

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

ORIGINAL APPLICATION No. 108 OF 2023 (SZ)

IN THE MATTER OF:

Vaspari Lingaiah,
Telangana & Others

....

Applicant(s)

Versus

State of Telangana,
rep by its Chief Secretary,
Telangana & Others

....

Respondent(s)

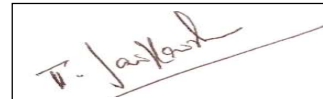
REPORT OF THE TELANGANA POLLUTION CONTROL BOARD (R3)

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Place: Hyderabad.

Date: 03-07-2024.



COUNSEL FOR RESPONDENT No.3

REPORT DATED 01-07-2024 OF TELANGANA POLLUTION CONTROL BOARD IN ORIGINAL APPLICATION No. 108 OF 2023.

It is to submit that Sri Vaspari Lingaiah & others of Anthammagudem Village, Jublakpalli Mandal, Yadadri-Bhuvanagiri District have filed an OA No. 108 of 2023 before the Hon'ble NGT, Chennai praying the Hon'ble Court for compensation from the private respondents (M/s.Shree Jaya Laboratories (P) Ltd., and M/s.Vineet Laboratories (P) Ltd), for prosecution of private respondents and for appointing Joint Committee consisting of CPCB, IICT, Hyderabad, ICAR, Delhi or any Agriculture Research Institute to assess the reasons and quantum of loss caused to the Applicants and also for suggesting restoration measures.

The Hon'ble NGT vide order dated 20.11.2023 reviewed the matter and directed the Board to carry out inspection at the earliest by the members of the Task Force Committee and file the report.

Accordingly, the Task Force Committee Member of the Board, Dr.P.Sridhar, Asst., Professor, National Institute of Technology (NIT), Warangal inspected the industries along with the Board officials on 16.12.2023. The Respondent Board filed a report dated: 24.01.2024 before the Hon'ble NGT submitting the details of the inspection along with details of the samples collected. The Respondent Board also submitted that, the analysis of the Bore well / Open well samples collected from the surroundings of the industries show the TDS ranging from 457 mg/l to 4,739 mg/l and COD ranging from 24 to 436 mg/l which indicates that the ground water is contaminated.

The Respondent Board further investigated and conducted groundwater sampling in the petitioner lands on 20.03.2024. The details are submitted as given: -

S.No	Sampling Location	Distance from M/s. Shree Jaya Laboratories Pvt Ltd. Eastern boundary Wall
1.	Agricultural Borewell of Smt. Vaspari Sharada, Sy.No. 319, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadadri Bhuvanagiri District. (GPS Coordinates: 17°17'45.0"N & 78°50'05.9"E)	1.63 KM
2.	Agricultural Borewell of Smt. Vaspari Sharada, Sy.No. 317 & 319, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadadri Bhuvanagiri District. (GPS Coordinates: 17°17'43.5"N & 78°50'10.2"E)	1.74 KM
3.	Unused Agricultural Borewell of Smt. Vaspari Sharada, Sy.No. 320, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadadri Bhuvanagiri	1.55 KM

	District. (GPS Coordinates: 17°17'41.1"N & 78°50'04.5"E)	
4.	Agricultural Borewell of Smt. Vaspari Narsimha, Sy.No. 321, Malkapur(V), Choutuppal (M), Yadadadri Bhuvanagiri District. (GPS Coordinates:17°17'38.3"N &78°49'43.0"E)	0.92 KM
5.	Unused Agricultural Borewell of Smt. Vaspari Narsimha, Sy.No. 296, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadadri Bhuvanagiri District. (GPS Coordinates:17°17'38.3"N &78°49'45.5"E)	0.99 KM
6.	Unused Agricultural Borewell of Smt. Vaspari Narsimha, Sy.No. 296, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadadri Bhuvanagiri District. (GPS Coordinates:17°17'40.7"N &78°49'44.8"E)	1.0 KM
7.	Agricultural Borewell of Smt. Vaspari Lingaiah, Sy.No. 294 & 295, Malkapur (V), Choutuppal (M), Yadadadri Bhuvanagiri District. (GPS Coordinates: 17°17'22.7"N & 78°49'23.5"E)	0.29 KM
<p>Note: The location of bore wells of Smt Vaspari Sharada and Sri Vaspari Narsimha in NE direction, where as that of Sri Vaspari Lingaiah in South East / East direction.</p>		

As per the analysis reports of the above Agricultural bore wells (7 nos), the value of TDS, Total Hardness, Sulphates, Calcium, Magnesium, Nitrates & COD are in the range of 1548 to 2159 mg/L (TDS), 187 to 449 mg/L (Sulphates), 164 to 496 mg/L (Calcium), 68 to 277 mg/L (Magnesium) and 22 to 71 mg/L (Nitrates) indicating that the values of the parameters are on higher side as per IS 10500:2012, standards for drinking water. Analysis reports enclosed as **Annexure – I**.

The Respondent industries were given an opportunity for hearing before the Board's Task Force Committee meeting held on 27.04.2024. The representatives of the Respondent industries attended the meeting. After detailed discussions, the committee opined that, as per the analysis reports, the Bore wells are contaminated. The Committee opined that, as there are only two bulk drug units located in that area i.e., M/s. Shree Jaya Laboratories (P) Ltd and M/s Vineet Laboratories (P) Ltd., the pollution of ground water in the surrounding area can be attributed only to these two industries. Further, there are repeated non-compliances of the directions issued by the Board, The committee recommended to address a letter to the District Collector to constitute a committee to assess the crop compensation due to the pollution and to impose Environmental Compensation on units due to non-compliances of the conditions/directions issued by the Board.

Accordingly, the Respondent Board issued Show Cause Notices to the Respondent industries on 28.05.2024 proposing to levy Environmental Compensation (EC) of Rs.26,80,000/- on each Respondent industry and directions are proposed to be issued under section 33 (A) of (Prevention and Control of Pollution) Amendment Act, 1988 and under section 31 (A) of (Prevention and Control of Pollution) Amendment Act, 1987 for the levy of Environmental Compensation **Annexure – II & III.**

The Respondent Board also addressed a letter to District Collector, Yadadri-Bhuvanagiri District for assessment of crop compensation. **Annexure – IV.**

The Respondent Board, Telangana Pollution Control Board shall adhere to any other directions issued by the Hon'ble Tribunal.

Place: Nalgonda

Date: 01-07-2024.


Handwritten signature and date: 01/07/2024
ENVIRONMENTAL ENGINEER

ENVIRONMENTAL ENGINEER
Telangana Pollution Control Board,
Regional Office, Nalgonda.

ENVIRONMENTAL ENGINEER
Regional Pollution Control Board
Regional Office - Malindi

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ANNEXURE - 2



TELANGANA STATE POLLUTION CONTROL BOARD
Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad - 500 018
Ph: 040-23887500



CENTRAL LABORATORY
Analysis Report

Reg. No. SR/05/TSPCB/HO/R00/LAB/2024/24/03/406-409

Collected by: ES (Unit - 8), Central lab along with AES, RO - Nalgonda

Collected on: 21/03/2024

Received on: 21/03/2024

Test method: Standard Methods of APHA, 24th Edition

Quantity of the sample: 1 ltr. sample each

Issue date: 30/03/2024

Page No: 1 of 2

Sample code : Sample details / collection point

- 24/03/406 - Agricultural Borewell of Smt Vaspari Sharada, Sy.No.319, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadri bhuvanagriri District., (GPS Coordinates: 17° 17' 45.0" N & 78° 50' 05.9" E)
- 24/03/407 - Agricultural Borewell of Smt Vaspari Sharada, Sy.No.317 & 319, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadri bhuvanagriri District., (GPS Coordinates: 17° 17' 43.5" N & 78° 50' 10.2" E)
- 24/03/408 - Unused Agricultural Borewell of Smt Vaspari Sharada, Sy.No.320, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadri bhuvanagriri District., (GPS Coordinates: 17° 17' 41.1" N & 78° 50' 04.5" E)
- 24/03/409 - Agricultural Borewell of Smt Vaspari Narsimha, Sy.No.321, Malkapur (V), Choutuppal (M), Yadadri bhuvanagriri District., (GPS Coordinates: 17° 17' 38.3" N & 78° 49' 43.0" E)

Parameters	Unit	Method No.	Results				Drinking water standards as per IS 10500: 2012	
			24/03/406	24/03/407	24/03/408	24/03/409	Acceptable Limit	Permissible Limit
pH at 25°c	-	4500-H + B	7.33	7.18	7.11	7.15	6.5-8.5	No relaxation
Electrical conductivity at 25°c	µS/cm	2510-B	2548	2552	2735	3603	-	-
Total Dissolved Solids	mg/L	2540 C	1569	1650	1548	2074	500	2000
Total Suspended Solids	mg/L	2540-D	16	16	21	28	-	-
Total Alkalinity as CaCO ₃	mg/L	2320 B	308	340	280	312	200	600
Chlorides as Cl ⁻	mg/L	4500-Cl-B	580	600	680	935	250	1000
Sulphates as SO ₄ ²⁻	mg/L	4500-SO4-2 B	264	187	288	437	200	400
Total Hardness as CaCO ₃	mg/L	2340 C	1120	1160	1230	1790	200	600
Calcium as Ca+2	mg/L	3500-Ca B	164	172	184	260	75	200
Magnesium as Mg+2	mg/L	3500-Mg B	173	177	187	277	30	100
Phosphates	mg/L	4500-P,D	0.024	BDL	BDL	0.011	-	-
Fluorides	mg/L	4500-F D	BDL	0.77	0.51	0.17	1.0	1.5
Nitrates	mg/L	4500 - NO ₃ B	25	22	28	69	45	No relaxation
Potassium as K	mg/L	3500-K B	1.7	1.5	1.5	1.0	-	-
Sodium as Na	mg/L	3500-Na B	135	126	136	133	-	-
Chemical Oxygen Demand	mg/l.	5220 B	30	35	31	63	-	-
Heavy Metals								
Copper	mg/L	3111- B	0.013	ND	0.019	0.025	0.05	1.5
Zinc	mg/L	3111- B	0.032	0.020	0.147	0.104	5	15
Cadmium	mg/L	3111- B	ND	ND	ND	ND	0.003	No relaxation
Lead	mg/L	3111- B	ND	ND	ND	0.071	0.01	No relaxation
Total Chromium	mg/L	3111 D	0.008	0.008	0.008	0.008	0.05	No relaxation

Note: Results related to sample as received.

[Signature]
Joint Chief Environmental Scientist

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TELANGANA STATE POLLUTION CONTROL BOARD
Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad – 500 018
Ph: 040-23887500

CENTRAL LABORATORY
Analysis Report

Reg. No. SR/05/TSPCB/HO/R00/LAB/2024/24/03/406-409

Collected by: ES (Unit – 8), Central lab along
with AES, RO - Nalgonda

Collected on: 21/03/2024

Received on: 21/03/2024

Test method: Standard Methods of APHA, 24th Edition

Quantity of the sample: 1 Ltr. sample each

Issue date: 30/03/2024


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- 24/03/408 - Unused Agricultural Borewell of Smt Vaspari Sharada, Sy.No.320, Jiblakpally Revenue Village, Anthamagudem (V), Pochampally (M), Yadadri bhuvanagriri District, (GPS Coordinates: 17° 17' 41.1" N & 78° 50' 04.5" E)
- 24/03/409 - Agricultural Borewell of Smt Vaspari Narsimha, Sy.No.321, Malkapur (V), Choutuppal (M), Yadadri bhuvanagriri District, (GPS Coordinates: 17° 17' 38.3" N & 78° 49' 43.0" E)

Parameters	Unit	Method No.	Results				Drinking water standards as per IS 10500: 2012	
			24/03/406	24/03/407	24/03/408	24/03/409	Acceptable Limit	Permissible Limit
SAR	-	-	1.7	1.6	1.7	1.4	-	-
% Sodium		%	21	19	19	14	-	-

Note: Results related to sample as received.


Joint Chief Environmental Scientist

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TELANGANA STATE POLLUTION CONTROL BOARD
Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad – 500 018
Ph: 040-23887500



CENTRAL LABORATORY
Analysis Report

Reg. No.SR/05/TSPCB/HO/R00/LAB/2024/24/03/410-412
Collected on: 21/03/2024
Test method: Standard Methods of APHA, 24th Edition
Issue date: 30/03/2024

Collected by: ES (Unit – 8), Central lab along with AFS, RO - Nalgonda
Received on: 21/03/2024
Quantity of the sample: 1 Ltr. sample each
Page No: 1 of 2

Sample code : Sample details / collection point

- 24/03/410 - Unused Agricultural Borewell of Sri Vaspari Narsimha, Sy.No.296, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadri bhuvanagiri District., (GPS Coordinates: 17° 17' 38.33" N & 78° 49' 45.5" E)
- 24/03/411 - Unused Agricultural Borewell of Sri Vaspari Narsimha, Sy.No.296, Jiblakpally Revenue Village, Anthammagudem (V), Pochampally (M), Yadadri bhuvanagiri District., (GPS Coordinates: 17° 17' 40.7" N & 78° 49' 44.8" E)
- 24/03/412 - Agricultural Borewell of Sri Vaspari Lingaiah, Sy.No.294 & 295, , Malkapur (V), Choutuppal (M), Yadadri bhuvanagiri District., (GPS Coordinates: 17° 17' 22.7" N & 78° 49' 23.5" E)

Parameters	Unit	Method No.	Results			Drinking water standards as per IS 10500: 2012	
			24/03/ 410	24/03/ 411	24/03/ 412	Acceptable Limit	Permissible Limit
pH at 25°c	-	4500-H + B	7.60	7.15	6.88	6.5-8.5	No relaxation
Electrical conductivity at 25°c	µS/cm	2510-B	3388	3297	3153	-	-
Total Dissolved Solids	mg/L	2540 C	2159	2055	1957	500	2000
Total Suspended Solids	mg/L	2540-D	31	131	< 5	-	-
Total Alkalinity as CaCO3	mg/L	2320 B	308	308	220	200	600
Chlorides as Cl ⁻	mg/L	4500-Cl-B	845	785	805	250	1000
Sulphates as SO ₄ ²⁻	mg/L	4500-SO4-2 B	432	449	403	200	400
Total Hardness as CaCO3	mg/L	2340 C	1640	870	1520	200	600
Calcium as Ca+2	mg/L	3500-Ca B	236	164	496	75	200
Magnesium as Mg+2	mg/L	3500-Mg B	255	112	68	30	100
Phosphates	mg/L	4500-P,D	0.024	0.036	ND.	-	-
Fluorides	mg/L	4500-F D	0.25	0.24	0.27	1.0	1.5
Nitrates	mg/L	4500 – NO ₃ B	68	71	69	45	No relaxation
Potassium as K	mg/L	3500-K B	1.8	1.3	2.2	-	-
Sodium as Na	mg/L	3500-Na B	143	153	95	-	-
Chemical Oxygen Demand	mg/L	5220 B	49	60	7	-	-
Heavy Metals							
Copper	mg/L	3111- B	0.038	0.025	0.019	0.05	1.5
Zinc	mg/L	3111- B	0.051	0.600	0.073	5	15
Cadmium	mg/L	3111- B	ND	ND	ND	0.003	No relaxation
Lead	mg/L	3111- B	0.149	0.031	ND	0.01	No relaxation
Total Chromium	mg/L	3111 D	0.051	0.008	ND	0.05	No relaxation

Note: Results related to sample as received.

Joint Chief Environmental Scientist

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TELANGANA STATE POLLUTION CONTROL BOARD
Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad - 500 018
Ph: 040-23887500

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Test method: Standard Methods of APHA, 24th Edition

Quantity of the sample: 1 Ltr. sample each

Issue date: 30/03/2024

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Sample code : Sample details / collection point

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Parameters	Unit	Method No.	Results			Drinking water standards as per IS 10500: 2012	
			24/03/ 410	24/03/ 411	24/03/ 412	Acceptable Limit	Permissible Limit
SAR	-	-	1.5	1.7	1.1	-	-
% Sodium	-	%	16	18	12	-	-

Note: Results related to sample as received.


Joint Chief Environmental Scientist

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ANNEXURE - II

File No.TSPCB-RONL/TECH/6/2023-TELANGANA STATE POLLUTION CONTROL BOARD



TELANGANA POLLUTION CONTROL BOARD
REGIONAL OFFICE: NALGONDA

H.No. 8-15, 1st Floor
Sri Lakshmi Complex,
Sri Vinayaka Nagar, Hyderabad Road
Nalgonda-508001, Ph: 08682-248005

Notice. No. 48004/PCB/RO-NLG/TF/2024 -

Date.28.05.2024

Sub: TGPCB – RO – NLG - M/s. Shree Jaya Laboratories (P) Ltd., located at Sy.No. 299 & 299/AA, Malkapur (V), Choutuppall (M), Yadadri Bhuvanagiri District – OA No. 108 and 176 of 2023 before the Hon'ble NGT, Chennai – Non-compliance of Board directions – Levy of Environmental Compensation (EC) – **Show Cause Notice – Issued** - Reg.

- Ref:
1. CFO order No. 230524757647, dt. 28.11.2023.
 2. Sri Vaspari Lingaiah and other of Anthammagudem Village, Jublakkpalli Mandal, Yadadri Bhuvanagiri District has filed an OA No. 108 of 2023 before the Hon'ble NGT, Chennai praying the Hon'ble Court for compensation from the private respondents (M/s. Shree Jaya Laboratories (P) Ltd., and M/s Vineet Laboratories (P) Ltd), for prosecution of private respondents and for appointing Joint Committee.
 3. Sri Ravula Viswaroopa Reddy of Anthammagudem (V), Bhudan Pochampally (M), Yadadri Bhuvanagiri District has filed a OA No.176 of 2023 before Hon'ble NGT (SZ), Praying the Hon'be Court to recover and pay compensation of Rs. 1,00,000/- or as per the assessment by the officials of Respondents to the applicant for the loss of agriculture income caused by the private respondents (M/s. Shree Jaya Labs & Vineeth Labs).
 4. Task Force Committee Members along with Board official inspected your industry on 16.12.2023 and found certain non compliance.
 5. Hearing held on 06.02.2024.
 6. Extension of Temporary Revocation of Closure Orders No. NLG-90/ TSPCB/ TF /HO / 2024 -1736 & 1737, dt: 26.02.2024.
 7. Inspection of the area by the Board officials on 20.03.2024 for collection of the ground water samples in the fields of petitioners of OA No.108 & 176 of 2023 in Hon'ble NGT (SZ).
 8. Inspection of the industries by the Board officials on 23rd of March' 2024.

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File No.TSPCB-RONL/TECH/6/2023-TELANGANA STATE POLLUTION CONTROL BOARD

9. Minutes of the Task Force meeting held on 27.04.2024 at Board Office, Hyderabad.
10. Instructions from BO with a direction to show-cause notice to the industry proposing levying of Environmental Compensation (EC).

WHEREAS, you are operating a Bulk Drugs manufacturing industry in the name and style of M/s. Shree Jaya Laboratories (P) Ltd., located at Sy.No. 299 & 299/AA, Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District.

WHEREAS, the Board vide reference 1st cited, issued CFO & HWA (Expansion Phase – I) vide order dated 28.11.2023 to your industry with validity up to 31.01.2026.

WHEREAS, vide reference 2nd cited, Sri Vaspari Lingaiah and other of Anthammagudem Village, Jublakpalli Mandal, Yadadri Bhuvanagiri District have filed an OA No. 108 of 2023 before the Hon'ble NGT, Chennai praying the Hon'ble Court for compensation from your industry and M/s Vineet Laboratories (P) Ltd, for prosecution of industries, etc.,.

WHEREAS, vide reference 3rd cited, Sri Ravula Viswaroopa Reddy of Anthammagudem (V), Bhudan Pochampally (M), Yadadri Bhuvanagiri District has filed a OA No.176 of 2023 before Hon'ble NGT (SZ), Praying the Hon'be Court to recover and pay compensation of Rs. 100,00,000/- or as per the assessment by the officials of Respondents to the applicant for the loss of agriculture income caused by the private respondents (your industry and M/s. Vineeth Labs).

WHEREAS, vide reference 4th cited, the Task Force Committee Member along with Board Officials inspected your industry on 16.12.2023 and observed certain non-compliances.

WHEREAS, vide reference 5th cited, you were given an opportunity for hearing before the Task Force of the Board during the meeting held on 06.02.2024. The representative of your industry attended the meeting. Based on the recommendation of the committee, the Board issued extension of temporary revocation of closure orders to your industry vide reference 6th cited on 26.02.2024 stipulating certain conditions to comply.

WHEREAS, vide reference 7th & 8th cited, the Board Officials inspected your industry on 20th and 23rd of March' 2024 and observed certain non-compliances.

WHEREAS, vide reference 9th cited, you were given an opportunity for hearing before the Task Force of the Board during the meeting held on 27.04.2024. The representative of your industry attended the meeting. After detailed discussions, the committee opined that, as per the analysis reports, the Bore wells are contaminated. The Committee opined that, as there are only two bulk drug units located in that area i.e., your industry and M/s Vineet Laboratories (P) Ltd., the pollution of ground water in the surrounding area can be attributed only to these two industries. Further, there are repeated non-compliances of the directions issued by the Board, The committee recommended to address a letter to the District Collector to constitute a committee to assess the crop compensation due to the pollution and to impose Environmental Compensation on your unit due to non-compliances of the conditions/directions issued by the Board.

Therefore, with a view to give you an opportunity to explain as to why the Environmental Compensation should not be levied, this show cause notice is being issued to you. The Environmental Compensation (EC) is estimated base on the pollution index method developed by Central Pollution Control Board in the guidelines "Policy for levying Environmental Compensation (EC) for Industries" Vide Order No:B-400 (S)/IPC-III/2019-20/1162, Dt.4.09.2019 and action plan to utilize the fund. The Hon'ble NGT has accepted the method and mentioned in the order dt.19.02.2019 in the matter of Original Application No.593/2017, (W.P) (Civil) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors.

1. The following equation is used for estimating Environmental Compensation (EC):

$$\text{Environmental Compensation (EC)} = P_1 \times N \times R \times S \times L_f$$

Where

P_1 – Pollution index of industrial sector

N - No of days of violation took place

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File No.TSPCB-RONL/TECH/6/2023-TELANGANA STATE POLLUTION CONTROL BOARD

R – A factor in Rupees for EC

S – Factor for scale of operation

L_F – Location factor

2. Pollution index of industrial sector (PI): The Telangana Pollution Control Board (TGPCB) categorized your industry as 'Red' category and accordingly the combined CFO & HWA order has been granted. For 'Red' category of industries, average pollution index is 80. **Thus P_I is considered as 80 in the EC estimation for this industry.**

3. Factor in Rupees ® (Rs): As per the environmental compensation estimation guidelines, factor of rupees may be minimum of Rs. 100/- and maximum of Rs. 500/-. In the guidelines it is suggested to consider R as Rs.250/-, as environmental compensation in case of violation. Hence, **Factor in Rupees (R) for EC estimation is considered as 250.**

4. Scale of operation (S):

S.No	Name of the industry	Small / Medium / Large	Scale of operation (S).
i.	M/s. Shree Jaya Laboratories (P) Ltd., Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District, (Gross Block/Fixed assets: 43.17 Crores)	Medium	1.0
<p>➤ As per website of Ministry of Micro, Small & Medium Enterprises, the small scale unit criteria as up to Rs. 10 Crore of investment and Rs 50 Crore of turnover and medium scale unit criteria as up to Rs. 50 Crore of investment and Rs. 250 Crore of turnover.</p> <p>➤ Turnover of the industry is not considered for above calculation.</p>			

5. Location Factor (LF): The industry is located in Malkapur village of Choutuppal Mandal of Yadadri Bhuvanagiri District and no eco sensitive regions are located in the region. The total population in the region is less than one million. **Thus location factor (LF) is considered as 1 for EC estimation.**

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6. No of days of violation took place (N): The details of the violations and dates considered for calculation of period of violation for estimating EC is submitted as below:

S.No.	Date of violation observed	Action taken for violation	Date of compliance observed	Number of days of violation	Remarks, if any. Summarise the violations.
1.	*16.12.2023	Issued directions vide Extension of temporary revocation of Closure orders dt.26.02.2024.	---	134 (From 16.12.2023 to 27.04.2024 **)	Mentioned below***.
Number of total days of violation				134	
<p>Note:</p> <ol style="list-style-type: none"> The Board official inspected the industry on 16.12.2023 and found certain non compliance and issued directions vide Extension of temporary revocation of Closure orders dt.26.02.2024. Hence, the date of violation is considered as 16.12.2024. **On 27.04.2024, the industry was reviewed before the Task Force committee and committee observed repeated non-compliance. Hence, the violation days is calculated up to 27.04.2024. <p>***Remarks, if any. Summarise the violations:</p> <p>During Task Force Committee meeting held on 27.04.2024, the committee observed following non-compliance:</p> <ol style="list-style-type: none"> The industry has not completed the installation of permanent pipelines for transfer of chemicals / raw materials and odour control measures as committed. As per the Board directions, the industry has to install & operate Bag Filter attached to the coal fired boiler of capacity 6 TPH to meet the standards. However, the industry has not yet installed the Bag Filters. The industry is having drums storage yard. However, still lots of 					

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- drums were stored openly.
4. The industry has provided roofing for MEE system and provided partial roofing for ATFD area. During rains, there is chance of rain water entering the ATFD area.
 5. The industry is storing HW below the ATFD shed and not properly closed in all directions causing odour nuisance to the surroundings and spillages.
 6. The industry has provided camera for main gate entrance. However, as per the RO report the streaming was not seen in TSPCB portal.
 7. The industry has provided camera for ZLD area and gate camera. Not provided for boiler stack. However, as per the RO report, the streaming was not seen in TSPCB portal.
 8. The industry need to be improve housekeeping in the plant.
 9. The industry has not submitted a fresh Bank Guarantee of Rs.4.0 Lakhs in addition to the existing valid BGs of Rs.2.0 Lakhs & 6.0 Lakhs (Total BG amount Rs.12.0 Lakhs for recoupment).
 10. The Board Officials collected water samples from unused bore wells (4 nos) and agricultural bore wells (7 Nos.) in agriculture lands surrounded by M/s. Shree Jaya Labs & M/s.Vineet Laboratories in the radius from 0.9 km to 1.74 km on 20.03.2024. As per the analysis reports of
 - Unused bore wells (4 nos), the value of TDS, Total Hardness, Chlorides, Sulphates, Calcium & COD are higher side.
 - Agricultural bore wells (7 nos), the value of TDS, Total Hardness, Chlorides, Sulphates, Calcium & COD are higher side.

Based on the above factors, the draft Environmental Compensation (EC) is estimated as given below:

$$\begin{aligned} \text{➤ Environmental Compensation (EC)} &= P_I \times N \times R \times S \times L_f \\ &= 80 \times 134 \times 250 \times 1 \times 1 \\ &= \mathbf{26,80,000/-} \end{aligned}$$

In view of the above, the Board hereby proposes to levy Environmental Compensation of Rs. 26,80,000/- on your unit for the non-compliance and the violations committed by your unit and directions are proposed to be issued under section 33 (A) of (Prevention and Control of Pollution) Amendment Act, 1988 and

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under section 31 (A) of (Prevention and Control of Pollution) Amendment Act, 1987 for the levy of Environmental Compensation.

Hence, you are hereby called upon to **show cause within 15 days** of receipt of this notice as to why the above proposed Environmental Compensation is not levied on your unit. The explanation should reach the under-signed within the above time limit failing which it shall be presumed that you have nothing to offer by way of explanation and the Environmental Compensation shall be levied as proposed herein.

Signed by Suresh Babu
Punga
Date: 28-05-2024 20:45:48
Reason: Approved

ENVIRONMENTAL ENGINEER

To
M/s. Shree Jaya Laboratories (P) Ltd.,
Sy.No. 299 & 299/AA, Malkapur (V),
Choutuppal (M), Yadadri Bhuvanagiri District.

Copy Submitted to:

1. The Member Secretary, TGPCB, Board Office, Sanathnagar, Hyderabad for favor of kind information.
2. The District Collector & District Magistrate, Yadadri-Bhuvanagiri District for favor of kind information.
3. The JCEE-ZO-RC Puram, TGPCB, Zonal Office, Sangareddy for favor of kind information and necessary action.
4. The SEE-UH-IV (TF), TGPCB, Board Office, Sanathnagar, Hyderabad for favor of kind information and necessary action.

(15)

ANNEXURE - III

File No.TSPCB-RONL/TECH/6/2023-TELANGANA STATE POLLUTION CONTROL BOARD



TELANGANA POLLUTION CONTROL BOARD
REGIONAL OFFICE: NALGONDA

H.No. 8-15, 1st Floor
Sri Lakshmi Complex,
Sri Vinayaka Nagar, Hyderabad Road
Nalgonda-508001, Ph: 08682-248005

Notice. No. 48004/PCB/RO-NLG/TF/2024 -

Date.28.05.2024

Sub: TGPCB – RO – NLG - M/s. Vineet Laboratories Ltd. (Formerly M/s. Ortin Laboratories Ltd.), Sy. No. 300, Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District – OA No. 108 and 176 of 2023 before the Hon'ble NGT, Chennai – Non-compliance of Board directions – Levy of Environmental Compensation (EC) – **Show Cause Notice – Issued** - Reg.

- Ref:
1. CFO order No. 210822773824, dt.29.05.2021.
 2. Sri Vaspari Lingaiah and other of Anthammagudem Village, Jublakpalli Mandal, Yadadri Bhuvanagiri District has filed an OA No. 108 of 2023 before the Hon'ble NGT, Chennai praying the Hon'ble Court for compensation from the private respondents (M/s. Shree Jaya Laboratories (P) Ltd., and M/s Vineet Laboratories (P) Ltd), for prosecution of private respondents and for appointing Joint Committee.
 3. Sri Ravula Viswaroopa Reddy of Anthammagudem (V), Bhudan Pochampally (M), Yadadri Bhuvanagiri District has filed a OA No.176 of 2023 before Hon'ble NGT (SZ), Praying the Hon'be Court to recover and pay compensation of Rs. 1,00,000/- or as per the assessment by the officials of Respondents to the applicant for the loss of agriculture income caused by the private respondents (M/s. Shree Jaya Labs & Vineeth Labs).
 4. Task Force Committee Members along with Board official inspected your industry on 16.12.2023 and found certain non compliance.
 5. Hearing held on 06.02.2024.
 6. Directions Order No.NLG-85/TSPCB/TF/HO/2024-1766 & 1767, Dt: 29.02.2024.
 7. Inspection of the area by the Board officials on 20.03.2024 for collection of the ground water samples in the fields of petitioners of OA No.108 & 176 of 2023 in Hon'ble NGT (SZ).
 8. Inspection of the industries by the Board officials on 26th of

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March' 2024.

9. Minutes of the Task Force meeting held on 27.04.2024 at Board Office, Hyderabad.
10. Instructions from BO with a direction to show-cause notice to the industry proposing levying of Environmental Compensation (EC).

WHEREAS, you are operating a Bulk Drugs manufacturing industry in the name and style of M/s. Vineet Laboratories Ltd. (Formerly M/s. Ortin Laboratories Ltd.), located at Sy. No. 300, Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District.

WHEREAS, the Board vide reference 1st cited, issued CFO & HWA renewal vide order dated 29.05.2021 to your industry with validity up to 31.12.2025.

WHEREAS, vide reference 2nd cited, Sri Vaspari Lingaiah and other of Anthammagudem Village, Jublakkpalli Mandal, Yadadri Bhuvanagiri District have filed an OA No. 108 of 2023 before the Hon'ble NGT, Chennai praying the Hon'ble Court for compensation from your industry and M/s. Shree Jaya Laboratories (P) Ltd., for prosecution of industries, etc.,.

WHEREAS, vide reference 3rd cited, Sri Ravula Viswaroopa Reddy of Anthammagudem (V), Bhudan Pochampally (M), Yadadri Bhuvanagiri District has filed a OA No.176 of 2023 before Hon'ble NGT (SZ), Praying the Hon'be Court to recover and pay compensation of Rs. 100,00,000/- or as per the assessment by the officials of Respondents to the applicant for the loss of agriculture income caused by the private respondents (your industry and M/s. Shree Jaya Laboratories (P) Ltd.,).

WHEREAS, vide reference 4th cited, the Task Force Committee Member along with Board Officials inspected your industry on 16.12.2023 and observed certain non-compliances.

WHEREAS, vide reference 5th cited, you were given an opportunity for hearing before the Task Force of the Board during the meeting held on 06.02.2024. The representative of your industry attended the meeting. Based on the

recommendation of the committee, the Board issued certain directions to your industry vide reference 6th cited on 29.02.2024 to comply.

WHEREAS, vide reference 7th & 8th cited, the Board Officials inspected your industry on 20th and 26th of March' 2024 and observed certain non-compliances.

WHEREAS, vide reference 9th cited, you were given an opportunity for hearing before the Task Force of the Board during the meeting held on 27.04.2024. The representative of your industry attended the meeting. After detailed discussions, the committee opined that, as per the analysis reports, the Bore wells are contaminated. The Committee opined that, as there are only two bulk drug units located in that area i.e., your industry and M/s Vineet Laboratories (P) Ltd., the pollution of ground water in the surrounding area can be attributed only to these two industries. Further, there are repeated non-compliances of the directions issued by the Board, The committee recommended to address a letter to the District Collector to constitute a committee to assess the crop compensation due to the pollution and to impose Environmental Compensation on your unit due to non-compliances of the conditions/directions issued by the Board.

Therefore, with a view to give you an opportunity to explain as to why the Environmental Compensation should not be levied, this show cause notice is being issued to you. The Environmental Compensation (EC) is estimated base on the pollution index method developed by Central Pollution Control Board in the guidelines "Policy for levying Environmental Compensation (EC) for Industries" Vide Order No:B-400 (S)/IPC-III/2019-20/1162, Dt.4.09.2019 and action plan to utilize the fund. The Hon'ble NGT has accepted the method and mentioned in the order dt.19.02.2019 in the matter of Original Application No.593/2017, (W.P) (Civil) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors.

1. The following equation is used for estimating Environmental Compensation (EC):

$$\text{Environmental Compensation (EC)} = P_I \times N \times R \times S \times L_f$$

Where

P_1 – 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

L_F – Location factor

2. Pollution index of industrial sector (PI): The Telangana Pollution Control Board (TGPCB) categorized your industry as 'Red' category and accordingly the combined CFO & HWA order has been granted. For 'Red' category of industries, average pollution index is 80. **Thus P_1 is considered as 80 in the EC estimation for this industry.**
3. Factor in Rupees @ (Rs): As per the environmental compensation estimation guidelines, factor of rupees may be minimum of Rs. 100/- and maximum of Rs. 500/-. In the guidelines it is suggested to consider R as Rs.250/-, as environmental compensation in case of violation. Hence, **Factor in Rupees (R) for EC estimation is considered as 250.**
4. Scale of operation (S):

S.No	Name of the industry	Small / Medium / Large	Scale of operation (S).
i.	M/s. Vineet Laboratories Ltd. (Formerly M/s. Ortin Laboratories Ltd.), Sy. No. 300, Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District. (Gross Block/Fixed assets: 32.62 Crores)	Medium	1.0
<p>➤ As per website of Ministry of Micro, Small & Medium Enterprises, the small scale unit criteria as up to Rs. 10 Crore of investment and Rs 50 Crore of turnover and medium scale unit criteria as up to Rs. 50 Crore of investment and Rs. 250 Crore of turnover.</p> <p>➤ Turnover of the industry is not considered for above calculation.</p>			

5. Location Factor (LF): The industry is located in Malkapur village of Choutuppal Mandal of Yadadri Bhuvanagiri District and no eco sensitive regions are located in the region. The total population in the region is less than one million. **Thus location factor (LF) is considered as 1 for EC estimation.**
6. No of days of violation took place (N): The details of the violations and dates considered for calculation of period of violation for estimating EC is submitted as below:

S.No.	Date of violation observed	Action taken for violation	Date of compliance observed	Number of days of violation	Remarks, if any. Summarise the violations.
1.	*16.12.2023	Issued directions vide Extension of temporary revocation of Closure orders dt.29.02.2024.	---	134 (From 16.12.2023 to 27.04.2024**)	Mentioned below***.
Number of total days of violation				134	
<p>Note:</p> <p>1. The Board official inspected the industry on 16.12.2023 and found certain non compliance and issued directions vide orders dt.29.02.2024. Hence, the date of violation is considered as 16.12.2024.</p> <p>2. **On 27.04.2024, the industry was reviewed before the Task Force committee and committee observed repeated non-compliance. Hence, the violation days is calculated up to 27.04.2024.</p> <p>***Remarks, if any. Summarise the violations:</p> <p>During Task Force Committee meeting held on 27.04.2024, the committee observed following non-compliance:</p> <ol style="list-style-type: none"> 1. The Bio-logical ETP was not yet commissioned. Only civil works were completed. 2. Chemical / Effluent spillages were observed at production block – II. 					

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3. The industry has provided dome followed by single stage scrubber to the HTDS collection tank instead of two stage scrubber.
4. The industry has installed Thermic Fluid Heater of capacity of 4.0 lakh K.Cal/hr without CFE/CFO of the Board.
5. The Board has imposed bank guarantee of Rs.24.0 Lakhs vide order dated 29.02.2024. However, the industry has renewed 3 Nos. of existing Bank Guarantees of Rs.1.0 Lakh, Rs.2.0 Lakhs & 6.0 Lakhs (for total amount of Rs.9.0 Lakhs).
6. The industry has not submitted the remaining bank guarantee (fresh bank guarantee) amount of Rs.15.0 Lakhs.
7. The Board Officials collected water samples from unused bore wells (4 nos) and agricultural bore wells (7 Nos.) in agriculture lands surrounded by M/s. Shree Jaya Labs & M/s.Vineet Laboratories in the radius from 0.9 km to 1.74 km on 21.03.2024.
 - As per the analysis reports of unused bore wells (4 nos), the value of TDS, Total Hardness, Chlorides, Sulphates, Calcium & COD are higher side.
 - As per the analysis reports of agricultural bore wells (7 nos), the value of TDS, Total Hardness, Chlorides, Sulphates, Calcium & COD are higher side.

Based on the above factors, the draft Environmental Compensation (EC) is estimated as given below:

$$\begin{aligned} \text{➤ Environmental Compensation (EC)} &= P_1 \times N \times R \times S \times L_f \\ &= 80 \times 134 \times 250 \times 1 \times 1 \\ &= \mathbf{26,80,000/-} \end{aligned}$$

In view of the above, the Board hereby proposes to levy Environmental Compensation of Rs. 26,80,000/- on your unit for the non-compliance and the violations committed by your unit and directions are proposed to be issued under section 33 (A) of (Prevention and Control of Pollution) Amendment Act, 1988 and under section 31 (A) of (Prevention and Control of Pollution) Amendment Act, 1987 for the levy of Environmental Compensation.

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Hence, you are hereby called upon to **show cause within 15 days** of receipt of this notice as to why the above proposed Environmental Compensation is not levied on your unit. The explanation should reach the under-signed within the above time limit failing which it shall be presumed that you have nothing to offer by way of explanation and the Environmental Compensation shall be levied as proposed herein.

Signed by Suresh Babu
Punga
Date: 28-05-2024 20:46:36
Reason: Approved

ENVIRONMENTAL ENGINEER

To
M/s. Vineet Laboratories Ltd.
(Formerly M/s. Ortin Laboratories Ltd.),
Sy. No. 300, Malkapur (V),
Choutuppal (M), Yadadri Bhuvanagiri District.

Copy Submitted to:

1. The Member Secretary, TGPCB, Board Office, Sanathnagar, Hyderabad for favor of kind information.
2. The District Collector & District Magistrate, Yadadri-Bhuvanagiri District for favor of kind information.
3. The JCEE-ZO-RC Puram, TGPCB, Zonal Office, Sangareddy for favor of kind information and necessary action.
4. The SEE-UH-IV (TF), TGPCB, Board Office, Sanathnagar, Hyderabad for favor of kind information and necessary action.

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ANNEXURE - IV



TELANGANA STATE POLLUTION CONTROL BOARD
PARYAVARAN BHAVAN, A - 3, INDUSTRIAL ESTATE,
SANATHNAGAR, HYDERABAD - 500 018.

Phone: 23887500
Fax: 040 - 23815631
Website: tspcb.cgg.gov.in

Lr.No.GEN-38/TSPCB/TF/BO/2024-331

Date:08.05.2024

To
The Collector & District Magistrate,
Yadadri Bhuvanagiri District.

Sir,

Sub: TSPCB - OA No. 108 of 2023 filed by Sri Vaspari Lingaiah & OA. No. 176 of 2023 filed by Sri Ravula Viswaroopa Reddy before the Hon'ble NGT, Chennai against M/s. Shree Jaya Laboratories (P) Ltd., and M/s.Vineeth Laboratories (P) Ltd., - Assessment of crop compensation due to the pollution from the pharmaceutical units - Recommendation of the Task Force Committee - Request to constitute a Committee- Reg.

Ref: 1. Lr.No.RCP-10/TSPCB/TF/BO/2023-474, Dt:27.06.2023.
2. OA No.108 of 2023 filed before Hon'ble NGT, Chennai by filed by Sri Vaspari Lingaiah.
3. OA No.176 of 2023 filed before Hon'ble NGT, Chennai by filed by Sri Ravula Viswaroopa Reddy.
4. Task Force Committee meeting held on 27.04.2024.

Attention is invited to the subject and references cited above. Vide reference 1st cited, the Board addressed a letter dt:27.06.2023 to the District Collector, Yadadri-Bhuvanagiri District, requesting to constitute a committee to assess the crop compensation due to the pollution caused by the M/s.Shree Jaya Laboratories and M/s.Vineeth Laboratories.

Vide references 2nd & 3rd cited, OA No. 108 of 2023 was filed by Sri Vaspari Lingaiah & OA.No.176 of 2023 was filed by Sri Ravula Viswaroopa Reddy before the Hon'ble NGT, Chennai against the following two industries:

1. M/s.Shree Jaya Laboratories (P) Ltd., Sy.No.299 & 299AA, Malakapur (V), Choutuppal (M), Yadadri Bhuvanagiri District.
2. M/s. Vineeth Laboratories (P) Ltd., (Formerly M/s.Ortin Laboratories Ltd.,) Sy.No.300, Malkapur (V), Choutuppal (M), Yadadri Bhuvanagiri District.

The status of the above said two industries were reviewed in the Task Force Committee meeting held on 27.04.2024. The Committee opined that, a letter may be addressed to the District Collector, Yadadri-Bhuvanagiri District, to constitute a Committee with the concerned Departments to assess the crop damages due to the pollution caused by the above pharmaceutical units and to award the crop compensation amount to the affected farmers.

In view of the above, the District Collector, Yadadri-Bhuvanagiri District is requested to constitute a committee to assess the crop damages and the report with a recommendation of the committee may be submitted to the Board for taking necessary action and also to submit the status report to the Hon'ble NGT, Chennai.

**Sd/-
MEMBER SECRETARY**

Copy to:

1. The JCEE, ZO, RC Puram for information and necessary action. The JCEE is also directed to coordinate with EE-RO, Nalgonda & District Administration for taking necessary action.
- ✓ 2. The EE, RO, Nalgonda for information and necessary action. The EE is also directed to coordinate with District Administration for constitution of committee and to carry out said assessment study and to submit a report.
3. Concerned file.



// T.C.F.B.O//

Prasanna
**Senior Environmental Engineer
(Task Force - UH-IV)**