

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

**M.A. No. 14 of 2024 (SZ)
in
Original Application No.30 of 2020 (SZ)**

IN THE MATTER OF:

K HIROJI RAO FARMER

..... APPLICANT

Vs

UNION OF INDIA THROUGH ITS SECRETARY MOEF & CC & OTHERS

.... RESPONDENTS

REPORT FILED BY THE 7th RESPONDENT

DATE- 04.11.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

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A.P. POLLUTION CONTROL BOARD

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN
ZONE, CHENNAI**
IN COMPLIANCE TO THE HON'BLE NGT ORDER DT. 27.05.2021.
**ORIGINAL APPLICATION No.30 of 2020 (SZ) AND MISCELLANEOUS
APPLICATION NO. 14 OF 2024 (SZ)**

IN THE MATTER OF:

K. Hiroji Rao, AP

... Applicant(s)

Versus

Union of India,
Through its Secretary,
MoEF&CC, New Delhi and ors.


... Respondent(s)

INDEX

Sl. No.	Particulars	Page Nos.
1.	Report of AP Pollution Control Board in the matter of Original Application No. 30 of 2020 (SZ) and Miscellaneous Application No. 14 of 2024 (SZ), submitted before the Hon'ble National Green Tribunal, Southern Zone, Chennai.	1-6
2.	Annexure – I, copy of the Operating and Non-Operating units.	7
3.	Annexure – II, Copy of the Hon'ble NGT Order dated 20 th September, 2024.	8-9

Dt. 04.11.2024

Place:


Environmental Engineer,
APPCB, Ananthapur.

Environmental Engineer
A.P. Pollution Control Board
Regional Office, Anantapuram

**STATUS REPORT OF A.P POLLUTION CONTROL BOARD
SUBMITTED IN COMPLIANCE TO HON'BLE NATIONAL GREEN
TRIBUNAL (NGT), SOUTH ZONE (SZ), CHENNAI ORDER DATED
27.05.2021 IN O.A NO. 30/2020 (SZ) AND MISCELLANEOUS
APPLICATION NO. 14 OF 2024 (SZ).**

It is to submit that in the matter of Original Application No. 30/2020 (SZ) (Earlier 337 of 2018 (PB)), Shri K. Hiroji Rao Vs Union of India and 46 respondents, the National Green Tribunal (NGT), South Zone (SZ), Chennai has passed an Order dated 27.05.2021 and directed that *“the violating units are directed to pay compensation within a period of 3 (Three) months from the date of order and if the amount is not paid, then the Andhra Pradesh Pollution Control Board is directed to take appropriate steps to realize the amount with the aid of concerned District Collector by initiating necessary proceedings in accordance with law.*

The Andhra Pradesh Pollution Control Board is also directed to make periodical inspection of these crusher units and stone quarrying units functioning in that area and if there is any violation found and non-compliance of the recommendations, if any, issued by the committee, then the Andhra Pradesh Pollution Control Board is directed to take appropriate action against the erring units, apart from issuing closure direction, assess environmental compensation and recover the amount from them on the basis of the guidelines provided by the Central Pollution Control Board in this regard in accordance with law.

The Andhra Pradesh Pollution Control Board is further directed to submit a status of recovery of compensation directed to be paid by each unit periodically once in 4 (Four) months and if such reports are filed, the office is directed to place the same before this Bench for consideration”.

The Hon'ble Tribunal heard the matter latest on 20.09.2024 in M.A. No.14 of 2024(SZ) in O.A. No. 30 of 2020(SZ) and directed the respondents to file their reports.

In compliance to the above orders the Status report is submitted below:

- 1) It is to submit that there are 21 Nos., of stone crushers in Nemaikallu (V), Bommanhal (M), Ananthapuramu District. Sri K. Hiroji Rao and others have filed application in Hon'ble NGT South Zone vide Original Application 30/2020 (earlier O.A. No. 337/2018 (PB)) against the stone crushers in Nemaikallu (V) of Bommanahal (M) with regard to pollution problems.
- 2) As per the Orders of the Hon'ble NGT, the Joint Committee of CPCB and APPCB submitted the report to Hon'ble NGT, South Zone, Chennai on 01.03.2021 with regard to the Assessment of Environmental Compensation to the stone crushers for past violations of the conditions imposed. The Hon'ble NGT vide Order dated 27.05.2021 accepted the report and directed the violating units to pay the Compensation within a period of 3 months from the date of Order.
- 3) The Stone crusher has not paid the Environmental Compensation as per Orders of the Hon'ble NGT even after 3 (three) months of time given by the Hon'ble NGT. Therefore, the APPCB

Regional Office, Ananthapuramu issued Show Cause Notice to the 21 Nos., of Stone Crushers for the payment of Environmental Compensation as per the Orders of the Hon'ble NGT, South Zone, Chennai dated 27.05.2021.

- 4) After issue of Show Cause Notice by the APPCB, the following Stone crushing units have paid the Environmental Compensation as per the Orders of the Hon'ble NGT Order dated 27.05.2021.

Sl. No	Name & Location of the stone crusher	Amount of Environmental Compensation levied by the Hon'ble NGT, Chennai.	Amount paid by the stone crushing unit	Details of the payment
1	M/s.Lakshmi Narasimha Stone Crusher (Presently M/s. Nayan Enterprises), Sy.No.253, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.3,09,000/-	Rs.3,09,000/-	The stone crusher has paid the EC vide D.D.No.321811, dated 16.09.2021 of Karnataka Bank
2	M/s.Harini Stone Crushers, Sy.No.224, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.2,47,200/-	Rs.2,47,200/-	The stone crusher has paid the EC vide D.D.No.776777, dated 13.09.2021 of SBI
3	M/s.SriVarasidhiVeeranjaneya Stone crusher, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.1,54,500/-	Rs.1,54,500/-	The stone crusher has paid the EC vide D.D.No.271710, dated 20.09.2021 of SBI
4	M/s.Unico Stone Extractors LLP, Sy.No.227-C2 & 227-D, Nemkallu (V), Bommanahal (M), Ananthapuramu District.	Rs.3,86,200/-	Rs.3,86,200/-	The stone crusher has paid the EC vide D.D.No.018204, dated 20.09.2021 of IDBI
5	M/s. MahaMaruthi Minerals, Sy.No.283-A, 284-B, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.9,26,900/-	Rs.9,26,900/-	The stone crusher has paid the EC vide D.D.No.642825, dated 27.09.2021 of City Union Bank Ltd
Total:		Rs.20,23,800/-	Rs.20,23,800/-	

- 5) Also, the APPCB, Regional Office, Ananthapuramu has submitted a detailed report submitted to the Joint Chief Environmental Engineer (JCEE), APPCB, Zonal Office, Kurnool on 06.10.2021 with a request to call the defaulting stone crushers for legal hearing before External Advisory Committee (EAC) meeting at Zonal Office, Kurnool for taking further necessary action.

- 6) The remaining 16 Nos., of defaulting stone crushing units were called for legal hearing before the External Advisory Committee (EAC) meeting at Zonal Office, Kurnool on 12.10.2021. A copy of the letter dated 07.10.2021 intimating the hearing for 16 Nos., of stone crushers before the EAC of APPCB, Zonal Office, Kurnool.
- 7) The APPCB, Zonal Office, Kurnool, conducted hearing to all the defaulting 16 Nos., of stone crushing units before the External Advisory Committee (EAC) on 12.10.2021 with regard to the realization of Environmental Compensation. During hearing, the stone crushing units requested the Board to grant time till end of October 2021 for the payment of Environmental Compensation. The EAC committee of the APPCB, Zonal Office, Kurnool directed the Stone crushers to pay the compensation within 15 days.
- 8) On continuous persuasion by the Regional Office, Ananthapuramu with the Stone Crushers, out of 16 No's only 14 Nos., of Stone Crushers have paid the Compensation and the details are as follows:

Sl. No	Name & Location of the stone crusher	Amount of Environmental Compensation levied by the Hon'ble NGT, Chennai vide Order dated 27.05.2021.	Amount paid by the stone crushing unit	Details of the payment
1.	M/s.Sree Raghavendra Traders and Stone Crushers, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs. 1,54,500/-	Rs. 1,54,500/-	Paid vide D.D.No.203927, dated 11.10.2021 of Bank of Baroda
2.	M/s.Sree Anjaneya Swamy Stone Crusher, Sy.No.253, Nemkallu(V), Bommanahal (M), Ananthapuramu District	Rs. 12,35,800/-	Rs. 12,35,800/-	Paid vide D.D.No.843480, dated 12.10.2021 of Karur Vysya Bank
3.	M/s. Aiswarya Stone crusher, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs. 3,09,000/-	Rs. 3,09,000/-	Paid vide D.D.No.906320, dated 11.10.2021 of SBI
4.	M/s.ModelEnterprises, Sy.No.227E Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict.	Rs. 3,86,200/-	Rs. 3,86,200/-	Paid vide D.D.No.581949, dated 16.10.2021 of Axis Bank
5.	M/s. Sri Ramanjeneya Stone Crusher, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs. 3,09,000/-	Rs. 3,09,000/-	Paid vide D.D.No.176032, dated 18.10.2021 of Canara Bank
6.	M/s. Maruthi Building Materials, Sy.No.231/D, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs. 6,17,900/-	Rs. 6,17,900/-	Paid vide D.D.No.664783, dated 18.10.2021 of Karnataka Grameena Bank
7.	M/s.Datta Stone crusher, Sy.No.254, Nemkallu (V), Bommanahal (M),	Rs.3,09,000/-	Rs.3,09,000/-	Paid vide D.D.No.831684, dated 27.10.2021 of SBI

	Ananthapuramu District			
8.	M/s.Sri Sai Ganesh Stone Crushers, Sy.No.222-B3, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.3,09,000/-	Rs.3,09,000/-	Paid vide D.D.No.006524, dated 22.10.2021 of HDFC
9.	M/s.R.A.S Industries, Sy.No.254 & 255A, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.9,26,900/-	Rs.9,26,900/-	Paid vide D.D.No.140226, dated 27.10.2021 of Union Bank
10.	M/s.N.A.S Industries, Sy.No.253, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.4,63,500/-	Rs.4,63,500/-	Paid vide D.D.No.140227, dated 27.10.2021 of Union Bank
11.	M/s.SreePavanasutha Industries, Sy.No.231-A, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.3,09,000/-	Rs.3,09,000/-	Paid vide D.D.No.831683, dated 26.10.2021 of SBI
12.	M/s.V.V.C Minerals, Sy.No.220, Nemkallu (V), Bommanahal (M), Ananthapuramu District	Rs.5,25,200/-	Rs.5,25,200/-	Paid vide D.D.No.018286, dated 06.11.2021 of IDBI
13.	M/s.Bharathi Minerals and Trading Company, Sy.No.222B1, 222C, Nemkallu(V), Bommanahal (M), Ananthapuramu District	Rs.6,17,900/-	Rs.6,17,900/-	Paid vide D.D.No.271837, dated 16.11.2021 of SBI
14.	M/s. Sree Hanuman Minerals, Sy.No.255/A, Nemakallu (V), Bommanahal (M), Ananthapuramu District	Rs.4,63,500/-	Rs.4,63,500/-	Paid vide D.D. No.809999, dated 26.11.2021 of Karnataka Bank
	Total amount paid by the Stone crushers:		Rs.69,36,400/-	

9) From the above, it is evident that out of 21 Nos., of stone crushing units existing in the area, 19 Nos., of stone crushing units have paid the Environmental Compensation totaling to an amount of **Rs. 89,60,200/-** and 2 Nos., of Stone Crushers have not paid Environmental Compensation. The details of the defaulting stone crusher are as follows:

Sl. No	Name & Location of the stone crusher	Amount of Environmental Compensation levied by the Hon'ble NGT, Chennai vide Order dated 27.05.2021.	Amount paid by the stone crushing unit
1.	M/s.SASP Enterprises, Sy.No.222/B3 Part, Nemkallu(V), Bommanahal (M), Ananthapuramu District.	Rs.12,35,800/-	Not paid
2.	M/s.Hanuman Industries, Sy.No.223 & 253B, Nemkallu(V), Bommanahal (M), Ananthapuramu District	Rs.15,44,800/-	Not paid
	Total :	Rs.27,80,600/-	

10) The officials of APPCB, Regional office, Ananthapuramu inspected the 2 Nos., of defaulting Stone Crushers viz., i) M/s.SASP Enterprises, ii) M/s.Hanuman Industries on 25.11.2021.

During inspection, it was observed that the stone crushers were not in operation and there is no power supply to these stone crushers as APSPDCL have not restored the power supply to these stone crushers for non-payment of dues.

- 11) The APPCB, Regional Office, Ananthapuramu vide letter dated 06.12.2021 directed the above 2 Nos., of defaulting Stone Crushers not to operate the stone crushers without payment of Environmental Compensation as Orders of the Hon'ble NGT.
- 12) It is submitted that, the JCEE, Unit-II, Board Office, Vijayawada vide E-Mail dated 25.01.2022 issued instructions for recovery of Environmental Compensation with assistance of District Collector as directed by Hon'ble NGT and also requested to issue closure orders to the i) M/s. SASP Enterprises, Sy.No.222/B3 Part, Nemkallu (V), Bommanahal (M), Ananthapuram District and ii) M/s.Hanuman Industries, Sy.No.223 & 253B, Nemkallu(V), Bommanahal (M), Ananthapuram District for non-payment of Environmental Compensation.
- 13) The APPCB, Regional Office, Ananthapuramu submitted a detailed status report to Zonal Office, Kurnool vide letter dated 28.01.2022 along with the remarks of JCEE (Unit-II), Board office, Vijayawada requesting the APPCB, Zonal Office, Kurnool to take necessary action against 2 No's of above default stone crushers.
- 14) Meanwhile, the APPCB submitted the detailed status report to the Hon'ble NGT, South Zone, Chennai on 02.02.2022 informing the status for non payment of Environmental Compensation by i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries and suitable action will be initiated by placing before the External Advisory Committee (EAC) of the Zonal Office, Kurnool.
- 15) The APPCB, Zonal Office, Kurnool reviewed the issue of non-payment of compensation by the i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries in the External Advisory Committee (EAC) meeting held on 01.02.2022 at APPCB, Zonal office, Kurnool. The representatives of stone crushers attended the EAC meeting informed that they have not restarted the operations till now and also informed APSPDCL disconnected the Power Supply to their Stone Crusher due non payment dues. They requested the APPCB to give for some more time for payment of Environmental Compensation and assured the committee that they will not restart the operation of the stone crushers without payment of Environmental Compensation.
- 16) The External Advisory Committee noted that collection of the environmental Compensation by District Administration through RR Act is having Procedural Bottlenecks and also noted management of Stone Crusher have assured that they will not restart operations without payment of the Environmental Compensation. After detailed discussions, the EAC recommended the APPCB to **issue Stop Production Order** to i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries. As per the recommendation of the EAC, APPCB, Zonal office, Kurnool issued Stop Production Orders on 03.02.2022 to the above 02 Nos., of Stone crushing units with a direction not to restart operations without payment of Environmental Compensation

- 17) Meanwhile, the APPCB, Board Office, Vijayawada vide email dt:16.11.2023 directed to this office to submit the operational status of i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries. In this connection, the officials of APPCB, RO, Ananthapuramu inspected the above two industries and during inspection it was observed that M/s. Hanuman Industries was not in operation. Also, observed that the part of stone crusher machinery was removed and the physical condition of the stone crusher was bad in condition and no persons are available at the site also it is to submit that M/s. SASP Enterprises was not in operation. Also observed that the all the machinery of the stone crusher was dismantled and no persons are available at the site and the same was communicated to APPCB, Board Office, Vijayawada on 20.11.2023 for taking further necessary action.
- 18) The APPCB, Board Office, Vijayawada is reviewed the status of non-payment of Environmental compensation by the i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries in the monitoring (TF) committee meeting on 21.11.2023 at Board Office, Vijayawada. After detailed discussions, the committee recommended to issue directions to the industry to submit undertaking within a week on time bound schedule to pay the Environmental Compensation. As per the recommendations of the committee, the APPCB, Board office, Vijayawada vide letter dated 27.11.2023 directed the i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries to submit undertaking within a week on time bound schedule to pay the Environmental Compensation levied as per the Hon'ble NGT order dt. 27.05.2021 in OA No. 30 of 2020 (SZ) (earlier OA No. 337 of 2018 (PB)).
- 19) The APPCB, RO, Ananthapuramu issued Notices to i) M/s. SASP Enterprises, ii) M/s. Hanuman Industries to submit time bound schedule to pay the Environmental Compensation and also directed to pay the Environmental Compensation levied as per the Hon'ble NGT order dt. 27.05.2021 in OA No. 30 of 2020 (SZ) (earlier OA No. 337 of 2018 (PB)) but not paid till now.
- 20) Also, it is to submit that out of 21 No's of stone crushing units, only 11 No's of stone crushers were in operational and the remaining were not in operation due to financial issues/scarcity raw material. The details of the Operating and Non-Operating units are enclosed as **Annexure-I**. The operating units were inspected by the APPCB officials from time to time and the APPCB is renewing their Consent to operate (CTO) orders after verifying the compliance status of conditions stipulated in the CTO Orders and CPCB measures for dust containment of the stone crushing units.
- 21) This report is submitted for kind consideration. The APPCB will abide by all such directions as this Hon'ble Tribunal may deem fit and appropriate.

Dt. 04.11.2024

Place:


Environmental Engineer,

APPCB, Ananthapur.

Environmental Engineer
A.P. Pollution Control Board
Regional Office, Anantapur

Annexure - I**Operating Stone crushing units:**

Sl. No	Name & Location of the stone crusher
1	M/s.Sree Raghavendra Traders and Stone Crushers, Nemkallu (V), Bommanahal (M), Ananthapuramu District
2	M/s.Sri Sai Ganesh Stone Crushers, Sy.No.222-B3, Nemkallu (V), Bommanahal (M), Ananthapuramu District
3	M/s.ModelEnterprises, Sy.No.227E Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict.
4	M/s.Unico Stone Extractors LLP, Sy.No.227-C2 & 227-D, Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict.
5	M/s. Maruthi Building Materials, Sy.No.231/D, Nemkallu (V), Bommanahal (M), Ananthapuramu District
6	M/s.Harini Stone Crushers, Sy.No.224, Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict
7	M/s.Sree Anjaneya Swamy Stone Crusher, Sy.No.253, Nemkallu(V), Bommanahal (M), Ananthapuramu District
8	M/s.R.A.S Industries, Sy.No.254 & 255A, Nemkallu (V), Bommanahal (M), Ananthapuramu District
9	M/s.N.A.S Industries, Sy.No.253, Nemkallu (V), Bommanahal (M), Ananthapuramu District
10	M/s. Aiswarya Stone crusher, Nemkallu (V), Bommanahal (M), Ananthapuramu District
11	M/s.V.V.C Minerals, Sy.No.220, Nemkallu (V), Bommanahal (M), Ananthapuramu District

Non-Operating Stone crushing units:

1	M/s.Lakshmi Narasimha Stone Crusher (Presently M/s. Nayan Enterprises), Sy.No.253, Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict
2	M/s.SriVarasidhiVeeranjaneya Stone crusher, Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict
3	M/s. MahaMaruthi Minerals, Sy.No.283-A, 284-B, Nemkallu (V), Bommanahal (M), AnanthapuramuDistrict
4	M/s. Sri Ramanjeneya Stone Crusher, Nemkallu (V), Bommanahal (M), Ananthapuramu District
5	M/s.Datta Stone crusher, Sy.No.254, Nemkallu (V), Bommanahal (M), Ananthapuramu District
6	M/s.SreePavanasutha Industries, Sy.No.231-A, Nemkallu (V), Bommanahal (M), Ananthapuramu District
7	M/s.Bharathi Minerals and Trading Company, Sy.No.222B1, 222C, Nemkallu(V), Bommanahal (M), Ananthapuramu District
8	M/s. Sree Hanuman Minerals, Sy.No.255/A, NemaKallu (V), Bommanahal (M), Ananthapuramu District
9	M/s.SASP Enterprises, Sy.No.222/B3 Part, Nemkallu(V), Bommanahal (M), Ananthapuramu District.
10	M/s.Hanuman Industries, Sy.No.223 & 253B, Nemkallu(V), Bommanahal (M), Ananthapuramu District

8
Annexure - II

Item No.03:-

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

(Through Video Conference)

**Miscellaneous Application No.14 of 2024(SZ)
in
Original Application No.30 of 2020 (SZ)**

IN THE MATTER OF:

K. Hiroji Rao, AP.

...Applicant(s)

Union of India,
Through its Secretary,
MOEF & CC, New Delhi and ors.

...Respondent(s)

Date of hearing: 20.09.2024.



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Akshay Mann.

For Respondent(s): Mrs. Madhuri Donti Reddy for R3 to R7.

ORDER

1. Let notice be issued to the respondents through the Tribunal as well as privately.
2. The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondents No.3 to 7.
3. Post the matter on **12.11.2024**. In the meanwhile, the respondents are directed to file their respective replies.



**Sd/-
Smt. Justice Pushpa Sathyanarayana, JM**



**Sd/-
Dr. Satyagopal Korlapati, EM**

**M.A. No.14/2024(SZ) in
O.A. No.30/2020(SZ)
20th September, 2024. AD.**