

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

**ORIGINAL APPLICATION No. 76 OF 2024**

**IN THE MATTER OF:**

**G VENKATA RAMANAIAH & ORS.**

..... APPLICANT

**VERSUS**

**CHIEF SECRETARY GOVT OF ANDHRA PRADESH AND OTHERS**

..... RESPONDENTS

**REPORT FILED BY THE APPCB 3<sup>rd</sup> RESPONDENT**

**DATE – 10.12.2024**



**M/s MADHURI DONTI REDDY  
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH**

**A.P. POLLUTION CONTROL BOARD**

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BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
**Original Application No.76 of 2024(SZ)**  
**[Earlier O.A. No. 764 of 2023(PB)LP]**

IN THE MATTER OF:

G. Venkata Ramanaiah and Ors.

...Applicant(s)

Versus

The Chief Secretary, Govt. of Andhra Pradesh and Ors.

...Respondent(s)

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Place: Kurnool.

Date:10.12.2024

*P. V. Kishore Reddy*

Environmental Engineer,  
A.P. Pollution Control Board,  
Regional Office, Kurnool.

**Latest Status Report of A. P. Pollution Control Board submitted in compliance to Hon'ble NGT (SZ) order dt. 26.09.2024 in O.A. No. 76 of 2024(SZ) (Earlier O.A. No.764 of 2023(PB) dt.24.01.2024).**

It is submitted that the Hon'ble Tribunal heard the matter on 26.09.2024 and ordered that Let the Andhra Pradesh Pollution Control Board (APPCB) examine the documents filed by M. Krian Kumar Reddy (who is the Project Proponent against whom the allegations have been made) vide I.A. No.119 of 2024 (SZ) and directed APPCB to file a detailed report as to any violations committed by them. While filing the report, let the APPCB also advert to the Joint Committee report, which has already been filed and the matter is posted on 11.12.2024.

**FACTS OF THE CASE:**

1. 0.602 Ha. & 1.252 Ha., of Lime Stone Slabs (Black) Mining units of M/s. M. Kiran Kumar Reddy are located at Palukur Village, Banaganapalli Mandal, Nandyal District.
2. The Mines and Geology Dept., Kurnool granted (02) two Limestone slabs (Black) quarry leases in the name of Sri M. Kiran Kumar Reddy and the Assistant Director of Mines and Geology, Banaganapalle has executed the two quarry leases i.e., 1) over an extent of 0.602 Hectares in Sy.No.148/Part of Palkur (V), Banaganapalli (M), Kurnool District (New Nandyal District) for a period of 10 years Vide Proceeding No. 2836/QL/2018, Dated: 30.09.2022 with effect from 30.09.2022 to 29.09.2032 and 2) over an extent of 1.252 Hectares in Sy.No.148/Part of Palkur (V), Banaganapalli (M), Kurnool District (New Nandyal District) for a period of 10 years Vide Proceeding No. 1376 /QL/2019, Dated: 30.09.2022 with effect from 30.09.2022 to 29.09.2032.
3. Further the applicant Sri. M. Kiran Kumar Reddy obtained Environmental Clearances for the 0.602 Ha. And 1.252 Ha., of Mine leases for mining of Limestone Slabs (Black) at Sy.No.148/1, Palukur Village, Banaganapalle Mandal from State Level Environment Impact Assessment Authority (SEIAA), AP vide Order dt:28.06.2021 with a special condition that "Not to take up blasting activity as per NGT guidelines in view of that the distance from habitation is only 100 mts".

- *The Hon'ble NGT order issued in OA No.304 of 2019 regarding minimum distance criteria for permitting stone quarrying units and the distance criteria is as follows:*

S.No.	Mining Type	Minimum Distance	Locations
A.	<b>When blasting is not involved</b>	<b>100m</b>	Residential / public buildings, Inhabited sites, locations to be considered by States.
B.	When blasting is involved	200m**	

4. The Board (ZO, Kurnool) issued Consent to Establishment to the Mining activity in Sy.No.148/1 to an extent 0.602 Ha of Palukur Village of Banaganapalle Mandal vide Order dated:13.08.2021 with the following special conditions to comply with.
  - a. *The project authority shall provide Galvanized Iron (GI) sheets of 20 ft height along the boundary towards the nearest human habitation i.e. Palkur Village in North eastern direction and ZPHS school in south western direction to control dust emissions.*
  - b. *The project authority shall leave buffer zone of 50 mts towards Palkur and Gollagutta village road to comply the order/direction of Hon'ble NGT in O.A.No.304 of 2019 dt. 21.07.2020.*

- c. *There shall not be any blasting in the mining operations except use of low explosives/chemicals without detonator as there is a village nearer to the mine lease area.*
5. The Board vide order dt. 29.09.2022 issued Consent to Operate for the Mining of Lime stone Slabs (Black) - 1230.12 M3/annum or 3,075.3 TPA in 0.602 Ha., valid upto 31.07.2023.
  6. The Assistant Director of Mines and Geology, Banaganapalle has issued work order dt. 30.09.2022 and permitted the lessee M. Kiran Kumar Reddy to commence the quarrying operations for Limestone Slabs (Black) over an extent of 0.602 hectares /1.487 Acres in Sy.No.148/1 of Palukur Village of Banaganapalle Mandal for a period of 10 years with effect from 30.09.2022 to 29.09.2032.
  7. Subsequently the lessee M. Kiran Kumar Reddy started quarrying operations for extraction of Limestone Slabs (Blacks) in Sy.No.148 of Palurkur (V), Banaganapalle (M), Nandyal District.
  8. Sri G. Venkata Ramanaiah has submitted representations to Hon'ble NHRC and Hon'ble NGT, wherein he claimed that, "illegal mining activities taking place near the Zilla Parishad High School in Palukuru Village, Banaganapalle Mandal, Nandyal District. Further informed that the unauthorized mining activities commenced at Survey. No. 148 & 148/2, which is situated less than 100 meters from the school building. They claim to have obtained a lease from the State Mining Authorities on 9th March 2022, but their actions include illegal blasting in the black stone mines in close proximity to the school, endangering the lives of the students. The constant noise from mining operations significantly disturbs the regular academic activities of the school children, affecting their ability to concentrate and learn effectively. The mining activities generate dust and debris, leading to air pollution in the school area. This poses health hazards to the students and staff, potentially causing respiratory issues and other health problems. Considering the serious repercussions of these mining activities, we urge you to take immediate action to address the following:
    - Investigate the legitimacy of the permission or lease obtained by the aforementioned individuals from-the-State Mining Authorities.
    - Halt all mining activities in close proximity to the Zilla Parishad High School and ensure the safety and well-being of the students and staff.
    - Direct the issuing authorities not to give any permission for mining activities in and around the vicinity of the Zilla Parishad High School, Palukuru, Banaganapalle Manal, Nandyal District.
    - Assess the structural integrity of the school building and take appropriate measures to repair the damages caused by the mining activities.
    - initiate necessary actions to mitigate the environmental impact and disturbances caused by the illegal mining operations."
  9. The Hon'ble National Human Right Commission (NHRC), New Delhi heard the complaint filed by Sri G. Venkata Ramanaiah in case No. 1491/1/35/2023, on illegal mining activities at Survey. No. 148 &148/2 near Zilla Parishad High School, Palkur Village, Banaganapalli Mandal, Nandyal District.
  10. In connection with public complaint against mining activity at Survey. No. 148 &148/2 near Zilla Parishad High School, Palkur Village, Nandyal District, the Board Officials inspected the Mine Lease area and also verified GPS Co-ordinates mentioned in EC order and noted that, the distance between the nearest compound wall of educational institution i.e., Zilla Parishad High School to nearest boundary of the mine lease area in Sy.No.148/P of extent 1.252

Ha., is 73 mtrs and the distance between the nearest compound wall of educational institution i.e., Zilla Parishad High School to nearest boundary of the mine lease area in Sy.No.148/P of extent 0.602 Ha., is 70 mtrs.

11. During the inspection, the following non-compliance of Conditions stipulated in the Consent to establishment order dt. 13.08.2021 were observed:

- i. The project authority has not provided *Galvanized Iron* sheets of 20 ft height along the boundary towards the nearest human habitation i.e. Palkur Village in North eastern direction and ZPHS school in south western direction to control dust emissions.
- ii. The project authority has not maintained buffer zone of 50 mts towards Palkur and Gollagutta village road to comply the order/ direction of Hon'ble NGT in O.A.No.304 of 2019 dt. 21.07.2020.
- iii. The Mining unit has not constructed retention wall for the dump, not constructed garland drain, siltation pond for the diversion of the storm water.
- iv. The Mining unit has not developed greenbelt.

**A notice was issued to the MINE LEASE for non-compliance of the consent conditions.**

12. The Zonal Office, Kurnool conducted monitoring committee meeting and after reviewing the mining units the committee recommended to conduct AAQ monitoring to assess the air quality in and around the ZPHS, Palkur. As per the instructions, Ambient Air Quality monitoring was conducted on the terrace of Zilla Parishad High School, Palkur for 24 hours. As per the Analysis reports the values as follows:

Parameter	Unit	Sample Code			24 Hrs Avg.	National Ambient Air Quality Standards (24 Hrs)
		Analysis Result				
		KNL2401040				
		11AM 7 PM	7 PM 3AM	3 AM 11AM		
Particulate Matter (PM10)	µg/m <sup>3</sup>	60.8	73.6	44.5	59.6	100

As per the Analysis report it was observed that the Particulate Matter (PM10) is within the National Ambient Air Quality standards (24 Hrs).

13. Further, noise monitoring was conducted at Zilla Parishad High School, Palkur Village during operation of mine and non-operations of mine and the details are as follows:

Location	During the operation of	Avg dB(A)	During the non operation of	Avg dB(A)	Standards for Day time	
					Residential	Silence
Zilla Parishad High School, Palkur.	47.8 52.2 58.9 52.9 55.8 59.7 63.4 53.8 55.6	55.6	48.9 56.9 64.4 45.4 49.9 47.8 51.6 54.7 54.1	52.7	55	50

From the above it is noted that, the noise levels are exceeding the standards prescribed for Residential & Silence Zones during daytime

14. The Mine lessee applied for renewal of CTO for 0.602 Ha., but the same was rejected by the Zonal Office, Kurnool on 15.02.2024 to the mining activity due to the following reasons:

- ZPHS school compound wall in close proximity at a distance of 70 mtrs from the nearest boundary in south-west direction, which is against 100mtrs for carrying of mining activity as per NGT order issued in OA No.304 of 2019.
- The noise levels in the mining operations are exceeding the standards, significantly disturbing the regular academic activities of the school children.

**Action taken by APPCB:**

1. A Public Complaint was received against limestone slab mining activity undertaken in an extent of 0.602 Ha., and 1.252 Ha., of the land located at Sy.No.148 & 148/P, Palukur Village, Banaganapalle Mandal, Nandyal District. Complaint was also filed grievance before Hon'ble NHRC and Hon'ble NGT. The Hon'ble NHRC heard the matter on 06.03.2024 in case No. 1491/1/35/2023 and posted next hearing after 8 weeks.
2. Z.P. High School, Palukur is located at close proximity to MINE LEASE area and public complaints are concerned about dust and noise pollution due to mining activity at close proximity to school. As per the noise monitoring reports conducted during operation of mining activity, the noise levels 63.4 dBA (maximum), as against standard of 50 dBA for Silence zone.
3. The Hon'ble NGT (SZ) heard the matter on 21.05.2024 and instructed for action taken report on violations. The matter is posted on 26.07.2024.
4. The following non-compliance was reported in respect to Mine lessee area of 0.602 Ha., of M/s. M. Kiran Kumar Reddy -
  - i. The project authority has not provided GI sheets of 20 ft height along the boundary towards the nearest human habitation i.e. Palkur Village in North eastern direction and ZPHS school in south western direction to control dust emissions.
  - ii. The project authority has not maintained buffer zone of 50 mts towards Palkur and Gollagutta village road to comply the order/ direction of Hon'ble NGT in O.A.No.304 of 2019 dt. 21.07.2020.
  - iii. The Mining unit has not constructed retention wall for the dump, not constructed garland drain, siltation pond for the diversion of the storm water.
  - iv. The Mining unit has not developed greenbelt.
5. On 24.06.2024, the Regional Office, Kurnool has once again requested the Board Office, Vijayawada that, 0.602 Ha. & 1.252 Ha., Lime Stone Slabs (Black) Mining units of Sri M/s. M. Kiran Kumar Reddy located at Sy.No.148/P of Palkur (V), Banaganapalle (M) Nandyal District may be called for legal hearing before the Consent Management & Monitoring Committee (Task Force) at the Board Office, Vijayawada to issue closure order to the 0.602 Ha., & 1.252 Ha., Lime Stone Slabs (Black) Mining units of Sri M/s. M. Kiran Kumar Reddy.
6. On 04.07.2024, the Board Office, Vijayawada has conducted the Monitoring (TF) Committee meeting. The representatives of the industry attended the meeting in person; JCEE, ZO, Kurnool and EE, RO, Kurnool attended the meeting through VC. The complainant Sri G. Venkata Ramanaiah & others attended the meeting in person and informed that the mining activity has stopped. The EE, RO, Kurnool informed that the mining unit of M/s. M. Kiran Kumar Reddy @ 0.602 Ha is violating the CTE conditions; causing dust and noise pollution and as the complaint filed by G. Venkata Ramanaiah

filed complaint before the Hon'ble NHRC, New Delhi in case No: 1491 / 1 / 35/ 2023 on illegal mining Activities. Further, the complaint filed O.A. No. 76 of 2024 before the Hon'ble NGT. The Hon'ble NGT heard the matter on 21.05.2024 and issued directions. The matter is listed on 26.07.2024. Further, informed that the distance between boundary of the school to boundary of 0.602 Ha., mine lease area is 73 m and the mining activity in 0.602 Ha., of MINE LEASE caused pollution problems in the surroundings. The mining activity in 1.252 Ha of MINE LEASE is yet be commenced, however, the distance between boundary of the school to boundary of 1.252 Ha., of mine lease area is only 70 m (less than 100 m). After detailed review, the committee recommended to issue Stop Mining Order to 0.602 Ha., Limestone Slabs Mine (Black) of M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District and to issue directions to 1.252 Ha., of Limestone slabs (Black) mining unit M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District on not to commence mining activity in the MINE LEASE area.

7. Accordingly, the Board has issued Stop mining orders on 15.07.2024 under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 with the following directions :

- 1) To immediately Stop Mining activity in 0.602 Ha Limestone Slabs (Black) Mining unit of Sri M/s. M. Kiran Kumar Reddy located at Palakur Village, Banaganapalli Mandal, Nandyal District.
- 2) Not to commence any activities associated with mining of Limestone Slabs (Black) in 1.252 Ha of M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District.  
The Mines & Geology Dept., has been informed not to issue any mine permits forthwith to the above limestone slabs mines.

Copies of the Stop mining orders dt.15.07.2024 issued by A.P.Pollution Control Board are enclosed for kind perusal (Annexure-I).

This further report is submitted to the Hon'ble NGT in due compliance of the directions issued by this Hon'ble Tribunal. The APPCB will abide by all such directions as this Hon'ble Tribunal may deem fit and appropriate.

Place: Kurnool.

Date:10.12.2024

*P. v. k. shou Reddy*

Environmental Engineer,  
A.P. Pollution Control Board,  
Regional Office, Kurnool.


**ANDHRA PRADESH POLLUTION CONTROL BOARD**

Dr. YSR Paryavaran Bhavan, APIIC Colony Road,  
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Phone. No.0866-2463200, Website : <https://pcb.ap.gov.in/>


**Order No. 843/APPCB/HO/ECS/KNL/2024-**
**Date: 15/07/2024.**
**STOP MINING ORDER**

Sub: APPCB - HO - ECS - **Lime Stone Slabs (Black) Mining units of Sri M/s. M. Kiran Kumar Reddy (0.602 Ha & 1.252 Ha.,), Palakur Village, Banaganapalli Mandal, Nandyal District** - Public Complaint on Non-compliance of EC/CTE/CTO conditions - Hon'ble NGT order dt. 21.05.2024 in O.A No. 76 of 2024 - Monitoring (TF) Committee meeting held on 04.07.2024 - **Stop Mining Order - Directions - Issued - Reg.**

Ref: 1. Consent Order dt. 22.09.2022.  
2. Hon'ble NGT (SZ) order dated.21.05.2024 in O.A No. 76 of 2024.  
3. Monitoring (Task Force) Committee meeting held on 04.07.2024.

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**WHEREAS** you are operating a mining unit in the name & style of 0.602 Ha of Lime Stone Slabs (Black) Mining units of M/s. M. Kiran Kumar Reddy, located at Palukur Village, Banaganapalli Mandal, Nandyal District.

**WHEREAS** the applicant Sri. M. Kiran Kumar Reddy obtained Environmental Clearances for the 0.602 Ha. and 1.252 Ha., of Mine leases for mining of Limestone Slabs (Black) at Sy.No.148/1, Palukur Village, Banaganapalle Mandal from State Level Environment Impact Assessment Authority (SEIAA), AP vide Order dt:28.06.2021 with a special condition that "Not to take up blasting activity as per NGT guidelines in view of that the distance from habitation is only 100 mts".

**HEREAS** the Board (ZO, Kurnool) issued CTE to undertake Mining activity in Sy.No.148/1 to an extent 0.602 Ha of Palukur Village of Banaganapalle Mandal vide Order dated:13.08.2021 with the following special conditions to comply with.

- The project authority shall provide GI sheets of 20 ft height along the boundary towards the nearest human habitation i.e. Palkur Village in North eastern direction and ZPHS school in south western direction to control dust emissions.*
- The project authority shall leave buffer zone of 50 mts towards Palkur and Gollagutta village road to comply the order/ direction of Hon'ble NGT in O.A.No.304 of 2019 dt. 21.07.2020.*
- There shall not be any blasting in the mining operations except use of low explosives/ chemicals without detonator as there is a village nearer to the mine lease area.*

**WHEREAS** the Board vide ref. 1<sup>st</sup> cited, issued CTO&HWA vide order date.22.09.2022 for mining of Lime Stones Slab (Black) - 3075.3 TPA in 0.602 Ha., of mine lease area, valid upto 31.07.2023.

**WHEREAS** the lessee M. Kiran Kumar Reddy started quarrying operations for mining of Limestone Slabs (Blacks) in Sy.No.148 of Palurkur (V), Banaganapalle (M), Nandyal District. The details of mineral mined and dispatch are as follows -

SI. No.	Permit No	Mineral	Date	Dispatch Quantity in Sq.mts.
1	PR13212213340001	LSS (Black)	25.03.2023	6,999
2	PR13212213340002	LSS (Black)	02.04.2023	7,000
3	PR13212213340003	LSS (Black)	09.05.2023	7,000
4	PR13212213340004	LSS (Black)	04.06.2023	7,000
<b>Total Dispatch Quantity</b>				<b>27,900</b>

**WHEREAS** a complaint was received from Sri.G.Venkata Ramanaiah & Others, to the District Mines and Geology Officer, Nandyal District through Spandana Program on illegal mining activities within 100 mts of ZP High School, Palkur. The complaint was verified by the Mines & Geology Dept., and revenue Dept., and recorded that the ML area at Sy.No. 148/Part of Palkur Revenue Village is Government land of Vanka Porambok. As per deed sketch, the quarry operations done away from the school building wall at a distance of 94 meters South-Western and quarry operations in between the School Building is at a distance of 113 meters. It was reported that the Mines and Geology department has not issued any dispatch permits from 01.08.2023 to till date.

**WHEREAS** Sri G. Venkata Ramanaiah has submitted representations to Hon'ble NHRC and Hon'ble NGT, wherein he claimed that, "illegal mining activities taking place near the Zilla Parishad High School in Palukuru Village, Banaganapalle Mandal, Nandyal District. Further informed that the unauthorized mining activities commenced at Survey. No. 148 & 148/2, which is situated less than 100 meters from the school building. They claim to have obtained a lease from the State Mining Authorities on 9th March 2022, but their actions include illegal blasting in the black stone mines in close proximity to the school, endangering the lives of the students. The constant noise from mining operations significantly disturbs the regular academic activities of the school children, affecting their ability to concentrate and learn effectively. The mining activities generate dust and debris, leading to air pollution in the school area. This poses health hazards to the students and staff, potentially causing respiratory issues and other health problems. Considering the serious repercussions of these mining activities, we urge you to take immediate action to address the following:

- Investigate the legitimacy of the permission or lease obtained by the aforementioned individuals from-the-State Mining Authorities.
- Halt all mining activities in close proximity to the Zilla Parishad High School and ensure the safety and well-being of the students and staff.
- Direct the issuing authorities not to give any permission for mining activities in and around the vicinity of the Zilla Parishad High School, Palukuru, Banaganapalle Manal, Nandyal District.
- Assess the structural integrity of the school building and take appropriate

measures to repair the damages caused by the mining activities.

- initiate necessary actions to mitigate the environmental impact and disturbances caused by the illegal mining operations.”

**WHEREAS** the Hon'ble National Human Right Commission (NHRC), New Delhi heard the complaint filed by Sri G. Venkata Ramanaiah in case No. 1491/1/35/2023, on illegal mining activities at Survey. No. 148 &148/2 near Zilla Parishad High School, Palkur Village, Banaganapalli Mandal, Nandyal District.

**WHEREAS** the Board Officials inspected the ML area and also verified GPS Co-ordinates mentioned in EC order and noted that, the distance between the nearest compound wall of educational institution i.e., Zilla Parishad High School to nearest boundary of the mine lease area in Sy.No.148/P of extent 1.252 Ha., is **73 mtrs** and the distance between the nearest compound wall of educational institution i.e., Zilla Parishad High School to nearest boundary of the mine lease area in Sy.No.148/P of extent 0.602 Ha., is **70 mtrs**. Further, the following lapses were observed -

- i. The project authority has not provided GI sheets of 20 ft height along the boundary towards the nearest human habitation i.e. Palkur Village in North eastern direction and ZPHS school in south western direction to control dust emissions.
- ii. The project authority has not maintained buffer zone of 50 mts towards Palkur and Gollagutta village road to comply the order/ direction of Hon'ble NGT in O.A.No.304 of 2019 dt. 21.07.2020.
- iii. The Mining unit has not constructed retention wall for the dump, not constructed garland drain, siltation pond for the diversion of the storm water.
- iv. The Mining unit has not developed greenbelt.

**WHEREAS** the Zonal Office, Kurnool conducted monitoring committee meeting. After detailed review, the committee recommended to conduct AAQ monitoring to assess the air quality in and around the ZPHS, Palkur. As per the instructions, Ambient Air Quality monitoring was conducted on the terrace of Zilla Parishad High School, Palkur for 24 hours. As per the Analysis reports, the Particulate Matter (PM<sub>10</sub>) is within the National Ambient Air Quality standards (24 Hrs).

**WHEREAS** noise monitoring was conducted at Zilla Parishad High School, Palkur Village during operation of mine and non-operations of mine and the noise levels are exceeding the standard prescribed for Residential & Silence Zones during daytime.

**WHEREAS** the status was submitted before the Hon'ble NHRC. The matter was heard on 06.03.2024 and posted after **8 weeks**.

**WHEREAS** Sri G. Venkata Ramanaiah & others filed a petition before the Hon'ble National Green Tribunal (Principal Bench). New Delhi to stop unauthorized mining activities in Sy.No.148 of Palukur Village and Initiate necessary actions to mitigate the environmental impact and disturbances caused by the illegal mining operations.

**WHEREAS** the Hon'ble NGT appointed a Joint Committee comprising of representatives of the Andhra Pradesh State Wetland Authority; Andhra Pradesh State Pollution Control Board (APPCB) and the Collector, Kurnool (now Nandyal)

and transferred to South Zone (OA.No.76/2024). The APPCB is the nodal agency for coordination and compliance. The joint committee submitted the following remarks before the Hon'ble NGT -

- a. As per the Revenue records, the land in Sy.No.148 to an total extent Ac.7.34Cts is Government Land.
- b. It is further submitted that the Mandal Revenue Inspector, Banaganapalle and Village Revenue officer, Palukur have enquired with Villagers of Palukur and Head Master of Z.P High School, Palukur Village and reported that as per revenue records the land in question in Sy.No.148 is a Government Land and it is classified as Vagu Poramboke and it is Called as "Bandla Vagu".
- c. Further, due to conduct of mining activities in the northern part of the said survey number for the past years, there are very big pits have been formed and all the rainy water coming from above in this stream is being stored in the large mining pits. Currently there is no flow of water in the stream of Sy.No. 148 and it's flown only at the time of heavy rains and joined at Akkajamma Cheruvu of Cheruvupalle Village. Further this vagu can't cater the water to the fields of Palukuru Village as it is located at lower part of Palukuru Village. Further, the Head Master of ZP High School, Palukuru has stated that at the time of mining operations. dust particles are coming into the premises of High School.
- d. Further the Mandal Surveyor, Baganapalle submitted Location Sketch, with different place of Distances particulars in between of ZP High School and Mining Portion are detailed as follows -
  1. Distance from School compound to centre of Mining point — **127m.**
  2. Distance from School compound to LEASE starting of Mining point — **60m.**
  3. Distance from School building corner to LEASE starting of Mining point- **98m.**
  4. Distance from habitation to LEASE starting of Mining point — **302 m.**
  5. Distance from School building corner to centre of Mining point — **166 m.**
  6. Further as per the F.M.B the Sy.No.148 full extent Ac.7.34Cts is subdivided into Sy.No.148/1 with an extent of Ac.3.15Ctc (Mining Quarries), Sy.No.148/2 with an extent of Ac.0.37Cts (R&BRoad) and Sy.No.148/3 with an extent of Ae.3.82(very tiny passage or canal and unauthorized encroachers). At present there is no passage of canal (Vagu) existed from upward direction (i.e., from Sy.No.148/1) to downward direction (i.e. to Sy.No.148/3).

**WHEREAS** the Hon'ble NGT (SZ) heard the matter on 21.05.2024 and issued orders. The extract of the order is as follows:

- *Today, the Joint Committee report is filed, in which, it is specifically stated in Clause (6) of the remarks column that one M. Kiran kumar Reddy shall operate the mining unit only after obtaining the valid statutory permission from the concerned departments.*
- *It indicates that he has been operating without valid approval. The remarks of the Joint Committee appear more to be condition precedent for mining than the violations noticed.*
- *The Joint Committee report is also silent as to whether any action has been taken by them for the violations noted by it.*
- *Today, the learned Government Pleader for the State of Andhra Pradesh is not available and Mr. Ramesh Sanjay representing Mrs. Madhuri Donti Reddy seeks short accommodation.*

- *We make it clear that even after filing the Joint Committee report atleast from today (i.e. 21.05.2024) till the next date of hearing, if it is found that the violations are allowed to be continued by the authorities, we would not hesitate to view it seriously and impose a penalty on the officers, who are in dereliction of their duty, in addition to suspending the operations of the quarry operators.*
- *Post the matter on **26.07.2024.***

**WHEREAS** a hearing was conducted before the Monitoring (Task Force) Committee Meeting of A.P. Pollution Control Board held on 04.07.2024. The representatives of the industry attended the meeting in person; JCEE, ZO, Kurnool and EE, RO, Kurnool attended the meeting through VC. The complainant Sri G. Venkata Ramanaiah & others attended the meeting in person and informed that the mining activity has stopped. The EE, RO, Kurnool informed that the mining unit of M/s. M. Kiran Kumar Reddy @ 0.602 Ha is violating the CTE conditions; causing dust and noise pollution and as the complaint filed by G. Venkata Ramanaiah filed complaint before the Hon'ble NHRC, New Delhi in case No: 1491 / 1 / 35/ 2023 on illegal mining Activities. Further, the complaint filed O.A. No. 304 of 2019 before the Hon'ble NGT. The Hon'ble NGT heard the matter on 21.05.2024 and issued directions. The matter is listed on 26.07.2024. Further, informed that the distance between boundary of the school to boundary of 0.602 Ha., mine lease area is 73 m and the mining activity in 0.602 Ha., of ML caused pollution problems in the surroundings. The mining activity in 1.252 Ha of ML is yet to be commenced, however, the distance between boundary of the school to boundary of 1.252 Ha., of mine lease area is only 70 m (less than 100 m).

After detailed review, the committee recommended to issue Stop Mining Order to 0.602 Ha., Limestone Slabs Mine (Black) of M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District and to issue directions to 1.252 Ha., of Limestone slabs (Black) mining unit M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District on not to commence mining activity in the ML area.

Accordingly, the Board hereby issues following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 -

- 1. To immediately Stop Mining activity in 0.602 Ha Limestone Slabs (Black) Mining unit of Sri M/s. M. Kiran Kumar Reddy located at Palakur Village, Banaganapalli Mandal, Nandyal District.***
- 2. Not to commence any activities associated with mining of Limestone Slabs (Black) in 1.252 Ha of M/s. M. Kiran Kumar Reddy, Palukur Village, Banaganapalli Mandal, Nandyal District.***

The Mines & Geology Dept., has been informed not to issue any mine permits forthwith to the above limestone slabs mines.

You are hereby directed to note that, should you violate this order and operate the unit, you will be liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37 of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

***This Order comes into effect from today i.e., 15/07/2024.***

**B Sreedhar Ias  
MEMBER SECRETARY**

**To  
The Occupier,  
Lime Stone Slabs (Black) Mining units  
of Sri M/s. M. Kiran Kumar Reddy (0.602 Ha & 1.252 Ha),  
Palakur Village, Banaganapalli Mandal,  
Nandyal District.**

**Copy to:**

1. The Director of Mines & Geology Dept., GoAP for information. It is requested not to issue mine permits to 0.602 Ha & 1.252 Ha of Lime stone slabs (Black) mining units of Sri M/s. M. Kiran Kumar Reddy located at Palakur Village, Banaganapalli Mandal, Nandyal District.
2. The JCEE, ZO, Kurnool for information and necessary action.
3. The EE, RO, Kurnool for information and necessary action. He is directed to monitor the compliance to the directions and to furnish report.