

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

O.A. No. 21 OF 2022 (SZ)

Between
Green Society, Costal Corridor Applicant
And

The Ministry of Environment, Forest and
Climate Change and Forest and 8 others ... Respondents

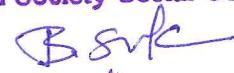
**OBJECTIONS TO THE JOINT COMMITTEE REPORT FILED BY
THE 6TH RESPONDENT DATED 28.10.2023**

1. The Applicant above-named most respectfully submits the following objections to the Joint Committee Report dated 28.10.2023 filed by the 6th Respondent in compliance with the orders of this Hon'ble Tribunal dated 17.02.2022 and 31.03.2022. The Report is wholly inadequate, suffers from patent errors of fact and law, selectively ignores glaring violations, and appears to have been prepared to shield the erring officials and lease-holder (R-8 APMDC and its contractor R-9 Sri Avantika Contractors (I) Ltd.).

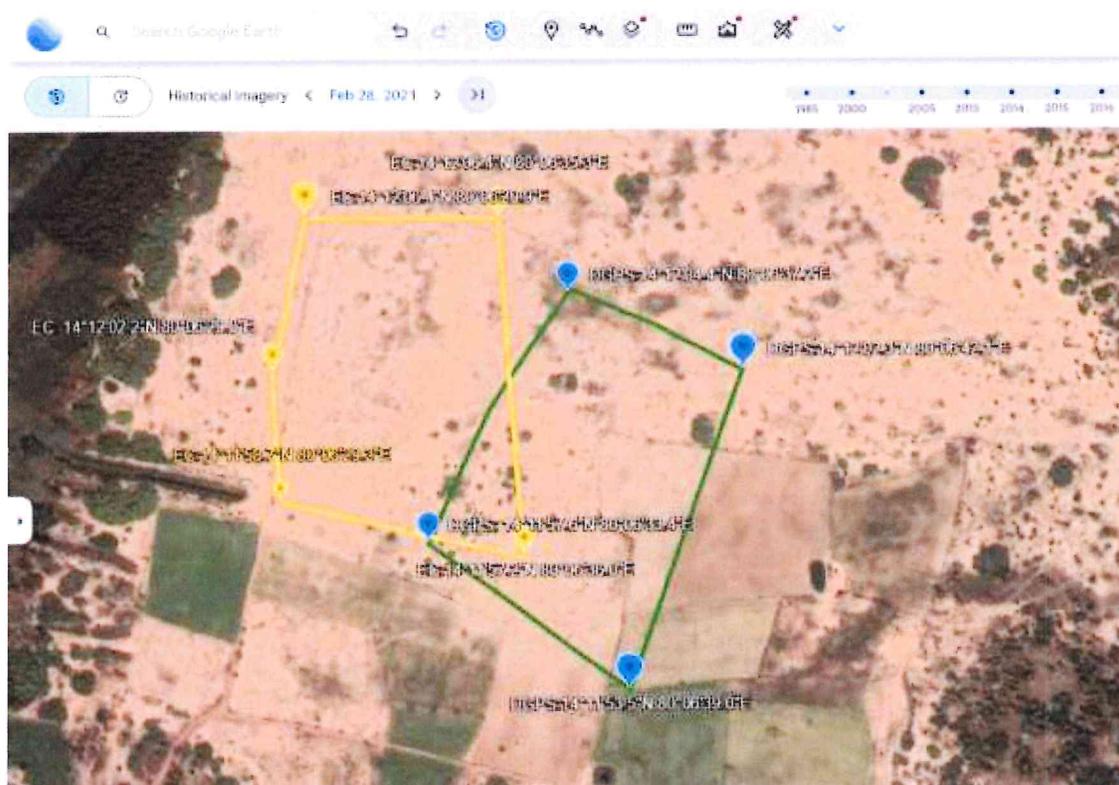
2. The “adjacent mining pit” observed by the Joint Committee is part and parcel of the illegal mining operations carried out by R-9 as contractor of R-8:

- i. It is respectfully submitted that the Report describes/observes in Point No. VIII under the heading of “Additional Observations” that a mine pit over an extent of 6.3 Acrs/2.551 Ha adjacent to the Mine Lease Area – 2 and that as per the discussions held with M/s APMDC Ltd, it has been observed that the said mining has carried prior of the possession of Mine Lease Area – 2 by M/s. APMDC Ltd and that the Joint Committee has opined that the Mining was not carried by M/s. APMDC Ltd, and has not considered for EC calculation.
- ii. In fact, there is no separate pit adjacent Mine Lease Area – 2 and entire mined area is a single unit. Moreover, prior to the mining lease there is no mining in that area. Google Earth

For Green Society Costal Corridor


Secretary

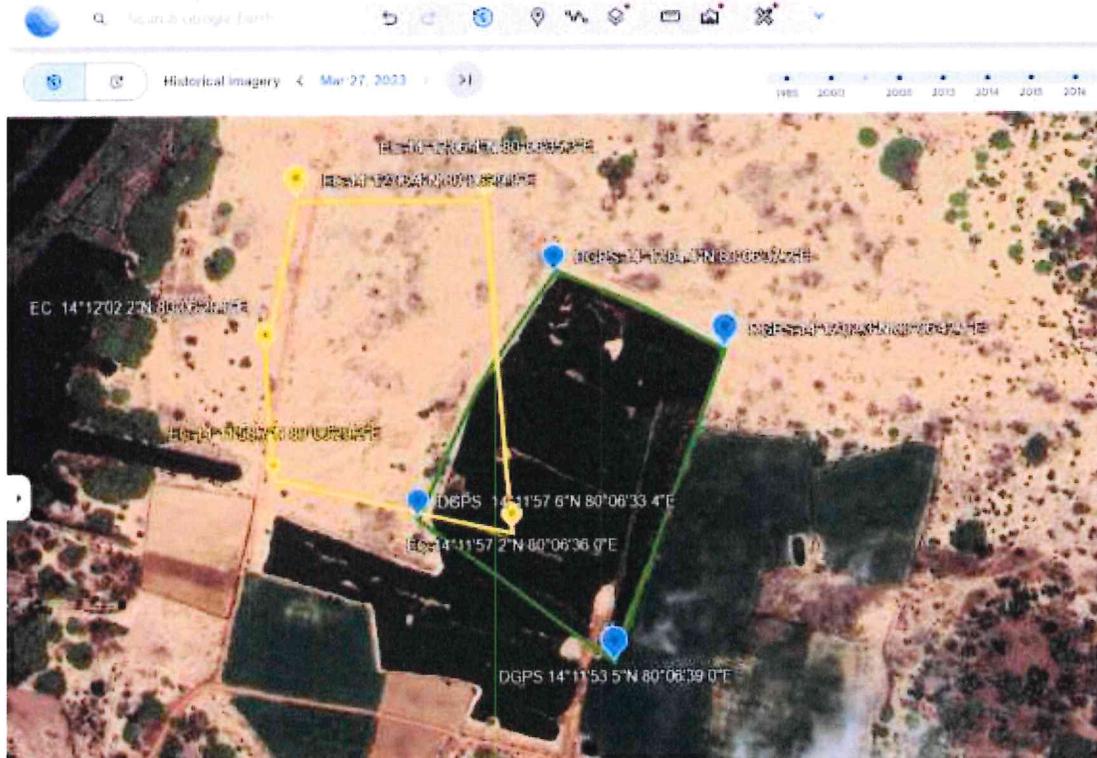
historical imagery dated 28.02.2021 clearly shows that **prior to the grant of the mining lease/work order (04.02.2021)** and commencement of operations, **there was no pit or mining disturbance whatsoever in the said area.** and Google Earth historical imagery dated 27.03.2023 clearly shows that there is mining beyond the area of mining identified (as per DGPS Survey) and considered by the joint committee. The entire pit is a single unit and therefore direct result of the mining activity of R-8/R-9 and cannot be described as “adjacent” or unrelated. The Committee’s failure to link this pit to the lease operations constitutes a serious omission. Google Earth historical imagery dated 28.02.2021 and 27.03.2023 are as follows:-



Google Earth historical imagery dated 28.02.2021, where there is no mining

For Green Society Costal Corridor

B.S.R.
Secretary



Google Earth historical imagery dated 27.03.2023, where there is mining beyond the area identified by the Joint Committee as “as per DGPS Survey”

3. The entire mining in Lease Area-2 was conducted outside the mining lease area/EC boundaries:

It is respectfully submitted that the Report itself (para 11 and Figures 3, 4 & 5) admits and displays a **clear variation/mismatch** between the EC-approved coordinates (yellow polygon) and the DGPS survey coordinates (red polygon). The satellite images and Google Earth overlays confirm that the actual mined area (as per DGPS/actual operations) lies substantially **outside** the EC-granted lease boundaries. The Committee has completely failed to treat this as a violation of the EC and mining lease conditions. This amounts to mining **without any valid EC** in the actual mined portion – a gross illegality warranting recovery of 100% penalty.

4. Mining in the buffer zone was established but compensation was wrongly not calculated:

- i. It is respectfully submitted that the Report explicitly records that buffer zone of 7.5 metres all around the lease area (mandatorily required for green-belt development under every EC/CFO order and standard mining regulations) **has not been maintained**.
- ii. The Committee, however, excused the same merely because the Director of Mines & Geology vide letter dated 03.11.2021 purportedly “permitted” excavation in

For Green Society Costal Corridor

Secretary

the buffer zone. This finding is perverse and contrary to law:

- iii. No authority (including the Director of Mines) can grant permission to excavate minerals in the buffer zone where **green-belt development is statutorily mandated** under the EC and CFO.
- iv. The EC itself prohibits any mining in the 7.5 m setback and mandates only manual excavation up to 2 m depth with **no underwater mining**.
- v. No additional EC or CFO was obtained for buffer-zone mining. Hence, the entire quantity extracted from the buffer zone is **excess/illegal mining** and environmental compensation ought to have been calculated and recommended (as done for the minor depth excess). The Committee's omission is deliberate and unsustainable.

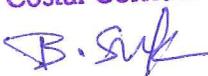
5. Failure to ascertain the actual depth of mining and complete silence on underwater mining:

It is respectfully submitted that the Report relies on a superficial survey and records only minuscule excess depth (0.047 m in Area-1 and 0.2 m in Area-2 against the approved 2 m limit) and calculates compensation accordingly. This is factually incorrect. The actual depth of excavation in both lease areas is approximately **4 metres**, as is evident from the water-logged pits visible in the photographs and satellite images filed by the Committee itself. The entire mined area is now **filled with groundwater**, proving **underwater mining** – which is expressly prohibited by the EC and mining plan (“only manual excavation ... and no underwater mining is undertaken”). The Committee has made **no observation whatsoever** on this critical violation despite the water-logged condition being glaringly visible.

6. Complete non-compliance with plantation/green-belt conditions:

It is respectfully submitted that the Report itself records that “Buffer zone of 7.5 meters all around the mine lease area for greenbelt development has not maintained” and “Greenbelt in the peripheral buffer zone ... has not maintained”. Yet the Committee merely recommends future development without recommending any penalty or action for the past violation.

For Green Society Costal Corridor


Secretary

7. The Report was prepared to shield erring officials

It is respectfully submitted that all the above irregularities viz. illegal mining outside EC boundaries, buffer-zone mining without permission/EC, excess depth, underwater mining, and non-development of green belt – were committed with the **active convenience and collusion** of the authorities, including the then Director of Mines & Geology as well as the Chairman, APMDC. The Report is a clear attempt to whitewash these violations and save the officials and the contract from penal consequences.

8. In view of the above circumstances,, the Applicant prays that this Hon'ble Tribunal may be pleased to Direct recovery of environmental compensation for the entire illegally extracted quantity together with 12% interest and also Direct initiation of criminal proceedings against R-8, R-9 and the concerned officials and Pass any other order(s) as this Hon'ble Tribunal deems fit and proper in the circumstances of the case.

For Green Society Costal Corridor



Secretary

Signature of the Applicant

Date: 23.03.2026
Chennai



Signature of the Counsel for the Applicant

**BEFORE THE NATIONAL
GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

O.A. No. 21 of 2022 (SZ)

Between:

Green Society, Costal Corridor
. . . . Applicant

And

The Ministry of Environment, Forest
and Climate Change and Forest and
8 others

.... Respondents

**OBJECTIONS TO THE JOINT
COMMITTEE REPORT FILED BY
THE 6TH RESPONDENT DATED
28.10.2023**

Date 23.03.2026

Place: Chennai

Mr. Kambhampati Ramesh Babu
Advocate, Flat No. 102, 'A' Block,
Samhitha Splendid Homes,
Amaravati Road from NH Bypass
Road, Tadepalli-522501, Guntur
District

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

O.A. No. 21 of 2022 (SZ)

Between:

Green Society, Costal Corridor Applicant

And

The Ministry of Environment, Forest and
Climate Change and Forest and 8 others . . . Respondents

**OBJECTIONS TO THE JOINT COMMITTEE REPORT FILED BY
THE 6TH RESPONDENT DATED 28.10.2023**

Date: 23.03.2026
Place: Chennai

Mr. Kambhampati Ramesh Babu
Advocate, Flat No. 102, 'A' Block,
Samhitha Splendid Homes, Amaravati
Road from NH Bypass Road, Tadepalli-
522501, Guntur District