

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
ORIGINAL APPLICATION No. 23 OF 2021 (SZ)**

**IN THE MATTER OF:**

Sama Soma Narsaiah & Ors

....

Applicant(s)

Versus

Union of India & 8 Others

....

Respondent(s)

**REPORT OF THE JOINT COMMITTEE**

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**Place: Hyderabad**

**Date: 03-08-2021.**



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REPORT DATED: 26.07.2021 OF THE JOINT COMMITTEE CONSTITUTED BY HON'BLE NGT, SOUTH ZONE, CHENNAI IN OA No. 23 OF 2021 FILED BY SRI SAMA SOMA NARASIAH AND OTHERS VS UNION OF INDIA & OTHERS.

It is to submit that Sri Sama Soma Narasaiah and others have filed an Application before the Hon'ble National Green Tribunal, Southern Zone, Chennai (Application No. 23 of 2021) against M/s. K. Thirumal Reddy, Building Stone & Road Metal Quarry - 4.0 Ha. located at Sy.No. 1109, Ippagudem (V), Station Ghanpur (M), Jangaon District (9<sup>th</sup> Respondent) and the main prayer of the applicant is as follows:

- (1) *Appoint an independent experts committee to ascertain the ground situation at Ippagudem Stone mining Quarry, stone crusher and Tar/RCC Mix Plant run by Respondent No.9 for taking appropriate action.*
- (2) *Direct the Respondent No. 1 to 4 to take action according to law on the Respondent No. 9 for violating the Mining lease and mandatory precautions fixed by way of siting guidelines by CPCB/TSPCB.*
- (3) *Direct the Respondents 5, 6 & 8 to assess the damage caused to health of population, houses, agriculture, bore wells and Ippagudem, Rangarayigudem, Komatigudem, Kotulabad, NarasingapuramTanda Villages of Janagaon District of Telangana State due to the polluting activities of Respondent No. 9.*
- (4) *Direct the State of Telangana and Telangana PCB to implement the order dated 5.7.2016 in O.A. No. 3 of 2016 (SZ) Suo-Motu and submit the report.*

The Hon'ble NGT, Chennai has heard the matter and passed orders dated 03.02.2021 constituting a Joint Committee comprising of

1. *The District Collector, Jangaon District of Telangana State, or a Senior Officer not below the rank of Assistant Collector or Sub-Divisional Magistrate to be deputed by the District Collector*
2. *A Senior Officer from Telangana State Pollution Control Board (TSPCB) as designated by its Chairman,*
3. *A Senior Officer from the Directorate of Mining and Geology of concerned area and*
4. *A Senior Officer from State Environmental Impact Assessment Authority (SEIAA) of Telangana State*

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The Hon'ble NGT directed the Joint Committee to inspect and verify the following:

- I. *The committee is directed to ascertain as to whether there is any violation of Siting criteria, compliance of the conditions imposed in the environmental clearance as well as consent granted by the respective authorities, whether the pollution control mechanism provided are sufficient to curb the possible noise as well air pollution, whether on account of the operation of the 9<sup>th</sup> respondent unit, there is any damage caused to nearby water bodies as alleged by the applicant and also environmental degradation and if so, what are all the remedial measures to be taken to restore the same apart from imposing environmental compensation for the damage caused to the environment on account of the alleged illegal activities of the 9<sup>th</sup> respondent.*
- II. *The committee is also directed to ascertain as to whether the 9<sup>th</sup> respondent had exceeded the mining area or the quantity permitted and if so, what is the excess quantity mined on account of the alleged illegal mining and if so, what is the quantum of compensation that has to be collected towards royalty and penalty as per the concerned rules and also the cost required for restoring the damage caused on account of such illegal mining.*
- III. *The committee is also directed to ascertain as to whether there was any health impact on account of the operation of the 9<sup>th</sup> respondent unit, within a reasonable distance within which the possibility of the pollution may have impact.*
- IV. *The committee is also directed to consider the question of directions issued by this Tribunal in O.A. No. 03 of 2016 (Suo-Motu based on the news item published in "Eenadu" Telugu Newspaper, dated 29.12.2015 Vs. The Chief Secretary, Government of Telangana and others dated 05.07.2016).*
- V. *The committee is directed to submit the report to this Tribunal on or before 10.03.2021, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.*

In this regard, as per the Hon'ble NGT orders dt.03.02.2021, the Joint Committee with the following officials was constituted:

- a. Sri Abdul Hameed, Additional Collector (Local Bodies), Jangaon District
- b. Sri P. Madhusudhan Reddy, Deputy Director, Mines & Geology, Warangal.
- c. Sri G. Gangadhar, Secretary, SEAC and representative SEIAA, Hyderabad.
- d. Sri M. Venkat Narsu, EE, TSPCB, RO-Warangal.

The Joint Committee has conducted inspection of the Building Stone & Road Metal Quarry, Stone Crushing Unit & Hot Mix Plant on 05.03.2021 & 18.03.2021 and submitted the report to Hon'ble NGT, South Zone on 09.04.2021 through e-filing duly verifying the contents of application filed in the Hon'ble NGT.

The Hon'ble NGT, South Zone vide order dated 28.06.2021 directed the Joint Committee to conduct Noise Level survey as well and submit a further report to the Tribunal in this regard. If there is any violation found, they are directed to submit the remedial measures to be taken to abate the same.

**In this regard, the following is submitted:**

- It is to submit that the joint committee has conducted noise level survey through Telangana State Pollution Control Board, Zonal Laboratory, Warangal on 19.07.2021 at M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant), Sy.No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District and also at Kasim Nagar & Narsingapur Thanda.
- Kasimnagar is located at a distance of 401m towards East of Stone crusher and Narsingapur Thanda is located at a distance of 1140m towards South-East of the Stone crusher.
- The noise monitoring details are as follows:

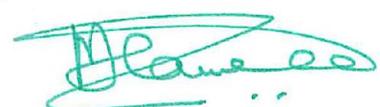
S.No.	Monitoring location	Observed Noise Level dB(A) Leq
1	* Background noise at ( Bhookya pandu's House)	58.20
2.	* Background noise at (Shek Goremiya's House)	54.60
3.	** Noise monitoring was conducted at source of (i.e., Jaw crusher and cone of industry) from 12.00 noon to 12:10 pm & 12:12 pm to 12:22 pm when the industry was in operation.	84.07

(4)

4.	** Noise monitoring was conducted at the residence of Sri. Bhukya Pandu, H.No. 10-38/3A, Narsingapoor Tanda, Palakurthy (M), Jangaon Dist. From 12:40 pm to 13:10 pm when the industry was in operation.	54.07	
5.	** Noise monitoring was conducted at the residence of Sri. Shek Goremiya, H.No. 12-32, Kashimnagar, Station Ghanpoor (M), Jangaon Dist. From 13:19 pm to 13:49 pm when the industry was in operation.	54.40	
<b>Ambient Noise Standards* Schedule-III (Rule-3) of E(P) Act, 1986.</b>			
Area Code	Category of Area / Zone	Day time dB(A) Leq	Night time dB(A) Leq
A	Industrial area	75	70
B	Commercial area	65	55
C	Residential area	55	45
D	Silence Zone	50	40
1. Day time shall mean from 6.00 am to 10.00 pm. 2. Night time shall mean from 10.00 pm to 6.00 am.			
<b>Note:</b>	(*) Back ground Noise levels (Ambient Noise level) are measured at complainant's residence when the industry was not in operation. (**) Noise levels (Ambient Noise level) are measured when industry was in operation.		

➤ Ambient level noise monitoring report is herewith submitted as **ANNEXURE - I**.

Further it is to submit that the industry has taken necessary measures and complied with the National Ambient Air Quality Standards in respect of noise.

 <b>Environmental Engineer, TSPCB, Warangal</b> <small>ENVIRONMENTAL ENGINEER, TSPCB, Warangal</small> <small>TELANGANA STATE POLLUTION CONTROL BOARD REGIONAL OFFICE, WARANGAL</small>	 <b>Secretary, SEAC &amp; representative of SEIAA, TS</b> <small>Joint Chief Environmental Engineer Telangana State Pollution Control Board Sanathnagar, Hyderabad.</small>	 <b>Dy. Director, Mines &amp; Geology, Warangal.</b> <small>Gen. of Mines &amp; Geology, Warangal.</small>	 <b>Addl. Collector (B) Jangaon District</b> <small>Additional Collector (B) Jangaon District</small> <b>JANGAON District.</b>
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	<b>5</b> <b>TELANGANA STATE POLLUTION CONTROL BOARD</b> <b>ZONAL LABORATORY: HYDERABAD ZONE</b> H.No : 1-8-269, Balasamudram, Warangal – 506001	<b>ANNEXURE-I</b>
	<b>ISO Certified Laboratory</b> ISO 9001:2015 (Q-180211R) & ISO-45001:2018 (S-180204R)	

**Ambient Level Noise Monitoring Report**

Sample No.	ZLWGL21-07366
Name of the Noise Source :	M/s. Shriya Constructions, {Source : Stone crusher & Hot mix plant} Sy. No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon (D).
Date of Monitoring:	19.07.2021
Time of Monitoring:	11:40 am to 13:49 pm (Day time)
Samples Collected by	Assistant Environmental Scientist, Zonal laboratory, Warangal.
Instrument make: 3M Sound Scanner USA	Model No.: SE40110499

S. No.	Monitoring location	Observed Noise Level dB(A) Leq
1	* Back ground noise at ( Bhokya pandu's)	58.20
2.	* Back ground noise at (Shek Goremiya's House)	54.60
3.	** Noise monitoring was conducted at source of (i.e. Jaw crusher and cone of industry) from 12.00 noon to 12:10 pm & 12:12 pm to 12:22 pm when the industry was in operation.	84.07
4.	** Noise monitoring was conducted at the residence of Sri. Bhukya Pandu, H.No. 10-38/3A, Narsingapoor Tanda, Palakurthy (M), Jangaon Dist. From 12:40 pm to 13:10 pm when the industry was in operation.	54.07
5.	** Noise monitoring was conducted at the residence of Sri. Shek Goremiya, H.No. 12-32, Kashimnagar, Station Ghanpur (M), Jangaon Dist. From 13:19 pm to 13:49 pm when the industry was in operation.	54.40

*Actual ambient sound pressure levels are calculated as per the formula :*

$$L_{pressure} = 10 \cdot \log(10^{prw} L_p/10 - 10^{prw} background L_p/10)$$

*The reported values are calculated as per the above formula.*

**\*Standards:** National Ambient Air Quality Standards in respect of Noise, [(Schedule III) (Rule 3)] of E (P), Act, 1986.

- Note:**
1. All values are corrected to back ground noise (dB).
  2. Wind direction during monitoring: Northeast to Southeast.
  3. Hot mix plant was not in operation during monitoring. Stone quarry was also not in operation at the time of monitoring.
  4. Weather condition during monitoring : Cloudy , RH-73%.

**Ambient Noise Standards\* Schedule-III (Rule-3) of E(P) Act, 1986.**

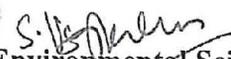
Area Code	Category of Area / Zone	Day time dB(A) Leq	Night time dB(A) Leq
A	Industrial area	75	70
B	Commercial area	65	55
C	Residential area	55	45
D	Silence Zone	50	40

1. Day time shall mean from 6.00 am to 10.00 pm.
2. Night time shall mean from 10.00 pm to 6.00 am.

**Note:**

(\*) Back ground Noise levels (Ambient Noise level) are measured at complainant's residence when the industry was not in operation.

(\*\*) Noise levels (Ambient Noise level) are measured when industry was in operation.

  
**Senior Environmental Scientist**  
 Senior Environmental Scientist  
 T.S. Pollution Control Board,  
 Zonal Laboratory Hyderabad Zone  
 / WARANGAL-506 001.

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