

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION No. 12 OF 2023 (SZ)

IN THE MATTER OF:

K. Ramesh Babu,
Hyderabad

....

Applicant(s)

Versus

Union of India,
rep by its Secretary,
MoEF&CC, New Delhi & Ors.

....

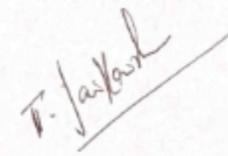
Respondent(s)

REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R5)

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Place: Hyderabad.
Date: 12-12-2023.


Counsel for 5th Respondent

REPORT DATED 11-12-2023 OF THE ENVIRONMENTAL ENGINEER, TELANGANA STATE POLLUTION CONTROL BOARD (TSPCB), REGIONAL OFFICE, KOTHAGUDEM (RESPONDENT No. 5) IN OA No. 12 of 2023.

It is to submit that an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad before Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradri Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

Earlier, the Respondent Board filed report dated 12.04.2023 before the Hon'ble NGT. The Hon'ble NGT has taken on record the report filed by the Board during the hearing held on 18.10.2023 and directed the Board to file additional report.

In this regard, the following is submitted: -

The Respondent Board officials have inspected the Respondent Stone Crushing units and Respondent Stone Metal Quarries located in Toggudem (V), Paloncha (M), Bhadradri Kothagudem District on 08.12.2023.

Stone Crushing units:

1. M/s TCMM Engineering & Erector's Stone Crusher, S.No. 16, 17 & 18, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District **(R21)**
2. M/s Azeez Constructions (Sai Ganesh Metals), S.No. 36 & 47, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District **(R18)**
3. M/s Bhavani Metals, S.No. 19, Toggudem (V), Paloncha (M), Bhadradri Bhadradri Kothagudem District **(R16)**
4. M/s Sree Kanaka Durga Stone Crusher, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District **(R19)**
5. M/s Venkateswara Stone Industries, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District **(R22)**
6. M/s R.K.Crusher, Toggudem Village, Palvoncha Mandal, Bhadradri Kothagudem District **(R20)**

Remarks:

1. Stone crushing units at Sl. No. 1 to 6 have obtained Consent for Operation (CFO) of the Board and having validity of the Board except for Sl. No. 5, for which the CFO has expired on 31.12.2022.

2. The above units have been inspected by the Board Officials on 08.12.2023 and during the inspection, it was observed that the units were not in operation. Hence, monitoring could not be conducted.

Stone Metal Quarries:

1. M/s Smt. Ch. Nagamma (1.0 Ha) and (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadrádrí Kothagudem District (R8)
2. M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadrádrí Kothagudem District (R12)
3. M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadrádrí Kothagudem District (R13)
4. M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadrádrí Kothagudem District (R14)
5. M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadrádrí Kothagudem District (R9)
6. M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadrádrí Kothagudem District (R11)
7. M/s Islavathi Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadrádrí Kothagudem District (R15)
8. M/s. Sri Lunavath Kishan (6.273 Ha. Building Stone & Road Metal Mine), Sy. No. 29 & 30, Thogudem (V), Palvancha (M), Bhadrádrí Kothagudem District (R10)

Remarks:

1. The stone metal quarries at Sl.No.1 to 7 were operating without obtaining Environmental Clearance, Consent for Establishment and Consent for Operation.
2. Stone Metal Quarry at Sl.No. 8 has obtained Environmental Clearance (EC) from State Level Environment Impact Assessment Authority, Hyderabad; Consent for Establishment (CFE) and Consent for Operation (CFO) from the Respondent Board.
3. The Respondent Board has issued directions to the Stone quarry unit at Sl. No. 8 vide order dated 15.03.2023 and closure orders to the remaining stone quarry units at Sl.No.1 to 7 for operating without permissions vide orders dated 15.03.2023.
4. The Board has addressed letter dated 20.03.2023 to the Asst. Director, Department of Mines & Geology, Bhadrádrí Kothagudem District & requested not to issue mining permissions to stone quarry units at Sl.No.1 to 7.

5. The Board also addressed letters dated 20.03.2023 to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District to take requisite steps for ensuring that no illegal mining takes place in the above said Stone & Road Metal Quarry mines for which closure orders were issued (Sl.No.1 to 7).
6. During the inspection on 08.12.2023, it was observed that the stone metal quarries (Sl.No. 1 to 8) were not in operation.
7. The respondent Board has issued Show Cause Notices dated 08.12.2023 regarding levy of compensation on the above said Stone Metal Quarry mines for which closure orders were issued (Sl.No.1 to 7). Copies of the Notices dated 08.12.2023 is enclosed as **Annexure-I**. After receiving the reply to the Notices from the quarry mines, the same will be placed before the Task Force Committee of the Board for issuing directions for levy of the Environmental Compensation.

It is to submit that the Respondent Board will conduct monitoring of the stone crushers located in Toggudem (V), Paloncha (M), Bhadradi Kothagudem District when the crushers are in operation to ascertain the compliance of meeting the standards.

Date: 11.12.2023
Place: Kothagudem


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

4

ANNEXURE - I



TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem - 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 462

Dt. 11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 - Assessment of Environmental Compensation - Show Cause Notice - Issued - Reg.

- Ref :**
1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
 2. Inspection by the Board officials on 23.02.2023.
 3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
 4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
 5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
 6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
 7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
 8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
 9. Inspection by the Board officials on 01.04.2023.
 10. T.O. report dated 10.04.2023 submitted to the Legal Section, Board office, Hyderabad.
 11. Inspection by the Board officials on 15.08.2023.
 12. T.O. report dated 26.08.2023.
 13. Hon'ble NGT order dated 18.10.2023.
 14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – Pollution index of industrial sector
 N - No of days of violation took place
 R – A factor in Rupees for EC
 S – Factor for scale of operation
 LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) No. of days of which violation took place are mentioned below:

Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

6

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
- d) S is taken as 0.5 considering the unit is small scale industry.
- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

- 8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
- 9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Smt. Ch. Nagamma (1.0 Ha),
Sy.No.42 & 43, Toggudem (V),
Paloncha (M),
Bhadradi Kothagudem District.


ENVIRONMENTAL ENGINEER
&



TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
 Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
 Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

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Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- **465**

DI.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

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 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
4. WHEREAS; the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

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3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

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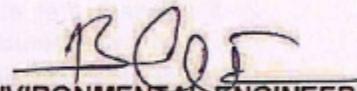
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ENVIRONMENTAL ENGINEER
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M/s Smt. Ch. Nagamma (4.0 Ha),
Sy.No.42 & 43, Toggudem (V),
Paloncha (M),
Bhadradi Kothagudem District.



10

TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
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BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 458

Dt.11.12.2023

SHOW CAUSE NOTICE

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- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) No. of days of which violation took place are mentioned below:

Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
- d) S is taken as 0.5 considering the unit is small scale industry.
- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

- 8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
- 9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Sri Boda Chittibabu (1.0 Ha),
S/o Late Boda Bikku, R.Sy.No. 20/A,
Toggudem (V), Paloncha (M),
Bhadradri Kothagudem District.


ENVIRONMENTAL ENGINEER




TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 463

Dt.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

- Ref :**
1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
 2. Inspection by the Board officials on 23.02.2023.
 3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
 4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
 5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
 6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
 7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
 8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
 9. Inspection by the Board officials on 01.04.2023.
 10. T.O. report dated 10.04.2023 submitted to the Legal Section, Board office, Hyderabad.
 11. Inspection by the Board officials on 15.08.2023.
 12. T.O. report dated 26.08.2023.
 13. Hon'ble NGT order dated 18.10.2023.
 14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

- 3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
- 4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
- 5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

- 6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
- 7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – Pollution index of industrial sector

N - No of days of violation took place

R – A factor in Rupees for EC

S – Factor for scale of operation

LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) No. of days of which violation took place are mentioned below:

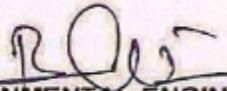
Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
- d) S is taken as 0.5 considering the unit is small scale industry.
- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Sri Settipalli Narsimha Rao (1.0 Ha),
R.Sy.No. 12, Thogudem(V),
Palvoncha(M),
Bhadradi Kothagudem District.


ENVIRONMENTAL ENGINEER

16



TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 459

Dt.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

Ref :

1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
2. Inspection by the Board officials on 23.02.2023.
3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
9. Inspection by the Board officials on 01.04.2023.
10. T.O. report dated 10.04.2023 submitted to the Legal Section, Board office, Hyderabad.
11. Inspection by the Board officials on 15.08.2023.
12. T.O. report dated 26.08.2023.
13. Hon'ble NGT order dated 18.10.2023.
14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
15. Inspection by the Board officials on 08.12.2023.
16. T.O. report to Board office, Hyderabad dated 08.12.2023.
17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

- 3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
- 4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
- 5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

- 6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
- 7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF
 PI – Pollution index of industrial sector
 N - No of days of violation took place
 R – A factor in Rupees for EC
 S – Factor for scale of operation
 LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) No. of days of which violation took place are mentioned below:

Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
- d) S is taken as 0.5 considering the unit is small scale industry.
- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_f is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

- 8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
- 9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Sri Sode Satish (1.0 Ha),
S/o Mutyalu, R.Sy.No. 22,
Thogudem(V), Palvoncha(M),
Bhadradi Kothagudem District.


ENVIRONMENTAL ENGINEER


(19)



TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 460

Dt.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

- Ref :**
1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
 2. Inspection by the Board officials on 23.02.2023.
 3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
 4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
 5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
 6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
 7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
 8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
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 12. T.O. report dated 26.08.2023.
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 14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.

2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – Pollution index of industrial sector

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R – A factor in Rupees for EC

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LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.

(2)

b) No. of days of which violation took place are mentioned below:

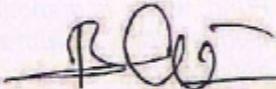
Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
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- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_f is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Sri Vage Venkateswar Rao (2.023 Ha),
S/o Chinnabbi, R.Sy.No.20,
Thogudem(V), Palvoncha (M),
Bhadradi Kothagudem District.


ENVIRONMENTAL ENGINEER


22



TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kgm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 461

Dt.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

- Ref :**
1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
 2. Inspection by the Board officials on 23.02.2023.
 3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
 4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
 5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
 6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
 7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
 8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
 9. Inspection by the Board officials on 01.04.2023.
 10. T.O. report dated 10.04.2023 submitted to the Legal Section, Board office, Hyderabad.
 11. Inspection by the Board officials on 15.08.2023.
 12. T.O. report dated 26.08.2023.
 13. Hon'ble NGT order dated 18.10.2023.
 14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – Pollution index of industrial sector
N - No of days of violation took place
R – A factor in Rupees for EC
S – Factor for scale of operation
LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) No. of days of which violation took place are mentioned below:

Inspection and non-compliance observed by the Board officials on	23.02.2023	No. of days of violation is 21 days (as on 15.03.2023)
This office has issued notice to the mine	25.02.2023	
Closure orders issued by the Board on	15.03.2023	
Total no. of violating days		21 days

- c) R is suggested to consider as 150 as the industry is mining activity and pollution potential is minimum.
- d) S is taken as 0.5 considering the unit is small scale industry.
- e) The Stone & Metal quarry mine is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_f is taken as 1 considering the population is < 1 million in which the mine existing.

Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

- 8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
- 9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.

To
M/s Sri Banoth Ramaiah (5.058 Ha),
R.Sy.No. 12 & 14, Thogudem(V),
Palvoncha (M),
Bhadradi Kothagudem District.


ENVIRONMENTAL ENGINEER
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TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE :: KOTHAGUDEM
Beside: M.R.O. Office, 'A' Power House Basti, SCCL Head office area,
Kothagudem – 507 101

Ph. No. (08744) 243165

E-mail: ee-kqm-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Lr. No. O.A. No. 12 of 2023 /PCB/RO-KGM/2023- 464

DT.11.12.2023

SHOW CAUSE NOTICE

Sub : M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem (V), Palvoncha (M), Bhadradi Kothagudem District – Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas - Hon'ble NGT (SZ), order dt. 18.10.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Show Cause Notice – Issued - Reg.

- Ref :**
1. E-mail received from Board Office, Hyderabad on 16.02.2023 regarding O.A. No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India & Ors. in Hon'ble NGT, Chennai.
 2. Inspection by the Board officials on 23.02.2023.
 3. T.O. Notices dated 25.02.2023 to the stone and metal quarry mines.
 4. T.O. report dated 01.03.2023 submitted to Board office, Hyderabad.
 5. B.O. Closure orders dated 15.03.2023 to the stone and metal quarry mines.
 6. B.O. directions order dated 15.03.2023 to M/s Sri Lunavath Kishan, Sy. No. 29 & 30, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
 7. T.O. letter dated 20.03.2023 addressed to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District.
 8. T.O. letters dated 20.03.2023 addressed to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District.
 9. Inspection by the Board officials on 01.04.2023.
 10. T.O. report dated 10.04.2023 submitted to the Legal Section, Board office, Hyderabad.
 11. Inspection by the Board officials on 15.08.2023.
 12. T.O. report dated 26.08.2023.
 13. Hon'ble NGT order dated 18.10.2023.
 14. E- mail received from the Board office on 04.11.2023 & 07.12.2023.
 15. Inspection by the Board officials on 08.12.2023.
 16. T.O. report to Board office, Hyderabad dated 08.12.2023.
 17. E- mail received from the Board office on 11.12.2023.

1. WHEREAS, you are operating the mine in the name of M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, the Hon'ble NGT, Southern Bench registered an application in Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs. Union of India &

Ors. against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.

- 3. WHEREAS, the Board has issued a show cause notice to the mine on 25.02.2023 for operating without consent of the Board.
- 4. WHEREAS, the Board has issued closure orders to the mine vide order dt. 15.03.2023 for operating the mine without consents of the Board.
- 5. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 18.10.2023 and the order read as follows:

" 1. In the report filed by the Assistant Director – Department of Mines and Geology, Bhadradi Kothagudem District, it is mentioned that about 9 of the quarry leaseholders, who had defaulted, were levied with a penalty (five times) to the excavation of the excess quantity which is running in several crores of rupees.

2. It appears that there were also revisions preferred by those persons and the revisions were heard and arguments were over even as early as on 23.12.2022. However, there is nothing mentioned about the outcome of the revisions in the report.

3. The department has only recovered a sum of Rs.30,000/- and Rs.40,000/-, based on the number of cases booked against these quarry owners. The District Mineral Fund, which is mandatory, is collected only from six of them. So, let further report be filed by the Department of Mines and Geology as to the recovery of the penalty imposed.

4. The report of the Telangana State Pollution Control Board is also filed though it lists the same number of persons as violators and does not levy the environmental compensation.

5. So, let the Telangana SPCB also file an additional report in this regard."

- 6. WHEREAS, the Board vide office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana.
- 7. WHEREAS, the EE, RO, Kothagudem submitted detailed report dated 08.12.2023 on Environmental Compensation to be levied with details on date of violations observed, no. of violation days etc., the calculation as follows:

Environmental Compensation (EC) = PI x N x R x S x LF

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R – A factor in Rupees for EC

S – Factor for scale of operation

LF – Location factor

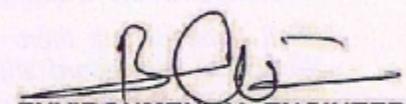
- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
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This office has issued notice to the mine	25.02.2023	
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Hence, the Environmental Compensation is $80 \times 21 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,26,000 \text{ /-}$.

- 8. Whereas, vide reference 17th cited, the Board office has instructed this office to issue show cause notice to the mine regarding levy of environmental compensation. As per instructions and after careful consideration of the material facts of the case, the Board decided to levy an Environmental Compensation of Rs. 1,26,000/- (Rupees One Lakh and Twenty six Thousand Only).
- 9. The Board hereby directs your mine to submit any objections in writing within 15 days from the date of the receipt of this show cause notice on the calculation carried out by the Board for assessment of the Environmental Compensation, failing which, the assessment carried out by the Board will be treated as final assessment.


ENVIRONMENTAL ENGINEER


To
M/s Islavath Raju (0.8 Ha),
Sy.No. 46, Thogudem(V),
Palvoncha (M),
Bhadradi Kothagudem District.