

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.4298 of 2015

Between:

Y. Hanuma Reddy

PETITIONER

AND

1. State of Telangana, rep. by its Principal Secretary, Mines & Geology Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Mines and Geology for respondents 1 to 5.

The grievance of the petitioner is that in spite of Consent for Establishment (CFE) and Consent for Operation (CFO) granted by the Joint Chief Environment Engineer, Telangana State, the Pollution Control Board and the said Consent of Operation, valid up to 30.04.2015, simply because a complaint is made by a third party, viz., 6th respondent herein, before the Hon'ble Lokayukta, the dispatch permits were not granted to him.

The instructions obtained by the learned Government Pleader for Mines and Geology, state that on 30.06.2014 one Sri K. Vykunta Reddy made a complaint before the Hon'ble Lokayukta alleging that the petitioner is quarrying mining activity in spite of rejection of Consent for Establishment. The Hon'ble Lokayukta passed an order dated 30.06.2014 directing the Assistant Director of Mines & Geology, Karimnagar to take action against the aforesaid units which are said to be running without permissions from the Pollution Control Board. The instructions further state that the petitioner has obtained Consent for Establishment (CEF) dated 25.11.2014 and Consent for Operation dated 09.12.2014 issued by the Joint Chief Environmental Engineer, Telangana State Pollution Control Board, Zonal Office, Hyderabad, which was valid up to 30.04.2015.

In view of the same, there is no impediment as to why the dispatch permit was not granted to the petitioner. Apparently the complaint was made before the Hon'ble Lokayukta by the 6th respondent without being

aware of the CFE and CFO issued in favour of the petitioner.

Since there is no other objection found by the Mines and Geology Department with regard to functioning of the quarry by the petitioner, the writ petition is disposed of directing the Assistant Director of Mines and Geology to consider the request of the petitioner for grant of dispatch permit in accordance with the consents given under A.P. Minor Mineral Concession Rules 1966, as well as the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and the Rules made thereunder, and after due verification, dispatch permit be granted to the petitioner in accordance with law. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

VILAS V. AFZULPURKAR,J

24th February, 2015
Js.