

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

ORIGINAL APPLICATION No. 115 OF 2023

IN THE MATTER OF:

Abhilash,
R/o.Khammam District.

....

Applicant

Versus

State of Telangana & Ors

....

Respondent(s)

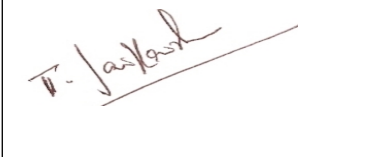
REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R4)

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Place: Hyderabad.

Date: 12-03-2024.



COUNSEL FOR RESPONDENT No. 4

**REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (TSPCB)
(RESPONDENT No. 4) DATED 12-03-2024 IN OA No. 115 of 2023.**

It is to submit that the Hon'ble NGT, Principal Bench registered the application in O.A No 368 of 2022 based on a complaint received by post from Mr. Abhilash Chowdary of Garlavoddu Village, Enkooor Zone, Khammam, District, Telangana.

The Joint Committee constituted by the Hon'ble NGT, Principal Bench, New Delhi submitted its report to the Hon'ble NGT on 31.10.2022. Further the Respondent Board submitted reports to the Hon'ble NGT, New Delhi on 03.05.2023 and 11.07.2023.

The Hon'ble NGT, New Delhi vide order dated 07.07.2023 transferred the case to the Hon'ble NGT, Chennai.

The Respondent Board further submitted reports dated 01.11.2023 & 11.12.2023 to the Hon'ble NGT, Chennai. The Hon'ble NGT, Chennai has taken on record the Report filed by the Board during the hearing held on 12.12.2023 and directed the Respondent Board to submit additional report.

In this regard, the following is submitted:

**M/s Sri Jai Santhoshi Narasimha Stone Crusher, Garlavaddu (V), Enkooor (M),
Khammam District (locally known as M/s Sri Lakshmi Narasimha Stone Crusher):**

1. M/s. Sri Jai Santhoshi Narasimha Stone Crusher is a stone crushing unit located in Garlavaddu (V), Enkooor (M), Khammam District and produces Stone Aggregates to the tune of 500 TPD.
2. The Board has issued closure orders to the stone crusher vide order dated 14.11.2022 as the crusher was operating without valid CFO of the Board.
3. Further, the industry has obtained CFO renewal of the Board vide order dated 08.03.2023 which is validity upto 28.02.2032.
4. The Board issued temporary revocation of closure orders for a period of 6 months to the stone crusher vide order dated 28.03.2023 for periodical monitoring of the industry.
5. Subsequently, the Board has extended temporary revocation of closure orders dated 10.10.2023 for a period of 6 months i.e., upto 09.04.2024.
6. The respondent Board has issued Show Cause Notice dated 11.10.2023 regarding levy of Environmental Compensation for the stone crusher for past violations.
7. The industry was reviewed before Task Force Committee of the Board. Based on the recommendations of the Task Force Committee, an amount of Rs.7,65,000/- is imposed as Environmental Compensation on the Stone crusher vide order dated 08.12.2023 and directed the industry to remit the amount of Rs.7,65,000/-.
8. The crusher submitted a representation dated 22.01.2024 with a request to pay the environmental compensation amount of Rs.7,65,000/- in six installments as they are facing financial crisis. The Board has reviewed the representation of the mine and issued

order dated 28.02.2024 for payment of Environmental Compensation amount of Rs.7,65,000/- in six monthly installments.

9. The crusher has paid an amount of Rs.2,55,000/- out of total amount of Rs. 7,65,000/- in two equating installments.

M/s Manupati Jaya Simha (1.0 Ha. – Building Stone & Road Metal Mine) located in Sy. No. 200/TA, Jannaram (V), Enkoor (M), Khammam District:

1. The Board has issued Closure Orders to the mine vide order dated 28.11.2022 for operating the mine without obtaining EC and CFE & CFO of the Board.
2. Further, the mine has obtained Environmental Clearance (EC) from State Environmental Impact Assessment Authority (SEIAA), Telangana and also obtained CFE and CFO of the Board.
3. The quarry mine has obtained renewal of mine lease order from the Deputy Director, Mines and Geology Department, Warangal, Govt. of Telangana vide Proceedings No: R/KHM/0050 dated 20.03.2023, for valid period upto 20 years w.e.f. 20.08.2019.
4. The Board issued revocation of Closure Order vide order dated 28.03.2023.
5. The Respondent Board has issued Show Cause Notice dated 28.10.2023 regarding levy of compensation from the quarry mine.
6. The mine was reviewed before Task Force Committee of the Board. Based on the recommendations of the Task Force Committee, an amount of Rs.28,68,000/- is imposed as Environmental Compensation on the mine vide order dated 04.12.2023 and directed the mine to remit the amount of Rs.28,68,000/-.
7. The mine submitted a representation dated 25.01.2024 with a request to pay the environmental compensation amount of Rs. 28,68,000/- in six installments as they are facing financial crisis. The Board has reviewed the representation of the mine and issued order dated 01.02.2024 for payment of Environmental Compensation amount of Rs.28,68,000/- in six monthly installments.
8. The mine has paid an amount of Rs.9,56,000/- out of total amount of Rs.28,68,000/- in two equating installments.

The Board will ensure the total recovery of the Environmental compensation from the above units.

It is to further submit that the Board will periodically monitor the Stone crusher and Stone quarry mine for compliance of Consent conditions and directions of the Board.

Date: 12.03.2024.

Place: Kothagudem


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
T.S. Pollution Control Board
Regional Office, KOTHAGUDEM

Item No.09:-

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BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

(Through Video Conference)

Annexure - I

Original Application No.115 of 2023(SZ)

IN THE MATTER OF:

Abhilash.

...Applicant(s)

Versus

State of Telangana and Ors.

...Respondent(s)

Date of hearing: 12.12.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mrs. H. Yasmeen Ali for R1, R2, R3 & R5.
Ms. Kavitha Renjini represented
Mr. T. Sai Krishnan for R4.

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ORDER

1. Today, there is no representation for the applicant.
2. The report of the Telangana State Pollution Control Board is filed. However, it is not complete, as it has not mentioned the status after the show cause notices were issued.
3. So, let the Telangana State Pollution Control Board file another report after the enquiries are completed. In the meanwhile, let the Department of Mines and Geology - Khammam is also directed to file a detailed report as to the next plan of action and whether they have cancelled the mining approval and recovered penalties imposed.
4. Post the matter on 29.01.2024.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.115/2023(SZ)
12th December, 2023. AD.