

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 17749 OF 2016

ORDER :

Complaining inaction on the part of the respondent authorities with regard to the illegal quarrying and transportation of sand in Yellapuram Village, Krishna District and Bapirajugudem and Nadeppally Villages of West Godavari District, in contravention of G.O.Ms.No. 32, dated 24.03.2015, this Writ Petition has been filed.

The case of the petitioners is that the Government of Andhra Pradesh, through its G.O.Ms.No. 32, Panchayat Raj and Rural Development (RDII) Department, dated 24.03.2015, notified certain villages, list of which has been annexed, as 'Over Exploited Villages', banning excavation of sand which results ground water depletion. It is their grievance that though, on 02.05.2016, a representation was made to the District Collector, West Godavari complaining illegal sand quarrying in the aforesaid villages, the same has not been attended to so far.

Today, learned Government Pleader for Irrigation (Andhra Pradesh) places before this Court the written instructions received from the Assistant Director of Mines & Geology, Eluru, paragraphs 3 to 6 of which read as under:

“ In this connection, it is submitted that, in the affidavit, the petitioner stating that, some unknown people from the different villages and districts are entering into the Tammileru River at Nadipalli Village and Bapirajugudem Village and excavating the sand illegally. The District Collector, West Godavari vide proceeding No. Roc.No. F1/E-89621/2016, dated 18.05.2016 has requested to R.D.O., Eluru, P.D. D.R.D.A. Eluru, Tahsildar, Pedavegi, Assistant Director of Mines, West Godavari, S.E. Irrigations, West Godavari to take action on Prohibit Removal of Sand from Tammileru in the surroundings of Nadipalli and Bapirajugudem Villages of Pedavegi Mandal as per provisions of A.P. WALTA Act. Accordingly, the Technical Staff of Mines Department (Regular, Vigilance) West Godavari have jointly inspected the surroundings of Nadeppalli & Bapirajugudem (V) of Pedavegi (M), W.G. District with regard to stop the removal of

sand from Tammileru stream on 23.05.2016.

During the time of inspection, some number of tractors are entering into the Thammileru river course nearby Nadeipalli Village. The team of officials has stopped all the vehicle transportation who were ready to fetch the sand from the area in which some laborer are engaged for manual loading of sand. After receiving the information, the transportation of sand is also stopped in the river course near Bapirajugudem Village.

As per the local enquiry, it is learnt that the local villagers and the farmers are encouraging the excavation of sand by means of transportation nearby the river course. In the earlier, the subject areas are extensively operated for excavation and transportation of sand. The local police personnel are also engaged to control the traffic and conflicts while loading and transporting sand in the subject areas.

Further, the technical team have appraised the rule position to the local villagers & transporters and also instructed not to indulge any unauthorized sand transportation in Thammileru river course nearby Nadeipalli and Bapirajugudem villages of Pedavegi Mandal, West Godavari District. Then the complaint was conceded to the Tahsildar, Pedavegi Mandal and the Sub-Inspector of Police, Pedavegi for appraisal. We also guided the local police and village revenue officials to monitor the areas until the situation is under control and not to allow the persons who were intended to extract the sand in the above areas.”

In the light of the above instructions, the grievance of the petitioners stands redressed.

The Writ Petition is therefore, closed as no further orders are required to be passed. No costs.

It is needless to mention that the respondent authorities shall ensure strict implementation of G.O.Ms.No.32, dated 24.03.2015.

The copy of the written instructions is made part of the record.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

07th June 2016

ksld