Shri S. Karthikeyan, Scientist 'C', Central Pollution Control Board, RD, Chennai
3	SEIAA	Prof. K.Thygaraju, Member, SEAC, representing SEIAA, State of Andhra Pradesh.
4	Andhra Pradesh Pollution Control Board.	Shri. Narendra Babu, Environmental Engineer, Regional Office, Tiruapti, Andhra Pradesh Pollution Control Board (APPCB)
5	Collector, Chittoor	Shri S. Sivaiah, Revenue Divisional Officer, Kuppam Division, District Chittoor, Andhra Pradesh representing District Collector, Chittoor District.

In obedience to the Orders of the Hon'ble NGT, Principle bench, New Delhi the Joint Committee have conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022. Copy of the Joint inspection report is here with enclosed as Annexure - II for kind perusal.

Subsequently, Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has made the following in its order Dt.20.07.2022. Copy of the order is here with enclosed as Annexure - III for kind perusal.

"Before proceeding any further, we consider it appropriate that Notice of present proceedings be also issued to the Project Proponents, Principal Secretary, Department of Mines and Geology, Government of Andhra Pradesh, Zonal Office of Directorate General of Mines and Safety, (South Central Zone) Hyderabad, and Collector, Chittoor requiring them to file their response/ reply to the allegations made in the application as well as observations made in the report of Joint Committee within one month".

"The State PCB and SEIAA are also directed to take further remedial action in accordance with law by following due process and also file its O.A. No. 271/2022 K Srinivasulu & Ors Vs. State of A.P. further action taken report within two months by e-mail at judicial- ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF".

A.P.Pollution Control Board has reviewed the status of Consent to Operate (CTO) conditions stipulated by the Board in the Task Force Committee meeting held on 09.11.2022 and issued stop production order to all the following defaulting units on 22.11.2022.

1. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 0.850 Ha), Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District
2. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 1.620 Ha), Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) Kotamakanapalli (V), Gudupalli (M), Chittoor District.
3. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha), Sy.No.136, 137 & 138, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
4. M/s. Rathna Mineral Enterprises (Black Granite mine - 4.810 Ha), Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

5. M/s. Sai Raghavendra Granites., (Black Granite mine - 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
6. M/s. Sri K.Siva Prakash mine - 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.103, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
7. M/s. Sri K.Siva Prakash mine - 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.101/2, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
8. M/s. Sri Sai Krupa Granites., (Black Granite mine - 0.611 Ha), Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

Since then, the above all Granite mining units are not in operation due to the stop production orders in force issued by A.P.Polltution Control Board. Copies of the stop production orders issued by the Board is here with enclosed for kind perusal.

It is also submitted that, Board officials have recently inspected the above mentioned mining projects on 11.04.2023 and observed that, all the above mining units are not under operation. These mining projects will be closely monitored not to carry out any mining activities as per the directions of the Hon'ble NGT, Principle bench, New Delhi.

Submitted.

Yours faithfully,

Encl: As above.


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office : TIRUPATI