

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

(By Video Conferencing)

Original Application No. 243/2022

(With reports dated 27.05.2022 & 02.07.2022)

In re: News item published in the Telugu Newspaper named, Eenadu, Andhra Pradesh edition dated: 29th July, 2021, titled **“illegal sand mining in Prakasham and Kadapa District, Andhra Pradesh”**

Date of hearing: 14.10.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

**ORDER**

1. Proceedings have been initiated on the basis of captioned media report to the effect that large scale of illegal mining of red sand is taking place in Vadapalli, Kumarapalli, Hasanapuram, Chitluru villages from government lands, M.I tanks and ponds in Ramapuram Mandalam, Kadapa District and Darshi, Konkanamitla and Pondili Mandalam of Prakasham District. Illegal mining is also taking place in the Musi Wagu canal from Gangapalam, bandiveligandla, Erra obnapallo, Ramachandrapuram, Rajampalli villages. The illegally mined sand is being sold in Donakonda, Podili, Marripudi, Kurichedu Mandals. Illegal mining is also reported in the Devavaram and Thimmaipalm from canals. The sand mafia is resorting to illegal mining in the night to avoid action. The Tripuranthakam village sand is illegally mined from hundreds of acres of governments lands, adjoining the forest areas. Every day hundreds of

tractors of transporting the illegally mined sand, as a result ditches upto the extent of 20 feet can be seen in these government lands.

2. Vide order dated 01.04.2022, the Tribunal sought a factual and action taken report from District Magistrates, Prakasam and Kadapa and Telangana State PCB.

3. Accordingly, report dated 27.05.2022 has been filed by the joint Committee and on the same pattern a report dated 02.07.2022 has also been filed by District Collector, Prakasam.

4. It will suffice to refer to the Report dated 27.05.2022 which states that measures have been taken to stop illegal excavation and transportation of the mined material by erecting caution boards. The relevant extracts from the report are:-

**“5.0 Observations of the Joint Committee**

1. *Chitluru: The committee observed that, Palannagaripalli Kunta of Chitluru village is inundated with water and there was no excavation or transportation of soil found at the water filled tank.*
2. *Bandapalli: The eastern part of the hillock comes under Bandapalli village of Ramapuram mandal. The committee found Gravel to have been excavated from the hillock as pits were observed in the area. Caution Boards have been erected on the hillock to stop illegal excavation and transportation of Gravel from the hillock. During inspection there was no excavation or transportation of material observed from the area. The quantity of Gravel excavated and transported is required to be assessed by the Department of Mines & Geology along with the Revenue Department.*
3. *Hasanapuram: The western part of the hillock comes under Hasanapuram village of Ramapuram mandal. The committee found Gravel to have been excavated from the hillock as pits were observed in the area. Caution Boards have been erected on the hillock to stop illegal excavation and transportation of Gravel from the hillock. The quantity of Gravel excavated and transported is required to be assessed by the Department of Mines & Geology along with the Revenue Department.*
4. *Kummarapalli: The committee found the Kummarapalli tank to be inundated with water and ordinary earth is available at*

*the shore of the tank. Farmers have dug the ordinary earth from the shore of the tank and used for cultivation. JCB bearing No.AP04 AY 7681 was found working in this area digging the Earth for transportation without permission from the concerned authorities. The JCB was seized and handed over to the SHO, Ramapuram for safe custody.*

**6.0 Facts of the areas in question furnished by concerned Departments: 6.1. Revenue Department**

*Based on the News item published in the Telugu Newspaper named, Eenadu, Andhra Pradesh edition dated: 30<sup>th</sup> July, 2021, titled “Yerramatti.....Kollagotti” (illegal transportation of red sand in Ramapuram Mandal , Kadapa District, Andhra Pradesh), the then Tahsildar conducted enquiry of the areas in question through Mandal Revenue Inspector and Mandal Surveyor and submitted a report to the District Collector, YSR District, on 31.07.2021, informing that, the said land is spread across two village borders viz., Hasanapuram and Bandapalli. As per RSR the land in the Sy No.932 Ac. 24.64 cents classified as waste (Gaya lu) Sy.No. 958 Ac. 15.16 cents which are classified A.W of Hasanapuram village and in the Sy No. 5 Ac. 19.69 cents and Sy. Nos. 256 Ac 4.54 cents of Bandapalli village which are classified as Govt. Lands (Dotted Land), some extent in the enjoyment of pattadars and some extent in the form of Hillock (Gutta) in the Sy No. 932 of Hasanapuram village and the Sy no. 5 of Bandapalli village Sy No. 958 of Hasanapuram village and 256 of Bandapalli village is completely in the form of Hillock (Gutta). As per webland some of the persons are entered as DKT pattadars and remaining extent is noted as Govt. Land.*

*It is further mentioned in the report dt 31.07.2021, that some of the realtors are illicitly digging and transporting Red Gravel to their layout plots at Rayachoty Mandal without getting any permission from the concerned authorities. It is reported that, during inspection of Revenue officials on 30.07.2021, there was no illicit digging or transportation of Red Gravel from the above areas. Five Caution Boards were erected by the Revenue officials, to stop illicit digging and transportation of Red Gravel and to prevent entry into the Government lands.*

*It is also reported that, the Revenue Officials stopped illicit transportation of soil from Kummarapalli village in response to the complaint from the villagers of Kummarapalli.*

*In Palannagaripalli kunta of Chitluru village, as the pond is filled with water, there is no possibility of digging and transportation of soil. (Copy of Tahsildar report is enclosed as Annexure-II)*

**6.2. Water Resources Department**

*Based on the News item published in the Telugu Newspaper named, Eenadu, Andhra Pradesh edition dated: 29<sup>th</sup> July, 2021, titled “illegal sand mining in Prakasham and Kadapa District, Andhra Pradesh” in the villages of Hasanapuram, Bandapalli, Chitluru and Kummarapalli of Ramapuram Mandal, the Deputy Executive Engineer, Irrigation Sub – Division, Rayachoty, inspected the tanks in the said villages and informed that the tanks were partly (30%)*

*filled with water and there was no illicit digging or transport of soil from the tanks.*

*The Deputy Executive Engineer, Irrigation Sub – Division, Rayachoty, also informed that there is no possibility of transportation of soil from Palannagaripalli Kunta in Chitluru, Kummarapalli Kunta as the tanks are filled (30%) with water. The Tahsildar, Ramapuram was requested to issue instructions to the Revenue Officials, to be vigilant regarding illicit transportation of soil from the tanks. As per GO Ms. No. 74 Water Resources (CADA) Dept, dt. 14.10.2019, permits the farmers to lift silt from the Minor Irrigation tanks, however the Water Resource Department has not issued any permission for lifting and transportation of silt from the tanks in the areas in question. (Copy of WRD report enclosed as Annexure-III)*

### **6.3. AP Pollution Control Board**

*The Pollution Control Board issues consent to mining units only after obtaining prior Environmental Clearance from SEIAA, Mining Plan Approval and Mining Lease from the Department of Mines & Geology and no such consents have been issued by the Board, to the areas in question. Earlier, the Regional Office, APPCB, Kadapa, requested the Dy. Director Mines & Geology, Department of Mines & Geology, Kadapa, vide Lr. dt. 10.05.2021, not to issue permits to mining units till the units obtain Environmental Clearance and valid Consent for Operation (CFO) of the Board.*

*The Palannagaripalli Kunta in Chitlur village and Kummarapalli Kunta are Minor Irrigation tanks, and the Water Resource Department, as per the G.O. Ms. No. 74 dt. 14.10.2019, permits the farmers to lift silt from the Minor Irrigation tanks, subject to providing details of land where silt would be spread, with due certification from concerned Revenue Inspector.*

### **6.4. Department of Mines & Geology**

*Permissions have not been granted by the Department of Mines & Geology, for excavation and transportation of Gravel from Sy.Nos.5 & 256 of Bandapalli and Sy.Nos.932 & 958 of Hasnapuram Villages of the said areas and in minor irrigation tanks located in Chitluru and Kumarapalli Villages. The lands located in Sy.No. 5 & 256 of Bandapalli and Sy.Nos.932 & 958 of Hasnapuram Villages are Government lands as such lies under the custodian of the Tahsildar, Ramapuram Mandal and the minor irrigation tanks are under the custodian of the SE/EE, Minor Irrigation Department, Annamayya District. The excavations of Gravel in these areas have not come to the notice of the Department of Mines & Geology.*

*In Kummarapalli, JCB bearing No.AP04 AY 7681 was found working in this area digging the earth for transportation without permission from the concerned authorities. About 12 Cbm of ordinary earth was found to be excavated as per the workings observed in the area. The JCB was seized and handed over to the SHO, Ramapuram for safe custody.*

### **7.0 Action taken on violations if any:**

*The Revenue Department has taken measures to stop illegal excavation and transportation of Gravel from the hillocks of Bandapaili and Hasanapuram, by erecting caution boards with warning of legal action against any illegal excavation and transportation from the hillock as they are Government lands.”*

In view of above, no further action is necessary except that the authorities may maintain regular vigil in the matter.

The application is disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

October 14, 2022  
Original Application No. 243/2022  
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