

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
ORIGINAL APPLICATION NO.06 OF 2022**

**IN THE MATTER OF:**

P.V.Subramanya Varma  
S/o.P.Atchutha Rama Raju  
Hyderabad

.....Applicant(s)

Versus

The State of Telangana  
Represented by its Principal Secretary,  
Environment, Forests, Science and Technology Department,  
Secretariat, Hyderabad and others

.....Respondents(s)

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Place: Hyderabad.  
Date:26-04-2022

H.Yasmeen Ali  
Counsel for the Respondent

**Report of the Joint Committee constituted by the Hon'ble NGT, SZ, Chennai in O.A.No.6 of 2022, in case of Sri.P.V.Subramanya Varma Vs State of Telangana.**

It is to submit that Sri.P.V.Subramanya Varma, S/o.P.Atchutha Rama Raju, R/o.Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A) No.6 of 2022. The main prayer of the applicant is as follows:

- (A) Restrain Respondent No.15 to 33 from carrying illegal and unauthorized crushing activities in Rangareddy District and Sanga Reddy Districts without obtaining Consent from 4<sup>th</sup> Respondent / Telangana State Pollution Control Board.
- (B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Ranga Reddy and Sanga reddy Districts of State of Telangana.
- (C) Pass and order or order as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.
  - I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos.15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4<sup>th</sup> respondent.
  - II. Direct the Respondent Nos.1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos.15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4<sup>th</sup> respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
  - III. Direct the Respondent Nos.1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Respondent Nos.15 to 33 in Ranga Reddy and Sanga Reddy

Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos.1 to 14 to seize and prevent the operation of the Respondent Nos.15 to 33.

- IV. Direct the Respondent Nos.15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010
- V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present Application.

The Hon'ble NGT heard the matter and passed orders dt:17-01-2022 and directed that the respondents by Registered Post with Acknowledgment Due, by e-mail and also by dusthi (if possible) and produce proof of service by filing proof affidavit and also directed the applicants to serve the copy of application along with the documents produced to the standing counsel appearing for the Respondents No.1 to 4, 6 to 12 so as to enable them to get instruction from the respective authorities and file their independent response regarding the allegations made in the application. In order to ascertain the genuineness of the allegations made in the application, appropriate to appoint a Joint Committee comprising of

- i) Senior Officer from the MoEF& EC, Regional Officer, Hyderabad;
- ii) Senior Officer from the TSPCB;
- iii) District Collectors of Sangareddy and Rangareddy or his / her nominee not below the rank of Asst. Collector / Sub Divisional Magistrate as deputed by them.
- iv) Senior Officer from the Department of Mines & Geology, Hyderabad.

The Department of Mines & Geology be the nodal agency for co-ordination and for providing all necessary logistics for this purpose. The Joint Committee is directed to submit the report to the Tribunal on or before 25-02-2022 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of Image of PDF along with necessary hardcopies to be produced as per Rules.

In compliance to the Hon'ble NGT orders dt:18-01-2022 in O.A.No.6 of 2022, the Committee was constituted comprising of following officers:

S. No.	Proposed by the Hon'ble NGT	Nominated by the concerned Department.	Name & Designation of the Officer
1	District Collector of Rangareddy District	The District Collector, Rangareddy District	Revenue Divisional Officer, Rajendranagar Division, RR Dist.,
2	Senior Officer from the MoEF& CC, Regional Office, Hyderabad	MoEF& CC, Integrated Regional Officer, Hyderabad.	Sri.E.Arockia Lenin, Scientist C
3	Senior Officer from TSPCB	TSPCB, RR Dist.,	Sri.G.Hanumanth Reddy, Joint Chief Environmental Engineer, Zonal Office, R.C Puram
4	Senior Officer from the Directorate of Mines & Geology, Telangana as deputed by its Director	Director of Mines & Geology	Sri.R.Praveen, Asst. Director of Mines & Geology, Rangareddy District

The Joint Committee visited the area on 14-02-2022, contacted the Petitioner Sri.P.V.Subramanya Varma over telephone and he was not came in to contact. During the inspection, the stone crushing unit holders were also not present. The Joint Committee have visited certain stone crushing units located in Rangareddy and Sanga Reddy Districts as mentioned in the prayer of the applicant. As per the field observations, it is noticed that there are (22) stone crushing units are available in the said area, out of which (5) stone crushing units were operating with valid Consent for Operation issued by the TSPCB and remaining stone crushers were issued closure orders by the TSPCB. The TSPCB also requested the Tahsildhars of Gandipet, Serilingampally, Shamshabad to seize the generators.

The Joint Committee submitted interim report vide letter dt:21-02-2022 wherein stated that the Joint Committee has visited the subject area on 14-02-2022, contacted the Petitioner Sri.P.V.Subramanya Varma over telephone and he was not came in to contact. During the inspection, the stone crushing unit holders were also not present. The Joint Committee have visited certain stone crushing units located in Rangareddy and Sanga Reddy Districts as mentioned in the prayer of the applicant. As per the field observations, it is noticed that there are (22) stone crushing units are available in the said area, out of which (5) stone crushing units were operating with valid Consent for Operation issued by the TSPCB and remaining stone crushers were issued closure orders by the TSPCB. The TSPCB also requested the Tahsildhars of Gandipet, Serilingampally,

Shamshabad to seize the generators. The Joint Committee further observed that the (5) stone crushing units are provided water sprinkling systems at the transfer points and within the premises to suppress the dust generated during the process and vehicular movement. The stone crushing units provided wind breaking walls, cladding to the vibrating screens, provided covers to the belt conveyors to control the air / dust pollution in the surrounding area.

The Joint Committee also noticed that there is a lot of construction activity is taking place in Gandipet & Serilingampally Mandals of Rangareddy District and excavating the rock spalls and dumping the same outside their premises which is also causing the dust pollution and finally sought (2) months time to inspect the all (22) stone crushing units in detail and verify the documents.

***The Hon'ble NGT directed the Joint Committee directed to ascertain as to whether the stone crusher units arrayed in the application or any other stone crusher units functioning in that area are without obtaining necessary permission under the environmental laws, whether on account of the operation, any pollution has been caused in the nearby areas affecting air, sound as well as water, as alleged by the applicant and if they are operating without obtaining consent or other permissions required under the environmental laws and other respective laws, what is the nature of action taken against them. If they are having necessary permission / consent but the pollution control mechanism provided is not sufficient, then suggest the remedial measures to mitigate the same.***

It is submitted that the Joint Committee again visited the subject areas on 08-03-2022 along with the petitioner. The Joint Committee noticed that the stone crushing units are not in operation, but it is observed that some of the stone crushing units are operating during night time.

The District Collector, Rangareddy District vide Lr.No.LP/769/2022, dt:10-03-2022 requested to the Revenue Divisional Officer, Rajendranagar Division, RR Dist., and the Tahsildar, Serilingampally Mdl., to remove illegal stone crushing units with the help of line departments. Further, again the Joint Committee visited the area on 31-03-2022 along with the representative of the petitioner, it is noticed that some of the stone crushing unit holders are removing the crushers themselves voluntarily and remaining stone crushing units are not in operation.

Further, as per the above instructions the officials of the Revenue, TSPCB, Police and Mines & Geology Departments jointly visited the area dismantled remaining stone crushing units who have not removed themselves. At present there are no stone crushing units are under operation except (3) stone crushing units which are having valid CFO issued by the competent authority. The photographs and Annexure-A are herewith enclosed.

**Due to rapid urbanization in and around the subject areas, the Joint Committee recommended the following measures:**

The Joint Committee observed that the permanent remedial measure for preventing crushing operations in the subject areas is that the Hon'ble NGT may direct the respondents from Sl.No.15 to 33 to get evacuated from the premises immediately. Further, no new crushing units shall be allowed by the concerned Department such as Telangana State Pollution Control Board and the Electricity Department shall not provide power to such units.

The Joint Committee is of view, that the Telangana State Pollution Control Board shall monitor the stone crushing units located in the subject area which are operating with valid consent of the Board and if any non compliance is observed suitable action may be initiated and environmental compensation may be collected.

***The Hon'ble NGT directed the Joint Committee to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.***

The committee is of view that the Telangana State Pollution Control Board may initiate proceedings for recovery of environmental compensation from the unauthorized crushing units being operated in the subject area as per CPCB guidelines.

Considering the above facts and circumstances, the Hon'ble NGT may take appropriate action as deemed fit.

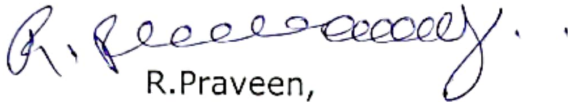
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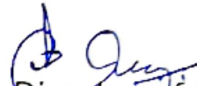
Dr.E.Arockia Lenin,  
Scientist C, IRO,  
MoEF & CC, Hyderabad.



G.Hanumantha Reddy,  
JCEE, TSPCB,  
Zonal Office, Ramachandrapuram.



R.Praveen,  
Asst. Director of Mines & Geology,  
Rangareddy District.



Asst. Director of Mines &  
Geology(FAC),  
Sanga Reddy District.

**ANNEXURE-A**

Sl.No.	Name & Address of the Crusher	Status of CFO	Action Taken by the Board	Present Status
<b>Respondent stone crushing units:</b>				
1.	M/s. Sri Laxmi Narasimha Metal Industries), Vattinagulapally, Gandipet, RR District (Respondent No. 15)	---	Issued Closure Order to the industry vide order dated 27.09.2017	Disconnected power supply and seized the generator. Crusher is not in operation
2.	M/s. Hyma Developers (formerly M/s. Pullur Constructions & My Home Constructions) , Kokapet(V), Gandipet (M), Rangareddy District (Respondent No. 16)	CFO for Captive Crusher vide order dated 02.03.2022, which is valid upto 28.02.2023	---	Having Valid CFO and operating
3.	M/s. Adeshwar Aggregates Pvt Ltd., (Vesella Aggregates), Sy.No.246/1 & 246/2, Vattinagulapalli, Gandipet, RR District (Respondent Nos. 17 Repeated at Respondent No. 21)	---	Issued Closure Order to the industry vide order dated 22.08.2019	Disconnected power supply and seized the generator. Crusher is not in operation
4.	M/s. Kore Stone Minerals, Vattinagulapally (V), Gandipet (M), Rangareddy District. (Respondent Nos. 18)	---	Issued Closure Order to the industry vide order dated 28.09.2020	Crusher was dismantled and removed. Crusher is not existing
5.	M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 19)	---	Issued Closure Order to the industry vide order dated 22.08.2019	Crusher has removed the equipments.
6.	M/s. Sree Rama Engineering	The Board issued CFO to the industry	---	Having Valid CFO and operating

	Constructions, Vattinagulapalli, Gandipet, RR District. (Respondent No. 20)	vide order dated 20.03.2021 which is valid upto 31.01.2024.		
7.	M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 22)	---	Issued Closure Order to the industry vide order dated 28.09.2020	Disconnected power supply and seized the generator. Crusher is not in operation
8.	M/s. Sree Rock Sand Minerals, Sy.No.36,Gopanpalli, Serilingampally, RR District (Respondent No. 23)	---	Issued Closure Order to the industry vide order dated 22.08.2019	The Revenue Officials dismantled the crusher
9.	M/s. Great India Mining (formerly Sebi Mining), Goulidoddi(V), Serilingampally(M), Rangareddy District (Respondent No. 24)	---	Issued Closure Order to the industry vide order dated 21.03.2022	The Revenue Officials dismantled the crusher
10.	M/s. DBR Metal Industry, Kothwalguda, Shamshabad, RR District (Respondent No. 25)	---	Issued Closure Order issued to the industry vide order dated 27.09.2017	The Revenue Officials dismantled the crusher
11.	M/s. SMI Stone Crusher (Shama Metal Industry), Kothwalguda, Shamshabad, RR District (Respondent No. 32)	---	Issued Closure Order to the industry vide order dated 28.03.2012	The Revenue Officials dismantled the crusher
12.	M/s. AMI Stone Crushers (formerly AQI Metal Industries / Ahmed Metal Industries), Kothwalguda, Shamshabad, RR District (Respondent No. 33)	---	Issued Closure Order to the industry vide order dated 27.09.2017	The Revenue Officials dismantled the crusher

**Non Respondent stone crushing units:**

1.	M/s. Shama Metal Supply, Sy.No.7 & 20, Dargha Khaleej Khan Village, Gandipet(M), Rangareddy District.	---	Issued Closure Order to the industry vide order dated 17.06.2021	The Revenue Officials dismantled the crusher
2.	M/s. GMR Stone Crusher, (Formerly M/s. Progressive Construction Company), Sy.No. 270 & 271, Vattinagulapally (V), Gandipet (M), RR Dist.,	Consent for Operation of the industry which is valid upto 31.03.2023	---	Having valid CFO and operating
3.	M/s. Adeshwar Traders (formerly M/s. Vensai Metals / M/s.Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District	---	Issued Closure Order to the industry vide order dated 22.08.2019	Disconnected power supply and seized the generator. Crusher is not in operation
4.	M/s. Teja Reddy Crushers, Vattinagulapally (V), Gandipet (M), Rangareddy District	---	Issued Closure Order to the industry vide order dated 20.07.2019	Removed the belt conveyors and Generators. The crusher is not in operation
5.	M/s. Sri Srinivasa & Co., Sy.No.452/1, Puppalaguda (V), Gandipet (M), Rangareddy District	---	Issued Closure order to the industry vide order dated 02.11.2021	The Revenue Officials dismantled the crusher
6.	M/s. Sree Sand Mineral(formerly Ganesh Metal Industries), Gopanpalli, Serilingampally, RR District	---	Issued Closure Order to the industry vide order dated 22.08.2019	The Revenue Officials dismantled the crusher
7.	M/s. Padmavathi Metal Industry, Kothwalguda, Shamshabad, RR District	---	Issued Closure Order to the industry vide order dated 27.09.2017	The Revenue Officials dismantled the crusher
8.	M/s. JMI Stone Crushers (formerly M/s. Jagadamba Metal Industry) Kothwalguda, Shamshabad, RR District	---	Issued Closure Order to the industry vide order dated 27.09.2017	The Revenue Officials dismantled the crusher

9.	M/s. ASR Metal Industry, Kothwalguda, Shamshabad, RR District	---	Issued Closure Order issued to the industry vide order dated 27.09.2017	The Revenue Officials dismantled the crusher
10.	M/s. C5 Infra Pvt. Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR District	---	Issued Closure Order to the industry vide order dated 21.03.2022	Disconnected power supply and seized the generator. Crusher is not in operation
11.	M/s. Unnamed Stone Crusher, located beside Aadeeshwar Aggregates, Vattinagulapally, Gandipet (M), RR District	---	Issued Closure Order to the industry vide order dated 21.03.2022	Disconnected power supply and seized the generator. Crusher is not in operation



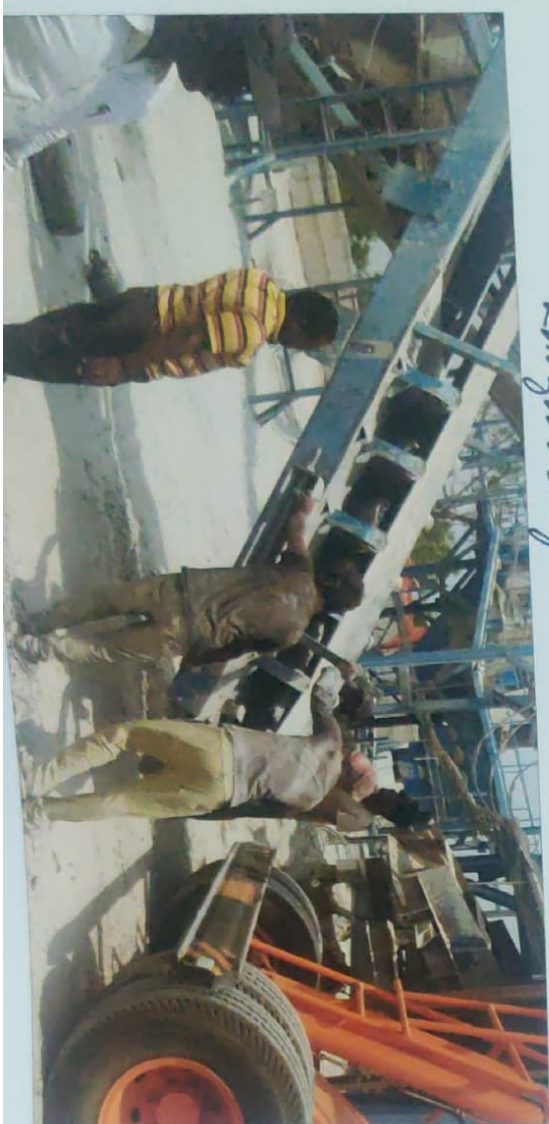
M/S. DBR METAL INDUSTRY

Kothwalguda Village, Shamshabad Mandal  
Kangasreddy District.





M/S. JAGADAMBRA METAL INDUSTRY  
Kothuvadgauda Village, Shamshabad/Hydrabad,  
Rangareddy district.



-13-



M/s. SREE ROCK SAND MINERALS, Gopampalli Village



Santhipampalli Mandal, Kanyasaboli District

