

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

ORIGINAL APPLICATION No. 06 OF 2022 (SZ)

IN THE MATTER OF:

P.V.Subramanya Varma,
S/o.P.Atchutha Rama Raju,
Hyderabad.

....

Applicant(s)

Versus

State of Telangana,
rep by its Prl. Secretary,
EFS&T Dept., & Others

....

Respondent(s)

REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R4)

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Place: Hyderabad.

Date: 25-03-2023.

T.Sai Krishnan

Counsel for Respondent No.4

REPORT DATED 24-03-2023 OF TELANGANA STATE POLLUTION CONTROL BOARD (RESPONDENT NO. 4) IN OA NO.6 OF 2022 FILED BY SRI P.V.SUBRAMANYA VARMA, R/O.KHAIRTHABAD, HYDERABAD AGAINST UNAUTHORIZED OPERATION OF RESPONDENT STONE CRUSHING UNITS IN SANGAREDDY AND RANGAREDDY DISTRICTS.

It is to submit that an Original Application (OA) was filed before the Hon'ble NGT, Chennai by P.V.Subramanya Varma, Hyderabad against illegal and unauthorised stone crusher units operated in GO Ms No. 111 area i.e., Vattinagulapally, Kokapet, Gouldoddi, Gopanally, Kotwalguda villages in Rangareddy District.

The Hon'ble NGT, Chennai during the hearing held on 15.11.2022 directed the TSPCB to file report of notices given for levy of Environmental Compensation, follow up action for recovery of environmental compensation and status on Writ Petition filed by M/s. Aadeshwar Aggregates Pvt Ltd., before the Hon'ble High Court.

The Board has filed a detailed report before the Hon'ble NGT, Chennai on 14.02.2023 duly mentioning the procedure followed for levy of environmental compensation, status of recovery of environmental compensation, status of monitoring of stone crushers, status of appeal filed by M/s Aadheshwar traders and status on Writ Petition filed by M/s. Aadeshwar Aggregates Pvt Ltd.

Further it is to submit that, the PS, Gachibowli, Rangareddy District has registered FIR No.94/2023 Dt.22.01.2023 under Sec 336, 278, 188 of IPC & 16 of EPA on the following stone crushing units for tampering the seals laid during the seizure of stone crushers on 20.10.2022 & 21.10.2022 and operated the stone crushing units(ANNEXURE -I)

Sl. No.	Name and address of the units
1	M/s. Great India Mining (formerly Sebi Mining),Goulidoddi(V), Serilingampally(M), Rangareddy District (Respondent No. 24)
2	M/s. Sri Laxmi Narasimha Metal Industries, Vattinagulapally, Gandipet, RR District (Respondent No. 15)
3	M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 19)
4	M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 22)
5	M/s. Adeshwar Traders (formerly M/s. Vensai Metals / M/s.Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District
6	M/s. Teja Reddy Crushers, Vattinagulapally (V), Gandipet (M), Rangareddy District
7	M/s. C5 Infra Pvt. Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR District
8	M/s. Unnamed Stone Crusher, located beside Aadeeshwar Aggregates, Vattinagulapally, Gandipet (M), RR District

In compliance with the Hon'ble NGT Order dated 03.01.2023 in Appeal No.78 of 2022 filed by M/s. Aadeshwar Traders (formerly M/s. Vensai Metals / M/s.Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District, the appellant industry has deposited Rs.24,65,000/- i.e., 50% of total amount Rs.49,30,000/- into the Environmental Compensation fund account on 03.03.2023 i.e., within 8 weeks from the Hon'ble NGT Orders.

Submitted

Place: Hyderabad.

Date: 24.03.2023



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Annexure - I

FIRST INFORMATION REPORT
(Under Section 154 and 157 Cr.P.C.)

T.S.P.M. Orders 470,500

1. District Cyberabad P.S. Gachibowli Year 2023 FIR No. 94/2023 Date 22-01-2023

2. Acts & Section(s): 336,278,188 IPC, 16 EPA,

3. a) Occurrence of Offence: Day Sunday Date & Time From

Date & Time To Prior To 22-01-2023 Time 00:00:00 Period

b) Information Received at P.S.: Date & Time 22-01-2023 15:30

General Diary Entry No 11 Date & Time 22-01-2023 15:30
Reference:

4. Type of Information: Written

5. Place of Occurrence:

a) Distance and Direction From P.S.: 4 KM, North-West Beat No.

Gowlidoddi &

b) Address Place Vattinagulapally Area/Mandal Serilingampally Street/Village Vattinagulapalle Village

City/District Cyberabad State Telangana PIN

c) In case, outside the limit of this Police Station, then

Name of P.S. District

6. Complainant / Informant:

a) Name Sir Sidhartha Swamy

b) Father's /Husband's Name

c) Date/Year of Birth Age

d) Nationality India e) Caste

f) Passport No Date of Issue Place of Issue

g) Occupation Mobile No. 6309007839

h) Address House No Area/Mandal Serilingampally Street/Village

City/District RANGA REDDY State TELANGANA PIN

7. Details of known/suspected/unknown accused with full particulars:

Serial No : 1

a) Name In-charge of M/s Great India Mining

4

Father's /Husband's
b) Name

c) Occupation d) Caste e) Gender Male

f) Age Nationality India

g) Address

House No Street/Village Area/Mandal

City/District State PIN

h) Phone(Off) Phone(Resi) Cell No

i) Email

Serial No : 2

a) Name In-charge of M/s Sri Laxmi Narsimha Metal Industries

Father's /Husband's
b) Name

c) Occupation d) Caste e) Gender Male

f) Age Nationality India

g) Address

House No Street/Village Area/Mandal

City/District State PIN

h) Phone(Off) Phone(Resi) Cell No

i) Email

Serial No : 3

a) Name In-charge of M/s Sri Laxmi Constructions

Father's /Husband's
b) Name

c) Occupation d) Caste e) Gender Male

f) Age Nationality India

g) Address

House No Street/Village Area/Mandal

City/District State PIN

h) Phone(Off) Phone(Resi) Cell No

i) Email

Serial No : 4

a) Name In-charge of M/s Hyderabad Rock Sand

Father's /Husband's
b) Name

5

Occupation _____ d) Caste _____ e) Gender Male

f) Age _____ Nationality India

g) Address

House No _____ Street/Village _____ Area/Mandal _____

City/District _____ State _____ PIN _____

h) Phone(Off) _____ Phone(Resi) _____ Cell No _____

i) Email _____

Serial No : 5

a) Name In-charge of M/s Adeshwar Traders

b) Father's /Husband's Name _____

c) Occupation _____ d) Caste _____ e) Gender Male

f) Age _____ Nationality India

g) Address

House No _____ Street/Village _____ Area/Mandal _____

City/District _____ State _____ PIN _____

h) Phone(Off) _____ Phone(Resi) _____ Cell No _____

i) Email _____

Serial No : 6

a) Name In-charge of M/s Teja Reddy Crushers

b) Father's /Husband's Name _____

c) Occupation _____ d) Caste _____ e) Gender Male

f) Age _____ Nationality India

g) Address

House No _____ Street/Village _____ Area/Mandal _____

City/District _____ State _____ PIN _____

h) Phone(Off) _____ Phone(Resi) _____ Cell No _____

i) Email _____

Serial No : 7

a) Name In-charge of M/s C5 Infra Pvt Ltd

b) Father's /Husband's Name _____

c) Occupation _____ d) Caste _____ e) Gender Male

f) Age _____ Nationality India

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288 K1

g) Address

House No _____ Street/Village _____ Area/Mandal _____
City/District _____ State _____ PIN _____

h) Phone(Off) _____ Phone(Resi) _____ Cell No _____

i) Email _____

Serial No : 8

a) Name In-charge of M/s Unnamed Stone Crusher _____

b) Father's /Husband's Name _____

c) Occupation _____ d) Caste _____ e) Gender Male

f) Age _____ Nationality India

g) Address

House No _____ Street/Village _____ Area/Mandal _____
City/District _____ State _____ PIN _____

h) Phone(Off) _____ Phone(Resi) _____ Cell No _____

i) Email _____

Physical features, deformities and other details of the Suspect:

S. No.	Sex	Date/Year of Birth	Build	Height (cms)	Complexion	Identification Marks(s)
1	2	3	4	5	6	7
1						
2						
3						
4						
5						
6						
7						
8						

Deformalities/ Peculiarities	Teeth	Hair	Eyes	Habbit(s)	Dress Habit(s)	Languages/ Dialect

7

8	9	10	11	12	13	14

Place Of				
Burn Mark	Leucoderma	Mole	Scar	Tattoo
15	16	17	18	19

8. Reasons for delay in reporting by the complainant / informant:

No Delay

9. Particulars of properties stolen/involved (Attach separate sheet, if necessary):

10. Total value of property stolen:

11. Inquest Report/ U.D.

Case

12. Contents of the complaint / statement of the complainant or informant:

IN THE COURT OF HONOURABLE X ADDL, METRO POLITAL MAGISTRATE KUKATPALLY AT PRASHANTH NAGAR, CYBERABAD.

Honoured Sir/Madam,

Brief facts of the case are that on 22.01.2023 at about 15.30 hours received a report from Sir Sidh artha Swamy, Occ: AEE-II of TSPCB, #6309007839, in which he stated that Telangana Pollution Control Board, has issued closure orders to the owners of stone crushers located in Gowlidoddi & Vattinagulapally village for operating within 10kms radius of Himayathsagar and Osmansagar lakes which attracts G.O.Ms.No.111 M.A, dated 08.03.1996 according to which the establishment of industries is prohibited within 10kms radius (i.e both on upstream and downstream side) of Himayathsagar and Osmansagar lakes & operating without obtaining valid consent from the Pollution Control Board, which is harmful to environment. Though the accused 1) M/s Great India Mining (formerly Sebi Mining), Gowlidoddi(V), Serilingampally(M), RR Dist, 2) M/s Sri Laxmi Narsimha Metal Industries, Vattinagulapally, Gandipet, RR Dist, 3) M/s Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally(V), Gandipet(M), RR Dist, 4) M/s Hyderabad Rock Sand, Vattinagulapally(V), Gandipet(M), RR Dist, 5) M/s Adeshwar Traders (formerly M/s Vensai Metals/M/s

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Prasad Metal), Vattinagulapally(V), Gandipet(M), RR Dist, 6) M/s Teja Reddy Crushers, Vattinagulapally(V), Gandipet(M), RR Dist, 7) M/s C5 Infra Pvt Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR Dist, 8) M/s Unnamed Stone Crusher located beside Aadeshwar Aggregates, Vattinagulapally(V), Gandipet(M), RR Dist. The TSPCB officials has inspected the area again on 08.06.2022 observed that the crushers have tampered the seals provided to the plant & machinery and operating the crushers. The Hon'ble GT orders Dt.17.01.2022 &14.10.2022, the plant & machinery of aforesaid crushers were seized by the Joint team of officials from TSPCB, Revenue & Mining department on 20.10.2022 &21.10.2022. On 28.11.2022 the officials of TSPCB has inspected the crushers again and observed that the stone crushers are being operated by the accused by tampering the seals provide for plant and machinery. The accused violated the orders of the public servant for not taking the personal safety of the others which causing noxious to the health. Hence FIR Received on 22.01.2023 at 15.30 Hours

As per the contents of the petition I Registered a case in Cr.No.94/2023 U/Sec 336, 278, 188 IPC and Sec 16 of Environmental (Protection Act) and took up the investigation.

Sd/-

(T.Subramanyam)

Sub-Inspector of Police

PS Gachibowli, Cyb

13. Action taken:

Since The above information reveals commission of offence(s) U/s as mentioned at item No:

- 1) Registered the case and took up the investigation or Name THOTA SUBRAMANYAM
- 2) Directed to take up the Investigation or Rank: SI No. 908
- 3) Refused investigation due to _____
- 4) Transferred to P.S _____ District _____ on point of jurisdiction.

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost.

R.O.A.C

14. Signature / Thumb impression of the complainant / informant.

Signature of Officer in charge, Police
Station

Name THOTA SUBRAMANYAM

Rank SI

No 908

15. Date and time of dispatch to the court: _____



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Sl no
Gatlibat

TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE - I, RANGAREDDY DISTRICT
H.No.6-3-1219, Block C, Ward No.91, 2nd Floor, Backside of Country
Club, Kundanbagh, Umanagar, Begumpet, Hyderabad - 500016.

M. Venkat Narsu
Environmental Engineer

Email:ee-rr1-tspcb@telangana.gov.in

Lr.No.3/Complaint/PCB/RO.I-RRD/2022- 1330

Date: ²¹12.01.2023

To,
Deputy Commissioner of Police,
Madhapur.

Madam,

Sub:- TSPCB - Regional Office, Rangareddy District - Stone crushers - Operating in G.O Ms.111 area & Causing Air pollution to the surroundings - Closure Order Issued by TSPCB - Seizure of Plant & machinery by the Revenue officials - Continuing operations by tampering Seals - Action Requested - Reg.

- Ref:-
1. G.O.Ms.No.111 M.A, dated 08.03.1996 of MA&UD Dept.
 2. G.O MS.No.470 Dt.09.07.2008 of MA&UD Dept.
 3. TSPCB Closure Orders dated 27.09.2017, 22.08.2019, 28.09.2020 & 21.03.2022.
 4. Hon'ble High court order dated: 18.01.2022 in WP No. 12022 of 2020.
 5. Lr.No.LP/769/2022 Dt.10.03.2022 by the Collector & District Magistrate, Rangareddy Dist.
 6. D.O Lr.No.Gen-RR/TSPCB/HO/2022-2328 Dt.28.03.2022.
 7. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 8. Hon'ble NGT Order dated 17.01.2022, 14.10.2022 & 15.11.2022
 9. Seizure of crushers during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022, 20.10.2022 & 21.10.2022.
 10. Inspection of stone crushers by Board Officials on 08.06.2022 & 28.11.2022

It is to submit that, the TS Pollution Control Board, vide reference 3rd cited, has issued Closure orders to the following stone crushers located in Gowlidoddi & Vattinagulapally villages for operating within 10kms radius of Himayatsagar and Osmansagar lakes which attracts G.O.Ms.No.111 M.A, dated 08.03.1996 according to which the establishment of industries is prohibited within 10kms radius (i.e. both on upstream and downstream side) of Himayatsagar and Osmansagar lakes & operating without obtaining valid consents from the Pollution control Board.

1. M/s. Great India Mining (formerly Sebi Mining), Goulidoddi(V), Serilingampally(M), Rangareddy District.
2. M/s. Sri Laxmi Narasimha Metal Industries, Vattinagulapally, Gandipet, RR District.
3. M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District.
4. M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District.
5. M/s. Adeshwar Traders (formerly M/s. Vensai Metals / M/s.Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District.
6. M/s. Teja Reddy Crushers, Vattinagulapally (V), Gandipet (M), Rangareddy District
7. M/s. CS Infra Pvt. Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR District

J. Subramanyam, S.S.P for M/A.

P. Jagan
21/01/2023

8. M/s. Unnamed Stone Crusher, located beside Aadeeshwar Aggregates, Vattinagulapally, Gandipet (M), RR District.

The MA&UD dept, Govt of AP has issued G.O MS.No.470 Dt.09.07.2008 declaring Special Development Regulations for Hyderabad Outer Ring Road Growth Corridor (1 KM on the either side of the ORR) which states no expansion of existing industries and no new industries are permitted in the 1 KM on the either side of the ORR. However, the some of the aforesaid stone crushers are installed and operating within the 1KM of the GRR.

The Hon'ble High Court, vide order dated: 18.01.2022 in W.P No. 12022 of 2020 filed by Sri. Vislavath Saranganthar directed the Revenue authorities to implement the closure orders passed by the TSPCB during which the court will take suo moto contempt proceedings against the Revenue authorities.

The Collector & District Magistrate, Rangareddy District, vide reference 5th cited, has instructed the RDO, Rajendranagar Division and the Tahsildars of the Shamshabad, Gandipet & Serilingampally to remove illegal stone crushing units in the area, with the help of line departments.

The Member Secretary, TSPCB, vide D.O. letter dated: 28.03.2022 has requested the District Collector to instruct the concerned officials to take strict action on the illegal stone crushers located within 10 kms radius of Himayatsagar and Osmansagar lakes and implement of the Hon'ble High Court order dated: 18.01.2022.

As per the directions of the Collector and District Magistrate the Revenue officials along with TSPCB and Mining Department Officials have inspected & seized the stone crushers.

Subsequently, Sri P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad, vide reference 7th cited, Original Application (O.A.) No.6 of 2022 in the Hon'ble NGT with main prayer as to direct respective authorities to take action against on illegal stone crushers operating in the G.O.Ms.No.111 area.

The TSPCB officials has inspected the area again on 08.06.2022 observed that the crushers has tampered the seals provided to the plant & machinery and operating the crushers. Further, pursuant to the Hon'ble NGT orders Dt.17.01.2022 & 14.10.2022, the plant & machinery of aforesaid crushers were seized by the Joint team of officials from TSPCB, Revenue & Mining department on 20.10.2022 & 21.10.2022.

The TSPCB officials, vide reference 10th cited, has inspected the crushers on 28.11.2022 and observed that the stone crushers are being operated by tampering the seals provided for plant & machinery.

In view of the above, it is requested to initiate action against the aforesaid Stone crushers as per the Law as they are operating despite issuing closure orders by TSPCB, seizure of the Plant & Machinery by the Revenue officials & tampering the seals provided for plant & machinery.

Encl: As above

Copy submitted to the Member Secretary, TSPCB for kind information.

Copy submitted to the Collector & District Magistrate, Rangareddy District for kind information.

Copy submitted to the Joint Chief Environmental Engineer, TSPCB, Zonal Office, Hyderabad for kind information.

Copy to the Tahsildar, Gandipet for kind information.

Copy to the Tahsildar, Serilingampally for kind information.

Copy to the SHO Gachibowli, PS for kind information & necessary action

Received on 22-01-2023 at 15:30 hrs. As per the contents of the report registered a case in Cr.No. 94/2023 U.S. 336, 278, 188 IP and Sec. 16 of Environment (Protection) Act and took up the investigation.

ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
Telangana State POLLUTION CONTROL
BOARD REGIONAL OFFICE - I
RANGA REDDY DISTRICT

SIDDARTHA SWAMY
Desg:- AGE - II, TSPCB
6309007839

S.I. Jindia, D.S.G. & Co.
22/1/23