

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

ORIGINAL APPLICATION No. 39 OF 2022 (SZ)

IN THE MATTER OF:

Gedam Dilip Kumar,
Telangana & another

....

Applicant(s)

Versus

The Singareni Collieries Company Ltd.,
rep by its Chairman & Managing Director,
Telangana & Others

.....

Respondent(s)

REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R4)

RUNNING INDEX

Sl. No	Particulars	Page Nos.
1.	Report dated 15.04.2023 of Telangana State Pollution Control Board (Respondent No. 4).	1
2.	Annexure-I – M/s. Singareni Collieries Co. Ltd., Khairaguda OCP Expansion Project, Borjam (V), Tiryani (M), Komurambheem Asifabad District letter dated 15.04.2023 & 11.04.2023 submitted to Respondent Board.	2 – 5
3.	Annexure-II – Minutes of the Expert Appraisal Committee held during 13 – 14 th March, 2023.	6 – 9
4.	Annexure-III – Hon'ble NGT, Chennai Order dated 17.03.2023.	10 – 11

Place: Hyderabad.

Date: 15-04-2023.

T. Sant
Counsel for 4th Respondent

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REPORT DATED 15.04.2023 OF THE ENVIRONMENTAL ENGINEER, REGIONAL OFFICE, NIZAMABAD ON HON'BLE NATIONAL GREEN TRIBUNAL, CHENNAI IN ORIGINAL APPLICATION NO. 39 OF 2022 FILED BY GEDAM DILIP KUMAR & ANOTHER, R/O.VULLIPITTA (V), TIRYANI (M), KOMURAM BHEEM ASIFABAD DISTRICT, TELANGANA STATE

It is to submit that Sri Gedam Dilip Kumar & Others, R/o.Ullipitta (V), Tiryani (M), Komurambheem Asifabad District filed a case in the Hon'ble NGT, Chennai O.A No. 39 of 2022 (SZ) against the mining activities of Khairaguda OCP Expansion Project for causing air pollution and dust nuisance in the surrounding areas

As per the Hon'ble NGT, Chennai order dated 08.02.2023 the TSPCB has filed report dt.16.02.2023, which was taken on record during the hearing held on 17.03.2023 and directed the applicant and the Project proponent to file their objections to the report of TSPCB before the next date of hearing i.e on 17.04.2023.

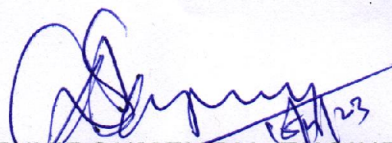
In this regard, the industry has submitted information (**Annexure-I**) on 11.04.2023 & 15.04.2023 and stated that they have submitted an application to MoEF&CC for amendment EC order dt 06.02.2015 for condition no. 4 (A) (iii) facilitating transportation of coal by tarpaulin covered trucks instead of mechanically covered trucks. They stated that the proposal was placed 41st meeting of the Expert Appraisal Committee (EAC) for coal mining projects held during 13-14 March, 2023.

The Project proponent stated that the Expert Appraisal Committee EAC, recommended transportation of coal on road by tarpaulin covered trucks instead of mechanical. A copy of the minutes of EAC meeting communicated by MoEF&CC is enclosed as **Annexure-II**.

Ms SCCL has submitted additional information 15.04.2023 stating that they have constructed and commissioned 2X100 KLD capacity STP in Goleti Township for treating the township effluents. The Board will monitor the STP regularly for compliance.

Place: Hyderabad

Dt:15.04.2023


ENVIRONMENTAL ENGINEER

**ENVIRONMENTAL ENGINEER
T.S. Pollution Control Board
Regional Office, Nizamabad,**



②
THE SINGARENI COLLIERIES COMPANY LIMITED
(A GOVERNMENT COMPANY)
BELLAMPALLI AREA

ANNEXURE-I

Ref. No. BPA/ENV/59/44

Date: 15.04.2023

To
The Environmental Engineer,
Regional Office, Nizamabad,
Telangana State Pollution control Board.

Sub: TSPCB-RO-NZB- M/s Singareni Collieries Company Ltd., Khairagura OCP Expansion project, Borjam (V), Tiryani (M), Komurambheem Asifabad District - Levy of Environmental Compensation in O. A. No. 39 of 2022 (SZ) – Additional information to the show cause notice - Reg.,

- Ref: 1) Lr. No. 2807/TSPCB/RO/NZBW&A/2022 - 81, dt. 14.02.2023
2) Lr. No. BPA/ENV/59/2023/11 dated 27.02.2023.
3) Lr. No. BPA/ENV/1/38, dt. 04.04.2023
4) Lr. No. BPA/ENV/59/2023/234, dt. 11.04.2023

With reference to the subject cited, RO, Nizamabad, TSPCB issued a show cause notice to the project authorities of Khairagura OC Expansion Project vide reference cited at (1) regarding levy of environmental compensation for non-compliance of some of the EC conditions in connection with a case filed in Hon'ble NGT, Chennai (SZ) in OA No. 39 Of 2022. SCCL has submitted a detailed reply to TSPCB vide reference 2nd cited.

The latest implementation status with respect to non-compliances of Environmental Clearance conditions as mentioned by Hon'ble NGT, Chennai in its order dated 08.02.2023 is furnished vide letter cited under reference no. 4.

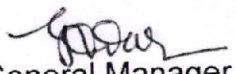
Further reference to the letter cited under reference no. 4 (No. BPA/ENV/59/2023/234, dt.11.04.2023), the latest implementation status of specific condition related to installation of Sewage treatment plant in the existing Goleti colony is furnished below.

SCCL has taken up the construction of 2X100 KLD Capacity STP in Goleti Township and the erection work has been completed and the plant is commissioned on 15.04.2023.

This is for your kind information please.

Thanking you sir,

Yours faithfully


General Manager
Bellampalli Area



THE SINGARENI COLLIERIES COMPANY LIMITED
(A GOVERNMENT COMPANY)
BELLAMPALLI AREA

Ref. No. BPA/ENV/59/2023/234

Date: 11.04.2023

To
The Environmental Engineer,
Regional Office, Nizamabad,
Telangana State Pollution control Board.

Sub: TSPCB-RO-NZB- M/s Singareni Collieries Company Ltd., Khairagura OCP Expansion project, Borjam (V), Tiryani (M), Komurambheem Asifabad District - Levy of Environmental Compensation in O. A. No. 39 of 2022 (SZ) – Additional information to the show cause notice - Reg.,

Ref: 1) Lr. No. 2807/TSPCB/RO/NZB/W&A/2022 - 81, dt. 14.02.2023
2) Lr. No. BPA/ENV/59/2023/11 dated 27.02.2023.
3) Lr. No. BPA/ENV/1/38, dt. 04.04.2023

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The latest implementation status with respect to non-compliances of Environmental Clearance conditions as mentioned by Hon'ble NGT, Chennai in its order dated 08.02.2023 is furnished hereunder.

1) **MoEF&CC has stipulated at condition no. 4 (A) (iii) of Environmental Clearance Letter that "The coal transportation on road by mechanically covered trucks".**

MoEF&CC has also stipulated at condition no. 4B (vii) of Environmental Clearance Letter that "Vehicles used for transporting the mineral shall be covered with tarpaulins and optimally loaded".

In this connection it is to submit that SCCL had put all its efforts for procurement of mechanically covered trucks for transportation of coal but could not deploy the same due to non-availability of trucks with desired mechanism. Further, it is to inform that SCCL deployed mechanically covered tarpaulin trucks in one of the opencast mines on a trial basis but failed due to technical problems.

In view of the above, SCCL submitted an application to MoEF&CC for an amendment to EC condition no. 4 (A) (iii) facilitating transportation of coal by tarpaulin covered trucks instead of mechanically covered trucks. MoEF&CC has considered the proposal in its 41st meeting of the Expert Appraisal Committee (EAC) for coal mining projects held during 13-14 March, 2023. After detailed deliberations, the **EAC recommended for coal transportation on road by tarpaulin covered trucks instead of mechanical system** as the desired objective of controlling fugitive dust emissions during coal transportation has been complied with the present system of coal transport in tarpaulin covered trucks. A copy of the minutes of EAC meeting communicated by MoEF&CC was already submitted for kind perusal vide letter cited at (3) (EAC minutes enclosed).

4

2) MoEF&CC has stipulated at specific condition no. 4 (A) (xli) of Environmental Clearance that "Sewage treatment plant shall be installed in the existing colony".

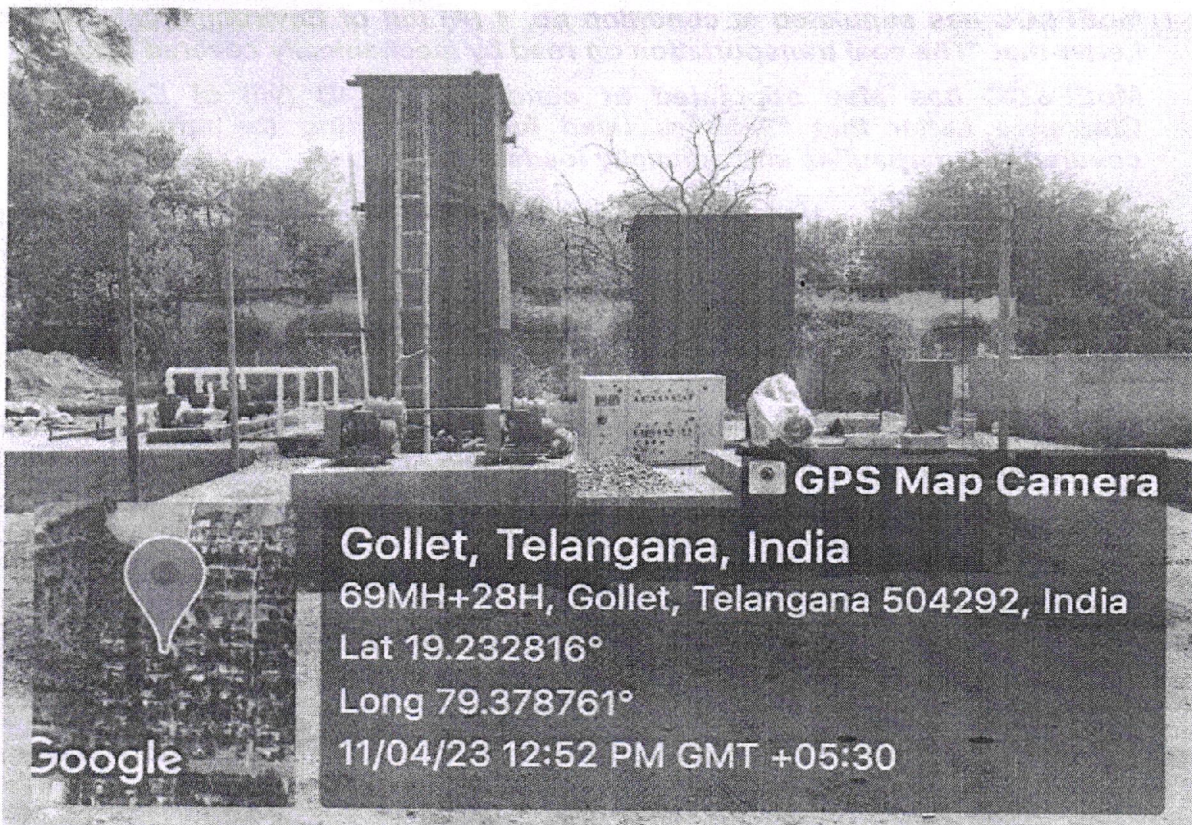
In this connection it is to submit that presently, the sewage from Goleti colony is being treated by conventional method i.e., septic tank followed by soak pit and the overflow water is being used for plantation within the colony.

As a part of post-project environmental monitoring, the quality of Goleti Colony treated sewage effluent is being monitored regularly through EPTRI, Hyderabad, a CPCB recognized and NABL accredited Laboratory and the monitored parameters are well within the standards prescribed by CPCB. A copy of the latest monitoring report of Khairagura OCP including that of Goleti Colony treated sewage effluent is enclosed as Annexure-I.

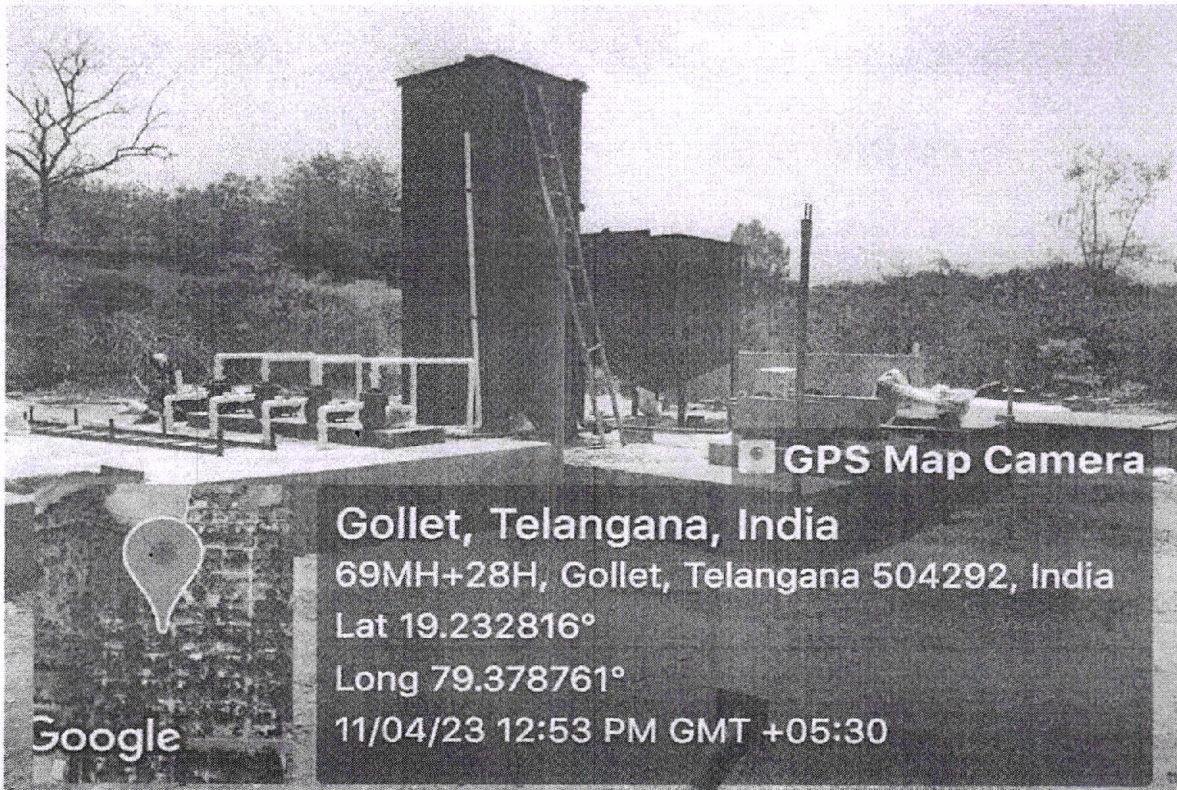
Previously, a firm order was placed on M/s MECO Technologies Pvt. Ltd., Bilaspur, Chattisgarh for establishment of STP in Goleti Colony but the firm backed out without completing STP construction work. This has delayed the process of establishing a STP in the colony. Subsequently, the earlier firm order had to be cancelled and a fresh order was placed on M/s Sharp Engineering Works, Secunderabad for establishment of portable STP.

Considering the reasons for delay in constructing STP and on request of SCCL, TSPCB has been stipulating in the Consent for Operation issued to Khairagura OC Expansion project that treatment of domestic effluents shall be with septic tank followed by soak pit.

SCCL has taken up the construction of 2X100 KLD capacity STP in Goleti Township and 90% of the erection work has already been completed and the plant will be commissioned by the end of April 2023. SCCL is also submitting an undertaking in this regard before the Hon'ble Tribunal during the hearing of case scheduled on 17.04.2023. Photographs showing the progress of construction of STP at Goleti Colony are furnished hereunder.



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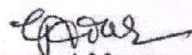
Construction of STP for Goleti Colony

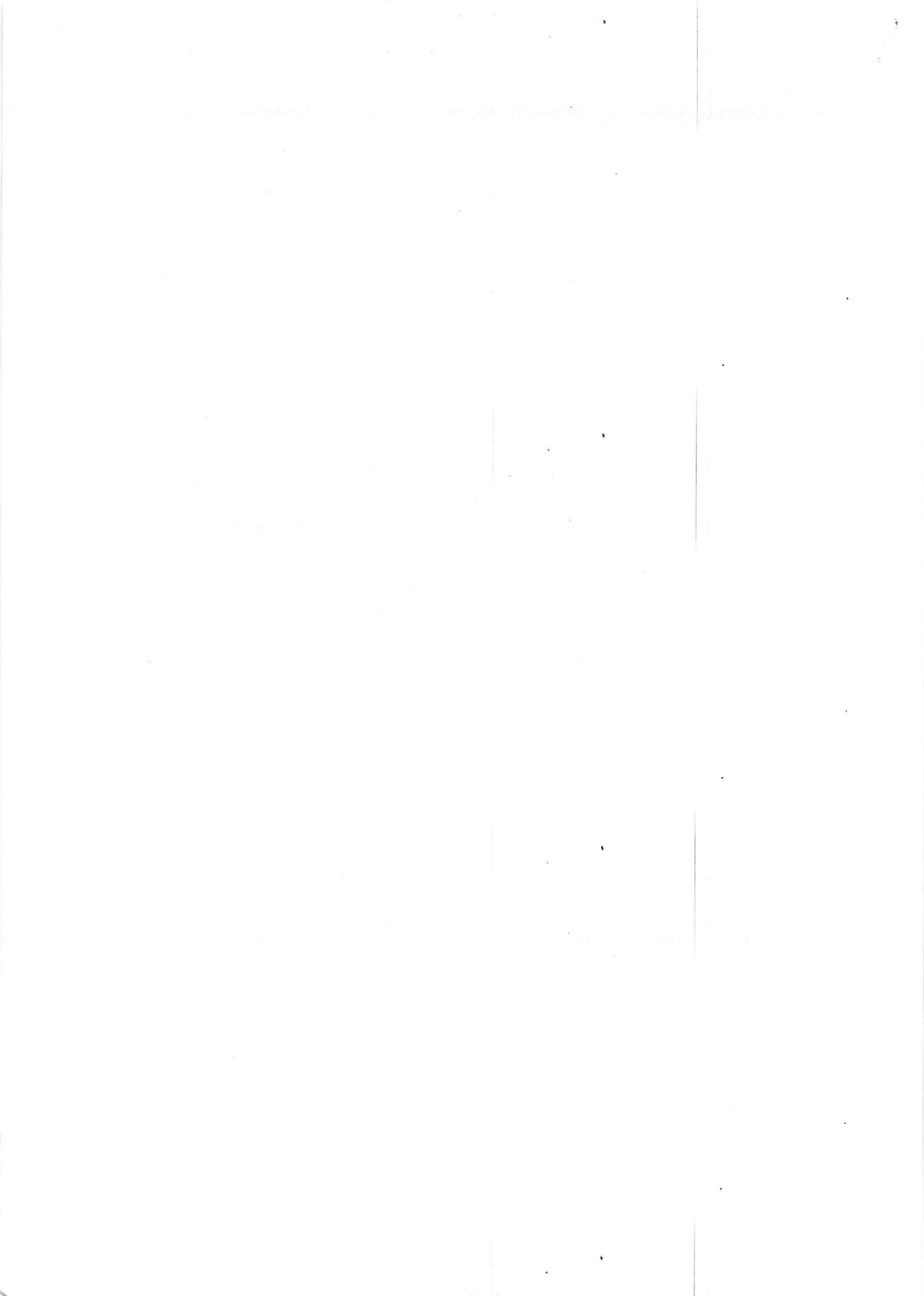
It is to submit that as per the Minutes of Meeting, EAC has recommended for Amendment of EC condition for transportation of coal by road mode with tarpaulin covered trucks instead of mechanically covered trucks. Also, colony sewage is being treated by conventional method of treatment without polluting surrounding environment and upgrading the present system of treatment with establishment of STP will also be completed by the end of April 2023. Hence, with the implementation of suitable mitigation measures in the project, it is ensured that the pollution levels are within the stipulation norms.

Hence, it is requested to advise the concerned to bring to the notice of the Hon'ble NGT regarding EC amendment and the compliance status of all the EC conditions. Keeping in view the steps taken by SCCL in implementation of EC conditions in Khairagura Opencast Project, TSPCB is requested not to levy any Environmental compensation.

Thanking you sir,

Yours faithfully


General Manager
Bellampalli Area



6

MINUTES OF 41st MEETING OF THE EXPERT APPRAISAL COMMITTEE FOR ENVIRONMENT APPRAISAL OF COAL MINING PROJECTS HELD DURING 13 - 14 MARCH, 2023 THROUGH VIDEO CONFERENCING.

Confirmation of the Minutes of 40th Meeting of the EAC (Coal): The minutes of the 40th Meeting of the EAC (Coal) held during 16 - 17 February, 2023 has been confirmed by the Chairman.

Opening Remarks of the Chairman: At the outset, the Chairman welcomed the Expert members & other participants and requested to start the proceeding as per the agenda adopted for this meeting.

Consideration of Proposals: The 41st meeting of the Expert Appraisal Committee (EAC) for coal mining projects was held during 13-14 March, 2023 through physical mode. The EAC considered proposals as per agenda adopted for the meeting. List of participant attended the meeting is annexed. The details of deliberations held & decisions taken in the meeting are as under.

Agenda No. 41.1

Integrated project of Parsa East and Kanta Basan (PEKB) Opencast Coal Mine (Capacity 18 MTPA) with expansion in Pit Head Coal Washery from 15 MTPA to 18 MTPA in total mine lease area of 2682.856 ha of M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd. located in villages Salhi, Hariharpur, Ghatbarra, Parsa, Kente, Parogiya and Basan, Tehsil Ambikapur, District Sarguja (Chhattisgarh) – Reconsideration of Environment Clearance for Coal Washery under Clause 7(ii) of Ministry OM dated 11th April, 2022 - reg.

[Online Proposal No. IA/CG/CMIN/409149/2022; File No. J-11015/03/2008-IA.II (M)]

41.1.1 The proposal is for Environment Clearance for Coal Wahsery under Clause 7(ii) of Ministry OM dated 11th April, 2022 for project Integrated project of Parsa East and Kanta Basan (PEKB) Opencast Coal Mine (Capacity .18 MTPA) with expansion in Pit Head Coal Washery from 15 MTPA to 18 MTPA in total mine lease area of 2682.856 ha of M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd. located in villages Salhi, Hariharpur, Ghatbarra, Parsa, Kente, Parogiya and Basan, Tehsil Ambikapur, District Sarguja (Chhattisgarh)

41.1.2 The EAC, during deliberations noted the following:

- The proposal was last considered in 38th EAC meeting held during 14-15 December 2022 and deferred based on certain observations to be fulfilled. Now the Project Proponent has submitted the compliance of observation raised in 38th EAC vide letter dated 20.02.2023 on Parivesh Portal:

Sl. No.	Observation	Submission
(i)	PP shall submit the Certified compliance report from Ministry's IRO	IRO, Raipur in its site visit held during on 16-17 January 2023 verified status of compliance

- revived from time to time.*
- (xvi) *The PP shall not use the ground water for any type of mine closure activity. PP shall maintain one permanent Piezometer for monitoring of ground water level.*
- (xvii) *PP shall engage third party independent expert agency for monitoring/auditing of compliance of EC conditions.*
- (xviii) *No village road shall be used during mine closure activity as well as no road transport route shall be adopted, which is passing through any sensitive location such as schools, hospitals etc.*
- (xix) *The project proponent shall install effective dust suppression system at the suitable location in the other parts of the mining lease to arrest the fugitive dust emission.*
- (xx) *The project proponent shall arrange Periodical health check-up camp and in long term PP shall arrange permanent health facility near village area.*
- (xxi) *Hon'ble Supreme Court in an Writ Petition(s) Civil No. 114/2014, Common Cause vs Union of India & Ors vide its judgement dated 8th January, 2020 directed the Union of India to impose a condition in the mining lease and a similar condition in the environmental clearance and the mining plan to the effect that the mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. Compliance of this condition after the mining activity is over at the cost of the mining lease holders/Project Proponent". The implementation report of the above said condition shall be sent to the Regional Office of the MoEF&CC.*

Agenda No. 41.4

Khairagura Opencast Expansion Coal Mine from 3.0 MTPA to 3.75 MTPA in Mine Lease area of 1217.50 ha of M/s The Singareni Collieries Co. Ltd., District Adilabad (Telangana) – For Amendment of Environmental Clearance dated 06.02.2015 - reg.

[Online Proposal No. IA/TG/CMIN/297610/2023; File No. J-11015/28/2013-IA.II (M)]

41.4.1 The proposal is for amendment of Environmental Clearance dated 06.02.2015 for Khairagura Opencast Expansion Coal Mine from 3.0 MTPA to 3.75 MTPA in an Mine Lease area of 1217.50 ha of M/s The Singareni Collieries Co. Ltd., District Adilabad (Telangana).

Project Proponent has requested for amendment in EC condition 4(A) (iii) regarding ***“the coal transportation on road by mechanically covered trucks”*** with to ***permit transportation of coal in Khairagura Opencast Expansion Project by tarpaulin covered trucks instead of mechanically covered trucks.***

41.4.2 The EAC during deliberations noted the following:

- Earlier, Environment Clearance was granted by Ministry vide its letter No. J-11015/28/2013-

8

IA-II (M) dated 06.02.2015 for production capacity of 3.75 MTPA in mine lease area of 1217.50 ha which inter-alia includes the following condition:

specific condition no. 4 (A)(iii) such as “*The Voids shall be filled upto the near ground level by the OB from the new Ullipetta Dorli mine. The coal transportation on road by mechanically covered trucks.*”

- Project Proponent has requested to **permit transportation of coal** in Khairagura Opencast Expansion Project **by tarpaulin covered trucks instead of mechanically covered trucks.**
- PP has cited the **reason** that they have made continuous efforts for procurement of mechanically covered trucks for transportation of coal by road mode, but faced difficulty in deploying the same due to non-availability of trucks with desired mechanism.
- Also, SCCL incorporated the condition for the deployment of mechanically covered trucks in the NITs issued for coal transportation in order to comply with EC condition. But due to non-availability of mechanically covered trucks, no coal transporter has come forward to deploy mechanically covered trucks. SCCL has deployed a few locally altered trucks with hydraulic covering mechanism in one of the opencast mines on a trial basis. However, different operational and technical problems were encountered in usage of these trucks -
 - frequent failure of hydraulic mechanism due to accumulation of coal dust in the moving parts.
 - damage of the side bars and other parts during loading.
 - damage of the cloth during loading & unloading operations.

41.4.3 *The EAC, after deliberation observed that the project proponent has requested for amendment of condition for transportation of coal by tarpaulin covered trucks instead of mechanically covered trucks as per the EC condition no. 4(A) (iii). The limitation of not complying the conditions were also submitted by PP. Alternate system of covering the coal laden trucks with tarpaulin cloth and security check post so as to avoid spillage during coal transportation has been made by PP.*

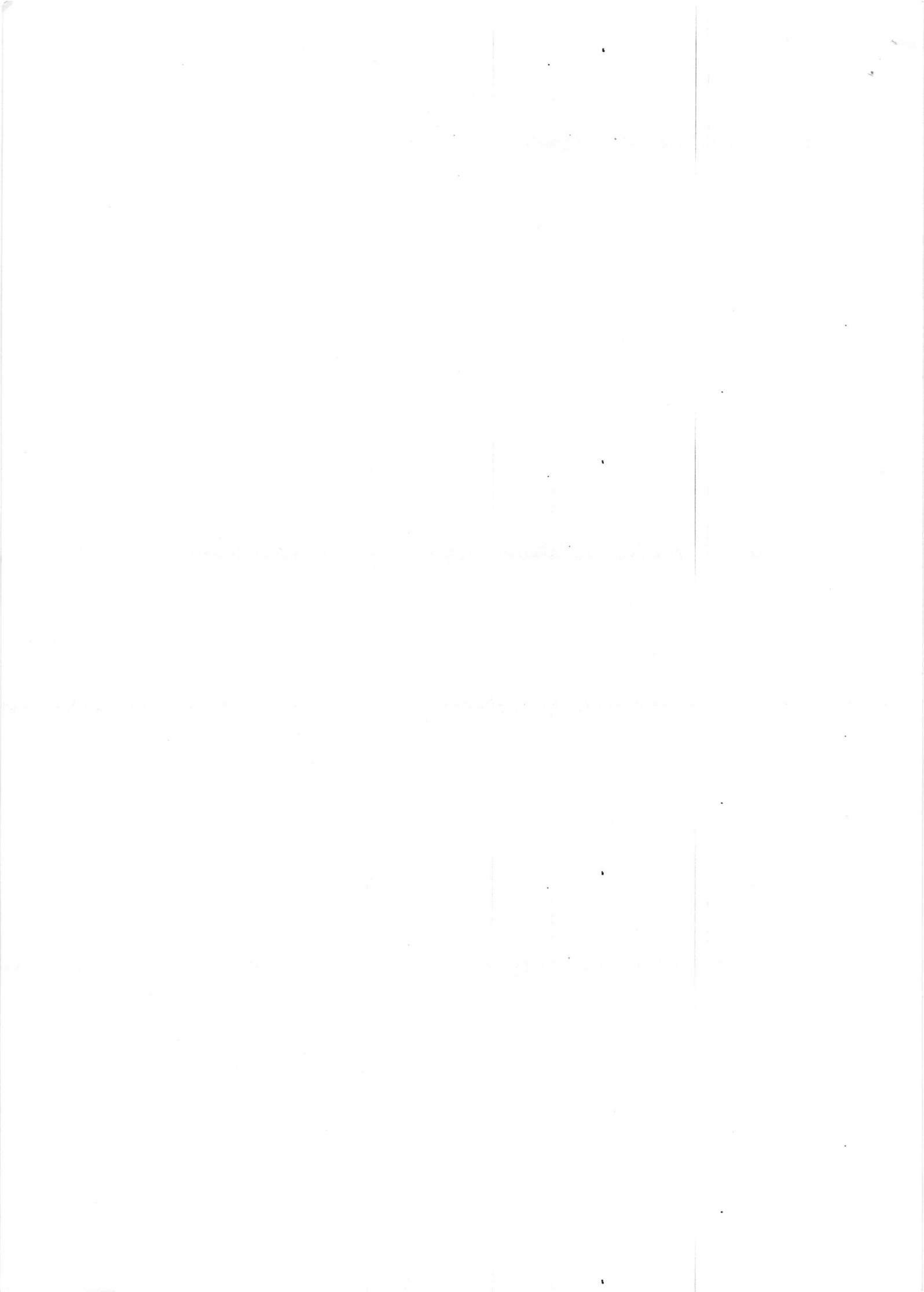
Further, committee deliberated the certified compliance report of EC conditions and found that there many non-compliances. It was desired that the project proponent shall explore alternative transportation route in place of the route passing though forest area and explore implementation of conveyor system till railway siding. Meanwhile, the project proponent shall take 'pollution control certificate' for all mine vehicle and suggested to implement the vehicle with BSVI technology in place of BSIV.

The Committee during the discussion desired the project proponent to further explore the possibility of Mechanized covering trucks with other vendors instead of traditional vendors such as trucks of Tata and Ashok Leyland. Subsequently committee advised to increase the fleet size from 35 tonnes.

*Based on the above discussion, EAC **recommended** the proposal for amendment of EC dated 06.02.2015 particularly for the specific condition no. 4(A) (iii) which will be read as “The Voids*

shall be filled upto the near ground level by the OB from the new Ullipetta Dorli mine. The coal transportation on road by **Tarpaulin covered trucks instead of mechanical system**” of Khairagura Opencast Expansion Coal Mine from 3.0 MTPA to 3.75 MTPA in an Mine Lease area of 1217.50 ha of M/s The Singareni Collieries Co. Ltd., District Adilabad (Telangana), under the provisions of EIA Notifications, 2006 and its amendments therein, subject to following additional condition for environmental safeguards;

- (i) PP to develop the onsite control/ monitoring system through digital mode to oversee the through cameras at every 400 m distance to check the status of covered trucks. It shall be ensured that camera are workable condition and status be reported in six montly report for IRO, MoEF&CC.
- (ii) PP shall increase the fleet size from 35 ton trucks to 45-50 ton truck in order to reduce the air pollution due to transportation. SPCB to issue CTO on this condition.
- (iii) PP shall obtain certified compliance report of previous EC from Ministry's IRO within six months from the date of issue of this letter.
- (iv) PP shall explore the alternative transportation route in place of the route passing though forest area or any other sensitive area.
- (v) PP shall take 'pollution control certificate' for all mine vehicles and suggested to implement the vehicle with BS-VI technology in place of BS-IV.
- (vi) PP shall deploy movable fog cannon systems and mechanized road sweepers in the transportation route.
- (vii) PP must obtain 4.5-star rating of MoC in the year 2024-25 and report shall be submitted to IRO.
- (viii) Periodical health check-up shall be conducted to monitor the impact of heavy metals present in core zone & buffer zone air quality and also to prepare an action plan to reduce heavy metals concentration and also report to be submitted to concerned regional office of MoEF&CC.
- (ix) PP shall conduct tree plantation drive in this year monsoon period (i.e. 2023) and plant about 50000 trees all along the 14 km of road transportation with geo tagging and certified from concerned DFO.
- (x) PP to undertake the recruitment of a full-fledged qualified manpower with Environmental Engineer/Env. Science degree background in Environment Management Cell etc at coal washery site for compliance of EC conditions.
- (xi) Hon'ble Supreme Court in an Writ Petition(s) Civil No. 114/2014, Common Cause vs Union of India & Ors vide its judgement dated 8th January, 2020 directed the Union of India to impose a condition in the mining lease and a similar condition in the environmental clearance and the mining plan to the effect that the mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. Compliance of this condition after the mining activity is over at the cost of the mining lease holders/Project Proponent”. The implementation report of the above said condition shall be sent to the Regional Office of the MoEF&CC.



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

(Through Video Conference)

Original Application No. 39 of 2022(SZ)

IN THE MATTER OF:

Gedam Dilip Kumar,
Telangana and Anr.

...Applicant(s)

Versus

The Singareni Collieries Company Limited,
Represented by its Chairman & Managing Director,
Telangana and Ors.

...Respondent(s)

Date of hearing: 17.03.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Sravan Kumar.

For Respondent(s): Mr. A. Sanjeev Kumar, Spl. G.P. for R1 & R9.
Mr. Meyappan represented
Mrs. ME. Sarashwathy for R2.
Ms. G. Lavanya represented
Mr. T. Sai Krishnan for R4.
Mrs. Renukadevi represented
Mrs. H. Yasmeen Ali for R5 to R8.

ORDER 11

1. Today, the report of the Telangana State Pollution Control Board is filed.
2. Let the applicant as well as the project proponent file their objections to the report before the date of next hearing.
3. Let the matter be listed on 17.04.2023 for a final hearing.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.39/2022(SZ)
17th March 2023. Mn.

