

**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)**

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**Place: Hyderabad**

**Date: 30-01-2023.**



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**REPORT DATED 30.01.2023 OF THE TELANAGANA STATE POLLUTION CONTROL BOARD (R4) IN OA NO 23 OF 2021 FILED BEFORE HON'BLE NGT, SOUTH ZONE, CHENNAI FILED BY SRI SAMA SOMA NARASIAH & OTHERS Vs UNION OF INDIA & OTHERS.**

It is to submit that, Sri Sama Soma Narsaiah, R/o. Jangaon District & others has filed an Original Application No. 23 of 2021 before the Hon'ble NGT, Chennai challenging the lack of EC conditions, violation of Mining License by the Stone Crusher unit of the 9<sup>th</sup> Respondent, M/s. Sri K. Thirumal Reddy, Building Stone & Road Metal Quarry located at Sy.No.1109, Ippagudem, Station Ghanpur (M), Jangaon District.

The Hon'ble NGT vide Order dated 07.12.2022, directed the TSPCB to submit additional report with regard to the renewal consent status of all the units Stone crusher, hot mix, quarry and Ready Mix concrete (RMC). Further, The Hon'ble NGT directed to submit the record as to the basis on which the above Environmental Compensation amount of Rs.1,93,750/- was arrived to M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant) and wanted the filing of a detailed report

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

1. M/s. K. Thirumal Reddy (4.0 Ha. Building Stone & Road Metal Quarry), Sy.No. 1109, Ippagudem (V), Station Ghanpur (M), Jangaon District is Building Stone & Road Metal Quarry in an extent of 4 Ha.
2. M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant), Sy.No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District and engaged in Stone Crusher & Hot Mix Plant.
3. M/s. Shriya Constructions (Ready Mix Concrete Plant), Sy.No. 1108/A, Ippagudem (V), Station Ghanpur (M), Jangaon District is engaged in Ready Mix Concrete.

**The details of formula for Environmental Compensation levied to M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant) are as follows:**

The Environmental Engineer, Regional Office, Warangal submitted a report on the Environmental Compensation to be levied against the industry on 16.11.2022 and requested to take suitable action.

The industry called for hearing before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad on 17.11.2022 to file any objections on the Environmental Compensation proposed to be levied. The

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representative of the industry has attended the meeting. The committee noted that, during the inspection of the Board officials on 16.02.2021, certain non-compliances with respect to consent conditions were observed. Subsequently, during the inspection of the joint committee on 18.03.2021, it was noticed that the industry has rectified all the non-compliances noticed during the earlier inspection i.e. on 16.02.2021. The committee also noted that, as per the analysis results of Ambient Air Quality Monitoring (AAQM) conducted on 22.03.2021, the parameters are meeting the prescribed standards, i.e., Suspended Particulate Matter (SPM) - 512  $\mu\text{g}/\text{Nm}^3$  against the standard of 600  $\mu\text{g}/\text{Nm}^3$  and Particulate Matter ( $\text{PM}_{10}$ ) - 82  $\mu\text{g}/\text{Nm}^3$  against the standard of 100  $\mu\text{g}/\text{Nm}^3$ . After detailed discussions, the committee recommended to levy Environmental Compensation for the period of violations observed i.e. from 16.02.2021 to 18.03.2021 (31 days).

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

Where

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

PI is taken as 50 duly considering the category of the industry i.e., Orange Category.

N taken as 31 days for which period violation took place.

R is suggested to consider as 250.

S is taken as 0.5 considering the unit is small scale industry.

LF is taken as 1 considering the city population is less than one million in which the industry existing.

Hence, the Environmental Compensation is  $50 \times 31 \times 250 \times 0.5 \times 1 =$   
**Rs. 1,93,750/-.**

Accordingly, The TSPCB vide Order dated 21.11.2022, levied Environmental Compensation of Rs.1,93,750/- in compliance with the Hon'ble NGT Orders dated 04.11.2021, for the period of violations observed (31 days). The industry has paid Environmental Compensation of Rs.1,93,750/- to the TSPCB on 05.12.2022. The Copy of direction order issued to the industry for levy of Environmental Compensation is enclosed as **ANNEXURE-I.**

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The above three units have obtained valid Consents of TSPCB and all the units are complying the consent conditions issued by the Board.

The Board will regularly monitor these industries for compliance of consent conditions issued by the Board and directions issued from time to time.

**Place: Warangal**

**Date: 30.01.2023**

  
**ENVIRONMENTAL ENGINEER**  
**ENVIRONMENTAL ENGINEER**  
**Andhra State POLLUTION CONTROL**  
**BOARD REGIONAL OFFICE,**  
**WARANGAL**



Annexure - 2

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**TELANGANA STATE POLLUTION CONTROL BOARD  
ZONAL OFFICE: HYDERABAD**

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,  
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463  
Email: jcee-zhyd-tspcb@telangana.gov.in

**BY REGD. POST WITH ACK. DUE**

**Order No.15-WGL/TSPCB/ZO-HYD/TF/2022-1379**

**Date:21.11.2022**

**Sub:** TSPCB - ZO, HYD - M/s. K. Thirumal Reddy, Building Stone & Road Metal Quarry - 4.0 Ha., Sy.No. 1109, Ippagudem (V), Station Ghanpur (M), Jangaon District & M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant, extent - Acres 6.20 Guntas), Sy.No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District - Hon'ble NGT Order in OA No. 23. of 2021 - Non-compliance of consent conditions - **Levyng of Environmental Compensation - ISSUED-Reg.**

- Ref:**
1. Order No. 583-WGL/TSPCB/ZO-HYD/CFO/2017-2688, Dt: 14.02.2018 (quarry).
  2. Order No. 508-WGL/TSPCB/ZO-HYD//TS-iPASS/CFO/2018-226, Dt: 03.11.20217 (crusher & hot mix).
  3. Hon'ble NGT, Chennai - Original Application No. 23 of 2021 (SZ) filed by Sama Soma Narsaiah, R/o. Jangaon District & others Vs Union of India & others - Order dated 03.02.2021.
  4. Inspection of the industry by the Board officials on 16.02.2021.
  5. Hon'ble NGT Order dated 03.02.2021.
  6. Inspection of Joint Committee constituted by Hon'ble NGT on 05.03.2021 & 18.03.2021.
  7. Joint Committee report dt: 31.03.2021.
  8. Hon'ble NGT Order dated 04.11.2022.
  9. TSPCB, Regional Office, Warangal report Lr.No.2249/ENV.COM/PCB/RO.-WGL/2022-537, dated:16.11.2022.
  10. Show Cause Cum Hearing Notice issued to the dt.16.11.2022.
  11. The Task Force committee meeting held on 17.11.2022 at Zonal Office, Hyderabad.

\* \* \*

1. **WHEREAS**, you are operating a quarry in the name of M/s. K. Thirumal Reddy Building Stone & Road Metal Quarry (4.0 Ha.), Sy.No. 1109, Ippagudem (V), Station Ghanpur (M), Jangaon District and stone crusher in the name of M/s. Shriya Constructions (Stone Crusher & Hot Mix Plant, extent - Acres 6.20 Guntas) is located at Sy.No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M), Jangaon District.
2. **WHEREAS**, vide reference 1st & 2<sup>nd</sup> cited, the Board issued Consent for Operation(CFO) to the quarry vide Order dt: 14.02.2018 valid up to 31.12.2022 for mining of building stone & road metal - 1,15,388.6 m<sup>3</sup>/annum and issued Consent for Operation(CFO) to the Stone Crusher & Hot Mix Plant vide dated 03.11.2017 valid up to 31.10.2022 for production of (1) Stone Chips - 500 TPD & (2) Hot Mix Asphalt - 500 TPD. Subsequently, industry has applied renewal of CFO of the Board, the application is under process.
3. **WHEREAS**, vide reference 3rd cited, an OA No. 23 of 2021 was filed by Sri Sama Soma Narsaiah and others before the Hon'ble National Green Tribunal, Southern Zone, Chennai against M/s. K. Thirumal Reddy, Building Stone & Road Metal Quarry (4.0 Ha.) Sy.No. 1109, Ippagudem (V), Station Ghanpur (M), Jangaon District (9<sup>th</sup> Respondent) and requested to ascertain the ground situation at Ippagudem Stone mining Quarry, stone crusher and Tar/RCC Mix Plant run by the industry for taking appropriate action and requested to assess the damage caused.
4. **WHEREAS**, vide reference 4<sup>th</sup> cited, Board Officials inspected the area on 16.02.2021 and observed that the industry is operating stone quarry, Stone Crusher & Hot Mix Plant and

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observed certain non-compliances i.e., not provided elevated dust bunker (old dust bunker removed and kept outside), established ready mix without CFE, CFO, not provided wind breaking wall, but developed greenbelt with 5mt width towards north, south, east not provided cladding to the conveyor belt, but covered the conveyor belt with green cloth. The Board has issued notices to the industry on 19.02.2021 & 25.02.2021 for non-compliance of conditions stipulated by the Board and for exceeding the emission standards prescribed by the Board.

5. **WHEREAS**, vide reference 5<sup>th</sup> cited, the Hon'ble NGT Chennai has constituted a Joint committee comprising of

- i. *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.*
- ii. *A Senior Officer from Telangana State Pollution Control Board (TSPCB) as designated by its Chairman.*
- iii. *A Senior Officer from the Directorate of Mining and Geology of concerned area and*
- iv. *A Senior Officer from State Environmental Impact Assessment Authority (SEIAA) of Telangana State.*

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.*
6. **WHEREAS**, vide reference 6<sup>th</sup> cited, the Joint Committee has conducted inspection of the Building Stone & Road Metal Quarry, Stone Crushing Unit & Hot Mix Plant on 05.03.2021. Ambient Air Quality(AAQ) monitoring was conducted by the Zonal Laboratory, TSPCB, Warangal on 05.03.2021 and the SPM value was found to be 1855  $\mu\text{g}/\text{Nm}^3$  [10m away from screen house] against the standard of 600  $\mu\text{g}/\text{Nm}^3$  and the Board has issued notice to the

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industry on 18.03.2021 for establishing the RMC plant without obtaining CFO of the Board & exceeding the Ambient Air Quality respectively.

7. **WHEREAS**, vide reference 7<sup>th</sup> cited, the Joint Committee again inspected Building Stone quarry, crusher & hot mix plant on 18.03.2021 and the Joint committee submitted its report to the Hon'ble NGT on 31.03.2021.
8. **WHEREAS**, the Hon'ble NGT vide order dt.04.11.2022 directed to Levy Environmental Compensation for the violations observed earlier even though the crusher has rectified after the observations by the board.
9. **WHEREAS**, Vide reference 9<sup>th</sup> cited, the EE, RO, Warangal submitted a report on the assessment on the Environmental Compensation to be levied against the industry and requested to take suitable action.
10. **WHEREAS**, vide reference 10<sup>th</sup> cited, the Board has issued a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 04.11.2021 for the non-compliance of consent conditions observed earlier.
11. **WHEREAS**, the Board carried out the assessment of Environmental Compensation as per the guidelines issued by the CPCB and the details of calculations are as follows:

No of days of violation observed:

| Date of inspection                      | Observations  | Action taken                             | No. of days of violation   |
|---|---|--|--|
| 16.02.2021(Board Officials )            | During the inspection observed that, the industry has not provided elevated dust bunker (old dust bunker removed and kept outside), not provided wind breaking wall, not provided cladding to the conveyor belt, established ready mix without CFE, CFO   | Notice issued on 19.02.2021 & 25.02.2021 | As per the previous report, the violation period taken from                    |
| 05.03.2021 (Joint Committee inspection) | During the joint committee inspection observed that, no dust bunker for collection of dust, not provided wind breaking walls around the crusher, however, the management has developed the greenbelt with 5m width towards North, South & East and towards West side, it is covered by hillock, The crusher has not covered the conveyor belts with GI sheets but covered with fibre cloth, established a ready mix concrete (RMC) plant without obtaining CFE of the Board, but not commissioned.<br><br>Ambient Air Quality(AAQ) monitoring was conducted on 05.03.2021 and the SPM value was found to be 1855 µg/Nm <sup>3</sup> [10m away from screen house] against the standard of 600 µg/Nm <sup>3</sup> . | Show cause notice issued on 18.03.2021   | 16.02.2021 to 18.03.2021.<br><br>Hence, number of days of violation is 31days. |
| 18.03.2021 (Joint Committee inspection) | During the joint committee inspection observed that, it was observed that the industry has installed new elevated closed dust bunker for collection of dust, 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 5m & above width towards North, South and East. The quarry followed by hillock towards the West side, The total extent of greenbelt developed   |  |  |

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|                                       |  |    |                |
|---------------------------------------|--|----|----------------|
|                                       | <p>is about 3 acres within the crusher premises and about 8 acres outside the premises towards the North side.</p> <p>The industry has established ready mix plant without obtaining CFE of the Board, but not commissioned. Subsequently, the ready mix obtained acknowledgement form Board.</p>  |    |                |
| 22.03.2021 (AAQ monitoring conducted) | <p>Again conducted AAQ monitoring, as per the analysis results, the parameters of SPM was found to be 512 <math>\mu\text{g}/\text{Nm}^3</math> [@ 10 mts from Jaw Crusher] against the standard of 600 <math>\mu\text{g}/\text{Nm}^3</math> and 82 <math>\mu\text{g}/\text{Nm}^3</math> [ @ boundary of the industry on South side – down wind direction] against the standard of 100 <math>\mu\text{g}/\text{Nm}^3</math></p> | -- | --             |
| <b>Total no. of violating days</b>    |  |    | <b>31 days</b> |

Environmental Compensation to be levied:

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

Where

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

PI is taken as 50 duly considering the category of the industry i.e., Orange Category.

N taken as 31 days for which period violation took place.

R is suggested to consider as 250.

S is taken as 0.5 considering the unit is small scale industry.

LF is taken as 1 considering the city population is less than one million in which the industry existing.

Hence, the Environmental Compensation is  $50 \times 31 \times 250 \times 0.5 \times 1$   
 $= \text{Rs.1,93,750/-}$ .

12. **WHEREAS**, vide reference 11<sup>th</sup> cited, you were given a opportunity of hearing before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad on 17.11.2022 to file any objections on the Environmental Compensation proposed to be levied. The representative of the industry has attended the meeting. The committee noted that, the during the inspection of the Board officials on 16.02.2021 certain non compliances with respective to consent conditions were observed. Subsequently, during the inspection of the joint committee on 18.03.2021, it was noticed that the industry has rectified all the non compliances noticed during the earlier inspection. The committee also noted that, as per the analysis results of AAQ monitoring conducted on 22.03.2021, the parameters are meeting the prescribed standards, i.e., SPM - 512  $\mu\text{g}/\text{Nm}^3$  against the standard of 600  $\mu\text{g}/\text{Nm}^3$  and 82  $\mu\text{g}/\text{Nm}^3$  against the standard of 100  $\mu\text{g}/\text{Nm}^3$ . The industry representative informed that, they have installed dust bunker, but during the officials inspection, the old bunker got damaged and the same was removed. The same was noticed by the officials during their inspection. Subsequently, new bunker was installed which was noticed by the Joint Committee during their inspection. He requested not to levy any environmental compensation as they are complying with all the conditions stipulated by the Board. After detailed discussions, the committee recommended to levy Environmental Compensation for the period of violations observed.

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13. WHEREAS, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby finalizes the Environmental Compensation as per the assessment done above.

In view of the above, the Board hereby levy Environmental Compensation of Rs.1,93,750/- (Rupees One Lakh Ninety Three Thousand Seven Hundred and Fifty Only) in compliance with the Hon'ble NGT Orders dated 04.11.2021, for the period of violations observed.

You are hereby directed to deposit the Rs.1,93,750/- (Rupees One Lakh Ninety Three Thousand Seven Hundred and Fifty Only) towards Environmental Compensation within one month.

  
JOINT CHIEF ENVIRONMENTAL ENGINEER



To  
Sri K. Thirumal Reddy  
C/o. M/s. K. Thirumal Reddy, Building Stone & Road Metal Quarry (4.0 Ha.),  
Sy.No. 1109 & M/s. Shriya Constructions  
(Stone Crusher & Hot Mix Plant,  
Sy.No. 1106 & 1107, Ippagudem (V), Station Ghanpur (M),  
Jangaon District.

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

