

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

**OA No 179 OF 2021**

**IN THE MATTER OF:**

**TRIBUNAL ON ITS OWN MOTION UNDER THE CAPTION MINING OF  
POTSTONE EXCAVATION BEING DONE WITHOUT LEAVING MARGINS ON  
EITHER SIDE OF THE ROADS**

..... Applicant

Vs

**THE CHIEF SECRETARY TO GOVERNMENT OF ANDHRA PRADESH & OTHERS**

.... Respondents

**REPORT FILED BY THE MINES 6<sup>th</sup> RESPONDENT**

**DATE- 23.09.2024**



**M/s MADHURI DONTI REDDY  
ADVOCATE**

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**A.P. POLLUTION CONTROL BOARD**

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**Further Report filed by the Mines Department in Original Application No. 179 of 2021SUOMOTU based on the News item published in Eenadu Telugu News Paper, Andhra Pradesh Edition, Kurnool District, dated: 20-07- 2021, under the caption "Mining of Potstone (Naparallu) Excavation being done without leaving margins on either side of the roads"**

It is submitted that, the Eenadu daily news-paper, Kurnool District edition has published a news item on illegal encroachment of roads thereby excavation of Napa slabs (Black) at Palkur – Ramakrishnapuram Villages of Banaganapalle Mandal and Owk, Kolimigundla Mandals under the caption of "AkkramalloGanule".

( "అక్రమాల్లో ఘనులే" )

It is submitted that, the Hon'ble NGT has issued orders SUO-MUTO based on news item published in Eenadu Daily News on illegal encroachment of roads and unauthorised excavations of Napa Slabs at Palkuru - Ramakrishnapuram of Banaganapalle and Owk, Kolimigundla Mandal on constitution of Joint Committee to ascertain the genuineness of the allegations made in the newspaper report with regard to large scale illegal mining activity of potstone (Naparallu) without obtaining necessary permission and also without leaving margin on either side of the road as per norms in Banaganapalle, Owk and Kolimigundla Mandals, in Kurnool District (present Nandyal District).

It is submitted that, the Director of Mines and Geology, Ibrahimpatnam has directed the joint committee to inspect and submit compilation report. Accordingly, the then Assistant Director of Mines and Geology, Kurnool has requested the joint committee for joint inspection proposed on 31.08.2021 & 01.09.2021. Further it is submitted that, the then Assistant Director of Mines and Geology, Kurnool has submitted the joint inspection report to the District Collector and Magistrate, Kurnool under intimation to the Director of Mines and Geology, Ibrahimpatnam and Deputy Director of Mines and Geology, Kurnool on news item published in Eenadu Daily News on illegal encroachment of roads in the subject area.

It is submitted that, the Hon'ble NGT has issued orders to the Deputy Director of Mines and Geology, Kurnool to take necessary action against the defaulting mining unit also not to allow the mining activity by the mining units and not to issue permits until the mine operator obtained Environment Clearance (EC), Consent for Establishment (CFE) and Consent for Operation (CFO) of the board.

It is submitted that, the Director of Mines and Geology, Ibrahimpatnam has directed the then Assistant Directors of Mines and Geology, Kurnool and Banaganapalle to submit the independent report on the O.A.No.179/2021 by fortnight, since the Hon'ble NGT directed to file on or before 27.01.2022 without fail.

It is submitted that, the then Assistant Director of Mines and Geology, Banaganapalle has issued show cause notices to the lease holders who are involved at road side excavations and to submit the explanation on the allegations and illegal excavation on Palkuru - Ramakrishnapuram Road.

It is submitted that, the then Assistant Director of Mines and Geology, Banaganapalle has submitted detailed action taken report to the Director of Mines and Geology, Ibrahimpatnam on the subject area.

It is submitted that, the then Assistant Director of Mines and Geology, Banaganapalle has issued demand notices for not submitted the explanation to the show cause notices and requested to pay the demand raised amount.

It is submitted that, the Hon'ble NGT has issued orders "whether the excavated portions on the road margins have been re-laid or not has to be seen as otherwise the same would result in major accidents and where the road margins / the buffer area have been quarried and restored". The then Assistant Director of Mines and Geology, Banaganapalle has issued notices to the road side quarrying lease holders (10) members to restore / fill the quarried areas at road margin with immediate effect.

It is submitted that, the Hon'ble NGT has issued orders to get appropriate report from the Vigilance and Enforcement Department regarding the recovery of the amount and the further course of action as there is a huge amount pending against each of the violators. Subsequently the Director of Mines and Geology, Ibrahimpatnam has directed the Divisional Mines and Geology office, Banaganapalle with a direction to submit the report as instructed in duplicate on or before 01.11.2023.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle has issued reminder notices to the road side quarrying lease holders to restore/fill the quarried areas/pits at road margin immediately.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle has requested the Director of Mines and Geology, Ibrahimpatnam to pursue with the Director General Vigilance and Enforcement (GAD) for taking necessary action against the six (06) cases pending with the Vigilance & Enforcement department for clearance.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle has requested the Tahsildar's, Bethamcherla and Banaganapalle to enquire and furnish the particulars of Movable and Immovable properties of the road side quarrying lease holders, defaulters in order to exercise under Revenue Recovery Act.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle has submitted R.R Act, proposals to the District Mines and Geology Officer, Kurnool to take further necessary action in the matter. Accordingly the District Mines and Geology Officer, Kurnool addressed to the respective District Collector and Magistrate, Nandyal to identify the movable and Immovable properties for attachment of the properties under provisions of RR Act 1964.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle has requested the Branch Managers, State Bank of India, Union Bank of India, Canara Bank, HDFC Bank, Andhra Pragathi Gramena Bank of Banaganapalle, Bethamcherla and Nandyal to stall all the transactions pertaining to the defaulters until payment of all the dues raised in the demand notices until clearance from this department. In this connection the respective Bank Managers, has informed that they have verified they records based on the names provided by this office, but they are not able to trace any accounts in the names provided by this office and requested provide additional details customer account No, Customer ID, KYC, etc., in respect of the person / firm/company in order to enable to them to trace the account details.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle once again requested the concerned Tahsildars i.e., Banaganapalle, Bethamcherla, Nandyal District and Sri AvaduthaKasinayana Mandal, Y.S.R District to make an enquiry and furnish the particulars of Movable and Immovable properties of the violators to take necessary action in further submission of report to the Hon'ble NGT, Chennai.

It is submitted that, the Divisional Mines and Geology Office, Banaganapalle jurisdiction, the majority of the public are depending on the Napa Slabs quarrying in order to eke out their livelihood and running of polishing units. Which are small scale industries and mainly labour oriented. Here the labours are owners and owners are labours this is only source as it is a rain shadow, drought prone area. Presently a great decline in consumption of Napa Slabs (Black & Colour) due to competition from vitrified tiles market. Besides that this office takes stringent action on all the defaulters who are involved in encroachments and excavations in road sides over the subject areas.

In this connection it is submitted that, the Mines & Geology Department is taking all possible steps to realize the Demanded amount, if necessary, by attaching the properties, if any had by the defaulters under the framework of act and law.

Hence, in view of the above circumstances, we therefore request this Hon'ble Tribunal to consider the above report and pass orders in O.A.No. 179 of 2021 accordingly and thus render justice.



**Commissioner and Director of Mines & Geology,  
Govt. of AP  
IBRAHIMPATNAM.**

**COMMISSIONER &  
DIRECTOR OF MINES AND GEOLOGY  
IBRAHIMPATNAM, GOVT. OF A.P.**