

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

OA No 115 OF 2021

IN THE MATTER OF:

SUO MOTO

..... Applicant

Vs

THE CHIEF SECRETARY TO GOVT. OF ANDHRA PRADESH & OTHERS

.... Respondents

COMPLIANCE REPORT FILED BY THE APPCB

DATE- 10.12.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN
COMPLIANCE TO ORDER DATED SEPTEMBER 26, 2024.**

ORIGINAL APPLICATION No.115 of 2021(SZ)

IN THE MATTER OF:

Hon'ble NGT on its own motion
Suo Motu based on the News Item Published in
The Times of India, E-Paper dated 08.05.2021,
Under the Caption "Andhra Pradesh: 10 feared dead,
Several injured in blast at quarry in Kadapa".

... Applicants

WITH

The Chief Secretary to Govt. of Andhra Pradesh,
Secretariat, Guntur & Others.

... Respondents

INDEX

Sl. No.	Particulars	Page Nos.
1.	Report of AP Pollution Control Board in the matter of Original Application No. 115 of 2021(SZ), submitted before the Hon'ble National Green Tribunal, Southern Zone, Chennai, as per order dated 26 th September, 2024.	1 - 2
2.	Annexure - I, Copy of Hon'ble NGT Order dated 26 th September, 2024.	3 - 4
3.	Annexure - II, Copy of Joint Committee Report dated 14 th October, 2021	5 - 21
4.	Annexure - III, Notice issued by Board Office, APPCB, Vijayawada to Barytes mine of Smt. C. Kasturi Bai.	22 - 24
5.	Annexure - IV, APPCB, RO, Kadapa Lr to Dy. Director of Mines & Geology.	25 - 26
6.	Annexure - V, APPCB, RO, Kadapa, mail to Mines and Geology Department.	27 - 28
7.	Annexure - VI, Asst. Director of Mines & Geology directions to Barytes mine of Smt. C. Kasturi Bai and GPA Holder	29 - 30

Place: Kadapa

Dated. 02/12/2024


ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office: Kadapa
ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office:
YSR Dist, KADAPA

REPORT OF THE APPCB IN THE MATTER OF O A. NO. 115/2021, SUO MOTU REGISTERED BY THE HON'BLE NGT ON THE BASIS OF THE NEWSPAPER REPORT PUBLISHED IN THE TIMES OF INDIA, E-PAPER DATED 08.05.2021 UNDER THE CAPTION "ANDHRA PRADESH: 10 FEARED DEAD, SEVERAL INJURED IN BLAST AT QUARRY IN KADAPA" VERSUS THE CHIEF SECRETARY TO GOVT. OF ANDHRA PRADESH & OTHERS, SUBMITTED TO HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN COMPLIANCE TO THE HON'BLE NGT ORDER DATED SEPTEMBER 26, 2024.

It is to submit that the Hon'ble National Green Tribunal Suo Motu registered Original Application (O.A.) No. 115/2021 (SZ) on the basis of the newspaper report published in the Times of India, e-paper dated 08.05.2021 under the caption "Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa" versus the Chief Secretary to Govt. of Andhra Pradesh & Others.

The Hon'ble National Green Tribunal, Chennai, vide disposal order in O.A. No. 115 of 2021 (SZ) dt. 02.03.2022, directed as follows:

17. *"Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.*
18. *So, the application is disposed of as follows: i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.*
 - i. *The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.*
 - ii. ***The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.***
 - iii. *The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.*
 - iv. *The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.*
 - v. *The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal."*

19. *With the above directions and observation, the application is disposed of."*

In this connection, it is submitted that, earlier the Joint Committee constituted in compliance to the Hon'ble NGT order had submitted its detailed report on 14.10.2021 (Copy enclosed as Annexure-II). where in the committee assessed the Environmental Compensation against the quarry owner to the tune of Rs. 4,25,38,966/- and the Hon'ble NGT has accepted the recommendation of the Joint Committee and directed the respective regulators, namely, the Mining Department and the Pollution Control Board to take action for recovery of the Environmental Compensation and file further action taken report once in three months till the amount is recovered from the violators.

The Board Office, AP Pollution Control Board reviewed the issue in the EAC (TF) committee meeting held on 18.08.2022 and the committee recommended to issue notice to the mine for levying Environmental Compensation as assessed by the committee constituted by the Hon'ble NGT in the above matter. Accordingly, the Board Office, APPCB issued notice dt. 06.09.2022 to the Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District for payment of environmental compensation (Copy enclosed Annexure-III).

It is further submitted that the Regional Office, Kadapa pursued for recovery of the Environmental Compensation and also requested the Mining Department vide Lr. Dt. 21.09.2022, to take necessary action for recovery of the Environmental Compensation (Copy enclosed as Annexure - IV). The Lessee of the Barytes mine Smt. C. Kasturi Bai is yet to pay the Environmental Compensation and has stated in their reply that, they have given General Power of Attorney for the mine to Sri C. Nageswar Reddy. In this regard, the Regional Office, Kadapa again requested the Dy. Director Mines and Geology, vide mail dt. 21.01.2023 to verify the mine details and take necessary action to ensure recovery of Environmental Compensation in compliance to the Hon'ble NGT Order (Copy enclosed as Annexure - V). The Asst. Director Mines and Geology, vide Lr. Dt. 04.02.2023, directed Smt. C. Kasturi Bai and Sri C. Nageswar Reddy GPA holder of Smt. Kasturi Bai mine to pay Environmental Compensation of Rs. 4,25,38,966/- to APPCB within 15 days from the date of receipt of the notice (Copy enclosed as Annexure - VI).

It is also submitted that, Smt. C. Kasturi Bai filed a case No. O.S. No. 57/2023, in the Court of Hon'ble VI Additional District Judge, Kadapa, against, (i) Sri C. Nageswara Reddy, (ii) The Asst. Director of Mines & Geology, Kadapa, (iii) Andhra Pradesh Pollution Control Board, Vijayawada, and (iv) The Asst. Commissioner, Labour Department, Rajampet, Annamayya District, requesting the Hon'ble Court to pass a decree and judgement in favour of Smt. C. Kasturi Bai against the defendants., for payment of Environmental Compensation and levy of compensation towards death by Labour department by the defendant no.1 i.e., GPA.

Latest status of the court case:

As per the latest orders of the Hon'ble Family Court-Cum-VI Add. District Judge, Kadapa, dt. 18.11.2024 in Dis No. 6918 dated 05.11.2024, the case was transferred to the Court of Special Court for Trial of Offenses against Women-cum-VII Additional District Judge, Kadapa, for disposal. Office is directed to transmit the entire records after duly indexing the same.

The report is submitted to the Hon'ble N.G.T (SZ) in due compliance of the directions issued by this Hon'ble Tribunal. APPCB will abide by all such directions issued, as the Hon'ble Tribunal may deem fit and appropriate.

Place: Kadapa

Dated. 02/12/2024


 ENVIRONMENTAL ENGINEER
 A.P. Pollution Control Board
 Regional Office: Kadapa
 ENVIRONMENTAL ENGINEER
 A.P. Pollution Control Board
 Regional Office:
 YSR Dist, KADAPA

Item No.10:**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

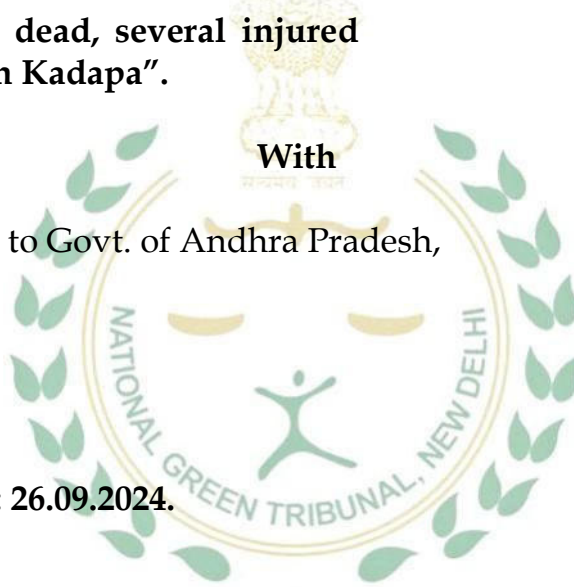
Original Application No. 115 of 2021 (SZ)

IN THE MATTER OF:

Tribunal on its own motion - SUO MOTU
Based on the News item in The Times of
India, E- Paper, dt. 08.05.2021 "**Andhra
Pradesh: 10 feared dead, several injured
in Blast at quarry in Kadapa**".

With

The Chief Secretary to Govt. of Andhra Pradesh,
Secretariat,
Guntur and Ors.



...Respondent(s)

Date of hearing: 26.09.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Suo Motu.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R9.

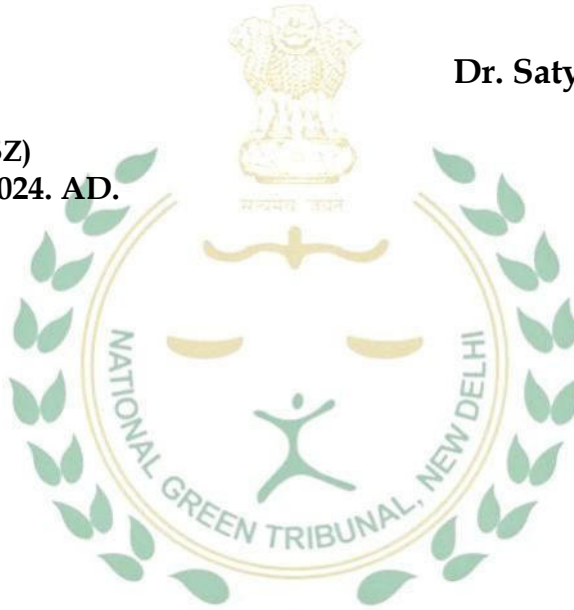
ORDER

1. At the request of the learned counsel appearing for the State of Andhra Pradesh, post the matter on **16.12.2024** for filing the compliance report.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.115/2021(SZ)
26th September, 2024. AD.



REPORT OF THE JOINT COMMITTEE COMPRISING IN THE MATTER OF O.A. 115 OF 2021 "TRIBUNAL ON ITS OWN MOTION SUO MOTU BASED ON THE NEWS ITEM PUBLISHED IN THE TIMES OF INDIA, E-PAPER DATED 08.05.2021, UNDER THE CAPTION "ANDHRA PRADESH: 10 FEARED DEAD, IN EXPLOSION OCCURED AT QUARRY IN KADAPA" SUBMITTED TO THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTH ZONE, CHENNAI, IN COMPLIANCE TO HON'BLE NGT ORDER DATED 09th JULY, 2021

1.0 Preamble

Hon'ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Times of India, e-paper dated 08.05.2021 under the caption "Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa". It is alleged in the newspaper report that the tragic incident occurred in a blast at quarry in Kadapa District of Andhra Pradesh on Saturday and at least 10 workers appear to be died and several others sustained/ injuries in the incident. The Hon'ble National Green Tribunal, Southern Zone, Chennai, has passed an order dated 21.05.2021 to appoint a Joint Committee consisting of 1) Senior Officer from Andhra Pradesh State Environment Impact Assessment Authority, 2) A senior officer from the Integrated Regional Office, MoEF&CC, Chennai, 3) A Senior officer from Pollution Control Board as deputed by the Chairman, 4) the District Collector, Kadapa District and 5) the Assistant Director of Mines and Geology of the respective area where the incident occurred to inspect the area in question to submit a factual as well as action taken report, if there is any violation found.

In compliance to Hon'ble NGT order dated 21.05.2021, the joint committee has been constituted and inspected the incident site on 29.06.2021. The Joint Committee has filed a detailed report and e-filed on 09.07.2021. Hon'ble NGT has appraised the submitted report and vide Order dated 09.07.2021 directed the committee for compliance of following observations:

"7. The Joint Committee as well as Pollution Control Board are directed to file further reports assessing the environmental damage caused, environment compensation including the value of the unauthorized mined articles and expenses required for restoration for the damage caused to the environment on account of any un-scientific excess mining done. If they want any expert to be included in the Committee for that purpose, they are at liberty to co-opt any expert and then assess

the environment damage and compensation and submit a further report to this Tribunal on or before 25.08.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per Rules.

8. They are also directed to ascertain the details of all the identified mines mentioned in the report and also report as to whether any violations are committed by such mines and if there is any violation, what is the nature of violation in respect of those mines and action taken as well, while submitting the report to this Tribunal.”

In compliance to the Hon'ble NGT Order dated 09.07.2021, the Joint Committee has calculated the environmental compensation and identified the violations, if any committed by other mines in the YSR District, Kadapa (Cuddapah).

2.0 Environmental Damage and Compensation

- The mine lease attracts the provisions of EIA Notification, 1994 and requires EC from its inception.
- The mine was executed by the Asst. Director of Mines & Geology, Kadapa vide Proc.No.1527IM3/2001, Dt. 24.11.2001 for a period of 20 years w.e.f. 02.11.2001 to 01.11.2021.
- Barytes production was started from the year 2002-03 and till 2017 neither project proponent applied for EC from competent authority nor Dept. of Mines and Geology directed the process the same. Therefore, the mine is being operating and producing Barytes without prior EC from MoEF&CC and CFO from APPCB since 2001.

2.1 Environmental Damage Assessment

- The environmental compensation imposed for environmental damages essentially includes restoration/ rehabilitation expenses, fine/ penalty/ financial deterrent for the activities which caused the environmental damages and the expenses incurred for identifying the extent of environmental degradation.

- Environmental damages significantly vary in terms of the damage's space, scope, level and magnitude. Due to this, significant indexes or markers of environmental damage differ considerably and one of the initial steps of environmental damage assessment is to determine the unique indexes or markers which help assess the actual damage.
- Environmental Damage Assessment and compensation involves three modules. The first and foremost step is to assess the interim compensation for interim/ temporary restoration process. This is assessed by quantifying the interim damages with the help of equivalency analysis.
- In the present case (illegal mining), reserve equivalency method can be used where potential interim environmental damages can be assessed in each compartment of habitat like air, water, land, flora, fauna, etc. Potential damages calculated for each compartment sums up as the interim compensation for immediate restoration measures.
- After this interim assessment, environmental restoration plan has to be made by a detailed investigation and appropriate restoration measures have to be zeroed on by a panel of environmental experts.
- The actual cost of such a restoration plan/ project has to be imposed on the defaulter.
- The third component of the environmental damage is the actual cost of studies/ surveys/ investigations/ discussions/ monitoring/ reviews/ field visits/ laboratory assessments, etc. carried out by the regulatory authorities and expert team assigned with the implementation/ monitoring/ review of the restoration project.
- Therefore, Environmental damage essentially includes:
 - Interim damage assessment and compensation for temporary restoration activities.
 - Actual cost of long term restoration/ rehabilitation plan.
 - Cost associated with all studies, investigations and reviews associated with damage assessment and restoration activities.

2.1.1 Interim damage assessment

- The first step of damage assessment is to impose compensation on interim damages emerged in each compartment of the habitat/ ecosystems. This include the cost of resources, which has been impaired of its intended uses after the emergence of damage.
- Since, the matter in question is illegal mining, extraction of Barytes and dumping/ disposal of solid waste in mine lease area, potential damage assessment is limited to land only as there is no water usage in the mining operation.
- The environmental damages associated with flora, fauna and wild life are assumed to be negligible and thorough investigations are required to delineate any effects if exist.
- Similarly, health effect of such illegal mining also requires a very detailed study and at present it is also assumed as minimal in this case due to low production quantities and low population densities.
- Therefore, interim damages to land is considered here and any other damages to other environmental components can be integrated with this methodology if required.

2.1.2 Land pollution/ destruction

Formula used in calculating damage to be caused to the surrounding environment because of the pollution of the ground surface with solid wastes:

$$D(GS) = q \times m \times CF(SW) \quad (1)$$

D(GS)	Damage to be caused by land reserve destruction or land surface pollution (Rs /year).
Q	Index of land reserve's relative value (0.3 for barren lands to 3.0 for land falling under ecologically sensitive zones).
M	Weight/ quantity of solid waste released (Tons/ year)
CF(SW)	Damage to be caused by 1.0 ton of solid waste (Rs.)

The land reserve's relative value can be taken as 0.3 for barren lands, 1.0 for grass lands/ recreational plots, 1.5 for agricultural lands, 2.0 for plantations, 2.5 for forest lands and 3.0 for ecologically sensitive zones.

The amount of unit damage to be caused to the surrounding environment in the result of releasing of 1.0 ton of solid waste into the environment can be expressed by the sum of the expenses on removal, detoxification, disposal charges, cost of land polluted, expenses on hygiene and environmental restoration measures. This amount has to be fixed by an expert panel after a detailed study, considering the site specific conditions.

Asper the information provided by Asst. Director of Mines and Geology, Dept. of Mines and Geology, Kadapa, YSR District, vide letter no. 2716/NGT/2021 dated 05.08.2021, the year wise mineral production and solid waste generated are as follows:

SN	Year	Mineral Produced in MT	Solid Waste / OB Generated M ³	Remarks
1	2001-02	0	607	OB generated Under open cast mining operation in CBM
2	2002-03	880	540	
3	2003-04	650	540	
4	2004-05	800	540	
5	2005-06	730	540	
6	2006-07	100	40	Solid waste generated through underground mining operations
7	2007-08	450	180	
8	2008-09	200	80	
9	2009-10	799	319.6	
10	2010-11	441	176.4	
11	2011-12	768	307.2	
12	2012-13	867	436.8	
13	2013-14	5026	2010.4	
14	2014-15	3757	1502.8	
15	2015-16	1564	625.6	
16	2016-17	4131	1652.4	
17	2017-18	4165	1666	
18	2018-19	1292	3643.7	
19	2019-20	2450	2740.1	
20	2020-21	0	2904.7	
Total		31387.25	18285.70	

Damage to be caused by land reserve destruction or land surface pollution (Rs /year) is being calculated as follows:

- q is being taken as 0.3 as the land is waste land / barren land as per Revenue Dept.'s letter no. 123/2000 dated 14.06.2000.
- m is weight/ quantity of solid waste released (Tons/ year).
- CF(SW) is samage to be caused by 1.0 ton of solid waste (Rs.)in the result of releasing of 1.0 ton of solid waste into the environment can be expressed by the sum of the expenses on removal, detoxification, disposal charges, cost of land polluted, expenses on hygiene and environmental restoration measures. As per the information provided by Asst. Director of Mines and Geology, Dept. of Mines and Geology, Kadapa, YSR District, vide letter no. 2716/NGT/2021 dated 05.08.2021, the cost of production per ton is considered as Rs. 5500/- per ton.

SN	Year	q	Solid Waste / OB Generated	m ³ to ton conversion factor	CF(SW)	D(GS)
1	2001-02	0.3	607 m ³	0.88	5500	881364
2	2002-03	0.3	540 m ³	0.88	5500	784080
3	2003-04	0.3	540 m ³	0.88	5500	784080
4	2004-05	0.3	540 m ³	0.88	5500	784080
5	2005-06	0.3	540 m ³	0.88	5500	784080
6	2006-07	0.3	40 tons	1	5500	66000
7	2007-08	0.3	180 tons	1	5500	297000
8	2008-09	0.3	80 tons	1	5500	132000
9	2009-10	0.3	319.6 tons	1	5500	527340
10	2010-11	0.3	176.4 tons	1	5500	291060
11	2011-12	0.3	307.2 tons	1	5500	506880
12	2012-13	0.3	436.8 tons	1	5500	720720
13	2013-14	0.3	2010.4 tons	1	5500	3317160
14	2014-15	0.3	1502.8 tons	1	5500	2479620
15	2015-16	0.3	625.6 tons	1	5500	1032240
16	2016-17	0.3	1653.4 tons	1	5500	2728110
17	2017-18	0.3	1666 tons	1	5500	2748900

18	2018-19	0.3	3643.7 tons	1	5500	6012105
19	2019-20	0.3	2740.1 tons	1	5500	4521165
20	2020-21	0.3	2904.7 tons	1	5500	4792755
Total						34190739

The Environmental compensation due to land pollution/ destruction is **Rs. 3,41,90,739/-**.

2.1.3. Land plot damage

Formula used in calculating damages caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities':

$$D(LP) = A (LT + G) \quad (2)$$

D(LP)	Damage caused to the land that had been previously utilized for recreational/ agricultural/ or any other 'lost opportunities' (Rs /year).
A	Area affected by direct impact (Hectare)
LT	Average tax on land paid to the Govt. per unit land (Rs./ Hectare)
G	Cost of the lost opportunities (to be gained from recreational/ agricultural/ or any other activities) from 1 hectare of land (Rs.)

The following information / values were considered for calculation of land plot damage:

A :Area affected by direct impact (Hectare) = 8.497 Ha

LT :Average tax on land paid to the Govt. per unit land (Rs./ Hectare) = Rs. 15,628/-per Ha
= 15628 X 8.497
= Rs. 1,32,791.11/-

G :Cost of the lost opportunities = Rs. 1,00,000/- per Ha
= 100000 x 8.497
= Rs. 8,49,700/-

$$D(LP) = A (LT + G)$$

$$D(LP) = 8.497 (132791.11 + 849700) = \text{Rs. } 83,48,227/-.$$

The Environmental compensation due to land plot damage is **Rs. 83,48,227/-**.

Total Environmental Compensation calculated asRs. 3,41,90,739/- + Rs. 83,48,227/-
= **Rs. 4,25,38,966/-**

3.0 Violations committed by other mines

3.1 Observations of MoEFCC:

- It has been observed that, in total there are around 38 major mineral Mining leases and around 228 minor mineral leases in the District of YSR District, Kadapa (Cuddapah).
- Out of the above, there are around 28 major mineral mining leases and around 147 minor mineral leases are in non-working condition in the Y.S.R. District due to various reasons.
- It has been observed that 07 working mine leases are being operated without EC/CFE/CFO.
- The MoEFCC is opined that the present non-working mine leases are also to be verified as they were may be operated without statutory clearances. In this regard, clarification / information has been sought from SEIAA, Dept. of Mines and Geology and APPC vide email letter dated 17.08.2021

3.2 Observations of APPCB:

- The Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, was operating without obtaining Environmental Clearance from SEIAA, and Consent for Establishment(CFE)/Consent for Operation (CFO) from Andhra Pradesh State Pollution Control Board (APPCB).
- The Regional Office, APPCB, Kadapa, submitted a detailed report on the Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, to the Zonal Office, APPCB, Kurnool vide Lr. dated 27.05.2021 to take action against the Barytes mine for operating the mine without Environmental Clearance, Consent for Establishment(CFE), Consent for Operation(CFO).
- The Zonal Office, APPCB, Kurnool, issued Closure Order dated 29.05.2021, to the Barytes mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, for operating the mining unit without Environmental Clearance and Consents of the Board. Further, the Zonal Office, APPCB, Kurnool, also requested the Asst. Director of Mines & Geology, Kadapa, Vide Lr. Dt. 29.05.2021, not to issue work permit to the Barytes Mine of Smt. C. KasturiBai.
- The Barytes mine of Smt. C. KasturiBai, operated the mine without providing necessary pollution control measures such as, construction of retaining walls to provide stability to the dumps, construction of garland drains for diversion of storm

water, grading of roads to mitigate dust emissions, retention/toe walls at foot of the dumps, fencing along the boundary with signboards to prevent un-authorized entry and accidents.

- Fencing has been done around the mine pit after the accident to cordon off the area. The mining unit has not developed greenbelt along the mine lease area with tall growing trees. The explosion incident that occurred in the mine area, has damaged the tree that existed in the site, breaking its branches and burning the leaves due to intensity of the blast.

Independent Report of APPCB with regard to Para No. 9 of Hon'ble NGT Order dt.09.07.2021.

- It is submitted that, the independent report of APPCB, on the mining unit of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, has been submitted to the standing counsel for NGT through Legal Cell of APPCB on 19.08.2021, to represent before the Hon'ble National Green Tribunal, Chennai, in O.A. No, 115 of 2021, on behalf of APPCB. The Legal Cell of APPCB, has informed that the finalized independent report will be filed before the Hon'ble NGT.
- Apart from the Barytes Mine of Smt. C. KasturiBai, Sy. No. 1 & 133 of Mamillapalli (V), Kalasapadu (M), YSR District, there are two other following mining units located in KalasapaduMandal and these mining units have obtained Consent for Establishment(CFE) & Consent for Operation (CFO) from APPCB:
 1. Sri M. Siva Reddy, (0.675 Ha.)
Barytes& Dolomite Mine, Sy.No. 130/2, 132/1A & 1B and 131/P,
Mamillapalli (V), Kalasapadu (M), YSR District.

The Board has issued Consent for Operation to the mining unit vide order dt.15.02.2021, with a validity period upto 31.12.2025. The mining unit has not yet started operation and submitted and undertaking stating that they will take all the pollution control measures and implement the conditions stipulated by the Board.

2. Sri. N. Viswanath Reddy, (5.0 Ha.)

Road Metal and Building Stone mine, Sy. No. 2707 (New Sy.No. 2817), Sankavaram (V), Kalasapadu (M), YSR District.

The Board has issued Consent for Operation to the mining unit vide order dt.12.07.2021, with a validity period upto 31.05.2022. The mining unit has not yet started operation and submitted and undertaking stating that they will take all the pollution control measures and implement the conditions stipulated by the Board.

Other identified mines in the District as per the Para No. 8 of the Hon'ble NGT Order dt.09.07.2021.

- As per the information furnished by the Department of Mines & Geology, 7 Nos. of working mines are being operated without obtaining Consent for Establishment(CFE)/ Consent for Operation(CFO) of the Board.
- Andhra Pradesh Pollution Control Board has obtained information of working mines in YSR District, from the Department of Mines and Geology, Kadapa/Yerraguntla, and identified the following 7 mining units being operated without obtaining Consent for Establishment(CFE)/ Consent for Operation(CFO) of the Board:

S.No.	Name of the mine	Area	Address of the Mine
1	M/s. G.Sandeep Reddy	2.00 Ha	Sy.No.33, Kurnoothala (V), Lakkireddypalli (M), YSR Dist.
2	M/s. K. Venu Rami Reddy	1.38 Ha	Sy.No.1453/P, Settivaripalli (V), Mydukuru (M), YSR Dist.
3	Sri. B VenkataSubba Reddy	4.45Ha	Sy.No: 459 of Devamachupalli (V), ChitvelMandal, YSR Dist.
4	M/s. Sri Pavan Micro Minerals,	2.22 Ha	Sy.No.187/P, 186/1A and 193, Vempalli (V), Vempalli (M), YSR Dist.
5	M/s. Rangaiah& Sons,	1.052 Ha	Sy.606/P & 571, Vemula (V) & (M), YSR Dist.

6	M/s. Rangaiah & Sons (V.V.RangaiahChetty),	0.915 Ha	Sy.No: 917/2, Vemula Village &Mandal, YSR Dist.
7	Sri. S. Gangi Reddy,	77.416 Ha	Sy.No.290 & 299/1, , K.V. Palli (V), Pulivendula (M), YSR Dist.

- In this connection, the Regional Office, APPCB, Kadapa, has submitted a report to the Zonal Office, APPCB, Kurnool, to take action against these mining units under the provisions of Water (Prevention and control of Pollution) Act, 1974 & its amendments thereof and Air (Prevention and control of Pollution) Act, 1981 & its amendments thereof, and further requested the Department of Mines and Geology, not to issue permits to these mining units.
- The Zonal Office, APPCB, Kurnool, issued Closure Orders dated 13.08.2021, to the 7 mining units, for operating the mining unit Consents of the Board and further requested Asst. Director of Mines & Geology, Kadapa, vide Ir. dt. 13.08.2021, not to issue permits to these mining units. (Copies of the closure orders and letters addressed to the ADMG, Kadapa, are enclosed as Annexure – I).

3.3 Observations of Dept. of Mines & Geology:

- In YSR District, Kadapa, there are two zones viz., Kadapa zone and Yerraguntla zone.
- Details of total mine leases including working and non-working in the District are as follows:

SN	Zone	Working		Non-Working		Total
		Major	Minor	Major	Minor	
1	Kadapa	04	48	11	80	143
2	Yerraguntla	06	33	17	67	123
Grand Total						266

- It has been observed that there are 38 major mineral Mining leases and 228 minor mineral leases in the District of YSR District, Kadapa.
- It has been observed that there are 28 major mineral mining leases and 147 minor mineral leases are in non-working condition in the Y.S.R. District due to various reasons.

- It has been observed that there are 04 major mineral mining leases and 48 minor mineral mine leases in Kadapa zone and 06 major mineral leases and 33 minor mineral leases in Yerraguntla zone are in working condition (Detailed mine lease list enclosed as Annexure-II (Kadapa zone) and Annexure-III (Yerraguntla zone)).

3.3.1. Action taken by the Department of Mines & Geology on the working leases which are not having EC, CFE& CFO referred by the APPCB, Kadapa:

- The Department of Mines and Geology has taken necessary action on the above said leases as per the EE, APPCB, Kadapa vide Lr.No. KMG-01/PCB/RO/KDP/2021-168, dt. 02.08.2021 and subsequent e-mail dt. 08.08.2021.

Sl. No.	Name of the mine	Zone	Action taken
1	G. Sandeep Reddy	ADMG, Kadapa	<p>1. Issued Notice to the lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Royalty Inspector of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.</p>
2	SriK.Venu Rami Reddy	ADMG, Kadapa	<p>1. Issued Notice to the lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Technical Assistant of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.</p>
3	Sri B VenkataSubba Reddy	ADMG, Kadapa	<p>1. Issued Notice to lease holder on 06.08.2021 to stop the quarrying operations immediately.</p> <p>2. Lease ID was blocked on 06.08.2021.</p> <p>3. Addressed letters on 06.08.2021 to the Tahsildar and the Station House Officers not to allow the lease holder to conduct quarrying operations and to arrange vigil/regular monitoring over the subject area.</p> <p>4. The Technical Assistant of this office has inspected the lease area on 17.08.2021 and instructed the lease holder not to conduct any quarrying operations till</p>

			obtaining the CFE/CFO. And also informed if any violation in this regard necessary further action will be initiated for cancellation of lease.
4	M/s. Sri Pavan Micro Minerals,	ADMG, Yerraguntla	1.Lessee ID blocked in OMEPS 2.Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO. 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
5	M/s. Rangaiah& Sons, (Ext:1.052 hecets)	ADMG, Yerraguntla	1.Lessee ID blocked in OMEPS. 2. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
6	M/s. Rangaiah& Sons (V.V.RangaiahChetty), (Ext:0.915 hecets)	ADMG, Yerraguntla	1. Lessee ID blocked in OMEPS. 2. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the CFE/CFO 3. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral.
7	S. Gangi Reddy,	ADMG, Yerraguntla	1.In this regard, the lease holder is not having EC and he has submitted application for TOR on 12-09-2017 and got Acknowledgement vide No.IA/MIN/6854/2017. Subsequently, the same has been transferred from Category A to B vide New Proposal No.IA/AP/MIN/ 26804/2018. Further SEIAA vide Lr.No.3/SEIAA/AP/SEIAA.Mtg/2014, dt.03-08-2018 requested the Project Proposals to furnish Notarized Affidavit as per provisions. Subsequently, the lessee has applied once again for EC along with Notarized Affidavit on 25-11-2020 and got Acknowledgement vide No.SIA/AP/ MIN/58598/2020. EC meeting has conducted on 08-12-2020. Further, no information has not received by this office so far regarding EC from SEIAA. 2. <u>Action initiated by the department</u> I. Lessee ID blocked in OMEPS. II. Notice issued to lease holder dated.06-08-2021 not to conduct quarrying operations till obtaining the EC, CFE/CFO. IV. Requested the Tahsildar and Station House Officers to conduct vigil/ regular monitoring not to conduct quarrying operations and transportation of the mineral. V. Submitted lease cancellation proposals to the DMG vide Lr.No.843/M1/2003, dated.09-08-2021.

3.3.2 Action initiated on non -working mining leases of Major mineral:

- The Asst. Director of Mines and Geology, Kadapa & Yerraguntla zone have initiated action against the 28 Major Mineral Mining leases in the District as per Rules from time to time.

3.3.3 Action initiated on non-working mining leases of Minor Mineral:

- The Asst. Director of Mines and Geology, Kadapa & Yerraguntla zone have initiated action against the 147 Minor Mineral Quarry leases in the District as per Rules from time to time.

3.3.4 Action initiated against the lease of Smt.C.Kasturi Bai

- The Director of Mines and Geology vide Proceedings No. 3890189/D12-1/2020 dated 02-06-2021 has cancelled the quarry lease of Smt. C. Kasturi Bai in accordance with Rule 12(5)(h)(xii) of Andhra Pradesh Minor Mineral Concession Rules, 1966. (Annexure - IV).
- The Asst. Director of Mines and Geology, Kadapa issued Demand Notice to Smt.C.Kasturi Bai / GPA Holder Sri C. Nageswara Reddy to pay an amount of Rs.69,87,235/- (Rs.46,70,480/- and Rs.23,16,755/-) towards Normal Seigniorage Fee together with penalty, DMF & MERIT vide Demand Notice No. 3423/M1/2002 dated 05.07.2021 and 10.08.2021, respectively. (Annexure – V & VI).

3.3.5 Awareness Programme on Mines Safety on handling of Explosives

- The Department of Mines and Geology, Kadapa along with professionals from Mines Safety, Pollution Control Board & Ministry of Environment & Forest Departments on 10.08.2021 has conducted training/ awareness programme for the district mining / quarry lease holders and explosives handling personnel on Mines Safety and safe handling of explosives while conducting mining operations in the mines and quarries. (Annexure – VII).

3.3.6 Action initiated on the directions No. 10 & 11 of the Hon'ble NGT order, dt.09.07.2021.

- Independent report of the Mines Department was filed by the Director of Mines and Geology, Ibrahimpatnam vide Lr.No. 3890189/D12-1/2020, dt. 11-08-2021 before the Hon'ble NGT, Chennai (South Zone). Annexure-VIII).

3.3.7 Compensation already paid on 11.05.2021 to the victims of the incident under District Mineral Foundation Trust Fund (DMF) :

Sl. No.	Name and address of the deceased Person	Age	Next Kin & Kith of the deceased Person & Aadhar No.	Amount in Rs.
1.	Lakshmi Narayana Reddy Ponnathota, V.Kothapalli Village of Vemula Mandal.	60	Smt P.Saraswathi (wife) & 8929 7740 3332	10,00,000/-

2.	Balagangulaiah Yerraguntla, V.Kothapalli Village of VemulaMandal.	35	SmtY.Anjanamma (wife) & 8718 0867 1572	10,00,000/-
3.	Balagangi Reddy Kalluru S/o Thirupal Reddy, Rangoripalli H/o V.Kothapalli Village of VemulaMandal.	39	SmtK.Nagamalleswari (wife) & 8698 6713 4009	10,00,000/-
4.	Eeswaraiah Pippinaidugaari S/o Ramappa, Betchaiahgaripalli Village of VemulaMandal.	45	SmtP.Yasodha (wife) & 2136 3340 8238	10,00,000/-
5.	Jada.Naga Subba Reddy S/o Nagi Reddy, D.No. 6-6-153, Riksha Colony, Badvel Town &Mandal.	41	SmtJ.AdiLakshumma (Wife) & 4863 3424 4115	10,00,000/-
6.	Korivi Prasad S/o Pakkeraiah, D.No. 15/125, Sreeram Nagar, Porumamilla Town &Mandal.	35	SmtK.Lakshmi (Wife) & 4793 2164 0762	10,00,000/-
7.	Y.VenkataRamana S/o Y.NagaRaju, Thallapalli Village, VempalliMandal	28	Sri Y.Nagaraju (Father)	10,00,000/-
8.	T.Venkatesh S/o Chinnaiah, Thallapalli Village, VempalliMandal.	30	SmtY.VenkataRamanamma (Wife) & 4727 1331 0327	10,00,000/-
9.	Shaik Abdul, S/o Khasim Sab, Gokul Nagar, Near Polytechnic College, Proddatur.	50	SmtKairun Bee (Wife) & 8873 5170 7175	10,00,000/-
10.	Bathula Prasad, Gangayapalli Village, KalasapaduMandal.	37	SmtB.Jyothi (Wife) 3387 4187 2095	10,00,000/-

3.3.8 Compensation already paid on 17.07.2021 to the victims of the incident under PradhanaMantry National Relief Fund (PMNRF) :

Sl. No.	Name and address of the deceased Person	Age	Next Kin & Kith of the deceased Person & Aadhar No.	Amount in Rs.
1.	Lakshmi Narayana Reddy Ponnathota, V.Kothapalli Village of VemulaMandal.	60	SmtP.Saraswathi (wife) & 8929 7740 3332	2,00,000/-
2.	Balagangulaiah Yerraguntla, V.Kothapalli Village of VemulaMandal.	35	SmtY.Anjanamma (wife) & 8718 0867 1572	2,00,000/-

3.	Balagangi Reddy Kalluru S/o Thirupal Reddy, Rangoripalli H/o V.Kothapalli Village of VemulaMandal.	39	SmtK.Nagamalleswari (wife) & 8698 6713 4009	2,00,000/-
4.	EeswaraiahPippinaidugaari S/o Ramappa, Betchaiahgaripalli Village of VemulaMandal.	45	SmtP.Yasodha (wife) & 2136 3340 8238	2,00,000/-
5.	Jada Naga Subba Reddy S/o NagiReddy, D.No. 6-6-153, Riksha Colony, Badvel Town &Mandal.	41	SmtJ.AdiLakshumma(Wife) & 4863 3424 4115	2,00,000/-
6.	Korivi Prasad S/o Pakkeraiah, D.No. 15/125, Sreeram Nagar, Porumamilla Town &Mandal.	35	SmtK.Lakshmi (Wife) & 4793 2164 0762	2,00,000/-
7.	Y.VenkataRamana S/o Y.NagaRaju, Thallapalli Village, VempalliMandal	28	Sri Y.Nagaraju (Father)	2,00,000/-
8.	T.Venkatesh S/o Chinnaiah, Thallapalli Village, VempalliMandal.	30	SmtY.VenkataRamanamma (Wife) & 4727 1331 0327	2,00,000/-
9.	Shaik Abdul, S/o Khasim Sab, Gokul Nagar, Near Polytechnic College, Proddatur.	50	SmtKairun Bee (Wife) & 8873 5170 7175	2,00,000/-
10.	Bathula Prasad, Gangayapalli Village, KalasapaduMandal.	37	SmtB.Jyothi (Wife) 3387 4187 2095	2,00,000/-

3.3.9 Compensation fixed by the Assistant Commissioner of Labour, Rajampet :


- The commissioner For Employees Compensation Under E.C. Act, 1923& Assistant Commissioner of Labour, Rajampet has calculated as follows: (Annexure - IX)

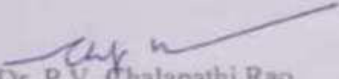
SN	Dependent of	Age	Amount (Rs. -/)
1	Late LakshrniNarayana Reddy. P	61	8,53,275/-
2	Late BalagangulaiahYerraguntla	35	14,77,950/-
3	Late Balagangi Reddy, Kalluru	48	11,98,500/-
4	Late EswaraiahPippinaidugari	45	12,70,800/-
5	Late Jada Naga Subba Reddy	41	13,60,275/-
6	Late Korivi Prasad	35	14,77,950/-
7	Late Y. VenkataRamana	28	15,88,425/-
8	Late T. Venkatesh	30	15,59,850/-

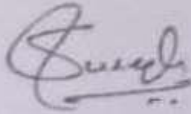
9	Late Shaik Abdul	50	11,48,175/-
10	Late Bathala Prasad	37	14,41,050/-
Total			1,33,76,250/-


4.0 Conclusion:

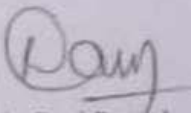
- Total Environmental Compensation calculated as Rs. 4,25,38,966/-.
- Rs. 12,00,000/- each was paid to the next kin& kith of the deceased person, by the Govt. of Andhra Pradesh.
- Rs. 1,33,76,250/- Compensation was fixed by the Assistant Commissioner of Labour, Rajampet which has to be paid by the lease holder / GPA holder.


Sri. V. Vijay Rama Raju, IAS,
District Collector, YSR District


Dr. P.V. Chalapathi Rao
Member Secretary,
SEIAA, APPCB, Vijayawada


Dr. Suresh Babu Pasupuleti
Scientist 'C', MoEF&CC,
Integrated Regional office, Vijayawada


Sri. K. Javeed Basha
Environmental Engineer,
APPCB, Regional Office, Kadapa


Sri. D. Ravi Prasad
Asst. Director of Mines & Geology,
Kadapa



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>

Notice No:718/APPCB/HO/UH-II/TF/KDP/2022-

06/09/2022

NOTICE FOR LEVYING ENVIRONMENTAL COMPENSATION

Sub:APPCB – HO – UH-II – TF - Hon'ble NGT Order dt. 02.03.2022 in O.A. No. 115 of 2021(SZ) in the matter of explosion in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District on 08.05.2021 - EAC hearing held on 18.08.2022 – Notice for levying Environmental Compensation - Issued - Reg.

Ref:

1. Closure Order issued to your mine on 29.05.2021.
2. Hon'ble NGT Order dated 02.03.2022. (copy enclosed)
3. External Advisory Committee (TF) meeting held on 18.08.2022.

WHEREAS you were operating a Barytes mine in the name of Smt C. kasturiBai at Sy No. 1 & 133 at Mamillapalle (V), Kalasapadu (M), YSR District without obtaining Environmental Clearance and Consents of the Board.

WHEREAS the Hon'ble NGT has registered a Suo Moto case in OA No 115 of 2021 based on New Paper Report published in the Times of India, E-paper dated 08.05.2021 under the caption “ Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa”.

WHEREAS the Board vide Order dt 29.05.2021 issued closure order to your mine for operating without obtaining Environmental Clearance and Consents of the Board etc.,

WHEREAS the Joint Committee constituted by the Hon'ble NGT in the matter filed its report where in the committee assessed the Environmental Compensation payable by you as Rs. 4,25,38,966/-.

WHEREAS the Hon'ble NGT, Chennai disposed the matter vide Order dated 02.03.2022 with following directions -

“Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

So, the application is disposed of as follows:

- i. **The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.**
- ii. **The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if**

found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.

- iii. *The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.*
- iv. *The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.*
- v. *The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal."*

With the above directions and observation, the application is disposed of."

Copy of the above order dt 02.03.2022 containing the committee report with calculation of Environmental Compensation is enclosed.

WHEREAS the Hon'ble NGT has recorded and accepted the report and recommendation of the Joint Committee and directed the respective regulators, namely, the Mining Department and the Pollution Control Board to take action for recovery of the Environmental Compensation and file further action taken report once in three months till the amount is recovered from the violators.

WHEREAS the Board reviewed the issue in the EAC (TF) meeting held on 18.08.2022 and the Committee recommended to issue notice to the mine for levying Environmental Compensation as assessed by the committee constituted by Hon'ble NGT in the above matter.

In view of above, abiding to the orders of the Hon'ble NGT in O.A. No. 115 of 2021(SZ) you are hereby directed to pay the Environmental Compensation of Rs. 4,25,38,966/- (Rupees Four Crores Twenty Five Lakhs Thirty Eight Thousand Nine Hundred and Sixty Six only) to A. P. Pollution Control Board within 15 days.

Should you fail to pay the environmental compensation within the specified period, further coercive action will be initiated against your industry under section 33(A) of Water (Prevention & Control of Pollution) 1974 and under section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof and as provided under the respective statutes in accordance with law, in the interest of safeguarding Public Health and Environment, without any further notice.

Vijay Kumar Gsrkr Ias
MEMBER SECRETARY

To
The Occupier,
Barytes mine of Smt. C. Kasturi Bai,
Sy No. 1 & 133,
Mamillapalle (V), Kalasapadu (M),
YSR District.

Copy to:

1. The Joint Chief Environmental Engineer, A.P.Pollution Control Board, Zonal Office, Kurnool for information and necessary action.

2. The Environmental Engineer, A.P.Pollution Control Board, Regional Office, Kadapa for information and necessary action.



ఆంధ్రప్రదేశ్ కాలుష్య నియంత్రణ మండలి

ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KADAPA

D.No.: 1/2277, 2nd Floor, Rajiv Park Road, A.P. Housing Board Colony, Kadapa
YSR Dist- 516 003

K. Javeed Basha
Environmental Engineer

e-mail:rokdp-ee1@appcb.gov.in

Lr.No. G-101/PCB/RO/KDP/2022 -228

Dt.21.09.2022

To
The Deputy Director/ Asst. Director,
Department of Mines and Geology,
Kadapa, YSR District.

Sir,

Sub: APPCB-RO-KADAPA– Hon'ble NGT Order in O.A. No. 115 of2021(SZ) in the matter of explosion in Barytes mine of Smt. C. KasturiBai, at Mamillapalle (V), Kalasapadu (M), YSR District, on 08.05.2021reported in the media – Action Requested – Reg.

Ref: 1. Hon'ble NGT Order in O.A.No.115 of 2021 dt: 21.05.2021
2. Joint Committee Report Dt.07.07.2021
3. Hon'ble NGT Order dt.09.07.2021
4. Joint Committee Report Dt.14.10.2021
5. Hon'ble NGT Order dt.02.03.2022
6. APPCB Notice No. 718/APPCB/HO/UH-II/TF/KDP/2022 dt. 06.09.2022

Adverting to the reference cited above, it is to inform that, Hon'ble NGT has registered a Suo Moto case in OA No 115 of 2021 basedon New Paper Report published in the Times of India, E-paper dated 08.05.2021 under thecaption “ Andhra Pradesh: 10 feared dead, several injured in blast at quarry in Kadapa”.

The Joint Committee constituted by the Hon'ble NGT in the matter filed its reportwhere in the committee assessed the Environmental Compensation payable by the Barytes mine of Smt. C. KasturiBai, at Mamillapalle (V), Kalasapadu (M), YSR District,asRs. 4,25,38,966/-.The Hon'ble NGT, Chennai disposed the matter vide Order dated 02.03.2022with following directions:

17. "Considering the fact that certain action has been taken and compensation has been paid to the legal heirs of the deceased persons under the Employees Compensation Act and also by way of ex-gratia amount by the Government, we feel that there is no necessity to impose further compensation on these accounts. But as regards the Environmental Compensation for excess mining and violations are concerned, we feel that there is no necessity to keep the case for monitoring the same instead the case can be disposed of by directing the authorities to take action for recovery of the amount and file the compliance report before this Tribunal.

18. So, the application is disposed of as follows: i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.

"i) The report submitted by the Joint Committee and the recommendation made by them are recorded and accepted.

ii) The respective regulators, namely, the Mining Department and the Pollution Control Board are directed to take appropriate action against the violators who are responsible for causing such damage and also other quarry owners, if found to be in violation of the environmental norms after giving them an opportunity and then file further action taken report once in three months till the amount is recovered from them.

iii) The regulators are also directed to monitor the operation of the quarries and if there are any violations found, they are directed to take appropriate action against those erring quarry owners in accordance with law.

iv) The Mining Department is also directed to evolve a mechanism to find out the excess mining being done and trace out the same and take immediate action against those persons in accordance with law for recovery of the amount for excess mining under the respective statutes.

v) The Registry is directed to place the report before the Bench as and when received for further consideration by this Tribunal."

19. With the above directions and observation, the application is disposed of."

The Board office, APPCB reviewed the issue in the EAC (TF) committee meeting held on 18.08.2022 and the committee recommended to issue notice to the mine for levying Environmental Compensation as assessed by the committee constituted by the Hon'ble NGT in the above matter. Accordingly, the Board Office, APPCB issued notice dt. 06.09.2022, to the Barytes mine of Smt. C. KasturiBai, at Mamillapalle (V), Kalasapadu (M), YSR District for payment of environmental compensation (Copy enclosed). The Barytes mine of Smt. C. KasturiBai, at Mamillapalle (V), Kalasapadu (M), YSR District, is yet to pay the environmental compensation, in compliance to the Hon'ble NGT order.

In view of the above, the Deputy Director, Department of Mines and Geology, Kadapa, YSR District, is requested to take necessary action to ensure that the environmental compensation is recovered from the Barytes mine of Smt. C. KasturiBai, at Mamillapalle (V), Kalasapadu (M), YSR District, as the Mines Department is a Respondent in the O.A. No. 115 of 2021 and the Action Taken report in the matter is required to be submitted to the Hon'ble NGT.

Yours faithfully,



ENVIRONMENTAL ENGINEER

Copy to the Asst. Director, Dept. of Mines & Geology, Kadapa, YSR District, for necessary action.

Copy to Smt. C. Kasturi Bai, Barytes Mine, Sy.No. 1 & 33, Mamillapalle (V), Kalasapadu (M), YSR District.

Copy submitted to the Joint Chief Environmental Engineer, Zonal Office, Kurnool, for information and necessary action.

Email**EE,RO Kadapa****APPCB-RO-KADAPA - Hon'ble NGT Order in O.A.No.115 of 2021 (SZ) in the matter of explosion in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalli (V), Kalasapadu (M), YSR District levying Environmental Compensation - Necessary Action Requested - Reg.****From :** KONDAPUR JAVEED BASHA <rokdp-ee1@appcb.gov.in>

Sat, Jan 21, 2023 07:06 PM

4 attachments

Subject : APPCB-RO-KADAPA - Hon'ble NGT Order in O.A.No.115 of 2021 (SZ) in the matter of explosion in Barytes mine of Smt. C. Kasturi Bai, at Mamillapalli (V), Kalasapadu (M), YSR District levying Environmental Compensation - Necessary Action Requested - Reg.**To :** ddmineskdp@gmail.com, ddmineskdp2@gmail.com, admgkdp <admgkdp@yahoo.co.in>**Cc :** K.Venkateswara Rao <zoknl-jcee@appcb.gov.in>

Sir,

It is to inform that, the Joint Committee constituted by the Hon'ble NGT in the matter of O.A.No.115 of 2021 (SZ) filed its report where in the committee assessed the Environmental Compensation payable by the Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District, as Rs. 4,25,38,966/- and the Hon'ble NGT, Chennai disposed the matter in O.A. No. 115 of 2021 (SZ) vide Order dated 02.03.2022 with certain directions.

In compliance to the Hon'ble NGT Order, the Board Office, APPCB issued notice dt. 06.09.2022, to the Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District for payment of environmental compensation (Copy enclosed). The Barytes mine of Smt. C. Kasturi Bai, at Mamillapalle (V), Kalasapadu (M), YSR District, is yet to pay the environmental compensation, of Rs. 4,25,38,966/-, as calculated by the Joint Committee and ordered by the Hon'ble NGT. The Lessee of the Barytes mine at Mamillapalle (V), Kalasapadu (M), YSR District, Smt. C. Kasturi Bai, is yet to pay the environmental compensation.

In this connection, this office had requested vide lr. dt. 21.09.2022, to take necessary action in the matter for recovery of the Environmental Clearance as directed by the Hon'ble NGT. It is again requested to verify the mine lease and issue instructions to the concerned lease holder of the Barytes mine at Mamillapalle (V), Kalasapadu (M), YSR District, for payment of environmental compensation, so as to comply the Hon'ble NGT Order.

This may be treated On Priority.

With Regards,

K. Javeed Basha,
EE, RO, Kadapa.



 **Dy.Dir. Mine & Geology.pdf**
718 KB

 **Order dt. 02.03.2022 in O.A. No 115 of 2021(SZ).pdf**
4 MB

 **Notice to Explosion of Barytes Mines KDP - SCN - DS - 18.08.2022.pdf**
145 KB

BY RPAD

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

From
D.Ravi Prasad,
Asst. Director of Mines & Geology,
Kadapa, Y.S.R. District.

To
1. Smt. C.Kasturi Bai,
W/o. C.Ramachandraiah,
D.No.20/1064, Co-operative Colony,
Kadapa, Y.S.R. District.

2. C. Nageswar Reddy,
GPA holder of Sri C.Kasturi Bai
S/o Sheshi Reddy, D.No. 4/16-2,
Chenchaiahgaripalli Village,
B. Mattam Mandal, Y.S.R. District.

Lr.No.3423/M1/2002 , dated.04-02-2023

Sir,

Sub: Mines and Quarries – Quarry lease held by Smt. C.Kasturi Bai for Barytes an over an extent of 30.696 Hectares in Sy. No. 1 & 133 of Mamillapalli Village, Kalasapadu Mandal, Y.S.R. District – The Hon'ble NGT order dt:02-03-2022 in O.A.No.115 of 2021(SZ) in the matter of explosion in leased area – EAC hearing held on 18-08-2022 – Notice issued levying Environmental Compensation – Requested to pay the Environmental Compensation & Labour Compensation – Reg.

Ref: Notice No.718/APPCB/HO/UH-II/TF/KDP/2022, dt:06-09-2022 of the Andhra Pradesh Pollution Control Board, Vijayawada.

I invite kind attention to the subject and reference cited. Through the reference 1st cited, Member Secretary, AP Pollution Control Board has issued notice to the Occupier, Barytes mine of Smt. C.Kasturi Bai in Sy.Nos.1 & 133 of Mamillapalle Village, Kalasapadu Mandal, YSR District and informed that the Hon'ble National Green Tribunal has recorded and accepted the report and recommendation of joint committee and directed the respective regulators, namely the Mining Department, and Pollution Control Board to take action for recovery of Environmental Compensation of Rs.4,25,38,966/- (Rupees Four crore twenty five lakhs thirty eight thousand nine hundred and sixty six only) to the AP Pollution Control Board within 15 days failing which action will be initiated under Section 33(A) of Water (Prevention & Control of Pollution) 1974 and under Section 31(A) of Air (Prevention & Control of Pollution) 1981 and amendments thereof and as provided under the respective statutes in accordance with law, in the interest of safeguarding Public Health and Environment, without any further notice.

Further, it is informed that the Asst. Commissioner of Labour, Rajampeta has calculated the compensation for the deceased employees as Rs.3,89,18,199/- under employees compensation under EC Act, 1923. But, till date you did not pay the said amount.

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In this connection, Smt. C.Kasturi Bai and Sri C. Nageswar Reddy GPA holder of Smt. C.Kasturi Bai are hereby directed to pay Environmental Compensation of Rs.4,25,38,966/- (Rupees Four crore twenty five lakhs thirty eight thousand nine hundred and sixty six only) to the AP Pollution Control Board and Rs. 3,89,18,199/- towards Labour Compensation to the Asst. Commissioner of Labour, Rajampeta within 15 days from the date of receipt of this notice failing which action will be initiated as per Rules in force without any further notice.

Yours faithfully



Asst. Director of Mines and Geology,
Kadapa, YSR District

Copy Submitted to the Director of Mines and Geology, Ibrahimpatnam for favour of kind information.

Copy submitted to the District Collector, Kadapa, YSR District for favour of kind information.

Copy submitted to the Joint Collector, Kadapa, YSR District for favour of kind information.

Copy submitted to the Government Pleader, Hon'ble National Green Tribunal, Southern Zone, Kalas Mahal, Kamarajar Salai, PWD Estate, Chepauk, Triplicance, Chennai for favour of kind information.

Copy to the Dy. Director of Mines and Geology, Kadapa for favour of kind information.

Copy submitted to the Member Secretary, AP Pollution Control Board, D.No:26-14D/2, Near Sunrise Hospital, Pushpa Hotel, Chalamalavari Street, Kasturibaipeta, Vijayawada - 500010 for favour of kind information .

Copy submitted to the Environmental Engineer, AP Pollution Control Board Regional office, Kadapa for information.