

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
ORIGINAL APPLICATION NO.09 OF 2022**

**IN THE MATTER OF:**

Pisati Indira Reddy & Another

.....Applicant(s)

Versus

Union of India & Others

.....Respondents(s)

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Place: Hyderabad.  
Date:22-04-2022

H.Yasmeen Ali  
Counsel for the Respondent

**1. Report of the Joint Committee constituted by the Hon'ble NGT, SZ, Chennai in O.A. No.09 of 2022 in the case of Smt. Pisati Indira Reddy and another Vs Union of India and Others**

It is to submit that Smt. Pisati Indira Reddy, w/o. Late P. Ram Reddy, R/o. H.No.183, Sadashiva Heavens, Pedda Amberpet (V), Abdullapurmet (M), Rangareddy District has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi stating that the stone crushing units, Stone metal quarries, Hot mix plants etc., in Abdullapurmet (M), Rangareddy District are violating the Environmental Acts and affecting the Human life and agriculture in surrounding areas of the villages and her agriculture lands are in particular. The Hon'ble NGT registered the representation as original application (OA) No. 09 of 2022.

**2. The Hon'ble NGT vide Order dt.18.01.2022 appointed Joint Committee with officers from various departments. Accordingly, the concerned departments nominated the Officers for the Joint Committee. The details of the Joint Committee:**

S. No	As per the Hon'ble NGT Order	Nominated by the concerned department	Name & Designation of the Officer
1.	District Collector of Rangareddy & Yadadri-Bhuvanagiri Districts.	Revenue Department	The District Collector, Rangareddy and Yadadri-Bhuvanagiri Dist.,
2.	Senior Officer from the MoEF&CC, Regional Office, Hyderabad	MoEF&CC, Integrated Regional Officer, Hyderabad.	Sri. E. Arockia Lenin, Scientist C, IRO, MoEF&CC, Hyderabad
3.	Senior Officer from the State Level Impact Assessment Authority (SEIAA), Telangana	State Level Environmental Impact Assessment Authority	Sri. G. Gangadhar, Joint Chief Environmental Engineer & Secretary, (SEAC), Telangana
4.	Senior Officer from the Telangana State Pollution Control Board as deputed by its Chairman/Member Secretary	T.S. Pollution Control Board	Sri. G. Hanumanth Reddy, Joint Chief Environmental Engineer, Zonal Office, R.C.puram, TSPCB
5.	Senior Officer from the Directorate of Mines & Geology, Telangana as deputed by its Director	Director of Mines & Geology	i. Sri. A. Venkata Ramana, Asst. Director of Mines & Geology, Yadadri-Bhuvanagiri District. ii. Sri. R. Praveen Reddy, Asst. Director of Mines & Geology, Rangareddy District (Nodal Officer)

### **3. Terms of Reference (ToR) to the Joint Committee:**

The Joint Committee is directed to ascertain the following:

- i. The number of such units operating in those areas,
- ii. Whether all the units are having necessary permissions and clearances as per the environmental laws,
- iii. If they are having such permissions, whether there is any violation of the conditions imposed committed by the party respondents
- iv. Whether the pollution control mechanisms provided by them are sufficient to mitigate the situation of pollution being caused on account of their operations.
- v. Whether any cumulative impact assessment has been done by the authorities before permitting such large scale establishment of units in those areas.
- vi. Whether the ambient air quality in that area is in conformity with the standard provided.
- vii. If the pollution control mechanism provided by the unit is not sufficient to meet the situation, what is the nature of the mitigating measures to be taken by them to avoid air, water as well as sound pollution.
- viii. Whether any damage has been caused to the nearby agricultural area on account of the operation of these units due to pollution caused and if so, what is the assessed quantum of compensation for damage caused to the environment,
- ix. Whether any excess mining has been done by the quarry operators encroaching into the neighbouring areas and the areas other than the permitted area as per the mining lease and permissions (if any) granted and if so, what is the quantum of compensation that has to be realized from such persons who are violating the norms.
- x. The Joint committee is also directed to ascertain the compensation payable for the violations committed by them, apart from assessing cost of restoration of damage caused to the environment and if there is any violation found, what is the nature of action taken by the regulators against such violators.

### **4. Site visit of the Joint Committee:**

In compliance with the Order dated 18.01.2022 of Hon'ble NGT in the above matter, the members of Joint Committee have visited the alleged units operating in the mining zone areas in Rangareddy district and adjacent areas falling in Yadadri-Bhuvanagiri District. As part of natural justice and as consented by all the members of the Committee an opportunity was given to the Applicant and the Project

authorities to express their views. During the site visit of Joint Committee, members discussed the facts, issues and prayers in the above case and the Terms of Reference (ToR) to the Joint Committee referred therein the Order dated 18.01.2022 of Hon'ble NGT, SZ, Chennai.

### **5. Background of the Project:**

The quarrying activity in and around the twin cities of Hyderabad and Secunderabad was increased in the last two decades rapidly and the resident associations frequently submitted representations to the Government to shift the existing quarries in the Rangareddy District to avoid Dust Pollution. By considering the representations, the State Govt. Industries and Commerce (Mines II) Department vide G.O.Rt.No.153 dated 01.03.2002, has constituted the Mining Zone committee comprising of following members:

1. District Collector/Joint Collector as Chairman,
2. Representative of Urban Development (member),
3. Assistant Director, Survey & Land Records (member),
4. Environmental Engineer, Pollution Control Board (member),
5. Nominee of Director, Mines Safety, Hyderabad Region (member),
6. Representative of A.P. Stone Crusher Owners Association (member),
7. Assistant Director of Mines and Geology, (member Convener)

The Director of Mines and Geology has accepted the recommendation of the Mining Zone Committee and declared the area over an extent of Acs.670.29 Gts. (271.33 Hectares) falling in Sy. No.268 of Bandaraviryala Village, Hayatnagar Mandal, Rangareddy District as "Mining Zone" with the following conditions as laid down in G.O Rt.No.153, dated 01.03.2002.

1. In the mining Zone all other activities other than quarrying will be prohibited.
2. No permission for house construction shall be allowed around the Mining Zone. Plantation shall be taken up in this area on top priority and maintained properly.
3. The Mining Zone shall be exclusively for quarrying of road metal and other material being used in construction activities etc.,
4. 10% of the total area is to be reserved for Vaddera Societies in the interest of their welfare.

There are 31 Quarries, 17 Stone crusher units, 11 no. of Hot mix plants, are operating in the area.

**5(i). Submission by the Applicant:**

During the site visit, the members of Joint Committee have interacted with the applicant and subsequently, the joint committee has visited applicant Ashramam and adjacent agricultural lands including applicant's land, which are stated to be affected by the mining activities. The applicant submitted the following:

- i. She is spiritual person and continuing a meditation centre in 15.0 Acres area.
- ii. Lot of Noise, Air Pollution, vibrations due to blasting, loss of agricultural income, throat infection, health issues caused due to the operating Stone crushing units and Hot mix plants in and around the area.
- iii. Sheshown her abandoned agriculture fields and dust deposition due to transportation of the vehicles.
- iv. She stated that many of the units are not having valid environmental clearances and other permissions from the regulatory authorities.
- v. The mining lease holders illegally encroached into her patta lands.
- vi. No action is taken by the authorities even after many requests.
- vii. The Joint Committee should take further appropriate action in this matter.

**5(ii). Submission of Project Authorities:**

1. The project authorities have submitted that there was rapid increase in quarrying activity in and around Hyderabad in the last 2 decades. The Residential Associations submitted representations to the Govt. to shift the quarries to avoid dust pollution. By considering the representations, the State Govt. - Industries and Commerce (mines II) Department vide G.O.Rt.No. 153 dated 01.03.2002, constituted Mining Zone committee and the Director of Mines and Geology has accepted the recommendation of the Mining Zone Committee and declared the area to an extent of Acs. 670.29 Gts. (271.33 Hectares) falling in Sy. No.268 of Bandaraviryala Village, Hayatnagar Mandal (presently Abdullapurmet Mandal), Rangareddy District as Mining Zone.
2. The Quarry lease Holders stated that the Mining zone was declared prior to the EIA notification, 2006 & Environmental clearance (EC) is not required those leases existed prior to EIA notification 2006. However, they have applied for EC under violation category as per MoEF & CCS.O. 804(E) dated 14.03.2017 and they are in the process of obtaining Environmental clearance (EC) from the SEIAA, Telangana.

3. Consent for Establishment (CFE) and Consent for Operation (CFO) were obtained from the Telangana state Pollution Control Board (TSPCB) for operating the existing stone crushing Units.
4. The units which were not having valid consents were issued with closure order by the TSPCB and are not in operation.
5. The existing production from the operational units are within the permitted quantities.
6. The project proponents have agreed to implement any environmental mitigation measures as recommended by the Joint Committee.

**6. Observations of the Joint Committee (As per TOR):**

**i. The Number of such units operating in those areas:**

It is humbly submitted that the total number of units in the mining zone are as given below:

- a. Number of Stone crushing Units: 14 (Rangareddy district) + 3 (Yadadri Bhuvanagiri district)
- b. Number of Hot mix plants: 9 (Rangareddy district) + 2 (Yadadri Bhuvanagiri district)
- c. Number of Quarries-24 (Rangareddy district)+7 (Yadadri Bhuvanagiri district)

**ii. Whether all the units are having necessary permissions and clearances as per the environmental laws:**

It is submitted that mining zone area is existed prior to the EIA notification 2006. Total number of quarries existed are 31. All of them have obtained quarry leases from Mines and Geology Department, Telangana. Out of 31 quarry leases, three (03) lease holders have obtained environmental clearance (**Annexure-A**). Three (3) quarry lease holders have not applied for EC and the remaining 25 lease holders have applied for environmental clearance under violation category as per the MoEF&CC S.O. 804, dated 14.03.2017. However, 13 applications were returned to the proponents due to short comings. 12 No. of Quarries submitted additional information in the first week of April 2022 and it will be reviewed by the SEAC & SEIAA.

All the operating 16 stone crushers in the area having valid consents from TSPCB and one stone crusher was issued with closure orders (List enclosed-**Annexure B**).

The total number of Hot Mix Plants existed in those area is 11. Out of which one unit is not obtained CFO and remaining 10 units have obtained CFO. However, TSPCB has issued closure orders to 9 units for not complying with the CFO conditions(Annexure C).

iii. **If they are having such permissions, whether there is any violation of the conditions imposed/ committed by the party respondents:**

- Show cause notices issued by TSPCB to the 29 Quarries for not having valid CFO (Annexure-D).
- TSPCB has issued closure orders to one stone crushing unit (Annexure B).
- TSPCB has issued closure orders to 9 hot mix units for not complying with the CFO conditions (Annexure C).

iv. **Whether the pollution control mechanisms provided by them are sufficient to mitigate the situation of pollution being caused on account of their operations:**

The main allegations of applicant are dust deposition, loss of agricultural income and health issues due to crushing units and transportation. All the stone crusher units have provided green belt, wind breaking walls, dust bunkers, water sprinklers. However, the following may be provided to mitigate the dust pollution.

- Three tier green belt around the units and along the approach road needs to be improved.
- The height of Wind breaking walls needs to be increased around stone aggregates/sand storage bunkers.
- Dust bunkers provided at the unloading points needs to be covered with GI/MS sheets.

v. **Whether any cumulative impact assessment has been done by the authorities before permitting such large scale establishment of units in those areas:**

Environmental Impact assessments have not been carried out for the Mining zone as it was declared vide G.O.Ms.No.89,dated 22.03.2006 i.e.prior to the EIA Notification, 2006.

The committee is of view that, Environmental Impact Assessment may be carried out through CSIR-NEERI/any recognized institute to assess the cumulative impact of the project for appropriate recommendations for remedial measures.

**vi. Whether the ambient air quality in that area is in conformity with the standard provided:**

TSPCB has carried out Ambient Air quality Monitoring in the area on 10.03.2022 to assess the Ambient Air quality. As per the report, the monitored are parameters within prescribed limits (**Annexure-E**)

**vii. If the pollution control mechanism provided by the unit is not sufficient to meet the situation, what is the nature of the mitigating measures to be taken by them to avoid air, water as well as sound pollution:**

- a) Cement Concrete/Bitumen top road needs to be constructed from stone crushing units to main road.
- b) Three tier plantation along the transportation road needs to be provided
- c) Wind breaking walls/Green net needs to be provided either side of the petitioner Ashramam to reduce the dust emission due to transportation.
- d) Engaging of separate vehicle for regular water sprinkling along the transportation road.
- e) All the transportation vehicles needs to be provided Tarpaulin cover during transportation.
- f) The units shall have a Separate Environmental cell to monitor the environmental protection measures and status of compliance.
- g) Adequate funding shall be earmarked to implement the environmental protection measures.
- h) The units shall implement the required Pollution Control measures stipulated in the consent orders/Directions issued by the Board.

**viii. Whether any damage has been caused to the nearby agricultural area on account of the operation of these units due to pollution caused and if so, what is the assessed quantum of compensation for damage caused to the environment:**

The Joint Committee visited the agricultural fields of the applicant and other agricultural fields in the surrounding area. Dust deposition is found over the applicant's land and on the existing plantation. There is no agricultural activity observed during site visit. It was informed that

agriculture activity was abandoned about 02 years ago. Agricultural report is enclosed (**Annexure-F**). There are other paddy fields around the mining zone area which are found to be good. There is no impact observed on the other fields.

Since the petitioner land is adjacent transportation road and due to abandoning the fields without any cultivation, the dust deposition are found on the fields. Based on the agricultural report and humanitarian grounds, compensation is calculated based on the Minimum support Price fixed by Telangana Government for the petitioner land is Rs. 2,88,672/- (Rupees two lakhseighty eight thousand six hundred and seventy two only).

Further, the Committee is view of that the petitioner may be directed to cultivate other crops recommended in the agricultural report and in consultation with agricultural officer of the area for better yield.

- ix. **Whether any excess mining has been done by the quarry operators encroaching into the neighbouring areas and the areas other than the permitted area as per the mining lease and permissions (if any) granted and if so, what is the quantum of compensation that has to be realized from such persons who are violating the norms:**

The Joint Committee have visited all the quarry leases represented in O.A.No.9 by the applicant. The Surveyor of Mines Department was also present and verified the boundaries of the quarry leases and found that the lease holders are working within the granted area as per the executed sketch and no illegal quarrying is noticed.

- x. **The Joint committee is also directed to ascertain the compensation payable for the violations committed by them, apart from assessing cost of restoration of damage caused to the environment and if there is any violation found, what is the nature of action taken by the regulators against such violators:**

The quarry lease holders have submitted application for environmental clearance to SEIAA, Telangana. Credible action may be initiated as per Ministry OM. 22-21/2020-IA.III dated 07.07.2021 and O.M.22-21/2020-IA.III (E 138949) dated 28.01.2022 (**Annexure-G**)

Considering the above facts and circumstances, the Hon'ble NGT may take appropriate action as deemed fit.

Submitted.

Dr.E.Arockia Lenin,  
Scientist C, IRO,  
MoEF & CC, Hyderabad.

G.Gangadhar,  
JCEE, TSPCB &  
Secretary, SEAC, TS, Hyd.

G.Hanumantha Reddy,  
JCEE, TSPCB,  
Zonal Office, Ramachandrapuram.

Revenue Divisional Officer,  
Choutuppal Division,  
Yadadri-Bhuvanagiri Dist.,

Revenue Divisional Officer,  
Ibrahimpattanam Division,  
Rangareddy Dist.,

R.Praveen,  
Asst. Director of Mines &  
Geology, Rangareddy District.

A. Venkata Ramana,  
Asst. Director of Mines & Geology,  
Yadadri-Bhuvanagiri District.

## ANNEXURE - A

STATEMENT SHOWING THE PARTICULARS OF QUARRY LEASES IN BANDARAVIRYALA MINING ZONE IN SY.NO.268 OF CHINNARAVIRYALA VG.,  
ABDULLAPURMET MANDAL, RANGAREDDY AND DESHMUKHI VG., POCHAMPALLY MDL., YADADRI-BHUVANAGIRI DISTRICT.

S. No.	Name of the lessee & Address	Sy.No. & Location			Extent (in Hectares)	Lease Period		EC Status
		Sy.No.	Village	Mandal		From	To	
District: Rangareddy District								
1	M/s Vasavi Stone Crushers, Sri N. Bhasker,	268 (17A & 17B)	Chinnaraviryala	Abdullapurmet	5.038	11-04-08	10-04-2023	Query raised by SEIAA on 17.04.2018 and pending at Project Proponent Applied on 15.04.2022 Under examination of SEIAA
2	M/s.KRC Infra Projects, Partner Sri.J Maheshwar	268 (10A & 10B)	Chinnaraviryala	Abdullapurmet	5.038	08-05-2008	07-05-2023	EC Granted on 19.03.2018
3	M/s.KRC Infra Projects, rep by Smt.K Swathi	268 (9A & 9B)	Chinnaraviryala	Abdullapurmet	5.038	02-06-2018	01-06-2033	Proponent replied to EDS on 05.04.2022. Under examination of SEAC
4	M/s.BNR Stone Crushers, Prop. Sri B Nanda Reddy	268 (26A, 26B, 27A &	Chinnaraviryala	Abdullapurmet	10.076	15-09-2017	05-05-2023	Raised EDS (Approved mining plan, EMP Report, PFR, Form - 1 and Signed Covering
5	M/s V. K. A. Constructions, Mg. Partner Sri K R. Anil Karan	268 (12A & 12B)	Chinnaraviryala	Abdullapurmet	5.038	18-04-2008	17-04-2023	Proponent replied to EDS on 12.04.2022. Under examination of SEAC
6	Sri.G.Malakondaiah	268 (A4,A5&36)	Chinnaraviryala	Abdullapurmet	15.115	19-03-2014	30-04-2023	Proponent replied to EDS on 13.04.2022. Under examination of SEIAA
7	M/s Sai Rohit Metal Industries, Sri G. C. Malakondaiah,	268 (33, 34 & 35)	Chinnaraviryala	Abdullapurmet	15.115	19-03-2014	09-04-2023	Proponent replied to EDS on 08.04.2022. Under examination of SEAC
8	M/s.Superfine Sand (Hyd) Ltd, Sri G Malakondaiah, Mg. Director	268, (13 14 15 & 16)	Chinnaraviryala	Abdullapurmet	20.154	28-08-2017	17-04-2023	Proposals returned to Proponent due to shortcoming (Approved Mining Plan & Pre-
9	M/s.Superfine Sand (Hyd) Ltd, Sri G Malakondaiah, Mg. Director	268, (23 & 24)	Chinnaraviryala	Abdullapurmet	10.076	19-03-2014	08-05-2023	Proposals returned to Proponent due to shortcoming (Approved Mining Plan, Pre-
10	M/s.Anantha Sai Industries Pvt. Ltd, Sri G.Chandrashekar,	268 ( 11A & 11B)	Chinnaraviryala	Abdullapurmet	5.038	15-03-2014	04-05-2023	Proponent replied to EDS on 07.04.2022. Under examination of SEAC
11	M/s.GMR Stone Crusher, Prop Sri.G Ram Mohan Rao	268 (A1,A2,B1 & B2)	Chinnaraviryala	Abdullapurmet	10.076	30-12-2017	30-04-2023	Not Applied
12	M/s.Superfine Sand (Hyd) Ltd, Sri G Malakondaiah, Mg. Director	268 (22A & 22B)	Chinnaraviryala	Abdullapurmet	5.038	07-05-2008	06-05-2023	Query (Approved mining plan and EMP Rept are not uploaded). raised by SEIAA and
13	Sri R. Jagadish Kumar	268 (A3 & B3)	Chinnaraviryala	Abdullapurmet	5.038	01-05-2008	30-04-2023	Applied on 19.04.2022
14	M/s. Telangana Rock Sand Pvt. Ltd, Mg. Director Sri V.Srinivas	268 (18A, 19A, 20A,	Chinnaraviryala	Abdullapurmet	20.152	31-03-2018	17-04-2023	Proposal returned to poponent due to shortcoming
15	M/s.Rock Crushing India Pvt. Ltd, Mg. Director Sri.G Chandrashekar	268 (1A, 1B, 2A, 2B	Chinnaraviryala	Abdullapurmet	30.228	14-05-2008	01-05-2033	Applied on 15.04.2022 Under examination of SEIAA
16	M/s Padmavathi Metal Industries, Mg. Partner Sri P. Naveen Kumar	268 (31A & 31B)	Chinnaraviryala	Abdullapurmet	5.038	09-05-2008	08-05-2023	
17	M/s.Rock Crushing India Pvt. Ltd, Mg. Director Sri.G.Chandrashekar	268 (28A, 28B, 29A &	Chinnaraviryala	Abdullapurmet	10.076	13-04-2008	07-05-2023	

## ANNEXURE - A

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18	M/s. Sri Thirumala Stone Sand Metal Industry,	268 (32A & 32B)	Chinnaraviryala	Abdullapurmet	5.038	20-07-2017	16-06-2023	Proponent replied to EDS on 05.04.2022. Under examination of SEAC	
19	M/s. Sri Lakshmi Narasimha Metal Industries, Mg. partner	268 (7A, 7B, 8A & 8B)	Chinnaraviryala	Abdullapurmet	10.076	21-03-2018	07-05-2023	Proponent replied to EDS on 08.04.2022. Under examination of SEIAA	
20	M/s Shona Engineers, Partner Smt. C. Sujana	268 (25A & 25B)	Chinnaraviryala	Abdullapurmet	5.038	26-07-2008	25-07-2023	Proposal returned to poponent due to shortcoming (Approved Mining Plan is not shortcoming)	
21	M/s. Sai Baba Metal Industry	268 (30A & 30B)	Chinnaraviryala	Abdullapurmet	5.038	08-05-2008	07-05-2023	Proposal returned to poponent due to shortcoming (Approved mining plan & Form 1)	
22	Sri.K.Krishna Reddy	268	Chinnaraviryala	Abdullapurmet	10.117	04-02-2015	03-02-2030	Applied on 15.04.2022 Under examination of SEIAA	
23	M/s TSMDC Ltd	268 (Part-A)	Chinnaraviryala	Abdullapurmet	13.570	14-11-2008	13-11-2023	Not Applied	
24	M/s TSMDC Ltd	268 (Part-B)	Chinnaraviryala	Abdullapurmet	13.570	14-11-2008	13-11-2023	Not Applied	
<b>District: Yadadri-Bhuvanagiri</b>									
1	M/s. Sai Vikas Stone Crushing Industries,	64 & 76	Deshmukhi	Pochampally	4	9-Jun-2008	8-Jun-2023	Proposal returned to poponent due to shortcoming (Approved Mining Plan is not shortcoming)	
2	M/s. Sri Venkata Shiva Metal Industries, Prop. Sri G. Narender	56/A & 65/A	Deshmukhi	Pochampally	6.52	24-Jul-2008	23-Jul-2023	Query (Approved Mining Plan is not uploaded) raised by SEIAA and pending at PP	
3	M/s. Super fine Sand (Hyderabad) Ltd. Mg. Director Sri	84/A	Deshmukhi	Pochampally	6	16-Oct-2006	28-Feb-2022	Proposal returned to poponent due to shortcoming (Approved mining plan & Form 1)	
4	M/s. Alluri Estates Pvt. Ltd., Mg. Director Sri A. Suryanarayana	57	Deshmukhi	Pochampally	6.6	25-Jan-14	24-Jan-24	Proposal returned to poponent due to shortcoming (Approved mining plan & Form 1)	
5	Sri Guduru Narender Reddy S/o. Late G. Samba Siva Reddy,	73/A	Deshmukhi	Pochampally	0.99	13-Oct-2015	12-Oct-2030	Query (Approved Mining Plan is not uploaded) raised by SEIAA and pending at PP	
6	Sri Guduru Narender Reddy	74/A	Deshmukhi	Pochampally	3.65	9-Sep-2019	8-Sep-2039	EC Granted on 19.03.2018	
7	M/s. Sai Vikas Stone Crushing Industries,	56, 57, 58 & 64	Deshmukhi	Pochampally	5.65	30-Aug-2019	29-Aug-2039	EC Granted on 08.03.2018	

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ANNEXURE - B

S.No.	Name & Address of the Stone Crusher	CTE/CFO from TSPCB
1	M/s. Yadadri Stone Crusher, Sy.No.260, Banda Raviryala, Abdullapurmet(M), Rangareddy District	CFO valid upto 30.11.2031
2	M/s. BNR Sand Manufacturing Unit (A unit of BNR Stone Crushers), Sy.No.268 & 248, Chinnaravirala (V), Hayathnagar	CFO valid upto 30.09.2022
3	M/s. Sri Renuka Rock Sand, Sy No.253AA, 253E & 259E, Banda Raviryala, Abdullapurmet(M), Rangareddy District	CFO Valid upto 28.02.2021.
4	M/s. Sai Rohit Metal Industries, Sy.No.253/A/1, 253/AA/2, 253/A/3, 253/AA/4, 253/A/2,4, 253/AA/1,3,5 & 268, Banda	CFO valid upto 28.02.2031
5	M/s. Tirumala Rock Sand Manufacturing Unit, Sy.No.246/AA, 247/A, 247/AA&249/AA, Bandaraviryala (V), Abdullapurmet	CFO valid upto 31.12.2030
6	M/s. KRC Infra Projects, Sy.No.268, Chinnaravirala (V), Hayathnagar (M), Rangareddy District	CFO valid upto 31.12.2027
7	M/s. Rock Crushing India Pvt. Ltd., Sy.No.268/1, Chinnaravirala (V), Hayathnagar (M), Rangareddy District	CFO valid upto 31.01.2031
8	M/s. Uday Stone Crushing Pvt. Ltd., Sy.No.293/1, Banda Raviryala(V), Hayathnagar(M), Rangareddy District	CFO valid upto 31.01.2023
9	M/s. S.V. Industries, Sy.No. 293/1, Banda Raviryala (V), Abdullapurmet (M), Rangareddy District	CFO valid upto 31.03.2031
10	M/s. Vishwashanthi Metal Industry, Sy.No.155, Chinna Bandaraviryala (V), Hayathnagar, Rangareddy District	CFO valid upto 31.08.2023
11	M/s.Sri Lakshmi Narasimha Metal Industries, Sy.No.232 & 234, Taramatipet(V), Hayathnagar(M), Rangareddy District	CFO valid upto 31.03.2031
12	M/s. Janapriya Engineers Syndicate Ltd., (Formerly M/s. Engineers Syndicate India (P) Ltd.), Sy. No. 238, Gowrelli	CFO valid upto 28.02.2031
13	M/s. Hyderabad Metal Industry (Formerly Shalivahaha Stone Crusher), Sy.No.155, Chinnaraviryala (V), Hayathnagar (M),	CFO valid upto 31.05.2021. Closure Order issued
14	M/s. Shri Jay Lakshmi Stone Crusher, Sy.No.137/1, Pasmamla (V), Hayathnagar (M), Rangareddy District	CFO valid upto 31.12.2031
15	M/s.Sai Vikas Stone Crushing Industries, Sy.No.64 & 76, Deshmukhi Vg., Budan Pochampally Mdl., Yadadri-	CFO valid upto 31-05-2032
16	M/s.Sri Venkata Shiva Metal Industries, Sy.No.56/A & 65/A, Deshmukhi Vg., Budan Pochampally Mdl., Yadadri-	CFO valid upto 30-06-2022
17	M/s.Superfine Sand (Hyderabad) Ltd, Sy.No.80 & 84, Deshmukhi Vg., Budan Pochampally Mdl., Yadadri-	CFO valid upto 31-03-2028

ANNEXURE - C

S. No.	Name & Address of the Hot Mix Plant	CTE/CFO from TSPCB	Closure Order Issued
1	M/s. Veltech Constructions, Sy.No.203P, Saddupally (V), Abduppapurmet (M), Rangareddy District	CFO is obtained. Valid upto 31.12.2025	The Board issued closure order vide order dated 05.01.2021
2	S.V. Constructions (B. Raghuma Reddy Constructions). Sy.No.202 & 203, Tharamathipet (V), Hayathnagar (M), Rangaeredy District	CFO is obtained. Valid upto 31.11.2023	The Board issued closure order vide order dated 05.01.2021
3	M/s. Ambica Infra Projects, Sy Nos.205, Taramathipet (V), Hayathnagar (M), Rangareddy District	CFO is obtained. Valid upto 31.12.2020	The Board issued closure order vide order dated 05.01.2021
4	M/s. Mayank Infra, Sy.No.205 & 206, Saddupally (V), Abduppapurmet (M), Rangareddy District	CFO is obtained. Valid upto 31.12.2025	The Board issued closure order vide order dated 05.01.2021
5	P.N. Constructions (Ganesh Constructions), Sy.No.207, Taramathipet (V), Hayathnagar (M), Rangareddy District	CFO is obtained. Valid upto 28.02.2023	The Board issued closure order vide order dated 05.01.2021
6	M/s. SPR Constructions, Sy.No.208, Saddupally (V), Abduppapurmet (M), Rangareddy District	CFO is obtained. Valid upto 31.12.2020	The Board issued closure order vide order dated 05.01.2021
7	M/s. K Chandra Shekar (Hot Mix Plant), Sy.No.207, Saddupally (V), Abduppapurmet (M), Rangareddy District	CFO is obtained. Valid upto 31.01.2026	The Board issued closure order vide order dated 05.01.2021
8	M/s. Venkatesh Hot Mix Plant, Saddupally (V), Abduppapurmet (M), Rangareddy District	Not obtained CFO	The Board issued closure order vide order dated 05.01.2021
9	M/s. Krushi Infrs India Private Limited, Sy.No.169, Tharamathipet (V), Hayathnagar (M), Rangareddy District	CFO is obtained. Valid upto 30.04.2022	The Board issued closure order vide order dated 24.03.2022
10	M/s.PSK Infrastructure and Projects Pvt. Ltd, Sy.No.79/A, Deshmukhi Vg., Pochampally Mdl., Yadadri-Bhuavanagiri Dist.,	CFO valid upto 30-06-25	
11	M/s.Nagarjuna Hi-Tech Constructions, Sy.No.78/A, 78/A/1, Deshmukhi Vg., Pochampally Mdl., Yadadri-Bhuvanagiri District.	CFO valid upto 31-07-23	

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**Annexure - D**

S. No.	Name of the lessee & Address	Sy.No. & Location				Minerals	Extent (in Hectares)	Show Cause Notice No	Show Cause Notice Issued on
		Sy.No.	Village	Mandal	District				
1	M/s. Shri Jay Lakshmi Stone Crushers	137/1	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	1.000	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
2	M/s Vasavi Stone Crushers, Sri N. Bhasker	268 (17A & 17B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
3	M/s.KRC Infra Projects, Partner Sri.J.Maheshwar	268 (10A & 10B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
4	M/s.KRC Infra Projects, rep by Smt.K.Swathi	268 (9A & 9B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
5	M/s.BNR Stone Crushers, Prop. Sri.B.Nanda Reddy	268 (26A, 26B, 27A & 27B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.076	Order No. RO.RR-1/TSPCB/2022-1179	10.03.2022
6	M/s V. K. A.Constructions, Mg. Partner Sri K. R. Anil Karan	268 (12A & 12B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
7	Sri.G.Malakondaiah	268 (A4,A5&36)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	15.115	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
8	M/s Sai Rohit Metal Industries, Sri G. C. Malakondaiah, Proprietor	268 (33, 34 & 35)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	15.115	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
9	M/s Superfine Sand (Hyd) Ltd, Sri G.Malakondaiah, Mg. Director	268, (13 14 15 & 16)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	20.154	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
10	M/s Superfine Sand (Hyd) Ltd, Sri.G.Malakondaiah, Mg Director	268, (23 & 24)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.076	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
11	M/s Anantha Sai Industries Pvt. Ltd, Sri G Chandrashekar, Mg Director	268 (11A & 11B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
12	M/s GMR Stone Crusher, Prop Sri G.Ram Mohan Rao	268 (A1,A2,B1 & B2)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.076	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
13	M/s Superfine Sand (Hyd) Ltd, Sri G.Malakondaiah, Mg Director	268 (22A & 22B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
14	Sri R. Jagadish Kumar	268 (A3 & B3)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
15	M/s.Telangana Rock Sand Pvt Ltd, Mg Director Sri.V.Srinivas Reddy	268 (18A, 19A, 20A, 21A, 18B, 19B, 20B & 21B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	20.152	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022

16	M/s. Rock Crushing India Pvt. Ltd, Mg. Director Sri. G. Chandrashekar	268 (1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A & 6B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	30.228	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
17	M/s Padmavathi Metal Industries, Mg. Partner Sri P. Naveen Kumar	268 (31A & 31B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. RO.RR-1/TSPCB/2022-1180	10.03.2022
18	M/s. Rock Crushing India Pvt. Ltd, Mg. Director Sri. G. Chandrashekar	268 (28A, 28B, 29A & 29B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.076	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
19	M/s. Sri Thirumala Stone Sand Metal Industry, Prop Smt.B. Prabhavathi	268 (32A & 32B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. RO.RR-1/TSPCB/2022-1178	10.03.2022
20	M/s. Sri Lakshmi Narasimha Metal Industries, Mg. partner Sri G.C. Malakondalah	268 (7A, 7B, 8A & 8B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.076	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
21	M/s Shona Engineers, Partner Smt. C. Sujana	268 (25A & 25B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. RO.RR-1/TSPCB/2022-1177	10.03.2022
22	M/s. Sai Baba Metal Industry	268 (30A & 30B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	5.038	Order No. RO.RR-1/TSPCB/2022-1181	10.03.2022
23	Sri.K. Krishna Reddy	268	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	10.117	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
24	M/s TSMDC Ltd	268 (Part-A)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	13.570	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
25	M/s TSMDC Ltd	268 (Part-B)	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	13.570	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
26	M/s. TSMDC Ltd	155/1	Chinnaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	2.914	3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
27	M/s. Vengamamba Associates	293/1	Bandaraviryala	Abdullapurmet	Rangareddy	Stone & Metal	3.000	Order No. 3/Complaint/Mines/RO.RR-1/TSPCB/2022-1173	07.03.2022
28	M/s. Alluri Estates Pvt. Ltd., Mg. Director Sri A. Suryanarayana Raju,	57	Deshmukhi	Pochampally	Yadadri-Bhuvanagiri	Stone & Metal	6.000	Order No. 72001/PCB/RO-NLG/2022-218	08.03.2022
29	Sri Guduru Narender Reddy S/o. Late G. Samba Siva Reddy,	73/A	Deshmukhi	Pochampally	Yadadri-Bhuvanagiri	Stone & Metal	0.99	Order No. 72001/PCB/RO-NLG/2022-218	08.03.2022

# ANNEXURE-E

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## TELANGANA STATE POLLUTION CONTROL BOARD CENTRAL LABORATORY

Paryavarana Bhavan, IE, A - 3, Sanathnagar, Hyderabad - 500 018

### AMBIENT AIR QUALITY ANALYSIS REPORT

ISSUED TO: The Environmental Engineer, Telangana State Pollution Control Board, Regional Office, Nalgonda	Report number	TSPCB/CL/Air/22/03/120
	Issued Date	14 03 2022
	Reference	Request made by RO - Nalgonda

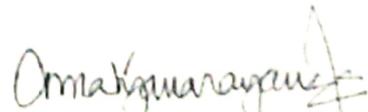
Sampling Registration Date	: 11.03.2022	Sampling Date	: 10 03 2022
Analysis starting Date	: 11.03.2022	Analysis completion date	: 14 03 2022
Test Required	: RSPM		
Sample collected by	: Central Laboratory, Board office, Hyderabad		

NAME AND ADDRESS OF THE SAMPLING SITE	M/s. Sai Vikas Stone Crushing Industries, Sy.No. 64&76, Deshmukh(V), Pochampally(M), Yadadri Bhuvangiri(Dist)			
SAMPLING LOCATION	NW-direction and 80 m distance to screening unit of the Industry			
SAMPLING DURATION	8 hours			
Details of different process units in the industry in operation at the time of sampling	Jaw crusher, Cone crusher, Screening VSI, Bunker			
Parameter	UOM	Method	Conc. Value	Standard Limit (24 hours)
Particulate Matter (PM <sub>10</sub> )	µg/m <sup>3</sup>	IS:5182(P 23) 2006	86	100

Note: Analysis carried on samples as received.

#### Observations of Sampling Incharge.

1. Vehicular movement observed as moderate for loading and unloading of stones of different size.
2. Rain guns were operated during the monitoring.
3. Water sprinkled on internal road through water tankers at the time of monitoring
4. Water sprinklers were in operational at each processing units i.e., crushers, conveyor belts.

  
JOINT CHIEF ENVIRONMENTAL SCIENTIST



**TELANGANA STATE POLLUTION CONTROL BOARD  
CENTRAL LABORATORY**

ParyavaranaBhavan, IE, A - 3, Sanathnagar, Hyderabad - 500 018

**AMBIENT AIR QUALITY ANALYSIS REPORT**

ISSUED TO: The Environmental Engineer, Telangana State Pollution Control Board, Regional Office, Nalgonda	Report number	TSPCB/CL/Air/22/03/122
	Issued Date	14 03 2022
	Reference	Request made by RO - Nalgonda

Sampling Registration Date	: 11.03.2022	Sampling Date	10 03 2022
Analysis starting Date	: 11.03.2022	Analysis completion date	14 03 2022
Test Required	: RSPM		
Sample collected by	: Central Laboratory, Board office, Hyderabad		

<b>NAME AND ADDRESS OF THE SAMPLING SITE</b>		M/s Sri Venkata Shiva Metal Industries, Sy.no.56/A,65/A,Deshmukh(V), Pochampally(M), Yadadri Bhuvangiri(Dist)		
<b>SAMPLING LOCATION</b>		NE-direction and 3 m distance to boundary wall of the Industry		
<b>SAMPLING DURATION</b>		8 hours		
<b>Details of different process units in the industry in operation at the time of sampling</b>		Jaw crusher, cone crusher, VSI - Screening - Bunker - distribution		
<b>Parameter</b>	<b>UOM</b>	<b>Method</b>	<b>Conc. Value</b>	<b>Standard Limit (24 hours)</b>
Particulate Matter (PM <sub>10</sub> )	µg/m <sup>3</sup>	IS:5182(P:23) 2006	92	100

Note: Analysis carried on samples as received.

**Observations of Sampling Incharge.**

1. Rain guns were operated during the monitoring.
2. Metal sheets placed at all the processing units.
3. Water sprinkled on internal road through water tankers at the time of monitoring
4. Intermittent vehicular movement observed for loading and unloading of stones

*Amal Kumar*  
JOINT CHIEF ENVIRONMENTAL SCIENTIST

	<b>TELANGANA STATE POLLUTION CONTROL BOARD</b> <b>CENTRAL LABORATORY</b> ParyavaranaBhavan, IE, A - 3, Sanathnagar, Hyderabad - 500 018
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### AMBIENT AIR QUALITY ANALYSIS REPORT

ISSUED TO: The Environmental Engineer, Telangana State Pollution Control Board, Regional Office, Nalgonda	Report number	: TSPCB/CL/Air/22/03/119
	Issued Date	: 14 03 2022
	Reference	: Request made by RO - Nalgonda

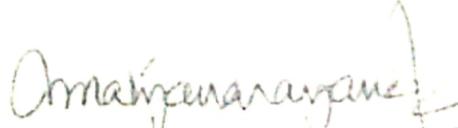
Sampling Registration Date	: 11.03.2022	Sampling Date:	10 03 2022
Analysis starting Date	: 11.03.2022	Analysis completion date:	14 03 2022
Test Required	: RSPM		
Sample collected by	: Central Laboratory, Board office, Hyderabad		

NAME AND ADDRESS OF THE SAMPLING SITE		M/s. Superfine sand (Hyderabad) Ltd Sy.no.82, Deshmukh(V), Pochampally(M), Yadadri Bhuvangiri(Dist)		
SAMPLING LOCATION		Northern side of industry, opposite office building		
SAMPLING DURATION		8 hours		
Details of different process units in the industry in operation at the time of sampling		Jaw crusher - cone crusher - VSI - Screening - Bunker		
Parameter	UOM	Method	Conc. Value	Standard Limit (24 hours)
Particulate Matter (PM <sub>10</sub> )	µg/m <sup>3</sup>	IS:5182(P.23) 2006	96	100

Note: Analysis carried on samples as received

#### Observations of Sampling Incharge.

1. Water sprinklers at crushers and conveyor belts were operational during the monitoring
2. Manually water sprinklers was carry out using tankers.

  
 JOINT CHIEF ENVIRONMENTAL SCIENTIST

# ANNEXURE - F

-19-

## GOVERNMENT OF TELANGANA DEPARTMENT OF AGRICULTURE

From  
Smt. K. Anuradha, B.Sc(Ag)  
District Agriculture Officer  
Yadadri Bhuvanagiri

To  
Asst. Director of Mines & Geology  
Yadadri Bhuvanagiri

Lr.No.NGT/OA 9/2021-22 dated 06.04.2022

Sir,

Sub:-Mines & Quarries - NGT - O.A.No.9 of 2022 issued by the Hon'ble NGT, Chennai - Joint Committee visited the subject area on 17.02.2022 - Instructions to take up soil quality test in the applicants's filed - Detailed report submitting - Regarding.

Ref:- 1.O.A.No.9 of 2022, dt 18.01.2022 issued by Hon'ble NGT, Chennai.  
2. Joint Committee interim report dt 21.02.2022  
3. Lr.No.108.O.A.NO.9/2022, Dated 02.03.2022 of AD Mines & Geology Yadadri District.

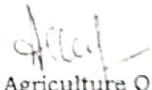
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It is to inform that, it was requested to take up soil quality test in the applicant's field viz Smt. Pisati Indira Reddy, R/o of Deshmukhi village of Pochampally mandal for suitability of growing crops, vide reference 3<sup>rd</sup> cited.

Accordingly, soil and water samples have been collected and sent for analysis.

The detailed report is herewith enclosed for information.

Yours faithfully

  
District Agriculture Officer  
Yadadri Bhuvanagiri

**REPORT OF THE DISTRICT AGRICULTURE OFFICER, YADADRI BHUVANAGIRI IN O.A NO. 9 OF 2022 - REPRESENTED TO THE CHAIRMAN, HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI BY SMT. PISATI INDIRA REDDY, W/o LATE P. RAM REDDY R/O ABDULLAPURMET (M), RANGAREDDY DISTRICT - AGAINST STONE MINING QUARRIES, STONE CRUSHER UNITS IN DESHMUKHI VILLAGE OF POCHAMPALLY (M), YADADRI BHUVANAGIRI DISTRICT - REGARDING DAMAGE CAUSED TO HEALTH OF POPULATION, AGRICULTURE AND WATER BODIES**

It is to submit that Smt. Pisati Indira Reddy, W/o. Late P. Ram Reddy, has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi requesting to form a Joint Committee to ascertain the ground situation at stone mining quarries, stone crusher units and Hot mix, RCC Mix plants run by private Respondents in Deshmukhi village of Pochampally mandal of Yadadri District.

Accordingly, a Joint Committee was formed with Department of Mines and Geology as the nodal agency. The Joint Committee visited the area on 17.2.2022 and interacted with the petitioner and observed the applicants land and noticed that the dust omissions from the units is deposited in the neighbouring agriculture fields of the applicant.

Further the Joint committee requested Department of Agriculture to take up soil quality test in the applicants field to find whether it is suitable for cultivation.

In this regard, the details of status of action taken by the Department of Agriculture is submitted as below

**REPORT OF THE DEPARTMENT OF AGRICULTURE:**

The Agriculture Department officials have inspected the fields on 11.03.2022 at survey numbers 77 and 79 situated at Deshmukhi village of Pochampally mandal and collected 3 Soil samples and two water samples from survey numbers mentioned above and sent to Soil Testing Laboratory Rajendranagar for analysis. The details of the field inspection is as given below

- Smt. Pisati Indira Reddy, W/o. Late P. Ram Reddy has a total of 17.36 acres - 6.20 acres in sy.no.79 and 11.16 acres in sy.no.77 in Deshmukhi village.
- The applicants land is just beside the stone crushing unit as a result of which dust eliminating from the unit is deposited on the nearby fields
- Further, it was also noticed that lot of noise pollution and air pollution has been observed in the area.
- The applicant in the enquiry also complained about the chemicals smell emating from the mixture plants.
- The details of the water and soil samples analytical reports is as below
- **Water Quality:**  
The samples are having the Electrical Conductivity of 1.02 and 1.01 with Ph of 6.59 and 6.45, i.e high salinity water which is not suitable for use on soil with restricted drainage. Even with adequate drainage, special management for salinity control may be required.

➤ **Soil Quality:**

The soil samples were analyzed for the parameters of pH, EC, OC, N, P, K and other micro nutrients. All these 3 soil samples are having a pH range in between 7.6 to 8.1 i.e, the soils are alkaline in nature (slightly and moderately) and the EC (electrical conductivity) less than 1.0. Hence crops with salt tolerance may be grown under normal conditions.

**Presently i.e., in Yasangi 2021, the land is fallow and during vaanakalam 2021, paddy crop was raised in the above mentioned survey number (79).**

Overall the village has 240 acres of paddy cultivated in vaanakalam and 200 acres in Yasangi with average productivity of 24q/acre.

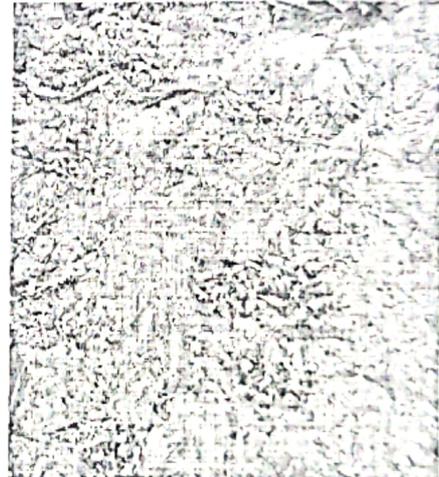
22-

The year wise and season wise area and production of paddy in the village is as given below

S.No	Year	Season	Area in acres	Production in Mts
1	2018	Vaanakalam	40	9.6
		Yasangi	40	9.6
2	2019	Vaanakalam	50	12.0
		Yasangi	30	7.2
3	2020	Vaanakalam	243	58.32
		Yasangi	202	48.48
4	2021	Vaanakalam	243	58.32
		Yasangi	230	55.20

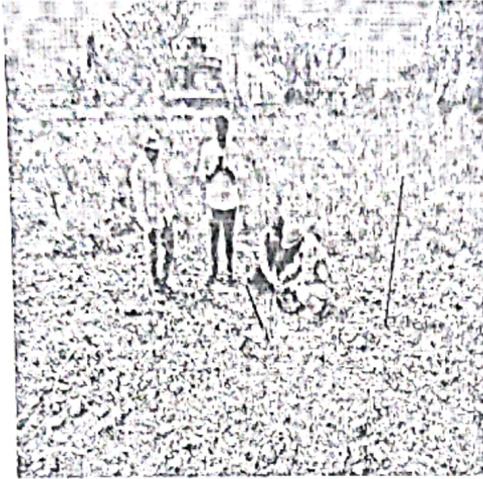


Collection of water sample from Borewell

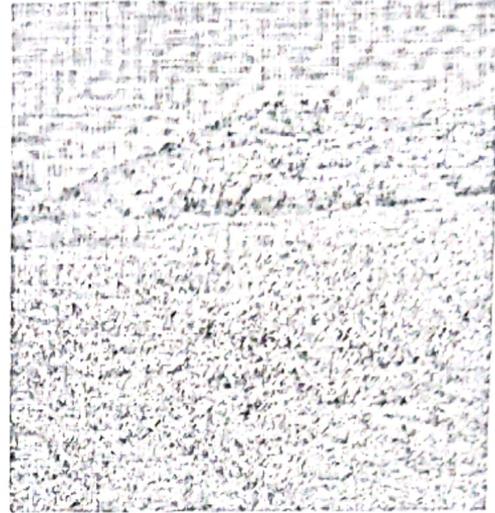


Dust deposited on the crop

Handwritten signature and date: 06/04



Collection of soil sample



Fallow land

Submitted for information.

  
District Agriculture Officer,  
Yadadri Bhuvanagiri

ANNEXURE - G

24-

F. No. 22-21/2020-IA.III [E 138949]  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)  
\*\*\*\*\*

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi-110 003

Dated 28<sup>th</sup> January, 2022

**OFFICE MEMORANDUM**

**Sub.: Observation of Hon'ble Supreme Court with reference to the SoP dated 7th July 2021 for identification and handling of violation cases under EIA Notification 2006 - reg.**

The Ministry issued a Standard Operating Procedure dated 7<sup>th</sup> July 2021 bearing the file number 22-21/2020-IA.III, for identification and handling of violation cases under EIA Notification 2006 in compliance to order of the Hon'ble National Green Tribunal in Appeal No. 34/2020 (WZ) titled Tanaji B. Gambhire Vs Chief Secretary, Government of Maharashtra. The copy of the SoP is enclosed for ready reference.

2. The SoP was challenged in the Madurai Bench of the High Court of Madras in the matter W.P.(MD) No. 11757 of 2021 titled Fatima Vs Union of India and was interim stayed vide order dated 15<sup>th</sup> July 2021.

3. Recently, in the Order dated 09<sup>th</sup> December 2021 in the matter of Civil Appeal Nos. 7576-7577 of 2021 in Electrosteel Steels Limited Vs Union of India and Ors., the Hon'ble Supreme Court of India has *inter-alia* observed the following:

"93. The interim order passed by the Madras High Court appears to be misconceived. However, this Court is not hearing an appeal from that interim order. The interim stay passed by the Madras High Court can have no application to operation of the Standard Operating Procedure to projects in territories beyond the territorial jurisdiction of Madras High Court. Moreover, final decision may have been taken in accordance with the Orders/Rules prevailing prior to 7<sup>th</sup> July, 2021."

4. The copy of the order which is self-explanatory is enclosed herewith for necessary action.

5. This is issued with the approval of the competent authority.

  
(A K Agrawal)  
Director

Encl: As above.

To

1. Chairperson/ Member Secretaries of all Expert Appraisal Committees
2. Chairperson/Member Secretaries of all SEIAs/SEACs
3. All Officers of IA Division

Copy for information to

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to AS (TK)/JS (SKB)
5. Website, MoEF&CC /Guard file

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F. No. 22-21/2020-IA.III  
Government of India  
Ministry of Environment, Forest and Climate Change  
Impact Assessment Division  
\*\*\*\*\*

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi - 110003  
sujit.baju@gov.in

Date: 7<sup>th</sup> July, 2021

Office Memorandum

**Subject: Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ - Regarding.**

The Ministry had issued a notification number S.O.804(E), dated the 14<sup>th</sup> March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority &Ors., vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "**...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country**".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of 'violation' cases which have been

pending for want of an approved structural/procedural framework based on 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

**7. Relevant Court Cases on the issue:** It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, **the Hon'ble courts have, inter-alia, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays' in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014).** The salient extracts of the judgements are as under:

**Issue 1: Proposal for grant of Environmental Clearance in violation cases – to be considered on merits:**

**i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014**

*Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."*

*"(...) the proposal of the petitioner company for environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws."*

**ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017**

*Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating*

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pollution laws or the pollution, if any, can conveniently and effectively be checked. **The answer necessarily has to be in the negative.**"

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

**Issue 2: Environmental Clearance – Prospective & not ex-post facto:**

**Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017**

*Held: "(...) an EC will come into force **not earlier than the date of its grant.**"*

**Issue 3: 'Principles of Proportionality' – to be applied:**

**Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020**

*Held: "(...) **this Court must take a balanced approach** which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord **with the principle of proportionality**"*

**Issue 4: 'Polluter pays' principle &**

**&**

**Issue 5: Costs for remedial measures** implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

**Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)**

**Held:**

a) *The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will **include giving directions ... and also the power to impose the cost of remedial measures** on the offending industry and utilize the amount so recovered for carrying out remedial measures.....*

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b) **Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5** which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.

c) The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the **"Polluter Pays" Principle**. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

**8. Legal provisions:**

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

**9. Definition of Violation and Non-compliance:**

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

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i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

**10. Standard Operating Procedure – Guiding Principles:**

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19 of The Environment (Protection) Act, 1986 against all violations.**

ii. Projects not allowable/permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

**11. SOP for dealing with the violation cases:**

**Step 1: Closure or Revision**

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to <b>close</b> its operation
2.	If prior EC is available for existing/old unit	Order to <b>revert the activity/production to permissible limits.</b>
3.	If prior EC was not required for earlier production level but is now required	<b>Restrict the activity/production to the extent to which prior EC was not required.</b>

**Step 2: Action under Environment (Projection) Act, 1986**

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

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**Step: 3: Appraisal under EIA Notification, 2006**

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

**A. If not permissible:**

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

**B. If permissible:**

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present**

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**form/configuration/features** then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SELAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.**

**Note -** The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

**12. Penalty provisions for Violation cases and applications:**

**a. For new projects:**

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

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**b. For expansion projects:**

- i. **Where operation/production with expanded capacity has not commenced:**  
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**  
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

**13. Identification of Violation cases:**

With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-

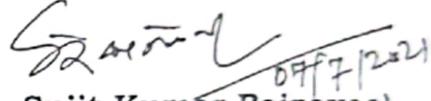
- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior

*Sd/-*

Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.

  
 (Dr. Sujit Kumar Bajpayee)  
 Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).