

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

O.A No. 195 of 2016 (SZ)

Tandur Citizens Welfare Society,
Reg. No. 714/2016,
Rep. by its President,
Rajgopal Sarda,
Having its regd. Office at:
No. 7/7/52/4A,
Gomthi Kunj,
Tandur – 501141,
Rangareddy Dist.,
Telangana

... Applicant

Vs.

Government of Telangana,
Rep. by its Secretary,
Environmental and Forest Department,
Secretariat,
Hyderabad – 500 022

&12 Ors.

... Respondents

ADDITIONAL AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO.12

I, G.Balaji, S/o. Late Sri P M Govindappa aged about 55 years having office at 8-2-626, Reliance Majestic, Road No.10, Banjara Hills, Hyderabad -500034, do solemnly swear and sincerely state as follows:

1. I am the Director of the 12th Respondent and as such am well versed with the facts and circumstances of the case and competent to swear this Affidavit.
2. I state that the 12th Respondent has further enhanced its pollution control measures by deploying state of the art technology and systems in the recent years and has been diligently complying with the conditions stipulated in its Consents to Operate granted by the 5th Respondent. The facts in relation to the present condition of the environmental safety and pollution control measures, have a material bearing on the present proceedings initiated by the Applicant.



Accordingly, this Additional Affidavit is being filed to bring on record the said facts.

3. I state that as per the inspection report dated 14.08.2017, filed by the 5th Respondent (Karnataka State Pollution Control Board) before this Hon'ble Tribunal, the 12th Respondent had all the required mechanisms in place, to monitor the emission levels, and that the air quality and storage and transport systems assessed in the captive plant were within limits. Moreover, it has been noted that the cement transported by the 12th Respondent is closed, during transit.
4. While so, the 12th Respondent has continued to employ environmentally safe practices and has been compliance with the conditions stipulated in the Consent to Operate ("CTO"), issued by the 5th Respondent from time to time, the latest being the Combined Consent Order No. AW-309279 dated 22.12.2018, granted under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act 1981, valid from 17.09.2018 to 30.06.2023.
5. As per the monitoring and reporting requirements stipulated in the CTO, the 12th Respondent was required get samples of effluents and emissions analysed once a month, either by an in-house laboratory or through an empaneled laboratory. Over and above the said requirement, the 12th Respondent has, on its own accord employed a three-way environmental monitoring mechanism viz., (i) third party monitoring through agency approved by the 5th Respondent; (ii) self-monitoring through the environmental laboratory established by the 12th Respondent; and (iii) online monitoring system whereby data in relation to stack emissions, effluent water and ambient air is uploaded online and is available in the servers of the 5th Respondent and the Central Pollution Control Board (CPCB).
6. The 12th Respondent has engaged Global Environment and Mining Services, for conducting third party monitoring of the following : Ambient Air Quality, Ambient Noise levels, Fugitive Emission, Dust Fall Rate, Stack Monitoring,



Ground Water Quality, Surface Water, Drinking Water, Waste Water, Effluent Water and Soil Quality.

7. The Ambient Air Quality is being monitored at 6 locations per month, Ambient Noise Levels at 7 locations per month, Fugitive Emission and Dust Fall Rate at 5 locations per month and Stack Monitoring at 7 stacks per month. This is in addition to the monthly self- monitoring undertaken by the 12th Respondent of the Ambient Air Quality at 6 locations, Ambient Noise levels at 7 locations and Workplace noise levels at 10 locations.
8. The 12th Respondent has implemented online monitoring through the Continuous Emission Monitoring System for Kiln Bag House, Coal Mill and Cement Mill Bag Filters and Clinker Cooler E.S.P. That apart, 12th Respondent has also installed Online Ambient Air Quality Monitoring System, Stack Emissions, Online Effluent Quality Monitoring System and Weather Monitoring System. The data on the online systems have been linked as a live feed to the 5th Respondent and the CPCB since 2016. As per the mechanism in place, SMS alerts are operational in the event of breach in stack emission, ambient air quality and effluent water.
9. Furthermore, the 12th Respondent has produced herewith the Ambient Air Quality values and Stack Emission values assessed in real time across the month of February 2020. As can be seen from the Reports, the average ambient air quality assessed in the 12th Respondent premises is well beneath the prescribed limit. Moreover, the stack emissions, has without exception, been far below accepted standards, as is evident from the reports annexed herewith. The Third-Party monitoring of the Ambient Air quality, Fugitive Air Quality and Stack Emission also indicate that the values recorded are well within permissible limits, as can be seen from the reports for the month of February 2020, annexed herewith.
10. The 12th Respondent has also introduced a slew of state-of-the-art mechanisms that would bring emission levels well below statutory standards. The same are in



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accordance with the conditions of the Consent to Operate, and can be seen in the report of the 12th Respondent on Environment Management dated 23.03.2020, annexed herewith.

11. Further, 52.78% of the plant area of the 12th Respondent is under a Green Belt. While the area identified for Green Belt covering the Cement and Power Plants, staff colony and mines are 20-25% greater than required amounts, the number of trees planted from 2013 to 2019 are over 150% the numbers envisaged by CPCB guidelines. The 12th Respondent has also developed its own nursery within the Plant to propagate and develop species of trees and bush for future green belt. The details of the area-wise green belt developed from the year 2011 to 2019, are annexed herewith.
12. The 12th Respondent is also employing other environmentally sustainable equipment including advanced drill equipment with built in dust collector systems, and water sprinkling system for dust suppression. As already observed by the 5th Respondent in its inspection report, the transport vehicles of the 12th Respondent are closed during transit, to avoid dust emission and to prevent material spillage. Photographs of the transport vehicles used, have been annexed herewith.
13. As a responsible corporate citizen, the 12th Respondent has acted in compliance with the norms prescribed from time to time and has also proactively adopted environmentally safe industrial practices. It is reiterated that the 12th Respondent, located more than 25 kms away from Tandur, has been unnecessarily and unfairly been made party to the present proceedings and pollution, if any in the said area, is not attributable to the operations of this Respondent, in light of the distance as well as the stringent pollution control mechanisms that have been employed by the 12th Respondent. The plant provides employment to over 350 persons, directly and to about 450 persons indirectly. The 12th Respondent contributes significantly to the local employment and 91.5% of its workforce comprises of local population.



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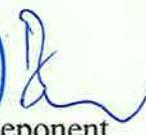
14. Pertinently, there have been no show cause notices issued to the 12th Respondent for any violations of pollution norms till date and this Respondent is fully committed to implementing environmentally sound practices and is willing to comply with the directions issued by regulatory bodies in this regard.

In view thereof, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to take on record the aforementioned facts and circumstances and dismiss the Application with costs, and pass any other orders it may deem fit, in the interest of justice.

Solemnly affirmed at

On this 16th Day of June 2020

Place: Hyderabad

 
Deponent


ATTESTED
S. MOHAN RAO
M.A.,LL.B.
NOTARY
4-4-3/6, Bandlaguda Jagir, Hyd-06
Appointed by the Govt. of T S



**BEFORE THE NATIONAL GREEN
TRIBUNAL-SOUTHERN BENCH**

O.A No. 195 Of 2016

Tandur Citizens Welfare Society

Applicant

Vs

Govt. of Telengana
rep. by its Secretary and Ors.

Respondents

ADDITIONAL AFFIDAVIT
FILED BY 12TH
RESPONDENT

**COUNSEL FOR THE 12TH
RESPONDENT**