

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

OA No 179 OF 2021

IN THE MATTER OF:

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

..... Applicant

Vs

THE CHIEF SECRETARY TO GOVERNMENT OF ANDHRA PRADESH & OTHERS

.... Respondents

COMPLIANCE REPORT FILED BY THE APPCB

DATE- 31.10.2025



**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 NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

Original Application No.179 of 2021(SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the News item published in Eenadu Telugu News Paper, Andhra Pradesh Edition, Kurnool District, dated: 20-07- 2021, under the caption “Mining of Potstone (Naparallu) Excavation being done without leaving margins on either side of the roads”

Versus

The Chief Secretary to Government of Andhra Pradesh and Ors.

....Respondent(s)

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Dt.29.04.2025

Place: Kurnool.

P. v. kishore Reddy

Environmental Engineer,

APPCB, Regional Office,

Kurnool.

**LATEST STATUS REPORT OF A. P. POLLUTION CONTROL BOARD
SUBMITTED IN COMPLIANCE TO HON'BLE NGT (SZ) ORDER DATED.
07.11.2024 IN O.A. No. 179 of 2021(SZ).**

It is submitted that, the Hon'ble NGT, Chennai vide its order dt.07.11.2024 has disposed O.A. No. 179 of 2021(SZ) in the matters of the "Mining of Potstone(Naparallu) Excavation being done without leaving margins on the either side of the roads" published in the Eenadu Telugu News Paper dated:20-07-2021, registered in SUOMOTO by the Hon'ble NGT, Chennai and issued the following directions:

- i. The Department of Mines and Geology is directed to recover the demanded amount from the defaulters at the earliest.
- ii. The Department of Mines and Geology is also directed to take stringent action on all the defaulters who are involved in encroachments and excavation in road sides.
- iii. The Department of Mines and Geology is directed to provide all the necessary information with respect to the mines to the Andhra Pradesh Pollution Control Board so as to enable them to levy Environmental Compensation against the erring units.
- iv. The Andhra Pradesh Pollution Control Board based on the information is directed to complete the process of levying the Environmental Compensation against the defaulting units at the earliest.
- v. The Andhra Pradesh Pollution Control Board and Department of Mines and Geology are directed to comply with the above directions within a period of 06 months and report compliance before the Tribunal. (Copy of the Hon'ble NGT order dt.07.11.2024 is enclosed for kind perusal).

The Hon'ble NGT, Chennai disposed the matter of O.A. No.179 of 2021(SZ) in the vide order dt.07.11.2024, with a direction to the APPCB to file the report of compliance before 30.04.2025.

The APPCB, Head Office, Vijayawada vide e-mail dt. 20.11.2024, directed the Regional Office, Kurnool to send the compliance report on or before 30.12.2024.

The Regional Office, Kurnool has addressed a letter to the Divisional Mines and Geology Officer, Banaganapalli on 06.12.2024& 12.02.2025 and requested to provide all the necessary information with respect to the mines so as to enable them to levy Environmental Compensation against defaulting mining units at the earliest.

Earlier, the Hon'ble NGT has registered the case Suo Motu on the basis of the newspaper report published in the Eenadu Telugu newspaper, A.P, Kurnool District dated 20.07.2021 under the caption "Mining of Potstone (Naparallu) excavation being done without leaving margins on either side of the roads". The allegations made in the newspaper report with regard to large scale illegal mining activity of Potstone (Naparallu) without obtaining necessary permission and also without leaving margin on either side of the road as per norms in Banaganapalle, Bethamcherla, Dhone, etc., in Kurnool District.

- On 18.08.2021, the Member Secretary, Board Office, Vijayawada has nominated the Environmental Engineer, Regional Office, Kurnool to represent A.P. POLLUTION CONTROL BOARD in the Joint Committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found, also directed to submit an independent report to the Board for filing the responses in the Hon'ble NGT on or before 20.09.2021.

In compliance to the Hon'ble NGT order, the Joint Committee comprising of the following officers, inspected the areas mentioned in the adverse news item published in Eenadu Telugu Newspaper Kurnool edition i.e., Banaganapalle, Kolimigundla, Bethamcherla, Dhone and NandikotkurMandals on 02.09.2021 & 03.09.2021 to submit a factual as well as action taken report if there is any violation found and also to ascertain the four directions of Hon'ble NGT.

S.No.	Name and Designation
1	Sri K. Mallikarjunudu, Special Deputy Collector, (L.A), HNSS Unit - IV, Kurnool
2	Sri M. Rama Siva Reddy, Asst. Director of Mines & Geology, Kurnool
3	Sri Dr. M. Sunandana Reddy, Member, State Expert Appraisal Committee (SEAC), A.P.
4	Sri B.Y. Muni Prasad, Environmental Engineer, A.P. Pollution Control Board, Regional Office, Kurnool

- On 09.09.2021, the Regional Office, Kurnool has submitted a detailed report to the Member Secretary, Board Office, Vijayawada for necessary action and requested that, the standing counsel appointed for A.P. Pollution Control Board would pray the Hon'ble NGT to provide some time for collection of required information and also requested to appoint an expert team for calculation of Environmental Compensation.
- On 15.07.2022, the Hon'ble NGT ordered the respondents to furnish a report containing the names of the violators, compensation levied, to be levied, so far collected and any action taken against the violators etc. In this connection on 06.08.2022, with regard to environmental compensation, the AP Pollution Control Board has addressed a letter to Deputy Director of Mines & Geology, Kurnool and requested to submit the following information which is required to calculate the environmental compensation (As mentioned at Page No.9 of 11 of Hon'ble NGT order 27.09.2021 to be levied on the violators.
 1. Name, Address & Extent of the Violating mining units.
 2. Approved mining plans/scheme with mine closure plan
 3. Quantity of the mineral produced/dispatched (year wise), cumulative quantity dispatched, work permits issued if any and solid waste generated by the violators.
 4. Mine lease granting orders.
 5. Cost of the product per m³ and its market value.

To calculate the environmental compensation, the required inputs are to be received from the Dept. of Mines and Geology, Govt. of Andhra Pradesh. At present no information is available with respect to quantity of solid waste generated and stored/ disposed from the mine. Hence it is not possible to quantify the actual excess production from the mines and to impose the Environmental Compensation.

- On 03.11.2022, the A.P. Pollution Control Board has served Show Cause - cum - Legal Hearing Notice to defaulting lessees of mining units which are doing quarrying operations in the buffer margin of Palkur - Ramakrishnapuram village cart track (with quarry leases) & Road (without quarry Leases) duly giving an opportunity for hearing before the ensuing External Advisory Committee Meeting.
- The Hon'ble National Green Tribunal, Southern Zone, Chennai, order dt 05.12.2022 in Original Application No. 179/2021. In this regard it is humbly submitted that, in the order it was mentioned that, **"We noticed from the report that the Pollution Control Board has not levied environmental compensation when the list of violators and violations are already in place"**.
- **In response**, on 06.12.2022, as per the recommendations of the External Advisory Committee, the Zonal Office, Kurnool has issued **closure orders to 9 Nos. for illegal operation of the mining units** without statutory requirements such as Approved Mining Plan (AMP), Environmental Clearance (EC), Consent for Establishment (CFE) and Consent for Operation (CFO).
- On 14.12.2022, 21.12.2022 & 28.04.2023 the AP Pollution Control Board, Regional Office, Kurnool has addressed a letters to Deputy Director of Mines & Geology, Kurnool and requested to submit the required information as early as possible for calculating the Environmental Compensation by the APPCB and also requested to produce the photographs of those areas where the road margins/the buffer area have been quarried and restored and for onward submission to NGT. Till date the Mines and Geology Department has not submitted the above information to Regional Office, Kurnool
- On 23.12.2022, the Regional Office, Kurnool has also submitted the latest status report to Board Office, Vijayawada and requested to issue necessary directions to the defaulting mining units duly levying Environmental Compensation.
- Further, **the Board Office, Vijayawada informed that, the Member Secretary vide letter dt.05.11.2022 directed the JCEE, ZO Kurnool to take action against the units** operating without CFE and CFO and **submit action taken report to Hon'ble NGT in O.A. No. 179/2021.** On 07.02.2023, the APPCB, Zonal office, Kurnool has issued Show cause notices to the above defaulting mining units

which were carried out excavation of road in between Palkur - Ramakrishnapuram Village during their mining activities as per the Joint Committee Report with a direction to a show cause why the Board shall not levy the Environmental Compensation against the defaulters.

- **On 28.04.2023**, the Regional Office, Kurnool has requested the **Zonal Office, Kurnool** to issue directions to the defaulting mining units which were carried out excavation of road in between Palkur - Ramakrishnapuram Village during their mining activities as per the Joint Committee Report, directions of Hon'ble NGT & the Member Secretary, APPCB and the directions of legal cell, Board Office, Vijayawada duly levying Environmental Compensation for onward submission to Hon'ble NGT as the matter is posted on 07.07.2023.
- **On 16.06.2023**, the Regional Office, Kurnool has requested the **Board Office, Vijayawada** to issue necessary directions to the defaulting mining units duly levying Environmental Compensation in co-ordination with the JCEE, Zonal Office, Kurnool for onward submission to Hon'ble NGT as per the directions of legal Cell, Board Office, Vijayawada.
- **On 20.06.2023**, the **Board Office, Vijayawada** has directed the **Zonal Office, Kurnool** to take **immediate action** to levy the environmental compensation on the defaulting lime stone slab mining units covered in O. A. No. 179 of 2021 duly examining the replies furnished by them and giving due opportunity of hearing and also directed to file report in Hon'ble NGT in O.A No. 179 of 2021 (SZ) in consultation with Board's Standing Counsel well before the due date without fail. Next date of hearing of the case is 07.07.2023.

As per the directions of the Member Secretary, on 04.07.2023, the APPCB, **Zonal office, Kurnool has submitted the report to the Hon'ble NGT** in O.A No. 179 of 2021(SZ) in consultation with Board's Standing Counsel as per the directions of the Member Secretary, APPCB and informed that the Board is in the process of levying the Environmental Compensation to the defaulting 9 mining units. After receipt of the replies from the defaulting mining units for the Show cause notices issued by the Zonal Office, Kurnool duly giving an opportunity of hearing, the Board will levy the Environmental Compensation.

- **On 03.10.2023**, the Regional Office, Kurnool has requested the Zonal Office, Kurnool to take immediate action and levy the environmental compensation on the following defaulting nine lime stone slab mining units covered in O. A. No. 179 of 2021 duly examining the replies furnished by them and giving due opportunity of hearing as the matter is posted on 12.10.2023 **for final hearing**.

- On 04.10.2023, the Zonal Office, Kurnool has directed the Regional Office, Kurnool to calculate the environmental compensation to all the 9 lime stone slab mining units as per the procedure laid by the CPCB and submit the detailed report immediately for taking further necessary action.
- As per the directions, the Regional Office, Kurnool has requested the Zonal Office, Kurnool to review the abstract of Compensation to be levied for the defaulting mining units and also requested to issue necessary directions to the defaulting mining units duly levying Environmental Compensation, as the matter is posted on 01.11.2023.

As per the Hon'ble NGT order dt.12.10.2023 "Mr. G. Srinivasulu, a sum of Rs.2,07,92,621/- (Rupees Two Crore Seven Lakhs Ninety Two Thousand Six Hundred and Twenty One only) is levied and the demand notice sent as early as in March 2022, but no amount has been realized. Therefore, we direct the Department of Mines and Geology to get the appropriate report from the Vigilance and Enforcement Department regarding the recovery of the amount and the further course of action."

The Hon'ble NGT, Chennai order dt.24.05.2024 in O.A. No. 179 of 2021(SZ) in the matters of Mining of potstone (Naparallu) in Kurnool District, in the order "At the request of the Learned Counsel appearing for the official respondent, the matter is adjourned to 23.07.2024.

The Zonal Office, Kurnool on 29.07.2024 has issued show cause Notices to the defaulting mining units for operating without obtaining Environmental Clearance from the Ministry of Environment, Forest & Climate Change, GoI, Andhra Pradesh and CTE & CTO of the Board and for non-compliance of the Board directions within 15 days, **but till date no replies were received.**

The office of Divisional Mines and Geology, Banaganapalli on 21.03.2025 has once again requested the concerned Tahsildars i.e., Banaganapalle, Bethamcherla, Nandyal District and Sri Avadutha Kasinayana Mandal, Y.S.R District to make an enquiry and furnish the particulars of Movable and Immovable properties of the violators to take necessary action in further submission of report to the Hon'ble NGT, Chennai and the Divisional Mines and Geology Office, Banaganapalle once again has requested the Branch Managers, State Bank of India, Union Bank of India, Canara Bank, HDFC Bank, Andhra Pragathi Gramena Bank of Banaganapalle, Bethamcherla and Nandyal to stall all the transactions pertaining to the defaulters until payment of all the dues raised in the demand notices until clearance from this department.

Further it is submitted that the Divisional Mines and Geology, Banaganapalle has personally peruse the matter and requested the Tahsildars i.e., Banaganapalle, Bethamcherla, Nandyal District and Sri Avadutha Kasinayana Mandal, Y.S.R District to make an enquiry and furnish the particulars of Movable and Immovable properties of

the violators to take necessary action as soon as possible in view of the orders of Hon'ble NGT in further submission of report to the Hon'ble NGT, Chennai. Also submit that, in this office jurisdiction the majority of the public are depending on the Napa Slabs quarrying in order to eke out their livelihood and running of polishing units. Which are small scale industries and mainly labour oriented. Here the labours are owners and owners are labours this is only source as it is a rain shadow, drought prone area. Presently a great decline in consumption of Napa Slabs (Black & Colour) due to competition from vitrified tiles market. Besides that this office takes stringent action on all the defaulters who are involved in encroachments and excavations in road sides over the subject areas.

On 27.12.2024 & 01.04.2025 the Regional Office, Kurnool has requested the Zonal Office, Kurnool to place the issue before monitoring Committee meeting at Zonal Office, Kurnool and may request the Divisional Mines and Geology Officer, Banaganapalli to attend the meeting for obtain information pertaining to the Hon'ble NGT order dt. 07.11.2024 and levy Environmental Compensation against the defaulting limestone slab-mining units located at Palkur Village, Banaganapalle Mandal, Kurnool District.

The Regional Office, Kurnool on 19.04.2025 has requested the Board Office, Vijayawada to place the issue before Consent management and monitoring Committee meeting at Board Office to call the Divisional Mines and Geology Officer, Banaganapalli and levy Environmental Compensation against the defaulting limestone slab-mining units located at Palkur Village, Banaganapalle Mandal, Kurnool District.

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.

Dt. 29.04.2025

Place: Kurnool.

P. v. k. shoureddy

Environmental Engineer,

APPCB, Regional Office,

Kurnool

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

From,

Sri K. Raja Gopal, M.Sc.,
Divisional Mines and Geology Officer (FAC),
Banaganapalle

To,

The Environmental Engineer,
APPCB,
Kurnool.

Letter No.1211/NGT/2021, DATED: 21-02-2025

Sir,

Sub:- Mines and Minerals - O/o Divisional Mines and Geology Office, Banaganapalle - un authorized quarrying of Napa Slabs (Lime Stone Slabs Black & Colour) at Palkur, Ramakrishnapuram in road margin/buffer areas in Banaganapalle, Owk and Kolimigundla Mandals, Nandyal District of Andhra Pradesh - Hon'ble National Green Tribunal orders in O.A.No.179/2021- Necessary Information with respect to the Mines - Information submitted - Regarding.

- Ref:-** 1) Eenadu Daily News item dated: 20.07.2021 under caption "Akkaramalo Ganule"
2) Hon'ble NGT order dated: 11.08.2021 in O.A.No.179/2021(SZ)
3) Letter No. 4860333/D10/2021, Dated: 16.08.2021 from the Director of Mines and Geology, Ibrahimpatnam
4) This office letter No.1211/NGT/2021, Dated: 23.08.2021
5) This office letter No.2638/NGT/2021, Dated: 04.09.2021
6) Hon'ble NGT order dated: 03.01.2022 in O.A.No.179/2021 (SZ)
7) This office Show Cause Notice No.250/QL/2021, Dated: 25.01.22
8) This office Demand Notice No.250/QL/2021, Dated: 14.03.2022
9) Hon'ble NGT order dated: 05.12.2022 in O.A.No.179/2021
10) This office Letter No.1211/NGT/2021, Dated: 18.03.2023
11) Hon'ble NGT order dated: 12.10.2023 in O.A.No.179/2021 (SZ)
12) This office Letter No.1211/NGT/2021, Dated: 27.10.2023
13) This office Letter No.1211/NGT/2021, Dated: 10.11.2023
14) This office letter No.1211/NGT/2021, Dated: 12.02.2024
15) This office Letter No.1211/NGT/2021, Dated: 12.02.2024
16) This office Letter No.1211/NGT/2021, Dated: 13.02.2024
17) Reply furnished by the respective Bank Managers, Dated: 22.02.24
18) District Mines and Geology Officer, Kurnool, Letter No.364/RR-Act/2024, Dated: 02.04.2024, addressed to the District Collector and Magistrate, Nandyal District
19) Message received from the Advocate Standing Counsel for Government of Andhra Pradesh A.P. Pollution Control Board, Chennai
20) This office even Letter No.1211/NGT/2021, Dated:14-08-2024 addressed to the respective Tahsildars
21) This office letter No.1211/NGT/2021, Dated: 17.09.2024 addressed to the Bank Branch Managers
22) Letter No NGT-179/2021/KNL/PCB-RO/KNL/2025-665, Dated:06-12-2024 & 12-02-2025 from E.E /APPCB, Kurnool

& & &

I invite kind attention to the subject and references cited, and it is submitted that, through the reference 22th cited, the E.E /APPCB, Kurnool has requested to provide all the necessary information with respect to the mines, so as enable them to levy environmental compensation against defaulting mining units at the earliest.

In this regard it is submitted that through the reference 1st cited, the Eenadu daily news-paper, Kurnool District edition has published a news item on illegal encroachment of roads thereby excavation of Napa slabs (Black) at Palkur - Ramakrishnapuram Villages of Banaganapalle Mandal and Owk, Kolimigundla Mandals under the caption of Akkramallo Ganule (అక్రమాల్లో షునులే)

Cont::2

DISPATCH
From 1046 to 1050
Dt. 21-12-25

Further it is submitted that, through the reference 2nd cited, the Hon'ble NGT has issued orders SUO-MUTO based on news item published in Eenadu Daily News on illegal encroachment of roads and unauthorised excavations of Napa Slabs at Palkuru - Ramakrishnapuram of Banaganapalle and Owk, Kolimigundla Mandal on constitution of Joint Committee to ascertain the genuineness of the allegations made in the newspaper report with regard to large scale illegal mining activity of potstone (Naparallu) without obtaining necessary permission and also without leaving margin on either side of the road as per norms in Banaganapalle, Owk and Kolimigundla Mandals, in Kurnool District (present Nandyal District).

Further it is submitted that, through the reference 3rd cited, the Director of Mines and Geology, Ibrahimpatnam has directed the joint committee to inspect and submit compilation report within a week. Subsequently, the Assistant Director of Mines and Geology, Kurnool has requested the joint committee for joint inspection proposed on 31.08.2021 & 01.09.2021 vide reference 4th cited.

Further it is submitted that, through the reference 5th cited, the Assistant Director of Mines and Geology, Kurnool has submitted the joint inspection report to the District Collector and Magistrate, Kurnool and copy submitted to the Director of Mines and Geology, Ibrahimpatnam and Deputy Director of Mines and Geology, Kurnool on news item published in Eenadu Daily News on illegal encroachment of roads in the subject area.

Further it is submitted that, through the reference 6th cited, the Hon'ble NGT has issued orders to the Deputy Director of Mines and Geology, Kurnool to take necessary action against the defaulting mining unit also not to allow the mining activity by the mining units and not to issue permits until the mine operator obtained Environment Clearance (EC), Consent for Establishment (CFE) and Consent for Operation (CFO) of the board.

Further it is submitted that, through reference 7th cited, the Assistant Director of Mines and Geology, Banaganapalle has issued show cause notices to the lease holders who are involved at road side excavations and to submit the explanation on the allegations and illegal excavation on Palkuru - Ramakrishnapuram Road.

Further it is submitted that, through reference 8th cited, the Assistant Director of Mines and Geology, Banaganapalle has issued demand notices for not submitted the explanation to the show cause notices and requested to pay the demanded amount.

Further it is submitted that, through the reference 9th cited, the Hon'ble NGT has issued orders "whether the excavated portions on the road margins have been re-laid or not has to be seen as otherwise the same would result in major accidents and where the road margins / the buffer area have been quarried and restored".

In this regard, through the reference 10th cited, the Assistant Director of Mines and Geology, Banaganapalle has issued notices to the road side quarrying lease holders (10) members to restore / fill the quarried areas at road margin with immediate effect.

Contd..3..

Further it is submitted that, through the reference 11th cited, the Hon'ble NGT has issued orders to get appropriate report from the Vigilance and Enforcement Department regarding the recovery of the amount and the further course of action as there is a huge amount pending against each of the violators.

Further it is submitted that, through reference 12th cited, the Divisional Mines and Geology Office, Banaganapalle has issued reminder notices to the road side quarrying lease holders to restore/fill the quarried areas/pits at road margin immediately.

Further it is submitted that, through reference 13th cited, the Divisional Mines and Geology Office, Banaganapalle has requested the Director of Mines and Geology, Ibrahimpatnam to pursue with the Director General Vigilance and Enforcement (GAD) for taking necessary action against the six (06) cases pending with the Vigilance & Enforcement department for clearance.

Further it is submitted that, through reference 14th cited, the Divisional Mines and Geology Office, Banaganapalle has requested the Tahsildar's, Bethamcherla and Banaganapalle to enquire and furnish the particulars of Movable and Immovable properties of the road side quarrying lease holders, defaulters in order to exercise under Revenue Recovery Act.

Further it is submitted that, through reference 15th cited, the Divisional Mines and Geology Office, Banaganapalle has submitted R.R Act, proposals to the District Mines and Geology Officer, Kurnool to take further necessary action in the matter. Accordingly the District Mines and Geology Officer, Kurnool addressed to the respective District Collector and Magistrate, Nandyal to identify the movable and Immovable properties for attachment of the properties under provisions of RR Act 1964 vide reference 18th cited.

Further it is submitted that, through reference 16st cited, the Divisional Mines and Geology Office, Banaganapalle has requested the Branch Managers, State Bank of India, Union Bank of India, Canara Bank, HDFC Bank, Andhra Pragathi Gramena Bank of Banaganapalle, Bethamcherla and Nandyal to stall all the transactions pertaining to the defaulters until payment of all the dues raised in the demand notices until clearance from this department. In this connection the respective Bank Managers, has informed that they have verified they records based on the names provided by this office, but they are not able to trace any accounts in the names provided by this office and requested provide additional details customer account No, Customer ID, KYC, etc., in respect of the person / firm/company in order to enable to them to trace the account details.

Further it is that vide reference 17th cited, the Advocate Standing Counsel for Government of Andhra Pradesh A.P. Pollution Control Board, Chennai has informed that the filing of the report on the above O.A is scheduled on 22.08.2024. The Hon'ble Tribunal intended to close this matter based on our current status report. In this regard the Advocate has requested to submit the detailed report stating whether any revenue has been initiated against the violator if so how much time will it take to complete the process and also informed that no further time will be granted in this regard since the case is pending from 2021 and treat this as most urgent and submit the report as earliest in the matter.

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In this regard it is submitted vide reference 18th cited, this office once again requested the concerned Tahsildars i.e., Banaganapalle, Bethamcherla, Nandyal District and Sri Avadutha Kasinayana Mandal, Y.S.R District to make an enquiry and furnish the particulars of Movable and Immovable properties of the violators to take necessary action in further submission of report to the Hon'ble NGT, Chennai.

Further it is submitted that, through reference 19th cited, the Divisional Mines and Geology Office, Banaganapalle once again has requested the Branch Managers, State Bank of India, Union Bank of India, Canara Bank, HDFC Bank, Andhra Pragathi Gramena Bank of Banaganapalle, Bethamcherla and Nandyal to stall all the transactions pertaining to the defaulters until payment of all the dues raised in the demand notices until clearance from this department.

Further it is submitted that the Divisional Mines and Geology, Banaganapalle has personally peruse the matter and requested the Tahsildars i.e., Banaganapalle, Bethamcherla, Nandyal District and Sri Avadutha Kasinayana Mandal, Y.S.R District to make an enquiry and furnish the particulars of Movable and Immovable properties of the violators to take necessary action as soon as possible in view of the orders of Hon'ble NGT in further submission of report to the Hon'ble NGT, Chennai.

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

This is submitted for favour of information and taking further necessary action in the matter.

Yours faithfully,

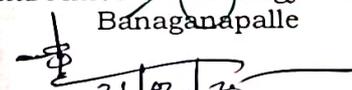

Divisional Mines and Geology Officer (FAC),
Banaganapalle

ENCL: - BRIEF
NOTE

Copy submitted to the

The Collector & District Magistrate, Nandyal District for favour of information
The District Mines and Geology Officer, Kurnool for favour of information
The District Mines and Geology Officer, Nandyal for favour of information

C.S.A.T.
DHGO →
IBP

o/c 
21/02/23

HISTORY OF THE LEASED AREAS: (BRIEF NOTE)

1. It is submitted that the road section in between Palkur and Ramakrishnapuram is not authorized either by the State Panchyat Raj Department or R&B Department of Government of A.P. actually this road is utilized by pedestrians since times. Further the old worked out pits in between state road of Banaganapalle and Tadipatri are present and the same were closed with the generated waste from the quarries. At present there are no workings over the sites of the state road, after stringent measures taken by the line departments.
2. Further it is submitted that the department of Mines & Geology officials are continuously patrolling over the vulnerable road points prone to are excavations which are adjacent to the state roads and village connecting roads.
3. Further it is submitted that there is District Vigilance Squad, under the Supervision of Assistant Director of Mines & Geology at District Level regularly monitoring illegal transportation of various minerals besides unauthorized excavations where with their incessant efforts about Rs.70 Lakhs of penalties are collected from April-2022. On the other side the technical staff of office of the Asst. Director of Mines & Geology, Banaganapalle and Kurnool watch and ward unauthorized transportations. Besides that the Regional and Vigilance Enforcement Wing, Kurnool headed by Superintendent of Police, Kurnool regularly monitor revenue leakages pertaining to all the revenue earning departments and unplug the pilferage here the Superintendent of Police and Regional Vigilance Enforcement Officer, Kurnool have also participated in the inspections of subject area and referred to the General Administration Department (GAD), which is under the controlling of the Hon'ble Chief Minister of the state of Andhra Pradesh. Soon after getting approval from the Director General of Vigilance & Enforcement, GAD, for the above referred cases notices will be raised against the defaulters. In this case the approval from the GAD is awaited.
4. However, this office has initiated stringent measures against the excavators nearby public roads as such served notices and demand raised against the 19 defaulters. Besides Show Cause notices served to 45 quarry lease holders by the Pollution Control Board, Kurnool, after getting information from this office as per direction issued by the Hon'ble NGT orders dated. 13.09.222 Para No's. 1 & 2 as follows.

1. Though direction was given on 15.07.2022 directing the state Government and the Pollution Control Board to furnish the names of the violators, compensation levied, to be levied and so far collected and the further action taken against the violators ought to be furnished which is not furnished today.
2. There are about 45 named lessees, few of whose lease periods are over but majority of them have the valid lease even till 2030, which ought to be monitored by the authorities for any violation. In the event, the authorities find that there is a violation and any compensation is levied till such time the violator pays the penalty, he should not be allowed to continue with his activity. The State Government also can consider either not granting fresh license or renew the existing license in the event any of the lessees have violated the condition. These kinds of stringent measures to be taken by the State Government would in our opinion bring down such illegalities.
5. In the above case the main issue is excavation of road in between Palkur – Ramakrishnapuram Village of Banaganapalle Mandal. In this connection, it is submitted that all along the road section of the above villages 14 No.of quarries were granted for Napa Slabs quarrying. The details of the same are as follows.

Sl. No.	Name and address of lease holder	Location	Extent of lease (in Hects)
1	D.MudavaEdur Saheb	Sy.No.146 & 147A of Palkur (V), Banaganapalle (M)	3.141
2	V. Sudhakar	Sy.No.146 of Palkur (V), Banaganapalle (M)	0.910
3	S.Kalavathamma	Sy.No.331 & 332of Palkur (V), Banaganapalle (M)	2.180
4	K. Ramanjaneyulu	Sy.No.286 of Palkur (V), Banaganapalle (M)	0.846
5	Shaik Hussain Saheb	Sy.No.288/3 of Palkur (V), Banaganapalle (M)	0.429
6	M. Chinna Venkata Swamy	Sy.No.445 of Palkur (V), Banaganapalle (M)	0.504
7	C. Venkateswaramma	Sy.No.129/1A & 130/1A ofPalkur (V), Banaganapalle(M)	2.512
8	P. Tirupal	Sy.No.286 of Palkur (V), Banaganapalle (M)	0.360
9	P. Bhaskar Reddy	Sy.No.312/2A-1of Palkur (V), Banaganapalle (M)	0.640
10	M/s Rafi Slabs Polishing Ind, Prop:K.Ahammed Hussain	Sy.No.286 of Palkur (V), Banaganapalle (M)	0.368
11	Sri S. Konda Reddy	Sy.No.273 & 274of Palkur (V), Banaganapalle (M)	2.930
12	M/s Sri Lakshmi Srinivasa Stone Quarry cutting	Sy.No.1/1 & 223 etc of Palkur (V), Banaganapalle (M)	27.149

	works, M. Srinivasulu	13	
13	P. Anand Kumar	Sy.No.446/3 of Palkur (V), Banaganapalle (M)	0.579
14	M.Ramakrishna	Sy.No.446 of Palkur (V), Banaganapalle (M)	4.048

Out of the 14 leases, 04 lease holders were encroached into buffer area and rest of 10 number of the lease holders are doing quarry operations as per their permissions. The details of the same are as follows.

I. Name of the Violators, compensation levied, to be levied and so far collected and further action against the violators:

a. Name of the violators (lease holders) in Palkur-Ramakrishnapuram village road section by encroaching the Leased areas

Sl. No.	Name and address of lease holder	Location	Extent of lease (in Hects)	Quantity excavated in buffer area (in Sq.mts)	Action taken on lease holder
1	K. Ramanjaneyulu	Sy.No.286 of Palkur (V), Banaganapalle(M)	0.846	3,26,182	Filed FIR vide 45/2020, dt: 21.03.2022
2	Shaik Hussain Saheb	Sy.No.288/3 of Palkur (V), Banaganapalle(M)	0.429	56,700	
3	M. Chinna Venkata Swamy	Sy.No.445 of Palkur (V), Banaganapalle(M)	0.504	75,600	
4	C. Venkateswaramma	Sy.No.129/1A & 130/1A of Palkur (V), Banaganapalle(M)	2.512	1,65,375	

b. Name of the violators (non-lease holders) in Palkur- RamaKrishnapuram Road section

Sl. No.	Name and address of lease holder	Location	Quantity excavated (in Sq.mts)	Action taken on lease holder	Remarks
1	Gundam Venakta Rami Reddy	Sy.No.284 & 285 of Palkur (V), Banaganapalle (M)	7,93,800	Filed Criminal Cases against them in Station House Officer, Nandivargamvide FIR No.45/2020, dt:21.03.2020	Action will be initiated after approval of DG, Vigilance as well as judgment.
2	G. Rama Krishna Reddy	Sy.No.284 of Palkur (V), Banaganapalle(M)	5,355		
3	G. Rameswara Reddy	Sy.No.284 of Palkur (V), Banaganapalle(M)	1,680		
4	Kottala Naga Raju	Sy.No.288/2 & 282 of Palkur (V), Banaganapalle(M)	36,960		
5	Ambala Rama Krishna Reddy	Sy.No.284 of Palkur (V), Banaganapalle(M)	16,800		
6	M. Basheer Ahmed	Sy.No.445/1of Palkur (V), Banaganapalle(M),	18,900		

6. Further it is submitted that regarding imposing of penalty over the violators in the subject area, the inspection were conducted by this department along with Vigilance & Enforcement, Kurnool. Here for initiation of action against the defaulters, necessary approval of the Director General Vigilance & Enforcement is required and waiting for the same. Meanwhile the Hon'ble High Court of A.P issued directions in batch of Writ Petitions Nos. 8390 of 2018 and 12334 of 2021, 27815 & 27952 of 2021 and W.P.No.27903 & 28372 of 2021 and Writ Petition No.12950 of 2021, dated: 30.09.2022 Para No's-30 as follows;

"30This Court, for the above reasons, holds that the Assistant Director of Mines or any other authority of the State cannot determine the culpability of the person said to be violation of the MMDR Act or the Concession rules or levy of penalty and it is only a court of competent jurisdiction which can go into these questions and levy penalties set out under rule 26 of the concession rules or under any of the other provisions of the MMDR Act or the Concession Rules".

In view of this, the officers waiting for further directions from Director of Mines & Geology Department, Vijayawada. (MMDR Act Mines and Minerals (Development and Regulation Act)

1.Name of the Violators, compensation levied, to be levied and so far collected and further action against the violators regarding Owk and KolimigundMandals of NandyalDistrict related to NGT in OA No.179/2021.

Sl. No	Name of the defaulter	Location	Mineral & Quantity excavated in Sqm/MT	Penalty imposed	Penalty realized	Remarks
1	Sri A. Mahesh	Sy. No. 1054 of Goruvimanipalli (V), Kolimigundla(M)	LSS (B) 678 MT	8,29,300/-	NIL	FIR filed against the defaulters in SHO, Kolimigundla.
2.	Sri A. Bhrahmaiah	Sy. No. 1054 of Goruvimanipalli (V), Kolimigundla(M)	LSS (B) 2363 MT	28,90,422/-	NIL	
-3.	Sri K Bhaskar Reddy	Sy.No. 306 of old Cherlopalli (V), Owk (M)	LSS (B) 39900 Sq. mt	39,31,400/-	NIL	FIR No. 119/2019, dt. 20.06.2019 filed against the defaulter. Issued Demand Notice No. 404/RVEO/2019-2, dt. 25.03.2021
4.	Sri B. Ramakoti	Sy.No. 326, 333, 334 of Sunkesula (V), Owk (M)	LSS (B) 998000 Sq.mt	--	NIL	Criminal case filed on 29.12.2021 against the defaulter. SCN issued

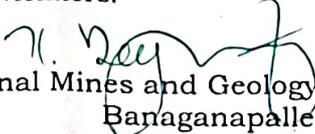
5.	Smt M. Jayamma	Sy. No. 304/2A Palkur (V), Banaganapalli (M)	LSS (B) 165025 sqm	73,48,874/-	NIL	Demand Notice No. 33/Q2/2021, dt. 04.02.2022
6.	Sri S. Mohan Gandhi	Sy. No. 315/1A Palkur (V), Banaganapalli (M)	--	--	NIL	Machinery seized. FIR No. 8/2022, dt. 31.01.2022 at Nandivardham PS
7	Sri G. Sunkanna	Sy. No. USHB Yerragudi (V), Banaganapalli (M)	LSS © 20650 Sqm	22,96,280/-	NIL	Issued Demand Notice No. 2761-1to4/KSS©-Yerragudi/2022, dt. 28.03.2022
8	Sri C. Nagasubba	-do-	LSS © 36750 Sqm	40,86,600/-	NIL	
9	Sri C. Nagatimmaiah	-do-	LSS © 9100 Sqm	10,11,920/-	NIL	
10	Sri B. Yellasubbanna	-do-	LSS © 11900 Sqm	13,23,280/-	NIL	
11	Sri G. Mallikarjuna Reddy	Sy.no. 177/3C Palkur (V), Banaganapalli (M)	LSS © 42966 Sqm	28,66,692/-	NIL	Demand Notice No. 250/QL/2021, dt. 14.03.2022
12	Sri G. Srinivasulu	Sy.No. 251/6P Palkur (V), Banaganapalli (M)	LSS (B) 311640 Sqm	2,07,92,621/-		Criminal case filed on 02.02.2022. Demand Notice No. 480/QL/2020, dt. 28.03.2022
13	Sri Sk.Mahaboob Basha	Sy.No. 148/2A Krishnagiri (V), Banaganapalli (M)	Rehmatti 2058 Cbm	8,00,974/-	NIL	Issued Demand Notice No. 1363/QL/2021, dt. 14.03.2022
14	Sri V. Vekateswarlu	Sy. No. 292,294 of Palkur (V), Banaganapalli (M)	LSS (B) 35490 MT	NIL	NIL	Filed FIR No. 112/2019, SCN issued. Filed WPN. 12887/2022
15	Sri V. YellaNagaiah	-do-	LSS (B) 32133 MT	NIL	NIL	Filed FIR No. 112/2019, SCN issued. Filed WPN. 13165/2022
-16	Sri T.Vijeyudu	Sy. No. 307 of Palkur (V), Banaganapalli (M)	LSS (B) 7484.7 MT	NIL	NIL	Filed FIR No. 205/2020, SCN issued. Filed WP No. 12679/2022
17	Sri Narayana Reddy	Sy. No. USHB of Pathapadu (V), Banaganapalli (M)	LSS © 43750 Sqm	46,12,500/-	NIL	Filed FIR No.175/2019, Dated: 14.08.2019. Revision filed on 19.03.2021.
18	Sri Veera Bhadrappa	-do-	LSS © 12250 Sqm	16,51,500/-	NIL	
19	Sri B. Siva Shankar Reddy	-do-	LSS © 25725 Sqm	26,23,950/-	NIL	Filed FIR No.174/2019, Dated: 14.08.2019

7. Further over all violators as per Suomoto application No.179/2021 are 29 in number and action will be initiated due course of time soon after getting report from the Vigilance & Enforcement and the Director of Mines & Geology, Ibrahimpatnam.
8. Further it is submitted that in the year 2013-14 the Mines Department Officials were inspected the illegal quarrying at Katikavanikunta road section and Six (06) encroachments were noticed and issued Show Cause & Demand notices. The defaulters approached the revisional authority and the authority given orders directing to collect the Seigniorage fee amount. At present in the subject area the illegal quarrying operations completely stopped due to regular watch and ward of Mines Department.
9. Further it is submitted that, O.P.No. 179 of 2021 (SZ) (Through Video Conference) has issued orders dated. 05.12.2022 that;

“..... the violations who had been mining illegally are now stopped from further mining. A few of the lease holders had also encroached into the buffer area of the roads, whether the excavated portions on the road margins have been re-laid or not has to be seen as otherwise the same would result in major accidents.

It would be appropriate to produce photographs of those areas where the road margins / the buffer areas have been quarried and resorted. Let the detailed report be once again filed with the above required particulars including the environmental compensation that should have been levied and also about the writ appeal details”.

10. Further, it is submitted that, in light of the aforesaid mentioned orders of the Hon'ble National Green Tribunal (NGT), this office has issued Notice No. 1211/NGT/2021, dated. 18.03.2023 to ten (10) defaulters and directed to restore or fill the quarried areas or pits at road margins immediately. Failure to comply with this directive will result in action being initiated as per the prevailing rules and regulations. Despite acknowledging the receipt of the notices, the defaulters have failed to respond or take any action.
11. Further it is submitted that, the Hon'ble NGT has issued orders to get appropriate report from the Vigilance and Enforcement Department regarding the recovery of the amount and the further course of action as there is a huge amount pending against each of the violators.


Divisional Mines and Geology Officer (FAC),
Banaganapalle