

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

(Application under section 14,15 read with section 17 of the National Green
Tribunal Act, 2010)

ORIGINAL APPLICATION NO. 108 OF 2023 (SZ)

IN THE MATTER OF:

Vaspari Lingaiah & Ors

---Applicants

Versus

State of Telangana & Ors

---Respondents

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**SRAVAN KUMAR, SM.K.M. MEENAL
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COUNSEL FOR THE APPLICANT**

PLACE: Chennai

DATE: 25.8.2023

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

(Application under section 14,15 read with section 17 of the National
Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. 108 OF 2023 (SZ)

IN THE MATTER OF:

1. Vaspari Lingaiah S/o V.Lachaiah

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Telangana-508284
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2. Vaspari Narasimha S/o V.Lachaiah

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Mail: advsravan@gmail.com

---Applicants

Versus

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Rep. by its Chief Secretary
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Contact No. 040-23450436

2) Union of India

Rep. by its Secretary
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3) Telangana State Pollution Control Board

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4) Central Pollution Control Board

Rep. by its Member Secretary
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Rep. by its Principle Secretary
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6) District Collector

Yadradri-Bhuvanagiri District,
Bhuvanagiri, Telangana State-508116
Mobile No: 8331997001
Mail: collector-ydr@telangana.gov.in

7) **M/s. Shree Jaya Laboratories (P) Ltd**
Rep. by its Plant In-charge
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Telangana-508252
Mobile No. 9246156560
Mail: NA

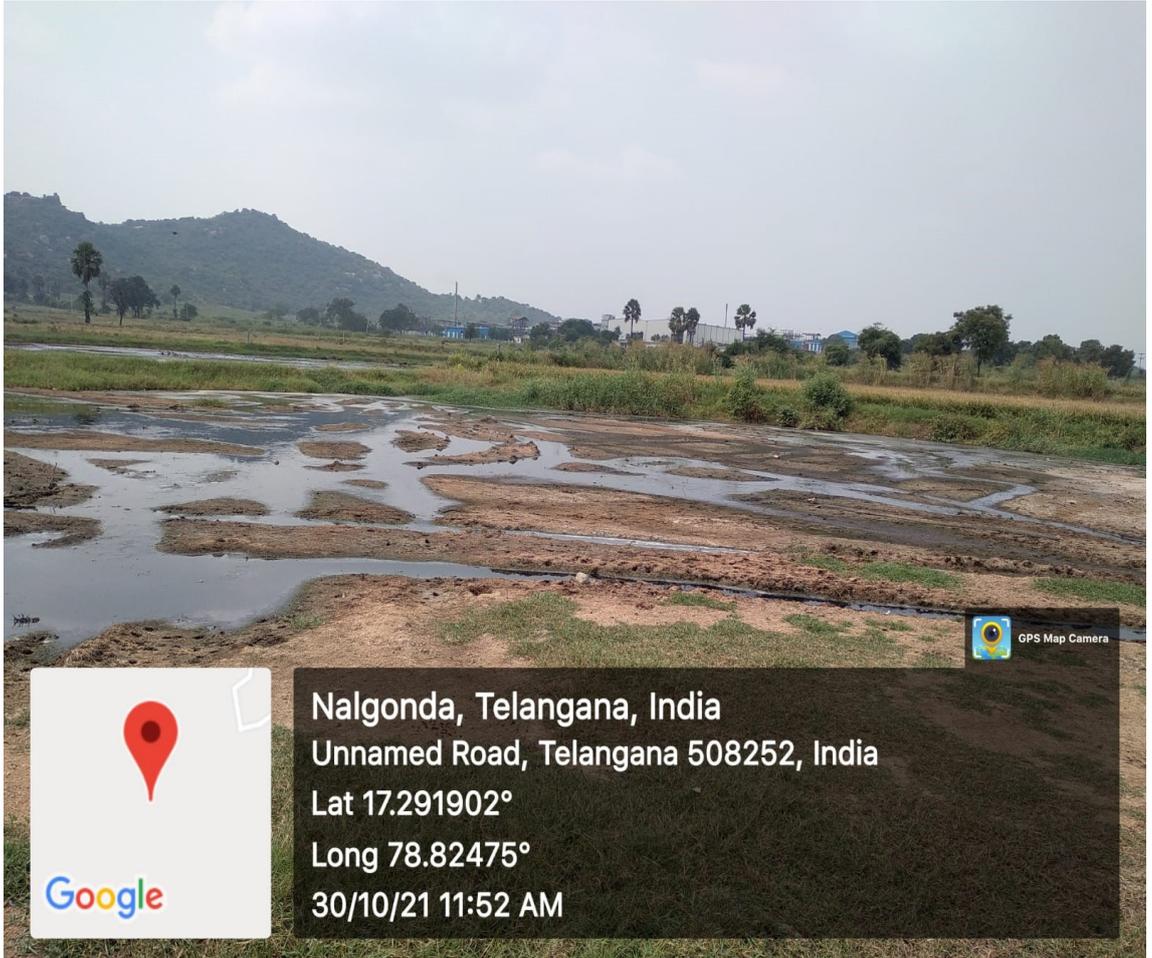
--- Respondents

MEMO ON BEHALF OF APPLICANTS

To
The Hon'ble Chairpersons & Members
National Green Tribunal
MOST RESPECTFULLY SHOWETH:

1. That the Applicants, the residents of Anthammagudem Village, Jiblekpalli Mandal of Yadadri Buvanagiri District of Telangana State. Applicants are aggrieved of pollution caused by the Private Respondents -Bulk Drug, Pharmaceutical companies in the adjoining areas. Applicants are undergoing financial loss due to water, air, soil pollution caused by the Private Respondents.
2. That due to inaction and careless/collusion of the Official Respondents, the Private Respondents used to release polluted chemical water outside their premises. After the villagers made complaints to Hon'ble Prime Minister of India in December, 2021, the TSPCB sent special team from head office to conduct inspection and taking action. The following photographs dated 30.10.2021 shows the impact on large extent of land due to the polluted water:











Nalgonda, Telangana, India
Unnamed Road, Telangana 508252, India
Lat 17.293594°
Long 78.828073°
30/10/21 11:42 AM



Nalgonda, Telangana, India
Unnamed Road, Telangana 508252, India
Lat 17.293594°
Long 78.828073°
30/10/21 11:39 AM



Nalgonda, Telangana, India
Unnamed Road, Telangana 508252, India
Lat 17.293594°
Long 78.828073°
30/10/21 11:43 AM

3. That considering the loss caused to the fertile agriculture lands by the Private Respondents in the present Application and other Pharma Units in the nearby villages, the District Collector of Yadadri Bhuvanagiri District has constituted a committee to assess the loss caused to the agriculture and distributed nominal compensation of Rs. 3200/- per acres.
4. It is humbly submitted that the land of Applicant No.1 is situated adjacent to the Private Respondents lands. The chemical odour released due to lack of proper precautions by the units was started harming the agriculture in the land. The labour engaged for the cotton fields were left the work within few minutes due to unbearable smell nuisance. The Applicant No.1 changed the crop pattern from cotton to paddy but the yield has come down due to underground water pollution. There after the Applicant completely left the agriculture as the units started releasing he chemical water outside their units. That the applicant raised his grievance before the

TSPCB and Revenue officials but there was no effective action till the intervention of the Prime Minister Office in the year 2022.

5. While the Applicants grievances were not resolved by the Official Respondents, the Private Respondents units started paying compensation to about 30 farmers for damage caused to the agriculture, bore wells etc every season by way of official cheques issued by the companies including the Applicants herein. This establishes that the Units are accepting their fault and privately paying compensation to the affected farmers through company official cheques for the past 5 to 6 years. The particulars of the compensation paid by the units to the Applicants is mentioned as under:

No.	Date	Applicant Particulars	Compensation received
1	2016-19	Vaspari Lingaiah, Applicant No.1	Rs. 45,000/- for 6 crops by R-7 & 8
2	July,2019	Vaspari Lingaiah, Applicant No.1	Rs.75,000/-, by R-7 & 8
3	Jan, 2020	Vaspari Lingaiah, Applicant No.1	Rs. 75,000/- by R-7 & 8
4	July, 2020	Vaspari Lingaiah, Applicant No.1	Rs.75,000/- by R-7 & 8
5	Jan, 2021	Vaspari Lingaiah, Applicant No.1	Rs. 75,000/- by R-7 & 8
6	Aug, 2021	Vaspari Lingaiah, Applicant No.1	Rs. 75,000/- by R-7 & 8
7	12.5.2021	Vaspari Lingaiah, Applicant No.1	Rs. 2142/- by RDO
8	12.5.2021	Vaspari Narasimha, Applicant No.2	Rs.5844/- by RDO
9	16.9.2022	Vaspari Narasimha, Applicant No.2	Rs.10,000/- by R-

			7 & 8
10	12.5.2021	Vaspari Sharada, Applicant No.3	Rs. 3200/- per Ac by RDO
11	26.8.2021	Vaspari Sharada, Applicant No.3	Rs.10,000/- by R- 8

6. That the pollution by the Units was continuing from 2011 and this fact was noticed by the then Andhra Pradesh Pollution Control Board (APPCB) and appointed High Level Committee to study the reasons and solutions. That as per the recommendations of the High Level Committee, the then Pollution Control Board of Andhra Pradesh has issued directions on 23.6.2012 to 45 industries situated in old Nalgonda District including the Respondent No.7 and 8. But due to the non-implementation of the recommendations of the High Level Committee and Directions issued by the PCB, the entire area becomes highly polluted. Based on the magnitude of the pollution found by the Andhra Pradesh Pollution Control Board, a Joint Committee was formed by the Joint Collector of the then Nalgonda District. The Committee consists of officials from Revenue, Agriculture, Rural Water Supply, District Industries Centre (DIC) and Pollution Control Board has inspected 11 bulk drug industries including the two private respondents herein and made following suggestions:

- i. *The industries shall operate ZLD system & treat the stored effluents and CETP member industries shall send stored effluents to the CETP or operate ZLD for treatment and reuse of effluents immediately.*
- ii. *The industries shall regularly operate the ZLD system for treatment and reuse of effluents and CETP Member units shall regularly send their effluents to CETP.*

- iii. The industries shall regularly lift Hazardous solid waste generated from ZLD to M/s TSDF, Dindigal for secured land fill and organic waste to cement industries for co-processing.*
 - iv. The industries shall store raw materials, solvent drums, residue drums etc., on a elevated platform with leachate collection pit in closed shed to avoid contamination of rain water.*
 - v. The industries shall operate the scrubbers regularly for control of odour problem to the surrounding.*
 - vi. The industries shall provide dome covers to the open effluents storage tanks to avoid odour problem.*
 - vii. The industries shall provide night vision cameras at entrance main gate and 2 cameras shall be provided at towards Dothigudem village and Dharmojigudem village road and connectivity shall be given by providing server at Dothigudem Grampanchayati office with at least 2 weeks backup to monitor illegal movement of trucks.*
 - viii. The industries shall develop greenbelt in vacant land in coming monsoon.”*
7. That the Revenue Officials including Revenue Divisional Officer, Mandal Revenue Officer visited the affected area and interacted with the farmers. They have assured the farmers that compensation will be paid to them for causing loss of agriculture. After their visit, the Company started paying compensation to about 30 farmers whose lands were affected due to chemical pollution. This is how the Applicant No.1 received compensation. That the Applicant No.2 and 3 were initially did not got compensation from Private Respondents. They have made complaints to the TSPCB and based on their compensation, the Respondent No. 7 and 8 sent Rs. 10,000/- one time through village elders. Meanwhile, after about 10 years of recommendations of High Level Committee, the District Collector of Yadadri Bhuvangiri has distributed Rs. 3200/- per acre to all farmers who undergone loss due to chemical pollution.
8. That the Applicants came to know that this Hon'ble Tribunal has appointed Joint Committee in Chepuri Ramachandraiah Vs State of Telangana and a formula was framed to grant compensation to the

affected farmer. That for 3 acres extent of agriculture land, the Joint Committee assessed the Rs.22,73,000/-. This issue was widely published in the Telugu newspapers. Noticing the intervention and adjudication by this Hon'ble Tribunal in a similar case, Applicants herein filed application seeking compensation.

True copy of the Joint Committee Report dated 13.5.2022 in OA No. 238 of 2021 is annexed as ANNEXURE A1.

9. It is humbly submitted that the Applicants are aggrieved formers and they are affected by the pollution caused by Private Respondents. That the Applicants fairly disclosed the status of compensation received from the Revenue Divisional Officer and the Private Respondents. The Applicants prays this Hon'ble Court to decide that whether the compensation paid by the RDO and Private Respondents is sufficient in comparison with the loss caused due to pollution by Private Respondents.

V. Lingaiah
Applicant No.1

V. Sathish Kumar
Applicant No.2

V. Sathish Kumar
Applicant No.3

V. Sathish Kumar

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BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

ANNEXURE A1

ORIGINAL APPLICATION No. 238 OF 2021 (SZ)
[Earlier, OA No. 181 OF 2020 (PB)]

IN THE MATTER OF:

Chepuri Ramachandraiah

....

Applicant(s)

Versus

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

....

Respondent(s)

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Place: Hyderabad**Date:** 13-05-2022.

Report of the Joint Committee in O.A. No. 238 of 2021 (SZ) | Earlier OA No. 181 of 2020(PB)| in the matter of ChepuriRamachandraiah, Vs State Of Telangana submitted to Hon'ble National Green Tribunal, South Zone, Chennai in Compliance to order dated 8th December, 2021.



Submitted To

**Hon'ble National Green Tribunal
South Zone, Chennai**

May, 2022

Report of the Joint Committee in O.A. No. 238 of 2021 (SZ) [Earlier OA No. 181 of 2020(PB)] in the matter of ChepuriRamachandraiah Vs State Of Telangana Submitted to Hon'ble National Green Tribunal, South Zone, Chennai in Compliance to order dated 8th December, 2021.

1. Preamble

Sri ChepuriRamachandraiah, R/o. Veliminedu (V), Chityala (M), Nalgonda District has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A) No.181 of 2020. The main prayer of the applicart is as follows:

The Grievance in this petition of the applicant is against violation of environmental norms by M/s. Hindys Chemical Factory, causing air and water pollution adversely affecting the cattle and crops and public health in VelmineduVillage, Chityala Mandal, Nalgonda District, Telangana.

The Hon'ble NGT heard the matter and passed orders dated 01.12.2020and directed that the State PCB and the District Magistrate, Nalgondaneedto take appropriate action after ascertaining the facts and following due process of Law. The nodal agency for coordination will be the State PCB.

In compliance of the Orders, the District Collector has deputed the Additional Collector & Additional District Magistrate, Nalgondato complete the inspection and submit report. Subsequently, the case was heard before the Hon'ble NGT on 01.12.2020 and the Tribunal has sought a factual and Action Taken Report from the Board and District Collector, Nalgonda. In compliance to the directions of the Hon'ble NGT, the Committee report dated 03.06.2021 filed before the Hon'ble NGT, Principal Branch, New Delhi on 21.10.2021.

2. Orders of the Hon'ble Tribunals

The matter was taken for hearing before the Hon'ble NGT, New Delhi on 18.11.2021 and the relevant extract of the Order of Hon'ble NGT is as follows.

6. Project proponent has filed I.A. No. 212/2021 to be added as a party and inter alia stated that some of the land is under acquisition.

7. We have heard learned counsel for the State PCB as well as the project proponent. Even though the report is not complete on all respects, it is clearly acknowledge that there are

serious violations as noted above resulting in damage to the soil quality and water in the area. The unit has been manufacturing more than the consented capacity and not maintaining record and also not complying with the consent conditions. Only action taken by the State PCB is forfeiting the bank guarantee to the extent to Rs. 2 lakhs.

8. *In view of the above, further remedial action is necessary, after ascertaining a factual position.*
9. *Accordingly, we constitute a four member joint Committee of MoEF&CC, CPCB, State PCB and the District Collector jointly. Joint meeting of the Committee may be held within two weeks. The joint Committee may undertake visit to the site and interact with the stakeholders and evaluate compliance status in all respects, including air water, soil, ground water, compliance of the consent and EC conditions and the quantum of compensation required to be recovered, in the light of the violations found. The project proponent may be given opportunity of being heard. The Committee may give its report within three months by email to the Southern Bench of this Tribunal.*

The CPCB & TSPCB are made as Nodal Agency for coordination and also for providing necessary logistics for this purpose.

Further, the matter was taken by the Hon'ble NGT, Southern Zone, Chennai on 08.12.2021, the interlocutory application [I.A. No. 187 of 2021 (SZ)] is allowed and the applicant in [I.A. No.187 of 2021 (SZ)] is impleaded as additional 4th Respondent and passed an order that;

7. *If the newly added 4th Respondent wanted to file any reply to the allegations made and also objections (if any) to the report submitted earlier, they are at liberty to file the same before this Tribunal before the next date of hearing date.*
8. *In the meantime the official respondents are also directed to file their independent response regarding the allegations made in the letter petition before the next hearing date, so as to consider the further directions (if any) to be issued in this regard.*
9. *The Joint committee is also directed to file the report if possible or at least file an interim report before the next hearing date*
10. *The joint Committee as well as the respondents are directed to file their respective report as well as independent response before this Tribunal on or before 17.01.2022 by e-filing in the form of searchable PDF/OCR Supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per Rules".*

Copies of the Hon'ble NGT orders are enclosed as **Annexure – 1&2**

In compliance to the Hon'ble NGT order dated 18.11.2021 in case of O.A. No. 181 of 2020, the committee was constituted comprising of the following officers:

- i. Sh. V. Chandra Sheker, Additional Collector & Additional District Magistrate, Nalgonda District.
- ii. Smt. H. D. Varalaxmi, Scientist E, CPCB, Regional Directorate, Chennai.
- iii. Dr. E. Arockia Lenin, Scientist C, Integrated Regional Office, MoEF&CC, Hyderabad.
- iv. Sh. G. Hanumantha Reddy, Joint Chief Environmental Engineer, TSPCB, Zonal Office, Ramachandrapuram, Hyderabad.

3. Scope of Committee:

The Hon'ble NGT directed that the meeting of the Joint Committee be held within two weeks and the Committee may undertake visit to the site and vested with the following scope as per the Order dated 18.11.2021:

- i. Interact with the stakeholders and evaluate compliance status in all respects, including air, water, soil, ground water,
- ii. Compliance of the Consent and EC conditions and
- iii. The quantum of compensation required to be recovered, in the light of the violations found. The project proponent may be given opportunity of being heard. The Committee to file its report within three months to the Hon'ble NGT, Chennai.

4. Meeting and preliminary site visit by the Committee :

CPCB convened first joint committee meeting on December 13, 2021 at 5:00 PM through online. All the committee members attended and provided suggestions. Smt. H. D. Varalaxmi, from CPCB welcomed all the members and briefed about the case. She also informed that the case was originally filed at NGT, Principal Bench, Delhi and presently is been transferred to NGT, Southern Zone, Chennai and renamed as O A. No. 238 of 2021 and the case was heard at SZ, Chennai on December 8, 2021. The Hon'ble NGT directed the committee to submit the report or at least the interim report by January 17, 2022 and posted the case for hearing on January 17, 2022.

The committee members had deliberation on NGT order and the following decisions were taken by the committee members for compliance of NGT orders dated 18.11.2021 and 08.12.2021.

- a. TSPCB officials to provide all previous documents/reports submitted earlier to NGT in this case.
- b. To interact with the project proponent, nearby villagers and other stakeholders during 1st week of January, 2022.
- c. To inspect the industry (M/s Hindys Chemical Laboratory Pvt. Ltd., Nalgonda), monitoring and sampling in and around the industry during third week of January, 2022.
- d. TSPCB to make necessary arrangements for the collection and analysis of samples.
- e. TSPCB to provide logistics arrangements for committee members for compliance of NGT orders dated 18.11.2021 and 08.12.2021.
- f. CPCB for providing technical guidance in report preparation and filing of committee report before NGT, SZ (Chennai).

Minutes of the Meeting of Joint Committee held on 13.12.2022 is enclosed as **Annexure -3**.

As per the Decision taken during the Joint Committee meeting held on 13.12.2021, the Joint Committee visited the industry on 04.01.2022 and interacted with the industry representatives and the Applicant. The attendance of the officials and others is enclosed as **Annexure - 4**.

During the interaction with the Applicant, they have informed that they are having an agricultural land of about 3 Acres, just opposite to the industry and have incurred crop losses due to the pollution of the industry since last 10 years. They are not able to cultivate the land with the ground water as it got polluted and not useful for irrigation. They are having 3 Bore wells in the Agricultural land and out of them, 2 Bore wells are in working condition. They have alleged that the industry indulged in the discharging of effluents into ground through well, but could not provide any evidence. He has also alleged that they are facing chemical odour problem from the industry. He stated that they were not cultivating the land for the last few years due to pollution.

He further stated that other farmers are not that much affected as their lands are situated away from the industry, hence others are not complaining. However, cultivation of paddy and cotton fields were also observed near adjacent to the industry.

Subsequently, the Committee inspected M/s. Hindys Lab Pvt. Ltd., on 03.02.2022 and monitored the Ambient Air Quality, Volatile Organic Compounds (VOC), Ground water quality in the surrounding area in presence of the Applicant and Industry representatives.



5. M/s Hindys Laboratory Pvt. Ltd., Velminedu Village, Chityala Mandal, Nalgonda District.

5(a) General information:

M/s Hindys Laboratory Pvt., Ltd., is located in Sy.No. 289-292, Veliminedu Village, Chityala Mandal, Nalgonda District. The unit spread in an area of 11 acres. The unit was established as M/s. Hychem Laboratories in the year 2009 and engaged in the manufacturing of Drug intermediates & Fine chemicals. There after the unit was taken over by M/s Hetero drugs and the unit name was changed as M/s Hindys Laboratory Pvt., Ltd. The new management (M/s Hindys Laboratory Pvt., Ltd) has started production in the year 2015. The detailed inspection report of the unit is enclosed at **Annexure -5**.

5 (b) Status of permissions/clearances obtained by the unit:

The unit has obtained permission from Telangana Boiler Inspection Department, Dy.Chief Controller of Explosives, MOEF&CC, TSPCB, Dy. Chief Inspector of Factories and Panchayath Raj Department, Department of Fire, PESO,. The details of permissions granted and their validity are as below;

Table No. 1: Details of Permissions / Clearances obtained

S. No.	Permissions obtained by the unit	Document/ license no.	Issue date	Valid up to	Name of the Department
1	Boiler License	292/2021-22	09.02.2022	01.02.2023	Boilers department
2	Fire NOC	Not applicable			
3	PESO License	P/HQ/TG/15/3748 (P228047)	18.12.2020	31.12.2025	Petroleum & Explosives Safety Organisation
4	EC Letter	F.No.IA-J-11011/114/2017-IA II(I)	09.04.2020		Ministry of Environment, Forest and Climate Change
5	CFE	Order No.NAL-224/PCB/ZO/RCP/CFE/2006-65, Dt: 28.04.2006.	28.04.2006	NA	Pollution Control Board
		Order No.04/ TSPCB/CFE/RO-NLG/HO/2018-1754, Dt: 30.07.2018.	30.07.2018	NA	
		Order No.08/ TSPCB/CFE/NLG/RO-NLG/HO/2020-774, Dt: 10.09.2020.	10.09.2020	NA	
		Order No.13/ TSPCB/CFE/NLG/RO-NLG/HO/2021-1798, Dt: 27.01.2022.	27.01.2022.	NA	
6	CFO& Hazardous Waste Approval	APPCB/PTN/NLG/ CFO/HO/2011-1696, Dt: 16.09.2011.	16.09.2011	31.07.2012	Pollution Control Board
		APPCB/RCP/NLG/ 13577/CFO&HWM /HO/2013-5930, Dt:24.12.2013	24.12.2013	31.07.2015	
		TSPCB/RCP/NLG/ CFO&HWM/HO/2016-05, Dt:29.03.2016	29.03.2016	31.07.2020	

		CFO (CPM) TSPCB/RCP/NLG/ CFO&HWM/HO/20 19-, Dt:13.03.2019	13.03.2019	31.07.2020	
		210822543295	17.02.2021	31.07.2025	
		220523499495 (Expansion Phase-I)	27.01.2022	31.07.2025	
7	Factory License	32876	23.09.2019		Factories department
8	Panchayath Running License	56/GPV/2006	13.03.2006		

5(c). Status of Compliance/violations against conditions imposed in the consents/clearance:

i. Conditions imposed in Environment Clearances issued by MoEF&CC:

Ministry of Environment, Forest and Climate Change, has accorded Environmental Clearance to M/s. Hindys Lab Pvt Ltd., for expansion o Bulk drug and intermediates manufacturing unit from 5.25 TPM to 150 TPM at Sy. Nos. 289-292, Village Veliminedu, Mandal Chityal, District Nalgonda, Telangana vide letter no. IA-J-11011/114/2017-IA II (I) dated 09.04.2020.

Present status: Industrial activities are in progress. Products are manufactured as per earlier Consent granted by TSPCB. No products mentioned in the EC are manufactured by PA, at present. They are in the process of the implementation of the activities proposed in the expansion of their project. Out of the EC conditions, 2 non-compliances and 1 partial compliance was observed. The non compliances observed is Odour emission is observed and PA is directed to take necessary action (Condition No. xvi of Specific conditions); The locations of ambient air quality monitoring stations have not been decided by SPCB as on the date of site visit (Condition No. vii of General conditions) & Half yearly compliance reports are not uploaded in the company website (Condition No. xviii of General conditions). Point wise compliance status of EC order dated 09.04.2020 is given as **Annexure – 6**.

ii. Conditions imposed in Consents under Air Act& Water Act and Authorisation under H &OW Rule 2016:

The detailed status of compliance/violations against conditions imposed in the CFO & HWA clearances are Annexed at **Annexure – 7**.

It is observed that the unit has taken steps to comply with 35 out of 44 conditions imposed in the integrated CTO& Authorisation under HW Rules issued by the TSPCB. However, 9 conditions viz. (i) No provision made for monitoring of HCL in the process vent as per the Consent condition, (ii) LTDS and HTDS ETP found inadequate, (iii) the flow meters installed are not indicating the accountability to ensure ZLD system, (iv) Inadequacy of Odour control measures in ETP, (v) Inadequate control measures to process emissions were found partially complying, (vi) non installations of online TDS meter for HTDS effluent and (vii) Odour control at MEE found not complying.

5(d) Status of Pollution Control Measures taken to prevent the pollution:

i. Water & Waste water

- The unit uses water for consumption of 11.35 KLD for all purposes. The unit is generating 4.9 KLD of process & Washings effluents, 0.6 KLD of DM Plant softener regeneration& Scrubber, 0.64 KLD of Boiler blow down& Cooling water blow down and 1.0 KLD of Domestic waste water. During the period from Jan'2021 to Dec'2021, the industry has water consumption of 10.66 KLD.
- As per the CFO, the unit is collecting LTDS effluent @ 1.64 KLD and HTDS @ 5.5 KLD. The LTDS being treated through ETP comprises of Collection tank, aeration system, settling cum separation tank followed by RO system. The RO permeate being utilised in Utilities and RO reject being sent to MEE along with HTDS effluent. The HTDS and RO reject being concentrated through three stage Falling Film: Multi Effect Evaporator(MEE) followed by ATFD to recover salt as final waste. The MEE condensate being sent to LTDS ETP. During the period from Jan'2021 to Dec'2021, the industry has waste water generation of 6.74 KLD (HTDS-5.19 KLD & 1.55 KLD-LTDS).
- As per the monitoring carried out by the Committee, *COD and TDS reduction was observed 35% and 37% respectively in LTDS ETP. As per the COD reduction, the conventional treatment is not adequate, the reduction of TDS indicates the possibilities of dilution because TDS can not be reduced through conventional treatment. The RO efficiency was observed only 21.6 % which indicates the inadequacy of treatment plant to treat the LTDS effluent.*

- The unit claims that they are achieving 25% TDS Concentration through MEE, from the analysis results the MEE efficiency also observed very poor, the TDS concentration was increased from 2.7% to 9.0 % through MEE and it is inadequate to achieve the desirable limit of 25 % TDS concentration to recover the salt.

ii. Source emission and Process vents:

- The industry has coal fired boilers of capacity 6 TPH, 8 TPH provided with separate Bag filter followed by Mechanical dust collector as APCE followed by common chimney of height 30 mtrs.
- The unit has connected the process vents to the double condenser followed by scrubbing system. As per the Consent issued by TSPCB, the process vent is required to monitor for HCl concentration, however no provision is made in the process vent for monitoring of HCl.
- As per the Monitoring report of source emission from boiler, PM (86 mg/Nm^3), SO_2 (168 mg/Nm^3) and NO_x (220 mg/Nm^3) was found meeting with prescribed Standards of TSPCB which indicates the adequacy of pollution control measures taken by the unit.
- The unit has not provided online emission monitoring system to the boilers.

iii. Compliance under HW Rule :

As per the Authorisation issued by the TSPCB, Authorised quantity of Sludge and ATFD salt is 467.2 kg/day (170.52 MT/Annum). During the period from Jan'2021 to Dec'2021, the industry has Hazardous waste generation (ATFD salt) of 144.85 MT/Annum

iv. Solvents Used & Control measures adopted to control VOCs

- ❖ The industry has 5 Nos of Two stage scrubbers with online pH meters for control of process emissions.
- ❖ *The unit is claiming that they have distillation column with double condenser and circulation of RT water & chilled water, condenser vents are connected to scrubber. The scrubbers are maintained with neutralised agents. The loss through condenser vent is reported in the range of 200 to 432 Ltrs/day, these vents are connected to scrubber. During scrubbing, scrubbed solvent may dispersed in the form of VOCs and causing odour nuisance in the surrounding area.*

5(e) Other observations made during field visit:

- The unit was informed that, M/sHychem Laboratories was established in the year 2009 and engaged in manufacturing of Drug intermediates and Fine Chemicals. The present management i.e M/s Hindys Laboratory Pvt., Ltd., has taken over the unit in 2015 and obtained consent for eight products, but started manufacturing seven Bulk drug intermediates viz Dichlorophenyl Dihydro Naphthalenylidene (DDN), Omeperazole intermediate, Dimethyl Propanamine (DMP), Camphor Sulfonyl Chloride (CSC), CBZ L Valine, Ter-butyl Pyrimidin Acetate(TPA) and Carbamyl Methyl Hexanoic (CMH). Presently, manufacturing 5 products viz DDN, DMP, CBZ L Valine, TPA and CMH.
- The applicant reported the water pollution since 10 years, hence the committee asked the details of products manufactured, Treatment system provided, details of Hazardous waste storage facilities by earlier unit(i.e., before 2015 year), however no details were made available by the present management before the 2015 data.
- The committee has taken reconnaissance survey around the unit, no visible discharge was observed, one more farmer reported the obnoxious smell in the bore well water which is being used for cultivation of paddy.
- During Committee visit, the applicant son Mr. Vishnu submitted reports of Water & Soil quality obtained from Agricultural Department. As per the report dated 17.12.2019, the bore well water sample categorized as C4S1 which states that the water is not suitable for cultivation under normal condition. If this water is used for moderate type of lands under necessary situation, the soil turns salt. This water can be used of light sandy soils by providing proper drainage facility. But, more water taps are used to dissolve salt in the water and proper drainage facility shall be provided to drain out the salt. Saline resisting crops like ragi, paddy, etc shall be used. This water is not suitable for agriculture under normal conditions. As per the soil sample report dated 17.12.2019, the nature of the soil is light, moderate pH, salt index (EC) normal, organic carbon less, available nitrogen is also less (100), available phosphorous is more (27), available potash is less (31). Copy of the report is enclosed as **Annexure - 8**
- Nearby village people reported obnoxious smell in the night time.

6. Assessment of Environmental damage on account of operation of respondent unit:**6(a) Status of Ambient Air Quality and TVOC in the surrounding area of Respondent Unit :**

The Committee monitored the ambient air quality as well as VOC in 3 locations to assess the impact of operation of respondent unit during February 03 -04, 2022. The Results of Analysis of Ambient Air Quality monitored are depicted below:

Table No. 2 (a): Results of Analysis of Ambient Air Quality Monitored

S. No	Location		PM ₁₀ µg/m ³	SO ₂ µg/m ³	NO ₂ µg/m ³	Ammonia
1	AAQ Monitoring carried out at periphery of the industry near Southside compound wall of the industry in Upwind direction of Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'48.07" &E 79°1'57.16").	I Shift	48	4.2	19	20
				4.1	24	BDL
		II Shift	45	4.0	20	22
				4.4	23	BDL
		III Shift	56	4.3	24	21
				4.5	22	BDL
24 hr average			49.66	4.25	22	21
2	AAQ Monitoring carried on top of the residence of Sri. MettuSaidulu, near Mission Bhagiratha water tank in Downward direction of Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'41.7" &E 79°1'22.2").	I Shift	55	4.0	18	20
				4.0	22	20
		II Shift	61	4.2	23	BDL
				4.4	24	BDL
		III Shift	66	4.1	20	21
				4.5	23	BDL
24 hr average			60.66	4.20	21.66	20.33
3	AAQ Monitoring carried in the agricultural land of Sri. Ch.Ramachandaraiah, S/o.Durgaiyah, Sy no.348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'31.6" &E 79°1'45.2").	I Shift	57	4.5	24	BDL
				5.0	26	BDL
		II Shift	48	4.8	25	BDL
				4.6	23	21
		III Shift	67	4.3	24	BDL
				4.9	20	21
24 hr average			57.33	4.68	23.66	21.00
National Ambient Air Quality Standards for 24 hr Average			100	80	80	400

From the above analysis report, it is observed that PM₁₀, SO₂, NO₂ and Ammonia concentration were found within the prescribed standards of National Ambient Air Quality Standards.



Table No. 2(b): Results of Volatile Organic Compounds (VOC)

S. No.	Monitoring Location	Timings	Results
			VOC Average Values (ppm)
1)	Volatile Organic Compounds (VOC) recorded near Southside compound wall of the industry in Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'48.07" & E 79°1'57.16").	(12:00 PM to 2:00 PM)	0.000
		(2:00 PM to 4:00 PM)	0.000
		(4:00 PM to 6:00 PM)	0.004
		(6:00 PM to 8:00 PM)	0.008
		(8:00 PM to 10:00 PM)	0.000
		(10:00 PM to 12:00 AM)	0.018
		(12:00 AM to 2:00 AM)	0.020
		(2:00 AM to 4:00 AM)	0.016
		(4:00 AM to 6:00 AM)	0.022
		(6:00 AM to 8:00 AM)	0.008
		(8:00 AM to 10:00 AM)	0.004
		(10:00 AM to 12:00 PM)	0.022

S. No.	Monitoring Location	Timings	Results
			VOC Average Values (ppm)
2)	Volatile Organic Compounds (VOC) recorded near the residence of Sri. Mettu Saidulu, near Mission Bhagiratha water tank in Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'41.7" & E 79°1'22.2").	(12:30 PM to 2:30 PM)	0.000
		(2:30 PM to 4:30 PM)	0.020
		(4:30 PM to 6:30 PM)	0.044
		(6:30 PM to 8:30 PM)	0.008
		(8:30 PM to 10:30 PM)	0.006
		(10:30 PM to 12:30 AM)	0.021
		(12:30 AM to 2:30 AM)	0.004
		(2:30 AM to 4:30 AM)	0.008
		(4:30 AM to 6:30 AM)	0.026
		(6:30 AM to 8:30 AM)	0.024
		(8:30 AM to 10:30 AM)	0.024
		(10:30 AM to 12:30 PM)	0.060

S. No.	Monitoring Location	Timings	Results
			VOC Average Values (ppm)
3)	Volatile Organic Compounds (VOC) recorded near the Sri. Ch. Ramachandaraiah S/o. Durgaiah, Sy. No. 348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS N 17°13'31.6" & E 79°1'45.2").	(1:00 PM to 3:00 PM)	0.020
		(3:00 PM to 5:00 PM)	0.008
		(5:00 PM to 7:00 PM)	0.000
		(7:00 PM to 9:00 PM)	0.000
		(9:00 PM to 11:00 PM)	0.040
		(11:00 PM to 1:00 AM)	0.044
		(1:00 AM to 3:00 AM)	0.020

		(3:00 AM to 5:00 AM)	0.060
		(5:00 AM to 7:00 AM)	0.050
		(7:00 AM to 9:00 AM)	0.008
		(9:00 AM to 11:00 AM)	0.022
		(11:00 AM to 1:00 PM)	0.020

As per the VOC monitoring very less concentrations were reported in all three locations, However , the team felt strong VOC odour near to ETP area as well as in the area of solvent recovery system.

6(b) Status of Ground water quality in the surrounding area of respondent unit:

The Committee collected the water samples in 8 locations to assess the impact of operation respondent units, the Analysis results of samples taken from applicant land and other surrounding areas are depicted in **Table 3:**

Table No. 3: Bore well water samples taken from Applicant land and neighbours land

S. No.	Parameter	Location of sample taken								Drinking water standards
		02070	02071	02072	02073	02074	02075	02076	02077	
1.	pH	6.51	7.13	6.83	6.88	6.7	6.99	6.34	6.95	6.5-8.5
2.	E. Conductivity in $\mu\text{mhos/cm}$	1980	1790	1558	1450	1245	1220	1254	942	--
3.	Total Suspended Solids (TSS) in mg/L	24	54	42	47	16	17	24	12	---
4.	Total Dissolved Solids (TDS) in mg/L	1208	1089	942	890	758	744	770	565	500
5.	Total Fixed Solids (TFS) in mg/L	821	741	641	605	515	506	524	384	---
6.	Chemical Oxygen Demand (COD) in mg/L	32	28	14	15	10	8	9	6	---
7.	Biological Oxygen Demand (BOD) in mg/L	2.9	2.6	BDL	BDL	BDL	BDL	BDL	BDL	--
8.	Total Alkalinity as CaCO_3 in mg/L	336	320	228	204	196	192	212	180	200
9.	Total Hardness as CaCO_3 in mg/L	544	508	356	280	300	288	316	268	200
10.	Calcium as Ca^{2+} in mg/L	102	98	66	53	56	59	63	58	75
11.	Magnesium as Mg^{2+} in mg/L	70	64	47	36	39	34	38	30	30
12.	Chlorides in mg/L	292	268	186	142	148	154	172	132	250
13.	Sulphates in mg/L	53	50	23	18	20	12	16	19	200
14.	Nitrates in mg/L	15	13	9	6	5	3	4	4	45

(15)

15.	Sodium in mg/L	92	87	52	48	43	45	57	42	---
16.	Potassium in mg/L	4	4	2	2	2	2	2	1	----
17.	Fluoride as F ⁻ in mg/L	0.78	0.60	0.63	0.62	0.50	0.37	0.24	0.17	1.0
18.	Phosphate as PO ₄ ⁻³ in mg/L	0.2	0.1	0.1	0.1	0.06	0.04	0.05	0.01	---
19.	Percent Sodium (% Na)%meq/L	26.60	26.79	23.73	26.80	23.46	25.11	28.01	25.18	----
20.	Sodium Absorption Ratio (SAR)	1.71	1.67	1.19	1.24	1.07	1.15	1.39	1.11	----
21.	Boron in mg/L	0.92	0.78	0.12	0.04	BDL	BDL	BDL	BDL	0.5
22.	Cadmium in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	0.003
23.	Lead in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	0.01
24.	Chromium(total) in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	0.05
25.	Copper in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	0.05
26.	Nickel in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	0.02
27.	Zinc in mg/L	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	5.0
28.	Iron in mg/L	0.18	0.20	0.22	0.06	0.04	BDL	0.03	BDL	0.3
29.	Odour	Solvent smell	Solvent smell	Solvent smell	Solvent smell	No odour	No odour	Light Solvent smell		Agreeable

Note: Details of sample locations (agricultural lands Opposite to the respondent unit and behind the unit) :

02070	:	Water sample collected from Bore well – 1 (adjacent to Electrical Pole) in the agricultural land of Sri. Ch. Ramachandaraiah S/o. Durgaiah, Sy. No. 348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'30" & E-79°1'44").
02071	:	Sample collected from Bore well – 1 slime deposit on the bottom of bore well pump of Sri. Ch. Ramachandaraiah S/o. Durgaiah, Sy. No. 348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'30" & E-79°1'44").
02072	:	Water sample collected from Bore well – 2 (adjacent to Custard apple tree) in the agricultural land of Sri. Ch. Ramachandaraiah S/o. Durgaiah, Sy. No. 348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N 17°13'30" & E 79°1'45").
02073	:	Water sample collected from Bore well – 3 (Near to Custard apple tree) in the agricultural land of Sri. Ch. Ramachandaraiah S/o. Durgaiah, Sy. No. 348/E of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'29" & E 79°1'44").

02074	:	Water sample collected from Bore well in the Agricultural land of Sri. Mettu Raju S/o Mallaiah, Sy. No. 344 of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'28" & E-79°1'46").
02075	:	Water sample collected from Bore well in the Agricultural land of Sri. MettuSattaiah S/o Anjaiah, Sy. No. 351 of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'48.07" & E-79°1'57.16").
02076	:	Water sample collected from Bore well in the Agricultural land of Sri. Sama Anji Reddy S/o Gopi Reddy, Sy. No. 293 & 285 of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'24" & E-79°1'31").
02077	:	Water sample collected from Bore well in the House of Sri. J. Narender S/o. Naveen, Sy. No. 286/A of Veliminedu (V), Chityal (M), Nalgonda District. (GPS: N-17°13'48.07" & E-79°1'57.16").

From the above table, it is observed that Bore well water in the applicant land was reported the smell of solvent, presence of COD and BOD indicates the contamination of bore wells. Total dissolved solids, Total alkalinity & Hardness and Magnesium found exceeding the drinking water standards in the Applicant bore wells. Chloride and calcium found high in one well.

6(c) Results of Finger printing Analysis of the Borewell water samples is as follows:

The committee has taken sample for signature analysis to confirm the compounds present in the effluents of Respondent unit and Bore well water samples of Applicant, the analysis reports are depicted in Table No.4:

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Table No. 4 :Signature analysis of effluents and water samples taken from Applicant land and neighbours land

Sl. No.	The compounds identified in the Effluent samples taken from respondent unit		Bore well samples taken from applicant land and other Neighbours land to identify the compounds matching with effluents of respondent unit							
	LTDS effluent	HTDS effluent	Bore well no. 1 of applicant	Slime sample taken from Bore well no. 1 of applicant	Bore well no. 2 of applicant	Bore well no. 3 of applicant	Bore well of Sri. Mettu Raju S/o Mallaiah, Sy. No. 344	Bore well of Sri. MettuSattaiah S/o Anjaiah, Sy. No. 351	Bore well of Sri. Sama Anji Reddy S/o Gopi Reddy, Sy. No. 293	Bore well of Sri. J. Narender S/o. Naveen, Sy. No. 286/A

1	2-Pentanone, 4-methoxy-4-methyl	Benzenamine, 2-(1-methylethyl)-	No compounds							
2	Methanol, Chloro-, acetate	D-Mannitol, 1,2:3,4:5,6-tris-O-(1-methylethylidene)-	matching with effluent							
3	Benzenamine, N-(1-methylethyl)-	Methyl 6-oxoheptanoate	detected							
4	Guanethidine	2-Pentanone, 4-methoxy-4-methyl								
5	D-Mannitol, 1,2:3,4:5,6-tris-O-(1-methylethylidene)-									
6	N,N-Diethylpropionamide									
7	4-Piperidinone, 2,2,6,6-tetramethyl-									

From the above table, it is observed that the no water samples taken were reported any signature compounds present in the effluent. However, the samples taken from the applicant land and Sri Sama Anji Reddy S/o Gopi Reddy, Sy. No. 293 were noticed Odour resembles the VOCs.

6(d) Assessment of Ground water Quality in the Applicant land by Agricultural Department:

The water samples (7 Nos.) taken from agricultural lands of applicant and other neighbor lands were analyzed at the Laboratory of Agricultural Department, Miryalaguda to verify the suitability of quality of water w.r.t agricultural requirement. The analysis reports of 7 samples are depicted in **Table No.5** :



Table No. 5: The analysis reports of water samples w.r.t agricultural requirement

S. No.	Parameter	Location of sample taken						
		Bore well no. 1 of applicant	Bore well no. 2 of applicant	Bore well no. 3 of applicant	Bore well of Sri. Mettu Raju S/o Mallaiah, Sy. No. 344	Bore well of Sri. Mettu Sattaiah S/o Anjaiah, Sy. No. 351	Bore well of Sri. Sama Anji Reddy S/o Gopi Reddy, Sy. No. 293	Bore well of Sri. J. Narender S/o. Naveen, Sy. No. 286/A
1.	pH	6.41	6.68	6.73	6.68	6.78	6.27	6.94
2.	E. Conductivity in mmhos/cm	2.2	1.9	1.7	1.6	1.7	1.4	1.1
3.	Carbonates	0	0	0	0	0	0	0
4.	Bi Carbonates	5	3.4	4.68		3.56	5.72	2.92
5.	Chlorides	Present	Present	Present	Present	Present	Present	Present
6.	Sulphates	Present	Present	Present	Present	Present	Present	Present
7.	Calcium +Magnesium	16.96	15.41	14.23	12.96	13.99	11.11	8.43
8.	Sodium + Potassium	5.04	3.58	2.77	3.04	3.00	2.89	2.56

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9.	Sodium Adsorption Ratio	1.73	1.29	1.03	1.19	1.13	1.22	1.25
10	Residual Sodium Carbonate	0	0	0	0	0	0	0
11	Classification	C3S1						

➤ As per the above analysis report, the borewell water samples are categorized C3S1, which is High Salt content and Low sodium content i.e., this water is suitable for many types of soils and crops in normal conditions. If this water is used for heavy soils, shall be cultivated within a short period of time to obtain crops & while giving water moisture shall provide proper drainage facility. Abundant quantity water is necessary to improve physical condition of the soil and for high production.

➤ The Agriculture Department has opined the following on EC, SAR, RSC and Boron content in the bore well water:

Electrical Conductivity (EC): Result - C3: 0.76 - 2.25, the said water can be used for irrigation purpose in general conditions (duly lifting from Bore wells). Abundant quantity water is necessary to improve physical condition of the soil and for high production. Changeability of EC level in Ground Water cannot be attributed to the industrial pollution, in case of hard rocks where abstraction is high, the water levels will go deep Since the movement of water is very low and water rock interactions are more hence changeability in EC values. And Geography of Nalgonda is having high level of rocks area.

Sodium adsorption Ratio (S.A.R): Result is less than 10, permissible safe.

Residual Sodium Carbonate (R.S.C): Result is less than 1.25 permissible safe.

Boron Concentrations (B): Not Examined in Agriculture lab, concluded with EC, permissible safe.

6(d) Assessment of Soil Quality in the Applicant land by Agricultural Department:

During committee visit, Agricultural Department, Miryalaguda taken 6 soil samples @ 2samples/acres were taken from the applicant land to verify the suitability of soil w.r.t agricultural requirement and the samples were analyzed at the Laboratory of Agricultural Department, Miryalaguda. The analysis reports of 6 samples are depicted in **Table No.6:**

Table No. 6: The analysis reports of Soil samples w.r.t agricultural requirement

S. No.	Parameter	Soil samples taken from applicant land @ 2 samples /acre						Standards
		1	2	3	4	5	6	
1.	Soil Nature	Medium	Medium	Medium	Medium	Medium	Medium	
2.	pH	7.49	7.48	7.52	7.69	7.69	7.63	6-7.5
3.	E. Conductivity in mmhos/cm	0.04	0.04	0.04	0.05	0.04	0.04	For moderate soil upto 1.5 is normal
4.	Organic Carbon in %	0.25	0.25	0.3	0.3	0.35	0.3	Less, if is less than 0.5
5.	Available Nitrogen (N) kg/Ha	50	10	10	10	20	20	Less, if 0-112 kg/acre
6.	Available Phosphorous (P)kg/Ha	8	6	9	9	8	9	Less, if 0-8 kg/acre
7.	Available Potash (K) kg/Ha	20	27	20	15	17	33	Less, if 0-60 kg/acre

As per the report of Department of Agricultural vide letter No. D8/124/Pollution/2022 dated 15.02.2022, it states that the soil is not affected and can be used for cultivation, hence it is recommended that the bore water can be used for irrigation with reclamation measures and soil can be useful for cultivation. Copy of the report is enclosed

Annexure - 9



7. Conclusion of the Committee based on Field observations and monitoring results:

After detailed monitoring, field observations and analysis reports of samples taken, the Committee concluding as below:

A. M/s Hindys Laboratory Ltd.,

- i. The respondent unit M/s Hindys Laboratory Ltd., was taken over in the year 2015 from M/s Hychem Laboratories and started production from the same year. As per the applicant information, the contamination of water was reported since 10 years i.e before starting operation of unit by existing management.
- ii. The unit is having all requisite permissions /clearances from Boiler Inspection Department, Petroleum & Explosives Safety Organisation, MOEF&CC, Factories Department, Panchayath Raj Department and Telangana Pollution Control Board. The list of permissions obtained is tabulated in Table No. 1.
- iii. The unit has valid integrated consent under Water & Air Acts and Authorisation under H&OW Rule 2016. However, 35 out of 44 conditions imposed were found complying and remaining 9 conditions were found partially / non compliance. The major non compliance observed are online monitoring systems installed in the ETP, non-installation of online TDS meter, non installation of online monitoring system in Boiler stack and inadequate control system provided in the process vents and solvent recovery system which is causing odour nuisance in the surrounding area.
- iv. Ministry of Environment, Forest and Climate Change, has accorded Environmental Clearance to M/s. Hindys Lab Pvt Ltd., for expansion of Bulk drug and intermediates manufacturing unit from 5.25 TPM to 150 TPM at Sy. Nos. 289-292, Village Veliminedu, Mandal Chityal, District Nalgonda, Telangana vide letter no. IA-J-11011/114/2017-IA II(I) dated 09.04.2020. Products are manufactured as per earlier Consent granted by TSPCB. No products mentioned

in the EC are manufactured by PA, at present. They are in the process of the implementation of the activities proposed in the expansion of their project.

- v. As per the monitoring results of ETPs indicates that the ETP installed to treat Low TDS effluent was found not adequate, only 35 % efficiency was observed w.r.t COD reduction through conventional treatment. The RO efficiency (21.6%) also found very poor.
- vi. As per the analysis results of treatment system provided for treating High TDS, the efficiency of MEE was found very poor. The TDS concentration was increased from 2.7% to 9.0 % through MEE and it is inadequate to achieve the desirable limit of 25 % TDS concentration to recover the salt.
- vii. The flow meter installed as a part of online monitoring to ensure ZLD also found not proper and not ensuring the accountability of effluent generated, treated through RO, RO permeate & RO reject, Similarly in MEE section also flow meters installed are not ensuring the achievability of ZLD system.
- viii. The unit has not provided the online monitoring system to stack attached to 6 TPH & 8 TPH coal fired boiler. As per the Consent issued by TSPCB, the process vent is required to be monitored for HCl concentration, however no provision is made in the process vent for monitoring of HCl.
- ix. As per the Authorisation issued by the TSPCB, Authorised quantity of Sludge and ATFD salt is 467.2 kg/day (170.52 MT/Annum). During the period from Jan'2021 to Dec'2021, the industry has Hazardous waste generation (ATFD salt) of 144.85 MT/Annum.
- x. The solvent loss through condenser vent is reported in the range of 200 to 432 Ltrs/day, these vents are connected to scrubber. During scrubbing, scrubbed solvent may dispersed in the form of VOCs and causing odour nuisance in the surrounding area.

B. Environmental Damage including Air, Water & Soil has been caused on account of the operation of respondent unit:

i. Damage to the Air Quality :

As per the ambient air quality monitoring conducted around respondent unit, the PM10, SO₂, NO_x and Ammonia were found within the standards of Ambient Air Quality. *Hence, no Monetary loss attracts w.r.t Ambient Air Quality.*

ii. Damage to the Ground water and Soil in the Applicant Land as well as in Surrounding area :

As per the monitoring conducted by committee, Bore well water in the applicant land was reported the smell of solvent, presence of COD and BOD indicates the contamination of bore wells. Total dissolved solids, Total alkalinity & Hardness and Magnesium found exceeding the drinking water standards. Chloride and calcium concentration also found to be high in one well out of three monitored. Bore well samples taken from neighbouring agricultural land was found to be within the drinking water standards except TDS concentration. The Bore well in Agricultural land located behind respondent unit also observed light smell. Total dissolved solids, Total alkalinity & Hardness and Magnesium found exceeding the drinking water standards.

As per the report of Department of Agriculture vide letter No. D8/124/Pollution/2022 dated 15.02.2022, the borewell water samples are categorized C3S1, which is High salt content and low sodium content i.e., this water is suitable for many types of soils and crops in normal conditions. If this water is used for heavy soils, shall be cultivated within a short period of time to obtain crops & while giving water moisture shall provide proper drainage facility. Abundant quantity water is necessary to improve physical condition of the soil and for high production.

As per the report of Department of Agriculture vide letter No. D8/124/Pollution/2022 dated 15.02.2022, it states that the soil is not affected and

can be used for cultivation hence, it is recommended that the bore water can be used for irrigation with reclamation measures and soil can be useful for cultivation.

iii. Compensation on account of Loss of Soil fertility due to ground water contamination in Applicant land:

As per the bore well monitoring dated 03.02.2022, it is confirmed that slight contamination and high TDS, Total Hardness, Alkalinity and Magnesium. In the year 2019, the agricultural department also certified that the bore well water is not fit for cultivation purpose. The applicant also informed that since no crop is cultivated due to contamination, during committee visit no standing crop was observed in the applicant land, but standing crop was observed in neighbour agricultural land, the water used in that land also collected and observed that except TDS, other parameters were found within permissible limit. Hence, Committee felt to calculate the crop loss due to ground water contamination in applicant land, the following data was obtained from the agricultural department to calculate the compensation to applicant;

The applicant Land: 3 acres

Crops cultivated: Paddy, Cotton

No of Crops per year: Paddy (2 Crops), Cotton (1 Crop)

Crop yield per Acre: Paddy – 4028 Kgs/ Acre / Year, Cotton – 584 Kgs/Acre/Year

Minimum Support Price: Paddy (Rs. 1881=00 per quintal avg);

Cotton (Rs. 5800=00 per quintal avg)

No of years of non cultivation in Applicant land: 10

Compensation to be paid to the Applicant:

For Paddy: Hence, Average for 1 year for 3 acres: Rs.2,27,300.04

For 10 years period (As sought by the applicant): Rs. 22,73,000.40

For Cotton: Hence, Average per 1 year: Rs. 1,01,616.00

For 10 years period (As sought by the applicant): Rs. 10,16,160.00

The committee observed paddy cultivation adjacent to applicant land, hence committee considered paddy crop for compensation, accordingly compensation towards crop loss is worked out is Rs 22,73,000.00.

The detailed calculation of crop loss compensation is enclosed as **Annexure - 10**

iv. Environmental Compensation on account of non-compliances:

The Committee observed major violations of M/s Hindys Lab and the same is recorded in the section 7A. As per the complaint received from the applicant, TSPCB has reviewed the industry on 06.11.2020 and issued directions vide order dated 18.11.2020 and also forfeited Bank Guarantee of Rs.2 Lakhs.

The Board has issued directions to the industry vide order dated: 18.11.2020 observed non compliances for 28 days of period from 18.11.2020 to 15.12.2020. The Board has inspected industry to verify the compliance in connection with CFO (Phase-I) and non compliance observed for a period of 308 days from 17.02.2021 to 20.12.2021. Total days of non-compliance of the industry observed are 336 days.

Hence, the Committee opines to calculate EC as per CPCB formula:

$$EC = PI \times N \times R \times S \times LF$$

Where,

EC = Environmental Compensation in INR

PI = Pollution Index of Industrial sector (**Red – 95**)

N = Number of days of violation took Place (date on which non compliance observed and to till date of rectification)

R = A factor in Rupees for EC (Rs. **250/-** may be assumed)

S = Factor for scale of operation (Large – **1.5**)

LF = Location factor (the unit is located in Veliminedu village, Nalagonda District and population is less than 10 lakh = **1**)

- a. Pollution Index of Industrial sector (PI): TSPCB has categorised this industry into red- large category, average pollution index is **95**.

- b. Number of days of violation (N): **336**. The number of days for which violation took place is considered as the period between the day of violation observed and day of compliance verified by the TSPCB/CPCB. As per the records of the unit, 336 days is considered of period of violation for estimating EC.
- c. Scale of operation (S): The industry is considered as large, thus scale of operation (S) for EC estimation is considered as 1.5.
- d. Location factor (LF): The industry is located in Veliminedu village, Nalgonda District and the total population within village boundary and up to 10 km distance from the municipal boundary of the city is less than 1 million. Thus location factor (LF) is considered as 1 for EC estimation.
- e. Factor in rupees (R): As per the environmental compensation estimation guidelines factor of rupees may be minimum of Rs 100/- and maximum of Rs. 500/-. The factor of rupees is considered as Rs. 250/- for estimating environmental compensation for this industry, considering its pollution potential

Period of non-compliance	PI	S	LF	R (Rs)	N (Days)	Environmental compensation
18.11.2020 to 15.12.2020 & 17.02.2021 to 20.12.2021	95	1.5	1.0	250	336	Rs.1,19,70,000/-

- v. **Total EC recoverable on account of Loss of Soil fertility due to ground water contamination in Applicant land and Non compliance from Respondent unit:**

Compensation on account of loss of crop:

For Paddy: Rs. 2273000.00

Compensation on account of non compliance: Rs.1,19,70,000/-

Total compensation recoverable: Rs.14243000.00/-

The unit shall pay compensation for Paddy Crop Rs. 2273000.4 to the applicant for causing loss of crop and EC of Rs.1,19,70,000/- to CPCB/TSPCB for non-compliances observed by the committee.

8. Mitigations/suggestions to prevent the pollution caused:

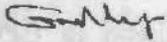
- ✓ As per the conditions of EC and CTO, respondent unit is required to install online monitoring system to stack attached to Boilers and also to make provision of HCl monitoring including online monitoring in the process vent.
- ✓ To take immediate steps for upgradation of ETPs provided to treat Low TDS and High TDS and to take third party (preferable NEERI) assessment of the same to ensure the adequacy to achieve ZLD system.
- ✓ To install Electromagnetic flow meters with rate of flow and cumulative flow at inlet of RO Feed, RO permeate and RO reject generated, separate flow meter for accountability of RO permeate utilised in the process/utility, Flow meter for RO reject taken to MEE. Similarly, Flow meter for MEE feed, MEE condensate generated and feeder to ATFD and to connect all flow meters to TSPCB server. The flow meter at RO Feed, Reject taken to MEE, MEE feeder and ATFD feeder flow meter, PTZ camera with night vision to CPCB server to ensure the operation of ZLD system.
- ✓ To take immediate steps to upgrade the control measures installed in process vent to reduce the VOC emissions and also to improve the efficiency of solvent recovery system as well as to upgrade the control measures provided. The same shall be assessed by the third party (preferable NEERI/IICT) to ensure no odour shall be reported by the surrounding people.
- ✓ A detailed study on the issue of ground water contamination in and around the respondent unit of M/s. Hindys Laboratory Pvt., Ltd., in Veliminedu Village should be carried out by the National Geophysical Research Institution, Hyderabad to address the grievances of the applicant and other farmer regarding ground water contamination and to take follow up action by the TSPCB. The study should be completed by NGRI within six months. The cost of the study

should be given by the M/s. Hindys Laboratory Pvt., Ltd., since the unit has taken modification after taking over the earlier management.

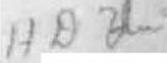
- ✓ The committee opines that bore well water from applicant land can be withdrawn for industrial purpose in order to reduce the contamination.

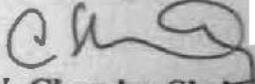
By considering the above facts and observation of the joint committee, the Hon'ble Tribunal may pass appropriate order(s) as deemed fit.

Signature of Committee Members:


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


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


H D Varalaxmi
Regional Director- Chennai,
Central Pollution Control Board


Sh. V. Chandra Shekar
Additional Collector & Additional
District Magistrate, Nalgonda

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NGT Case, Southern Zone Bench, Vaspari Lingaiah & Ors Vs Union of India reg:-

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Fri, Aug 25, 2023 at 8:31 PM

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Madam and sir

Kindly find the attached Memo filed in OA No. 108 of 2023.

With regards

Sravan Kumar
Advocate for Applicants
9811237009
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 **Lingaiah Memo 25 Aug.pdf**
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