

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

Original Application No 40 of 2023 (SZ)

IN THE MATTER OF:

Mulagada Thirvikrama Rao

Hyderabad

.... Applicant

Versus

State of Andhra Pradesh

Through the Chief Secretary

Andhra Pradesh and others

...Respondent(s)

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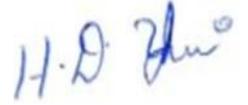
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1	Reply Affidavit filed on Behalf of Central Pollution Control Board, Respondent No. 9	01-03

Signed and verified on this 1st day of August, 2023 at Chennai.



Counsel for CPCB





Deponent

H.D. VARALAXMI, M.Tech

Regional Director

CENTRAL POLLUTION CONTROL BOARD

(MoEF & CC, Govt of India)

Regional Directorate (Chennai)

2nd Floor, 77-A, South Avenue Road,

Arbattur Industrial Estate, Chennai - 600 058

**BEFORE THE NATIONAL GREEN TRIBUNAL
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**STATEMENT FILED ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD,
RESPONDENT NO. 9**

I, H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 54 years and having office at the Regional Directorate – Chennai, Central Pollution Control Board, 2nd Floor, 77-A, Ambattur Industrial Estate, Chennai – 600058, do hereby solemnly affirm and sincerely state on oath as follows: -

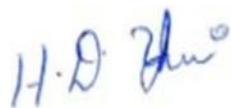
1. I am presently working as the Regional Director, Regional Directorate (South), Central Pollution Control Board, the 9th Respondent herein. I am fully conversant with the facts of the case and have been authorized to file the present affidavit on behalf of the 9th Respondent.
2. That the petition is related to operation of a road metal and stone quarry located at Survey number 241 of Nagampalli village, Mangala Konda Hill, Seethanagaram Mandal, East Godavari District Andhra Pradesh, without valid consent to operation and causing air and noise pollution in the adjacent agriculture land.



H.D. Varalaxmi
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3. That the averments in the petition related to Consent to Establishment and Consent to Operation to the stone quarries in Andhra Pradesh are issued by Andhra Pradesh State Pollution Control Board.
4. That by the order dated 28.02.2020 in the original application 304/2019, Hon'ble NGT, Principal Bench, Delhi sought a report from the Central Pollution Control Board (CPCB) on the distance criteria for stone quarries. Relying on the report submitted by CPCB, following precautionary principle, and considering the right of the inhabitants who are affected by air and noise pollution generated in the course of stone quarrying/ mining, Hon'ble Tribunal then by the order dated 21.07.2020 in the matter of 304/2019 directed to maintain 100 and 200 m distance for stone quarry operations without and with blasting, respectively.
5. That subsequently based on orders of Hon'ble High Court of Kerala, the aggrieved mining/ quarry lessees (project proponents) in the State of Kerala filed appeals in the OA 304 of 2019 with prayer '*not to interfere*' with the distance criteria already laid down by the State Mining Department and Kerala State Pollution Control Board (KSPCB).
6. That in view of the prayers in the original application and project proponent's contentions in detail, Hon'ble NGT vide order dated-09.12.2021 in M.A. Nos. 80 to 83, 85 to 88, 95 and 96/2021 in OA No. 304 of 2021 directed for an expert study by a joint committee. The joint committee was entrusted with the task of an expert study on the subject of safe distance for stone quarry from habitations.
7. That the committee selected nine stone quarries in Kerala and a detailed assessment was carried out to study vibration due to blasting, air pollution and public response. Individual site reports with the observations on dust, noise and mine pit water quality were prepared by the monitoring team of KSPCB for all the nine quarry sites. A team of experts from CSIR-CIMFR, Dhanbad; supervised the experimental blasts in consultation with the concerned officials of KSPCB and the quarry management. The different drilling patterns, total number of holes, explosive charging and firing patterns were experimented in each quarry. Ground vibration and air overpressure monitoring points were selected at the




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distances of 50 m, 75 m, 100 m, 125 m, 150 m, 200m, 250 m & 500 m from the blasting sites. Particulate matter and noise were monitored during the expert study.

8. That the expert committee report with the findings on the zone of influence and the recommendation has been submitted to Hon'ble NGT (PB) New Delhi on 02.03.2023 and the matter is listed for consideration on 09.08.2023.
9. That the area in the jurisdiction of Rajamahendravaram Municipal Corporation is considered as non-attainment city and action plans for improvement of air quality are implemented under National Clean Air Program by the stakeholder departments.

PRAYER

In view of above, it is respectfully prayed that this answering Respondent No. 9, the Central Pollution Control Board shall abide by any order/direction passed by this tribunal.

H.D. Varalaxmi

Deponent

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Regional Director
CENTRAL POLLUTION CONTROL BOARD
(MoEF & CC, Govt of India)
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate, Chennai - 600 084

VERIFICATION

It is verified that the content of this reply statement which is based on official record and information available in the office are true and correct. Nothing has been concealed therein.

Signed and verified on this 1st day of August, 2023 at Chennai.

H.D. Varalaxmi

Deponent

H.D. VARALAXMI, M.Tech
Regional Director
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B. Sambasivan

Counsel for CPCB Respondent No. 9



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Hearing date:31.08.2023

**REPLY AFFIDAVIT FILED ON
BEHALF OF THE CENTRAL
POLLUTION CONTROL BOARD
(CPCB)**

RESPONDENT NO. 9

Advocate D. S. Ekambaram

COUNSEL FOR CPCB