

**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 TELANGANA STATE POLLUTION CONTROL BOARD (R4)

RUNNING INDEX

| Sl. No. | | Particulars | Page Nos. |
|----------------|---------------------|--|------------------|
| 1. | | Report dated 05.05.2022 of the Telangana State Pollution Control Board (R4). | 1 – 5 |
| 2. | Annexure–I | Ambient Air Quality Analysis report dated 28.04.2022. | 6 – 7 |
| 3. | Annexure–II | Ambient Level Noise Monitoring Report dated 28.04.2022. | 8 |
| 4. | Annexure–III | Hon'ble NGT, Chennai Order dated 18.04.2022. | 9 – 10 |

Place: Hyderabad

Date: 06-05-2022.

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REPORT DATED 05.05.2022 OF THE TELANGANA STATE POLLUTION CONTROL BOARD IN OA No. 23 OF 2021 FILED BY SRI SAMA SOMA NARASAIHAH 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 (9th 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*

2

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 9th 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 9th respondent.*
- II. *The committee is also directed to ascertain as to whether the 9th 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 9th 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.*

3

In this regard, as per the Hon'ble NGT orders dt.03.02.2021, the Joint Committee with the following officials is 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. VenkatNarsu, 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, verified the contents of application filed in the Hon'ble NGT, also enquired with the local people and submitted reports on 09.04.2021 and 03.08.2021.

The Hon'ble NGT vide order dated 18.02.2022 directed the State Pollution Control Board and the applicant to file their respective further report and objection (if any) to the report on or before 08.03.2022 by e-filing in the form of searchable PDF and the matter is posted on 16.03.2022.

The Board has filed its action taken report on 05.03.2022 covering both road metal quarry and stone crusher (M/s. Shriya Constructions).

Further the Hon'ble NGT vide order dated 18.04.2022 directed the learned counsel for 9th respondent to file the objections to the report of the TSPCB and directed the learned counsel of TSPCB to verify as to whether that is the same report or not.

In this regard the following is submitted:

It is to submit that M/s. Shriya Constructions (Stone crusher & Hot mix plant) and M/s. K. Thirumal Reddy (building stone and road metal quarry) are being operated by Sri K. Thirumal Reddy. Both quarry and crusher are located adjacent to each other.

Further it is to submit that the Board officials have inspected the units on 28.04.2022 and verified the air pollution control measures taken by the units and

4

also conducted Ambient Air Quality Monitoring at periphery of both the units & Noise monitoring at nearby habitation.

As per analysis reports the SPM values in the ambient air were found to be $499 \mu\text{g}/\text{Nm}^3$ [@10 mts from Jaw Crusher] against the standard of $600 \mu\text{g}/\text{Nm}^3$ and $88 \mu\text{g}/\text{Nm}^3$ [@ boundary of the industry on North side – down wind direction] against the standard of $100 \mu\text{g}/\text{Nm}^3$. A copy of analysis reports are enclosed as **ANNEXURE-I.**

As per the Noise monitoring results, the values found to be 45.26 dB(A) against the standard of 55 dB(A) at residence of Sri Bukya Srikanth R/o Narsingapuram Thanda and 49.07 dB(A) against the standard of 55 dB(A) at residence of Sri Sheikh Goremiya R/o Kasimnagar. A copy of analysis report is enclosed as **ANNEXURE-II.**

STATUS OF AIR POLLUTION CONTROL MEASURES TAKEN:

- A. M/s. K. Thirumal Reddy (4.0 Ha. Building Stone & Road Metal Quarry):
- Wetting of common approach road and haul roads is being carried out with hose pipe instead of providing permanent water sprinkling arrangements.
 - The quarry management has developed greenbelt in a dedicated area of 5 acres instead of developing green belt around the lease area as the area is completely rocky terrain.
- B. M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant):
- The industry has provided water sprinklers at all dust generating sources.
 - The industry has provided cladding to the primary crusher, secondary crusher, primary screen and secondary screen.
 - The industry has covered all the conveyor belts with fabric cloth instead of with GI sheets.
 - The industry has provided elevated closed dust bunker for collection of dust.
 - The industry has laid BT road from the boundary of the crusher to the loading point of the crusher.
 - The crusher has developed the greenbelt with 4 - 5 No. of rows, 5 - 6m width and 15ft - 30ft height towards North, South and East. Greenbelt with 3-4 no. of rows and 5ft height is developed**

5

towards the west side where quarry followed by hillock is located.

- g. The total extent of greenbelt developed is about 3 acres within the crusher premises and about 8 acres outside the premises towards the North and East side.

It is to submit that the Ambient Air Quality levels are within the standards prescribed by the Board and ambient noise levels at nearby habitation are within the standards prescribed by the CPCB.

Road metal quarry and stone crusher are complying with the siting guidelines prescribed by SEIAA & TSPCB and both the units are operating with valid consent for operation (CFO) of Board

Place: Warangal
Date:05.05.2022


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
Telangana State POLLUTION CONTROL
BOARD REGIONAL OFFICE,
WARANGAL

| | |
|---|--|
|  | TELANGANA STATE POLLUTION CONTROL BOARD ZONAL LABORATORY: HYDERABAD ZONE H.No : 1-8-269, Balasamudram, Warangal - 506001 ISO Certified Laboratory ISO 9001:2015 (Q-180211R) & ISO-45001:2018 (S-180204R) |
| | |

Air Quality Analysis Report

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|------------------------------------|--|
| Sample Nos. : | ZLWGL22-04565 |
| Name of the industry: | M/s. Shriya Constructions, Sy.No.1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District. |
| Samples Collected & Submitted by : | Assistant Environmental Scientist, Zonal laboratory, Warangal. |

6

| Sampling Location | Date of sampling | Method No. | Time and duration of sampling | SPM* $\mu\text{g}/\text{m}^3$ |
|--|------------------|----------------------|-------------------------------|-------------------------------|
| Fugitive emission monitoring conducted at a distance of 10 meters from jaw crusher. | 28.04.2022 | IS:5182 (P:4)1999 | 11:10 am to 07:10 pm | 499 |
| Standard: The suspended particulate matter measured between 3meters and 10 meters from any process equipment of a stone crushing unit shall not exceed 600 microgrammes per cubic meter. Remarks: <ol style="list-style-type: none"> Water sprinklers were provided at Ramp (Boulder feed), Crushers and Screen areas and are in operation at the time of monitoring. Water sprinkling was carried out on internal roads of the crusher during monitoring. Continuous water sprinkling was done on boulder trucks before loading into hopper.. | | | | 600 |

S.V.S. D. Srinivas

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

| | |
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|  | TELANGANA STATE POLLUTION CONTROL BOARD ZONAL LABORATORY: HYDERABAD ZONE H.No : 1-8-269, Balasamudram, Warangal – 506001 ISO 9001:2015 (Q-180211R) & ISO-45001:2018 (S-180204R) |
| | ISO Certified Laboratory |

Ambient Air Quality Analysis Report

| | |
|------------------------------------|---|
| Sample Nos. : | ZLWGL22-04566 |
| Name of the industry: | M/s. Shriya Constructions, Sy.No.1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District. |
| Samples Collected & Submitted by : | Assistant Environmental Scientist, Zonal laboratory, Warangal. |

| Sampling Location | Date of sampling | Time and duration of sampling | PM ₁₀ µg/m ³ | TSPM µg/m ³ | SOx µg/m ³ | NOx µg/m ³ |
|---|--|-------------------------------|------------------------------------|------------------------|-----------------------|-----------------------|
| Ambient Air Quality Monitoring conducted at boundary of the Industry on North side-Downwind direction. | 28.04.2022 | 11:20 am to 07:20 pm | 88 | 207 | 9 | 13 |
| National Ambient Air Quality Standards (NAAQS) | | | | | | |
| NAAQS, CPCB Notification, New Delhi Dt. 18.11.2009[(Schedule VII) (Rule 3(3B)) of E(P), Act,1986. PM ₁₀ – Particle size less than 10 micrometers. | | | | | | |
| Field observations: | <ol style="list-style-type: none"> 1. Water sprinklers were provided at Ramp (Boulder feed), Crushers and Screen areas and are in operation at the time of monitoring. 2. Water sprinkling was carried out on internal roads of the crusher during monitoring. 3. Continuous water sprinkling was done on boulder trucks before loading into hopper.. | | | | | |

S. N. S. Reddy

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

| | |
|---|--|
|  | TELANGANA STATE POLLUTION CONTROL BOARD ZONAL LABORATORY: HYDERABAD ZONE H.No : 1-8-269, Balasamudram, Warangal – 506001 |
| | ISO Certified Laboratory ISO 9001:2015 (Q-180211R) & ISO-45001:2018 (S-180204R) |

Ambient Level Noise Monitoring Report

| | |
|-----------------------------------|---|
| Sample No. | ZLWGL22-04567 |
| 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: | 28.04.2022 |
| Time of Monitoring: | 09:30 am to 07:50 pm (Day time) |
| Samples Collected by | Assistant Environmental Scientist, Zonal laboratory, Warangal & Assistant Scientist, Regional Office. |
| Instrument make: Quest Technology | Model No.: 210 Serial No.: DCC100040 & DCC100030 |

| S. No. | Monitoring location | Observed Noise Level dB(A) Leq |
|--------|--|--------------------------------|
| 1 | * Back ground noise levels conducted in between Jaw Crusher & Cone (20 mtrs distance to each) from 7:20 pm to 7:50 pm | 53.51 |
| 2. | ** Noise levels conducted in between Jaw Crusher & Cone (20 mtrs distance to each) from 1:35 pm to 2:45 pm (i.e. source) | 83.20 |
| 3. | * Background noise levels conducted at residence of Sri. Bhookya Srikanth S/o. Bujja, H. No. 9-74, Narsingapuram tanda, Palakurthy (M), Jangaon (D) from 9:30 am to 10:00 am. | 43.25 |
| 4. | ** Noise levels conducted at residence of Sri. Bhookya Srikanth S/o. Bujja, H. No. 9-74, Narsingapuram tanda, Palakurthy (M), Jangaon (D) from 11:30 am to 1:00 pm when the industry was in operation. | 45.26 |
| 5. | * Background noise levels conducted at residence of Sri. Shek Goremiya S/o. Lal Ahmed, H. No. 12-33, Kashimnagar, Ippagudem (V), Ghanpur (M), Jangaon (D) from 9:45 am to 10:15 am. | 46.14 |
| 6. | ** Noise levels conducted at residence of Sri. Shek Goremiya S/o. Lal Ahmed, H. No. 12-33, Kashimnagar, Ippagudem (V), Ghanpur (M), Jangaon (D) from 11:50 am to 1:30 pm when the industry was in operation. | 49.07 |

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

$$L \text{ pressure} = 10 \log(10^{pw} Lp/10 - 10^{pw} \text{background } Lp/10)$$

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: South to North.

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 : Clear , RH-30%.

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 & industry when the industry was not in operation.

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


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

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

Original Application No. 23 of 2021 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Sama Soma Narasaiah & Others.

...Applicant(s)

Verses

Union of India and Others.

....Respondent(s)

Date of hearing: 18.04.2022.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Mr. Sravan Kumar and

Ms. Medha Singh

For Respondent(s):

Mrs. M. Sumathi for R1

Ms. J. Dayana represented

Mr. T. Sai Krishnan for R4

Mr. Anand Babu and

Mr. Ramesh Ganapathy for R9

(10)

ORDER

1. The learned counsel appearing for 9th respondent seeks a week accommodation to file the objections to the report of the Telangana State Pollution Control Board (TSPCB).
2. The learned counsel appearing for Telangana State Pollution Control Board (TSPCB) is directed to verify as to whether that is the same report or not.
3. The Registry is directed to communicate this order to the official respondents through e-mail, so as to enable them to comply with the direction.
4. Post the matter for consideration on 09.05.2022.

Sd/-

.....J.M.
(Smt. Justice Pushpa Sathyanarayana)

Sd/-

.....E.M
(Dr. Satyagopal Korlapati)

O. A. No. 23/2021, (SZ)
18.04.2022. Sr.