

Item No.15:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.106 of 2023 (SZ)

IN THE MATTER OF

K. Srinivasulu
Chittoor District, Andhra Pradesh.

...Applicant(s)

Versus

State of Andhra Pradesh
Rep. by its Chief Secretary,
Andhra Pradesh and Ors.

....Respondent(s)

Date of hearing: 06.09.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1, R2, R5 & R6.
Mrs. AL. Gandhimathi for R7 to R14.

ORDER

1. Today, the learned Government Pleader stated that the units of Respondents No.7 to 14 were inspected and appropriate environmental compensations were collected. However, for the 7th Respondent (M/s. Rathna Mineral Enterprises), it is stated there was no violation noted by them and hence, no Environmental Compensation was levied.
2. But on going through the report of the Andhra Pradesh Pollution Control Board (APPCB) dated 15.05.2023, it has been specifically observed that *"Overburden is being done out of the mine lease area. Approval regarding the dumping of the overburden out of the mine lease is not available"*. It was immediately rectified by the unit holder and taken back the same to the earmarked mine lease area. Hence, the Environmental Compensation was not levied on M/s. Rathna Mineral Enterprises (Respondent No.7).
3. When the APPCB had specifically observed that there was no approval for dumping the overburden out of the mine lease area, it was a violation and the APPCB had not levied any compensation for the said violation.
4. Hence, the APPCB is directed to assess the period for which the 7th Respondent was operating without such approval and dumping the overburden out of the mine lease area and appropriately compute the leviable environmental compensation and file a report.

5. Though the entire pleadings are ready, considering the volume of papers, the learned counsels are directed to compile them in a tabular column and furnish the same.
6. Let the reports of the Joint Committee, Department of Mines and Geology and Andhra Pradesh Pollution Control Board for each of the respondents be compiled and furnished.
7. Post the matter on **15.09.2023** for final hearing.



Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O. A. No.106/2023 (SZ)
06th September, 2023. Mn.

