

**IN THE COURT OF THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE AT CHENNAI)  
(Memorandum of Application U/s 18 r/w Sec. 14 of the NGT Act, 2010)**

**O.A. No. 184 of 2017**

Sri Sunkara Swamy Naidu Welfare Organization,  
Represented by its President Sunkara Karthik,  
No. 153-A, Near Gopal Nagar,  
Yanam 533464

...

Petitioner

Vs.

The Union Territory of Puducherry,  
Rep. by its Chief Secretary to Govt. Of Puducherry  
And others.

...

Respondents

**STATUS REPORT FILED BY THE THIRD RESPONDENT**

I AMAN SHARMA, S/o Shri Shiv Kumar Sharma, Hindu, aged 33 years, Deputy Collector -cum- Sub Divisional Magistrate, Yanam, Government of Puducherry, having my office at Office of the Regional Administrator -cum Deputy Collector (Revenue), Govt. Road, Yanam do hereby solemnly affirm and sincerely state as follows:

2. I am Deputy Collector-cum-Sub Divisional Magistrate of Yanam and the THIRD respondent herein and I am well acquainted with the facts of the case.
3. Thiru Sunkara Karthik, president of Sri Sunkara Swamy Naidu Welfare Organisation, 153D, Near Gopal nagar, Yanam has filed case before the National Green Tribunal, Southern Zone, Chennai in respect of illegal sand mining and transportation of sand from Andhra Pradesh to Yanam region.
4. In this connection, the Hon'ble Tribunal has directed both administrations of Andhra Pradesh and Yanam to take necessary action to curb the illegal sand mining and transportation.
5. This administration has filed detailed counter affidavit on 15-12-2021 regarding action taken report to curb the illegal sand mining and transportation.
6. It is submitted that the entire river bed of the Gowthami Godavari falls under the jurisdiction of Andra Pradesh. Therefore, the mining activities, if any, can be done only with the permission of the concerned Competent Authority. Accordingly, communication, vide Lr No. 2507/DTRY/Illegal Sand/2021-22/283 dated 30.08.2021 stating to take appropriate action against the offenders who are first mining and then storing the sand illegally in the Andra Pradesh Government lands abutting Yanam region to the District Collector, East Godavari. Accordingly, Andra Pradesh authorities are taking necessary action in order to curb illegal mining activities. In addition, this administration is also taking necessary action, in coordination with Andra Pradesh authorities, to control illegal cross border movements (transportation) of sand.
7. Further, I humbly in order to meet local sand requirements of Yanam region and to secure livelihood of traditional communities involved in the process of removal of sand bars from Gowthami Godavari river which are creating hindrance for navigation, Government of Puducherry has issued G.O. Ms. No. 17 dated. 20-11-2020 which lays down detailed procedure to be followed as per guidelines of Ministry of Environment and Forest for removal the sand from sand bars after taking due permission from statutory authorities and concerned authorities in Andhra Pradesh.

  
**AMAN SHARMA**  
**REGIONAL ADMINISTRATOR**  
**YANAM**

**In connection with G.O. Ms. 17 following steps have been taken:**

**A. Identification of sand bar:**

The Public Works Department and The Fisheries Dept., along with the JNTU, Kakinada has identified the sand bars which pose danger to navigation of fishing boats and vessels and have furnished their reports.

**B. Examination by MoEF empanelled Institution:**

This administration has approached IIT Madras, Chennai to depute a technical team to examine the proposal of sand bar removal and in turn the IIT Madras had submitted their detailed report on removal of sand from bars and suitable usage of the sand removed.

C. Based on the report submitted by the IIT Madras, the Seven Members committee constituted vide G.O.Ms. No.17 was convened and it was decided to submit the proposal for approval by statutory authorities.

D. Based on the suggestions/recommendations received from the technical institution and Seven Member Committee, the Deputy Collector (Revenue), Yanam has forwarded the proposal for clearance from the Puducherry Coastal Zone Management Authority (PCZMA) and State Level Impact Assessment Authority (SEIAA), Puducherry. Clearance from above authorities is still awaited and further course of action shall be proceeded on receipt of clearances.

8. I submit that, in addition to above this administration is taking various measures to curtail the illegal transportation of sand in Yanam region. Revenue Department in coordination with the Police Department has been conducting frequent raids and seizing vehicles involving in illegal transportation of sand after it is being illegally mined in areas under AP jurisdiction and based on provisions of Mines and Minerals (Development and Regulation) Act, 1957 read along with the Pondicherry Minor Minerals (Concession) Rules, 1977, compounding fees is being imposed as per the provisions of Section 23(A) of the said Act.

9. It is submitted that in addition to above cases, around 60 Cu. Mt of sand which was brought from Andrapradesh and illegally stored (unclaimed) in various locations were seized and later handed over to Public Works Department for usage in different Government civil projects.

10. It is humbly submitted that details of amount collected as compounding penalty over the last four years, and criminal cases registered are as follows:

**Year wise Details of Compounding fees imposed for illegal transportation of minerals**

<b>2015-16</b>				
<b>S.No.</b>	<b>Ch.No./Date</b>	<b>Particulars</b>	<b>Vehicle No.</b>	<b>Amount in Rs.</b>
1	22/13.07.2015	Polisetty Sitaramudu	AP05TD 3366	10,000/-
2	33/21.09.2015	Polisetty Anjaneyulu and 2 others	--	15,000/-
3	34/29.09.2015	Undru Appaji and 1 other	--	10,000/-
4	48/09.12.2015	Kona Chanti	AP05 BL 1165	5,000/-
5	64/23.02.2016	Kavuri Krishna	--	5,000/-

6	70/09.03.2016	Medisetty Suryanarayana	AP05CA1993	5,000/-
<b>Total</b>				<b>50,000/-</b>

**2016-17**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	19/27.10.2016	V. Sudhakar, S/o. Satyanarayana, AP	AP05TD 7349	20,000/-
2	22/24.11.2016	Mummidi Venkateswara Rao, S/o. Jaggarao, AP	AP31TE 3772	10,000/-
3	37/30.12.2016	AP		10,000/-
4	44/22.02.2017	Medisetty Govindu and 5 others, AP	AP537B 9161 AP5BV 0693 AP537U 4711 AP5X 1546 AP05BL 1165 AP05TD 9480	30,000/-
5	46/27.02.2017	D. Nagaraju, S/o. Subbarao, AP	AP37AX 7002	1,000/-
<b>Total</b>				<b>71,000/-</b>

**2017-18**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	01/03.04.2017	Kavala Tirumalarao, S/o. Venkanna, Yanam	AP05DH 2611	3,000/-
2	08/21.07.2017	Gandham Rambabu		5,000/-
3	18/14.08.2017	Matta Ajaykumar and 2 others, Yanam	AP5A 4149 AP45 317 AP5B 1117	9,000/-
4	23/08.09.2017	Somisetty Suribabu, S/o. Krishna and Kona Venkateswara rao, Yanam	AP27E 8100 AP37AE 098	6,000/-
5	24/08.09.2017	Jagatha Sathibabu, S/o. Simhadri, AP	JCB	6,000/-
<b>Total</b>				<b>29,000/-</b>

**2018-19**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	01/03.04.2018	--	AP05TD7748 & AP05TD9739	6,000/-
2	44/ 12.10.2018	Kakara Prasad, S/o. Chanti Babu, Pavara, AP	AP07- TE4026	3,000/-
3	61/13.11.2018	Kavala Venkateswara Rao, S/o. Tirumalarao, Yanam	AP5TD 9739	3,000/-
4	71/24.12.2018	Kavala Venkateswara Rao, S/o. Tirumalarao, Yanam	AP5TD 9739	5,000/-
5	99/26.03.2019	Kavala Venkateswara Rao, S/o. Tirumalarao and 2 others, Yanam	AP5TT 1822, AP5BZ2944, AP5BL1165	21,000/-
<b>Total</b>				<b>38,000/-</b>

**2019-20**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	1/ 5.4.2019	Pamarthi Jagannadham, S /o. Venkateswara rao Kajuluru, AP	AP5TD 3366	15,000/-
2	2/ 5.4.2019	Pamarthi Jagannadham, S /o. Venkateswara rao Kajuluru, AP	AP5TD 3366	5,000/-
3	15/ 13.5.2019	Somisetty Suribabu, S/o. Krishna, Yanam	AP27F 8100	2,400/-
4	82/ 3.12.2019	Tekumudi Satyanarayana	AP37BM2957	25,000/-
5	91/ 06.01.2020	N. Bhushanam & 3 others	AP39W9739	20,000/-
6	92/ 14.01.2020	J. Srinivasa Raju & 3 others	AP05OH3367	10,000/-
7	95/ 29.01.2020	Jalla Srinu & 1 other	AP05BX6264	8,000/-
8	103/ 24.02.2020	Y. Peddiraju	AP05BG2117	4,500/-
9	106/ 25.02.2020	Kala Srinu	AP05TD8700	6,000/-
10	113/10.03.2020	Palika Bhaskararao	AP27TT3807	5,000/-
11	119/17.03.2020	Korasika Sreenu and another	AP05EU0076	4,000/-
<b>Total amount</b>				<b>1,04,900/-</b>

**2020-21**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	1/ 19.05.2020	Cheekatla Sreenu	AP05ED1585	3,000/-
2	9/ 30.05.2020	Varasala Prasad and another	AP05BU6944	5,000/-
3	23/ 08.07.2020	Karri Venkateswarlu	Boat	5,000/-
4	24/ 08.07.2020	Karri Venkateswarlu and another	Boat	10,000/-
5	25/09.07.2020	Pemmadi Durgaprasad	Boat	5,000/-
6	33/30.07.2020	Gummadi VS Prasad and another	AP05EM0697	10,000/-
7	34/14.08.2020	Dunna Somaraju and another	AP05ED1585	6,000/-
8	41/29.09.2020	Doma Apparao	Boat	2,000/-
9	42/29.09.2020	Vanamadi Sreenu	Boat	2,000/-
10	43/29.09.2020	V. Bhaskarara Raju	AP05BH0387	5,000/-
11	49/ 15.10.2020	Elipe Swarna Kumar	AP05CA4149	7,500/-
12	98/16.02.2021	Pemmadi Lingeswara rao	Boat	3,000/-
13	121/17.03.2021	10 members	Boat	1,00,000/-
<b>Total amount</b>				<b>1,63,500/-</b>

**2021-22**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	1/ 16.04.2021	Regency Ceramics Ltd	Illegal excavation of mud	25,000/-
2	8/ 29.04.2021	Kaja Naga Suresh	AP05BY2616	10,000/-
3	9/ 20.05.2021	Karri Srinu and another	AP3554029	20,000/-
<b>Total amount</b>				<b>55,000/-</b>

  
**AMAN SHARMA**  
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 YANAM

**2022-23 (TILL DATE)**

S.No.	Ch.No./Date	Particulars	Vehicle No.	Amount in Rs.
1	3/ 20.04.2022	Palepu Ashok	AP37TJ0381	10,000/-
		Mallipudi Mahesh Babu	AP26AX9841	10,000/-
		Vadrevu Balakrishna	AP5DC7951	10,000/-
<b>Total amount</b>				<b>30,000/-</b>

**CONSOLIDATED PARTICULARS OF SAND COMPOUNDING CASES****Sub-Taluk Office, O/o. the Deputy Collector, Revenue, Yanam.**

S.No.	Financial Year	No. of Cases	Amount in Rs.
1	2015-16	6	50000
2	2016-17	5	71000
3	2017-18	5	29000
4	2018-19	5	38000
5	2019-20	11	104900
6	2020-21	13	163500
7	2021-22	3	55000
8	2022-23(till date)	1	30000
<b>TOTAL</b>		<b>49</b>	<b>541400</b>

**Details of Legal actions taken for illegal transportation of minerals**

Prosecution initiated against frequenting offenders by referring the same before the Hon'ble Judicial Magistrate, Yanam by way of lodging complaint as in accordance with Section 22 of the Act. The Hon'ble Sub-judge, Yanam was pleased to take up the case under

CC No.7/2021 Sangadi Srinu  
 CC No.8/2021 N.Prasad  
 CC No.3/2022 Cheekatla Sreenu  
 Above cases are under trial at present.

Proceedings u/s 107 Cr. P.C. has also been initiated, based on the Information laid down by the Police department, against the persons who are suspected and involved earlier in illegal transportation of sand from adjoining Andrapradesh as it was felt that such activities may cause breach to the Law and order in the Yanam region. Following suspected offenders have been bound under Section 107 of Code of Criminal Procedure, 1974 is furnished hereunder:

a. Palepu Satyanarayana@ Pottiyya(56), S/o P. Narayana Murthy, Near Kurasampeta, Yanam. Vide case I.R.No. 47/2021 U/s. 107.Cr.P.C.

b. Pemmadi Lingeswara Rao (38), S/o. P.Murali, Fishermenpeta, Mettacur, Yanam. Vide case I.R.No. 48/2021 U/s. 107.Cr.P.C

c. Karri Venkateswarulu @ Srinu (45), S/o Venkatareddy, Kurasampeta, Yanam. Vide case I.R.No. 49/2021 U/s. 107.Cr.P.C

d. Vadrevu Balakrishna (32), S/o V.Dharma Rao, Kurasampeta, Yanam. Vide case I.R.No. 50/2021 U/s. 107.Cr.P.C

  
**AMAN SHARMA**  
 REGIONAL ADMINISTRATOR  
 YANAM

11. Hence I most humbly pray before this Hon'ble tribunal may record the above status report and to pass suitable orders in the interest of justice.

Solemnly affirmed at Yanam On this the 18th day of May 2022 and signed his name in my presence.

RESPONDENT

  
18/5/2022  
AMAN SHARMA  
REGIONAL ADMINISTRATOR  
YANAM