

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

Original Application No 177 OF 2023

IN THE MATTER OF:

SUO MOTU ILLEGAL QUARTZ MINING IN TEMPLE LANDS

..... Applicant

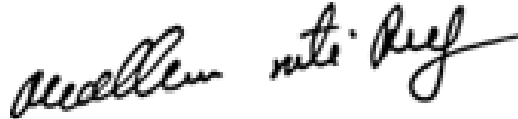
Vs

THE DISTRICT COLLECTOR PALNADU & OTHERS

.... Respondents

REPORT FILED BY APPCB 5TH RESPONDENT

DATE - 21.08.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

#26, S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 63831 21322, Email: reddymadhuri09@gmail.com

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

Original Application No. 177 of 2023(SZ)

**Tribunal on its own motion SUO MOTU
based on the news item in Eenadu
newspaper dt.23.11.2023, titled, 'Illegal
quartz mining in temple lands'**

WITH

**The District Collector
Palnadu District and Ors.**

...Respondent(s)

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**Place: Guntur
Date: 21.08.2024**


**Environmental Engineer (FAC),
APPCB, Regional Office, Guntur
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.**

Status report on Hon'ble NGT (SZ),Chennai SUO MOTU based on the News item in Eenadu Newspaper, dt.23.11.2023 on "Illegal Quartz Mining in Temple lands " in Original Application No.177 of 2023 (SZ) in the Petasanigandla (V), Karampudi (M), Palnadu District.

1. Hon'ble NGT (SZ),Chennai on its own motion registered SUO MOTU based on the News Item in Eenadu Newspaper, dt. 23.11.2023 on "illegal Quartz Mining in Temple lands" in Original application No.177 of 2023 (SZ) in the Petasanigandla(V), Karampudi (M), Palnadu District against the District Collector & District Magistrate, Palnadu District as respondent-1, The Director, Department of Mines and Geology, Ibrahimpatnam, Vijayawada as respondent no-2, The Chairman, APPCB, Vijayawada as respondent-3, The Commissioner, Endowment Department, Vijayawada as respondent-4 and Sri Lakshmi Narasimha Swami Temple rep. by its Manager, Singarayapalem(V), Mudinepalli(M), Palnadu District as respondent - 5.
2. Quartz mining requires Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), MOEF & CC .Subsequently shall obtain CTE for establishment of the mine and CTO for operation of the mine. As per records, A.P. Pollution Control Board (APPCB) has not issued any Consent to Establish (CTE) order and Consent To Operate (CTO) order for mining of Quartz at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla(V), Karampudi (M), Palnadu District.
3. As per the records, no complaints are received against the Quartz Mining carried out at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla(V), Karampudi (M), Palnadu District.
4. APPCB, Regional Office, Guntur addressed a letters to the Divisional Mines and Geology Officer, Dachepalli, Palnadu District and the Executive Officer, Sri Lakshmi Narasimha Swami Temple Devasthanam, Petasanigandla(V)on 24.01.2024 with a request to furnish the details of grant of QUARTZ mine leases by the Mines and Geology Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla(V), Karampudi (M), Palnadu District and also requested to stop illegal Quartz Mining in the Temple lands. But, no information received from the concerned authorities till date. Copies of the

letters addressed to the Divisional Mines and Geology Officer and the Executive Officer, Sri Lakshmi Narasimha Swami Temple Devasthanam, Petasanigandla(V) are submitted for favour of kind information (Annexure-I).

5. APPCB, Regional Office, Guntur again addressed a letters to the Divisional Mines and Geology Officer, Dachepalli, Palnadu District and the Executive Officer, Sri Lakshmi Narasimha Swami Temple Devasthanam, Petasanigandla(V) on 11.06.2024 with a request to furnish the details of grant of QUARTZ mine leases by the Mines and Geology Department / if any mining carried out / under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla(V), Karampudi (M), Palnadu District and also requested to stop illegal Quartz Mining in the Temple lands. Copies of the letters addressed to the Divisional Mines and Geology Officer and the Executive Officer, Sri Lakshmi Narasimha Swami Temple Devasthanam, Petasanigandla(V) are submitted for favour of kind information (Annexure-II).
6. APPCB, Regional Office, Guntur on 09.08.2024 (Annexure-III) received a letter from the Executive Officer, Sri Lakshmi Narasimha Swami Temple, Karampudi (M), Palnadu District wherein it was stated that - Sri Singarutla Lakshmi Narasimha Swami Vari Devasthanam, Petasanigandla(V), Karampudi (M), Palnadu District is the absolute owner of an extent of Ac.3157.20 cents of land in Block No.28 in Singarutla Agraharam Village - Earlier in 2006 temple conducted public auction for the extent of Ac.25.00 cents in Block No.28 belongs to Sri Singarutla Lakshmi Narasimha Swami Vari Devasthanam, Petasanigandla(V), Karampudi (M), Palnadu District for the purpose of mining of Quartz stone - Sri A. Satya Hanumantha Rao, S/o. Nagaiah became highest bidder for a period of 3 years i.e., from 2006-07 to 2008-09 and obtained mining lease rights from the A.P. Mines & Geology Department for a period of 20 years vide G.O.Ms.No.18, Industries & Commerce (M-II) Department, dt.:11.01.2008 - The mining lease period of Sri A. Satya Hanumantha Rao got expired by 2008-09 - In the year 2021 temple conducted public auction by dividing the said land in to 2 bits of Ac.12.50 cents each - Sri Budida Srinivasa Rao, S/o. Venkateshwarulu became highest bidder for a period of 3 years i.e., from 17.03.2021 to 16.03.2024 but Sri Budida Srinivasa Rao became defaulters in payment of lease amounts and excavated quartz stone from temple land. The

Executive Officer, Sri Lakshmi Narasimha Swami Temple, Karampudi (M), Palnadu District further stated that they have inspected the site on 05.01.2024 and found there is no mining activity in the leased land as on date and filed the same before the Hon'ble Green Tribunal.

7. APPCB, Regional Office, Guntur has not received an report from the Divisional Mines & Geology Officer, Dachepalli, Palnadu District on the details of grant of quartz mine leases with respect to the location at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla(V), Karampudi(M), Palnadu District.
8. APPCB, Regional Office, Guntur has inspected the Sri Lakshmi Narasimha Swami Temple lands and its surroundings at Petasanigandla (V), Karampudi (M), Palnadu District and observed that the Sri Lakshmi Narasimha Swami Temple lands are on hill lock region. Mining activity carried earlier for Quartz stone was observed. The Quartz mining site on the hill lock is located towards East side of the temple at a distance of 950m. Quartz boulders in the site are with Gelatin stick holes. Photographs taken during inspection are enclosed (**Annexure-IV**). Presently there is no mining activity in the site. No machinery or JCBs/trucks observed.

This report is submitted for kind consideration. The APPCB will abide by all such directions as the Hon'ble Tribunal may deem fit and appropriate.

Place : Guntur

Dt. 21.08.2024


Environmental Engineer (FAC),
APPCB, Regional Office, Guntur.
**ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.**

ANNEXURE - I

	<p style="text-align: center;">ANDHRA PRADESH POLLUTION CONTROL BOARD REGIONAL OFFICE :: GUNTUR D.No.135-43, 1st Floor, Upstairs of SBI Lucky Complex, JKC College Road, Guntur Phone No: 0863 - 2225537 e-mail: appcb.guntur@apcb.gov.in</p>	
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Lr.No:APPCB/RO-GNT/ O.A.N:177 of 2023(SZ)/2024- 1140

Dt:24.01.2024

To
The Divisional Mines and Geology Officer,
Dachepalli,
Palnadu District.

Sir,

Sub: APPCB - RO, Guntur –Hon'ble NGT (SZ),Chennai on its own motion SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illigal Quartz Mining in Temple lands " in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu distric –Requested to take necessary action to stop illegal mining of Quartz- Information requested - Reg.

Ref: Hon'ble NGT (SZ),Chennai Original application No.177 of 2023 (SZ) in the Petasanigandla village,Karampudi mandal, Palnadu district on "illigal Quartz Mining in Temple lands " .

It is to submit that adverse News item appeared in Eenadu News paper, dt.23.11.2023 on "illigal Quartz Mining in Temple lands".

It is further submit that Hon'ble NGT (SZ),Chennai on its own motion registered SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illigal Quartz Mining in Temple lands" in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu district against the District Collector & District Magistrate, Palnadu district as respondent-1, The Director, Department of Mines and Geology, Ibrahimpatnam, Vijayawada as respondent no-2, The Chairman, APPCB, Vijayawada as respondent-3, The Commissioner, Endowment Department, Vijayawada as respondent-4 and Sri Lakshmi Narasimha Swami Temple rep.by its Manager, Singarayapalem village, Mudinepalli mandal, Palnadu district as respondent - 5.

Quartz mining requires Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), MOEF & CC .Subsequently shall obtain CTE for establishment of the mine and CTO for operation of the mine. As per records, A.P.Pollution Control Board has not Issued any Consent to Establish (CTE) order and Consent To Operate (CTO) order for mining of Quartz at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district.

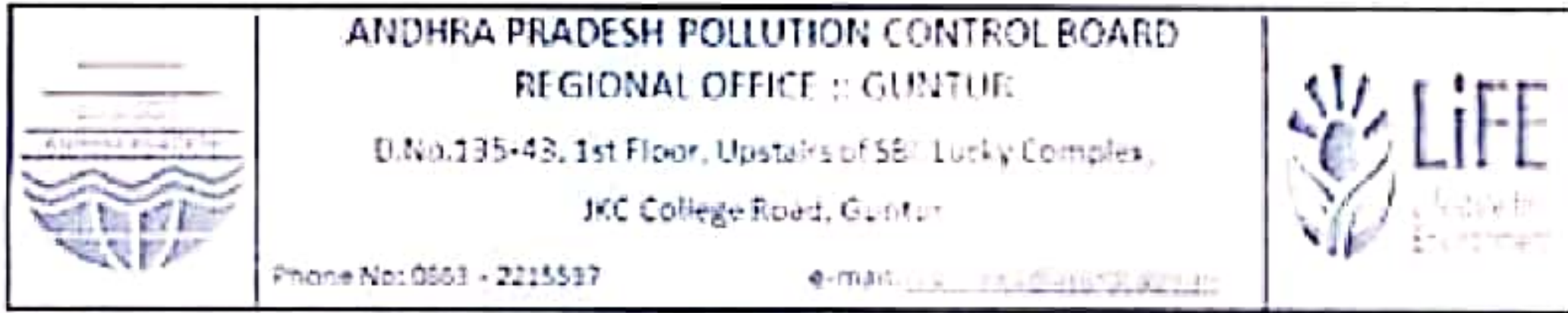
In view of the above, it is humbly requested to furnish the details of grant of QUARTZ mine leases by the Mines and Geology Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district and also requested to stop illegal Quartz Mining in the Temple lands for taking necessary action.

Submitted.

Yours faithfully,


24/1/2024
ENVIRONMENTAL ENGINEER

Copy submitted to the JCEE, APPCB, ZO, Vijayawada for favour of kind information.
Copy submitted to the JCEE (Legal), Board Office, Vijayawada for favour of kind information.



Lr.No:APPCB/RO-GNT/ O.A N:177 of 2023(SZ)/2024- 1141

Dt:24.01.2024

To
The Executive Officer,
Sri Lakshmi Narasimha Swami Temple Devasthanam,
Petasanigandla village,
Karampudi Mandal,
Palnadu District.

Sir/Madam,

Sub: APPCB - RO, Guntur- Hon'ble NGT (SZ),Chennai on its own motion SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illigal Quartz Mining in Temple lands " in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu distric -Requested to take necessary action to stop illegal mining of Quartz- Information requested - Reg.

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Swami Temple rep.by its Manager, Singarayapalem village, Mudinepalli mandal, Palnadu district as respondent - 5.

Quartz mining requires Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), MOEF & CC .Subsequently shall obtain CTE for establishment of the mine and CTO for operation of the mine from A.P.Pollution Control Board. As per the records, A.P.Pollution Control Board has not issued any Consent to Establish (CTE) order and Consent To Operate (CTO) order for mining of Quartz at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district.

In view of the above, it is humbly requested to furnish the details of grant of QUARTZ mine leases by the Endowments Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district . It is also humbly requested to take necessary action to stop illegal Quartz Mining in the Temple lands for taking necessary action.



Submitted.

Yours faithfully,


24/1/2024
ENVIRONMENTAL ENGINEER

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Copy submitted to the JCEE (Legal), Board Office, Vijayawada for favour of kind information.

ANNEXURE -II

	<p align="center">ANDHRA PRADESH POLLUTION CONTROL BOARD REGIONAL OFFICE :: GUNTUR D.No.135-43, 1st Floor, Upstairs of SBI, Lucky Complex, JKC College Road, Guntur Phone No: 0863 - 2215537 e-mail: rogtf-ew1@appcb.gov.in</p>	
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Lr.No:APPCB/RO-GNT/O.A.N:177 of 2023(SZ)/2024-169

Dt:11.06.2024

To
The Divisional Mines and Geology Officer,
Dachepalli,
Palnadu District.

Sir,

Sub: APPCB - RO, Guntur –Hon'ble NGT (SZ),Chennai on its own motion SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands " in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu distric –Requested to take necessary action to stop illegal mining of Quartz - Information requested - Reg.

Ref: 1. Hon'ble NGT (SZ),Chennai Original application No.177 of 2023 (SZ) in the Petasanigandla village,Karampudi mandal, Palnadu district on "illegal Quartz Mining in Temple lands " .
2. T.O.Lr.No:APPCB/RO-GNT/O.A.N:177 of 2023(SZ)/2024 - 1140, Dt: 24.01.2024.

It is to submit that adverse News item appeared in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands".

It is further submit that Hon'ble NGT (SZ),Chennai on its own motion registered SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands" in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu district against the District Collector & District Magistrate, Palnadu district as respondent-1, The Director, Department of Mines and Geology, Ibrahimpatnam, Vijayawada as respondent no-2, The Chairman, APPCB, Vijayawada as respondent-3, The Commissioner, Endowment Department, Vijayawada as respondent-4 and Sri Lakshmi Narasimha Swami Temple rep.by its Manager, Singarayapalem village, Mudinepalli mandal, Palnadu district as respondent - 5.

Quartz mining requires Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), MOEF & CC .Subsequently shall obtain CTE for establishment of the mine and CTO for operation of the mine. As per records, A.P.Pollution Control Board has not issued any Consent to Establish (CTE) order and

Consent To Operate (CTO) order for mining of Quartz at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district.

Vide ref. 2nd cited, APPCB, RO-Guntur addressed a letter to furnish the details of grant of QUARTZ mine leases by the Mines and Geology Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district. But, no information was received till date on the above matter.

Further, the case was listed on 15.07.2024 for hearing before Hon'ble NGT (SZ), Chennai. In view of the above, it is once again requested to furnish the details of grant of QUARTZ mine leases by the Mines and Geology Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district and also requested to stop illegal Quartz Mining in the Temple lands for taking necessary action.

Submitted.

Yours faithfully,



ENVIRONMENTAL ENGINEER

Copy submitted to the JCEE, APPCB, ZO, Vijayawada for favour of kind information.

Copy submitted to the JCEE (Legal), Board Office, Vijayawada for favour of kind information.



Lr.No:APPCB/RO-GNT/ O.A.N:177 of 2023(SZ)/2024-170

Dt:11.06.2024

To
The Executive Officer,
Sri Lakshmi Narasimha Swami Temple Devasthanam,
Petasanigandla village,
Karampudi Mandal,
Palnadu District.

Sir/Madam,

Sub: APPCB - RO, Guntur- Hon'ble NGT (SZ),Chennai on its own motion SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands " in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu distric -Requested to take necessary action to stop illegal mining of Quartz- Information requested - Reg.

Ref: 1. Hon'ble NGT (SZ),Chennai Original application No.177 of 2023 (SZ) in the Petasanigandla village,Karampudi mandal, Palnadu district on "illegal Quartz Mining in Temple lands " .
2. T.O.Lr.No:APPCB/RO-GNT/ O.A.N:177 of 2023(SZ)/2024-1141, Dt:24.01.2024.

It is to submit that adverse News item appeared in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands".

It is further submit that Hon'ble NGT (SZ),Chennai on its own motion registered SUO MOTU based on the News item in Eenadu News paper, dt.23.11.2023 on "illegal Quartz Mining in Temple lands" in Original application No.177 of 2023 (SZ) in the Petasanigandla village, Karampudi mandal, Palnadu district against the District Collector & District Magistrate, Palnadu district as respondent-1, The Director, Department of Mines and Geology, Ibrahimpatnam, Vijayawada as respondent no-2, The Chairman, APPCB, Vijayawada as respondent-3, The Commissioner, Endowment Department, Vijayawada as respondent-4 and Sri Lakshmi Narasimha Swami Temple rep.by its Manager, Singarayapalem village, Mudinepalli mandal, Palnadu district as respondent - 5.

Quartz mining requires Environmental Clearance from State Level Environment Impact Assessment Authority (SEIAA), MOEF & CC .Subsequently shall obtain CTE for establishment of the mine and CTO for operation of the mine from A.P.Pollution

Control Board. As per the records, A.P.Pollution Control Board has not issued any Consent to Establish (CTE) order and Consent To Operate (CTO) order for mining of Quartz at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district.

Vide ref.2nd cited, APPCB, RO-Guntur addressed a letter to furnish the details of grant of QUARTZ mine leases by the Endowments Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district

Further, the case was listed on 15.07.2024 for hearing before Hon'ble NGT (SZ), Chennai. In view of the above, it is once again requested to furnish the details of grant of QUARTZ mine leases by the Endowments Department / if any mining carried out /under taken with respect to the location mentioned in the adverse news item appeared at Sri Lakshmi Narasimha Swami Temple lands at Petasanigandla village, Karampudi mandal, Palnadu district . It is also humbly requested to take necessary action to stop illegal Quartz Mining in the Temple lands for taking necessary action.

Submitted.

Yours faithfully,


11/6/2024
ENVIRONMENTAL ENGINEER

Copy submitted to the JCEE, APPCB, ZO, Vijayawada for favour of kind information.

Copy submitted to the JCEE (Legal), Board Office, Vijayawada for favour of kind information.

Office of the Executive Officer,
Sri Lakshmi Narasimha Swamy temple,
Petasanigandla Village, Karampudi Mandal,
Palnadu District.

Letter No.Nil/2024, dated 07-08-2024.

To
The Environmental Engineer,
Andhra Pradesh Pollution Control Board,
Regional Office, Door No.135/43, 1st Floor,
Upstairs of SB Lucky Complex,
JKC College Road, Guntur.



Sir/ Madam,

Sub :- APPCB- RO, Guntur – Hon'ble NGT (SZ), Chennai on its own motion SUO MOTU based on the News item in Eenadu News Paper, dated 23-11-2023 on "illegal Quartz Mining in temple lands" in Original Application No.177/2023 (SZ) in Petasanigandla Village, Karampudi Mandal, Palnadu District- Necessary action solicited to stop illegal mining of quartz – Information requested – (Information) Detailed report submitted - Regarding.

Ref :- Letter No.APPCB/RO-GNT/ O.A.N.177 of 2023 (SZ)/2024-170, dated 11-06-2024, from the Andhra Pradesh Pollution Control Board, Regional Officer, Guntur.

@@@

I submit that under ref. cited, the Environment Engineer, Office of Andhra Pradesh Pollution Control Board, Regional Office, Guntur, addressed this office regarding the subject matter of Suo Moto O.A.No.177/2023, taken on file by the Hon'ble National Green Tribunal (SZ), Chennai, basing on the

SB
09/08/24

news item published in Eenadu Daily News paper, dated 23-11-2023, with caption as "illegal quartz mining in temple lands" and requested this office furnish the details of the grant of quartz mine leases by the Endowments department/ if any mining carried out / under taken with respective location mentioned in adverse news item and to take necessary action to stop illegal mining of quartz and requested information regarding the subject matter.

I herewith submit the following report as requested by your office.

Sri Singarutla Lakshmi Narasimha swamy vari devastanam, Petasannigandla Village, Karampudi Mandal, Palnadu District (previously Guntur District) is the absolute owner of an extent of Ac.3157.20 cents of land in Block No.28 in Singuratla Agraharam Village consisting of hillock wherein the main deity is situated and the surrounding area wherein the present subject land of Ac.25-00 cents of land in Block No.28 in Singuratla Agraharam Village is situated. In the said extent of land most of the land comprising of forest, hills, rock heaps etc., and also agricultural lands.

I submit that the temple conducted public auction of Lease Hold Rights on 15-11-2006 for this extent of Ac.25-00 cents in Block No.28 belongs to the Sri Lakshmi Narasimha Swamy Temple, Petasannigandla Village, Karampudi Mandal, Palnadu District, for the purpose of mining i.e., for excavation of Quartz stone (Palugurayi) and one Sri A. Satya Hanumantha Rao, S/o. Nagaiah, became highest bidder for a period of 3 years i.e., from 2006-07 to 2008-09 on an annual rent of Rs.61,500/- the auction conditions clearly specify that, the approval and permission of the Department of Mines and Geology is required. The said lease period expired by 2008-09 and thereafter there is no extension of lease in his favour.

I submit that, during the tenure of the said lease the said highest bidder A. Satya Hanumantha Rao obtained mining License Rights from the A.P. Mines and Geology Department and the Government granted Mining License for a period of 20 years vide G.O.Ms.No.18, Industries and Commerce (M-II) Department, dated 11-01-2008, clearly mentioning that the said Lease is being granted subject to condition that consent has to be given by the Endowments Department for the extended period, failing which the lease will get expired as soon as the Endowment Lease period expires.

I submit that, it was further stipulated that it is obligatory on the part of the applicant to secure the consent of the Endowments Department well in advance for the remaining mining lease period otherwise the Mining Lease Life would be premature and get expired automatically. Since the term of the Lease hold rights towards quarrying purposes in the land of Ac.25-00 cents in Block No.28 expired by 2008-09, the highest bidder has no manner of right to entertain the quarrying purpose beyond the lease period.

I submit that the wife of the said highest bidder submitted a representation to the Commissioner, Endowments Department, A.P., stating that her husband expired and therefore, she has requested to continue her in the said lease by fixing the reasonable rent for a period of 11 years from the date of expiry of the earlier term of lease from 2009-2010.

I submit that, the Commissioner, Endowments Department, A.P., called for the report of the Deputy Commissioner, Endowments Department, Guntur. In pursuance of the same the Deputy Commissioner, Endowments Department, Guntur, submitted a report in Rc.No.A6/9093/2012, dated 03-12-2013 stating

that it is not feasible to consider the request of the applicant for extension of lease in her favour and it is only feasible to lease out the land in public auction as per the rules framed U/s.82 of Endowments Act 30/87 while making wide publicity and finally requested to issue necessary orders for putting the Lease Hold Rights of the land in public auction duly rejecting the request of the said applicant.

I submit that the Commissioner, Endowments Department, A.P., Hyderabad, passed orders in Rc.No.N2/45113/2013, dated 31-12-2013 mentioning that as per rule 3(1) of A.P.C.& H.R.I. and Endowments Immovable Properties and other Rights Leases and License Rules 2003, all leases or licenses shall be made by way of public auction and thereby the request of the said applicant for grant of lease by way extension of lease in her favour is rejected with a liberty to her to participate in public auction if she so desires.

I submit that, the Commissioner, Endowments Dept., A.P., Hyderabad, issued instructions to the Executive Officer to put the land in public auction for lease hold rights of the subject temple immediately and report compliance vide memo No. N2/45113/2013, dated 31-12-2013.

I submit that in pursuance of the said instructions, the then Executive Officer of the temple proposed to conduct public auction of lease hold rights for the said land on 18-01-2014 and made wide publicity. The Deputy Commissioner, Endowments Department, Guntur, who is the controlling the authority over the said temple, deputed the Inspector, Endowments Department, Sattenapalli for supervising the said auction to be conducted in the temple premises.

I submit that, the said applicant i.e., the wife of previous Lessee Satya Hanumantha Rao was also participated along with others in the public auction and even signed on the public auction lease conditions. But the auction was postponed since the said applicant influenced several other bidders and as a result several bidders went away and created an atmosphere that the persons who paid the auction caution deposits also should not come forward to make their highest bids.

In those circumstances the said auction was postponed and thereafter, no auction was conducted till the year 2021.

I submit that, subsequently the temple conducted public auction of lease hold rights on 17-03-2021 while dividing the said land in to 2 bits of Ac.12-50 cents each and one Budida Srinivasa Rao S/o. Venkateswarlu became highest bidder on a lease amount of Rs.1,07,500/- for 1st bit and one Budida Saidulu, S/o. Venkateswarlu became highest bidder for an amount of Rs. 1,10,000/- for 2nd bit for a period of 3 years from 17-03-2021 to 16-03-2024 and said lease was approved by the Deputy Commissioner, Endowments Department, Guntur vide D.Dis.No.A6/894/2021, Dated 03-05-2021 for a period of three years.

I submit that, it was clearly mentioned in auction condition No.10 that, the highest bidder/ lessee has to obtain the permission from the Mining and other concerned departments on his own accord and then only he has to excavate the land and to remove the said stone and if violated, he liable for punishment from the concerned departments. After accepting the said auction conditions and after making their signatures in auction conditions in token of

their acceptance, the above said persons participated in the above mentioned public auction and became highest bidders. But they became defaulters in payment of lease amounts and further my predecessor in office demanded them to pay the lease amounts and further they were directed to furnish the permissions granted by the mining department, but he promised to furnish the same but failed to turn back.

While so, there is a publication in Eenadu Daily Newspaper on 23-11-2023, to the effect that, with caption "Quartz Kollagottaru (Quartz looted)" publishing that, without paying any royalty to the Government excavated quartz and exported from the temple lands to a tune of 50,000 tonnes etc, by the above mentioned lessees.

I submit that, my predecessor in office soon after the publication of news item and suo moto notice from the Hon'ble National Green Tribunal, visited the leased site and taken photographs on 05-01-2024 and found that there is no mining activities in the leased land as on the date and even filed the said photographs before the Hon'ble Green Tribunal.

I submit that, there is no quartz mining in the temple lands and I herewith submit the report for your kind consideration.

Ch. S. Narasimha Reddy
(Executive Officer) 07/8/2024

- 1) Copy submitted to the Deputy Commissioner, Endowments department, Guntur for favour of kind information.
- ✓ 2) Copy submitted to the District Endowments Officer, Endowments department, Palnadu District, Narasaraopet, for favour of kind information.

ANNEXURE -IV

Photographs taken during inspection:





Item No.9:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI****(Through Video Conference)****Original Application No.177 of 2023 (SZ)****IN THE MATTER OF:**

**Tribunal on its own motion SUO MOTU
based on the news item in Eenadu
newspaper dt.23.11.2023, titled, 'Illegal
quartz mining in temple lands'**

**The District Collector
Palnadu District and Ors.**

**...Respondent(s)****Date of hearing: 15.07.2024.****CORAM:****HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER****For Applicant (s): Suo Motu.**

**For Respondent(s): Mr. Mohammed Aathic represented
Mrs. Madhuri Donti Reddy for R1 to R3 & R5.
M/s. S. Udayakumar, S.A. Udayakumari, S.H.S.
Manian & P.V. Lakshmi for R4.**

ORDER

1. Though the 4th Respondent has stated that no mining is happening, there was a news item published in Eenadu daily dated 26.06.2024 regarding the unlawful mining.
2. Let a further report be filed by the authorities in this regard.
3. Post the matter on 22.08.2024.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.177/2023 (SZ)
15th July, 2024. Mn.

