

**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

INSPECTION REPORT FILED BY THE 6th RESPONDENT

Date: 20-04-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

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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

K SRINIVASULU & ORS...Applicants

Versus

STATE OF ANDHRA PRADESH

and others

...Respondent

**REPORT FILED BY THE 6TH RESPONDENT COLLECTOR & DISTRICT
MAGISTRATE, CHITTOOR IN O.A No. 271 of 2022 PENDING BEFORE THE
NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH DELHI**

1. It is submitted that 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. 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 Para-6 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

Annexure-I.

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.

A. With regard mine leases 4.2, 4.4 to 4.8 there is discrepancy between the approved mine leases granted as per latest DGPS coordinates.

- a. *In this connection it is submitted 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.

- b. 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 like 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.
- c. 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) Dept., dt: 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.
- d. 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 / followed the lease deed plans in tune with DGPS Surveyed plans which are approved by the Director of Mines and Geology. Copy of the Memo and G.O's is annexed as **Annexure-II**

B. With regard mine leases 4.1, 4.2, 4.5 & 4.6 the mine lessees are conducting mining out of the granted mine lease area.

a. In this connection it is submitted that, 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 rules and regulations, at present as per the report submitted by the Asst, 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 Asst, 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 leases are not in operation.

C. With regard mine leases 4.1 to 4.9 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.

a. In this connection it is submitted that, the mine leases 4.1 & 4.2, have applied for quarry leases in the dumping area, for use of dumping of OB accordingly the ADM&G 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) Dept, Dt: 04.08.2021. But the applicants have not paid the requisite Premium amount to process the application, meanwhile the applicants has filed W.P. before the Hon'ble High Court A.P. against the G.O. and it is pending at Hon'ble High Court A.P.

b. 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 OB together with excavation of mineral which are in processing stage at O/o the ADM&G Palamaner, at this juncture recently the Government vide G.O.Ms.No.13, Ind. & Comm. (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, Ind. & Comm.

(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.

- c. As such it is submitted that, at present the applications are not being processed the applications 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. 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 Dept, of Mines and Geology is in process of implementing Govt. of Andhra Pradesh, Industries and Commerce (Mines-III) Dept., 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
- d. 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 Hectar, 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 against the G.o.Ms No.13 Industries & Commerce (M.III) Dept, Dt: 14.03.2022 and G.o.Ms No.14 Industries & Commerce (M.III) Dept, Dt: 14.03.2022 respectively and it is pending at Hon'ble High Court A.P. Copy of the W.P's is annexed as **Annexure-III**.
- e. 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 LOI for submission required documents of EC, CFE 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 AMO, Head office it is noticed that there is a little bit

variation in between applied area and NOC issued area, in this connection the ROE is returned to this office for re submission of grant proposal duly rectifying the lapses noticed and it is under processed in this offices.

D. With regard mine leases 4.1 and 4.2 the mine lease are nearer to Kondasamudram village.

- a. In this regards it is submitted that the mine lease are granted in the year 2008 and 2010 as per the report submitted by the Gudupalli Mandal Tahsildar and as per the report submitted by the Tahsildar the mine lease area is Konda Poramboku as per the revenue records and also there is no house hold habitation at the time of issue of NOC 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 i,e on 07.03.2023 it has observed that the households are recently constructed i,e after the grant of quarry leases and the same the government has issued house hold Pattas to the households in the year 2021. Further it is also noticed that the mine lessee has erected the wall together with fencing to the lease boundary towards house hold area.

E. With regard 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.

- a. In this regards it is submitted 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.
- b. 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

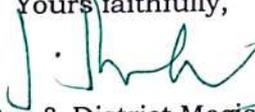
there is no existing lease and also the extent is sufficient to conduct mine operation with living buffer zone around the leased area, further the mine leases 4.1 to 4.5 to be get the permission by the Director of Mines Safety under Regulation 111(3) of the MMR,1961 for grant of relaxation to work within 7.5 m of the mines boundary, moreover mine lessees are to get the additional leases to enhance the quarry lease extent in addition to that existing extent respectively by the Mines Department as per the new amended rules in the on auction basis as per the G.O. Ms. No. 14, Ind. & Comm. (M.III) Department, Dated: 14.03.2022.

Conclusive Remarks of the Joint Inspection Team:

- a. **With regard mine leases 4.1, 4.2, 1.5 & 4.6 mine lessees are conducting mining out of the granted mine lease area.** In this context the Department of Mines and Geology already has initiated the action against who are conducting mining out of the granted mine lease area as per the rule and regulations, at present mine operations are within the leased area. 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 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 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 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.

- 1320**
- d. **With regard mine leases 4.2 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 joint team along with 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.
- e. 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.
- f. 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.
- g. 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-IV.
- h. 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.

Yours faithfully,


Collector & District Magistrate,
Chittoor.

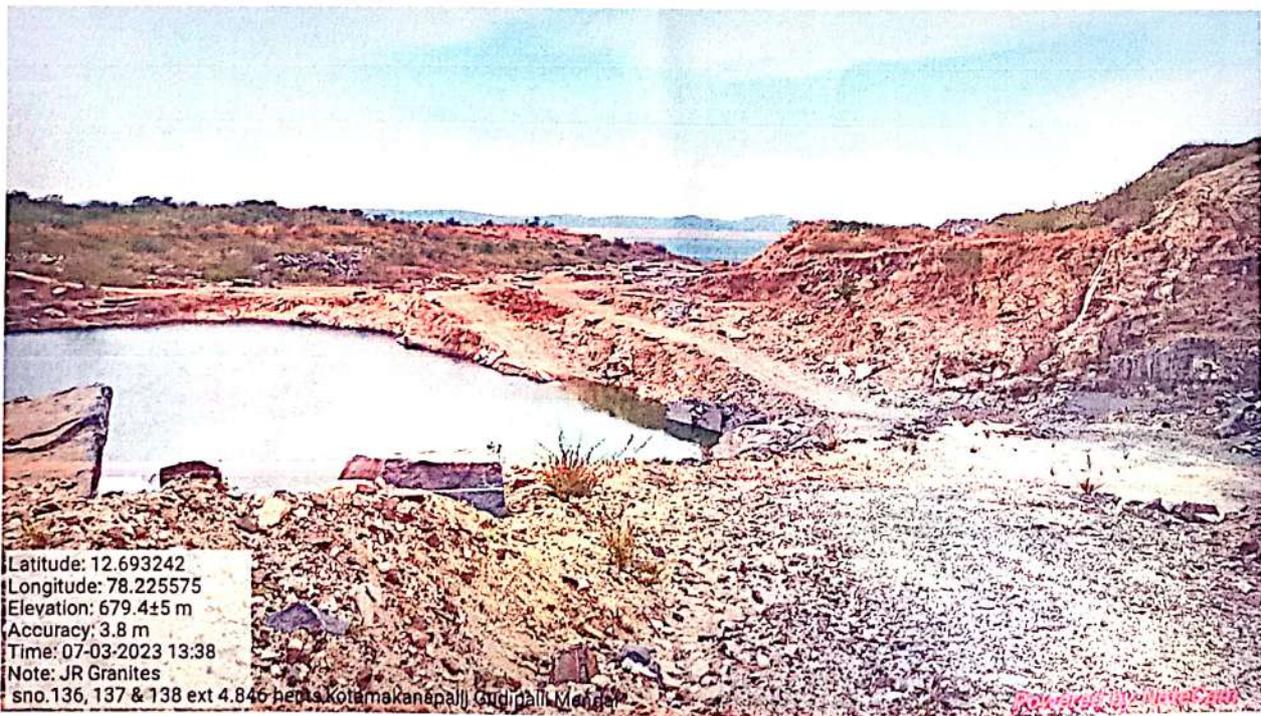


2



Latitude: 12.693239
Longitude: 78.22557
Elevation: 678.41±4 m
Accuracy: 3.8 m
Time: 07-03-2023 13:38
Note: JR Granites
sno.136, 137 & 138 ext 4.846 hec/s kotamakanapalli Gurdipalli Mandal

Powered by NixCam



Latitude: 12.693242
Longitude: 78.225575
Elevation: 679.4±5 m
Accuracy: 3.8 m
Time: 07-03-2023 13:38
Note: JR Granites
sno.136, 137 & 138 ext 4.846 hec/s kotamakanapalli Gurdipalli Mandal

Powered by NixCam

3



Latitude: 12.693175
Longitude: 78.226288
Elevation: 689.62±7 m
Accuracy: 6.7 m
Time: 07-03-2023 13:33
Note: JR Granites
sno.89/1 & 95/1 ext 1.620 hecsts kotamakanapalli, Gudipalli, Mandal

Powered By NaviCam



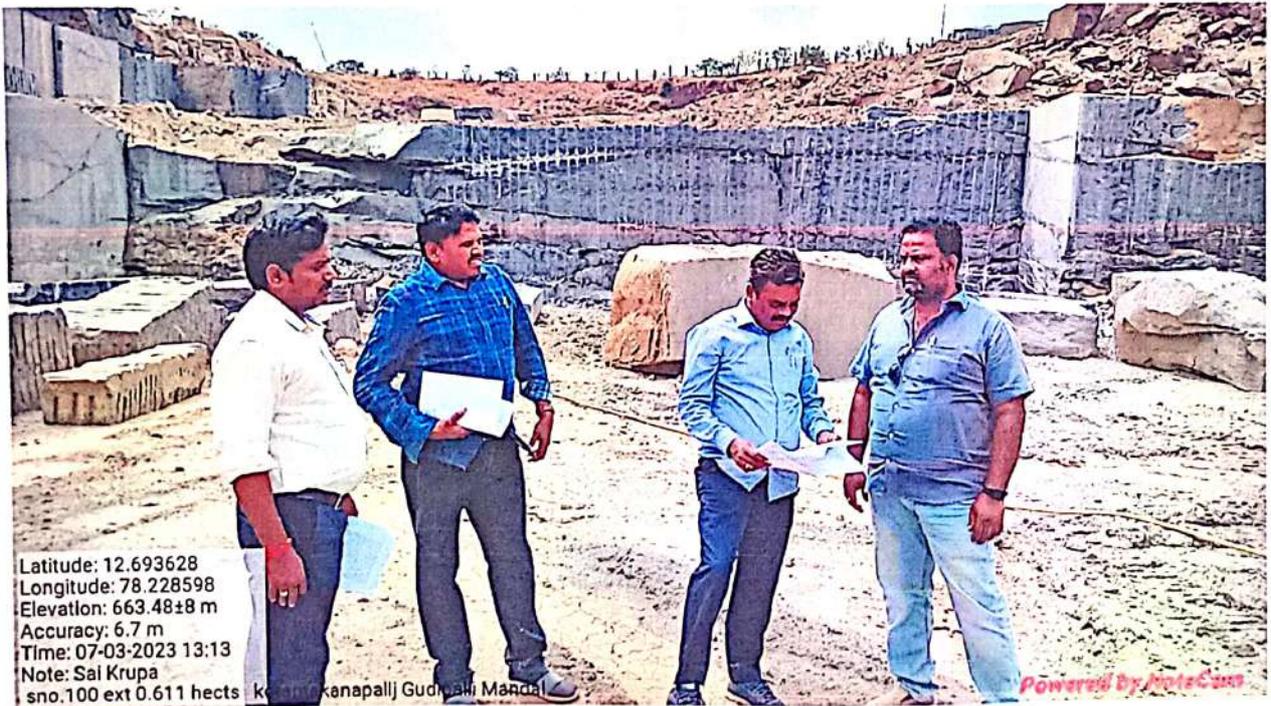
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Accuracy: 8.7 m
Time: 07-03-2023 13:37
Note: JR Granites
sno.136, 137 & 138 ext 4.846 hecsts kotamakanapalli, Gudipalli, Mandal

Powered By NaviCam

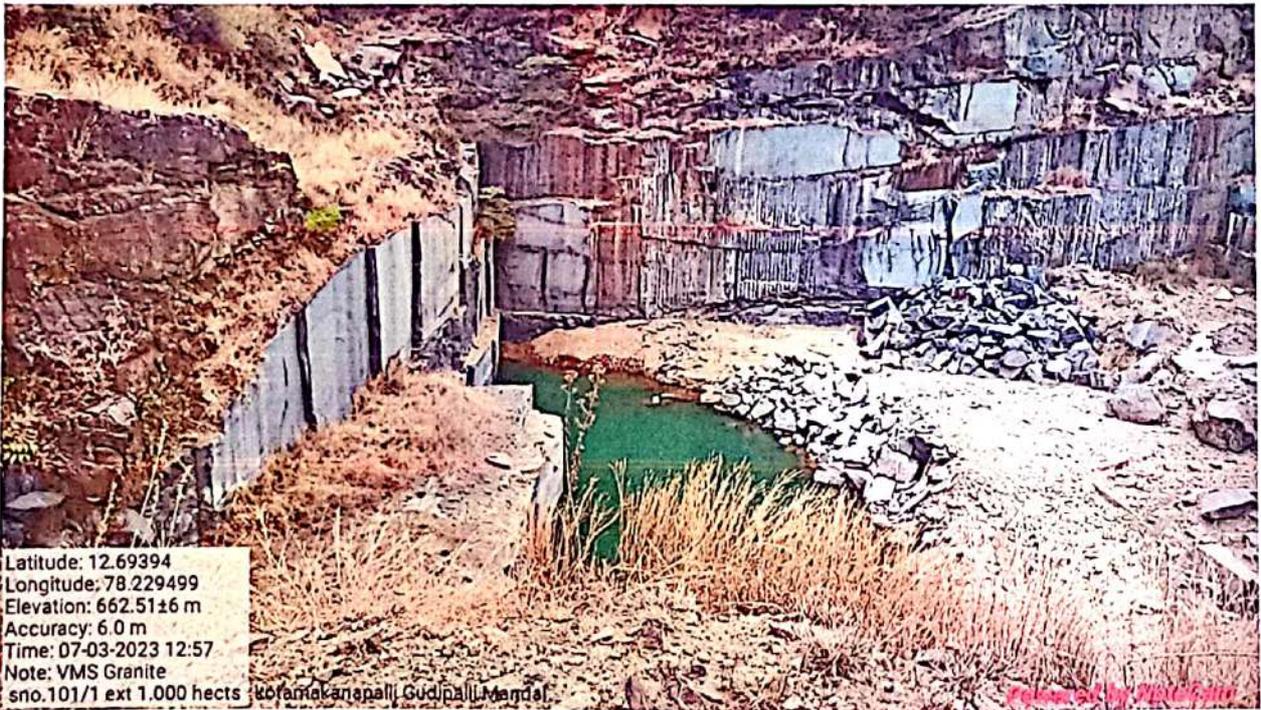
(4)



(S)



6



7



Latitude: 12.693826
Longitude: 78.230319
Elevation: 670.4±6 m
Accuracy: 4.4 m
Time: 07-03-2023 12:35
Note: k.sivaprakash
sno.101/2 ext.0.772 hecsts, kotamakana Gudipalli Mandal

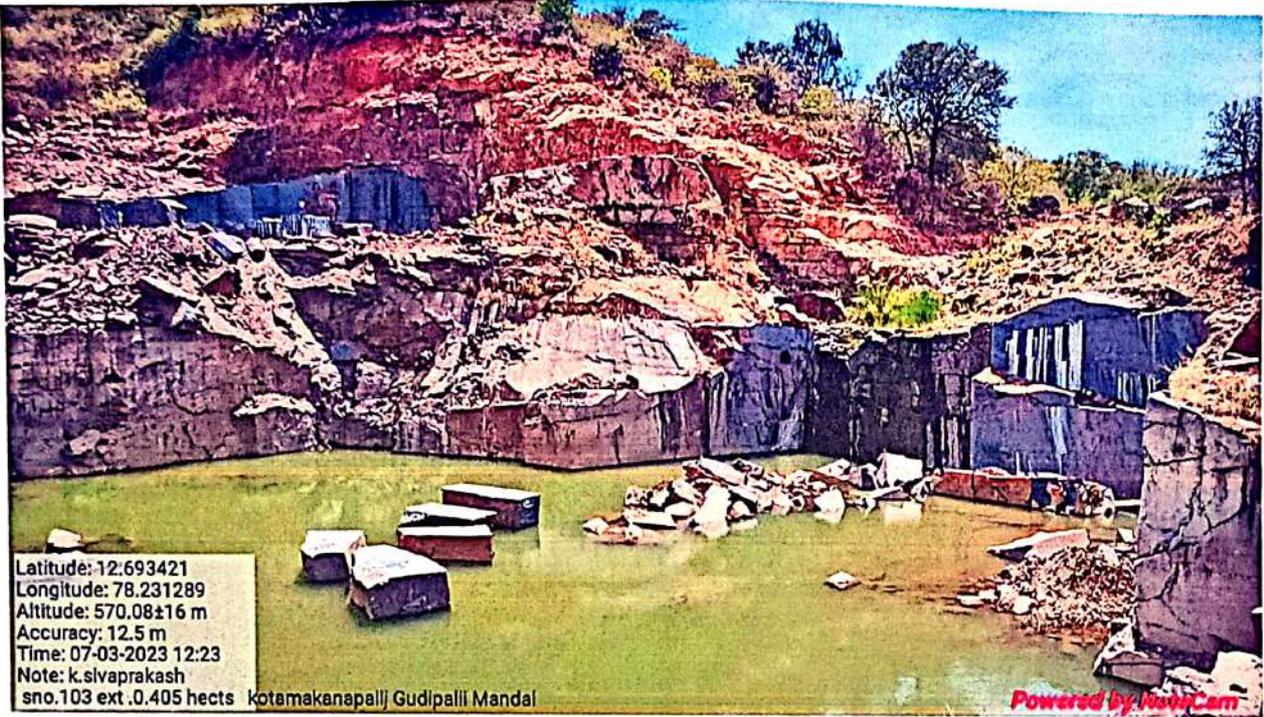
Powered by NoteCam



Latitude: 12.693826
Longitude: 78.23032
Elevation: 670.25±8 m
Accuracy: 6.3 m
Time: 07-03-2023 12:35
Note: k.sivaprakash
sno.101/2 ext.0.772 hecsts, kotamakana Gudipalli Mandal

Powered by NoteCam

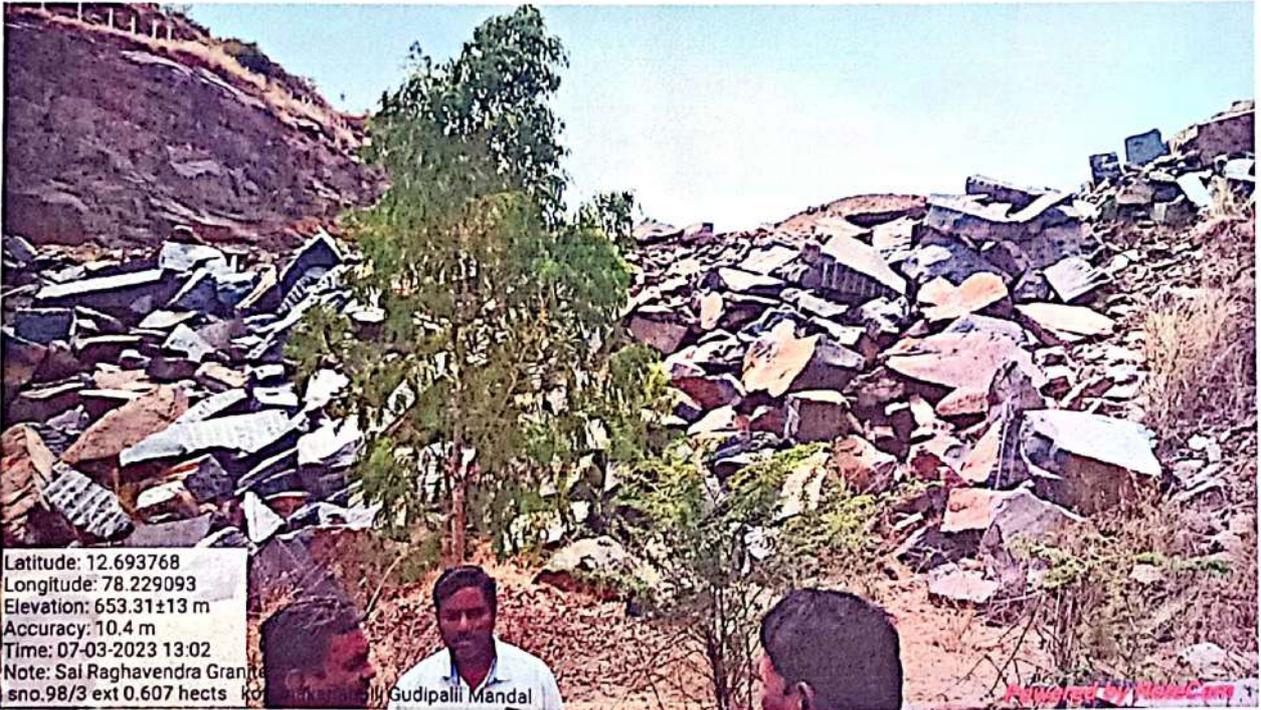
8





Latitude: 12.693763
Longitude: 78.229096
Elevation: 653.78±11 m
Accuracy: 5.7 m
Time: 07-03-2023 13:02
Note: Sai Raghavendra Granite
sno.98/3 ext 0.607 hecta Kotasikanapudi Gudipalli Mandal.

Surveyed by KVRG.com



Latitude: 12.693768
Longitude: 78.229093
Elevation: 653.31±13 m
Accuracy: 10.4 m
Time: 07-03-2023 13:02
Note: Sai Raghavendra Granite
sno.98/3 ext 0.607 hecta Kotasikanapudi Gudipalli Mandal

Surveyed by KVRG.com

ANNEXURE-II

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Amendments to the Rules 4, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 28, 31 & 33 of the Andhra Pradesh Minor Mineral Concession Rules, 1966-Notification-Issued.

INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No.13

Dated: 14/03/2022

Read the following:-

1. G.O.Ms.No.1172, Ind. & Com. Dept., dt:04-09-1967.
2. G.O.Ms.No.65, Ind & Com(M.III) Dept, Dt.04.08.2021
3. From the DM&G, A.P, Lr.No.4072/P/2021, Dt.13.09.2021.
4. From the DM&G, A.P, Lr.No.4072/P/2021, Dt.30.09.2021.
5. G.O.Ms.No.71, Ind & Com(M.III) Dept, Dt.22.10.2021.
6. G.O.Ms.No.8, Ind & Com(M.III) Dept, Dt.16.02.2022
7. From the DM&G, A.P, Lr.No.4072/P/2022-2, Dt.21.02.2022.

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ORDER:

In the G.O. 2nd read above, Government have issued orders amending Rule 7, 9, 12 & 15 of the Andhra Pradesh Minor Mineral Concession Rules, 1966, mandating the payment of Premium amount (ten times annual dead rent) for grant of quarry leases for minor minerals in order to facilitate the operationalization of leases for minor minerals and to safeguard the revenues to the State.

2. In the letters 3rd, 4th & 7th read above, the DM&G., AP., while giving proper justification, has proposed that the areas where the applicants have not shown interest to obtain quarry lease by remitting the Premium amount, may be disposed through auction for grant of quarry lease in the interest of mineral conservation and the judicious use of mineral resources for generation of employment and contribution to State GDP and requested the Government to issue of amendments to the existing Rules 4, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 28, 31 & 33 of the AP Minor Mineral Concession Rules, 1966.

3. Government, after careful examination of the matter, have decided to make the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

4. Accordingly, the following Notification will be published in an Extra Ordinary issue of the Andhra Pradesh Gazette, with effect from 15/03/2022.

(P.T.O)

::2::

NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), as amended from time to time, the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries & Commerce (B.I) Department, 4th September, 1967 as subsequently amended.

AMENDMENTS

In the said rules,-

I. in Rule 4

(1) In clause (a), for the words "the District", the words "the Jurisdiction as assigned by the Government" shall be substituted.

(2) In sub-clause (i) of clause (b), for the words "the region", the words "the District " shall be substituted.

(3) In clause (b), after sub-clause (iii), the following shall be added, namely;-

"(iv), Additional Director" means the Additional Director of Mines and Geology"

II. in Rule 7-A

(1) in clause(i), for the words " competent authority," the following shall be substituted, namely,-

"Deputy Director concerned. The Mining plan period shall commence from the date of execution of lease deed and the financial year in which the lease deed is executed shall be considered as 1st year "

(2) for clause(ii), the following shall be substituted, namely;-

"(ii) (a), Mining Plan shall be prepared by a Recognized Qualified Person (RQP) in accordance with the Form-T for Minor Minerals other than Granite and Marble and submit to the Deputy Director concerned for approval duly paying an amount of Rs.1,000/- towards processing fee in the Head of Account as prescribed by the Government.

(b) The Deputy Director concerned communicate the orders of approval of Mining Plan within 120 days from the date of receipt of the draft Mining Plan.

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(c) Mine Closure Plan shall be submitted by the leaseholder before 6 months of expiry of the lease in the proforma as prescribed by the Director. The Deputy Director concerned shall approve the mine closure plan and ensure compliance of conditions of the approved mine closure plan before expiry of the lease period.

(d) Financial assurance shall be submitted in the form of deposit in the Head of Account as prescribed by the Government, a minimum of amount of Financial assurance to be furnished under chapter 9 in model Form-T shall be Rs.50,000/- (Rupees Fifty Thousand) for the quarry lease granted below five(5) hectares and Rs.10,000/- (Rupees Ten Thousand) per Hectare or part thereof for the quarry lease granted five (5) hectares and above.

(e) The amount deposited towards financial assurance shall be refunded after compliance of conditions of the approved mine closure plan. The financial assurance amount shall be forfeited, in case of non-compliance of conditions of mine closure plan by the leaseholder."

(3) for clause (iii), the following shall be substituted, namely,

"(iii) (a) Every Mining Plan duly approved under these rules shall be valid for the entire duration of the lease. The lessee shall review the mining plan and submit the scheme of mining for the next five years of the lease, 120 days before the expiry of every five years period, for approval wherever quarry lease is required beyond 5 years duly paying an amount of Rs.1,000/- towards processing fee in the Head of Account as prescribed by the Government.

(b) The Deputy Director concerned shall communicate the orders of approval of Mining Scheme within 120 days from the date of receipt of the draft Mining Scheme. If no approval orders are communicated within the stipulated period, the Mining Scheme submitted by the leaseholder shall be deemed to be approved.

Provided that the Deputy Director concerned may condone the delay in submission of scheme of mining within the stipulated period if the lessee satisfies the Deputy Director concerned that the lessee had sufficient cause for not submitting the mining scheme within the stipulated time.

Provided further that any such request of the lessee may be entertained even after the stipulated time, if the lessee satisfies the Deputy Director concerned that the lessee had sufficient cause for not making the request within the stipulated period. Failing which, action will be initiated against the leaseholder as per these rules."

(4) for clause (v), the following shall be substituted, namely,

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"(v) (a) In the case of mineral bearing areas granted through e-auction as per the Andhra Pradesh Minor Mineral Auction Rules (APMMAR) 2022, upon receipt of the communication from the Director of Mines and Geology regarding selecting the Preferred Bidder, the Deputy Director shall issue Notice (Letter of Intent i.e., LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared.

(b) In the case of mineral bearing areas considered for grant of quarry lease other than through e-auction, the Deputy Director concerned shall take decision to grant precise area for the said purpose and communicate such decision to the applicant, upon receipt of a Premium amount, a sum equivalent to average auction premium amounts derived from the e-auctions conducted in the preceding 12 months, in the same district for the particular mineral as published by Director of Mines & Geology and such Premium amount shall be remitted to Head of Account as prescribed by the Government, the Deputy Director of Mines & Geology shall issue notice (LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared.

Provided that the average auction premium amounts derived from the e-auctions conducted in the same district for the particular mineral in the preceding 12 months is not available, the average auction premium amounts derived from the e-auctions conducted in the State for that particular mineral in the preceding 12 months as published by Director of Mines & Geology shall be considered.

(i) In case, no e-auctions are conducted in the State for that particular mineral, the premium amount equivalent to reserve price as fixed by the Director, for the particular mineral and shall be remitted to the Head of Account as prescribed by the Government.

(ii) In case, if for any mineral, the average auction premium amounts is not published for the preceding 12 months, then the average auction premium amounts in the e-auctions conducted in the preceding available period for such mineral shall be considered.

(iii) In case of associated minerals, the highest premium amount available for one among the associated minerals shall be considered.

(c) For the cases mentioned in the sub- clauses (a) and (b) above, On receipt of the communication from the Deputy Director concerned of the precise area to be granted, the Preferred Bidder/ Applicant, as the case

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may be, shall prepare and submit a Mining Plan approved by the competent authority, Environmental Clearances(EC) issued by the competent authority and Consent for Establishment (CFE) issued by the competent authority of Andhra Pradesh Pollution Control Board(APPCB) within three(3) years for proposed lease area or a further period of two(2) years as may be allowed by the Deputy Director.

provided that the applicant applies for extension of time along with AMP and acknowledgement in token of filing application for grant of Environmental Clearance before the competent authority, before expiry of the period stipulated for submission of AMP, EC and CFE.

Provided further that the Deputy Director concerned may condone the delay in filing of request for grant of extension of time made after expiry of the stipulated period, if the applicant had sufficient cause for non-submission of the said approvals within the specified time with reasons recorded in writing.

Provided also that no further extension of time shall be considered, and the Deputy Director concerned shall reject the Quarry Lease applications and the deposit, premium/auction premium amount and any other payments made so far shall be forfeited."

(5) In clause (vi), after the words "the Deputy Director concerned" the expression "/Director, as the case may be," shall be inserted.

III. in rule 9, -

(1) for clause (i), the following shall be substituted namely;-

(i) "Grant of quarry lease/ permit:

All quarry leases, for the minerals except Ordinary Sand, Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423 (E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi, shall be granted to the Preferred Bidder(s) selected through the Andhra Pradesh Minor Mineral Auction Rules, 2022 (APMMAR, 2022).

Provided that the areas reserved in favour of State / Central PSUs and areas falling in Forest and Patta Lands shall be granted as per Rule 12(1) of these Rules and the application shall be made in Form B through online, along with a sketch/plan

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drawn to the scale demarcating the boundaries of the applied area to the Assistant Director of Mines and Geology in whose Jurisdiction the area lies ".

(2) for clause (iii), the following shall be substituted, namely,-

"(iii), In respect of minor minerals except those mentioned in sub-rule (5) of Rule 12 and Ordinary Sand which are worked to meet the immediate or timely requirements, the Assistant Director may permit to carry out quarrying operations for the quantities on payment of Seigniorage fee, Contribution towards DMF & MERIT, an additional consideration amount, Premium amount as specified in Rule 7A(v) for the area considered for issue of Permit and other applicable taxes and cess as specified in these rules in advance.

Provided that, no Premium Amount shall be required to be remitted in case of grant of permission for excavation and disposal of Gravel/ Ordinary Earth, Road Metal & Building Stone for decasting to make the land fit for agriculture purposes or for formation of cellars in building constructions, canal spoils, minerals derived during the construction of major irrigation/ civil projects undertaken by the Government and re-utilization of Limestone Slab waste. "

IV. in sub-rule (3) of Rule 10, for clause (b), the following shall be substituted, namely;-

"(b), The seigniorage fee and other applicable taxes/ levies shall be paid before the mineral is dispatched from the leased area."

V. In rule 11,

(1) after clause (d) of sub rule (1), the following shall be added, namely,-

"(e) To revalidate the unused dispatch permits with the reasons to be recorded in writing.

(f) To grant installments for collection of mineral revenue arrears.

(g) To issue orders or instructions or clarifications for the cases/issues not covered under these Rules.

(h) To rectify the variations in the boundaries in the lease deed sketches found at a later date on case-to-case basis, with reasons to be recorded in writing."

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(2) after clause (d) of sub rule (2), the following shall be added, namely,-

" (e) To grant upto ten equal monthly installments for collection of mineral revenue arrears from the leaseholders.

(f) To rectify any clerical or arithmetical mistake in any order passed by the officer or authority under these rules, and any error arising therein from accidental slip or omission."

VI. in rule 12,-

(1) for sub rule (1), the following shall be substituted, namely,-

"(1) A Quarry Lease for the minerals except Ordinary Sand, Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423(E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi, where mineral bearing areas are falling in Forest land, Pattalands (wherever Pattadars intend to undertake quarrying themselves) and areas reserved in favour of State/ Central PSUs, shall be granted by the Deputy Director, on an application made to the Assistant Director of Mines and Geology concerned in Form B and each such application shall be accompanied by a plan drawn to the Scale duly signed by the applicant and by a qualified Surveyor and by a treasury challan for Rs.5,000/- (Rupees Five Thousand only) towards non-refundable application fee and a deposit of Rs.10,000/- (Rupees ten Thousand only) for every hectare or part thereof by a treasury challan in a Head of Account notified by the Director for this purpose.

Provided that such application may be filed by Pattadar individually or through a company/partnership firm/LLP/ Proprietorship firm where such pattadar shall hold more than 51% of equity/shares, as the case may be.

The application for grant of Q.L. for mineral bearing areas falling in forest areas / lands owned by Other Government Institutions viz. Endowment lands, Waqf boards etc shall be disposed off by the Deputy Director concerned made in accordance with the procedure laid down in these rules.

Whenever, more than one application is received for the same area, the Deputy Director concerned shall grant lease to the applicant who obtains requisite approvals from Forest Department / Department concerned, as the case may be, at the earliest.

The deposit amount shall be refundable when the application is rejected on technical grounds like Non availability of area, rejection of No Objection certificate (NOC).

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The deposit amount shall be forfeited when the applicant fails to attend Survey and Inspection, withdrawal of the application by the applicant, non execution of the lease and for any other lapse on the part of the applicant.

Provided that the Andhra Pradesh Mineral Development Corporation Limited is exempted from payment of deposit.

(2) for sub rule (2), the following shall be substituted, namely,-

(2) All mineral concession applications for minor minerals except for the mineral bearing areas covered under sub-rule(1) received for grant prior to the date of commencement of the Andhra Pradesh Minor Mineral Auction Rules, 2022 shall become ineligible and the Security Deposits paid by the applicants shall be returned by the Assistant Director of Mines & Geology concerned.

Provided that the applications where notices (LOIs) were issued requesting for submission of Approved Mining Plan, Environmental Clearance and Consent for Establishment shall be disposed of in accordance with these rules. The Deposit Amount and Premium Amount paid by the LOI holder shall be forfeited when the LOI holder fails to submit the AMP, EC and CFE within the stipulated time or in the extended period.

Provided further that the applications for the areas covered under sub-rule(1), shall be disposed in the manner specified under these Rules."

(3) sub rules (2-A),(3) and (3-A) shall be Omitted;

(4) for sub rule (4), the following shall be substituted, namely,-

" (4) (i) (a) A renewal of quarry lease for the minerals and the areas as specified in sub-rule(1) shall be granted by the Deputy Director concerned, on an application made to the Assistant Director concerned in Form-B and each such application shall be accompanied by a plan drawn to the Scale duly signed by the applicant and by a qualified Surveyor and by a treasury challan for Rs.5,000/- (Rupees Five Thousand only) towards non-refundable application fee by a treasury challan in a Head of Account notified by the Director for this purpose.

(b) In cases where the quarry lease holders fail to apply for renewal of the lease of the areas and minerals specified in sub-rule(1) and the procedure specified therein within ninety days before the expiry of the lease held by them, as required under sub-rule (2) of Rule 13, fresh application for grant of quarry lease, in respect of those areas, will be entertained thirty days before the expiry of the lease.

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Provided that the Deputy Director shall grant a renewal upon receipt of a Premium amount as per the provisions laid down in Rule 7(A)(v)(b) in these Rules.

(II)(a) All quarry leases, for the minerals mentioned in Rule 9(i) except Road Metal and Gravel granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules, 2022 (APMMAR 2022), shall be deemed to have been granted for a period of ten (10) years.

The Quarry Leases for Road Metal, granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 (APMMAR 2022), shall be deemed to have been granted for a period of ten (10) years and fifteen (15) years for non-captive and captive purpose respectively.

The Quarry Leases for Gavel, granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 (APMMAR 2022), shall be deemed to have been granted for a period of five (05) years.

(b) All quarry leases for the minerals mentioned in Rule 9(i) except Road Metal and Gravel granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 shall be deemed to have been extended up to a period ending on the 31st March 2023 for non-captive leases and captive leases, with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, or a period of ten (10) years from the date of initial grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

The quarry leases for Road Metal, granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 shall be deemed to have been extended up to 31st March 2023 for non-captive leases and captive leases, with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, or a period of ten (10) years in case of non-captive purpose and fifteen (15) years in case of captive purpose respectively, from the date of initial grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

The quarry leases for Gravel, granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 shall be deemed to have been extended up to 31st March 2023 for non-captive leases and captive leases, with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, or a period of five (05) years, from the date of initial grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

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Provided that in such cases where lease period is considered for deemed extension, the payment of Premium Amount is exempted."

(5) for sub rule (5)(a)(i), the following shall be substituted, namely;-

" (5) (a) (i) All quarry leases, for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423(E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi, shall be granted to the Preferred Bidder(s) selected through the Andhra Pradesh Minor Mineral Auction Rules 2022 (APMMAR, 2022).

A Quarry Lease for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423(E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi, where mineral bearing areas are falling in Forest land, Patta lands (wherever Pattadars intend to undertake quarrying themselves) and areas reserved in favour of State/Central PSUs, and in the cases covered under existing PL shall be granted by the Director, on an application made to the Assistant Director of Mines and Geology concerned in Form P and each such application shall be accompanied by a plan drawn to the Scale with DGPS reading in proper notation as an accuracy level of five digits in seconds in the location or position format as hddd.mm.ss.ssss for each corner or angle termination while demarcating the boundaries and incorporating the DGPS readings (Geo Co-ordinates) duly signed by the applicant and by a qualified Surveyor and by a treasury challan for Rs. 10,000/- (Rupees Ten Thousand) towards non-refundable application fee and a deposit of Rs.25,000/- (Rupees Twenty Five Thousand) for every hectare or part thereof by a treasury challan in a Head of Account notified by the Director for this purpose. The deposit amount shall be refundable when the application is rejected on technical grounds like Non availability of area, rejection of No Objection Certificate (NOC). The deposit amount shall be forfeited when the applicant fails to attend Survey and inspection, withdrawal of the application by the applicant, non execution of the lease and for any other lapse on the part of the applicant.

Provided that the Andhra Pradesh Mineral Development Corporation Limited, (a wholly owned State Government Undertaking) is exempted from payment of deposit in case of applicant in Forest area.

If the applicant finds difficult in submitting DGPS reading at the time of filling applications, he/she/they submit the same within 30 days from date of receipt of application. If the applicant fails to submit the same within 30 days, it will be rejected by the Director treating as non-submission or insufficient material papers. "

(6) sub rule (5) (a) (ia) shall be Omitted.

(7) for sub rule (5)(a)(ii), the following shall be substituted, namely,-

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"(ii) In any Government or Patta Lands for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423(E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi is required to be removed for any purpose other than mining, the Assistant Director Mines and Geology may grant the Temporary Permit duly verifying the site and the purpose for which temporary permit is sought on payment for the quantities on payment of Seigniorage fee, Contribution towards DMF & MERIT, consideration amount, Premium amount as specified in Rule 12(5)(c) for the area considered for Issue of Permit and other applicable taxes and levies as specified in these rules in advance".

- (8) sub rule (5) (a) (iii) shall be Omitted.
- (9) for sub rule (5)(a)(iv), the following shall be substituted, namely:-

"(5) (a)(iv): Processing fee of mining plan :

(a) Every Mining Plan submitted for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No. 423 (E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi for approval of the Officer nominated by the Director of Mines and Geology, shall be accompanied by a treasury or Bank challan for Rs. 1,000/- (Rupees One thousand only) towards non-refundable processing fee for every mining plan submitted under rules 12 and 17 of the Granite Conservation and Development Rules, 1999 and under rules 16 and 17 of the Marble Development and Conservation Rules, 2002.

(b) Mine Closure Plan shall be submitted by the leaseholder before 6 months of expiry of the lease in the proforma as prescribed by the Director. The Deputy Director concerned shall approve the mine closure plan within a month from submission of mine closure plan and ensure compliance of conditions of the approved mine closure plan before expiry of the lease period.

(c) Financial assurance shall be submitted in the form of deposit in the Head of Account as prescribed by the Government, a minimum of amount of Financial assurance shall be Rs. 50,000/- (Rupees Fifty Thousand) for the quarry lease granted below five (5) hectares and Rs. 10,000/- (Rupees Ten Thousand) per Hectare or part thereof for the quarry lease granted five (5) hectares and above.

(d) The amount deposited towards financial assurance shall be refunded after compliance of conditions of the approved mine closure plan. The financial assurance amount shall be forfeited in case of non-compliance of conditions of mine closure plan by the leaseholder."

10. for sub rule 5(b), 5(c) & 5(d), the following shall be substituted, namely:-

"5(b), The application for grant of Q.L. for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.

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423 (E), dt:10.02.2015 Issued by Ministry of Mines, Govt of India, New Delhi falling in Pattalands/ Assigned lands shall be disposed off by the Director made in accordance with the procedure laid down in these rules.

Provided that such application may be filed by Pattadar/Assignee individually or through a company/partnership firm/ LLP/ Propertorship firm where such pattadar/ assignee shall hold more than 51% of equity/shares, as the case may be.

(5) (b-1), The application for grant of Q.L. for mineral bearing areas falling in forest areas / lands owned by Other Government Institutions viz. Endowment lands, Waqf boards etc shall be disposed off by the Director made in accordance with the procedure laid down in these rules.

Whenever, more than one application is received for the same area, the Director shall grant lease to the applicant who obtains requisite approvals from Forest Department / Department concerned, as the case may be, at the earliest.

(c)(i) In the case of mineral bearing areas granted through e-auctions as per APMMAR 2022, the Director of Mines and Geology shall select the Preferred Bidder and issue Notice (Letter of Intent i.e., LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared.

(ii) In the case of mineral bearing areas considered for grant of quarry lease other than through e-auction, the Director shall take decision to grant precise area for the said purpose and communicate such decision to the applicant, upon receipt of a Premium amount, a sum equivalent to average auction premium amounts derived from the e-auctions conducted in the preceding 12 months, in the same district for the particular mineral as published by Director of Mines & Geology and such Premium amount shall be remitted to Head of Account as prescribed by the Government, the Director of Mines & Geology shall issue notice (LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared.

Provided that the average auction premium amounts derived from the e-auctions conducted in the same district for the particular mineral in the preceding 12 months is not available, the average auction premium amounts derived from the e-auctions conducted in the State for that particular mineral in the preceding 12 months as published by Director of Mines & Geology shall be considered.

In case, no e-auctions are conducted in the State for that particular mineral, the premium amount equivalent to reserve price as fixed by the Director, for the particular mineral and shall be remitted to the Head of Account as prescribed by the Government.

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In case, if for any mineral, the average auction premium amounts is not published for the preceding 12 months, then the average auction premium amounts in the e-auctions conducted in the preceding available period for such mineral shall be considered.

In case of associated minerals, the highest premium amount available for one among the associated minerals shall be considered.

(iii) For the cases mentioned in the sub clauses (i) and (ii) above, on receipt of the communication from the Director, the Preferred Bidder/Applicant, as the case may be, shall prepare and submit a Mining Plan, Environmental Clearances (EC) issued by the competent authority and Consent for Establishment (CFE) issued by the competent authority of APPCB within three(3) years for proposed lease area or a further period of two(2) years as may be allowed by the Director provided that the applicant applies for extension of time along with AMP and acknowledgement in token of filing application for grant of Environmental Clearance before the competent authority, before expiry of the period stipulated for submission of AMP, EC and CFE.

Provided also that the Director may condone the delay in filing of request for grant of extension of time made after expiry of the stipulated period, if the applicant had sufficient cause for non-submission of the said approvals within the specified time with reasons recorded in writing.

Provided further that in the cases where Premium Amount already paid while grant of PL shall be exempted for payment of Premium Amount.

Provided also that no further extension of time shall be considered, and the Director shall reject the Quarry Lease application and the deposit, premium/auction premium amount and any other payments made so far shall be forfeited.

(d) All mineral concession applications for minor minerals except for the mineral bearing areas covered under Rule 12(5)(a)(i) received for grant prior to the date of commencement of the Andhra Pradesh Minor Mineral Auction Rules, 2022 shall become ineligible and the Security Deposits paid by the applicants shall be returned by the Assistant Director of Mines & Geology concerned.

Provided that the applications where notices (LOIs) were issued requesting for submission of Approved Mining Plan, Environmental Clearance and Consent for Establishment shall be disposed of in accordance with these rules. The Deposit Amount and Premium Amount paid by the LOI holder shall be forfeited when the LOI holder fails to submit the AMP, EC and CFE within the stipulated time or in the extended period.

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Provided further that the applications for the areas covered under Rule 12(5)(a)(i), shall be disposed in the manner specified under these Rules.

(11) for sub rule 5(f)(ii), the following shall be substituted, namely;-

" (ii): Extent to be granted for Q.L

The area covered by lease for the minerals Granite, Marble and 31 Minerals declared as minor minerals vide GSR No.423 (E), dt:10.02.2015 issued by Ministry of Mines, Govt of India, New Delhi shall not be less than four(4) hectares, but not exceeding hundred(100) hectares in case of leases serving as captive purpose to a processing industry and fifty(50) hectares for non-captive purpose in the State, either holding individually or as a Partner/Director holding other leases.

Provided that the aforesaid provision shall not be applicable in the cases of Leases granted to State/ Central PSUs.

Provided further that the Director on his satisfaction after due consideration of production level, Geographical or Topographical condition may for reasons to be recorded in writing, decrease the minimum area proposed for e-auction for grant of quarry lease for all minor minerals except Ordinary Sand such that the minimum area shall not be less than one(1) hectare. "

(12) after sub rule (5) (h)(iii)(a), the following shall be added, namely;-

"(iv), No dispatch permit shall be issued, if the lease holder having any mineral revenue arrears or any pending Demand amounts covered under Demand Notice or any contraventions/ violations committed under these rules."

(13) in sub rule (5)(h)(iv), for the words "of the region" the words "concerned" shall be substituted.

(14) for sub rule (5) (h)(xi)(i), the following shall be substituted, namely;-

"(i) If the lessee to whom a quarry lease is granted for the minerals and areas specified in Rule 12(5)(a)(i) has complied with all the conditions of the lease and filed an application for grant of renewal of lease in Form -Q, to the Assistant Director of Mines and Geology before twelve months of the expiry of the lease and accompanied by a treasury or bank challan for Rs.10,000/- (Rupees Ten Thousand only) towards non-refundable application fee, the Director of Mines and Geology, shall Initially renew for a period not exceeding 20 years subject to non-violation of Rules during the operation of quarry lease "

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Provided further that the Director shall grant a renewal upon receipt of a Premium amount as per the provisions laid down in Rule 12(5)(c)(b) in these Rules."

(15) after sub rule (5) (h)(xi)(i), the following shall be inserted, namely;-

" (a) All quarry leases, for the minerals mentioned in Rule 12(5)(a)(i), granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 (APMMAR 2022), shall be deemed to have been granted for period of twenty (20) years.

(b) All quarry leases, for the minerals mentioned in Rule 12(5)(a)(i) granted before the commencement of Andhra Pradesh Minor Mineral Auction Rules 2022 shall be deemed to have been extended upto 31st March 2023 for non-captive leases and captive leases, with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, or, twenty (20) years from the date of initial grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

Provided further that in such cases where lease period is considered for deemed extension, the payment of Premium Amount is exempted."

(16) sub rule (5) (h)(xi)(ii) shall be Omitted

VII. for rule 14, the following shall be substituted, namely;-

" 14. An applicant for Prospecting License shall, before the license deed is executed, deposit a sum of Rs.10,000/- (Rupees Ten thousand only) for every hectare or part thereof for which, the license is granted.

An applicant/ Preferred Bidder for a quarry lease shall, before the deed is executed, deposit as security, for the due observance of terms and conditions of the lease, a sum, equivalent to five times annual dead rent.

Provided that the existing leaseholders shall deposit a differential sum which is equivalent to five times annual dead rent minus security deposit already furnished, within three(3) months from the date of notification of these Rules.

Failing which, action shall be initiated against the defaulters under these rules by giving the defaulters a reasonable opportunity.

Provided that in case an applicant or a leaseholder expires, the successor(s) of the deceased person shall be considered as the applicant or the leaseholder respectively. In such cases, the Security Deposit already paid shall also be considered in the name of the successor(s) of the deceased person.

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Provided further that M/s Andhra Pradesh Mineral Development Corporation (a wholly state owned Corporation), shall pay a sum equivalent to one(1) year dead rent as Security Deposit for the existing leases and the leases to be granted."

VIII. In rule 15, -

(a) for sub rule (1), the following shall be substituted, namely;-

"(1) All quarry leases, for the minerals mentioned in rule 9 (i) except Road Metal and Gravel shall be granted for a period of ten (10) years.

The quarry leases for Road Metal, shall be granted for a period of ten (10) years and fifteen (15) years for non-captive and captive purpose respectively.

The quarry leases for Gravel shall be granted for a period of five (05) years.

The quarry leases, for the minerals mentioned in rule 12 (5) (a) (i), shall be granted for a period of twenty (20) years.

(b) Sub rule (2) shall be omitted.

IX. in rule 16,-

(1) In the marginal heading, after the words "determination" the expression "/surrender/ amalgamation" shall be inserted.

(2) for sub rule (2), following shall be substituted, namely;-

"(2) Every application for surrender of part of the leasehold area in accordance with the provisions of sub-rule (1) shall be accompanied by a deposit of Rs.500/- for meeting the expenditure for the purpose of survey and demarcation of the area to be surrendered with the plan showing surrendered area and retained area in the manner as prescribed Under rule 12(5)(a)(i) of APMMC Rules 1966:

Provided that where a lessee applies for the surrender of the whole or part of the leasehold area on the ground that such area is barren or the deposits of minerals being since exhausted or depleted to such an extent that it is no longer economical to work such area, the Deputy Director or the Director of Mines and Geology shall permit the lessee, from the date of

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receipt of the application, to surrender that area if the following conditions are satisfied, namely:

(a) The leasehold area to be surrendered has been properly surveyed and the retained area is contiguous and shall not be less than four (4) hectares;

(b) The lessee has paid all the dues payable to the Government under the lease upto the date of application;

(c) Mine Closure Plan shall be submitted by the leaseholder before six(6) months from the date of intended to surrender of the lease in the proforma as prescribed by the Director. The Deputy Director concerned shall approve the mine closure plan within a month and ensure compliance of conditions of the approved mine closure plan before acceptance of surrender of the lease.

Provided that where the lessee intends to surrender the leased area in which mineral is not exhausted, shall pay an amount equivalent to 6 months dead rent."

X. for rule 18, the following shall be substituted, namely;-

"18. Default in payment of bid amount and any other payments:

If the lessee or the bidder makes default in payment of any money due from him under these rules within the stipulated period or neglects to furnish security deposit or to execute the lease deed when required, the Deputy Director concerned/ Director may pass an order forfeiting all sums paid by him and cancel the quarry lease."

XI. to rule 19 the following new marginal heading shall be inserted, namely,-

"Levy of Interest:"

XII. in rule 28,-

1. for sub-rule(1), the following shall be substituted, namely;-

"(1), If any minor mineral not specified in the lease or the order sanctioning the permit is discovered in the area, under lease or permit, the lessee or the permit holder shall inform to the Assistant Director concerned and obtain permission from the Deputy Director concerned/ Director, as the case may be, for win or dispose of such mineral duly paying seigniorage fee and other applicable fee/ charges. Any contravention of this rule shall result in initiation of action under these Rules."

2. for sub-rule(3), the following shall be substituted, namely;-

::18::

"(3) The lessee or any person authorized by the lessee shall keep true accounts of every quarry and shall submit e-returns in respect of such quarry in the relevant form within the time specified for filing of such returns namely:-

a. A monthly return shall be submitted for every month before 10th of the succeeding month in the form as indicated below:

In respect of,--

i. the minerals except sand, marble, granite and 31 minerals declared as minor mineral vide GSR No.423(E) dt.10.02.2015 by MoM, GoI in Schedule - I of Rule 10 of APMMC Rules, 1966, in Form - C.

ii. the 31 minerals declared as minor mineral vide GSR No.423 (E) dt.10.02.2015 by MoM, GoI in Schedule - I of Rule 10 of APMMC Rules, 1966 in Form - C - I.

iii. the minerals Marble and Granite in scheduled- I of Rule 10 of APMMC Rules, 1966 in Form - C - II.

b. An Annual Return shall be submitted before the end of MAY of each year for the preceding year in the form as indicated below:

In respect of,--

i. the minerals except sand, marble, granite and 31 minerals declared as minor mineral vide GSR No.423 (E), dt. 10.02.2015 by MoM, GoI in Schedule - I of Rule 10 of APMMC Rules, 1966, in Form - C-A.

ii. 31 minerals declared as minor mineral vide GSR No.423 (E), dt. 10.02.2015 by MoM, GoI in Schedule - I of Rule 10 of APMMC Rules, 1966 in Form - C - I - A.

iii. the minerals Marble and Granite in scheduled- I of Rule 10 of APMMC Rules, 1966 in Form - C - II-A."

XIII. in rule 31, for clause (xii), the following shall be substituted, namely;-

"(xii) If any minor mineral not specified in the lease or the order sanctioning the permit is discovered in the area, under lease or permit, the lessee or the permit holder shall inform to the Assistant Director concerned and obtain permission from the Deputy Director concerned/ Director, as the case may be, for win or dispose of such mineral duly paying seigniorage fee and other applicable fee/ charges. Any contravention of this rule shall result in initiation of action under these rules."

XIV. for rule 33, the following shall be substituted, namely;-

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"33. Head of Account to which amount should be remitted:-

(a) Any stocks of minor minerals excavated by the lessee or the person who worked at the quarry under a lease or permit under these rules and left lying on the area after the expiry of the lease or permit and seized mineral shall be the property of the Government and the Assistant Director may sell it in e-auction in the manner prescribed in the APMMAR, 2022.

The Reserve Price for this purpose shall be arrived in the following manner:

Reserve Price = (5 times of Normal Seigniorage Fee) + 1 time of (Consideration Amount + DMF + MERIT)

The amount so collected, if any, shall be credited to the Head Account as prescribed for collection of Penalty.

(b) Head of Accounts for remittance of:

(i) Premium Amount: 0853-00-102-00-81

(ii) Security Deposit: 8443-00-103-01-01-001-001

(iii) Consideration Amount: 0853-00-102-00-02-014"

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

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT(MINES)

To

The Commissioner of Printing, Stationery & Stores Purchases (Printing Wing) Andhra Pradesh, Vijayawada. (with a request to publish the above notification and arrange to send 200 copies of the same to the Government In Industries & Commerce (M.III) Department and 100 copies to the Director of Mines & Geology, A.P., Ibrahimpatnam, Vijayawada).

The Director of Mines & Geology, Andhra Pradesh, Ibrahimpatnam.

The Chief Executive Officer, MERIC, Vijayawada.

The RCoM, kavadiguda, Secunderabad.

All the District Collectors in the State.

All the Joint Director /Deputy Director / Asst. Director of Mines & Geology through the Director of Mines & Geology, Ibrahimpatnam.

Copy to:

The Secretary to Govt, Ministry of Mines, Govt. of India,
Shastry Bhawan, New Delhi.

The Law Department.

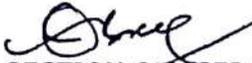
The Finance Dept.

The OSD to Minister for Mines & Geology.

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The PS to Prl. Secretary to Govt., (Mines)
SF/SC(Comp.No. 1510364)

// FORWARDED :: BY ORDER //


SECTION OFFICER

ANNEXURE-BGOVERNMENT OF ANDHRA PRADESH
ABSTRACTMINES & MINERALS - ANDHRA PRADESH MINOR MINERAL AUCTION RULES,
2022 - ORDERS - ISSUED

=====
INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No.14

DATED:14/03/2022
Read the following:

1. G.O.Ms.No.1172, Ind. & Com. Dept., Dt: 04-09-1967.
2. G.O.Ms.No. 65, Ind. & Com. (M.III)Dept., Dt. 04.08.2021.
3. From the DM&G, AP., Letter No. 4072/P/2021, Dt: 13.09.2021.
4. From the DM&G, AP., Letter No. 4072/P/2021, Dt: 29.09.2021.
5. Govt Memo No. MGOMINM/19/2022/M.III Dt. 11/10/2021.
6. G.O.Ms.No. 8, Ind. & Com. (M.III)Dept., Dt. 16.02.2022.
7. From the DM&G, AP., Letter No. 4072/P/2022-2, Dt:21.02.2022.
8. G.O.Ms.No.13, Ind. & Com.(M.III)Dept., Dt.14/03/2022.

ORDER:-

The Government, after careful examination of the circumstances reported by the DM&G, AP., vide Letters 3rd, 4th & 7th read above, and keeping in view the orders issued vide G.Os 2nd & 8th read above, have decided to formulate the following rules called "The Andhra Pradesh Minor Mineral Auction Rules, 2022".

Accordingly, the following notification will be published in the Extra-Ordinary issue of the Andhra Pradesh Gazette with effect from 15/03/2022.

NOTIFICATION

In exercise of the powers conferred by sections 15 and 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Andhra Pradesh hereby makes the following rules regulating the grant of mining leases in respect of minor minerals in the State of Andhra Pradesh and for purposes connected therewith, namely:-

PART - I**PRELIMINARY****1. Short title:**

These rules may be called the Andhra Pradesh Minor Mineral Auction Rules, 2022.

2. Definitions

1. (1) In these rules, unless the context otherwise requires;-

(P.T.O)

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- (a) "Act" means the Mines and Minerals (Development and Regulation) Act, 1957(67 of 1957);
- (b) "Assistant Director" means "Assistant Director of Mines and Geology of the jurisdiction concerned, Government of Andhra Pradesh".
- (c) "Auction Premium Amount" means the price quoted by the bidders in accordance with these rules.
- (d) "Deputy Director", means "Deputy Director of Mines and Geology of the District concerned, Government of Andhra Pradesh".
- (e) "Director", means "Director of Mines and Geology, Government of Andhra Pradesh".
- (f) "E-auction", means "electronic auction"
- (g) "Government", means "Government of Andhra Pradesh"
- (h) "Local societies" include Labour Contract Cooperative Societies registered before District Cooperative Registrar under the Andhra Pradesh Co-Operative Societies Act, 1964 or the Andhra Pradesh Mutually Aided Co-Operative Societies Act, 1995 for the purpose of quarrying and shall include Co-operative Societies consisting exclusively of Adivasis/Tribal's or individual Adivasis/Tribal's in case of Scheduled areas.

Provided that any concession in this tender document shall be provided to local societies who are falling in the same mandal as the proposed area of quarry lease and such concession shall be extended to the local societies to obtain the quarry leases for a maximum total extent of twelve (12) hectares in the State.

Explanation: In order to determine the local status of the societies to be considered for the concession and subsequent participation in the e-auction process, all the members such local societies shall be residing in the same mandal as that of the respective Local society.

- (i) "NIT" means "Notice Inviting Tender"
- (j) "Preferred bidder" means the bidder referred to in sub-clause (iii) of clause (v) of sub-rule (d) of rule 9;

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- (k) "Qualified bidders" means the bidder referred to in clause (ii) of sub-rule (d) of rule 9;
- (l) "Reserve Price" means a price, which shall be the minimum price above which the bidders shall quote their bids.
- (m) "Section" means section of the Act;
- (n) "Technically Qualified Bidders" means the bidder as referred to in clause (iv) of sub-rule (d) of rule 9;
- (o) "Tender Document" means the tender document issued by the Director of Mines & Geology for conduct of an e-auction referred to in sub-rule (b) of rule 11;

(2) The words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Act and Rules made there under.

3. Application- These rules shall extend to the whole state of Andhra Pradesh and shall apply to all minor minerals except for the following:

- (i) Mineral bearing areas reserved in favour of State or Central PSUs as per APMCM Rules, 1966.
- (ii) Ordinary Sand
- (iii) Patta lands where Pattadar has not provided their concerned for e-auction.
- (iv) Forest lands.
- (v) Mineral bearing areas for which notices (LOIs) were issued.
- (vi) Existing Prospecting Licenses granted under APMCM Rules 1966

PART -II

SELECTION OF PREFERRED BIDDER FOR GRANT OF QUARRY LEASE

(4) Selection of Preferred Bidder:

Preferred Bidder shall be selected by the Director through an electronic auction in the manner as specified in these Rules.

(5) Period of Quarry Lease:

The period for which a quarry lease shall be granted for the minor minerals specified under these Rules as per Rule 12(5) and 15 of the Andhra Pradesh Minor Mineral Concession Rules 1966, as the case may be.

(6) Prerequisites for e-auction:

(a) The Director shall take prior approval of the Government for terms and conditions of the tender document before initiation of auction process.

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(b) The Director may initiate an auction process for grant of a quarry leases with respect to an area within the State in accordance with these Rules.

(c) The Assistant Director of Mines & Geology shall identify and demarcate the area where a mineral concession is proposed to be granted through auction using Electronic Total Station (ETS) or Differential Global Positioning System (DGPS) and the area so demarcated shall be classified into forests land, land owned by the Government and private persons along with NOC from the concerned departments and furnish the details to the Director through the Deputy Director of Mines & Geology concerned.

(d) The Director shall issue Notice Inviting Tender with respect to mineral concession auction after receipt of the proposals from the Deputy Director of Mines & Geology concerned.

(e) The extent of area so demarcated shall include area required for all the activities falling under the definition of 'mine' as defined in clause (j) of sub-section (1) of section 2 of the Mines Act, 1952.

(f) The minimum area proposed for e-auction for grant of quarry lease under these Rules shall be four (4) hectares.

(g) The Director of Mines and Geology on his satisfaction after due consideration of production level, Geographical or Topographical condition may for reasons to be recorded in writing, decrease the minimum area proposed for e-auction for grant of quarry lease for all minor minerals except Ordinary Sand such that the minimum area shall not be less than one (1) hectare.

(h) The non-refundable tender document fee shall be as specified by the Director in the tender document.

Provided that a concession of 50% of the tender document fee shall be provided to Local societies and such concession shall be extended to the local societies to obtain the quarry leases for a maximum total extent of twelve (12) hectares in the State.

(7) Eligibility of participating in the e-Auction:

(a) For the purpose of participating in the auction of Quarry lease, the terms and conditions of eligibility as specified in the sub-rule (b) below.

(b) The applicant, shall have a minimum net worth, as specified by the Director in the tender document.

Provided that the Net worth requirement of Local societies shall be 50% of the minimum net worth fixed and such concession shall be extended to the local societies to obtain the quarry leases for a maximum total extent of twelve (12) Hectares in the State.

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Explanation:

(i) In case an applicant is a subsidiary of another company incorporated in India, the net worth of such holding company may also be considered:

Provided that, in such case, the applicant shall continue to be a subsidiary of such holding company until such time the applicant meets the aforementioned net worth threshold.

(ii) In case of a company, the net worth shall be the sum of paid up share capital and the free reserves as per the audited balance sheet of the financial year ended immediately preceding the date of issuance of notice inviting tender.

(iii) In case the notice inviting tender is issued between 1st April to 30th September (both days inclusive) of a year, the audited balance sheet of the financial year before the immediately preceding financial year, from the date of issuance of notice inviting tender, may be submitted by the bidder, if the audited balance sheet of the immediately preceding financial year is not available.

(iv) In case of an individual, the net worth shall be the closing cash balance on the last date for submission of application, and such amount may include amount in savings bank accounts in Scheduled Bank or Post Office, free and un-encumbered fixed deposits in Scheduled Banks, Post Office, Listed Companies or Government organisation or Public Sector Undertakings of a State and the Central Government, Kisan Vikas Patra, National Saving certificate, Bonds, Shares of Listed Companies, Listed Mutual Funds, Unit Linked Insurance Plan, Public Provident Fund, Surrender Value of Life Insurance policies, and un-encumbered immovable property in the name of Applicant.

(c) The State Government may, regard to article 244 and the Fifth Schedule to the Constitution, the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996); and the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), make such amendments to the terms and conditions of eligibility as it may deem necessary.

(d) The bidder(s), either individually or group of associations, shall not have any mineral revenue dues to the Government at the time of submission of bid in e-auction.

Explanation: The partner/director of the company having shareholdings in another quarry/mining leases held in the State shall not have any Mineral revenue dues for such quarry/mining leases to the Government.

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(e) The bidder shall satisfy such conditions as may be prescribed by the Director of Mines & Geology in the Tender Document.

(f) The eligibility for participating in the auction shall be determined as per the specified terms and conditions of eligibility and the Preferred Bidder shall be decided solely on the basis of financial bids submitted by the eligible bidders.

(g) Notwithstanding anything contained in APMMC Rules, 1966, a quarry lease for areas falling in the notified Tribal Areas shall be granted only in favour of Co-operative Societies consisting exclusively of Adivasis/Tribals or individual Adivasis/Tribals through e-auction conducted by Director.

(8) Electronic Auction :-

(a) An auction shall be conducted only through an online electronic auction platform.

(b) The Director may utilise any online electronic auction platform which meets the minimum technical and security requirements as specified in the Guidelines for compliance to Quality requirements of e-Procurement Systems Issued by the Standardisation Testing and Quality Certification Directorate, Department of Information Technology, Ministry of Communications and Information Technology, Government of India.

(9) Bid Security for the Tender document:-

The Bid security shall be as specified by Director in the tender document for the proposed area.

Provided that a concession of 50% of the Bid Security shall be given to Local societies and such concession shall be extended to the local societies to obtain the quarry leases for a maximum total extent of twelve (12) Hectares in the State.

(10) Bidding parameters-

(a) An e-auction for selection of preferred bidder for grant of quarry lease shall be conducted for determination of "Auction Premium Amount".

(b) For determination of auction premium amount, the reserve price for quarry lease shall be in the multiples of Dead Rent per Hectare per annum as specified by Director in the tender document of the proposed area for the particular mineral, in Indian Rupees.

(c) The bidders shall quote, over and above the reserve price, for the purpose of payment to the State Government, an amount in Rupees as "Auction Premium Amount".

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(d) The bidders shall quote, as per the bidding parameter, for the purpose of payment to the Government, an amount more than the reserve price and the Auction premium amount so quoted shall not be adjusted against annual dead rent or seigniorage fee, as the case may be.

(11) Bidding Process.-

(a) The Director shall issue a notice inviting tender on their website to commence the e - auction process and such notice shall contain brief particulars regarding the area under e-auction, including location, extent, mineral and ETS/DGPS Geo-coordinates.

(b) The tender document issued by the Director of Mines and Geology shall contain.-

- i. Revenue survey details of the area identified and demarcated, shall be divided into forests land, land owned by the Government, and land not owned by the Government.
- ii. Plan showing the area with DGPS Coordinates attested by the Tahsildar and Assistant Director of Mines & Geology concerned.
- iii. List of clearances and permissions already obtained with respect to such area.
- iv. No Objection Certificate (NOC) obtained from the Tahsildar concerned in the case of Government land, Consent from Pattadar in the case of Pattaland and in case of areas falling within 500 m from the boundary of the Forest land, an In-Principle Consent/Approval from DFO concerned.

Provided that the NOC, Consent from Pattadar and In-Principle Consent/Approval from DFO concerned shall be obtained by Assistant Director of Mines & Geology prior to issue of NIT.

(c) The bidders shall be provided a fixed period, as notified by the Director to study the tender document and such reports and the bidding process shall commence only on expiry of such period.

(d) The auction shall be an ascending forward online electronic auction and shall comprise of the following rounds, namely:-

(i) First Round of Auction to be held in the following manner, namely:-

(I) the bidders shall submit;-

- (1) a technical bid comprising amongst others, documentary evidence to confirm eligibility as per the

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provisions of the Act and the rules made thereunder to participate in the auction, bid security and such other documents and payments as may be specified in the tender document; and

(2) an initial price offer which shall be above the reserve price;

(II) only those bidders who are found to be eligible in accordance with the terms and conditions of eligibility specified in these Rules and whose initial price offer is greater than the reserve price, referred to as "technically qualified bidders", shall be considered for the second round of electronic auction;

Provided that the Director shall constitute a Committee for evaluation of the Technical bids received and to recommend the "technically qualified bidders".

(III) The Highest initial price offer amongst the technically qualified bidders quoted above the reserve price shall be the floor price of the second round of online electronic auction.

(IV) The technically qualified bidders shall be ranked on the basis of the descending initial price offer submitted by them and the technically qualified bidders holding the first fifty percent of the ranks (with any fraction rounded off to higher integer) or the top five technically qualified bidders, whichever is higher, shall qualify as qualified bidders for participating in the second round of electronic auction;

Provided that if the number of technically qualified bidders is between three and five, then all the technically qualified bidders shall be considered as qualified bidders.

Provided further that in the event of identical initial price offers being submitted by two or more technically qualified bidders, all such technically qualified bidders shall be assigned the same rank for the purposes of determination of qualified bidders and in such case, the aforementioned fifty per cent shall stand enhanced to the extent of tie occurring within the first fifty per cent.

Illustration:

(i) In the event there are a total of ten technically qualified bidders, and each technically qualified bidder submits different initial price offer, then the technically qualified bidders holding the first fifty per cent of ranks shall be considered to be qualified bidders.

(ii) If three such technically qualified bidders submit the same initial price offer and are ranked in first fifty per cent of the total number of ranks, then, all the three technically qualified bidders shall be considered to be

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qualified bidders and the total number of qualified bidders shall stand increased by two.

(V) Where the total number of technically qualified bidders is three or more, the auction process shall proceed to the second round of auction which shall be held in the following manner, namely:-

- (i) The qualified bidders may submit their final price offer which greater than the floor price:

Provided that the final price offer may be revised till the conclusion of the auction as per the technical specifications of the auction platform;

- (ii) The auction process shall be annulled if none of the qualified bidders submits a final price offer on the online electronic auction platform;

(iii) The qualified bidder who submits the highest final price offer shall be declared as the "preferred bidder" immediately on conclusion of the auction.

(VI) Where the total number of technically qualified bidders is less than three, then no technically qualified bidder shall be considered to be qualified bidder and the first attempt of auction shall be annulled.

(VII) On annulment of the first attempt of auction, the Director may decide to;-
(a) commence the auction process de novo with a separate set of terms and conditions and reserve price as it may deem fit and necessary; or

(b) Conduct the second attempt of auction.

(VIII) In case the Director decides to conduct the second attempt of auction as per clause (ii) of sub-rule (g) above, the terms and conditions of the second attempt of auction shall remain the same as in the first annulled attempt of auction

Provided that the highest initial price offer of the technically qualified bidders if any in the first annulled attempt shall be the reserve price in first round of the second attempt:

Provided further that the bidding shall continue to the second round even in case the number of technically qualified bidders is less than three.

(IX) Second Round of Auction to be held in the following manner, namely:-

- i. The qualified bidders may submit their final price offer which shall be greater than the floor price:

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Provided that the final price offer may be revised till the conclusion of the auction as per the technical specifications of the auction platform;

ii. The auction process shall be annulled if none of the qualified bidders submits a final price offer on the online electronic auction platform;

(X) The qualified bidder who submits the highest final price offer shall be declared as the "preferred bidder" by Director immediately on conclusion of the auction.

(12) Grant of Quarry Lease :-

(a) Upon completion of auction process, the preferred bidder shall pay the Auction Premium amount to Director in the Head of Account as specified by the Director of Mines and Geology within two weeks from completion of e-auction.

(b) Upon receipt of the Auction Premium amount, the Director of Mines and Geology / Deputy Director of Mines and Geology concerned, as the case may be, shall issue a notice (letter of intent) to the preferred bidder as specified in sub-rule (d) below.

(c) In case, preferred bidder is not able to furnish the Auction Premium amount within two weeks from completion of e-auction, the second highest bidder will be given preference by the Director to match the highest Auction Premium amount and after remittance of the highest Auction Premium Amount, the respective bidder shall become preferred bidder and a Notice (Letter of Intent) be issued as per sub-rules (a) and (b) above.

(d) The Preferred Bidder shall comply with the following conditions for grant of Quarry lease deed within the period specified in rule 7 & 12(5) of the APMCM Rules 1966, for the minor minerals as the case may be:-

- i. Continuing to be in compliance with all the terms and conditions of eligibility;
- ii. Submission of Security Deposit as specified by the Director in the tender document.
- iii. Obtaining Approved Mining Plan, Environmental Clearance, Consent for Establishment, Forest Clearance (in case of Forest land) and any other relevant consents, approvals, permits and the like as may be required under applicable laws for commencement of quarry operations;
- iv. Satisfying such other conditions as may be specified by the Director of Mines and Geology.

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- v. Affidavit regarding annual minimum production conditions to be submitted as specified in the Tender document.
- (e) Upon fulfillment of the conditions specified above, the Director of Mines and Geology/ Deputy Director of Mines and Geology concerned, as the case may be, shall grant a Quarry Lease to the Preferred Bidder and such Quarry Lease shall be subject to the provisions of APMMC Rules 1966.
- (f) If the Preferred Bidder failed to fulfill the conditions specified in sub rule (d) above within the specified period, the notice issued as per sub rule (b) above shall be deemed to be cancelled and payments made so far shall be forfeited.
- (g) The Quarry Lease Deed shall be executed by the Assistant Director of Mines & Geology as per Rule 12(5)(e) and 13(1) of the APMMC Rules 1966, for the respective minor minerals, as the case may be.
- (h) Any new mineral is discovered in the Quarry Lease area granted through auction during the lease period, then the holder of Quarry lease shall follow the provisions of the APMMC Rules, 1966 as amended from time to time for inclusion of such new mineral in the Quarry Lease Deed.
- (i) The date on which the Quarry Lease Deed is duly executed shall be the date of commencement of the Quarry lease.

(13) Security Deposit for Quarry Lease

The security deposit shall be provided as the manner prescribed by Director which may be invoked as per the provisions of Quarry Lease Deed and existing APMMC Rules, 1966.

(14) Time Period

The time period for compliance of these rules shall be as specified in the tender document.

PART - III

MISCELLANEOUS

(15) Right of first refusal to Local societies:

In case of auction of quarry leases, Local societies shall be given right of first refusal in the auction of quarry leases falling within their Mandal.

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Provided that such Local societies shall be a Qualified Bidder in the auction of that particular area and match the highest premium amount quoted for such quarry lease in e-auction conducted by Director.

Provided further that the total extent of quarry leases to be held by such local Societies shall be twelve (12) hectares in the State of Andhra Pradesh by using the Right of first refusal under this rule.

(16) Right of first refusal to the existing quarry lease holders,-

(i) In the cases of the existing leases covered under the areas of pattalands where the consent is provided and Government lands, on the expiry of the lease period, the area shall be put up for e-auction.

(ii) The process of e-auction shall be started well in advance so that before the expiry of the lease period, new lease may be granted without any gap;

(iii) The existing lessee shall have right of first refusal at the time of e-auction held for such lease after expiry of the lease period in the following manner namely;-

(a) to be eligible to exercise the right of first refusal, the lessee shall comply with the conditions of the mining lease, the act and the rules made thereunder till its expiry and shall emerge as technical qualified bidder as per provisions laid down in these rules.

(b) upon conclusion of the e-auction, the Director of Mines & Geology shall issue a notice to the lessee seeking written confirmation of his/her willingness to exercise the right of first refusal within a period of seven days of the conclusion of the e-auction;

(c) the notice given under clause (ii) shall be acknowledged by the lessee and who shall, within a period of two weeks of receipt of notice, exercise the right of first refusal in writing to the Director of Mines & Geology, failing which it shall be construed that the lessee is not desirous of exercising the right of first refusal and the successful bidder shall be entitled to a mining lease in the manner provided in these rules

(d) If these lessee exercise the right of first refusal and matches the highest final offer price, the lessee shall be deemed to be successful bidder in place of the earlier successful bidder declared after the e-auction shall be entitled to a mining lease in the manner provided in these rules.

(e) in case the lease holder or preferred bidder or LoI holder, expires the lease shall be considered to be granted in the name of the successor of the deceased person.

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(17) Procedure for grant of quarry leases in areas held by private persons (pattalands),-

(a) In a proposed mineral block, where the land owned by the Private persons (pattalands) is more than 75% of the total proposed area, then proposed mineral block shall be considered as Pattaland and shall be disposed as per the procedure laid down in these rules and APMMC Rules 1966.

(b) For the mineral bearing areas which are falling in pattalands and where the pattadar concerned has provided consent for grant of quarry lease through e-auction;

Prior to issue of NIT for conduct of e-auction in areas held by private persons, a consent from Pattadar, as the case may be, shall be obtained by Assistant Director of Mines and Geology by entering into an agreement with the pattadar or person authorized by Pattadar in this regard as per sub-rule (c) below.

Provided that the Consent received from Pattadar shall be irrevocable and shall be valid till expiry of lease period or till exhaust of the mineral, whichever is later.

(c) The lease holder shall pay an additional amount equal to twenty percent (20%) of Seigniorage Fee to pattadar on mineral dispatches made from the lease area through the Director on monthly basis.

(18) Publishing of Successfully auctioned areas' details

(a) The Director shall publish the details of the Successfully auctioned blocks in the website of Department of Mines & Geology on monthly basis with the following details:

(i) Details of block - Name of the mineral, Location, Assistant Director of Mines and Geology's Jurisdiction and District.

(ii) Highest Auction Premium Amounts

(iii) Extent in Hectares and Highest Auction Premium Amount per hectare

(b) The Director shall also publish the district wise and mineral wise highest Auction premium amounts and the average hectare wise highest Auction premium amounts of the successfully auctioned blocks in the last 12 months and 36 months in the website of Department of Mines & Geology on monthly basis.

(19) Remittance of Auction Premium amounts to Department of Mines & Geology

::14::

The proceeds pertaining to Auction Premium amounts of successfully auctioned blocks shall be remitted as per the procedure laid down by Director.

(20) Powers to issue Orders/Clarifications/Guidelines:

The Government shall be the sole Authority to issue clarifications, exemptions, guidelines or relaxation orders from time to time, in implementation of these rules.

(21) Applicability of General Provisions:

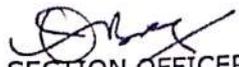
The General provisions of Minor Mineral Concession Rules, 1966 or any subsequent rules/amendments to be issued by Government or the orders, guidelines, clarifications issued by Government in this regard from time to time shall apply to any situation, which is not expressly stated herein.

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

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT(MINES)

To
The Commissioner of Printing, Stationery & Stores Purchases (Printing Wing) Andhra Pradesh, Vijayawada. (with a request to publish the above notification and arrange to send 200 copies of the same to the Government in Industries & Commerce (M.III) Department and 100 copies to the Director of Mines & Geology, A.P., Ibrahimpatnam, Vijayawada).
The Director of Mines & Geology, Andhra Pradesh, Ibrahimpatnam.
The Chief Executive Officer, MERIC, Vijayawada.
All the District Collectors in the State.
All the Joint Director /Deputy Director / Asst. Director of Mines & Geology through the Director of Mines & Geology, Ibrahimpatnam.
Copy to:
The Secretary to Govt, Ministry of Mines, Govt. of India, Shastry Bhawan, New Delhi.
The RCoM, IBM, Room No:603, 6th Floor, CGO Tower, Kavadi guda, Secunderabad.
The Law Department.
The Finance Dept.
The OSD to Minister for Mines & Geology.
The PS to Prl. Secretary to Govt., (Mines)
SF/SC(Comp.No.1510364)

// FORWARDED :: BY ORDER //


SECTION OFFICER

ANNEXURE - II

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)
FRIDAY, THE EIGHTH DAY OF JULY TWO THOUSAND AND TWENTY TWO

:PRESENT:

HONOURABLE THE CHIEF JUSTICE PRASHANT KUMAR MISHRA
THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU
WRIT PETITION NO: 19459 OF 2022

Between:

1. Federation Of Minor Minerals Industry (FEMM), Registered body, having its office at 24-88/7, Srinivas Nagar, Simhachalam, Visakhapatnam. Rep.by its Secretary
2. Chellu Naga Sankara Rao, s/o. Ch. Hanumantha Rao, aged years. occ. busjness, rio. D. No. 41-1/20-18, 3F-401, Parni Badrinandan Heights, Krishna Lanka. Vijayawada-13, NTR District.

Petitioner/s

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Industries and Commerce (Mines-III) Department, A.P.Secretariat, Velagapudi, Guntur District, A.P.
2. The Director of Mines and Geology, State of Andhra Pradesh, Ibrahimpatnam, Krishna District,
3. The Deputy Director of Mines and Geology, NTR District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology. NTR District, Andhra Pradesh.

... Respondents

WHEREAS the Petitioner above named through their Advocate Sri HARI SREEDHAR presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue such appropriate writ or order or direction more particularly, in the nature of a Writ of Mandamus declaring the various amendments made to Rule 7-A (v), Rule 9 (i), (iii), Rule 12 (2), 12 (4) (ii) (b), Rule 12 (5) (a) (i), Rule 12 (5) (a) (ii), Rule 12 (5) (c), Rule 12 (5) (d), Rule 12 (5) (f) (ii), Rule 12 (5) (h) (xi) (i) and Rule 14 of A.P. Minor Mineral Concession Rules, 1966 by the first respondent through GO MS No.13, Industries and Commerce (Mines-III) Department dated 14-03-2022 as not only arbitrary and illegal but also ultra vires being contrary to Sec. 14 and 15 of the Mines and Minerals (Development and Regulation) Act, 1957 and consequently set aside the order of the 3rd respondent dated 12-5-2022 in Proceedings No. 297/Q1/2022.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri HARI SREEDHAR Advocate for the Petitioner and GP FOR MINES AND GEOLOGY Advocate for the Respondent Nos.1 to 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Industries and Commerce (Mines-III) Department, A.P.Secretariat, Velagapudi, State of Andhra Pradesh, Guntur District, A.P.
2. The Director of Mines and Geology, State of Andhra Pradesh, Ibrahimpatnam, Krishna District,
3. The Deputy Director of Mines and Geology, NTR District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology. NTR District, Andhra Pradesh.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.
IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of operation of the impugned amendments made to Rule 7-A (v), Rule 9 (i), (iii), Rule 12 (2), 12 (4) (ii) (b), Rule 12 (5) (a) (i), Rule 12 (5) (a) (ii), Rule 12 (5) (c), Rule 12 (5) (d), Rule 12 (5) (f) (ii), Rule 12 (5) (h) (xi) (i) and Rule 14 of A.P. Minor Mineral Concession Rules, 1966 through GO MS No.13, Industries and Commerce (Mines-III) Department dated 14-03-2022, Pending disposal of WP 19459 of 2022, on the file of the High Court.

ORDER:

(Through physical mode)

“Heard Mr. Hari Sreedhar, learned counsel for the petitioners.

Issue notice to the respondents, returnable in four weeks.

Learned Government Pleader for Mines and Geology would accept notice on behalf of the respondents.

As the respondents are duly represented, no formal steps are called for.

In view of the statement made by the learned Government Pleader for Mines and Geology that the mining lease is not put to e-auction, we shall consider the prayer for grant of interim relief on the next date of hearing.

Post this case along with W.P.No.14827 of 2022.”

Sd/- A. VIJAY BABU
 ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Industries and Commerce (Mines-III) Department, A.P.Secretariat, Velagapudi, State of Andhra Pradesh, Guntur District, A.P.
2. The Director of Mines and Geology, State of Andhra Pradesh, Ibrahimpatnam, Krishna District,
3. The Deputy Director of Mines and Geology, NTR District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, NTR District, Andhra Pradesh. (1 to 4 by RPAD)
5. One CC to SRI. HARI SREEDHAR Advocate [OPUC]
6. Two CCs to GP FOR MINES AND GEOLOGY, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

PR

HIGH COURT

HCJ &
DVSSJ

DATED:08/07/2022

POST THIS CASE ALONG WITH W.P.NO.14827 OF 2022

ORDER

WP.No.19459 of 2022

DIRECTION



ANNEXURE-IV

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
Sri K. Siva Prakash,
S/o Krishnan,
D.No. 2/285, Mangal Nagar,
Thattiganipalli (V),
Krishnagiri - 635203, Tamil Nadu.

Lr.No. No.1803/TOL/BG/2020 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by Sri K. Sivaprakash, for Black Granite over an extent of 0.772 Hectares in Sy.No. 101/2 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-659, dt.23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-7, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of Sri K. Siva Prakash is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 0.772 Hectares in Sy.No. 101/2 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by Sri K. Sivaprakash and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-5,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for Black Granite in Sy.No.98/3 Part over an extent of 0.607
Hectare of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District
lease held by M/s Sai Raghavendra Granites,- Stop Production order -
Issued by Andhra Pradesh Pollution Control Board, Vijayawada - To take
necessary action - reg.

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3/11/2022

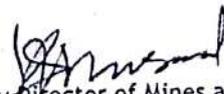
Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-657, Dt:24.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited, and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to Quarry lease for Black Granite
in Sy.No.98/3 Part over an extent of 0.607 Hectare of Kotamakanapalli Village,
Gudupalli Mandal, Chittoor District lease held by M/s Sai Raghavendra Granites and
same was marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpattanam for favour of kind
information.

File No. APPCB-11023/119/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD

D. No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibaipet, Vijayawada – 520010
Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>



Order No. 738/APPCB/HO/UH-II/TF/TPT/2022- 659

Date: 23/11/2022

STOP PRODUCTION ORDER

Sub: APPCB – HQ - Unit-II – TF - 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 – Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 - Violation of consent conditions – EAC hearing held on 09.11.2022 – Stop Production Order - Issued - Reg.

- Ref: -
1. CFO orders valid up to 31.12.2023.
 2. The Hon'ble NGT, Principle bench, New Delhi order Dt.27.04.2022 and 20.07.2022.
 3. Joint inspection conducted at the area on 22.06.2022.
 4. The PO, Tirupathi issued Show cause notice on 30.08.2022.
 5. Board officials inspected your mine on 04.10.2022.
 6. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you are operating granite mining unit in the name & style of 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.

WHEREAS M/s. Sri K.Siva Prakash mine – 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites) obtained Environmental Clearance (EC) and subsequent vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which is valid up to 31.12.2023.

WHEREAS Mr. K Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered on O.A. No. 271/2022 by NGT(PB), New Delhi.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt.27.04.2022 constituted a Joint Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has passed the following order on 20.07.2022.

"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 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".

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11/2/22

File No. APPCB-11023/119/2022-TEC-TF-APPCB

WHEREAS the RO, Tirupathi vide reference 4th cited issued Show cause notice to M/s. Sri K.Siva Prakash mine – 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites) for violations of CFO order Dt. 14.02.2022. In response to the Show cause notice issued, the proponent of the mining unit have submitted reply on 21.09.2022.

WHEREAS the Board officials had inspected M/s. Sri K.Siva Prakash mine – 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites) again on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed following compliance's :

1. Not maintained buffer zone of 7.5 m on all four sides.
2. Not provided details of CSR activities taken up.
3. Over burden is being dumped outside the mine lease area.
4. Not submitted details of funds earmarked for environmental protection measures.
5. Not submitted water & air quality monitoring reports.
6. Not furnished occupational health surveillance data.

WHEREAS hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to 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 as the unit has not maintained buffer zone of 7.5 m on all four sides, not provided details of CSR activities taken up, Over burden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures, not submitted water & air quality monitoring reports, not furnished occupational health surveillance data.

Accordingly, the Board hereby issue Stop Production Order to the M/s. Sri K.Siva Prakash mine – 0.772 Ha. (Formerly M/s. Sri Venkata Sai Granites) for non-compliance under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act, 1981.

You are hereby directed to note that, should you violate this order and operate the unit, closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 23/11/2022.

Vijay Kumar Gsrkr Ias
MEMBER SECRETARY

To
M/s. Sri K.Siva Prakash mine – 0.772 Ha.
(Formerly M/s. Sri Venkata Sai Granites),

File No./APPGB-11023/119/2022-TEC-TF-APPCB

Sy.No.101/2,
Kotamakurapalli(V), Gudupalli (M),
Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept , Chittoor for information and necessary action.

Signed by Vijay Kumar
Gsrkr las
Date: 23-11-2022 21:22:45
Reason: Approved

Annexure - IV

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

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
Sri K. Siva Prakash,
S/o Krishnan,
D.No. 2/285, Mangal Nagar,
Thattiganipalli (V),
Krishnagiri - 635203, Tamil Nadu.

Lr.No. No.1802/TQL/BG/2020 Dt: 22-12-2022

Sub:- Mines and Quarries -Quarry Lease held by Sri K. Sivaprakash, for Black Granite over an extent of 0.405 Hectares in Sy.No. 103 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-658, dt. 23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-6, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of Sri K. Siva Prakash is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 0.405 Hectares in Sy.No. 103 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by Sri K. Sivaprakash and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-6,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for granite in Sy.No.103 over an extent of 0.405 Hectare of
Kotamakanapalli Village, Gudupalli Mandal, Chittoor District lease held by
M/s Sri K.Siva Prakash - Stop Production order - Issued by Andhra Pradesh
Pollution Control Board, Vijayawada - To take necessary action - reg.

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3/12/2022

Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-658, Dt:23.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

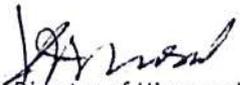
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through the
set in the office

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited (and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to Quarry lease for granite in
Sy.No.103 over an extent of 0.405 Hectare of Kotamakanapalli Village, Gudupalli
Mandal, Chittoor District lease held by M/s Sri K.Siva Prakash) and same was marked to
the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

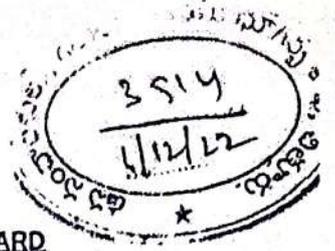
Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpattanam for favour of kind
information.

File No. APPCB-11023/118/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada – 520010
 Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>

Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-658

Date: 23/11/2022

STOP PRODUCTION ORDER

T.A
Part of
1/12/22

Sub: APPCB – HO – Unit-II – TF – 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 – Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 – Violation of consent conditions – EAC hearing held on 09.11.2022 – Stop Production Order - Issued - Reg.

- Ref:
1. CFO order valid up to 30.09.2023.
 2. The Hon'ble NGT, Principle bench, New Delhi order Dt.27.04.2022 & 20.07.2022.
 3. Joint inspection conducted at the area on 22.06.2022.
 4. The RO, Tirupathi issued Show cause notice on 30.08.2022.
 5. Board officials inspected your mine on 04.10.2022.
 6. External Advisory Committee (Task Force) meeting held on 09.11.2022.
- ***

WHEREAS you are operating a granite mining unit in the name & style of M/s. Sri K.Siva Prakash mine – 0.405 Ha. (Formerly M/s. Sri Venkata Sai Granites), located at Sy.No.103, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. Sri K.Siva Prakash mine – 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites) have obtained Environmental Clearance (EC) and subsequent vide ref 1st cited obtained Consent for Operation (CFO) of the Board which is valid up to 30.09.2023.

WHEREAS Sri. K. Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered as O.A. No. 271/2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt.27.04.2022 constituted a Joint Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has made the following order on 20.07.2022.

"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 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".

File No. APPCB-11023/118/2022-TEC-TR-APPCB

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. Sri K.Siva Prakash mine – 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites) for violations of CFO order Dt. 24.10.2021. In response to the Show cause notice issued, you have submitted reply on 21.09.2022.

WHEREAS the Board officials again inspected M/s. Sri K.Siva Prakash mine – 0.405 Ha on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed the following non - compliance's:

1. The mining unit is not maintaining buffer zone on all four sides,
2. Not furnished the details of CSR activities.
3. Monitoring reports of Ambient Air Quality (AAQ), Ground water level and quality, Noise levels are not provided.
4. The mining authorities are dumping the overburden outside the mining area.
5. The details/records of Occupational Health Surveillance of workers are not available,
6. Details/records not provided regarding funds earmarked for environmental protection measures.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to 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 as the unit has not maintained buffer zone of 7.5 m on all four sides, not provided details of CSR activities taken up, Overburden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures, not submitted water & air quality monitoring reports, not furnished occupational health surveillance data.

Accordingly, the Board hereby issue Stop Production Order to the M/s. Sri K.Siva Prakash Mine – 0.405 Ha. (Formerly M/s. Sri Venkata Sai Granites) located at Sy.No.103, Kotamakanapalli (V), Gudupalli (M), Chittoor District for non-compliance under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act, 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 23/11/2022.

Vijay Kumar Gsrkr las
MEMBER SECRETARY

To
The Occupier,
M/s. Sri K.Siva Prakash Mine – 0.405 Ha.

File No. APPCB-11023/118/2022-TEC/TF/APPCB

(Formerly M/s. Sri Venkata Sai Granites),
Sy.No.103,
Kotamakanapalli (V), Gudupalli (M),
Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director Mines and Geology Dept, Chittoor for information and necessary action.

Signed by Vijay Kumar
Gsrkr las
Date: 23-11-2022 21:21:09
Reason: Approved

Annexure -IV

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
M/s Sai Raghavendra Granites,
Prop: Sri. S. Sunil Kumar,
S/o G. Subramanyam,
D.No. 13-265, DRS Building,
Ramachandra Road, Kuppam,
Chittoor District.

Lr.No. No.1348/O/2007 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by M/s Sai Raghavendra Granites, Prop: Sri. S. Sunil Kumar for Black Granite over an extent of 0.607 Hectares in Sy.No. 98/3 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-657, dt.24-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-5, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of M/s Sai Raghavendra Granites, Prop: Sri. S. Sunil Kumar is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 0.607 Hectares in Sy.No. 98/3 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by M/s Sai Raghavendra Granites, Prop: Sri. S. Sunil Kumar and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Yours faithfully

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-5,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for Black Granite in Sy.No.98/3 Part over an extent of 0.607
Hectare of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District
lease held by M/s Sai Raghavendra Granites,- Stop Production order -
Issued by Andhra Pradesh Pollution Control Board, Vijayawada - To take
necessary action - reg.

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Rig
3/11/2022

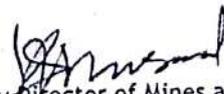
Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-657, Dt:24.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited, and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to Quarry lease for Black Granite
in Sy.No.98/3 Part over an extent of 0.607 Hectare of Kotamakanapalli Village,
Gudupalli Mandal, Chittoor District lease held by M/s Sai Raghavendra Granites and
same was marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpattanam for favour of kind
information.

File No. APPCB-11023/117/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D. No. 33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada - 520010
 Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>

Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-657

Date: 24/11/2022

STOP PRODUCTION ORDER

Sub: APPCB - HO - UH-II - TF - M/s. Sai Raghavendra Granites, (Black Granite mine - 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 - Non-compliance of the consent conditions - EAC hearing held on 09.11.2022 - Stop Production Order - Issued - Reg.

T. A
put up

11/12/22

- Ref:
1. CFO orders valid up to 31.07.2025.
 2. The Hon'ble NGT, Principle bench, New Delhi order Dt. 27.04.2022 & 20.07.2022.
 3. Joint Inspection conducted at the area on 22.06.2022.
 4. The RO, Tirupathi issued Show cause notice on 27.08.2022.
 5. Your reply dt: 21.09.2022.
 6. Board officials inspected the industry on 04.10.2022.
 7. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you were operating granite mining unit in the name & style of M/s. Sai Raghavendra Granites, (Black Granite mine - 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. Sai Raghavendra Granites, (Black Granite mine - 0.607 Ha) have obtained Environmental Clearance (EC) and subsequent vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which is valid up to 31.07.2025.

WHEREAS Sri. 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 in the area, which was registered as O.A. No. 271/2022 by NGT(PB), New Delhi.

WHEREAS vide reference 2nd cited, the Hon'ble NGT, Principle bench, New Delhi by order Dt. 27.04.2022 constituted a Joint Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022 vide reference 3rd cited.

WHEREAS subsequently, Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report pass the following order on 20.07.2022.

"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 further action taken report within two months by e-mail at judicial-ngt@gov.in

File No. APPCB-11023/117/2022-TEC-TF-APPCB

preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF".

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. Sai Raghavendra Granites., (Black Granite mine – 0.607 Ha) for the following violations of CFO order Dt. 01.09.2020.

1. Buffer zone of 7.5 meters all around the mine lease area for green belt development is not being maintained.
2. Project Authorities not provided details/ records regarding the CSR activities and year wise expenditure incurred for each financial year.
3. Avenue plantation (tail plants) of at least 1.5 m height for 1 km length of the approach road on either side of the road was not developed.
4. No water sprinklers and mobile water sprinkling tankers are available at the mine lease area.
5. Monitoring reports of Ambient Air Quality (AAQ), Ground water level and quality, Noise levels, are not available.
6. Permission from Competent Authority for withdrawing of ground water from bore wells is not available.
7. Garland drains and Siltation ponds are not available.
8. Measures for ground water recharge are not being taken.
9. Over Burden is being dumped out of the mine lease area. Approval regarding dumping of OB out of the mine lease area is not available.
10. Retaining wall at the end of OB dump of appropriate size is not available.
11. Details/records regarding the Occupational Health Surveillance of workers are not available.
12. Details/records regarding constitution of separate Environmental Management Cell are not available.
13. Details/ records regarding funds earmarked for environmental protection measures are not available.
14. Project Authorities are not submitting six monthly compliance reports along with monitored data to competent authorities on regular basis.
15. Project Authorities are not submitting Environmental Statement in Form-V to competent authorities on regular basis.

In response to the Show cause notice issued, the proponent of the mining unit have submitted reply on 21.09.2022 stating that, the quarry works were stopped since 01.04.2021 and presently, the mining operations are suspended.

WHEREAS the Board officials had inspected M/s. Sai Raghavendra Granites., (Black Granite mine – 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board it was observed that the mining unit is not under operation.

WHEREAS hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non-compliance's observed. The quarry works are reported to be stopped since 01.04.2021.

After detailed discussions, the Committee recommended to issue stop production to M/s. Sai Raghavendra Granites., (Black Granite mine – 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District for the non-compliance's observed.

File No. APPCB-11023/117/2022-TEC/TF-APPCB

Accordingly, the Board hereby issue Stop Production Order to the M/s. Sai Raghavendra Granites., (Black Granite mine – 0.607 Ha) as the unit is not complying with the conditions stipulated in the CFO order as detailed above; under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act, 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the Interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes Imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 24/11/2022.

Vijay Kumar Gsrkr las
MEMBER SECRETARY

To
M/s. Sai Raghavendra Granites,
(Black Granite mine – 0.607 Ha),
Sy.No.98/3 Part,
Kotamakanapalli (V), Gudupalli (M),
Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept, Chittoor for information and necessary action.

Signed by Vijay Kumar
Gsrkr las
Date: 24/11/2022 11:46:55
Reason: Approved

Annepule-IV

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

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
M/s Sri Sai Krupa Granites,
Prop. Sri M. Chandra Sekhar,
D.No. 18-102,
Venkateswara Nilayam,
Vinayaka Street, Newpet,
Kuppam, 517425.

Lr.No. No.3047/Q2/BG/2009 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by M/s Sri Sai Krupa Granites, Prop. Sri M. Chandra Sekhar for Black Granite over an extent of 0.611 Hectares in Sy.No. 100 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-660, dt.23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-8, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of M/s Sri Sai Krupa Granites, Prop. Sri M. Chandra Sekhar is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 0.611 Hectares in Sy.No. 100 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by M/s Sri Sai Krupa Granites, Prop. Sri M. Chandra Sekhar and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-8,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for Black Granite in Sy.No.100 over an extent of 0.611
Hectare of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District
lease held by M/s Sri Sai Krupa Granites,- Stop Production order - Issued
by Andhra Pradesh Pollution Control Board, Vijayawada - To take
necessary action - reg.

RI
R/S
31/12/2022

Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-660, Dt:23.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited, and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to Quarry lease for Black Granite
in Sy.No.100 over an extent of 0.611 Hectare of Kotamakanapalli Village, Gudupalli
Mandal, Chittoor District lease held by M/s Sri Sai Krupa Granites and same was
marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

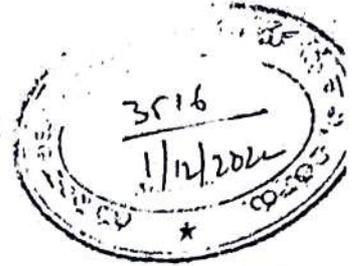
Encls: Ref.

Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpattanam for favour of kind
information.

File No. APPCB-11023/120/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada - 520010
 Phone: 0866-2463200, Website: https://pcb.ap.gov.in

Order No. 788/APPCB/HO/UH-III/TF/TPT/2022-660

Date: 23/11/2022

STOP PRODUCTION ORDER

Sub: APPCB - HO - Unit-II - TF - M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha), Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 - Violation of consent conditions - EAC hearing held on 09.11.2022 - Stop Production Order - Issued - Reg.

- Ref:
1. CFO orders valid up to 31.07.2025.
 2. The Hon'ble NGT, Principle bench, New Delhi order Dt.27.04.2022 & 20.07.2022.
 3. Joint Inspection conducted at the area on 22.06.2022.
 4. The RO, Tirupathi issued Show cause notice on 27.08.2022.
 5. Board officials inspected the industry on 04.10.2022.
 6. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you are operating a granite mining unit in the name & style of M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha), located at Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha) have obtained Environmental Clearance (EC) and subsequent vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which is valid up to 31.07.2025.

WHEREAS Mr. K Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered on O.A. No. 271/2022 by NGT(PB), New Delhi.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt.27.04.2022 constituted a Joint Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has passed the following order on 20.07.2022.

"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 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"

T.A
 Patel
 1/12/22

File No. APPCB-11023/120/2022-TEC-TF-APPCB

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. Sri Sai Krupa Granites (Black Granite mine - 0.611 Ha) for violations of CFO order Dt. 01.09.2020. In response to the Show cause notice issued, the mine lessee of the mining unit have submitted reply on 21.09.2022.

WHEREAS the Board officials again inspected M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha) on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed following non-compliance's:

1. Not maintained buffer zone of 7.5 m on all four sides.
2. Not provided details of CSR activities taken up.
3. Not submitted details of funds earmarked for environmental protection measures.
4. Not furnished occupational health surveillance data.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non-compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha), located at Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District as the unit has not maintained buffer zone of 7.5 m on all four sides, not provided details of CSR activities taken up, Not submitted details of funds earmarked for environmental protection measures, not furnished occupational health surveillance data.

Accordingly, the Board hereby issue Stop Production Order to the M/s. Sri Sai Krupa Granites, (Black Granite mine - 0.611 Ha) located at Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District for non-compliance under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act, 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 23/11/2022.

Vijay Kumar Gsrkr las
MEMBER SECRETARY

To
The Occupier,
M/s. Sri Sai Krupa Granites,
(Black Granite mine - 0.611 Ha),
Sy.No.100,

File No. APPCB-11023/120/2022-TEC:TF:APPCB

Kotamakanapalli (V), Gudupalli (M),
Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept, Chittoor for information and necessary action.

Signed by Vijay Kumar
Gsrkr las
Date: 23-11-2022 21:28:04
Reason: Approved

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY



From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
Sri Muniswamy Ramamurthy,
Mg. Dir: M/s J.R. Granites Private Ltd
J.R. Plaza, 4th Floor, Tank Street,
Hosur, Krishnagiri (Dt),
Tamilnadu State.

Lr.No. No.3874/Q2/BG/2012 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd for Black Granite over an extent of 4.846 Hectares in Sy.No. 136, 137 & 138 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

JA
Re-Sent
With comment
Address

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-654, dt.23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-2, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 4.846 Hectares in Sy.No. 136, 137 & 138 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Yours faithfully

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.

File No. APPCB-11023/15/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
D. No. 33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibalpet, Vijayawada - 520010
Phone: 0866-2463200, Website: https://pcb.ap.gov.in

Order No. 738/APPCB/HQ/UH-III/TF/PT/2022-654

Date: 23/11/2022

STOP PRODUCTION ORDER

T-A
Put in
11/11/22

Sub: APPCB - HQ - Unit-II - TF - M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha), Sy.No. 136, 137 & 138, Kotamakanapalli (M), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20.07.2022 in Original Application No. 271/2022 - Violation of consent conditions - EAC hearing held on 09.11.2022 - Stop Production Order - Issued - Reg.

- Ref: -
1. CFO order valid up to 30.09.2022.
 2. The Hon'ble NGT, Principle bench, New Delhi orders dt. 27.04.2022 and 20.07.2022.
 3. Joint inspection conducted at the area on 22.06.2022.
 4. The P.O, Tirupathi issued Show cause notice on 29.08.2022.
 5. Your reply dated 21.09.2022.
 6. Board officials inspected the industry on 04.10.2022.
 7. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you are operating a Granite mining unit in the name & style of M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha), located at Sy.No. 136, 137 & 138, Kotamakanapalli (M), Gudupalli (M), Chittoor District.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha) have obtained Environmental Clearance (EC) and subsequently vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which was valid up to 30.09.2022. The mining project has applied for CFO renewal.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha) submitted that the mining unit is not under operation since May, 2022, due to non-payment of penalty, advance seigniorage fee to Department of Mines & Geology and lack of dispatch permits.

WHEREAS Sri. K. Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered as O.A. No. 271/2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt. 27.04.2022 constituted a Joint Committee and the Joint Committee (comprising of representatives of MoEF & CC, GPCB, SEIAA, APPCB, District Collector) conducted Joint inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the Joint committee inspection report has made the following order on 20.07.2022.

"The State PCB and SEIAA are also directed to take further remedial action

File No. APPCB-11023/115/2022-TEC-TF-APPCB

Kotamakanapalli
Chittoor District

in accordance with law by following due process and also file its 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".

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha) for violations of CFO order Dt. 11.11.2021. In response to the Show cause notice issued, you have submitted reply, on 21.09.2022.

WHEREAS the Board officials again inspected M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha), on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed following non-compliance's :

1. Not developed adequate avenue plantation along the approach roads.
2. The mining authorities are being dumping the overburden at outside the mining area.
3. Details/records not provided regarding funds earmarked for environmental protection measures.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non-compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha), Sy.No.136, 137 & 138, Kotamakanapalli (V), Gudupalli (M), Chittoor District as the unit has not developed adequate avenue plantation along the approach road, Over burden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures.

Accordingly, the Board hereby issue Stop Production Order to M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha) located at Sy.No.136, 137 & 138, Kotamakanapalli (V), Gudupalli (M), Chittoor District for non-compliance of CFO conditions; under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 23/11/2022.

M. K. Kumar GSKR-115
MEMBER SECRETARY

To
The Occupier,
M/s. J.R.Granites Pvt. Ltd., (Black Granite mine - 4.846 Ha),
Sy.No.136, 137 & 138,

File No. APPCB-11023/115/2022-TEC-TF-APPCB

Kotamakanapalli (V), Gudupalli (M),
Chittoor District

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kumool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept. Chittoor for information and necessary action.

Signed by Vijay Kumar
Gadgilas
Date 23-11-2022 21:07:33
Reason: Approved

Annexure - IV

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
Sri Muniswamy Ramamurthy,
Mg. Dir: M/s J.R. Granites Private Ltd
J.R. Plaza, 4th Floor, Tank Street,
Hosur, Krishnagiri (Dt),
Tamilnadu State.

Lr.No. No.3800/TOL/2014 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd for Black Granite over an extent of 1.620 Hectares in Sy.No. 89/1, 95/1(P), 95/2(P) 95/3(P) of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada - Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-653, dt.23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-1, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 1.620 Hectares in Sy.No. 89/1, 95/1(P), 95/2(P) 95/3(P) of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-1,

Dated: 01-12-2022

Sub: Mines & Quarries - O/o. Deputy Director of Mines & Geology, Chittoor - Quarry lease for Black Granite in Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) over an extent of 1.620 Hectares of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District lease held by M/s J.R.Granites Pvt Ltd., - Stop Production order - Issued by Andhra Pradesh Pollution Control Board, Vijayawada - To take necessary action - reg.

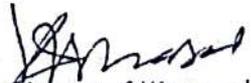
Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-653, Dt:23.11.2022 from the Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G, Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to the subject & reference cited, and inform that the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to quarry lease for Black Granite located in Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) over an extent of 1.620 Hectares of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District lease held by M/s J.R.Granites Pvt Ltd and same was marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary action in the matter.

Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpattanam for favour of kind information.

RI
RJ
31/12/2022

File No. APPCB-11023/114/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D. No. 33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada - 520010
 Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>

Order No. 738/APPCB/HO/UH-III/TF/TPT/2022- 653

Date: 23/11/2022

STOP PRODUCTION ORDER

Sub: APPCB - HO - Unit-II - TF - 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 - Hon'ble NGT order dt. 20.07.2022 in Original Application No. 271/2022 - Violation of consent conditions - EAC hearing held on 09.11.2022 - Stop Production Order - Issued - Reg.

- Ref:**
1. CFO order valid up to 30.09.2022.
 2. The Hon'ble NGT, Principle bench, New Delhi order dt. 27.04.2022 and 20.07.2022 in OA No 271/2022.
 3. Joint inspection conducted at the area on 22.06.2022.
 4. The P.O, Tirupathi issued Show cause notice on 19.08.2022.
 5. Your reply dt 21.09.2022.
 6. Board officials inspected your mine on 04.10.2022.
 7. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you are operating a granite mining unit in the name & style of M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 1.620 Ha), located at Sy.No. 89/1, 95/1(P), 95/2(P), & 95/3(P) Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 1.620 Ha) obtained Environmental Clearance (EC) and subsequently vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which is valid up to 30.09.2022. Further the mining unit has applied for CFO renewal.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 1.620 Ha) submitted that the mining unit is not under operation since May, 2022, due to non-payment of penalty, advance seigniorage fee to Department of Mines & Geology and lack of dispatch permits.

WHEREAS Sri. X Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the Hon'ble National Green Tribunal (NGT) Principle Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered as O.A. No. 271/2022 by NGT(PB), New Delhi.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt. 27.04.2022 constituted a Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has made the following order on 20.07.2022.

- "The State PCB and SEIAA are also directed to take further remedial action

T.A.
 out of
 11/11/22

File No. APPCB-11023/114/2022-TEC-TF-APPCB

in accordance with law by following due process and also file its 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".

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. J.R. Granites Pvt. Ltd., (Black Granite mine – 1.620 Ha) for violations of CFO order Dt. 11.11.2021. In response to the Show cause notice issued, you have submitted reply on 21.09.2022.

WHEREAS the Board officials again inspected M/s. J.R. Granites Pvt. Ltd., (Black Granite mine – 1.620 Ha), on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed following non compliance's:

1. Not developed adequate avenue plantation all along the approach road.
2. The mining unit is dumping the overburden outside the mining area.
3. Details/records not provided regarding funds earmarked for environmental protection measures.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to 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 as the unit has not developed adequate avenue plantation along the approach road, Over burden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures.

Accordingly, the Board hereby issue Stop Production Order to the M/s. J.R. Granites Pvt. Ltd., (Black Granite mine – 1.620 Ha) located at Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) Kotamakanapalli (V), Gudupalli (M), Chittoor District for non-compliance of CFO conditions under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 23/11/2022.

Vijay Kumar Gsckr las
MEMBER SECRETARY

To
The Occupier,
M/s. J.R. Granites Pvt. Ltd.,

File No. APPCB-11023/114/2022-TEC-TF-APPCB

(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.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept, Chittoor for Information and necessary action.

Signed by Vijay Kumar
Gsrkr las
Date: 23-11-2022 21:06:42
Reason: Approved

Annexure-IV

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

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
Sri Muniswamy Ramamurthy,
Mg. Dir: M/s J.R. Granites Private Ltd
J.R. Plaza, 4th Floor, Tank Street,
Hosur, Krishnagiri (Dt),
Tamilnadu State.

Lr.No. No.2114/O/2012 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd for Black Granite over an extent of 0.850 Hectares in Sy.No. 99/4 & 7 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 In original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-655, dt. 22-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-3, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 0.850 Hectares in Sy.No. 99/4 & 7 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by Sri Muniswamy Ramamurthy, Mg. Dir: M/s J.R. Granites Private Ltd and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-3,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for Black Granite in Sy.No.99/4 & 7 over an extent of 0.850
Hectare of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District
lease held by M/s J.R.Granites Pvt Ltd.,- Stop Production order - Issued
by Andhra Pradesh Pollution Control Board, Vijayawada - To take
necessary action - reg.

Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-655, Dt:22.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited, and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to quarry lease for Black Granite
located in Sy.No.99/4 & 7 over an extent of 0.850 Hectare of Kotamakanapalli Village,
Gudupalli Mandal, Chittoor District lease held by M/s J.R.Granites Pvt Ltd and same
was marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpatnam for favour of kind
information.

RI

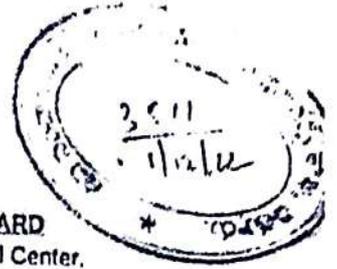
PUG

3/12/2022

File No. APPCB-11023/113/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada - 520010
 Phone: 0866-2463200, Website: <https://pcb.ap.gov.in>



Order No. 738/APPCB/HO/UH-III/TF/TPT/2022-655

Date: 22/11/2022

STOP PRODUCTION ORDER

Sub: APPCB - HO - Unit-II - TF - M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 0.850 Ha), Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 - Violation of consent conditions - EAC hearing held on 09.11.2022 - Stop Production Order - Issued - Reg.

- T. A.
 11/2/22
- Ref:
1. CFO order valid up to 30.09.2022.
 2. The Hon'ble NGT, Principle bench, New Delhi order Dt.27.04.2022 & 20.07.2022.
 3. Joint Committee Inspection conducted on 22.06.2022.
 4. The RO, Tirupathi issued Show cause notice on 29.08.2022.
 5. Your reply dt 21.09.2022.
 6. Board officials inspected your mine on 04.10.2022.
 7. External Advisory Committee (Task Force) meeting held on 09.11.2022.
- ***

WHEREAS you are operating a Granite mine in the name & style of M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 0.850 Ha), located at Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 0.850 Ha) obtained Environmental Clearance (EC) and subsequently vide reference 1st cited, obtained Consent for Operation (CFO) of the Board valid up to 30.09.2022. Further the mining project has applied for CFO renewal.

WHEREAS M/s. J.R. Granites Pvt. Ltd., (Black Granite mine - 0.850 Ha) submitted that the mining unit is not under operation since May, 2022, due to non-payment of penalty, advance seigniorage fee to Department of Mines & Geology and lack of dispatch permits.

WHEREAS Mr. K Srinivasulu and other residents of village Kondasamudram and surrounding villages of Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carrying out in the area, which was registered as O.A. No. 271/2022 by NGT(PB), New Delhi.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt.27.04.2022 constituted a Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has passed the following order on 20.07.2022 -

M/s. J.R.G.
Black G

File No. APPCB-11023/113/2022-TEC-TF-APPCB

"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 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".

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha) for violations of CFO order Dt. 26.09.2017. In response to the Show cause notice issued, you have submitted reply on 21.09.2022.

WHEREAS the Board officials again inspected M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha) on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed following non-compliance's:

1. Not developed adequate avenue plantation along the approach road,
2. The mining authorities are dumping the overburden outside the mining area.
3. Details/records not provided regarding funds earmarked for environmental protection measures.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non-compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha), Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District as the unit has not developed adequate avenue plantation along the approach road, Over burden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures.

Accordingly, the Board hereby issue Stop Production Order to the M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha) for non-compliance of CFO conditions under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also be liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 22/11/2022.

Vijay Kumar G. S. R. Das
MEMBER SECRETARY

To

File No. APPCB-11023/113/2022-TEC-TF-APPCB

M/s. J.R. Granites Pvt. Ltd.,
(Black Granite mine - 0.850 Ha),
Sy.No. 99/4 & 7.
Kotamakanapalli (V), Gudupalli (M),
Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept, Chittoor for information and necessary action.

Signed by Vijay Kumar
Garkr las
Date: 22-11-2022 19:39:14
Reason: Approved

Anneputa - IV

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

From
P. Venugopal, M.Sc.,
Assistant Director of Mines & Geology,
Palamaner.

To
M/s Rathna Mineral Enterprises,
Ptr: Sri M. Manjunatha,
No. 46/1&4, Gundlasagaram road,
Gudupalli Mandal,
Kuppam - 517 426.

Lr.No. No.3045/Q/2010 Dt: 15-12-2022

Sub:- Mines and Quarries -Quarry Lease held by M/s Rathna Mineral Enterprises, Ptr: Sri M. Manjunatha for Black Granite over an extent of 4.810 Hectares in Sy.No. 132, 133, 134 & 135 of Kotamakanapalli (V), Gudupalli (M), Chittoor District - Hon'ble NGT order dt. 20-07-2022 in original application No. 271/2022 - violation of terms & Conditions - EAC hearing held on 09-11-2022 - APPCB has issued stop production order - Requested to stop production immediately until further orders of APPCB, Vijayawada -Regarding.

Ref:- 1. Order No. 738/APPCB/HO/UH-II/TF/TPT/2022-656, dt.23-11-2022 of the Member Secretary, APPCB, Vijayawada.
2. Memo.No. 3508/APPCB/TPT/S.P.O/2022-4, dt. 01-12-2022 of the Dy. Director of Mines & Geology, Chittoor.

-oOo-

The attention of M/s Rathna Mineral Enterprises, Ptr: Sri M. Manjunatha is drawn to the subject and references cited, and inform that through the reference 1st cited, the Andhra Pradesh Pollution Control Board, Vijayawada has issued stop production order to Quarry Lease for Black Granite over an extent of 4.810 Hectares in Sy.No. 132, 133, 134 & 135 of Kotamakanapalli (V), Gudupalli (M), Chittoor District held by M/s Rathna Mineral Enterprises, Ptr: Sri M. Manjunatha and same order copy has forwarded at reference 2nd cited by the Dy. Director of Mines & Geology, Chittoor to this office for necessary action in the matter.

Therefore the address entry holder is hereby directed to compliance before APPCB, Vijayawada under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1974 and under section 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and also directed to stop the production of the subject Quarry Lease until further orders received from the APPCB, Vijayawada failing which action will be initiated as per Rules in force.

Encl:-As above (Stop Production order)

P. Venugopal
Asst. Director of Mines & Geology,
PALAMANER

Copy submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of Information.
Copy submitted to the Deputy Director of Mines and Geology, Chittoor for favour of Information.
Copy submitted to the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada for favour of information.



GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF MINES & GEOLOGY

Office of the
Deputy Director of Mines & Geology,
CHITTOOR

Memo No: 3508/APPCB/TPT/S.P.O/2022-4,

Dated:01-12-2022

Sub: Mines & Quarries - O/o.Deputy Director of Mines & Geology, Chittoor -
Quarry lease for Black Granite in Sy.No.132, 133, 134 & 135 over an
extent of 4.810 Hectares of Kotamakanapalli Village, Gudupalli Mandal,
Chittoor District lease held by M/s Rathna Mineral Enterprises.,- Stop
Production order - Issued by Andhra Pradesh Pollution Control Board,
Vijayawada - To take necessary action - reg.

RI
RIG
31/12/2022

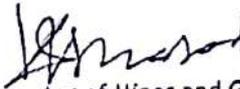
Ref: Order.No.738/APPCB/HO/UH-II/TF/TPT/2022-656, Dt:23.11.2022 from the
Andhra Pradesh Pollution Control Board, Vijayawada addressed DDM&G,
Chittoor received in this office on 01.12.2022.

-oOo-

The attention of the Asst. Director of Mines & Geology, Palamaner is drawn to
the subject & reference cited, and inform that the Andhra Pradesh Pollution Control
Board, Vijayawada has issued stop production order to quarry lease for Black Granite
located in Sy.No.132, 133, 134 & 135 over an extent of 4.810 Hectares of
Kotamakanapalli Village, Gudupalli Mandal, Chittoor District lease held by M/s Rathna
Mineral Enterprises and same was marked to the under signee for necessary action.

In view of the above, the above reference is hereby forwarded to take necessary
action in the matter.

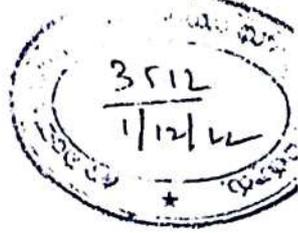
Encls: Ref.


Deputy Director of Mines and Geology,
CHITTOOR.

To
The Asst. Director of Mines & Geology,
PALAMANER.

Copy submitted to the Director of Mines & Geology, Ibrahimpatnam for favour of kind
information.

File No. APPCB-11023/116/2022-TEC-TF-APPCB



ANDHRA PRADESH POLLUTION CONTROL BOARD
 D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
 Chalamalavari Street, Kasturibaipet, Vijayawada – 520010
 Phone: 0866-2463200. Website: <https://pcb.ap.gov.in>

Order No. 738/APPCB/HO/UH-III/TE/TPT/2022-656

Date: 23/11/2022

STOP PRODUCTION ORDER

Sub: APPCB – HD - Unit-II – TF - M/s. Rathna Mineral Enterprises (Black Granite mine – 4.810 Ha), Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District – Hon'ble NGT order dt. 20.07.2022 in Original Application No.271/2022 - Violation of consent conditions – EAC hearing held on 09.11.2022 – Stop Production Order - Issued - Reg.

- Ref:
1. CFO order valid up to 31.12.2022.
 2. The Hon'ble NGT, Principle bench, New Delhi order dt.27.04.2022 and 20.07.2022 in O.A No 271/2022.
 3. Joint Inspection conducted at the area on 22.06.2022.
 4. The RO, Tirupathi issued Show cause notice on 27.08.2022.
 5. Your reply dated 21.09.2022.
 6. Board officials inspected your mine on 04.10.2022.
 7. External Advisory Committee (Task Force) meeting held on 09.11.2022.

WHEREAS you are operating a granite mining unit in the name & style of M/s. Rathna Mineral Enterprises (Black Granite mine – 4.810 Ha), located at Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District.

WHEREAS M/s. Rathna Mineral Enterprises (Black Granite mine – 4.810 Ha), have obtained Environmental Clearance (EC) and subsequently vide reference 1st cited, obtained Consent for Operation (CFO) of the Board which is valid up to 31.12.2022.

WHEREAS Sri. K Srinivasulu and other residents of village Kondasamudram and surrounding villages Gudupalli Mandal, Chittoor, Andhra Pradesh made a complaint in the Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi against granite quarry mining operations carried out in the area, which was registered as O.A. No. 271/2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi by order Dt.27.04.2022 constituted a Joint Committee and the Joint Committee (comprising representatives of MoEF & CC, CPCB, SEIAA, APPCB, District Collector) conducted Joint Inspection at the area on 22.06.2022 and submitted a report to Hon'ble NGT on 16.07.2022.

WHEREAS the Hon'ble NGT, Principle bench, New Delhi after going through the joint committee inspection report has made the following order on 20.07.2022.

"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 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".

File No. APPCB-11023/116/2022-TEC-TF-APPCB

WHEREAS the RO, Tirupathi vide reference 4th cited, issued Show cause notice to M/s. Rathna Mineral Enterprises (Black Granite mine - 4.810 Ha) for violations of CFO order Dt. 12.09.2017. In response to the Show cause notice issued, you have submitted reply on 21.09.2022.

WHEREAS the Board officials again inspected M/s. Rathna Mineral Enterprises (Black Granite mine - 4.810 Ha), on 04.10.2022 for verifying the compliance on the show cause notice issued by the Board and observed the following non-compliance's:

1. Not developed adequate avenue plantation along the approach road.
2. Over burden is being dumped outside the mine lease area.
3. Not submitted details of funds earmarked for environmental protection measures.
4. Not submitted water & air quality monitoring reports.
5. Not furnished occupational health surveillance data.

WHEREAS a hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 09.11.2022. The representatives of the industry and the EE, RO, Tirupathi attended the meeting through VC. The committee observed that a show cause notice was issued to the unit for the non-compliance's observed, but the unit has not taken required action to comply with the conditions.

After detailed discussions, the Committee recommended to issue stop production to M/s. Rathna Mineral Enterprises (Black Granite mine - 4.810 Ha), Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District as the unit has not developed adequate avenue plantation along the approach road, Over burden is being dumped outside the mine lease area, Not submitted details of funds earmarked for environmental protection measures, not submitted water & air quality monitoring reports, not furnished occupational health surveillance data.

Accordingly, the Board hereby issue Stop Production Order to the M/s. Rathna Mineral Enterprises (Black Granite mine - 4.810 Ha) located at Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District for non-compliance's under Sec.33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Act, 1981.

You are hereby directed to note that, should you violate this order and operate the unit closure order with power disconnection order will be issued to your unit under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 123/11/2022.

M. J. Kumar G. S. R. I. S.
MEMBER SECRETARY

To
The Occupier,
M/s. Rathna Mineral Enterprises
(Black Granite mine - 4.810 Ha),
Sy.No.132, 133, 134 & 135,
Kotamakanapalli (V), Gudupalli (M),

File No: APPCB-11023/116/2022-TEC/TF/APPCB

Chittoor District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Kurnool for information and necessary action.
2. The Environmental Engineer, Regional Office, Tirupati for information and necessary action.
3. The Dy Director, Mines & Geology dept, Chittoor for information and necessary action.

Signed by Vijay Kumar
Gsr/ las
Date: 23-11-2022 21:02:46
Reason: Approved

Annexure IV

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS - AMENDMENTS TO ANDHRA PRADESH MINOR MINERAL
CONCESSION RULES, 1966 - ORDERS - ISSUED

=====

INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.MS.No. 65

Dated: 04-08-2021.

Read the following:

1. G.O.Ms.No.1172, Ind. & Com. Dept, dt:04.09.1967
2. G.O.Ms.No.56, Ind. & Com. (M.II) Dept, dt:30.04.2016
3. G.O.Ms.No.29, Ind. & Com. (M.II) Dept, dt:15.02.2017
4. G.O.Ms.No.51, Ind. & Com. (M.II) Dept, dt:28.03.2018
5. G.O.Ms.No.87, Ind. & Com. (M.II) Dept, dt:01.08.2018
6. G.O.Ms.No.53, Ind. & Com. (M.II) Dept, dt:27.02.2019
7. G.O.Ms.No.90, Ind. & Com. (M.III) Dept, dt:17.12.2020
8. From the DM&G, A.P., Lr.No.4072/P/2021, dated:07.07.2021.
9. From the DM&G, A.P., in single e-file 1450350, dated:02.08.2021

ORDER:-

In the letter 8th read above and in the single file 9th read above, the DM&G., AP., while giving proper justification, has requested the Government to issue of amendments to the existing rules i.e. Rule 7(A)(v), 9(iii), 9(iv), 12 (2), 12(3), 12(4), 12(5)(a)(i), 12(5)(a)(ii), 12(5)(c) , 12(5)(h)(xi)(i), 12(6) and 14 of the AP Minor Mineral Concession Rules, 1966, in order to facilitate the operationalization of leases for minor minerals and to safeguard the revenues to the State exchequer.

2. Government, after careful examination of the matter, have decided to accept the proposal of the Director of Mines & Geology, A.P., and to issue necessary amendments to the AP Minor Mineral Concession Rules, 1966 as subsequently amended.

3. Accordingly, the following Notification will be published in an Extra-ordinary issue of the Andhra Pradesh Gazette, dated:04.08.2021.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), as amended from time to time, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries & Commerce (B.I) Department, 4th September, 1967 as subsequently amended.

AMENDMENTS

1. In the said rules,-

- I. In rule 7(A)(v),
- a) after the words, "The Deputy Director concerned shall take decision to grant precise area for the said purpose and communicate such decision to the applicant," the words **"upon receipt of a Premium amount which is equivalent to ten times annual dead rent and shall be remitted to 0853-102-81 Head of Account"** shall be inserted.
 - b) the following proviso shall be added to the existing rule before the existing proviso, namely;-

"Provided also that Director, upon receipt of proposal from Deputy Director concerned, may grant second extension of time, not exceeding one year, for submission of EC and CFE, if the applicant had sufficient cause for non submission of the said approvals within the specified time with reasons recorded in writing and "
- II. In rule 9(iii), the words, "on payment of seigniorage fee in advance." shall be substituted with the words **" for quantities on payment of Premium amount which is equivalent to ten times annual dead rent, Seigniorage fee, Contribution towards DMF & MERIT, an additional consideration amount and other applicable taxes and cess as specified in these rules in advance.**
- Provided that, permission for excavation of such quantities exceeding 5,000 CBM shall be granted by Assistant Director of Mines & Geology with prior approval of Director of Mines & Geology.**
- Provided further that the Premium amount shall be remitted to 0853-102-81 Head of Account."**
- III. In rule 9(iv), the words " Sixty " shall be substituted with the words **"ninety"**
- IV. In rule 12(2) the words, " also the minerals specified under items at Sl.No. 1 to 3(a) under Schedule-I to Rule 10 " shall be substituted with the words, **"Building Stone, Rough Stone/Boulders, Manufactured Sand, Road Metal & Ballast and Dimensional Stone used for Kerbs & Cubes "**
- V. In rule 12(3) the words " minor minerals under items at Sl.No. 1 to 3(a) of Schedule-I to Rule 10 " shall be substituted with the words **" Building Stone, Rough Stone/Boulders, Manufactured Sand,**

Road Metal & Ballast and Dimensional Stone used for Kerbs & Cubes "

- VI. After sub rule(3) of rule 12, the following shall be added namely;-
- "12(4): In cases where the quarry lease holders fail to apply for renewal of the lease of the areas within ninety days before the expiry of the lease held by them, as required under sub-rule (2) of Rule 13, fresh application for grant of quarry lease, in respect of those areas, will be entertained thirty days before the expiry of the lease.**
Provided that, the Deputy Director shall grant a renewal upon receipt of a Premium amount which is equivalent to ten times annual dead rent and shall be remitted to 0853-102-81 Head of Account"
- vi. In rule 12(5)(a)(i), the following proviso shall be added namely;-
"Provided that, the Director shall grant a Lease upon receipt of a Premium amount which is equivalent to ten times annual dead rent and shall be remitted to 0853-102-81 Head of Account."
- vii. In rule 12(5)(a)(ii), after the words, "Seigniorage fee", the following shall be added namely;- **" Premium amount which is equivalent to ten times annual dead rent, Contribution towards DMF & MERIT and an additional consideration amount and other applicable taxes and cess as specified in these rules in advance.**
Provided further that the Premium amount shall be remitted to 0853-102-81 Head of Account."
- viii. In rule 12(5)(c),
- a) after the words, "On receipt of an application for the grant of a Q.L., the Director shall take decision to grant precise area for the said purpose and communicate such decision" the words, **"upon receipt of a Premium amount which is equivalent to ten times annual dead rent and shall be remitted to 0853-102-81 Head of Account,"** shall be inserted.
- b) The following proviso shall be added to the existing rule before the existing proviso namely:-
"Provided also that Director may grant second extension of time, not exceeding one year, for submission of EC and CFE, if the applicant had sufficient cause for non submission of the

said approvals within the specified time with reasons recorded in writing and."

- ix. In rule 12(5)(c)(iii), the following proviso shall be added namely;-
"Provided also that the Director shall appropriate the Security Deposit based on the shortfall of production in the respective year i.e., a sum equivalent to Seigniorage fee + DMF + MERIT + Additional Consideration amount + other applicable taxes and cess (X) shortfall in production for the respective year (i.e., minimum production requirements as specified in Schedule IV (minus) actual annual production)

Provided however that if shortfall of production occurred for reasons beyond the control of the Leaseholder, then the Security Deposit shall not be appropriated for such shortfall."

- x. In rule 12(5)(h)(xi)(i), the following proviso shall be added namely;- "
Provided also that the Director shall grant a upon receipt of a Premium amount which is equivalent to ten times annual dead rent and shall be remitted to 0853-102-81 Head of Account."

- xi. In rule 12(6), the following proviso shall be added namely;-

"Provided also that these areas may be reserved by the Government in favour of M/s Andhra Pradesh Mineral Development Corporation Limited in the interest of mineral conservation."

- xii. In rule 14, after the words, "a sum equivalent to", the following shall be substituted;

"five times annual dead rent.

Provided also that the existing leaseholders shall deposit a differential sum which is equivalent to five times annual dead rent minus security deposit already furnished, within three (3) months from the date of notification of these Rules.

Failing which, action shall be initiated against the defaulters under these rules by giving the defaulters a reasonable opportunity.

Provided also that in case an applicant or a leaseholder expires, the successor(s) of the deceased person shall be considered as the applicant or the leaseholder respectively. In such cases, the Security Deposit already paid shall also be considered in the name of the successor(s) of the deceased person."

xiii. In the Andhra Pradesh Minor Mineral Concession Rules 1966, wherever the words "31 minerals mentioned at Sl.No.18 to 48 in Schedule-I of rule 10"

occur, the words "**31 minerals declared as minor minerals vide GSR No.423 (E), dt:10.02.2015 issued by Ministry of Mines, Govt. of India, New Delhi**" shall be substituted.

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

**GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)**

To

The Commissioner of Printing, Stationery & Stores Purchases (Printing Wing) Andhra Pradesh, Vijayawada. (with a request to publish the above notification and arrange to send 100 copies of the same to the Government in Industries & Commerce (M.III) Department and 50 copies to the Director of Mines & Geology, A.P., Ibrahimpatnam, Vijayawada).

The Director of Mines & Geology, Andhra Pradesh, Ibrahimpatnam.

The Chief Executive Officer, MERIC, Vijayawada.

All the Joint Director /Deputy Director / Asst. Director of Mines & Geology through the Director of Mines & Geology, Ibrahimpatnam.

Copy to:

The Secretary to Govt, Ministry of Mines, Govt. of India, Shastry Bhawan, New Delhi.

The Law Department.

The Finance Department.

The P.S to Minister for Mines & Geology.

The PS to Prl. Secretary to Govt., (Mines).

SF/SC(C.No.1450350).

//FORWARDED:: BY ORDER//

SECTION OFFICER