

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 179 of 2021

IN THE MATTER OF

Tribunal on its own motion-SUO MOTU based on the News item in
Eenadu Telugu News Paper, A.P, Kurnool District on 20.07.2021
UNDER THE CAPTION "MINING OF POTSTONE (NAPARALLU)
EXCAVATION BEING DONE WITHOUT LEAVING
MARGINS ON EITHER SIDE OF THE ROADS""

...Applicant(s)

Versus

The Chief Secretary to Government of Andhra Pradesh
And Others.

...Respondent(s)

COMPLIANCE REPORT
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Place: Kurnool.

Date: 10.02.2026.

P. v. k. Shoureddy

For A.P. Pollution Control Board
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 DATED. 07.11.2024 & 20.01.2026 IN
O.A. No. 179 of 2021(SZ).**

- I. It is submitted that, the Legal Cell, Board Office, Vijayawada vide email dt:21.01.2026 has informed that “the mail received from the Standing Counsel of the Board in O.A. No. 179 of 2021 is herewith forwarded for favour of information and taking necessary action. The Hon'ble Tribunal directed to verify if the Mines department had held a meeting and if any EC was levied and what's the action taken and to file an updated compliance report by the next date of hearing. PCB is also directed to verify and file a compliance report stating if any penalty was collected of any FIR taken and update the same by next hearing date. The matter is listed on 20.02.2026 for filing of report” and directed to furnish report (in the Hon'ble NGT format) to the Legal section on or before 27.01.2026 for taking further necessary action in the matter.
- II. Earlier, 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.
- III. The APPCB, Head Office, Vijayawada vide e-mail dt. 20.11.2024, directed the Regional Office, Kurnool to go through the disposal order thoroughly and send the compliance report (in the Hon'ble NGT format) to the legal cell on or before 30.12.2024 for taking further necessary action in the matter.
- IV. 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.
- V. 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 Nandikotkur Mandals 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/dispached (year wise), cumulative quantity dispached, 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.

VI. **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.
- VII. 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."
- VIII. 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.
- IX. 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.**
- X. 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 AvaduthaKasinayana 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.
- XI. 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 roadsides over the subject areas.

- XII. The Regional Office, Kurnool has requested the APPCB, Board Office, Vijayawada & 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.
- XIII. The Board is in the process of issuing directions by levying the Environmental Compensation to the defaulting mining units which were carried out excavation of road in between Palkur - Ramakrishnapuram Village during their mining activities, after obtaining the required information from the Divisional Mines and Geology Officer, Banaganapalli.

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.

Dated at Kurnool, A.P. on this the 10th day of February, 2026.

P. V. K. Shoukath

**A.P. Pollution Control Board
Environmental Engineer
A.P. Pollution Control Board
Regional Office KURNOOL.**