

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

OA No 126 OF 2024

IN THE MATTER OF:

NAKULA SURESH CHIDIPI

..... Applicant

Vs

DISTRICT COLLECTORS & OTHERS

.... Respondents

REPORT FILED BY THE MINES 5th RESPONDENT

DATE - 09.06.2025



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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Report Filed by Department Of Mines And Geology, Rajamahendravaram
In The Matter of OA No 126 of 2024 SZ Filed by Nakula Suresh Chidipi Vs
District Collector.

1. It is submitted that, Sri Chidipi Nakula Suresh has filed OA No.126 of 2024 before the Hon'ble NGT, Chennai regarding illegal excavation of soil and Gravel from D-patta lands in Sy.No.241-3 of Nallagonda Village, Seethanagaram Mandal and alleged that soil and Gravel excavated from the D-patta lands in Sy.No.241-3 and adjacent land in Sy.No.243 held by Sri P. Hanumantha Rao without obtaining permissions from Mines & Geology Department. Further, stated that as per information obtained from concerned departments under RTI ACT, it is revealed that the soil from D-patta land in Sy.No.241-3 of Nallagonda village excavated and utilized to fill the house sites under MGNREGS Navaratna Scheme. Further, requested

1. To take immediate measures to stop the illegal mining activities in said area.
2. To take measures to assess the damages that have caused to the mountain area.
3. To find out and take appropriate criminal action against persons committing illegal mining activities, to take appropriate action against respondent 3 (MPDO, Seethanagaram) for carrying out illegal mining activity in the said area.
4. To remediate the Impugned area and to calculate the compensation for the damages caused to mountain area and to procure from respondent 3(MPDO, Seethanagaram) officials as applicable in the case of such damages.


District Mines and Geology Officer,
Govt. of Andhra Pradesh,
Rajamahendravaram.

The Hon'ble NGT, South Zone, Chennai has directed the respondents to file their respective replies/reports and listed the next hearing on 08.07.2024

2. It is submitted that, Sri Chidipi Nakula Suresh has filed a complaint before the Tahsildar, Seethanagaram stating that Sri Pendurthi Hanumantha Rao having agriculture land in Sy.No.243 adjacent to hill in Sy.No.241/3 over an extent of 50 acres at Nallagonda Village, Seethanagaram and also established the chicken poultry form and conducting illegal excavation and transportation of Gravel In Sy.No.241/3 and requested to take action as per WALTA Act & Environmental Protection Act by conducting survey and inspection in the said area.
3. It is submitted that the officials of Revenue and Mines and Geology Departments have conducted a Joint Inspection at the above-mentioned area on 24,06.2023 and noticed that there is no excavation and transportation going on at the time of inspection. As per Revenue Records, Sy.No.243 over an extent of 16.00 Acres is classified as "Zeriothy land" belongs to 3 members.
4. It is submitted that the Sy.No.241/3 classified as "Govt. land" and allotted as D Pattas to the landless poor people. Further noticed excavated pits for Gravel and heap of Gravel at foot hill of Sy.No.241/3 in the western side of hill. During Inspection, the original Revenue stone not found in the field. Hence, the detailed survey is required to ascertain the excavated quantity of Gravel in the said areas and possession of land.

5. Accordingly, District Mines & Geology Officer requested the Tahsildar, Seethanagaram to instruct concerned officers to demarcate the above said area and assess mineral removed quantity and also intimate the date for conducting Joint Inspection.
6. Further its is submitted that, Sri Chidipi Nakula Suresh has again filed a complaint stating that illegal red gravel mining is happening at hill in Sy.No.241/3over an extent of 52.99 acres at Nallagonda Village, Seethanagaram and requested to take necessary action.
7. It is submitted that, the Revenue and Mines and Geology Department officials again conducted Joint Inspection at the above said area on 30.09.2023 and submitted report. As per report, it was noticed that there is no excavation and transportation going on at the time of inspection. The revenue officials informed that the land allotted as D-pattas for (43) members, but which is not subdivided on land to pattadar wise. The pattadars not attended for resurvey to ascertain the position on land as per revenue records. Hence, the detailed survey is pending to ascertain the excavated quantity of Gravel in the said areas and possession of land. Further, during local enquiry it came to know that since long back the excavated gravel from said hillock was locally utilized for cart track and path way for the farmers around the area. Further, during inspection the Village Revenue officer was instructed to stop unauthorized excavation at alleged area and also should inform regarding illegal activity, if any.
8. Accordingly, District Mines & Geology Officer requested the Executive Engineer, R&B Department, the Executive Engineer, Panchayat Raj Department; the Mandal Parishad Development Officer, Seethanagaram; the Panchayat Secretary, Raghudevapuram Village, Seethanagaram Mandal to furnish the quantity of Gravel/Ordinary Earth procured by the Civil Contractors from Nallagonda Village, Seethanagaram and deduction

- and remittance of Seigniorage fee for the works taken up in their jurisdiction.
9. It is submitted that, the District Collector, East Godavari District directed the Asst. Director, Survey and Land Records, East Godavari District and the Tahsildar, Seethanagaram to conduct Survey and fix boundaries immediately for Sy.No.241/3 of Nallagonda Village, Seethanagaram Mandal and to furnish the details of land classification, possession and enjoyment of land.
10. It is submitted that, the Executive Engineer(R&B), Rajamahendravaram has submitted that Gravel/Ordinary Earth was not procured from Sy.No.241/3, Nallagonda Village, Seethanagaram Mandal, East Godavari District for any of the development work taken up in R&B division, Rajamahendravaram. Further informed that the quantity utilized is nil and Seigniorage fee is zero. Further as per agreement terms & conditions, it is the responsibility of Contractor for procurement of material as per specifications.
11. It is submitted that, the Asst. Director, Survey and Land Records, East Godavari along with Revenue Officials concerned and Mines and Geology Officials have conducted joint Survey and inspection at alleged area in Sy.No.241/3, 243 of Nallagonda Village, Seethanagaram Mandal, East Godavari District on 02-07-2024 in presence of the petitioner Sri Chidipi Nakula Suresh. The Survey and inspection team have surveyed the area and after fixation of boundaries, it is noticed that old worked pits falls within certain D-Patta areas in Sy.No.241/3 of Nallagonda Village, Seethanagaram Mandal. The Revenue officials have taken measurements for the excavated pit area with help of SATLAB Rover and average heights recorded by the Mines officials by using tape and arrived the excavated quantity of Gravel. The relevant reports submitted vide in the references


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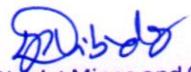
11th & 12th cited (Copies enclosed as Annexure-2& 3) and the details as here under.

Sl.No.	Name of the D-Pattadar	Sy.No.	Excavated area in Acs	Quantity Excavated in Cum
1.	Smt Yalamati Polamma	241-3C	0.26	2631
2.	Sri Tuluri Devendrudu	241-3D	1.12	25473
3.	Sri Tuluri Devanandam	241-3E	0.92	20925
4.	Sri Gunti Prabhakara Rao and Smt Pasalapudi Venkayamma	241-3A, 241-3A1- A2	1.69	58135
TOTAL:				1,07,164

12. It is submitted that, as per office records, no permission was given by the Mines & Geology Department for excavation of Gravel in Sy.No.241/3 of Nallagonda Village, Seethanagaram Mandal, East Godavari District. The D-pattadars have not obtained permission from concerned departments for quarrying and transportation of Gravel from Subject area (Copy enclosed as Annexure-4). Hence, the D-pattadars have violated the Rule 26 (2) (i) of APMMC Rules, 1966.

13. Further, it is submitted that, as per Rule 27 of APMMC Rules, 1966 "Registered holder or any lessee held responsible for proper working of the quarry:-In a case where the land is leased out, the lessee and where no lease is granted, the registered holder shall be responsible for the proper working of the quarry and shall be liable to the Government for his wrongful act or default".

14. It is submitted that, Mines & Geology Department issued Notices to the D-Pattadars as per APMMC Rules, 1966 and sent through RPAD. But the postal authority returned, hence the concerned VROs served the Notices personally on 30.07.2024 and the details hereunder.


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Sl. No.	Name of the D-Pattadar	Notice No. & Date	Remarks	Demand Notice No. & Date
1.	Smt Yalamati Polamma	1418/Complaints/2023-1, Dt.16-07-2024	D.Pattadar demised person received notice on behalf of her	1418/Complaints/2023-1, Dt.17-08-2024
2.	Sri Tuluri Devendrudu	1418/Complaints/2023-2, Dt.16-07-2024	D.Pattadar and his wife were demised. Further, his heirs are not available. Hence, notice received by Sri T.Rambabu, S/o T.Devanandam	1418/Complaints/2023-2, Dt.17-08-2024
3.	Sri Tuluri Devanandam	1418/Complaints/2023-3, Dt.16-07-2024	D.Pattadar and his wife were demised. Notice received by his son Sri T.Rambabu	1418/Complaints/2023-3, Dt.17-08-2024
4.	Sri Gunti Prabhakara Rao and Smt Pasalapudi Venkayamma	1418/Complaints/2023-4, Dt.16-07-2024	Received by Smt. Gunti Padma, W/o G.Prabhakara	1418/Complaints/2023-4, Dt.17-08-2024


 District Mines and Geology Officer,
 Govt. of Andhra Pradesh,
 Rajamahendravaram.

			Rao and Smt P.Venkayamma	
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15.It is submitted that, On perusal of available records, it is revealed that the Tahsildar, Seethanagaram vide Ref(A)518/2020, dt.03.12.2020 issued orders to the MPDO, Seethanagaram for excavation of Earth in Sy.No.241/3A, 241/3a1/a2 and 241/3A over an extent 4.000 Acres in Nallagonda Village for utilization of Earth for leveling of house sites under Navaratnalu-pedalandariki illu at Inugantivaripeta Village under APMGNREGS program (Copy enclosed as Annexure-6). The MPDO, Seethanagaram vide FTO No.9041520001848, dt.20.02.2021 has issued Fund Transfer Order to the Account of Project Director, DWMA, Kakinada for an amount of Rs. 1,02,42,762.75/- (Copy enclosed as Annexure-7). At present, no illegal quarrying is going on in the above précised areas.

16.It is submitted that, Mines & Geology Department has issued demand notices to Gunti Prabhakara Rao, Smt Pasalapudi Venkayamma & T.Rambabu for illegal transportation of Gravel from pattalands. The details are as follows.

Sl. No.	Name	Demand Amount in Rs.
1.	Sri Gunti Prabhakara Rao, Smt Pasalapudi Venkayama	3,22,30,044/-
2.	Sri T.Rambabu	1,41,22,231/-
3.	Sri T.Rambabu	1,60,00,820/-

17.It is submitted that Mines & Geology Department has informed to the petitioner as per the Mines Department Manual, once the demand is issued, the DMGO has no authority to make any changes in the matter and also informed the petitioner, the above said defaulters have to file revision before the Revision Authority for convey their plea.


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In view of the circumstances, it is humbly prayed that the Hon'ble National Green Tribunal, South Zone, Chennai may be pleased to consider the above report and dismiss the O.A.No.126/2024(SZ) and to pass such other order or orders as are deemed fit and proper in the circumstances of the case and thus render justice.


District Mines & Geology Officer,
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