

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

OA No 50 OF 2023

IN THE MATTER OF:

Ramisetti Suresh Kumar

..... Applicant

Vs

State of Andhra Pradesh & Others

.... Respondents

REPORT FILED BY THE APPCB 4th RESPONDENT

DATE - 25.09.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (N.G.T)
SOUTHERN ZONE (SZ), CHENNAI.

Original Application No. 50 of 2023(SZ)

Sri Ramiseti Suresh Kumar

Applicant

Versus

State of Andhra Pradesh & Others


Respondent

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Place: Vijayawada

Date:24.09.2024


Environmental Engineer
APPCB, RO, Vijayawada
ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Vijayawada

Report of the A.P. Pollution Control Board in compliance with the Hon'ble N.G.T (SZ), Chennai Orders dated.02.09.2024 in O.A. No. 50 of 2023 filed by Sri Ramiseti Suresh Kumar, Thotamula (V), Gampalagudem (M), NTR District, Andhra Pradesh.

It is to submit that Sri Ramiseti Suresh Kumar, Thotamula (V), Gampalagudem (M), NTR District, Andhra Pradesh has filed Original Application (O.A.) No. 50 of 2023 before the Hon'ble National Green Tribunal (N.G.T) Southern Zone (SZ), Chennai on extraction of soil and pollution caused due to brick kilns.

In this regard, it is to submit that the APPCB, Regional Office, Vijayawada has received a complaint from Smt Ramiseti Pushpavathi, R/o. Thotamula (V), Gampalagudem (M), NTR District through Spandana Portal on 25.07.2022 regarding operation of brick kilns by Sri Battula Anjaiah. The APPCB, RO, Vijayawada has addressed a letter on 28.07.2022 to the Tahsildar, Gampalagudem Mandal with a request to take action against the brick kilns, as per G.O.Ms. No.80, Dated.22.04.2010 issued by Environment, Forest, Science & Technology (Environment) Department, Govt. of A.P, as per the delegation of powers.

Again, complaints were filed by Smt Ramiseti Pushpavathi and Sri Ramiseti Suresh Kumar through Spandana Portal on 12.01.2023, which were forwarded by the District Administration to the Board with a direction to take necessary action against the brick kilns operating at R.S.No.469 & 463/3, Vinagadapa (V), Gampalagudem (M), NTR District.

The officials of the APPCB, RO, Vijayawada attended the complaints on 13.01.2023 and conducted Ambient Air Quality Monitoring (AAQM) at the complainant's agricultural land in presence of the VRO and the Panchayat Secretary of Vinagadapa Village and Sri Ramiseti Suresh Kumar. The Particulate Matter (PM₁₀) value is recorded as 170.0µg/m³ (Std.-100µg/m³). The APPCB, RO, Vijayawada addressed a letter on 24.01.2023 to the Collector and District Magistrate, NTR District, duly submitting the inspection report and requested to issue necessary directions to the Tahsildar, Gampalagudem Mandal to initiate necessary action for redressal of the complaint.

Further, the APPCB, RO, Vijayawada addressed a letter to the Tahsildar, Gampalagudem Mandal on 20.02.2023 duly informing the inspection of the Board officials and Ambient Air Quality Monitoring (AAQM). The Tahsildar, Gampalagudem Mandal is requested to initiate necessary action against the brick kilns operating in the near the agricultural lands belongs to the complainant, Smt Ramiseti Pushpavathi, W/o. R. Rama Rao, D.No.1-169/1, Thotamula (V), Gampalagudem (M), NTR District, as per G.O. Ms. No.80, dt. 22.04.2010 issued by Environment, Forest, Science & Technology (Environment) Department, Govt. A.P.

The Board has submitted status report dated.30.08.2023 in O.A. No.50 of 2023.

The Hon'ble N.G.T (SZ), Chennai vide Order dated.03.10.2023 directed the following:

"In the meanwhile, the Andhra Pradesh Pollution Control Board is directed to make an inspection and file a report regarding the functioning of these brick kilns, and their past activities, assess the damages and calculate the environmental compensation payable."

In obedience to the Hon'ble N.G.T Orders, the Board Officials inspected the brick kilns on 27.10.2023 and the Board has submitted a status report dated.03.11.2023.

The APPCB has requested the Collector & District Magistrate, NTR District to constitute Joint committee regarding functioning of these brick kilns and their past activities, assess the damages and arrive the Environmental Compensation. Accordingly, the Collector & District Magistrate, NTR District has constituted Joint Committee with the following officials vide note approval dated.11.04.2024:

1. The EE, A.P. Pollution Control Board, Regional Office, Vijayawada
2. The Tahsildar, Gamapalagudem, NTR District
3. The District Mines and Geology Officer, NTR District
4. The Panchayath Secretary, Vinagadapa Panchayat
5. Representative from Irrigation Department concern area, NTR District
6. District Agricultural Officer, NTR District

The Board has addressed letters to the above officials to attend for the Joint committee inspection scheduled on 20.04.2024 to take action assess the damages and arrive the Environmental Compensation vide letters dated.12.04.2024. The Petitioner and the respondents are also requested to attend during Joint committee inspection.

The Joint committee inspection held on 20.04.2024 at brick kilns located Vinagadapa(V), Gampalgudem (M), NTR District. The officials from APPCB, Mines & Geology, Irrigation and Panachayat Raj Departments. The Petitioner Sri Ramisetti Suresh Kumar and Respondents have attended the Joint inspection.

The officials from Revenue and Agricultural Departments are not attended for the Joint inspection.

The Board has again addressed letters to the Tahsildar, Gamapalagudem, NTR District and District Agricultural Officer, NTR District for Joint inspection of the brick kilns on 16.05.2024 at 11:00 A.M. to take further necessary action in respect of extent of mining of soil carried out nearby areas and extent of crop damage vide letter dated.30.04.2024.

The APPCB, RO, Vijayawada has submitted a status report to the Hon'ble N.G.T(SZ), Chennai on 08.05.2024.

The officials from the Revenue and Agriculture Departments are attended for joint inspection on 16.05.2024. The Petitioner Sri Ramisetti Suresh Kumar also attended for the inspection.

The Tahsildar, Gampalagudem Mandal, NTR District has submitted his report dated.23.05.2024.

The Assistant Director of Agriculture Department, Tiruvuru, NTR District vide his letter dated.11.07.2024 has submitted that they have addressed a letter to the Associate Director of Research, Regional Agricultural Research Station (RARS), Lam (V), Guntur District, A.P. for deployment of Scientists to investigate the impact of the air quality on the crop yield in Vinagadapa Village of Gampalagudem Mandal, NTR District.

It is to humbly submit that the Soil Scientist and Plant Protection Scientist from the Regional Agricultural Research Station (RARS), Lam (V), Guntur District, A.P. have visited the area including the petitioner's land on 26.06.2024. The Assistant Director, Agriculture Department, Tiruvuru vide his letter dated.11.07.2024, their report on the impact points is yet to be finalized and report will be submitted soon.

The Board had submitted status report to the Hon'ble N.G.T (SZ) on 12.07.2024.

The APPCB, RO, Vijayawada vide letter dated.21.08.2024 has requested the District Agricultural Officer (DAO), Department of Agricultural, NTR District to submit the remarks at an earliest to take further necessary action to assess the damages and calculate the Environmental Compensation payable.

The Agricultural Department has forwarded the report of the Principal Scientist (Soil Science), Regl. Res. Unit (Chemistry), Regl. Agril. Res. Station, Lam, Guntur vide report dated.29.07.2024 regarding visit to the brick kiln affected fields at Vinagadapa of Gampalagudem Mandal, NTR District.

The APPCB, RO, Vijayawada vide letter dated.17.09.2024 has submitted a detailed report to the Zonal office, Vijayawada with joint inspection team remarks for assess the damages and calculate the Environmental Compensation payable and levy of EC is under process.

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.

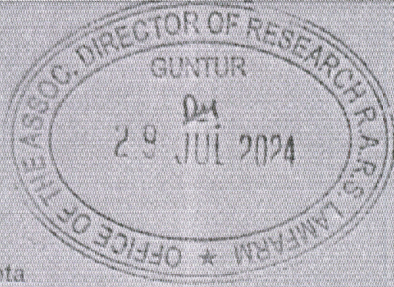
Place: Vijayawada

Date:24.09.2024



Environmental Engineer
APPCB, RO, Vijayawada

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



4375

From
Dr. Sailaja Vinnakota
Principal Scientist (Soil Science)
RARS, Lam, ANGRAU
Guntur.

To
The Associate Director of Research
Regional Agriculture Research Station
Lam, Guntur.

Dt. 29.07.2024

Sir,

Sub : Dr. Sailaja Vinnakota, PS (Soil Science) – visit to the brick kiln affected fields at Vinagadapa of Gampalagudem mandal- compliance report -submitted – reg.

I submit to attach herewith the compliance report on Visit to the brick units affected fields in Vinagadapa of Gampalagudem mandal for kind perusal with a request for forwarding to DAO, NTR Dt.

Thanking you sir,

Yours faithfully,

Encl - Compliance Report

Sailaja Vinnakota
(SAILAJA V)

**Compliance Report on
Visit to the Brick Kiln Affected Agricultural fields in Vinagadapa (V) of
Gampalagudem (M)**

As per the instructions received from the Associate Director of Research, RARS, Lam. the following scientist visited the fields of Sri. R. Suresh Kumar (in Sy. No.463/3, 468 and 470 of 4.52 acres) on 26.06.2024

1. Dr. Sailaja Vinnakota, Principal Scientist (Soil Science)
2. Dr. B. Srikanth, Senior Scientist (Crop Physiology)

Mandal Agricultural Officer, Sri. B. Sai Sri and Village Horticulture Assistant, Vinagadapa, Ms. N. Hymavathi also accompanied.

By the time the team visited, the crops were harvested and land is seen fallow, while the brick unit's activity was progresses. During the visit, 4 no's of brick units were identified in the adjoining fields, **storing ash openly** without taking any precaution.

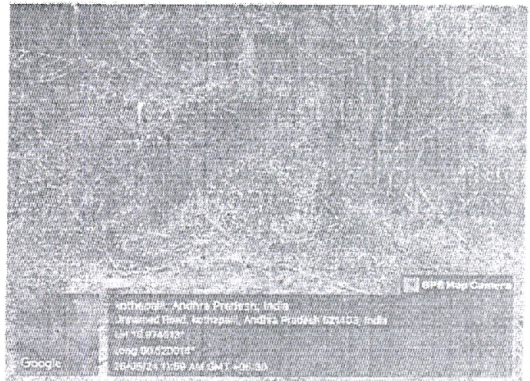
The complainant's (Sri. R. Suresh Kumar) agricultural fields (Lat.-16.974314, Long - 80.520320) is surrounded by East - Kottapalli road, West - Katleru vagu (water body) at the distance of 114 meters & North sides - Sri B. Jamalaiah brick unit (RS.No. 469, total area: 10.21 acres), South - Agricultural lands of U. Srinivara Rao.

On interaction with Sri. R. Suresh Kumar it was learnt that they were taking up two paddy crops a year, but during 2018 brick units were established by Sri Bathula Anjaiah in the adjacent fields of Sri. L. Adinarayana 10.52 acres in Survey No. 469.

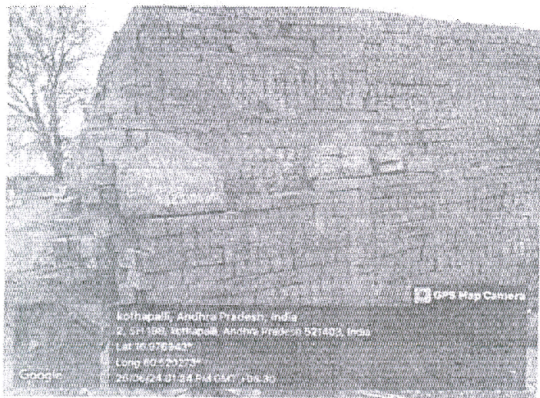
More than a problem of air pollution due to smoke and dust, excavation of soil for brick making has to be viewed as a serious cause for land degradation, which is an impediment for achieving food security if extends.

Unfortunately, the brick units are characteristically positioned on fertile agricultural land, as brick manufacturers necessitate such kind of silty clay loam to silty clay soils. This has resulted finally in the change of land use pattern as the good agricultural land has been

turned into agriculturally sterile lands not fit for cultivation of paddy due to alterations in land geometry due to excavation of soil beyond a permissible depth.



Complainant's field at an elevation of 3-4 ft due to excavation of soil in the adjacent fields for brick making



Brick units Activity





A dugout channel for draining the inundated water from excavated fields



A dugout channel for draining the inundated water from excavated fields



Eucalyptus plantation in complainants field



Kattaleru vaagu

Bricks Units & Environmental pollution

Brick kiln units result in land degradation in multiple ways. The following were some of our observations

1. Excavation of soil

Soil excavation was done for brick making in the adjoining fields of Lingamarla Adinarayana (10.52 acres in Survey number 469) and 0.92 acre of Utukuru Lakshmi Sy.No. 463/3.

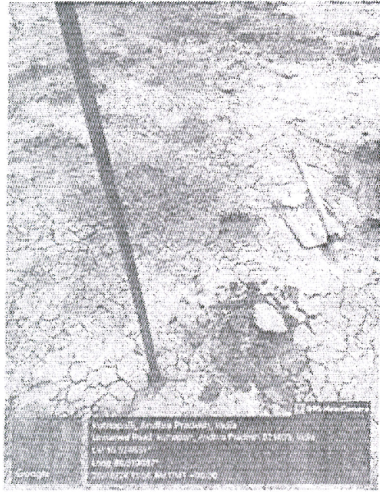
i. **Declined soil fertility due to top soil removal on all sides of complainant's fields**

The top soil was removed for brick making which showed direct impact on reduced fertility status of soil.

The soil fertility of the fields

Details	Latitude	Longitude	pH	EC (dS m ⁻¹)	OC (%)	Avail. N	Avail. P ₂ O ₅	Avail. K ₂ O
1. Kothapalli	16.974881	80.520465	8.15	0.67	0.40	176	98	217
Remarks			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>Medium</i>
2. Kothapalli	16.974651	80.519987	7.68	0.68	0.42	164	89	136
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>Low</i>
3	16.975273	80.5199	7.71	0.71	0.47	164	95	136
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>Low</i>
4	16.975285	80.519855	7.90	0.25	0.46	189	90	352
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>High</i>
5. Transported soil Smt. Utukuru Lakshmi	16.961411	80.517971	7.80	0.44	0.34	189	83	54
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>Low</i>
6. Transported soil	16.968695	80.533253	7.75	0.15	0.24	176	99	352
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>High</i>
7. Complainant's field	16.97479	80.518379	8.00	0.14	0.40	176	86	68
			<i>Slightly Alkaline</i>	<i>Non Saline</i>	<i>Low</i>	<i>Low</i>	<i>High</i>	<i>Low</i>

The soil collected from the field of Sr. R. Suresh Kumar showed a low fertility status except available P, which indicated both removal of top fertile soil due to erosion and leaching losses of nutrients. All the soils were low in organic carbon content and available N due to removal of top fertile soil.



Transported soil for filling the pits formed due to excavation of soil



ii. Leading to uneven topography

Excavation, one kind of over exploitation of the natural resources, was done to a maximum depth of 4-5 ft resulting in uneven topography. The complainant's fields were at a higher elevation than the adjacent fields.

This has led to the following issues

- ❖ Soil and water erosion from the complainant's field to the adjacent fields since they became pits due to excessive excavation and into *Kattaleru vagu* silting it. Erosion of top fertile soil is a permanent loss to the field. Top soil removal results in huge toll for supplementing the nutrients lost.

- ❖ The major impacts of clay excavation are changes in landscape, land stability and soil loss. Due to continued and unscientific clay excavation, pits of different dimensions have formed in the affected areas. The artificial ponds created in random locations due to indiscriminate clay excavation may lead to land stability problems in the adjoining areas (complainant's field). The problem of subsidence will be aggravated in areas where the subsurface geology is with sand and clay alternations. Land failure incidences/sliding of the walls left behind after mining was completed into the neighboring lands also occurred.
- ❖ Silting of *Kattaleru vagu* often results in meandering and encroachment on cultivable land and destruction of crop due to flooding as stated by complainant.
- ❖ It is difficult to maintain the required depth of water for paddy cultivation even with repeated application since the adjoining fields are at a lower elevation, which also increased the cost of cultivation and reduced yields of paddy due to unavailability of water and nutrients at critical growth stages. Finally, it necessitated a shift in the cropping (Land Use) pattern from paddy – paddy system to Eucalyptus, generally Eucalypt is accepted as a farm forestry species for planting on field bunds, canal sides and in marginal lands. The farmer has been foregoing the income from paddy since 2018; initially due to yield decline and later due to crop diversification. If this kind of activity extends horizontally, may be a threat to food security of our country.
- ❖ The brick units owner has extended excavation and encircled with a view that it may compel the complainant to sell soil for brick-making because their neighbors have sold soil which left deep gap in the surface levels between the fields.
- ❖ Due to the uneven topography, movement of vehicles becomes a problem

II. Air Pollution

- ❖ Brick units have resulted in air pollution as evidenced by the report given by APPCB.
- ❖ Due to large scale burning of fuels- coal, the major pollutants like particulate matter (smoke, dust), gases (Sulphur dioxide, Nitrogen oxides, carbon monoxide, carbon dioxide etc.) release into the atmosphere causing air pollution, which affects crop yields in the surrounding area besides health implications.

- ❖ As per the Ambient Air Quality monitoring conducted, it was inferred that the measured value of PM10 is $170 \mu\text{g}/\text{m}^3$ has exceeded stipulated National Ambient Air Quality standard: $100 \mu\text{g}/\text{m}^3$ which indicates that the ambient Air Quality in the surroundings of the Vinagadapa (V), where brick kilns are located is polluted which resulted in declined requires relocation of Brick Kilns or stringent Air pollution control measures should be taken-up for safeguarding the public health & environment (Ref. Lr.No.D-5/PCB/RO-VJA/2023-1222 dated 24.01.2023 of Environmental Engineer, APPCB).
- ❖ Further transportation of raw materials for brick industry leads to environmental pollution by mixing of dust particles in the atmosphere along with CO_2 accumulation during burning of fresh bricks.
- ❖ Although clay excavation does not cause any direct change in air environment, transportation and processing of raw clays into end products could cause atmospheric pollution. In clay/soil excavation operations, the source of air pollution may cause deterioration of air quality due to the fugitive dust emission during scooping, loading-unloading operations, grinding of soil and transportation. Loading and unloading of soil would be associated with the fugitive emission in the active area. Another source of air pollution would be emission from the trucks/tractor/other vehicles to be used for transportation of soil/clay.

III. WATER POLLUTION

- ❖ In the brick forming process it needs burning of valuable material like coal and bagasse. At the end of brick forming ash and unburned particles of coal, bagasse and burned soils particles remains which easily mix in *Kattaleru* water, though the quality of water is changed up to some level. The degradation in water bodies and water driven bodies becomes a very serious matter because water is supposed a life for everyone.

Conclusion

- ❖ The population projected to exceed 1.6 billion by 2047, the centenary year of India's independence, and with changing economic and environmental landscapes, and the demand for food continues to rise.
- ❖ It is compelling for India to navigate the challenges of an increasing population, and constrained natural resources. The nation's journey towards becoming a developed country by 2047 requires not only rapid economic growth but also a transformative approach to agricultural practices and policies. If India continues growing economically at the current rate of 6.34%, its food demand is likely to increase by about 2.44% annually until 2047-48. This increase could rise to 3.07% annually if the economy grows faster. Under this typical growth scenario, it's estimated that by 2047-48, the country will need around 402 million tons of food grains. If the economy grows more robustly, this demand could reach 415-437 million tons. Ensuring sustainable food production and distribution, in the face of looming resource limitations and environmental challenges, will be pivotal in realizing this vision.
- ❖ Meanwhile, the cultivated area for cereals, excluding maize, has either plateaued or decreased, with yield enhancements driving the production growth. Despite leading in the sheer area and volume of several crops, India's yield efficiency remains relatively low compared to global standards. This disparity highlights the considerable potential to boost food production to meet the escalating demand, focusing on maximizing yield potential and optimizing land use efficiency (Deepak Pareek, 2024). Normative food demand, which refers to the essential amount of food needed based on age, gender, and activity levels, is predicted to grow due to population increases.
- ❖ Use of good quality agriculture soil in large quantities for brick making is a grave area of concern. Soil degradation is the major problem India is facing today.
- ❖ The continuous unscientific mining, pollution caused by the brick kilns are resulting immense loss to the agriculture and also damaging the nature of fertile agriculture land of Applicant.

In light of the above facts and circumstances, it is suggested that

- ❖ The brick kilns need to be relocated for safeguarding the public health & environment; for sustaining the soil health & crop productivity
- ❖ Since the complainant is saying that he is experiencing crop losses since 2018, that may be looked into favourably and the concern of Sri. R. Suresh Kumar for protecting environment should be appreciated.
- ❖ Necessary steps may be taken to reinstate the soil health

Srinivasan
29/7/2024
Principal scientist (Soil Science)
Regl. Res. Unit (Chemistry)
Regl. Agril. Res. Station
Lam, Guntur - 34



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.50 of 2023 /PCB/RO-VJA/2024-546

Date.17.09.2024

To
 The Joint Chief Environmental Engineer,
 A.P. Pollution Control Board,
 Zonal office, Vijayawada.

Sir,

Sub: APPCB-RO-VJA-O.A. No.50 of 2023 filed before the Hon'ble N.G.T (SZ), Chennai by Sri Ramisetti Suresh Kumar on illegal extraction of soil, crop damage and pollution caused due to brick kilns located at Vinagadapa (V), Gampalgudem (M), NTR District-The Hon'ble N.G.T (SZ) Order dated.03.10.2023-Constitution of the Joint Committee to assess the Environmental Compensation- Report submitted for levy of Environmental Compensation – Requested - Reg.

- Ref:
1. O.A. No.50 of 2023 filed before the Hon'ble N.G.T (SZ) Sri Ramisetti Suresh Kumar.
 2. Compliant received from Smt Ramisetti Pushpavati through Spandana Portal on 25.07.2022.
 3. T.O.Lr.No.D-5/PCB/RO-VJA/2022-466, Dt.28.07.2022.
 4. Compliant received from Smt Ramisetti Pushpavati (02.01.2023) and Sri Ramisetti Suresh Kumar (09.01.2023) through Spandana Portal, which were forwarded by the District Administrative and received at RO, Vijayawada on 12.01.2023.
 5. T.O.Lr.No.D-5/PCB/RO-VJA/2023-1222, dated 24.01.2023.
 6. T.O.Lr.No.Spandana/PCB/RO-VJA/2023-1354, Dated 20.02.2023.
 7. Board officials inspection on 19.06.2023.
 8. Letter of Sri Battula Anjaiah dated 02.07.2023.
 9. The Hon'ble N.G.T Order dated.03.10.2023 in O.A. No.50 of 2023.
 10. T.O. Lr.No.O.A. No.50 of 2023/PCB/RO-VJA/2024-777, Dt.28.10.2023, letter addressed to the Collector & District Magistrate, NTR District.
 11. Status report submitted to the Hon'ble N.G.T (SZ), Chennai on 03.11.2023.
 12. Note approval from the Collector & District Magistrate, NTR District through e.office on 11.04.2024 for constitution of Joint committee to assess the Environmental Compensation.
 13. T.O. Lr.No.O.A. No.50 of 2023/PCB/RO-VJA/2024-23, Dt.12.04.2024, letter addressed to the Tahsildar, Gampalagudem, DM& GO, PS, Irrigation Department and DAO, NTR District to attend the joint committee inspection and letter addressed to the respondents & petitioner, Vinagadapa to attend the Joint Committee inspection.
 14. T.O. Lr.No.O.A. No.50 of 2023 /PCB/RO-VJA/2024-84, Dt.30.04.2024, letter addressed to the Tahsildar, Gampalagudem and District Agricultural Officer, NTR District, requested to attend the Joint committee inspection.
 15. Status report submitted to the Hon'ble N.G.T (SZ), Chennai on 08.05.2024.
 16. The Hon'ble N.G.T (SZ) Dated.10.05.2024 in O.A. No.50 of 2023 (SZ).
 17. Joint inspection conducted on 16.05.2024 with Agriculture and Revenue officials.

18. Letter of the Assistant Director of Agriculture Department, Tiruvuru, NTR District dated.11.07.2024.
19. Lr.No.O.A.No.50 of 2023/PCB/RO-VJA/2024-480, Dt.21.08.2024 letter addressed to the District Agriculture Officer (DAO), Department of Agriculture, NTR District.
20. Report received from the Agriculture Department, NTR District on 17.09.2024.

It is to submit that Sri Ramiseti Suresh Kumar, Thotamula (V), Gampalagudem (M), NTR District, Andhra Pradesh has filed Original Application (O.A.) No. 50 of 2023 before the Hon'ble National Green Tribunal (N.G.T) (SZ), Chennai on illegal extraction of soil and pollution caused due to brick kilns located at Vinagadapa (V), Gampalagudem (M), NTR District.

In this regard, it is to submit that the Regional Office, Vijayawada has received a complaint from Smt Ramiseti Pushpavathi, R/o. Thotamula (V), Gampalagudem (M), NTR District through Spandana Portal on 25.07.2022 regarding operation of brick kilns by Sri Battula Anjaiah. The RO, Vijayawada vide letter dated. 28.07.2022 requested the Tahasildar, Gampalagudem Mandal to take action against the brick kiln, as per G.O.Ms. No.80, dated.22.04.2010 issued by EFS & T, Govt. of A.P., as per the delegation of powers.

Again, complaints were filed by Smt Ramiseti Pushpavathi and Sri Ramiseti Suresh Kumar through Spandana Portal, which were forwarded by the District Administration to the Board with a direction to take necessary action against the brick kilns operating at R.S.No.469 & 463/3, Vinagadapa (V), Gampalagudem (M), NTR District.

The officials of the RO, Vijayawada attended the complaints on 13.01.2023 and conducted Ambient Air Quality Monitoring (AAQM) at the complainant's agricultural land in presence of the VRO and Pachayat Secretary of Vinagadapa Village and Sri Ramiseti Suresh Kumar. The Particulate Matter (PM₁₀) value is recorded as 170.0 µg/m³. The RO, Vijayawada addressed a letter on 24.01.2023 to the Collector and District Magistrate, NTR District, duly submitting the inspection report and requested to issue necessary directions to the Tahasildar, Gampalagudem Mandal to initiate necessary action for redressal of the complaint.

Further, the RO, Vijayawada addressed a letter to the Tahsildar, Gampalagudem Mandal on 20.02.2023 duly informing the inspection of the Board officials and Ambient Air Quality Monitoring (AAQM) conducted and the Tahasildar, Gampalagudem Mandal is requested to initiate necessary action against the brick kilns operating in the vicinity of agricultural lands belongs to the complainant Smt Ramiseti Pushpavathi, W/o. R. Rama Rao, D.No.1-169/1, Thotamula(V), Gampalagudem (M), NTR District for safeguarding the Public Health and Environment, as per G.O. Ms. No.80, Dated.22.04.2010 issued by Environment, Forest, Science & Technology (Environment) Department.

Sri Ramiseti Suresh Kumar, Thotamula (V), Gampalagudem (M), NTR District, Andhra Pradesh has filed Original Application (O.A.) No. 50 of 2023 before the Hon'ble National Green Tribunal (N.G.T) (SZ), Chennai on illegal extraction of soil and pollution caused due to brick kilns located at Vinagadapa (V), Gampalagudem (M), NTR District.

The Board Officials again inspected the brick kilns on 19.06.2023 and submitted parawise remarks to the Board office on 11.07.2023. The Board has submitted status report vide report dated.30.08.2023 to the Standing counsel to take further necessary action. Copy enclosed.

The case is listed on 03.10.2023 and the Hon'ble N.G.T (SZ) had issued the following directions:

"2. The learned counsel appearing for the Andhra Pradesh Pollution Control Board represents that the alleged activities have been stopped as of now. The same is a reply given by the learned counsel appearing for the project proponents (Respondents No.8, 12 and 13.

3. The rest of the project proponents who are served with notice have not appeared either in person or through the counsel and for Respondent No.11, the notice is returned.

4. In the meanwhile, the Andhra Pradesh Pollution Control Board is directed to make an inspection and file a report regarding the functioning of these brick kilns, and their past activities, assess the damages and calculate the environmental compensation payable.

5. The private respondents are also directed to file their response, after which, the matter can be taken up for final hearing".

The Board officials again inspected the brick kilns on 27.10.2023 and the APPCB, RO, Vijayawada has addressed a letter to the Collector & District Magistrate, NTR District on 28.10.2023 requested to constitute a joint committee with the following officials to ascertain brick kilns past activities and to assess the damages and to arrive the Environmental Compensation payable:

1. The EE, A.P. Pollution Control Board, Regional Office, Vijayawada
2. The Tahsildar, Gamapalagudem, NTR District
3. The District Mines and Geology Officer, NTR District
4. The Panchayath Secretary, Vinagadapa Panchayat
5. Representative from Irrigation Department concern area, NTR District
6. District Agricultural Officer, NTR District

Further, this office has submitted a status report dated.03.11.2023 to the to the Standing counsel to take further necessary action, vide e.mail dated.04.11.2023.

This office has submitted a note to the Collector & District Magistrate, NTR District through e.office on 08.04.2024 requesting for constitution of the Joint committee to ascertain brick kilns past activities and to assess the damages and to arrive the Environmental Compensation. The note orders approved by the Collector & District Magistrate, NTR District through e.office on 11.04.2024.

This office has addressed letters to the Tahsildhar, Gamapalagudem, District Mines and Geology Officer, Panchayat Secretary, Vinagadapa Panchayat, SE, Irrigation Department concern area and District Agricultural Officer, NTR District and complainants, Vinagadapa (V), Gampalgudem (M), NTR District on 12.04.2024 requesting to attend the Joint inspection of the brick kilns scheduled on 20.04.2024 at 11:00 A.M. at Vinagadapa (V), Gampalgudem (M), NTR District to assess the damages and to arrive the Environmental Compensation.

The Board officials have conducted a Joint committee inspection on 20.04.2024 at Vinagadapa (V), Gampalgudem (M), NTR District. The officials from APPCB, Mines & Geology, Irrigation and Panachayat Raj Departments. The Petitioner Sri Ramiseti Suresh Kumar and Respondents have attended the Joint inspection.

The officials from Revenue and Agricultural Departments are not attended for the Joint inspection on 20.04.2024.

This office has again addressed letters to the Tahsildar, Gampalagudem and District Agricultural Officer, NTR District, requested to attend the Joint committee inspection on 16.05.2024 at 11:00 A.M. at Vinagadapa (V), Gampalagudem (M), NTR District.

The APPCB, RO, Vijayawada has submitted a status report to the Hon'ble N.G.T(SZ), Chennai on 08.05.2024.

The officials from the Revenue and Agriculture Departments are attended for joint inspection on 16.05.2024. The Petitioner Sri Ramiseti Suresh Kumar also attended for the inspection.

The Tahsildar, Gampalagudem Mandal, NTR District has submitted his report dated.23.05.2024. Copy enclosed.

The Assistant Director of Agriculture Department, Tiruvuru, NTR District vide his letter dated.11.07.2024 has submitted that they have addressed a letter to the Associate Director of Research, Regional Agricultural Research Station (RARS), Lam (V), Guntur District, A.P. for deployment of Scientists to investigate the impact of the air quality on the crop yield in Vinagadapa Village of Gampalagudem Mandal, NTR District. Copies enclosed.

It is submit that the Soil Scientist and Plant Protection Scientist from the Regional Agricultural Research Station (RARS), Lam (V), Guntur District, A.P. have visited the area including the petitioner's land on 26.06.2024 and submitted their report dated 29.07.2024 which was forwarded to the APPCB on 17.09.2024. Copy enclosed.

The copies of the Joint Inspection report of 6 Departments are herewith enclosed along with the representation submitted by the complainant.

The Gist of officials of Joint Committee stated their remarks as follows:

1. APPCB:	<p>: The Board has received first complaint on illegal operation of the brick kilns at Vinagadapa through Spandana portal from Smt Ramiseti Pushpavathi on 25.07.2022.</p> <p>The Regional Office, Vijayawada has received a complaint from Smt Ramiseti Pushpavathi, R/o. Thotamula (V), Gampalagudem (M), NTR District through Spandana Portal on 25.07.2022 regarding operation of brick kilns by Sri Battula Anjaiah. The RO, Vijayawada vide letter dated. 28.07.2022 requested the Tahasildar, Gampalagudem Mandal to take action against the brick kiln, as per G.O.Ms. No.80, dated.22.04.2010 issued by EFS & T, Govt. of A.P., as per the delegation of powers.</p> <p>Further, the APPCB received complaint through the Collector & District Magistrate on 12.01.2023 and the Board officials conducted AAQM at the complainant's agricultural lands and recorded the Particulate Matter PM₁₀-170µg/m³ brick kilns on operated by Sri Bathula Anjaiah on 13.01.2023.</p> <p>The officials of the RO, Vijayawada attended the complaints on 13.01.2023 and conducted Ambient Air Quality Monitoring (AAQM) at the complainant's</p>
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		<p>agricultural land in presence of the VRO and Pachayat Secretary of Vinagadapa Village and Sri Ramiseti Suresh Kumar. The Particulate Matter (PM₁₀) value is recorded as 170 µg/m³. The RO, Vijayawada addressed a letter on 24.01.2023 to the Collector and District Magistrate, NTR District, duly submitting the inspection report and requested to issue necessary directions to the Tahasildar, Gampalagudem Mandal to initiate necessary action for redressal of the complaint.</p> <p>Further, the RO, Vijayawada addressed a letter to the Tahsildar, Gampalagudem Mandal on 20.02.2023 duly informing the inspection of the Board officials and Ambient Air Quality Monitoring (AAQM) conducted and the Tahasildar, Gampalagudem Mandal is requested to initiate necessary action against the brick kilns operating in the vicinity of agricultural lands belongs to the complainant Smt Ramiseti Pushpavathi, W/o. R. Rama Rao, D.No.1-169/1, Thotamula(V), Gampalagudem (M), NTR District for safeguarding the Public Health and Environment, as per G.O. Ms. No.80, Dated.22.04.2010 issued by Environment, Forest, Science & Technology (Environment) Department.</p>
2.	Mines & Geology Department	<p>: The AD, Mines & Geology Department, DVS, Erstwhile Krishna District has submitted that the team of District Vigilance Squad, Erstwhile Krishna District have already inspected the subject area on 17.05.2023 and 04.07.2023 on the same issue and submitted the report to the Director of Mines and Geology, Ibrahimpatnam and the Director of Mines and Geology, Ibrahimpatnam inturn has filed the counter affidavit on 28.06.2023 in the Hon'ble N.G.T.</p> <p>During the date of inspection on 20.04.2024, it is observed as follows:</p> <ul style="list-style-type: none"> ➤ It is observed that at the time of inspection the alleged brick kilns located in Sy.No.469 over an extent of 10.21 Acres and other nearby areas reported by the petitioner is not in operation and completely closed. ➤ The lands surrounded by alleged Brick kilns are cultivated and crops are sowing. ➤ There are no recent Marks / imprints showing the excavation of the Soil in and around the alleged Brick kiln. ➤
3.	Panchayat Secretary, Vinagadapa Village Panchayat	<p>: The Panchayat Secretary has informed that they have received complaint from Smt Ramiseti Pushpavathi received through Spandana portal (NTR20220608659) on 10.06.2022 informing that operation of the brick kilns by Sri Bathula Anjaiah at Sy.No.469 of Vinagadapa Village causing crop damage.</p>

		<p>The Panchayat officials attended the complaint and directed to remove the brick kilns as he has not having all permissions for operation of the brick kilns.</p> <p>Further, informed that Vinagadapa Gram Panchayat has not issued any permission for operation of the brick kilns. Sri Bathula Anjaiah has applied for the NOC to the Village Panchayat on 22.12.2022.</p> <p>The Panchayat vide letter dated.14.02.2023 has made resolution that GVK bricks.</p>
4.	Irrigation Department	: The DE, Special Sub-Division, Kanchikacherla vide letter dated.23.04.2024 informed that they have not issued permissions for soil extraction from the minor irrigation tanks belongs to Irrigation Department.
5.	Revenue Department	: The seizure orders vide proceedings No.-RC.B.17/2023, Dated 30.01.2023 of the Tahsildar, Gampalagudem Mandal has been issued on the brick kiln in R.s.No.469 of Vinagadapa village of Gampalagudem Mandal for not obtaining proper permissions from the concerned departments and for not following the guidelines framed in G.O.Ms.No.80, Dated 22.04.2010, Environment, Forests, Science & Technology (Environment) Department, for conduction of brick kilns.
6.	Agriculture Scientist Report	: Gist of the Conclusion Agriculture Report : Use of good quality agriculture soil in large quantities for brick making is a grave area of concern. Soil degradation is the major problem India is facing today. The continuous unscientific mining, pollution caused by the brick kilns are resulting immense loss to the agriculture and also damaging the nature of fertile agriculture land of Applicant.

In view of the above, it is request to review the issue in the ensuing External Advisory Committee Meeting for *their past activities, assess the damages and calculate the environmental compensation payable.*

Submitted for favour of kind information and taking further necessary action.

The case is listed on 27.09.2024.

Yours faithfully,
PASUPULA
SRINIVASA RAO
 Digitally signed by
 PASUPULA SRINIVASA RAO
 Date: 2024.09.17 19:39:45
 +05'30'
ENVIRONMENTAL ENGINEER

Encl:A/a.

Copy submitted to :

- 1) The Member Secretary, APPCB, BO, Vijayawada for kind information.
- 2) The JCEE (ECS), APPCB, BO, Vijayawada for kind information
- 3) The SEE (Legal), APPCB, BO, Vijayawada for kind information.

Item No.8:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.50 of 2023 (SZ)

IN THE MATTER OF:

Ramiseti Suresh Kumar

... Applicant(s)

With

State of Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 02.09.2024.

**CORAM:****HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**For Applicant (s): Ms. Pranali Tayade represented
Mr. Sravan Kumar.For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R7.
Mr. S. Sai Sathya Jith for R8, R12 & R13.

ORDER

1. The replies of Respondents No.8, 12 & 13 are yet to be filed.
2. For filing the report of the Andhra Pradesh Pollution Control Board, the learned counsel would seek further time.
3. Let the matter be listed on 27.09.2024.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.50/2023 (SZ)
02nd September, 2024. Mn.

