

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

OA No 19 OF 2023

IN THE MATTER OF:

KOTARI MURALIDHAR BABU

..... Applicant

Vs

STATE OF ANDHRA PRADESH AND OTHERS

... Respondents

REPORT FILED BY THE APPCB 4th RESPONDENT

DATE - 25.11.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

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

Before the Hon'ble National Green Tribunal (N.G.T)
Southern Zone (SZ), Chennai.

Original Application No.19 of 2023

Sri Kotari Muralidhar Babu

.....Applicant


Versus

State of Andhra Pradesh & Others

.....Respondents

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Environmental Engineer,
A.P. Pollution Control Board,
Regional office, Vijayawada.

Place: Vijayawada
Date: 23.11.2024

Report of A.P. Pollution Control Board in compliance to the Hon'ble N.G.T, Chennai order dated.19.09.2024 issued in O.A. No.19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu.

It is to submit that an original application O.A.No.19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu before the Hon'ble N.G.T complaining massive illegal soil and sand mining carried out in Sy.Nos.87-1, 87-2A, 88-2, 86-1A, 88-4A, 88- 4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A & 89-3B of Kappaladoddi V) Guduru (M), Krishna District.

The applicant Sri Kotari Muralidhar Babu has filed I.A. No.51 of 2023 in O.A. No. 19 of 2023 (SZ) alleging that illegal mining activity is being continued in the said area.

The Hon'ble N.G.T (SZ), Chennai has issued directions on 22.08.2023 to the Mines & Geology Department, SEIAA and APPCB for furnishing individual reports regarding the action taken by them for the alleged violations mentioned in the application, including the levy of compensation, etc.

In this regard, it is to submit that on receipt of the Hon'ble N.G.T directions dated.22.08.2023, the RO, Vijayawada has addressed a letter on 08.09.2023 to the DD, Mines & Geology Department, Krishna District for taking action for stoppage of the illegal mining activity and also requested to submit detailed report to levy of Environmental Compensation to the operators of the illegal mining units.

It is reiterated that the Board has not issued CTE / CTO to any of the private parties for carrying out the mining operations in the above said area. Further, it is to humbly submit that the Board has also requested the Revenue authorities viz. Revenue Divisional Officer (RDO), Machilipatnam and Tahsildar, Guduru, Krishna District on 08.09.2023 for taking action against the illegal mining activity not only in the application mentioned areas but even other potential mining areas in their jurisdiction.

The Board has submitted its status report dated.09.10.2023 to the Hon'ble N.G.T (SZ) duly informing the action taken by the Board.

The case was listed on 01.04.2024 and the Hon'ble N.G.T directed the following, vide order dated.01.04.2024:

"Despite our earlier order dated 22.08.2023, it appears that there have been no steps taken either by the SEIAA - Andhra Pradesh or by the Andhra Pradesh Pollution Control Board who has been delegated with the powers as mentioned by the learned counsel appearing for the SEIAA - Andhra Pradesh".

It is further to humbly submit that the Board officials inspected the above said area on 27.04.2024 and observed that there is no mining activity at the above said area.

The Board has addressed a letter to the District Mines & Geology Officer, Department of Mines & Geology on 29.04.2024 to submit detailed report along with the quantity of Soil / Busaka excavated from the pits / agricultural lands for levy of Environmental Compensation (EC) to the operators of the illegal mining units.

The APPCB has submitted a status report to the Hon'ble N.G.T (SZ) on 01.05.2024.

The case was listed on 19.09.2024 and the Hon'ble N.G.T (SZ) issued the following order:

"For filing the additional report by the Andhra Pradesh Pollution Control Board, post the matter on 26.11.2024".

It is to humbly submit that the District Mines & Geology Officer, Department of Mines & Geology, Krishna District vide letter dated.20.11.2024 has submitted a Joint inspection report conducted by the following officials on 04.09.2024 to estimate the excavated material from the mining pits:

1. Village Revenue Officer, Kappalaoddi Village
2. Village Surveyor, Kappalaoddi Village
3. Surveyor, O/o. DM & GO, Machilipatnam
4. Technical Assistant, O/o. DM & GO, Machilipatnam
5. Tahsildar, Gudur Mandal, Krishna District
6. District Mines and Geology Officer (I/C), Krishna District, Machilipatnam

The joint inspection team have estimated the material excavated quantity in Pit-I is 170170.45 Cubic meters and the area is 8.41 Acres. The material excavated quantity in Pit-II is 17158.68 Cubic meters in an extent of 1.06 Acres. The joint inspection report is herewith enclosed for kind perusal.

The RO, Vijayawada has submitted a detailed report to the Head office, Vijayawada along with the joint inspection report vide T.O. letter dated.20.11.2024 to take further necessary action.

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.

Final
23/11
ENVIRONMENTAL ENGINEER

ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Vijayawada

Item No.11:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

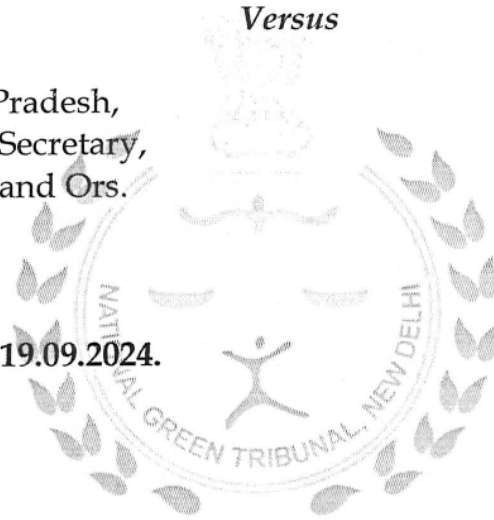
Original Application No. 19 of 2023(SZ)**IN THE MATTER OF:**Kotari Muralidhar Babu,
Andhra Pradesh.

...Applicant(s)

*Versus*State of Andhra Pradesh,
Rep. by its Chief Secretary,
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 19.09.2024.

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

For Applicant(s): Mr. K. Sravan Kumar.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R2,
R4 to R7 & R10.
Mr. G.M. Syed Nurullah Sheriff for R3.
Mr. N. Vishranth represented
Mr. Gautam S Raman for R8.

ORDER

1. For filing the additional report by the Andhra Pradesh Pollution Control Board, post the matter on 26.11.2024.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.19/2023(SZ)
19th September, 2024. AD.





5
ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.

Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
Vijayawada – 520 008.



Ph: 0866-2543542

Lr.No.8/PCB/RO-VJA/2023- 576

Date.08.09.2023

To
The Deputy Director,
Mines & Geology Department,
Krishna District,
Machilipatnam.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, H.No.1-7, Kappaladoddi (V),Guduru (M), Krishna District - The Hon'ble N.G.T Southern Bench, Chennai order dated.22.08.2023 communicated to take stringent action on illegal mining – Reg.

Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District in the Hon'ble N.G.T. Southern Bench, Chennai.
2. The Hon'ble N.G.T orders Dt.22.08.2023 in O.A. No. 19 of 2023 (SZ) & I.A. No. 51 of 2023 (SZ),

It is to submit that a case vide O.A. No. 19 of 2023 has filed before the Hon'ble N.G.T (SZ) by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District on illegal sand / soil mining from the agricultural lands in Sy.Nos. 887-1, 87-2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B and adjoining agricultural lands in Kappaladoddi village and is affecting the agricultural lands and a reduction of the crop yield.

This office vide notice dated.14.02.2023 has requested the Deputy Director, Mines & Geology Department not to issue work permits to the mining activity at Kappaladoddi village until obtain Environmental Clearance (EC) and Consents (CTE & CTOs) from A.P. Pollution Control Board and also to place the applications of these mines, if received in District Level Sand Committee for review and to take suitable decision.

Further, this office vide letter dated.28.07.2023 requested the Deputy Director, Mines & Geology Department, Machilipatnam, Krishna District not to issue permits to the mining units not having valid consent of the APPCB.

It is to inform that the Hon'ble N.G.T vide order dated.22.08.2023 in O.A. No. 19 of 2023 pronounced the following:

"We direct the Department of Mines & Geology, SEIAA-Andhra Pradesh and also the Andhra Pradesh Pollution Control Board to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application, including the levy of compensation, etc.,"

A copy of the Hon'ble N.G.T order dated.22.08.2023 is herewith enclosed.

In view of the above, the Mines & Geology Department, Krishna District is hereby requested to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi (V), Gudur (M), Krishna District. It is also requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Treat this as important. The case is posted on 05.10.2023 by the Hon'ble N.G.T.

Yours faithfully,

[Signature]
..8/9

ENVIRONMENTAL ENGINEER

Encl: A/a.

Copy submitted to

1. The Member Secretary, APPCB, BO, Vijayawada for favour of kind information.
2. The Collector & District Magistrate, Machilipatnam, Krishna District for favour of kind information
3. The JCEEE, APPCB, ZO, Vijayawada for favour of kind information.
4. The SEE (Legal), APPCB, BO, Vijayawada for favour of kind information.

11/9/23.
[Signature]
అధ్యక్షులు కార్యాలయము
ఆంధ్రప్రదేశ్ - మచిలీపట్నం



**ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, VIJAYAWADA.**

Plot No.41, Opp: SBI, Sri Kanakadurga Officers' Colony, Gurunanak Nagar,
Vijayawada - 520 008.



Ph: 0866-2543542

Lr.No.O.A. No.19 of 2023/PCB/RO-VJA/2024- 67

Date.29.04.2024

To
The District Mines & Geology Officer,
Department of Mines & Geology,
Machilipatnam, Krishna District.

Sir,

Sub: APPCB-RO-VJA- O.A. No. 19 of 2023 (SZ) filed by Sri Kotari Muralidhar Babu, H.No.1-7, Kappaladoddi (V), Guduru (M), Krishna District-The Hon'ble N.G.T Southern Bench, Chennai order dated.22.08.2023-Quantity of Soil / Busaka excavated for levy of Compensation-Reg.

- Ref: 1. O.A. No. 19 of 2023 filed by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District in the Hon'ble N.G.T. Southern Bench, Chennai.
2. The Hon'ble N.G.T orders in O.A. No. 19 of 2023 (SZ) & I.A. No. 51 of 2023 (SZ), Dt.22.08.2023.
3. T.O. letter dated.08.09.2023, letter addressed to the DD, Mines & Geology Department, Machilipatnam, Krishna District.
4. Board officials inspection of the illegal mining area on 27.04.2024.

It is to submit that a case vide O.A. No. 19 of 2023 has filed before the Hon'ble N.G.T (SZ) by Sri Kotari Muralidhar Babu, H.No. 1-7, Kappaladoddi (V), Guduru (M), Krishna District on illegal sand / soil mining from the agricultural lands in Sy.Nos. 87-1, 87-2A, 88-2, 86-1A, 88-4A, 88-4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B in Kappaladoddi Village.

This office vide notice dated.14.02.2023 has requested the Deputy Director, Mines & Geology Department not to issue work permits to the mining activity at Kappaladoddi Village until obtain Environmental Clearance (EC) from MoEF & CC, GoI and Consents (CTE & CTOs) from A.P. Pollution Control Board and also to place the applications of these mines, if received in District Level Sand Committee for review and to take suitable decision, as per the prevailing sand policy of the Govt. of Andhra Pradesh.

Further, this office vide letter dated.28.07.2023 requested the Deputy Director, Mines & Geology Department, Machilipatnam, Krishna District not to issue permits to the mining units not having valid consent of the APPCB.

It is to inform that the Hon'ble N.G.T vide order dated.22.08.2023 in O.A. No. 19 of 2023 directed the following:

"We direct the Department of Mines & Geology, SEIAA-Andhra Pradesh and also the Andhra Pradesh Pollution Control Board to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application, including the levy of compensation, etc.,"

A copy of the Hon'ble N.G.T order dated.22.08.2023 is herewith enclosed.

Keiand
30/04/2024
Office of District Mines and Geology Officer
Dt. 20/04/2024
No.
Mines and Geology Dept., Machilipatnam, Krishna

This office vide letter dated.08.09.2023 has requested the Mines & Geology Department, Krishna District, Machilipatnam to take stringent action on illegal mining duly enclosing the Hon'ble N.G.T order dated.22.08.2023 and also requested to submit detailed report to levy of Environmental Compensation to the operators of the illegal mining units (Copy enclosed).

This office has not received any communication from the Mining Department till date.

In view of the above, the Mines & Geology Department, Krishna District is hereby requested to submit detailed report along with quantity of Soil / Busaka excavated from the pits / agricultural lands for levy of Environmental Compensation (EC) to the operators of the illegal mining units.

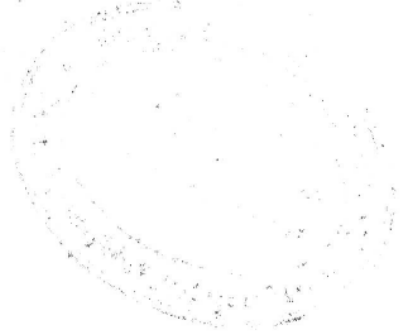
Treat this as most important.

Yours faithfully,

Yinivaf
..29/4

ENVIRONMENTAL ENGINEER

Encl: A/a.



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

From: Sri A.Srinivas Kumar, M.Sc,
District Mines and Geology Officer(FAC),
Krishna District, Machilipatnam.

To: The Environmental Engineer,
APPCB, Vijayawada.

Letter No.3590/Vig/2023 Date.20.11.2024.

Sir,

- Sub: Mines and Minerals – Court cases – NGT OA.No.19 of 2023(SZ) filed by Sri Kotari Muralidhar Babu– APPCB requested certain information on quantity of soil/ Busaka excavated for levy of Compensation- Information submitted-Reg.
- Ref: Letter No.O.A.No.19 of 2023/PCB/RO-VJA/2024-67, dt.29.04.2024 of the Environmental Engineer, APPCB, Vijayawada.

I invite attention to the subject and reference cited and inform that the Environmental Engineer, APPCB, Vijayawada requested this office to submit detailed report along with quantity of soil/ Busaka excavated from the pits/agricultural lands for levy of Environmental Compensation to the operators of the illegal mining units.

In this connection, it is submitted that the Revenue Officials and Mines & Geology Department Officials have jointly inspected the area in Sy.Nos.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B of Kappaladoddi Village, Gudur Mandal of Krishna District on 04.09.2024 and measured the excavated area as detailed below:

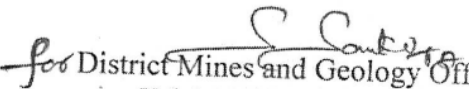
Pit -1 : surface area is = 8.41 Acs (or) 34,034.09 M²
(1 Acre = 4046.86 M²)
Overall depth = 5.0 meters.
Quantity of excavation = 34034.09 x 5.0
= 1,70,170.45 M³.

Pit -2 : Surface area is = 1.06 Acs (or) 4289.67 M²
(1 Acre = 4046.86 M²)
Overall depth = 4.0 meters.
Quantity of excavation = 4289.67 x 4.0
= 17,158.68 M³.

The copy of joint inspection report is herewith enclosed for taking necessary further action in the matter.

Yours faithfully,

Encl: As above.


for District Mines and Geology Officer(FAC),
Krishna District, Machilipatnam.

Copy submitted to the Commissioner & Director of Mines and Geology, Ibrahimpatnam for favor of information.
Copy submitted to the Collector & District Magistrate, Krishna District for favor of information.

JOINT INSPECTION REPORT

As per the OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed before the Hon'ble National Green Tribunal by Sri Kotari Muralidhar Babu, the following officials / representatives have attended for joint inspection on **04-09-2024** with regard to the illegal mining of Soil (Ordinary Earth) in Sy.Nos.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B of Kappaladoddi Village, Gudur Mandal of Krishna District.

Sl. No.	Name of the Officer	Designation
1	Sri T. Konda Reddy	District Mines and Geology Officer (I/c), Machilipatnam
2	Smt D.Rajya Lakshmi	Tahsildar, Gudur Mandal
3	Sri S.Sankar	Technical Assistant O/o DM&GO, Machilipatnam
4	Sri Sk. Abdul Asif	Surveyor O/o DM&GO, Machilipatnam
5	Sri A.Naresh	Village Revenue Officer, O/o Panchayat Secretariat, Kappaladoddi Village
6	Sri K.Chandu	Village Surveyor O/o Panchayat Secretariat, Kappaladoddi Village.

It is submitted that, the subject area is located at a distance of about 1.0KMs towards North-East from Kappaladoddi Village and also situated at a distance of about 1.2 KMs towards West from Pedana Village. The area can be approached by cart track in all seasons.

BRIEF HISTORY OF THE CASE:

It is submitted that, the Director of Mines and Geology, Ibrahimpatnam vide Memo No.1863/D6/2023, dt.23.04.2024 directed the undersigned to inspect the area and submit detailed report on OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) filed by Sri Kotari Muralidhar Babu with regard to illegal mining of soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B,68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

In this connection it is submitted that, on perusal of the records transferred from the office of the Asst. Director of Mines and Geology, Vijayawada, Sri Battina Hariram's complaint filed Spandana Petition No: YSR#KRI20230109861, Dt.09.01.2023 on illegal excavation and transportation of Morrum/Busaka/Matti in Kappaladhoddi Village, Guduru Mandal, Krishna District.

Further it is submitted that the Tahsildar, Guduru vide Letter No.Rc.A/13/2023, Dt.11.01.2023 informed to the ADM&G, Vijayawada that the Village Revenue officer, Kappladhoddiwas stopped two vehicles i.e., one tipper & one Tractor loaded with Soil/Busaka and requested the drivers to show permissions issued by the Government authorities for which the drivers requested him to give them one chance and urged to leave the vehicles for not having any permissions. Thus, the Tahsildar, Guduru collected the seigniorage fee Rs.5000/- from the Tipper & Tractor for illicit transportation of Soil/ Busaka.

Further the Tahsildar concerned also reported that, the illicit excavation carrying to an extent Ac.0.45.cents & Ac.0.45.Cents in Sy.No.88/2B1 & 88-2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District. The lands belong to Smt Balla Krishna Kumari, W/o Arjun, R/o Kappaladhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna district. This illegal excavation and transportation of Matti/Soil/Busakais carrying during the night times.

In this connection, the Royalty inspector, O/o then ADM&G, Vijayawada on **10.01.2023** was inspected the alleged illegal excavation and transportation of Soil/Busaka areas and submitted the report. "On physical verification, it is noticed that the alleged area covered with two pits. On enquiry with the Mandal Surveyor & Grama Sachivalam Surveyor, it reveals that, the land belongs to Smt.BallaKrishna Kumari W/o Arjun & Sri.Pillanagrovula Kondaiah S/o Yakobhu both are having Ac.0.45.cents & Ac.0.45.Cents in Sy.No.88/2B1 & 2B2 of Kappaladhoddi Village, Guduru Mandal, Krishna District and concluded that, the Department of Mines and Geology has not issued any quarry leases or Temporary permits over the alleged area. Thus, the measurement of the excavated portion was recorded. The details are tabulated hereunder :

Sl No	Length (in Mts)	Width (in Mts)	Height (in Mts)	Volume (in Cum)
1	35	13	2	910
2	35	25	2	1750
Total volume				2660

Accordingly, the then ADMG, Vijayawada vide show cause Notice No.3590/Vig/2023, Dt. 10.01.2023 has issued a show cause notice to the defaulters / Pattadars Smt. Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri Pillanagrovula Kondaiah S/o Ekobhu R/o Chinna Aakulamannadu Village, Guduru Mandal, Krishna district to explain the reason why action should not be initiated against the illegal excavation and Transportation of Morrum/Busaka/Matti for a Quantity of 2660cums in Sy.No. 88/2B of Kappaldhoddi Village, Guduru Mandal, Krishna District over an extent of Ac.0.45.Cts & Ac.0.45.Cts. But, the defaulters / Pattadars have not submitted any explanation. Hence, the then ADM&G, Vijayawada issued Demand Notice No. No.3590/Vig/2023, Dt. 25.02.2023 to the defaulters Smt. Balla Krishna Kumari, W/o Arjun, R/o Kappaldhoddi Village, Guduru Mandal & Sri PillanagrovulaKondaiah S/o Ekobhu R/o ChinnaAakulamannadu Village, Guduru Mandal, Krishna District directing to pay Normal Seigniorage Fee along with 10 times penalty as detailed below:

Sl No	Morrum/Busaka Quantity (in Cbm)	Normal Seigniorage fee (in Rs)	Consideration fee (in Rs)	DMF(30% on normal Seigniorage fee)	Merit(2% on normal seigorage fee)	10 times penalty (in Rs)	Total (in Rs)
1	2660	119700	119700	35910	2394	1197000	1474704

As the matter stands thus, Sri Kotari Muralidhar Babu filed OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 before the Hon'ble NGT with regard to illegal mining of Soil & Sand in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District.

The Deputy Director of Mines and Geology, Vijayawada vide his Memo.No.286/DDM-KRI/2019-20 dated 08.03.2023 directed the then ADM&G, Vijayawada to submit his report on the OA.No.19 of 2023(SZ) & IA No.51 of 2023(SZ) dated 28.01.2023 filed by Sri Kotari Muralidhar Babu. In response to this, on 14.03.2023 the Royalty Inspector & Surveyor of then O/o ADM&G, Vijayawada accompanied the Mandal Surveyor, and Village Revenue Officer, Kappaladoddi have inspected alleged area and identified the boundaries of the RS. No. 87-1, 87/2A, 88-2, 86-1A, 88/4A, 88-48, 65-5A, 65-58, 68-28, 95-2, 85-1A, 89-38 of Kappaladoddi Village, Guduru Mandal, Krishna District. During the day of inspection, the team noticed two old worked pits falling (1) in Sy.No.87-2A1a, 1b, 1c, 87-2A2, 87-2A5, 87-2A6a, 87-2A6b, 87-2A6C, 87-2A4, 87-2A3, and (2) in 86-1A, 88/281, 282, & 283 of Kappaladoddi Village. In this regard, the Mandal Surveyor and Village

Revenue Officer have furnished the details of the land owner and pattadars. Further, the Surveyor O/o the then ADM&G, Vijayawada has tried to take the measurements of the excavated portions but vain, the same were stagnated with water and finally the Joint inspection team concluded that the detailed survey and inspection will be submitted soon after exhaustion of the water in the said two portions (pits).

Further it is submitted that, the Hon'ble NGT made orders on 22.08.2023 in O.A.No.19/2023(SZ) & I.A.No.51/2023(SZ) directing the Department of Mines and Geology to file their individual reports regarding the action taken by them for the alleged violations mentioned in the application including the levy of compensation etc., the same is communicated by the Environmental Engineer, APPCB, Vijayawada with a request to take immediate necessary action for stoppage of illegal mining activity at Kappaladoddi(V), Guduru (M), Krishna District and requested to submit detailed report to levy of Environmental Compensation (EC) to the operators of the illegal mining units.

Accordingly, the Technical Staff O/o DM&GO, Machilipatnam inspected the alleged area on **14-09-2023** in Sy.No.87-1, 87/2A, 88-2, 86-1A, 88/4A, 88/4B, 65-5A, 65-5B, 68-2B, 95-2, 85-1A, 89-3B, in Kappaladoddi Village, Guduru Mandal, Krishna District and reported that, the Petitioner has shown the alleged area and after verification it is noticed that, two old water logged worked pits which are falling (1) in Sy.Nos.87/2A1a, 1b,1c, 87-2A2,87-2A5, 87-2A6a, 87-26b, 87-2A6c, 87-2A4, 87-2A3 & 86-1A covering an extent of Acs.8.40 cents and (2) in Sy.Nos.88/2B1, 2B2, &2B3 covering an extent of Acs.0.40 of Kappaladoddi Village, Guduru Mandal, Krishna District and reported that, it is impossible to assess the quantity of excavation without knowing the depths. The same was submitted to the Director of Mines and Geology, Ibrahimpatnam vide this office Letter No.3590/Vig/2023 dated 30-4-2024.

Further it is submitted that, this office technical staff have inspected the alleged area on **30.04.2024** and reported that, at the time of inspection, no machinery/ vehicles are noticed in the subject area. As per physical observation there are two old worked pits of Ordinary Earth (Busaka) were noticed in the subject area with water logged condition and it is unable to estimate the quantity of excavated material Soil/Busaka (Mixing of Soil and sand) due to the stagnation of water. Therefore concluded tha, after exhaustion of the water, it will be possible to estimate the excavated quantity of Soil/Busaka (Mixing of Soil and sand) in the two old worked pits. Further recommended that, there is necessity to carry bathymetric survey over the water logged pits to estimate/know the depths of the pits, which is required to estimate the quantity. The same was appraised to the the Director of Mines and Geology, Ibrahimpatnam vide Letter No3590/Vig/2023 dated 30-4-2024 of the DM&GO, Machilipatnam.

PRESENT DAY (04-09-2024) REPORT :

It is submitted that, the complaint filed on 09-01-2023 in Spandana platform, the inspection was carried in different times on 10-01-2023, 14-03-2023 and 14-09-2023 and reported contents which were submitted to the Director of Mines and Geology, Ibrahimpatnam.

In response to the Hon'ble NGT orders dated 22-8-2023 and 01-4-2024, the officials have conducted inspection and concluded that the old worked pits are stagnated with water and expressed un-ability to estimate the quantity of excavated material. However, the inspection team suggested that there is need to carry out **bathymetric survey** of water logged (stagnated water) subject area to estimate the quantity if excavation and transportation from the subject area.

In this juncture, there is dire need to discuss suitability and limitations of Bathymetric survey on water bodies.

Bathymetric measurements are conducted with various methods, from depth sounding, sonar and lidar technologies, to buoys and satellite altimetry. Naturally there will be small variations from method to method and that can be in tolerable limits.

In bathymetric surveying, mapping was constrained by the ability of the vessel to operate in shallow water or around rocks, and consequently limited to water depth greater than 5 meters. The main disadvantages in MBES (Multi Beam Echo Sounder) bathymetric survey are (1) the covered area is relatively small (2) the amount of collected data is too large to optimise data management (3) in areas with flat terrain, the measurement accuracy of MBES can be affected by sound reflection and offset. It is cumbersome process involving numerous points of depth, cost involvement, hectic correspondence with concerned Department, drawing technocrats, lack of knowledge in understanding technical know how either by general public or petitioner. However, the bathymetric survey is suitable to determine the depth of water in oceans, seas and lakes.

In the instant case, the depth of stagnated water in old worked pits is about 3 meters, the subject area is flat terrain and relatively smaller area. In view of the explained reasons, the inspection & survey team opined and concluded that bathymetric survey over the subject area is not at all suitable and can be ruled out / rejected on account of field predicament situations.

The case is pending for disposal from 9-1-2023 and Hon'ble NGT has issued orders dated 22-8-2023 and 1-4-2024 to conduct inspection and report compliance. The Hon'ble NGT is very particular and pressing the Department in disposal of the case as the subject matter is lingering with a pretext or other. The DM&GO, Machilipatnam has appraised us, the Commissioner and DM&G, Ibrahimpatnam is anxious in disposal of the case and directing to complete the job work envisaging alternative suitable methods in doing estimation of excavation of material from the subject area on account urgency involved and to avoid further delay on the issue.

In view of the urgency in disposal of the case and to avoid further delay, the team thought of other alternative methods suitable for the present field condition. After through discussions, the team has decided to adopt direct system of taking depth with vertical & straight bamboo stick on which cut measuring tape is dropped and wound by transparent sticker. The country boat is deployed and taken depths of water in the pits with so called bamboo stick directly dipping in water upto the bottom point of excavated old worked pits in randomly zig zag pattern covering entire pits(s). The team has taken as many points of depths as can and averaged to arrive single arrived depth of water as 3.0 meters(in Pit-1) and 2.0 meters (in Pit-2) upto the water surface. It is also observed that there is free depth in between original flat ground surface and top surface of water level and the same is accounted for as 2.0 meters by checking all along the periphery of the cutting edge of worked pit(s). The estimation of excavated material is calculated by multiplying the pit surface with that of overall depth of pit(s).

[overall depth = Average depth of water as 3.0 Mts(Pit-1), 2.0Mts(Pit-2) + free depth as 2.0 Mts]

Pit -1 : surface area is = 8.41 Acs (or) 34,034.09 M²
 (1 Acre = 4046.86 M²)
 Overall depth = 5.0 meters.
 Quantity of excavation = 34034.09 x 5.0
 = **1,70,170.45 M³.**

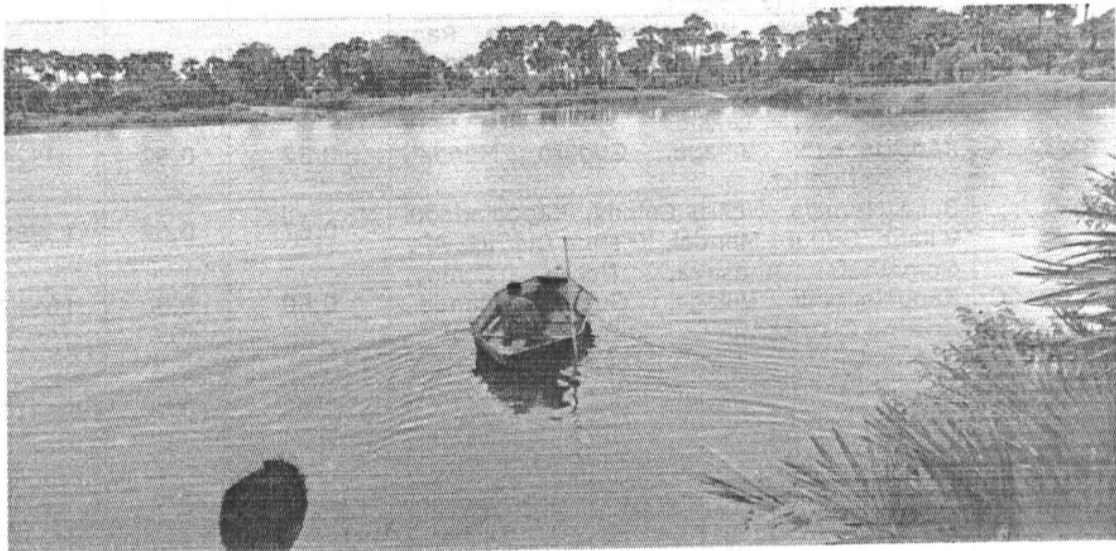
Pit -2 : Surface area is = 1.06 Acs (or) 4289.67 M²
 (1 Acre = 4046.86 M²)
 Overall depth = 4.0 meters.
 Quantity of excavation = 4289.67 x 4.0
 = **17,158.68 M³.**

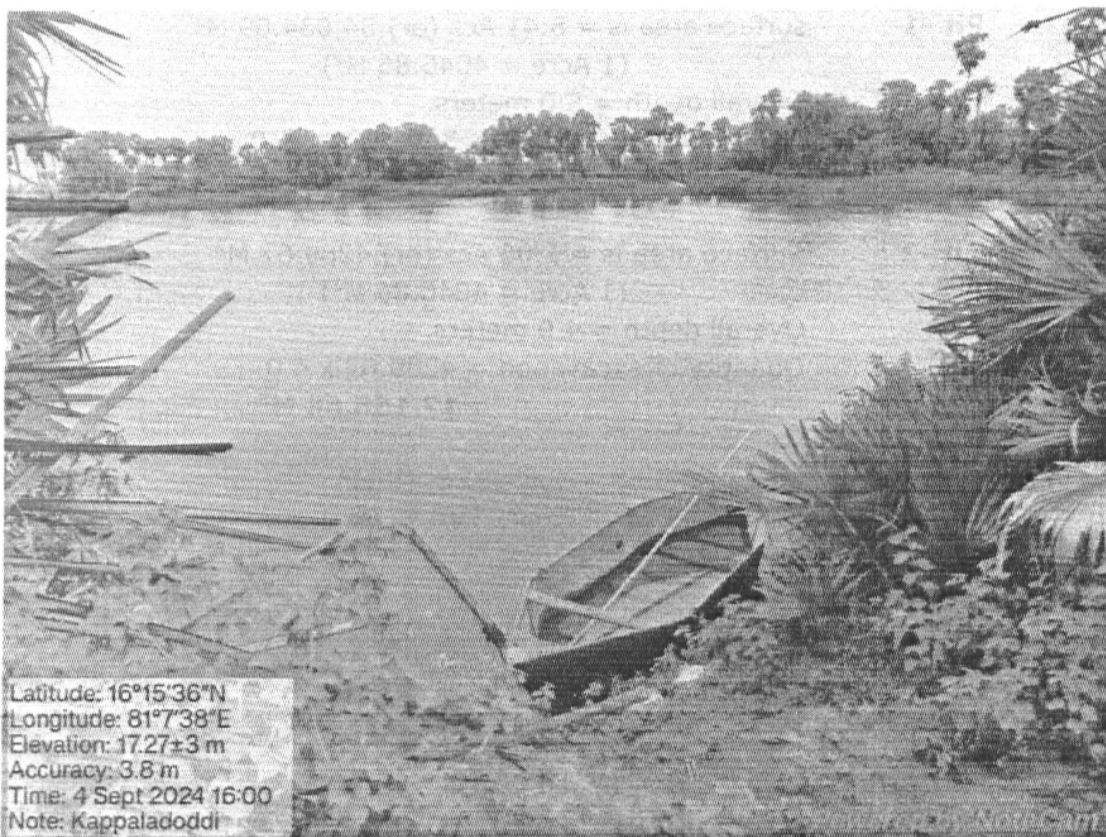
Gross Volume = 170170.45 + 17158.68 = **1,87,328.83 M³**

To read at a glance :

1 Acre	= 10 Square Chains
	= 10 chain x 1 chain
	= 10x66 feet x 1x66 feet
	= (10 x 66 x 0.3048 mts) x (1x66x0.3048 mts)
	= 201.168 meters x 20.1168 meters
	= 4046.86 M ²

The entire method and process of direct method of survey photographs are shown below :





Further it is submitted that, the Revenue officials in the team, have identified limits of Sy.Nos. and given name of Pattadars so as to take action. The Sy.No wise details are show below:

	Sy. No	Name of the Pattadar / Assignee with complete address	Enjoyment extent (in Acs.)	Extent covered with Pit (in Acs)	Excavated quantity in Cubic meters
Pit-1	87-2A1A	Balla Suvarna, W/o Vasantha Rao, Nehru Colony, Harijanawada, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.51	0.40	8093.72
	87-2A1B	Balla Ramachandra Rao, D.No.32-13-2-2A, Mogalrajapuram, Vijayawada, NTR District.	0.51	0.40	8093.72
	87-2A1C	Balla Sarojini W/o China Basavayya, Kottha Colony, Near Anganwadi Center, Harijanawada, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.50	0.40	8093.72
	87-2A2	Balla Rajamma W/o Ramesh Babu, Nehru Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.50	0.50	10117.15
	87-2A5	Bethala Jyothi W/o Venkateswara Rao, Nehru Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.60	0.50	10117.15
	87-2A6A	Bethala Rajya Lakshmi W/o Subba Rao, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.52	0.52	10521.83
	87-2A6B	Balla Nirmala, Nehru Colony, Kappaladoddi Village, Guduru Mandal, Krishna District, AP.	0.67	0.67	13556.98
	87-2A6C	Gomathoti Anasuya, Nehru Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.60	0.50	10117.15
	87-2A4	Nandyala Satyanarayana, S/o Nagabhushanam, Malleswari Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	1.01	0.90	18210.87
	87-2A3	Kotari Prasada Rao & Prattipati Peddintamma W/o Dasaradha Ramaiah, Malleswari Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	1.07	1.07	21650.70

Pit-1	86-1A	Busam Agastaiah S/o Baneswara Rao, Kappaladoddi Village, Guduru Mandal, Krishna District.	5.92	0.65	13152.29
	86-1A	Karumanchi Kameswara Rao S/o Arjunarao, Akumarru Village, Guduru Mandal, Krishna District.	5.92	1.60	32374.88
	86-1A	Sammeta Aparna W/o Gopi Krishna Kishore, Malleswari Colony, Kappaladoddi Village, Guduru Mandal, Krishna District.	5.92	0.30	6070.29
TOTAL EXCAVATED AREA/ QUANTITY				8.41	170170.45
Pit -2	88-2B1	Balla Krishna Kumari W/o Arjuna, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.45	0.30	4856.24
	88-2B2	Pillanagrovula Kondaiah S/o Yakobhu, Chinna Akulamannadu Village, Guduru Mandal, Krishna District.	0.45	0.38	6151.22
	88-2B3	Bethala Kumari W/o Venkaiah, Nehru Colony, Harijanawada, Kappaladoddi Village, Guduru Mandal, Krishna District.	0.45	0.38	6151.22
TOTAL EXCAVATED AREA/ QUANTITY				1.06	17158.68

Further the joint inspection team given oral instructions to the Village Revenue Officer/Assistant of Kappaladoddi Village to watch and vigil the alleged area regularly and curb illegal excavation and transportation of mineral.

This is submitted for kind perusal and for taking further necessary action in the matter.

A. N. S. Rao
Village Revenue Officer,
Kappaladoddi Village

K. Chandrasekhar
Village Surveyor,
Kappaladoddi Village

Prasanna
Surveyor 9/9/2024
O/o DM&GO, Machilipatnam

S. Sankar 09/09/2024
Technical Assistant
O/o DM&GO, Machilipatnam

R. S. S. S.
Tahsildar, 09/09/2024
Gudur Mandal, Krishna District

[Signature]
District Mines and Geology Officer (I/c)
Krishna District, Machilipatnam