

Before the National Green Tribunal sitting at Chennai

Application No.12/2023

Between:

K.Ramesh Babu

..Applicant

Vs.

Union of India & others

..Respondents

**

Counter filed by Respondent No.10

Lunavath Kishan, s/o.Surya (6.273 Ha. Building Stone and
Road Metal Mine) Sy.No.29 & 30 Thogudem (v), Palvancha (m)
Bhadradri Kothagudem District

**

The Respondent No.10 most respectfully submits as follows:

1. That all the averments made in the application filed by the Applicant by name K.Ramesh babu which are not specifically admitted herein shall be deemed to have been denied to be true and the Applicant is put to strict proof of the same.
2. That the Respondent No.10 herewith submits that the Respondent No.10 Proponent of M/s.Lunavath Kishan, (6.273 Ha. Building Stone and Road Metal Mine) Sy.No.29 & 30 Thogudem (v), Palvancha (m), Bhadradri Kothagudem District and operating the stone and metal quarry mine and obtained

X L. Kishan

necessary permission from the Government Departments. The details are submitted as follows:

- i) The Respondent No.10 obtained mine lease permission from the District Mines & Geology Department with Mine lease period from 10.01.2018 to 19.01.2028. Copy of the same is enclosed.
- ii) The Respondent No.10 obtained Environmental clearance (EC) from State Level Environment Assessment Authority (SEIAA), Hyderabad vide Order No.SEIAA/OL/BKDM-01/2017 dt.15.11.2017 with a validity period 20 years from the date of issue of the order. Copy of the same is enclosed.
- iii) Subsequently, the Respondent No.10 had obtained consent for Establishment (CFE) of the Telangana State Pollution Control Board vide order dated 11.12.2017. Copy of the same is enclosed.
- iv) The Respondent No.10 also obtained consent for Operation (CFO) from the Telangana State Pollution Board vide order dated 22.10.2022 with a validity period upto 30.11.2027. Copy of the same is enclosed.

x W. Lashan

v) The status of the pollution control measures taken by the mine is submitted as below:

1. The Respondent No.10 provided mobile water tanker (1x4 KL) for wetting the ground and transportation roads.
2. The Respondent No.10 developed adequate green belt in & around the mine lease area.
3. As per EC, the Respondent No.10 practicing wet drilling by using jack hammer to control dust emissions.
4. The Respondent No.10 practicing the control blasting techniques such as delay detonators & shock tube initiation system for blasting to reduce vibration and dust.

It is to further submit that the Respondent No.10 used to supply material to M/s.R.K.Crusher, Thogudem (v), Palvancha (m), located very adjacent to the quarry of Respondent No.10, as such the material transportation distance is less and there are no fugitive dust emissions and generated during transportation. Also developed avenue plantation along the transportation road.

x L. Iqbal Khan

Hence, the Respondent No.10 is herewith requesting your kind self not to initiate any action against the quarry mine of Respoondent No.10 as the Respondent No.10 had obtained all necessary permissions and following all pollution control measures.

Therefore it is prayed that the Hon'ble Tribunal may be pleased to dismiss the application, in the interest of Justices.

Khammam

x L. Kishan

Date:

16-3-2023

Respondent No.10

D. Narayana

Counsel for Respondent No.10

counter.msr

GOVERNMENT OF TELANGANA
PROCEEDING OF THE ASST. DIRECTOR FOR MINES AND GEOLOGY,
BHADRADRI KOTHAGUDEM
(Present Sri Laxmi Prasad Rao, Asst. Director(FAC))

Proceeding No: 2242/Q/2015

Date: .01.2018

Sub: Mines and Quarries – Quarry Lease for Building Stone & Road Metal – over an extent of 6.33 Hect held in Sy. No. 29 & 30 of Thogudem village, Palvancha Mandal, Bhadradi Kothagudem District – Granted in favour of Sri Lunavath Kishan for a period of 10 years - Execution of lease deed - Work Order – Issued – Reg.

Ref: 1. Proceedings No. 218/Q2/KMM/2016, Dt: 15.12.2017 of the Dy. Director of Mines & Geology, Warangal.
2. Letter dated: 08.01.2018 of Sri Lunavath Kishan with a request to execute this lease deed.

* * *

ORDER:

In pursuance of the orders in the references cited, sanction is hereby accorded to Sri Lunavath Kishan to work over an extent of 6.33 Hect in S.No. 29 & 30 of Thogudem village, Palvancha Mandal Bhadradi Kothagudem District for a period of 10 years with effect from 01.01.2018 to 01.01.2028 for extraction Building Stone & Road Metal subject to the payment of Advance Dead Rent before the end of financial year i.e., on or before 28th February till the lease period and also subject to the satisfaction of conditions laid down in APMMC Rules, 1966 (adopted) and also subject to special conditions mentioned in the enclosed appendix.

The Government reserved the right to cancel the Quarry Lease granted and executed under the APMMC Rules, 1966 (adopted) without assigning any reasons and giving the notice.

The lessee should maintain all the records and accounts in the form prescribed by the Government as follow the conditions (shown in the appendix enclosed). The lessee should submit quarterly returns in Form 'C' as to reach the Director of Mines and Geology, Hyderabad, Dy. Director of Mines and Geology, Warangal, Asst. Director of Mines and Geology, Bhadradi Kothagudem. The lessee is also directed to obtain dispatch permits under Rule, 34 of Telangana State Minor Mineral Concession Rules' 1966 from the Asst. Director of Mines and Geology, Kothagudem before transportation of the Minerals.


Asst. Director of Mines & Geology (FAC),
Bhadradi Kothagudem Dist.

To,
Sri Lunavath Kishan,
S/o Surya, R/o H.No.5-1-110/2A,
Marripeda Bunglow, Marripeda (M),
Warangal Dist.

Copy submitted to the Director of Mines & Geology, Hyderabad for favour of information.
Copy submitted to the District Collector and Magistrate, Bhadradi Kothagudem for favour of information.

Copy submitted to Revenue Divisional officer, Bhadradi Kothagudem Dist for favour of information

x L. Kishan



State Level Environment Impact Assessment Authority (SEIAA)
Telangana State
Government of India
Ministry of Environment Forests & Climate Change
A-3, Industrial Estate, Sanathnagar, Hyderabad-500 018.

REGD.POST WITH ACK.DUE

Order No. SEIAA/TS/OL/BKDM-01/2017-

Dt:15.11.2017

Sub: SEIAA, Telangana - 6.273 Ha. Building Stone & Road Metal Quarry of Sri Lunavath Kishan, Sy.No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi District - Environmental Clearance - Issued - Reg.

2

I. This has reference to your application submitted online on 05.07.2017 (proposal no. SIA/TG/MIN/64924/2017) received on 25.07.2017 seeking Environmental Clearance for the proposed Building Stone & Road Metal Quarry in favour of Sri Lunavath Kishan, Sy.No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi District. It was reported that the nearest human habitation viz., Thogudem (V) exists at a distance of about 1.4 km Mureru River exists at 1.5 km, local water body exists at distance of 0.2 km and Palavancha East RF exists at distance of 0.36 km from the mine lease area. It was noted that the capital investment of the project is Rs. 62.0 Lakhs and maximum capacity of the project is as follows:

Mining of Building Stone & Road Metal – 50,000 m³/annum

✓

II. It is a semi-mechanized opencast quarry. After breaking the mineral into required size by drilling and blasting, it is directly loaded into the trucks. No beneficiation of the ore / mineral is proposed. It is reported that the life of the Mine is estimated as 42 years. The total mine lease area is 6.273 Ha.

III. The proposal has been examined and processed in accordance with EIA Notification, 2006 and its amendments thereof. The State Level Expert Appraisal Committee (SEAC) examined the application in its meeting held on 02.08.2017. The project is considered under B2 category and exempted from the process of public hearing as the mining lease area is less than 25 Ha. as per provisions laid under EIA Notification, 2006 & its subsequent amendments. Based on the information furnished, presentation made by the proponent and the consultant M/s. Sri Sai Manasa Nature Tech Pvt. Ltd., Hyderabad; In-principle grant of quarry lease by the DDMG, Warangal vide Notice. Dt. 15.03.2017 for a period of 10 years; Approved Mining Plan; Lr. dt. 01.08.2017 of ADMG (FAC), Bhadradi Kothagudam District informing that 8 other quarry leases granted prior to 09.09.2013 are existing within 500 mtrs as Cluster; the Committee considered the project proposal and recommended for issue of Environmental Clearance. The State Level Environment Impact Assessment Authority (SEIAA), in its meetings held on 08.09.2017 & 16.10.2017 examined the proposal and recommendations of SEAC, Telangana for issue of Environmental Clearance. Accordingly, after discussions in the matter and considering the recommendations of the SEAC, Telangana, the SEIAA, Telangana hereby accords prior Environmental Clearance to the project as mentioned at Para no. I under the provisions of the EIA Notification 2006 and its subsequent amendments issued under Environment (Protection) Act, 1986 subject to implementation of the following specific and general conditions:

A. Specific Conditions:

a) Air Pollution:-

- i. Wet drilling method shall be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
- ii. While taking afforestation activity under EMP, the project proponent shall develop and maintain greenbelt along the boundary of mining lease area and consider giving priority to indigenous and evergreen species having more foliage / green cover to absorb dust and other particles around mining area. The proponent shall Geo-tag all the saplings planted.
- iii. Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.

iv. The proponent shall take appropriate measures to ensure that the GLC shall comply with the revised NAAQ norms notified by MoE&F, GoI on 16.11.2009.

v. The following measures are to be implemented to reduce air pollution during transportation of mineral:-

- Roads shall be graded to mitigate the dust emission.
- Crusher platform will be covered with GI sheets to arrest any dust emission.
- Over filling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
- Water shall be sprinkled at regular interval on the main haul road and other service roads by water sprinklers to suppress dust.

vi. The following measures are to be implemented to reduce Noise pollution:-

- Proper and regular maintenance of vehicles and other equipment
- Limiting time exposure of workers to excessive noise.
- The workers employed shall be provided with protection equipment and earmuffs etc.
- Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.

vii. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010; dt. 11.01.2010 issued by the MoE&F, GOI to control noise to the prescribed levels. Workers engaged in operations of HEMM, etc should be provided with ear plugs/muffs.

viii. The proponent shall take all precautionary measures for safety of Human & Animal life in the immediate vicinity of the Mine w.r.t. their mining activity as Blasting operations are involved.

ix. Fencing shall be provided all around the working mine area.

b) Water Pollution:-

i. The source of water is through tankers from nearby village. Total water requirement is 9.825 KLD. Out of that, 1.2 KLD is used for Wet Drilling, 7.125 KLD for Water sprinkling on haul roads, 0.45 KLD for development of greenbelt and 1.05 KLD for domestic purpose. Wastewater generated from the domestic section is to be disposed into septic tank followed by soak pit.

ii. Garland drain and siltation ponds of appropriate size should be constructed for the working pit to arrest flow of silt and sediment. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains should be regularly desilted, particularly after monsoon, and maintained properly.

iii. Regular monitoring of ground water level and quality should be carried out by establishing a network of existing wells by the project proponent in and around project area in consultation with Regional Director, CGWB, Southern Region, Hyderabad. Data thus collected should be sent at regular interval to MoEF, CGWA and CGWB, Southern Region, Hyderabad.

iv. Suitable conservation measures to augment groundwater resources in the area shall be planned and implemented in consultation with Regional Director, CGWB, Southern Region, Hyderabad. Suitable measures should be taken for rainwater harvesting.

v. Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project.

c) Solid Waste :-

i. Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose. The entire excavated area shall be back filled and afforested.

ii. Separate area shall be demarcated for overburden and refilling.

iii. The following measures are to be adopted to control erosion of dumps:-

- Retention/toe walls shall be provided at the foot of the dumps.
- Worked out slopes are to be stabilized by planting appropriate shrub/grass species on the slopes.

X L. Kishan

- iv. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016, to the Recyclers authorized by TSPCB.
- v. The proponent shall not dump any waste from their Mining activity outside their mine lease area under any circumstances and shall take all precautionary measures to avoid entry / dumping of any waste from their Mining activity into the nearest water bodies, if any.

B. General Conditions:

- i. This order is valid for a period of 20 years OR the expiry date of mine lease period issued by the Government of Telangana, OR life of the mine, whichever is earlier. It was reported that the life of the mine is 42 years.
- ii. A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the SEIAA and MoEF&CC, GoI, 5 years in advance of Final Mine Closure.
- iii. "Consent for Establishment" & "Consent for Operation" shall be obtained from Telangana State Pollution Control Board under Air and Water Act to carry on mining.
- iv. The environment safeguards contained in the EMP Report should be implemented in letter and spirit. The responsibility of implementation of environmental safeguards rests fully with the proponent i.e., Sri Lunavath Kishan.
- v. All the conditions, liabilities and legal provisions contained in the EC shall be equally applicable to the successor management of the project in the event of the project proponent transferring the ownership, maintenance of management of the project to any other entity.
- vi. The proponent shall comply with any other conditions stipulated by the Dept. of Mines & Geology, Govt. of Telangana and other concerned statutory Authority / Department.
- vii. No change in mining technology and scope of working should be made without prior approval of the SEIAA, T.S. No further expansion or modifications in the mine shall be carried out without prior approval of the SEIAA, Telangana / MoEF&F, GoI, New Delhi, as applicable.
- viii. The proponent shall submit half-yearly compliance reports in respect of the terms and conditions stipulated in this order in hard and soft copies to the SEIAA; and CCF, Regional office of MoEF&CC, GoI, Chennai on 1st June and 1st December of each calendar year.
- ix. Officials from the Regional Office of MoEF&CC, GoI, Chennai who would be monitoring the implementation of environmental safeguards should be given full co-operation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents shall be submitted to the CCF, Regional Office to MoEF&CC, GoI, Chennai.
- x. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
- xi. Data on ambient air quality should be regularly submitted to the Ministry including its Regional Office located at Chennai and the State Pollution Control Board/ Central Pollution Control Board once in six months.
- xii. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- xiii. The project proponent shall ensure that no natural watercourse and/or water resources shall be obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any, originating from the mine lease shall be taken.
- xiv. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.

- xv. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- xvi. The funds earmarked for environmental protection measures (Capital cost of Rs 6.2 lakhs & Recurring cost of Rs. 3.8 lakhs/annum) should be kept in separate account and should not be diverted for other purpose. The budget allocated for the EMI shall be subsequently increased if the project cost increases at the time of CFO. Year wise expenditure should be reported to the Ministry and its Regional Office located at Chennai.
- xvii. The project proponent shall submit the copies of the environmental clearance to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- xviii. The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA, Telangana.
- xix. The proponent shall obtain all other mandatory clearances from respective departments.
- xx. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- xxi. Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xxii. The SEIAA may revoke or suspend the order, if implementation of any of the above conditions is not satisfactory. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- xxiii. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules

Sd/-
MEMBER SECRETARY
SEIAA, T.S.

Sd/-
MEMBER
SEIAA, T.S.

Sd/-
CHAIRMAN,
SEIAA, T.S.


To

Sri Lunavanth Kishan,
(6.273 Ha. Building Stone & Road Stone Quarry),
S/o. Suryan, R/o. H.No. 5-1-110/2A,
Maripeda Bandlow, Maripeda (M),
Warangal - 506315
Ph. No. 7729990304

Copy to:

1. Prof. Ch. Krishna Reddy, Chairman, SEAC, T.S. for kind information.
2. The Member Secretary, TSPCB for kind information.
3. The EE, RO: Kothagudam, TSPCB for information.
4. The Regional Officer, MoEF&CC, GOI, Chennai for kind information.
5. The Secretary, MoEF&CC, GOI, New Delhi for kind information.
6. The Director of Mines & Geology Dept., for kind information.

//T.C.F.B.O//


Senior Environmental Engineer (FAC)
(Unit - III)

* L. Kishan



TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

CFE

R. Ravinder Reddy
Joint Chief Environmental Engineer

H.No.6-3-1219, Sy.No.TS No.1 Part,
Block - C, Ward No.91,
Near Country Club, Uma Nagar,
Begumpet, Hyderabad
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

CONSENT ORDER FOR ESTABLISHMENT – RED CATEGORY

Order No. 259 – KGM/TSPCB/ZO-HYD/CFE/2017 2241

Date: 11.12.2017

Sub: TSPCB – ZOH – CONSENT FOR ESTABLISHMENT (CFE) – M/s. Sri Lunavath Kishan (6.273 Ha. Building Stone & Road Metal Mine), Sy. No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi Kothagudem District - Consent for Establishment of the Board under Sec.25 of Water (Prevention and Control of Pollution) Act, 1974 and under Sec.21 of Air (Prevention and Control of Pollution) Act, 1981 – Issued – Reg.

- Ref:
1. Industry's CFE application received through TSOCMMS on 18.11.2017 & 16.11.2017 at TSPCB, RO, Kothagudem.
 2. TSPCB, RO, Kothagudem verification report date 30.11.2017, received by Zonal Office, Hyderabad on 30.11.2017
 3. CFE Committee meeting held on 05.12.2017 at TSPCB, Zonal Office, Hyderabad.

* * *

1. In the reference cited, an application was submitted to the Board seeking Consent for Establishment (CFE) to carry out Building Stone & Road Metal mining activity over an extent of 6.273 Ha as mentioned below, with a proposed project cost of Rs. 62.0 Lakhs (Rupees Sixty two Lakhs only).

SLNo.	Product & Capacity
1.	Mining of Building Stone & Road Metal – 50,000 m ³ /annum (Over an extent of 6.273 Ha)

2. As per the application, the above activity is to be located Sy. No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi Kothagudem District.
3. The above site was inspected by the Environmental Engineer, T.S. Pollution Control Board, Regional Office, Kothagudem on 28.11.2017 and found that the industry is surrounded by East: Eucalyptus plantation; West: Eucalyptus plantation; North: Approach road and eucalyptus plantation; South: Agricultural land followed by forest land followed by hill.
4. The Board, after careful scrutiny of the application, verification report of Regional Officer, Kothagudem and recommendation by the CFE Committee meeting held on 05.12.2017 at TSPCB, Zonal Office, Hyderabad, hereby issues CONSENT FOR ESTABLISHMENT to the industry, under Section 25 of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention and Control of Pollution) Act, 1981 and the rules made there under. This Order is issued to manufacture the products mentioned at para (1) only.

R. Kishan

5. This Consent Order now issued is subject to the conditions mentioned in Schedule 'A' and Schedule 'B'.
6. This order is issued from pollution control point of view only. Zoning and other regulations are not considered.


JOINT CHIEF ENVIRONMENTAL ENGINEER

Encl: Schedules "A & B".

To
Sri Lunavath Kishan,
M/s. Sri Lunavath Kishan
(6.273 Ha. Building Stone & Road Metal Mine),
S/o. Surya, R/o. H.No. 5-1-110/2A,
Maripeda Bandlow, Maripeda (M),
Warangal District - 506 315

Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for information.
Copy to the Environmental Engineer, TSPCB, Regional Office, Kothagudem for information and necessary action.

SCHEDULE - A

1. Separate meters with necessary pipe-line shall be provided for assessing the quantity of water used for each of the purposes mentioned below.
 - a. Industrial cooling.
 - b. Domestic purposes.
 - c. Processing whereby water gets polluted and pollutants are easily bio-degradable.
2. The industry shall provide a minimum stack height (H) to the DG sets as per the following formula.
$$H = h + 0.2 \text{ SQRT (KVA)}$$

KVA = Total generation capacity, h = Height of building where DG Set is installed.
3. The generator shall be installed in a closed area with a silencer and suitable noise absorption systems. The ambient noise level shall not exceed 75 dB(A) during day time and 70 dB(A) during night time measured from a distance of 5mtrs from the DG Set.
4. The industry shall install and commission appropriate control and ventilation system for controlling the air pollution.
5. The industry shall take appropriate measures to ensure that the ground level concentrations shall comply with revised National Ambient Quality Norms notified by MoE&F, GoI on 16.11.2009.
6. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas. The applicant shall maintain good house keeping both within the factory and in the premises. All pipe valves, sewers, and drains shall be leak proof.
7. The solid waste arising in the premises shall be properly collected and disposed off.
8. There shall not be any perceptible odour outside the industry's premises.
9. All the rules and regulations notified by Ministry of Environment and Forests, Govt. of India in respect of noise pollution control measures shall be followed to avoid nuisance to public.
10. The proponent shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.
11. The applicant shall obtain Consents for operation regularly from TSPCB, as required Under Sec. 25/26 of the Water (P&C of P) Act, 1974 and Under Sec. 21/22 of the Air (P&C of P) Act, 1981, for operation of the industry, before starting trial production. The Consent for Operation will be accorded only after ensuring compliance of all the conditions stipulated in this order.
12. The applicant shall comply with and carryout conditions issued by the Board in this consent order scrupulously. The applicant is liable for legal action as per the provisions of the relevant Acts in case of non-compliance of any conditions of the consent order.
13. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves its right and power Under Sec. 27(2) of Water (Prevention and Control of Pollution) Act, 1974 and Under Sec.21 (4) of Air (Prevention and Control of Pollution) Act, 1981 to review any or all the conditions imposed herein and to make such alternation as deemed fit and stipulate any additional conditions for the purpose of the Act by the Board.
14. The applicant shall exhibit the consent of the Board in the factory premises at a conspicuous place for the information of the inspecting officers of different departments.
15. Andhra Pradesh Pollution Control Board reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions of this Order. Also the Board reserves the right to withdraw the CFE without any prejudice/ notice on receiving any complaints by the Board regarding Environmental Pollution problems caused by the industry.
16. The industry is liable to pay compensation for any environmental damage caused by it, as fixed by the Collector and District Magistrate as civil liability.

L. Aishan

17. Rain Water Harvesting (RWH) structure (s) shall be established on the plant site so that the ground water is recharged by the storm water.
18. The industry shall comply with Rules & Regulations notified by Ministry of Law and Justice, Govt. of India, regarding the Public Liability Insurance Act, 1991.
19. Any person aggrieved by an order made by the State Board under Section 25, Section 26, Section 27 of Water Act, 1974 or Section 21 of Air Act, 1981 may within thirty days from the date on which the order is communicated to him, prefer an appeal as per Andhra Pradesh Water rules, 1976 and Air Rules 1982, to such authority (herein after referred to as the Appellate Authority) constituted under Section 28 of the Water (prevention and Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981.

SCHEDULE – B

1. This order is valid for a period of 5 years from the date of issue.
2. The industry shall report progress on implementation of the project to this office and Telangana State Pollution Control Board, Regional Office, Kothagudem regularly.
3. The industry shall carry out only semi-mechanized open cast mining and shall carryout mining of building stone & road metal in an area of 6.273 Ha only. After breaking the mineral into required size by drilling and blasting it shall be directly loaded into the trucks
4. The industry shall adopt wet drilling method to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
5. Fugitive dust emissions from all the sources should be controlled regularly. The industry shall provide water spraying arrangement on haul roads, loading and unloading and at transfer points for dust suppressions.
6. The industry shall take appropriate measures to ensure that the ground level concentrations shall comply with revised National Ambient Quality Norms notified by MoE&F, GoI on dt.16.11.2009.
7. The industry shall scrupulously comply with conditions stipulated by the SEIAA (State Level Environment Impact Assessment Authority), Telangana State, Govt. of India, MoEF, Hyderabad in the Environmental Clearance order dated 15.11.2017.
8. The source of water is Borewell and the maximum permitted water consumption shall not exceed the following quantities.

S. No.	Purpose	Total Consumption (KLD)
1.	Wet Drilling	1.2 KLD
2.	Water sprinkling on haul roads	7.12 KLD
3.	Green belt development	0.45 KLD
4.	Domestic	1.05 KLD
	Total	9.82 KLD

9. The maximum waste water generation (KLD) shall not exceed the following:

S. No.	Wastewater generation	Total generation (KLD)
1.	Domestic	1.0 KLD
	Total:	1.0 KLD

Effluent source	Standards to be complied	Mode of final disposal
Domestic (1.0 KLD)	---	Septic tank followed by soak pit.

10. The industry shall implement the following measures to reduce the air pollution during transportation of the mineral.

- Road shall be graded to mitigate the dust emissions.

- Overfilling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
 - Water shall be sprinkled at regular interval on the main haul roads and other service roads to suppress the dust.
11. The industry shall implement the following measures to reduce the noise pollution.
- The proper and regular maintenance of the vehicles and other equipment.
 - Limiting time exposure of workers to the excessive noise. Worker employed shall be provided with protection equipment and ear muffs.
 - Speed of the trucks entering or leaving the mine is to be limited to the moderate speed of 25 KMPH to prevent undue noise from empty trucks.
12. The industry shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.
13. The industry shall provide ear plugs / muffs for the workers engaged in the operations of HEMM, etc.,
14. The industry shall construct garland drain and siltation ponds of appropriate size for the working pit to arrest the flow of silt and sediments. The water so collected shall be utilized for watering the mine area, roads, green belt development, etc., The drains shall be regularly de-silted particularly after monsoon and maintain properly.
15. The Solid wastes generated shall not exceed the following breakup quantities:
- | S. No. | Solid Waste generation | Hazardous / as defined under HWM Rules, 2016 | Method of Disposal |
|--------|-------------------------|--|--|
| 1. | Overburden / rock waste | --- | Shall be dumped in the dump yard within the quarry lease area. |
16. The industry shall collect solid waste i.e., overburden (top soil and rock waste) properly. The topsoil shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
17. The rock waste shall be dumped in the dump yard in the quarry lease area and the industry shall not dump the overburden soil outside the quarry lease area, under no circumstances. The Board is constrained to revoke the CFE issued by the Board in case overburden soil is dumped outside and also if complaints were received from the surroundings without any further notice.
18. The industry shall adopt the following measures to control erosion of dumps:
- Retention/toe walls shall be provided at the foot of the dumps.
 - Worked out slopes are to be stabilized by planting appropriate shrub / grass species on the slopes.
19. Suitable conservation measures to augment ground water resources in the area shall be planned and implemented in consultation with Regional Director, CGWB, Southern Region, Hyderabad. Suitable measures shall be taken for rainwater harvesting.
20. No change in mining technology and scope of working should be made without prior approval from the Board. No further expansion or modification in the mine shall be carried out without prior approval from the Board.
21. The industry shall take measures for refilling of the mine with ash, overburden waste and the mine shall be brought to the original condition.
22. The industry shall stack the top soil properly with proper slope with adequate measures.
23. The industry shall develop 33% of the total area as thick green belt all along the boundary of the unit and also in the vacant places with all tall growing trees with wide leaf area.
24. The industry shall not dispose the solid waste outside the factory premises.

x Mr. Vishan

25. The industry shall comply with all the Rules and Regulations specified in Water (P&C of P) Act, 1974, Air (P&C of P) Act, 1981 and Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016.
26. The industry shall not manufacture any extra products or extra capacities without obtaining CFE/CFO of the Board.
27. The industry shall not take up trial production without obtaining Consent for Operation of the Board.
28. Rain Water Harvesting (RWH) structure (s) shall be established on the plant site so that the ground water is recharged by the storm water.
29. The industry shall comply with Rules & Regulations notified by Ministry of Law and Justice, Govt. of India, regarding the Public Liability Insurance Act, 1991.
30. The industry shall comply with all the directions issued by the Board from time to time.
31. Concealing the factual data or submission of false information / fabricated data and failure to comply with any of the conditions mentioned in this order may result in withdrawal of this order and attract action under the provisions of relevant pollution control Acts.
32. The Board reserves its right to modify above conditions or stipulate any further conditions and to take action including revoke of this order in the sinterest of environment protection.


JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Sri Lunavath Kishan
(6.273 Ha. Building Stone & Road Metal Mine),
Sy. No. 29 & 30, Thogudem (V), Palvancha (M),
Bhadradri Kothagudem District.



TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

D. Krupanand
Joint Chief Environmental Engineer

H.No.6-3-1219,TS No.1 Part,
Block - C, Ward No.91, Near Country Club, Uma
Nagar, Begumpet, Hyderabad.
Phone No: 040-23402495
Email: jcee-zhyd-tspcb@telangana.gov.in

CONSENT ORDER – RED CATEGORY

Order No: 259-KGM/TSPCB/ZOH/CFO/2022- 1081

Date: 22.10.2022

(Consent Order for Existing/New or altered discharge of sewage and/or trade effluents/outlet under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof and Operation of the plant under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof).

CONSENT is hereby granted under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act 1981 (hereinafter referred to as 'the Acts') and the rules and orders made thereunder to

M/s. Sri Lunavath Kishan
(6.273 Ha. Building Stone & Road Metal Mine),
Sy. No. 29 & 30, Thogudem (V), Palvancha (M),
Bhadradi Kothagudem District

(hereinafter referred to as 'the Applicant') authorizing to operate the industrial plant, to discharge the effluents from the outlets and the quantity of Emissions per hour from the chimneys as detailed below

i) Outlets for discharge of effluents:

Outlet No.	Outlet Description	Max Daily Discharge	Point of Disposal
1.	Domestic effluents	1.0 KLD	Septic tank followed by soak pit

ii) Emissions from chimneys:

Chimney No.	Description of Chimney	Quantity of Emissions at peak flow	Emissions standards
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This order is subject to the provisions of 'the Acts' and 'the Rules' and orders made thereunder and further subject to the terms and conditions incorporated in the schedule A & B enclosed to this order.

This consent is valid for manufacture the following products along with quantities only

S. No.	Product	Capacity
1.	Mining of Building Stone & Road Metal (Over an extent of 6.273 Ha)	50,000 m ³ /annum

This consent order shall be valid for a period ending with the 30.11.2027

JOINT CHIEF ENVIRONMENTAL ENGINEER

Encl: Schedules A, B & C.

To
M/s. Sri Lunavath Kishan
(6.273 Ha. Building Stone & Road Metal Mine),
Sy. No. 29 & 30, Thogudem (V), Palvancha (M),
Bhadradi Kothagudem District
Email Id: krkinfraprojects@gmail.com

Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for information
Copy to the Environmental Engineer, TSPCB, Regional Office, Kothagudem for information.

x L. Kishan

SCHEDULE - A

1. The applicant shall make applications through online for renewal of Consent (under Water & Air Acts) and Authorization under HWM Rules at least 120 days before the date of expiry of this order, along with prescribed fee under Water and Air Acts for obtaining Consent & HW Authorization of the Board. The applicant can also apply for Auto Renewal of the CFO atleast 30 days before the expiry of this order as per the procedure and eligibility stipulated in the Board Circular dt.19.11.2015 & 08.12.2015 (available in Board's Website: <http://spcb.cgg.gov.in/Pages/Circulars.aspx>).
2. Concealing the factual data or submission of false information/ fabricated data and failure to comply with any of the conditions mentioned in this order may result in withdrawal of this order and attract action under the provisions of relevant pollution control Acts.
3. The industry may explore the possibility of tapping the solar energy for their energy requirements.
4. Any person aggrieved by an order made by the State Board under Section 25, Section 26, Section 27 of Water Act, 1974 or Section 21 of Air Act, 1981 may within thirty days from the date on which the order is communicated to him, prefer an appeal as per Rules, to such authority (hereinafter referred to as the Appellate Authority) constituted under Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981.
5. The Board reserves its right to modify above conditions or stipulate any further conditions and to take action including revoke of this order in the interest of protection of public health and environment.

SCHEDULE - B

Special Conditions

1. The industry shall take steps to reduce water consumption to the extent possible and consumption shall not exceed the quantities mentioned below

Sl. No.	Purpose	Quantity
1.	Wet Drilling	1.2 KLD
2.	Water sprinkling on haul roads	7.12 KLD
3.	Green belt development	0.45 KLD
4.	Domestic	1.05 KLD
	Total	9.82 KLD

2. The industry should comply with the National ambient air quality standards as per MoEF, GOI notification dated. 18.11.2009 along the premises of the factory as prescribed below.

S.No	Parameters	Standards in µg/m ³ ;
1	Particulate Matter(PM10)	100
2	Particulate Matter (PM2.5)	60
3	SO ₂	80
4	NO _x	80

Noise Levels: Day time (6 AM to 10 PM) - 75 dB (A)
Night time (10 PM to 6 AM) - 70 dB (A).

3. The industry shall not increase the capacity beyond the permitted capacity mentioned in this order, without obtaining CFE/CFO of the Board.
4. The industry shall carry out only semi-mechanized open cast mining and shall carryout mining of building stone & road metal in an area of 6.273 Ha only. After breaking the mineral into required size by drilling and blasting it shall be directly loaded into the trucks.
5. The industry shall adopt wet drilling method to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
6. Fugitive dust emissions from all the sources should be controlled regularly. The industry shall provide water spraying arrangement on haul roads, loading and unloading and at transfer points for dust suppressions.

x L. Iqshan

7. The industry shall take appropriate measures to ensure that the ground level concentrations shall comply with revised National Ambient Quality Norms notified by MoE&F, GoI on dt.16.11.2009.
8. The industry shall scrupulously comply with conditions stipulated by the SEIAA (State Level Environment Impact Assessment Authority), Telangana State, Govt. of India, MoEF, Hyderabad in the Environmental Clearance order dated 15.11.2017.
9. The industry shall implement the following measures to reduce the air pollution during the transportation of the mineral.
 - Road shall be graded to mitigate the dust emissions.
 - Overfilling of tippers and consequent spillage on the roads shall be avoided. The trucks shall be covered with tarpaulin.
 - Water shall be sprinkled at regular interval on the main haul road and other service roads to suppress the dust.
10. The industry shall implement the following measures to reduce the noise pollution.
 - The proper and regular maintenance of the vehicles and other equipment.
 - Limiting time exposure of workers to the excessive noise. Worker employed shall be provided with protection equipment and ear muffs.
 - Speed of the trucks entering or leaving the mine is to be limited to the moderate speed of 25KMPH to prevent undue noise from empty trucks.
11. The industry shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.
12. The industry shall provide ear plugs / muffs for the workers engaged in the operations of HEMM, etc.,
13. The industry shall construct garland drain and siltation ponds of appropriate size for the working pit to arrest the flow of silt and sediments. The water so collected shall be utilized for watering the mine area, roads, green belt development, etc., The drains shall be regularly de-silted particularly after monsoon and maintain properly.
14. The mine shall not exceed the following solid waste quantities as mentioned below:

S.No	Name and quantity of the Hazardous waste	Disposal option
1	Overburden / mine waste	Shall be dumped in the dump yard within the quarry lease area.

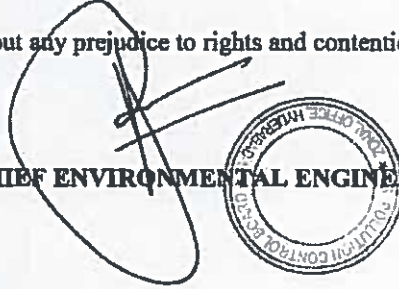
15. The industry shall collect solid waste i.e., overburden (top soil and rock waste) properly. The topsoil shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
16. The rock waste shall be dumped in the dump yard towards North-West part within the quarry lease area and the industry shall not dump the overburden soil outside the quarry lease area, under no circumstances. The Board is constrained to revoke the CFO issued by the Board in case overburden soil is dumped outside and also if complaints were received from the surroundings without any further notice.
17. The industry shall adopt the following measures to control erosion of dumps:
 - Retention/toe walls shall be provided at the foot of the dumps.
 - Worked out slopes are to be stabilized by planting appropriate shrub / grass species on the slopes.
18. Suitable conservation measures to augment ground water resources in the area shall be plant and implemented in consultation with Regional Director, CGWB, Southern Region, Hyderabad. Suitable measures shall be taken for rainwater harvesting.
19. No change in mining technology and scope of working should be made without prior approval from the Board. No further expansion or modification in the mine shall be carried out without prior approval from the Board.

L. C. Shah.

20. The industry shall develop 33% of the total area as thick green belt all along the boundary of the unit and also in the vacant places with all tall growing trees with wide leaf area.
21. The industry shall take all precautionary and safety measures during process operations.
22. The industry shall comply with all the directions issued by the Board from time to time.
23. Concealing the factual data or submission of false information / fabricated data and failure to comply with any of the conditions mentioned in this order may result in withdrawal of this order and attract action under the provisions of relevant pollution control Acts.
24. The Board reserves its right to modify above conditions or stipulate any further conditions in the interest of environment protection.
25. This Order is issued to the industry without prejudice to the action taken by the Task Force of the Board.
26. The conditions stipulated in this order are without any prejudice to rights and contentions of this Board in any Hon'ble court of Law.

JOINT CHIEF ENVIRONMENTAL ENGINEER

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To
M/s. Sri Lunavath Kishan
(6.273 Ha. Building Stone & Road Metal Mine),
Sy. No. 29 & 30, Thogudem (V), Palvancha (M),
Bhadradri Kothagudem District.

Before the National Green
Tribunal sitting at Chennai

Application No.12/2023

Between:

K.Ramesh Babu ..Applicant

Vs.

Union of India & others
.Respondents

**

Counter filed by Respondent No.10

**

Filed by:

D.Narayana,
M.Sreenivasa Rao
Counsels for the Respondent No.10
H.No.5-1-124, Opp: District Court,
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