

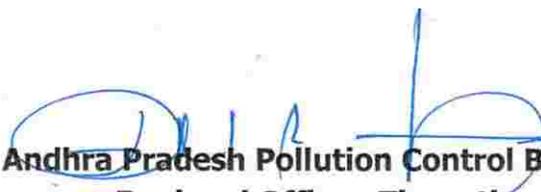
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

NEW DELHI

ORIGINAL APPLICATION NO. 271 OF 2022 (PB)

Action taken report of APPCB in compliance with Hon'ble NGT Order dt. 18.05.2023 in O.A. No. 271 of 2022 (PB) filed by Sri K.Srinivasulu & Others resident of Kondasamudram (V), Gudupalli (M), Chittoor District on Granite mining units operated in and around Kotamakanapalli (V), Gudupalli (M), Chittoor District.

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Andhra Pradesh Pollution Control Board,
Regional Office : Tirupati

Date. 06.07.2023

Action taken report of the APPCB in compliance with Hon'ble NGT Order dt. 18.05.2023 in O.A. No. 271 of 2022 {PB} filed by Sri K.Srinivasulu & Others resident of Kondasamudram {VI}, Gudupalli {M}, Chittoor District on Granite mining units operated in and around Kotamakanapalli {VI}, Gudupalli {M}, Chittoor District.

It is submitted that, Hon'ble National Green Tribunal (NGT), New Delhi has made the following while issuing an order on 18.05.2023 on O.A. No. 271 of 2023 (PB) at Para No. 7 filed by Sri K.Srinivasulu & Others resident of Kondasamudram (V), Gudupalli (M), Chittoor District on operation of granite mining units in and around Kotamakanapalli (V), Gudupalli (M), Chittoor District. Copy of the order is herewith enclosed as **Annexure – II**.

'7. The Collector and Superintendent of Police, Chittoor are directed to take requisite steps for ensuring that no illegal mining takes places in the mining sites in question''

It is further submitted that, the Member Secretary, A.P. Pollution Control Board has also addressed a letter Dt.02.06.2023 to the District Collector & Superintendent of Police, Chittoor for implementation of the Order of the Hon'ble NGT Order dt. 18.05.2023 as APPCB has already issued Stop Production Orders to the Eight Mining areas on 09.11.2022. Copy of the letter addressed to the District Collector as enclosed as **Annexure –III**.

It is also submitted that, officials of A.P. Pollution Control Board, Regional office, Tirupati have met the District Collector, Chittoor. In this connection the District Collector, Chittoor have instructed the Revenue Divisional Officer (RDO), Kuppam & Deputy Superintendent of Police (DSP), Palamaneru & the Environmental Engineer, A. P. Pollution Control Board, Regional Office, Tirupati to inspect and report the status of the operational conditions of the following mines.

1. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 1.620 Ha), Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) Kotamakanapalli (V), Gudupalli (M), Chittoor District.
2. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 4.846 Ha), Sy.No.136, 137 & 138, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
3. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha), Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District
4. M/s. Rathna Mineral Enterprises (Black Granite mine – 4.810 Ha), Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District
5. M/s. Sai Raghavendra Granites., (Black Granite mine – 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District
6. M/s. Sri K.Siva Prakash mine – 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.103, Kotamakanapalli (V), Gudupalli (M), Chittoor District
7. M/s. Sri K.Siva Prakash mine – 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.101/2, Kotamakanapalli (V), Gudupalli (M), Chittoor District

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8. M/s. Sri Sai Krupa Granites, (Black Granite mine – 0.611 Ha), Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District

In obedience to the order of the Hon'ble NGT, New Delhi & subsequent instruction of the District Collector, Chittoor the Revenue Divisional Officer (RDO), Kuppam & Deputy Superintendent of Police (DSP), Palamaneru & the Environmental Engineer, A. P. Pollution Control Board, Regional Office, Tirupati have inspected the locations of Granite mining units in and around Kotamakanapalli (V) & , Gudupalli (M), Chittoor District on 28.06.2023 and observed that all the above said mines are not under operation. The photographs pertaining to the joint inspection are here with enclosed as Annexure – IV.

This report is submitted to the Hon'ble NGT in due compliance of the Hon'ble NGT Order dt. 18.05.2023 in O.A. No. 271 of 2023 (PB). The APPCB will abide by all such directions as this Hon'ble tribunal may deem fit and appropriate.

Date: 06.07.2023


ENVIRONMENTAL ENGINEER
AP Pollution Control Board,
Regional office, Tirupati.

Item No.02

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 271 /2022

K Srinivasulu & Ors

...Applicants

Versus

State of Andhra Pradesh & Ors.

...Respondent

Date of hearing: 18.05.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person.

Respondents: Mr. Satyalipsu Ray, Advocate, for MoEF & CC.
Ms. Maduri Doriti Reddy, Advocate for Respondent
no. 2 (through VC).
Ms. AL Ganthimathi, Advocate for the Project
Proponents (Respondents no. 7 to 14) (through VC).
Mr. Shubhranshu Padhi and Mr. Niroop Subirthy,
Advocates for Director of Mines Safety, Office of
Directorate General of Mines Safety (Chennai
Region).**Application is registered based on a Letter Petition received by Email.****ORDER**

1. In compliance of order dated 20.03.2023 replies have been filed by respondent no. 2 vide email dated 14.05.2023, respondent no. 3 vide email dated 17.05.2023, respondent no.6 vide email dated 14.05.2023 and reports have been filed by respondent no. 5 vide email dated 16.05.2023 and respondent no. 6 vide email dated 14.05.2023.
2. Vide order dated 20.03.2023 respondents no. 7 to 14 were directed to file additional replies with requisite details as mentioned therein.
3. Learned counsel for respondents no. 7 to 14 seeks time to file additional replies.

O.A. No. 271/2022

K Srinivasulu & Ors Vs. State of
A.P. & Ors.

-2-

4. Additional replies by respondent no. 7 to 14 be filed **within one month** by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF/Word file and not in the form of Image PDF.
5. List for further consideration on **17.07.2023**.
6. In view of the mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (4) (j) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, respondents no.7 to 14 are directed to desist from carrying out any further mining activity in the mining sites leased out to them and till further orders to the contrary no mining shall be continued in any of the mining sites in question.
7. The Collector and Superintendent of Police, Chittoor are directed to take requisite steps for ensuring that no illegal mining takes place in the mining sites in question.
8. A copy of this order be sent to the Member Secretary-State PCB, SEIAA, Collector and the Superintendent of Police, Chittoor by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 18, 2023
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ANNEXURE - III



ANDHRA PRADESH POLLUTION CONTROL BOARD
Paryavaran Bhavan, APJIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200,
Email: hopcblcgai@gmail.com



Lr No: 87/OA-271of2022/APPCB/Lcgai/NGT(B)/2022 dt. 02/06/2023

To

1. The Collector & District Magistrate,
Chittoor District.2. The Superintendent of Police,
Chittoor District.

Sir,

Sub: APPCB - Legal - Order dt. 18.05.2023 issued by the Hon'ble National Green Tribunal, New Delhi in O.A.No.271 of 2022 (PB) filed by Sri K. Srinivasulu & others, R/o Kondasamudram (V), Gudupalli (M), Chittoor District. against Granite mining units in Kotamakanapalli (V), Gudupalli (M), Chittoor District - Action requested - Reg.

Ref- Hon'ble NOT, New Delhi Order dt. 18.05.2023 in O.A. No. 271 of 2022 (PB).

It is to Inform that Sri K. Srinivasulu & others R/o Kondasamudram (V), Gudupalli (M), Chittoor District, has filed Original Application (O.A) No. 271 of 2022(PB) before the Hon'ble National Green Tribunal (NGT), New Delhi against the Granite mining units in Kotamakanapalli (V), Gudupalli (M), Chittoor District, Andhra Pradesh stating that the entire agricultural lands have been given to the miners and the mining operations and blasting carried out in the villages along the roadside, canals and residential premises by the mining operators and causing huge damages to the residential houses and injuries to the villagers.

The Hon'ble NGT in its order dt. 27.04.2022 has appointed a Joint Committee comprising of Regional Office MoEF&CC, Bangalore; CPCB; SEIAA, State of Andhra Pradesh; State PCB and Collector, Chittoor. The Joint Committee has conducted the inspections of the following Granite mining units in Kotamakanapalli (V), Gudupalli (M), Chittoor District, on 22.06.2022 and submitted the report to the Hon'ble NGT on 16.07.2022.

- i. Sri. K. Siva Prakash (Formerly known as Sri. Venkata Sai Granites), (0.772 ha). Sy. No. 101/2, Kotamakanapalli (M), Gudupalli (M), Chittoor District.
- ii. Sri. K. Siva Prakash (Formerly known as Sri. Venkata Sai Granites), (0.405 ha). Sy. No. 103, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
- iii. M/s. VMS Granites (Formerly M/s KVR Granites), (1.0 ha) not in operation for last 10 years.
- iv. Sri Sai Raghavendra Granites, (0.607 ha). Sy. No.98/3, part, Kotamakariapelli (V), Gudupalli (M), Chittoor District.
- v. M/s. Sri Sri Krupa Mine, (0.611 ha). Sy. No.100, part, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
- vi. M/s. J.R. Granites Pvt Ltd., (0.850 ha). Sy. No.99/4 & 7, Kotamakanapalli

- (V). Gudupalli (ML Chittoor District.
 vii.Mzs, J.R. Granrtes Pvt. Ltd.. (Tirumala Pil), (1.620 ha). Sy. No.SD/I, 95/ 1(PJ. 95/2(P) and 95/3(P), Kotarrakarinpalli (V), Gudupalji (M). Chittoor Distrct.
 viii.M/s. J.R Granites Pvl. Ltd., (Surya Pil), (4.84G ha). Sy. No. 136, 137,& 1218, Kotamalkanapallt (V). Gudupalli (M). Chittoor Distrct.
 ix.M/s. Ratna Mineral Enterprises, (4.810 ha). Sy. No. 132. 133. 134 and 135 Kotamakanapalll (V), Gudupalli (MJ, Chittoor District.

Subscquently APPCB Issued stop production orders to the above Granite mining projects on 09.11.2022 due to non compliances observed by tile Joint Committee. Further, APPCB submitted the status report to the Hon'ble NGT. New Delhi on 17.01.2023 and again on 15.01.2023.

In this regard, the Hon'ble NGT. Prtncpal Bench, New Delhi, heard the matter on 18.05.2023 and issued the following directions:

"5. Disc for furthe., consideration on 17.07.2023.

6. in view of the mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (4) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof; respondents no.7 to 14 are directed to desist from carrying out any further mining activity in the mining sites leased out to them and in further orders to the contrary no mining shall be continued in any of the mining sites in question.

7. The Collector and Superintendent of Police, Chittoor are directed to take requisite steps for ensuring that no illegal mining takes place in the mining sites in question.

8. A copy of this order be sent to the Member Secretary-Suie PCB, SEIAA, Collector and the Superintendent of Police, Chittoor by email (or requisite compliance."

A copy of the Hon'ble NGT order dt. 18.05.2023 is enclosed for requisite compliance and filing of report with copy marked to APPCB.

Encl: As above

Yours faithfully,

B Sreedhar
 las
 Member

Secretary

Copy to:

1. The Director of Mines & Geology Department, Vijayawada for Information and necessary action.
2. Deputy Director of Mines & Geology Department, Chittoor District for Information and necessary action.
3. The JCEE, Zonal Office, Kurnool for information and necessary action.
4. The EE, Regional Office, Tirupati for information and to furnish compliance report to Head Office after due persuasion with the District Collector, Superintendent of Police, Chittoor and Mines Department.

Signed by B Sreedhar las

Date: 02-06-2023 10:55:05

Reason: Approved

JOINT INSPECTION REPORT

Hon'ble National Green Tribunal (NGT), New Delhi has made the following while issuing an order on 18.05.2023 on O.A. No. 271 of 2023 (PB) at Para No. 7 filed by Sri K.Srinivasulu & Others resident of Kondasamudram (V), Gudupalli (M), Chittoor District.

"7. The Collector and Superintendent of Police, Chittoor are directed to take requisite steps for ensuring that no illegal mining takes places in the mining sites in question"

The Member Secretary, A.P. Pollution Control Board has also addressed a letter Dt.02.06.2023 to the District Collector & Superintendent of Police, Chittoor for implementation of the Order of the Hon'ble NGT Order dt. 18.05.2023 as APPCB has already issued Stop Production Orders to the Nine Mining areas on 09.11.2022.

In this connection, officials of A.P. Pollution Control Board, Regional office, Tirupati have met the District Collector, Chittoor and in this connection the District Collector, Chittoor have instructed Environmental Engineer, A. P. Pollution Control Board, RDO, Kuppam & Deputy Superintendent of Police, Palamaneru to inspect and report the status of the operational conditions of the following Eight Number mines.

1. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 1.620 Ha), Sy.No.89/1, 95/1(P), 95/2(P), & 95/3(P) Kotamakanapalli (V), Gudupalli (M), Chittoor District.
2. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 4.846 Ha), Sy.No.136, 137 & 138, Kotamakanapalli (V), Gudupalli (M), Chittoor District.
3. M/s. J.R.Granites Pvt. Ltd., (Black Granite mine – 0.850 Ha), Sy.No.99/4 & 7, Kotamakanapalli (V), Gudupalli (M), Chittoor District
4. M/s. Rathna Mineral Enterprises (Black Granite mine – 4.810 Ha), Sy.No.132, 133, 134 & 135, Kotamakanapalli (V), Gudupalli (M), Chittoor District
5. M/s. Sai Raqhavendra Granites., (Black Granite mine – 0.607 Ha), Sy.No.98/3Part, Kotamakanapalli (V), Gudupalli (M), Chittoor District
6. M/s. Sri K.Siva Prakash mine – 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.103, Kotamakanapalli (V), Gudupalli (M), Chittoor District
7. M/s. Sri K.Siva Prakash mine – 0.772 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.101/2, Kotamakanapalli (V), Gudupalli (M), Chittoor District
8. M/s. Sri Sai Krupa Granites, (Black Granite mine – 0.611 Ha), Sy.No.100, Kotamakanapalli (V), Gudupalli (M), Chittoor District

In obedience to the Instructions of the District Collector, Chittoor officials of AP Pollution Control Board, Regional office, Tirupati along with RDO, Kuppam & DSP, Palamaneru have inspected the locations of the above said Granite mining units located in Kotamakanapalli (V), Gudupalli (M), Chittoor District on 28.06.2023 and observed that all the above said mining units are not under operation. The photographs pertaining to the joint inspection are here with enclosed.


ENVIRONMENTAL ENGINEER
 AP Pollution Control Board,
 Regional office, Tirupati


Deputy Superintendent of Police,
 Palamaneru


Revenue Divisional Officer,
 Kuppam
 REVENUE DIVISIONAL OFFICER,
 KUPPAM





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