

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION No. 12 OF 2023 (SZ)

IN THE MATTER OF:

K. Ramesh Babu,
Hyderabad

....

Applicant(s)

Versus

Union of India,
rep by its Secretary,
MoEF&CC, New Delhi & Ors.

....

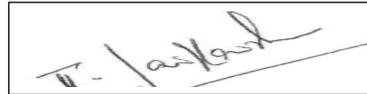
Respondent(s)

REPORT OF THE TELANGANA POLLUTION CONTROL BOARD (R5)

RUNNING INDEX

Sl. No	Particulars	Page Nos.
1.	Report of Telangana Pollution Control Board (Respondent No. 5) dated 20.08.2024.	1 – 4
2.	Annexure-I – Respondent Board orders dated 20.07.2024 levying Environmental Compensation.	5 – 45
3.	Annexure-II – Photographs of the stone quarries taken during inspection on 17.08.2024.	46 – 59
4.	Annexure-III – Hon'ble NGT, Chennai Order dated 22.07.2024.	60 – 61

Place: Hyderabad.
Date: 20-08-2024.



COUNSEL FOR RESPONDENT No.5

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Report of Telangana Pollution Control Board (R-5) Dated 20.08.2024
In OA No.12 of 2023 filed by Sri.K.Ramesh Babu, Hyderabad.

It is to submit that an Original Application No. 12 of 2023 was filed by Sri.K.Ramesh Babu, Hyderabad before Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TGPCB and for causing dust nuisance to the surrounding areas.

The Hon'ble NGT, Chennai vide order dated 22.07.2024 directed the TGPCB and applicant to submit respective reports with regard to the operational status of quarries.

In this regard, the following is submitted: -

The following are the Stone Metal Quarries existing in the area:

1. M/s Smt. Ch. Nagamma (1.0 Ha) and (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District (R8)
2. M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District (R12)
3. M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District (R13)
4. M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District (R14)
5. M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District (R9)
6. M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District (R11)
7. M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District (R15)
8. M/s. Sri Lunavath Kishan (6.273 Ha. Building Stone & Road Metal Mine), Sy. No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi Kothagudem District (R10)

The stone metal quarries at Sl.No.1 to 7 were operating without obtaining Environmental Clearance, Consent for Establishment and Consent for Operation. Stone Metal Quarry at Sl.No. 8 has obtained Environmental Clearance (EC) from State Level Environment Impact Assessment Authority, Hyderabad and Consent for Establishment (CFE) & Consent for Operation (CFO) from the Respondent Board.

The Respondent Board has issued closure orders to the stone quarry units at Sl.No.1 to 7 for operating without permissions vide orders dated 15.03.2023.

The Board has addressed letter dated 20.03.2023 to the Asst. Director, Department of Mines & Geology, Bhadradi Kothagudem District & requested not to issue mining permissions to stone quarry units at Sl.No.1 to 7.

The Board also addressed letters dated 20.03.2023 to the Tahsildar, Paloncha (M) and the Station House officer, Paloncha Town Police Station, Paloncha (V&M) of Bhadradi Kothagudem District to take requisite steps for ensuring that no illegal mining takes place in the above said Stone & Road Metal Quarry mines for which closure orders were issued (Sl.No.1 to 7).

Based on the Hon'ble NGT order dated 13.12.2023, the Respondent Board levied Environmental Compensation based on the report of CPCB on "Methodology for Assessing Environmental Compensation". The Respondent Board has again reviewed the assessment of violation days for calculation of Environmental Compensation in Task Force Committee meeting of the Board held on 23.01.2024. The Committee recommended to revise the Environmental Compensation as per the EIA Notification, 2006 & MoEF&CC Office Memorandum dated 18.05.2012. Based on the recommendations of the Committee, the Board issued Show Cause Notices to the Stone Metal Quarries on 27.01.2024 at Sl.No.1 to 7 regarding assessment of revised Environmental Compensation and directed the Quarries to submit their reply/objections if any. The Respondent Nos. 1 to 7 submitted their replies to the Show Cause Notice in February 2024.

Subsequently, the issue was reviewed before the Task Force Committee during meeting held on 06.04.2024 and the same was attended by the representatives of stone quarries. The committee observed that the assesment of EC was carried out exempting the period of non-operation of the quarries as per the details obtained by the AD, Mines and Geology, Bhadradi Kothagudem. Further, the representatives of the quarries have not raised any objection on the levy of EC during the meeting. Hence, the committee recommended that the EC assessed by the Board may be treated as final assesment.

Subsequently, the quarries have submitted a representation dated 24.04.2024 along with the letter from AD, Mines and Geology, Bhadradi Kothagudem and

requested to consider dispatch permit days issued by Mines and Geology Department for levy of Environmental Compensation (EC).

The Board vide letter dated 07.05.2024 addressed AD, Mines and Geology, Bhadradi Kothagudem to furnish details of excavation and no.of days activity carried out to assess the EC. The AD, Mines and Geology, Bhadradi Kothagudem submitted the details vide letter dated 25.05.2024.

The status was again reviewed during the Task Force Committee meeting held on 16.07.2024. During the meeting, the representatives of the quarries and Assistant Director, Mines and Geology, Bhadradi Kothagudem were present. Based on the discussions with the representatives of quarries and AD, Mines and Geology Department, the committee opined that the imposition of EC shall be for total violation days and it cannot be restricted to the permit days of the Mines and Geology Department. Finally, the committee recommended that the earlier recommendation of the Committee shall be taken as final assessment. Based on the recommendations of the committee, the final assessment orders for levy of Environmental Compensation were issued vide order dated 20.07.2024. Copies of the same are enclosed as **ANNEXURE – I**.

The details of revised/final EC amounts levied are mentioned below.

Sl. No.	Name of the Quarry	Revised/final EC amount levied vide order dated 20.07.2024
1.	a. M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.	Rs.92,04,000/-
	b. M/s Smt. Ch. Nagamma (4.0 Ha) Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.	Rs.1, 67,04,000/-
2.	M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.	Rs.1,51,68,000/-
3.	M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.	Rs.1,56,72,000/-
4.	M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.	Rs.1,01,34,000/-
5.	M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.	Rs.1,47,30,000/-

6.	M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.	Rs.53,82,000/-
7.	M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.	Rs.55,62,000/-

In compliance with the orders of Hon'ble NGT, dated 22.07.2024, it is to submit that the Board officials have again inspected the stone quarries on 17.08.2024 and found that the stone quarries are not in operation. The photographs of the same are enclosed as **ANNEXURE -II**.

Date: 20.08.2024.

Place: Kothagudem


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
T.G. Pollution Control Board.
Regional Office, KOTHAGUDEM



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 628

Dt.20.07.2024

TGPCB
Despatch No. **Sub :**
20 JUL 2024
Signature. *car*

TGPCB - M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradri Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.

- Ref :**
- O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 - Show cause notice dated 25.02.2023 issued to the mine.
 - Closure order dated 15.03.2023 issued to the mine.
 - Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 - Show Cause Notice dated 11.12.2023 issued to the mine.
 - Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 - Regional Office, Kothagudem report dated 20.01.2024
 - Hearing held on 23.01.2024 at Board office, Hyderabad.
 - Show cause notice dated 27.01.2024 issued to the mine.
 - Regional Office, Kothagudem report dated 13.03.2024
 - Hearing held on 06.04.2024 at Board office, Hyderabad.
 - Mine letter dt. 23.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradri Kothagudem.
 - T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-304 Dated 07.05.2024.
 - Lr No. 2291/Q/2005, Dt.25.05.2024 of AD, Mines & Geology, Bhadradri Kothagudem.
 - Hearing held on 16.07.2024 at Board Office, Hyderabad.

- WHEREAS, you are operating the Mine located at Sy.No.46, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District.
- WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradri Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
- WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
- WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
- WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
- WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the Mine levying the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the Mine to submit any objections in writing within 15 days from the date of the Order.
- WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

$$\text{Environmental Compensation (EC)} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

PI - 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

LF - Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale industry.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality shall be less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the industry existing
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023	3954 days
<u>Exempted Days</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	01.12.2014	From 01.12.2014 to 15.03.2023	-3027 days
Total no. of days of violation			927

Total nos. of days of violation (N) as 927 days, Pollution Index of industrial sector (PI) as 80, Scale of Operation (S) as 0.5, Location Factor (LF) as 1 and Factor of Rupees (R) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 927 \times 150 \times 0.5 \times 1 = \text{Rs. } 55,62,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the Mine regarding the assessment of Environmental Compensation of Rs. 55,62,000/- to be levied on the Mine and directed the Mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the Mine has submitted reply vide letter dated 13.02.2024 to the show cause notice stating that they have not done any quarry operations from financial year 2010-2011, 2011-2012. The ADM&G Bhadradi Kothagudem has not issued Royalty permits for working in quarry lease area from 2010 onwards.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The committee noted that the Board has carried out assessment of the EC exempting the period as stated by the Mine i.e., from financial year 2010-2011, 2011-2012. Further, the Mine has not produced any evidence on non operation of the Mine for the remaining period. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only) on the mine.

11. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.

13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradri Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradri Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only) on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only) on the Mine towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the Mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall comply by the Mine immediately, failing which legal action will be initiated against your Mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

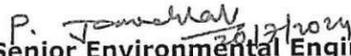
**Sd/-
MEMBER SECRETARY**

**To
M/s Islavath Raju (0.8 Ha),
Sy.No. 46, Thogudem(V), Palvoncha (M),
Bhadradri Kothagudem District.**

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the Mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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


**Senior Environmental Engineer
(TF-HYD-UH-VI)**



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 629

Dt.20.07.2024

Sub : TGPCB - M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.

TGPCB Ref :
Despatch No.
20 JUL 2024
Signature. *C. A. R. P.*

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the Mine.
3. Closure order dated 15.03.2023 issued to the Mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024
8. Hearing held on 23.01.2024 at Board office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
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14. Lr No. 2291/Q/2005, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt.20.07.2024

* * * * *

1. WHEREAS, you are operating the Stone & Metal quarry is located at Sy.No.46, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine levying the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of Rs. 55,62,000/- to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.

7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has submitted reply vide letter dated 13.02.2024 to the show cause notice stating that they have not done any quarry operations from financial year 2010-2011, 2011- 2012. The ADM&G Bhadradi Kothagudem has not issued Royalty permits for working in quarry lease area from 2010 onwards.
8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The committee noted that the Board has carried out assessment of the EC exempting the period as stated by the Mine i.e., from financial year 2010-2011, 2011- 2012. Further, the Mine has not produced any evidence on non operation of the Mine for the remaining period. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only) on the mine.

9. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only) on the Mine.

13. WHEREAS, based on the recommendations of the committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force

Sd/-
MEMBER SECRETARY

To
M/s Islavath Raju (0.8 Ha),
Sy.No. 46, Thogudem(V), Palvoncha (M),
Bhadradi Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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

P. Jambhale
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 630

Dt.20.07.2024

Sub : TGPCB - M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.



- Ref :**
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
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 6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 7. Regional Office, Kothagudem report dated 20.01.2024
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
 9. Show cause notice dated 27.01.2024 issued to the mine.
 10. Regional Office, Kothagudem report dated 13.03.2024.
 11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-305 Dated 07.05.2024.
 14. Lr No. 5306/Q/2009, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

Environmental Compensation (EC) = PI x N x R x S x LF

PI - 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

LF - Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023.	3954 days
Exempted Days : As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	30.07.2016	From 30.07.2016 to 15.03.2023	-2420 days
Total no. of days of violation			1534

Total nos. of days of violation (**N**) as 1534 days, Pollution Index of industrial sector (**PI**) as 80, Scale of Operation (**S**) as 0.5, Location Factor (**LF**) as 1 and Factor of Rupees (**R**) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 1534 \times 150 \times 0.5 \times 1 = \text{Rs.92,04,000/-}$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** on the mine.

11. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

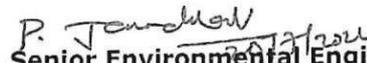
Sd/-
MEMBER SECRETARY

To
M/s Smt. Ch. Nagamma (1.0 Ha),
Sy.No.42 & 43, Toggudem (V), Paloncha (M),
Bhadradi Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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


Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 63\

Dt.20.07.2024

Sub : TGPCB - M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.



1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
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16. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
17. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-305 Dated 07.05.2024.
18. Lr No. 5306/Q/2009, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
19. Hearing held on 16.07.2024 at Board Office, Hyderabad.
12. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt. 20.07.2024.

1. WHEREAS, you are operating the Stone & Metal quarry located at Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.

7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** on the mine.

9. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs. 92,04,000/- (Rupees Ninety Two Lakhs Four Thousand Only)** on the Mine.

13. WHEREAS, based on the recommendations of the committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force.
15. In view of the Levy of the Environmental Compensation under the provisions of the Air (Prevention and Control of Pollution) Act., 1981, no separate orders are passed under the provisions of the Water (Prevention and Control of Pollution) Act., 1974 and the mine is hereby directed to comply with the directions issued by the Board under the provisions of the Air (Prevention and Control of Pollution) Act., 1981.

Sd/-
MEMBER SECRETARY

To
M/s Smt. Ch. Nagamma (1.0 Ha),
Sy.No.42 & 43, Toggudem (V), Paloncha (M),
Bhadradi Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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

P. J. Sankar
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavara Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TSPCB/U-VI/TF/2023- 632

Dt.20.07.2024

Sub : TGPCB - M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.

TGPCB
Despatch No. Ref : 1
20 JUL 2024
Signature. *CA 12-02.*

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
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7. Regional Office, Kothagudem report dated 20.01.2024
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11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
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13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-306 Dated 07.05.2024.
14. Lr No. 5577/Q/2009, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee

meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

$$\text{Environmental Compensation (EC)} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

PI - 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

LF - Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_f is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023	3954 days
<u>Exempted Days :</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	01.01.2020	From 01.01.2020 to 15.03.2023	-1170 days
Total no. of days of violation			2784

Total nos. of days of violation (**N**) as 2784 days, Pollution Index of industrial sector (**PI**) as 80, Scale of Operation (**S**) as 0.5, Location Factor (**LF**) as 1 and Factor of Rupees (**R**) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$\text{EC} = 80 \times 2784 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,67,04,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** on the mine.

11. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
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13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

Sd/-
MEMBER SECRETARY

To
M/s Smt. Ch. Nagamma (4.0 Ha),
Sy.No.42 & 43, Toggudem (V), Paloncha (M),
Bhadradi Kothagudem District.

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

P. Jewell
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TSPCB/U-VI/TF/2023- 633

Dt.20.07.2024

Sub : TGPCB - M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.



- Ref :**
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
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 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
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* * * * *

1. WHEREAS, you are operating the Stone & Metal quarry located at Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.

8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

9. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.
- After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only)** on the Mine.
13. WHEREAS, based on the recommendations of the Committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force.
15. In view of the Levy of the Environmental Compensation under the provisions of the Air (Prevention and Control of Pollution) Act., 1981, no separate orders are passed under the provisions of the Water (Prevention and Control of Pollution) Act., 1974 and the mine is hereby directed to comply with the directions issued by the Board under the provisions of the Air (Prevention and Control of Pollution) Act., 1981.

Sd/-
MEMBER SECRETARY

To
M/s Smt. Ch. Nagamma (4.0 Ha),
Sy.No.42 & 43, Toggudem (V), Paloncha (M),
Bhadradi Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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

P. Jowahar
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



-20-

TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 634

Dt.20.07.2024



Sub: TGPCB - M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.

O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.

2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
10. Regional Office, Kothagudem report dated 13.03.2024.
11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
12. Mine letter dt. 23.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-307 Dated 07.05.2024.
14. Lr No. 236/Q/2014, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

Environmental Compensation (EC) = PI x N x R x S x LF

PI - 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

LF - Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

EIA notification, 2006 dated(as the mine is above 5 Ha.)	14.09.2006	Period for assessment	No. of days of violation
Inception of the mine based on the mine lease period submitted by AD, Mines & Geology department vide mails dated 06.03.2023 & 09.01.2024	07.05.2015	From 07.05.2015 to 15.03.2023	2870 days
Closure orders issued by the Board on	15.03.2023		
<u>Exempted Days</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	01.07.2022	From 01.07.2022 to 15.03.2023	-258 days
Total no. of violating days			2612

Total nos. of days of violation (N) as 2612 days, Pollution Index of industrial sector (PI) as 80, Scale of Operation (S) as 0.5, Location Factor (LF) as 1 and Factor of Rupees (R) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 2612 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,56,72,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

11. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradri Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradri Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradri Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradri Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

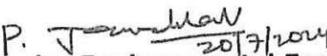
Sd/-
MEMBER SECRETARY

To
**M/s Sri Banoth Ramaiah (5.058 Ha),
R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M),
Bhadradri Kothagudem District.**

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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


**Senior Environmental Engineer
(TF-HYD-UH-VI)**



TELANGANA POLLUTION CONTROL BOARD

Paryavara Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 635

Dt.20.07.2024

Sub : TGPCB - M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.



- Ref :
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
 3. Closure order dated 15.03.2023 issued to the mine.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice dated 11.12.2023 issued to the mine.
 6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 7. Regional Office, Kothagudem report dated 20.01.2024.
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
 9. Show cause notice dated 27.01.2024 issued to the mine.
 10. Regional Office, Kothagudem report dated 13.03.2024.
 11. Hearing held on 06.04.2024 at Board office, Hyderabad.
 12. Mine letter dt. 23.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-307 Dated 07.05.2024.
 14. Lr No. 236/Q/2014, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
 16. Order No. KGM - 01/TGPCB/U-VI/TF/2023- Dt.20.07.2024.

* * * * *

1. WHEREAS, you are operating the Stone & Metal quarry located at R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.



-25-

TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 636

Dt.20.07.2024

Sub : TGPCB - M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.



- Ref :**
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
 3. Closure order dated 15.03.2023 issued to the mine.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice dated 11.12.2023 issued to the mine.
 6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 7. Regional Office, Kothagudem report dated 20.01.2024
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
 9. Show cause notice dated 27.01.2024 issued to the mine.
 10. Regional Office, Kothagudem report dated 13.03.2024.
 11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-308 Dated 07.05.2024.
 14. Lr No. 1005/Q/2004, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – 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

LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023	3954 days
<u>Exempted Days :</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	01.01.2017	From 01.01.2017 to 15.03.2023)	-2265 days
Total no. of days of violation			1689

Total nos. of days of violation (**N**) as 1689 days, Pollution Index of industrial sector (**PI**) as 80, Scale of Operation (**S**) as 0.5, Location Factor (**LF**) as 1 and Factor of Rupees (**R**) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 1689 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,01,34,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,01,34,000/- (Rupees One Crore One Lakh Thirty Four Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,01,34,000/- (Rupees One Crore One Lakh Thirty Four Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
11. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.

12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradri Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradri Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradri Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,01,34,000/- (Rupees One Crore One Lakh Thirty Four Thousand only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.1,01,34,000/- (Rupees One Crore One Lakh Thirty Four Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

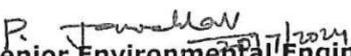
**Sd/-
MEMBER SECRETARY**

To
**M/s Sri Boda Chittibabu (1.0 Ha),
S/o Late Boda Bikku, R.Sy.No. 20/A,
Toggudem (V), Paloncha (M),
Bhadradri Kothagudem District.**

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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


**Senior Environmental Engineer
(TF-HYD-UH-VI)**



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 637

Dt.20.07.2024

Sub : TGPCB - M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.

TGPCB Ref :
Despatch No.
20 JUL 2024
Signature. *ca...*

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
10. Regional Office, Kothagudem report dated 13.03.2024.
11. Hearing held on 06.04.2024 at Board office, Hyderabad.
12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-308 Dated 07.05.2024.
14. Lr No. 1005/Q/2004, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt. 20.07.2024.

* * * * *

1. WHEREAS, you are operating the Stone & Metal quarry located at R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,01,34,000/- (Rupees One Crore One Lakh Thirty Four Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.



-30-

TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 638

Dt.20.07.2024

TGPCB Sub :
spatch No.
20 JUL 2024
Signature. *C. Arun*
Ref.

TGPCB - M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
10. Regional Office, Kothagudem report dated 13.03.2024.
11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-309 Dated 07.05.2024.
14. Lr No. 1105/Q/2011, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

$$\text{Environmental Compensation (EC)} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

PI – 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

LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_F is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023	3954 days
<u>Exempted Days :</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	06.02.2019	From 06.02.2019 to 15.03.2023	-1499 days
Total no. of violating days			2455

Total nos. of days of violation (**N**) as 2455 days, Pollution Index of industrial sector (**PI**) as 80, Scale of Operation (**S**) as 0.5, Location Factor (**LF**) as 1 and Factor of Rupees (**R**) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 2455 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,47,30,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

11. WHEREAS, the Board issued Show cause notice dated 27.01.2024 to the mine regarding the assessment of Environmental Compensation of **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
12. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
13. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only) on the mine.
14. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
15. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
16. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
17. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only) on the Mine.
18. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
19. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
20. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

21. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

Sd/-
MEMBER SECRETARY

To
M/s. Sri Settipalli Narsimha Rao (1.0 Ha),
R.Sy.No. 12, Thogudem(V), Palvoncha(M),
Bhadradri Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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

P. Jannachala
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 639

Dt.20.07.2024

Sub : TGPCB - M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District – Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) – Hon'ble NGT orders in O.A No 12 of 2023 – Reg.

- Ref :**
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
 3. Closure order dated 15.03.2023 issued to the mine.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice dated 11.12.2023 issued to the mine.
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 7. Regional Office, Kothagudem report dated 20.01.2024
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
 9. Show cause notice dated 27.01.2024 issued to the mine.
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 12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-309 Dated 07.05.2024.
 14. Lr No. 1105/Q/2011, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
 16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt.20.07.2024



* * * * *

1. WHEREAS, you are operating the Stone & Metal quarry located at R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.

7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
9. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., Rs.1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only) on the Mine.
13. WHEREAS, based on the recommendations of the committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force.
15. In view of the Levy of the Environmental Compensation under the provisions of the Air (Prevention and Control of Pollution) Act., 1981, no separate orders are passed under the provisions of the Water (Prevention and Control of Pollution) Act., 1974 and the mine is hereby directed to comply with the directions issued by the Board under the provisions of the Air (Prevention and Control of Pollution) Act., 1981.

Sd/-
MEMBER SECRETARY

To
M/s. Sri Settipalli Narsimha Rao (1.0 Ha),
R.Sy.No. 12, Thogudem(V), Palvoncha(M),
Bhadradi Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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

P. Jowehani
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 640

Dt.20.07.2024

Sub : TGPCB - M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.



- Ref :
1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
 2. Show cause notice dated 25.02.2023 issued to the mine.
 3. Closure order dated 15.03.2023 issued to the mine.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice dated 11.12.2023 issued to the mine.
 6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
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 12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-310 Dated 07.05.2024.
 14. Lr No. 99/Q/2007, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Thogudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

Environmental Compensation (EC) = PI x N x R x S x LF

PI – 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

LF – Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. L_f is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Closure orders issued by the Board on	15.03.2023	From 18.05.2012 to 15.03.2023.	3954 days
<u>Exempted Days :</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	01.11.2014	From 01.11.2014 to 15.03.2023	-3057 days
Total no. of days of violation			897

Total nos. of days of violation (**N**) as 897 days, Pollution Index of industrial sector (**PI**) as 80, Scale of Operation (**S**) as 0.5, Location Factor (**LF**) as 1 and Factor of Rupees (**R**) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 897 \times 150 \times 0.5 \times 1 = \text{Rs. } 53,82,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
11. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.

12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

**Sd/-
MEMBER SECRETARY**

**To
M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu,
R.Sy.No. 22, Thogudem(V), Palvoncha(M),
Bhadradi Kothagudem District.**

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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

P. J. J. J.
**Senior Environmental Engineer
(TF-HYD-UH-VI)**



TELANGANA POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 641

Dt.20.07.2024

Sub : TGPCB - M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.

Ref :

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
10. Regional Office, Kothagudem report dated 13.03.2024.
11. Hearing held on 06.04.2024 at Board office, Hyderabad.
12. Mine letter dt. 24.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-310 Dated 07.05.2024.
14. Lr No. 99/Q/2007, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt.20.07.2024.

1. WHEREAS, you are operating the Stone & Metal quarry located at R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.



8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.

After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

9. WHEREAS, the Mine has submitted a representation dated 24.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradri Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradri Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradri Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradri Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** on the Mine.

13. WHEREAS, based on the recommendations of the committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force.
15. In view of the Levy of the Environmental Compensation under the provisions of the Air (Prevention and Control of Pollution) Act., 1981, no separate orders are passed under the provisions of the Water. (Prevention and Control of Pollution) Act., 1974 and the mine is hereby directed to comply with the directions issued by the Board under the provisions of the Air (Prevention and Control of Pollution) Act., 1981.

Sd/-
MEMBER SECRETARY

To
M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu,
R.Sy.No. 22, Thogudem(V), Palvoncha(M),
Bhadradri Kothagudem District.

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

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

P. *Tamala*
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavara Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 642

Dt.20.07.2024

Sub : TGPCB - M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987) - Hon'ble NGT orders in O.A No 12 of 2023 - **Levy of Environmental Compensation** - Reg.

TGPCB Ref :
Jespata No.
20 JUL 2024
Signature. *CAJ*

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
3. Closure order dated 15.03.2023 issued to the mine.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
9. Show cause notice dated 27.01.2024 issued to the mine.
10. Regional Office, Kothagudem report dated 13.03.2024.
11. Hearing held on 06.04.2024 at Board Office, Hyderabad.
12. Mine letter dt. 23.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-311 Dated 07.05.2024.
14. Lr No. 1575/Q/2012, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Thogudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Board vide Office order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation from the polluting units in the state of Telangana based on CPCB guidelines.
6. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- for 21 days and directed the mine to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied based on the following calculation:

Environmental Compensation (EC) = PI x N x R x S x LF

PI - 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
LF - Location factor

- a) Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- b) R is suggested to consider as 150.
- c) S is taken as 0.5 considering the unit is small scale mine.
- d) The stone crusher is located in Toggudem village, Paloncha (M) and the population of the Toggudem Grampanchayat and Paloncha Municipality is less than 1 Million. LF is taken as 1 considering the population is < 1 million in which the mine existing.
- e) No. of days of which violation took place are mentioned below:

MoEF office memorandum dated	18.05.2012	Period for assessment	No. of days of violation
Inception of the mine based on the mine lease period submitted by AD, Mines & Geology department vide mails dated 06.03.2023 & 09.01.2024	19.08.2015	From 19.08.2015 to 15.03.2023	2766 days
Closure orders issued by the Board on	15.03.2023		
<u>Exempted Days</u> As per AD, Mines & Geology department mails dated 06.03.2023 & 09.01.2024, Mine was not in operation since	21.07.2022	From 21.07.2022 to 15.03.2023	-238 days
Total no. of days of violation			2528

Total nos. of days of violation (N) as 2528 days, Pollution Index of industrial sector (PI) as 80, Scale of Operation (S) as 0.5, Location Factor (LF) as 1 and Factor of Rupees (R) as Rs. 150/-.

In view of the above, the environmental compensation is finalized as

$$EC = 80 \times 2528 \times 150 \times 0.5 \times 1 = \text{Rs. } 1,51,68,000/-$$

8. WHEREAS, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
9. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
10. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment. After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** on the mine.

11. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
12. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
13. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
14. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.

After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** on the Mine.

15. After careful consideration of the material facts of the case, the Board hereby directs your Mine to deposit **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** towards Environmental Compensation within 15 days from the date of this order under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
16. These directions are issued in addition to the Closure orders issued to the mine vide order dated 15.03.2023 which is still under force.
17. These directions are issued under Sec. 31 (A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
18. The above mentioned directives shall be complied by the mine immediately, failing which legal action will be initiated against your mine under Section 31(A) of Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).

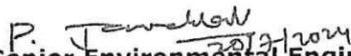
**Sd/-
MEMBER SECRETARY**

To
**M/s Sri Vage Venkateswar Rao (2.023 Ha),
S/o Chinnabbi, R.Sy.No.20, Thogudem(V),
Palvoncha (M), Bhadradi Kothagudem District.**

Copy to:

1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action. The EE.RO. is directed to pursue with the mine to remit the Environmental Compensation and submit report.
3. Concerned file.

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


**Senior Environmental Engineer
(TF-HYD-UH-VI)**



TELANGANA POLLUTION CONTROL BOARD

Paryavara Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. KGM - 01/TGPCB/U-VI/TF/2023- 643

Dt.20.07.2024

Sub : TGPCB - M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - Hon'ble NGT orders in O.A No 12 of 2023 - Reg.

Ref :

1. O.A No 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities.
2. Show cause notice dated 25.02.2023 issued to the mine.
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5. Show Cause Notice dated 11.12.2023 issued to the mine.
6. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
7. Regional Office, Kothagudem report dated 20.01.2024.
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12. Mine letter dt. 23.04.2024 enclosing the Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-311 Dated 07.05.2024.
14. Lr No. 1575/Q/2012, Dt.25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
15. Hearing held on 16.07.2024 at Board Office, Hyderabad.
16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt.20.07.2024.

1. WHEREAS, you are operating the Stone & Metal quarry located at R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District.
2. WHEREAS, an Original Application No. 12 of 2023 was filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. in Hon'ble NGT, Chennai against illegal stone quarry mining and stone crushing activities by the private respondents at Toggudem (V), Paloncha (M), Bhadradi Kothagudem District without obtaining necessary permissions from Government Departments & TSPCB and for causing dust nuisance to the surrounding areas.
3. WHEREAS, the Board issued show cause notice to the stone & metal quarry on 25.02.2023 for operating without CFE and CFO of the Board.
4. WHEREAS, the Board vide order dated 15.03.2023 issued closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.
5. WHEREAS, the Regional Office vide order dated 11.12.2023 issued Show cause notice to the mine proposing to levy the Environmental Compensation of Rs. 1,26,000/- and directed the mine to submit any objections in writing within 15 days from the date of the Order.
6. WHEREAS, based on the Hon'ble NGT order dated 13.12.2023, the RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculation on levy of Environmental Compensation. The issue was reviewed in the Task Force Committee meeting held on 23.01.2024. After detailed discussions, the Committee recommended to issue show cause notice to the mine. Based on the recommendations of the committee, the Board vide order dated 27.01.2024 issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** to be levied on the mine and directed the mine to submit any reply/objections in writing within 15 days from the date of the Order, failing which the assessment carried out by the Board will be treated as final assessment.
7. WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.



8. WHEREAS, the status was reviewed in the Task Force Committee meeting held on 06.04.2024. The representative of the mine attended the meeting. The Committee noted that the Board has carried out assessment of the EC exempting the period of non-operation of the Mine as per the details obtained from the AD, Mines & Geology Department. Further, the mine has not submitted reply/objections to the show cause notice issued by the Board and also the representative of the mine has not raised any objections during the meeting, on the EC to be levied. Hence, the assessment carried out by the Board vide order dated 27.01.2024 be may be treated as final assessment.
- After detailed discussions, the Committee recommended that the Environmental Compensation assessed by the Board vide order dated 27.01.2024 may be treated as final assessment and the Board may levy Environmental Compensation of **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** on the mine under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
9. WHEREAS, the Mine has submitted a representation dated 23.04.2024 enclosing the letter of Asst. Director of Mines & Geology, Bhadradi Kothagudem along with the details of dispatch permits issued to the Mine and requested to consider the mentioned dispatch permit days for levy of the EC.
10. WHEREAS, the Board vide letter dated 07.05.2024 addressed a letter to The Assistant Director of Mines and Geology, Bhadradi Kothagudem and requested to furnish the details of excavation and number of days mining activity carried out with valid permit to re-examine the assessment of Environmental Compensation.
11. WHEREAS, the Assistant Director of Mines and Geology, Bhadradi Kothagudem vide letter dated 25.05.2024 submitted information on excavation and number of permit valid working days.
12. The status was reviewed in the Task Force committee meeting held on 16.07.2024 to ascertain the total working days of the mine and also to re-examine the Environmental Compensation. During the meeting, the representatives of mines and Assistant Director, Mines & Geology, Bhadradi Kothagudem were present. The Committee opined that the imposition of Environmental Compensation shall be for total violation days and it cannot be restricted to the permit days of the Mine Department. Further, the Committee observed that the earlier recommendation of the Committee may be taken as a final assessment as the same was made based on the information furnished by the Assistant Director, Mines & Geology Department duly considering the total violation working days.
- After detailed discussions, the committee recommended to impose Environmental Compensation on the mines as per the Show cause notice issued on 27.01.2024 i.e., **Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** on the Mine.
13. WHEREAS, based on the recommendations of the committee, the Board vide order dated 20.07.2024 levied Environmental Compensation under Air (Prevention and Control of Pollution) Act 1981 (as amended by Act 47 of 1987).
14. Further, the Closure orders issued to the mine vide order dated 15.03.2023 is still under force.
15. In view of the Levy of the Environmental Compensation under the provisions of the Air (Prevention and Control of Pollution) Act., 1981, no separate orders are passed under the provisions of the Water (Prevention and Control of Pollution) Act., 1974 and the mine is hereby directed to comply with the directions issued by the Board under the provisions of the Air (Prevention and Control of Pollution) Act., 1981.

Sd/-
MEMBER SECRETARY

To
M/s Sri Vage Venkateswar Rao (2.023 Ha),
S/o Chinnabbi, R.Sy.No.20, Thogudem(V),
Palvoncha (M), Bhadradi Kothagudem District.

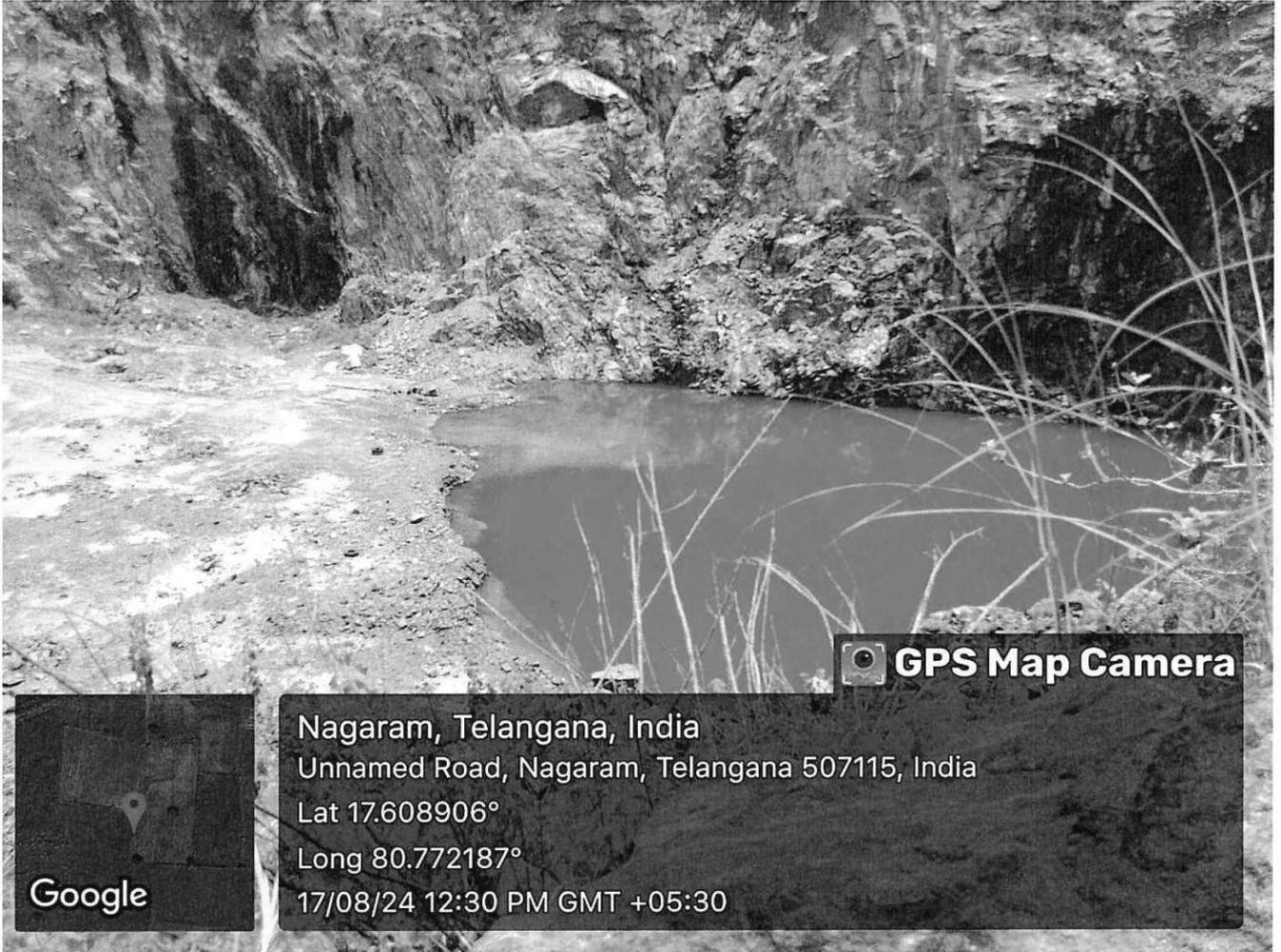
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1. The JCEE, ZO-Hyderabad for information and necessary action.
2. The EE, RO-Kothagudem for information and necessary action.
3. Concerned file.

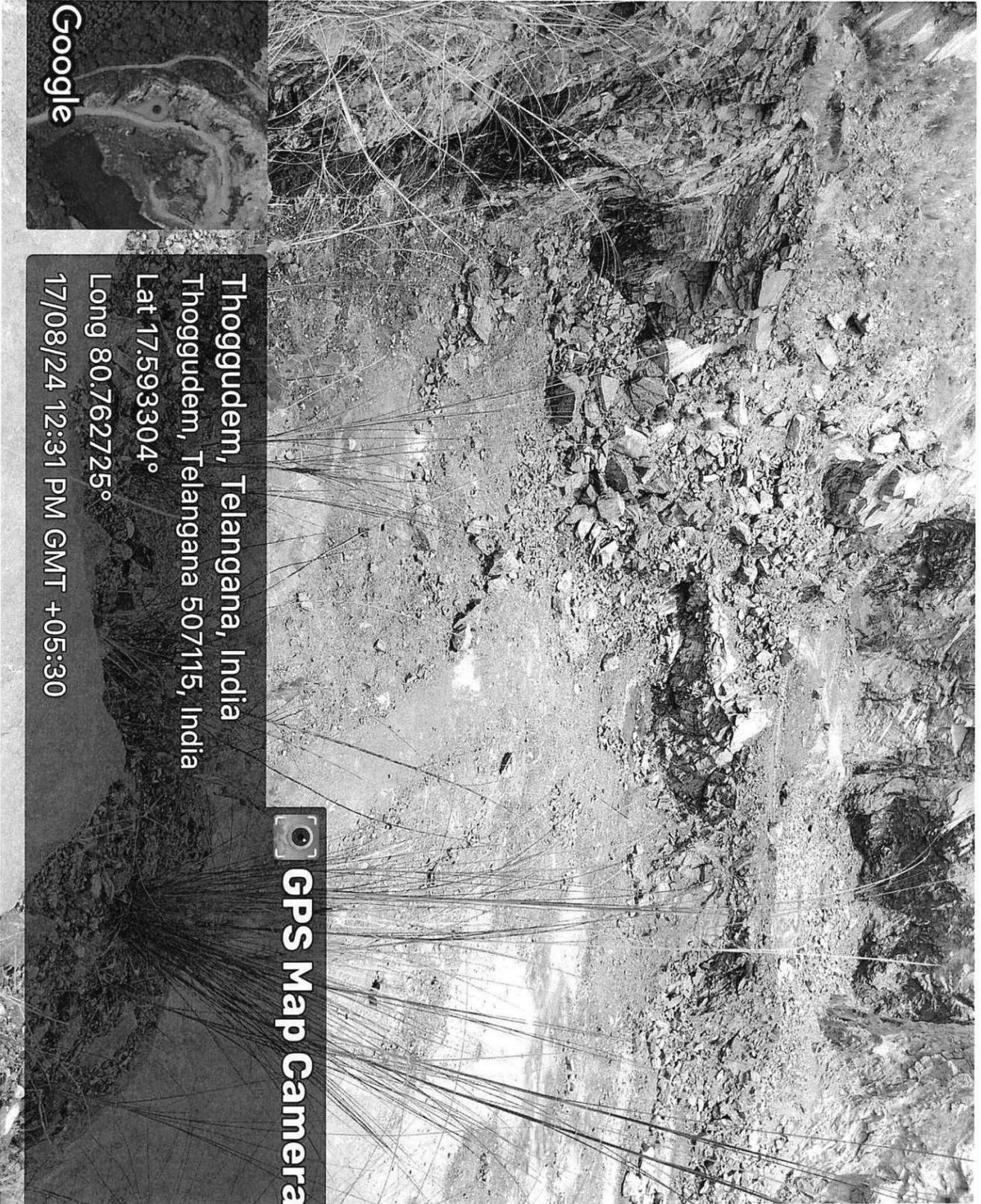
//T.C.F.B.O//

P. Javalakurthi
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)

M/s. Ch. Nrgawwa (1.0 Ha)



M/c. Smt. Ch. Nyawwa (4.0 Ha)



Google

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Thogudem, Telangana 507115, India
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Long 80.762725°
17/08/24 12:31 PM GMT +05:30

GPS Map Camera

-48-

M/s. Sri Bada Chaitrababu (1.0 Ha)



Google

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Repallewada, Telangana, India

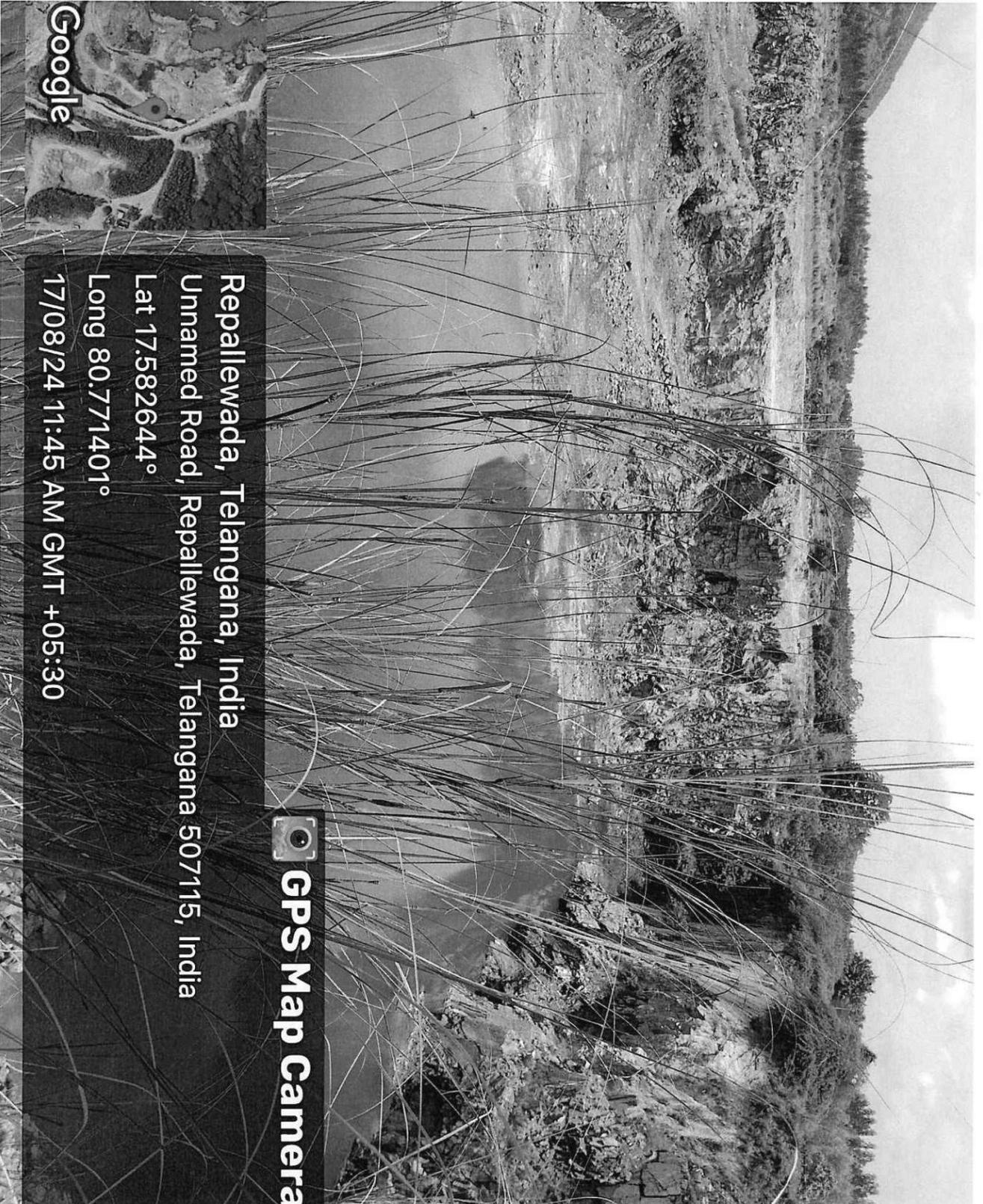
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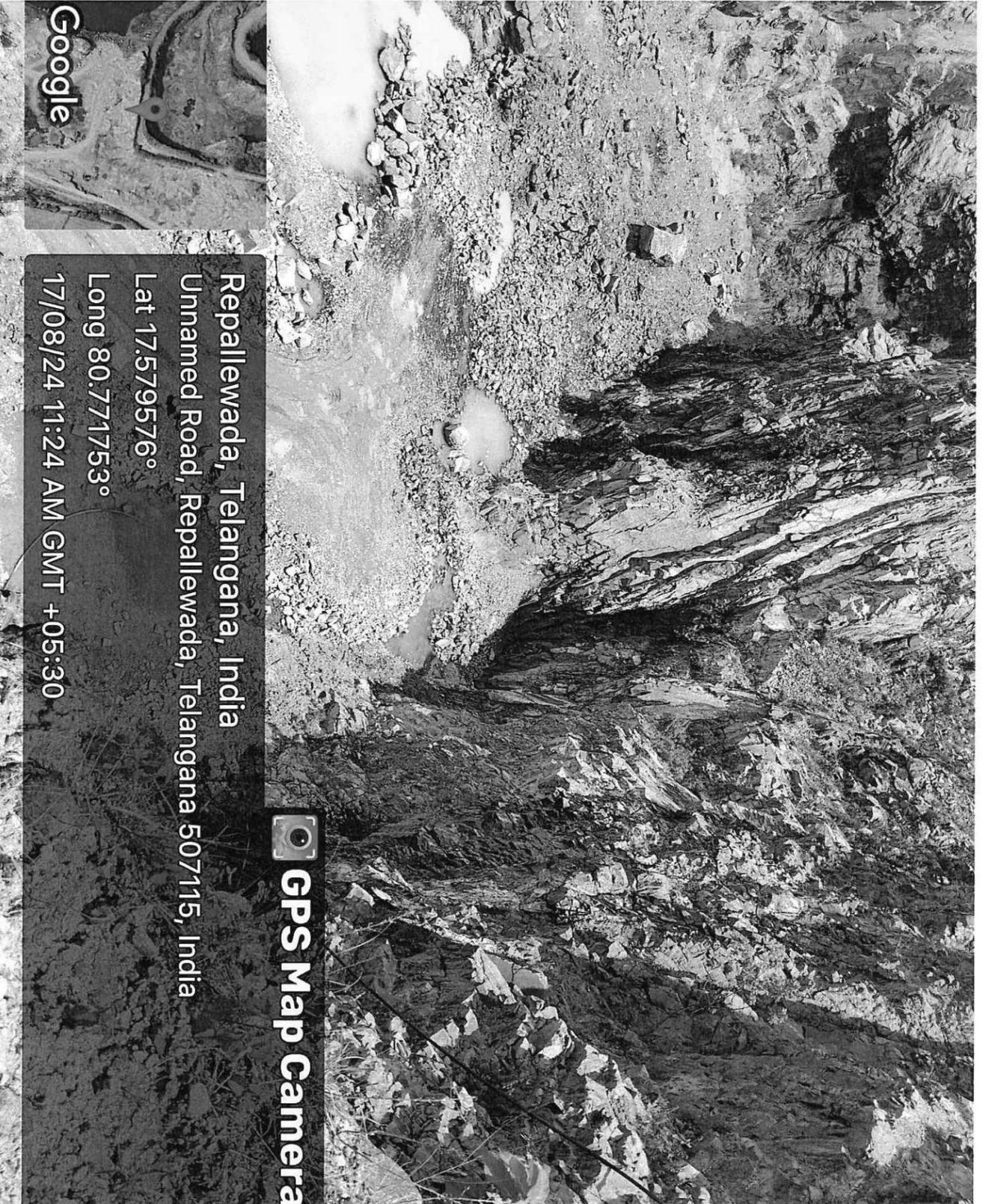
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M/s. Sri Bada Chittibabu (1.0 Ha)



Ma, Sri Sethipalli Narsimha (110 Ha)



Google

GPS Map Camera

Repallewada, Telangana, India

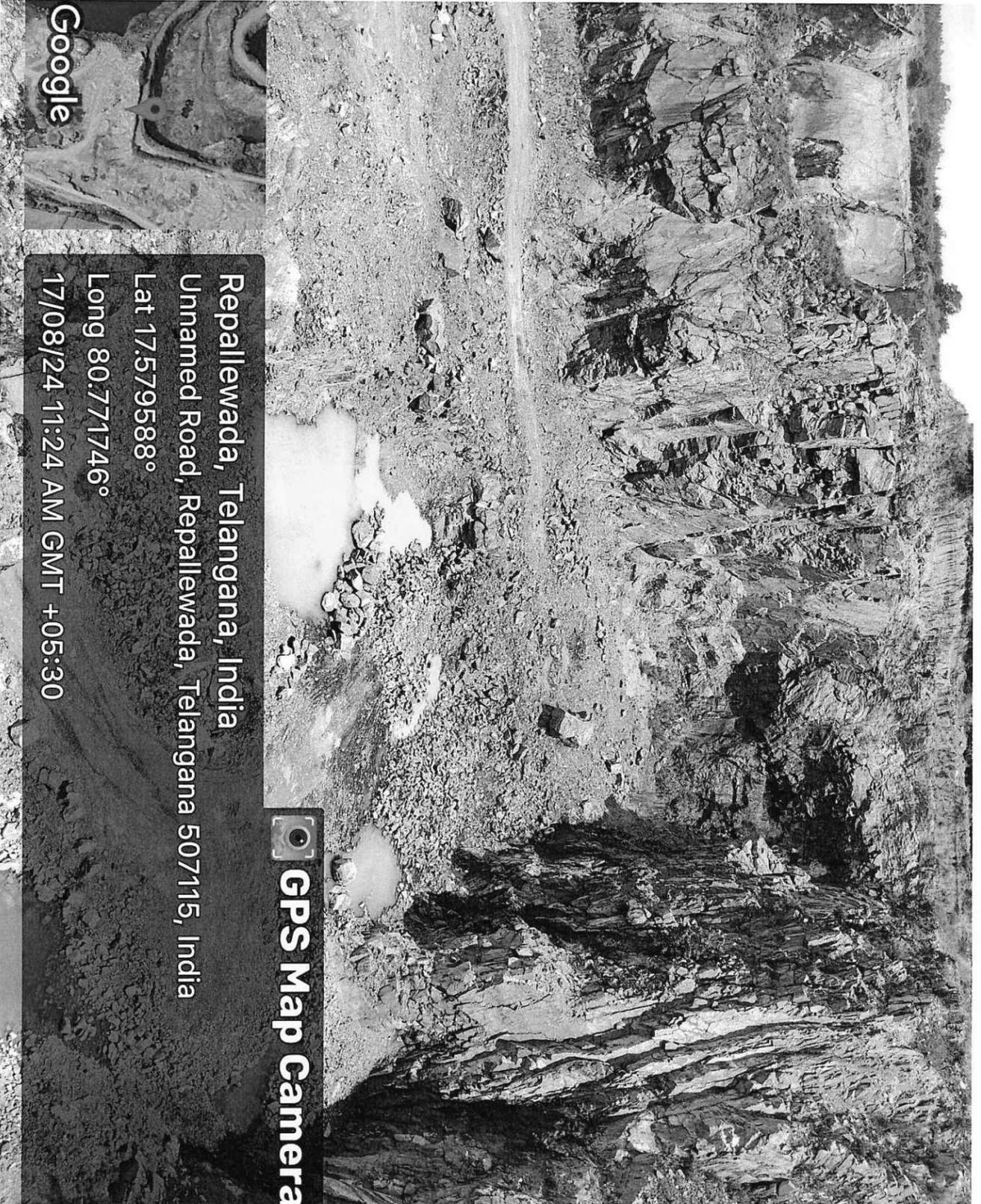
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M/s. Sri Sathipalli Narasimha (I.O.H.)

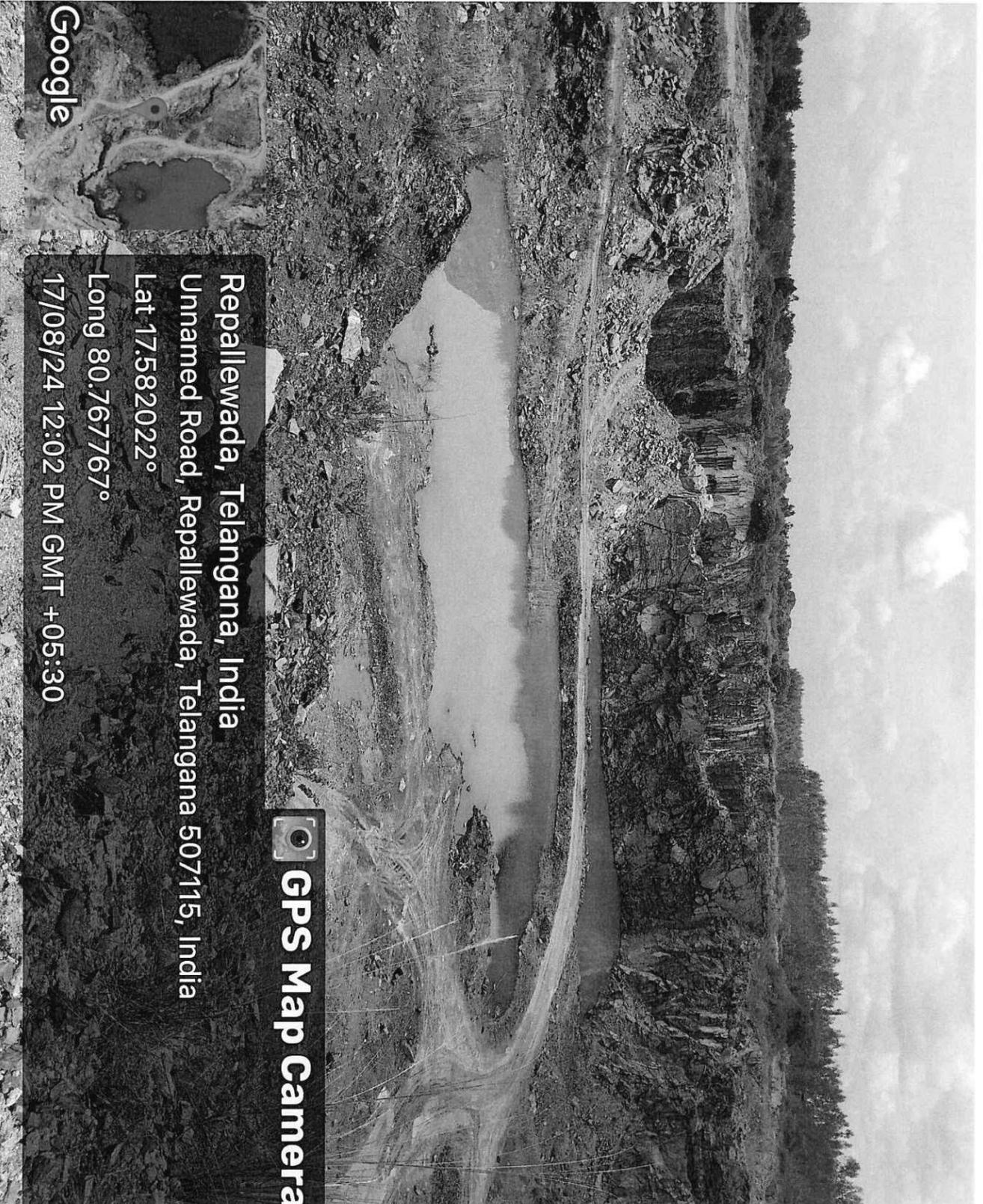


Google

GPS Map Camera

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Long 80.771746°
17/08/24 11:24 AM GMT +05:30

M/o. SWS Sode Sathesh (1.0 Ha)



Google

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Repallewada, Telangana, India

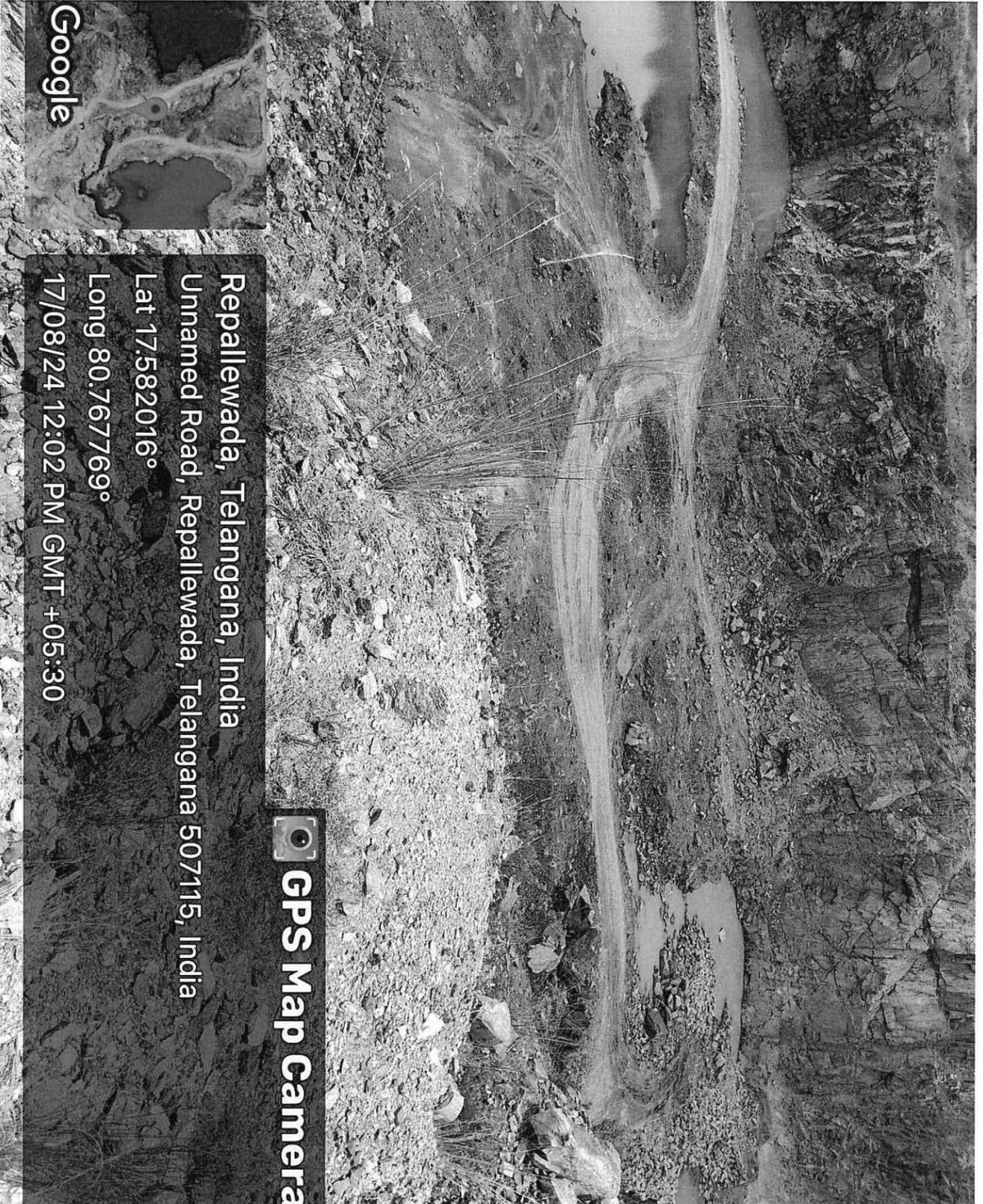
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N/s. Soda Sulfate (1.0 Hz)



Google

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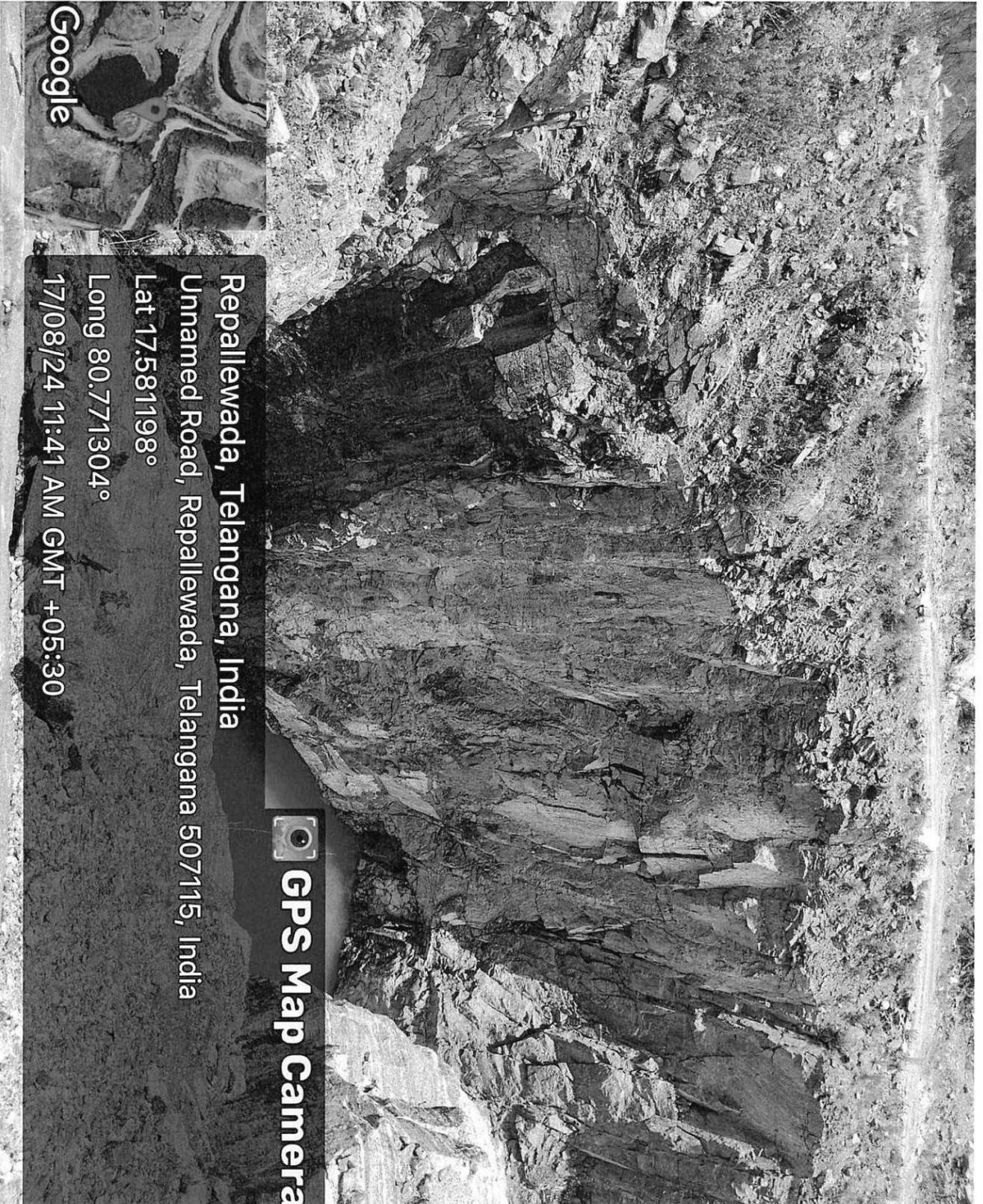
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M/s. Sri Vage Venkateswara Red (21023 Hg)



Google



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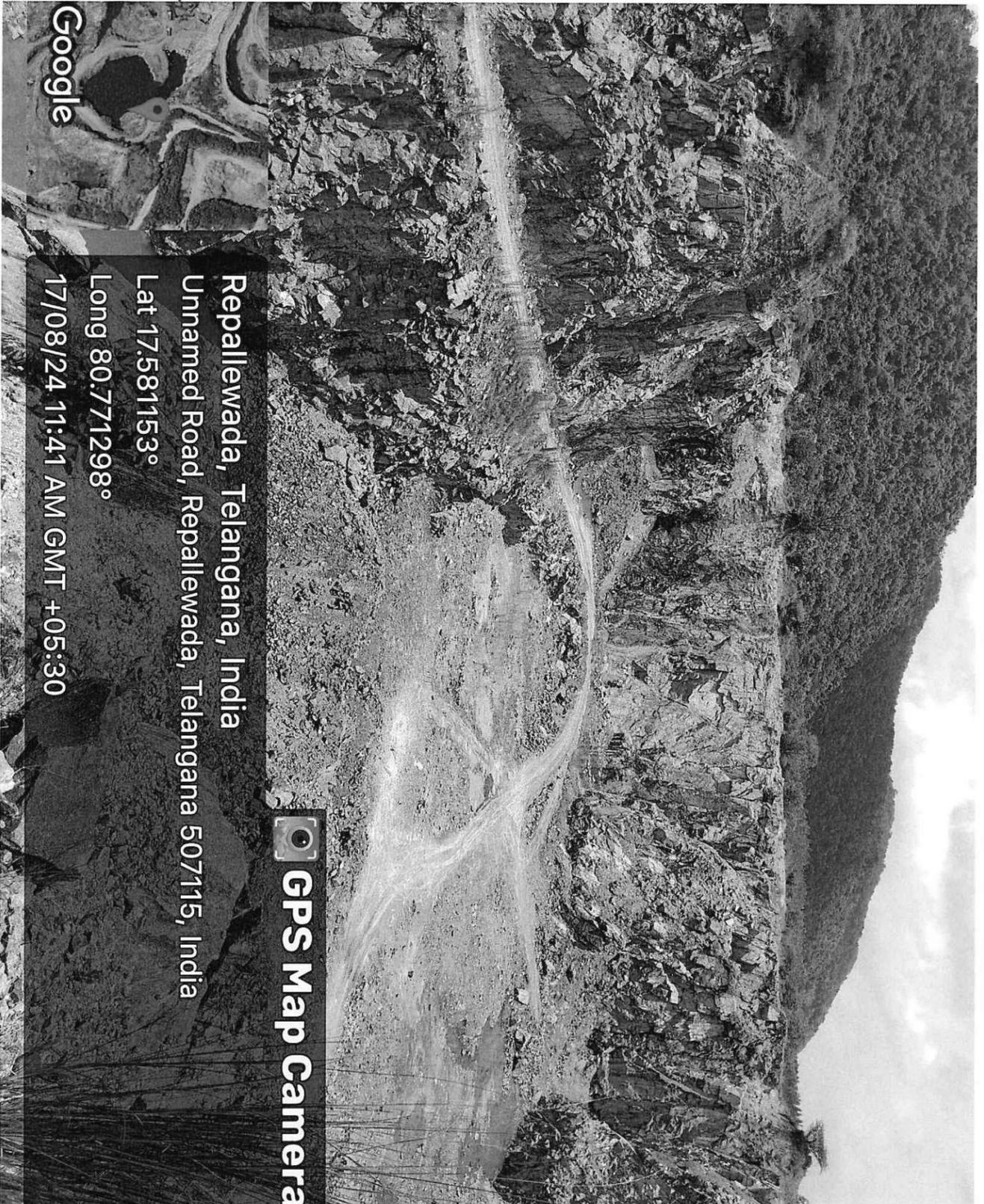
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N/P, Sri Vage Venkateswara Ro (21023 Ha)



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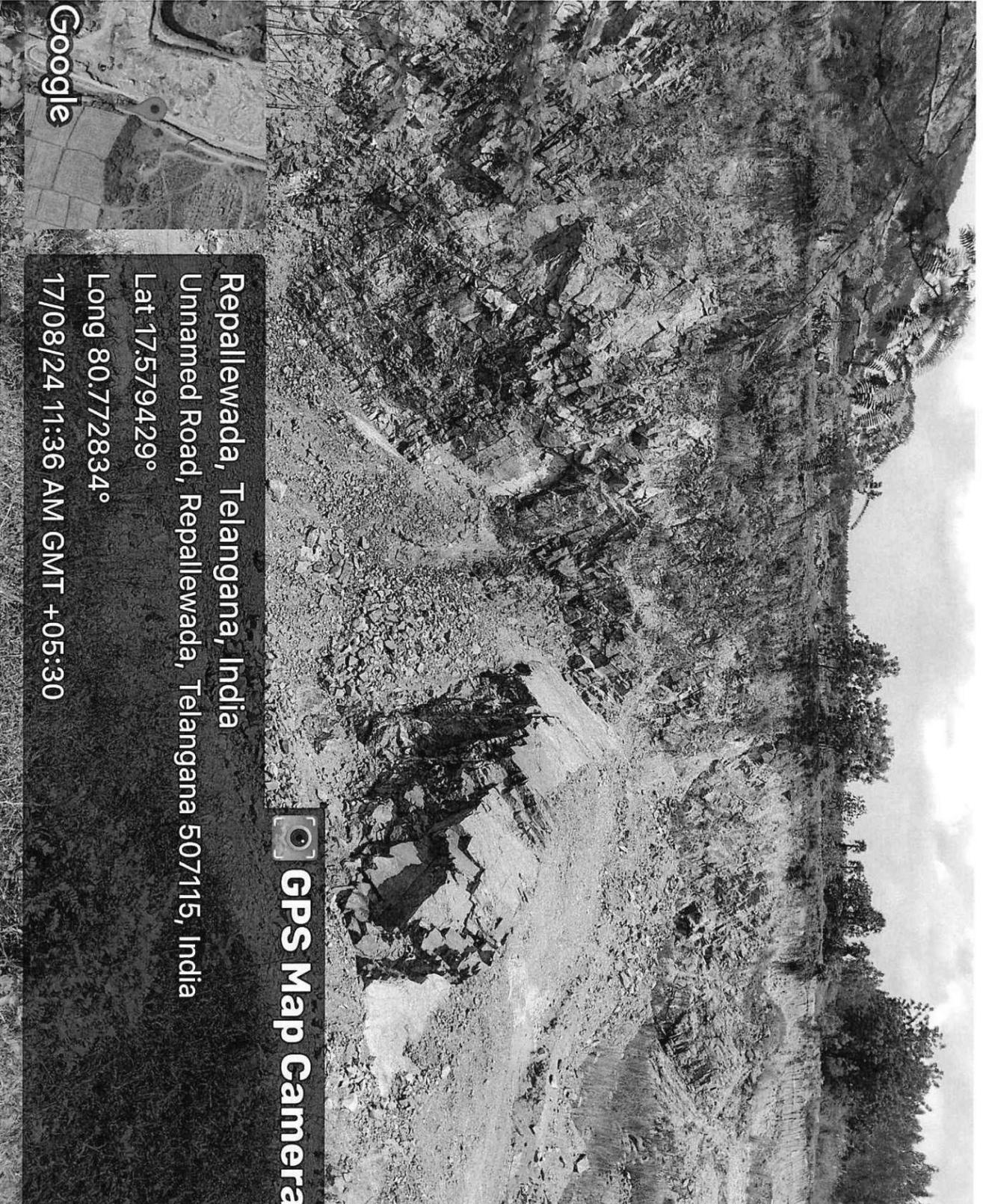
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M/s. Sri Baner Rawaich (S.058 Ha)



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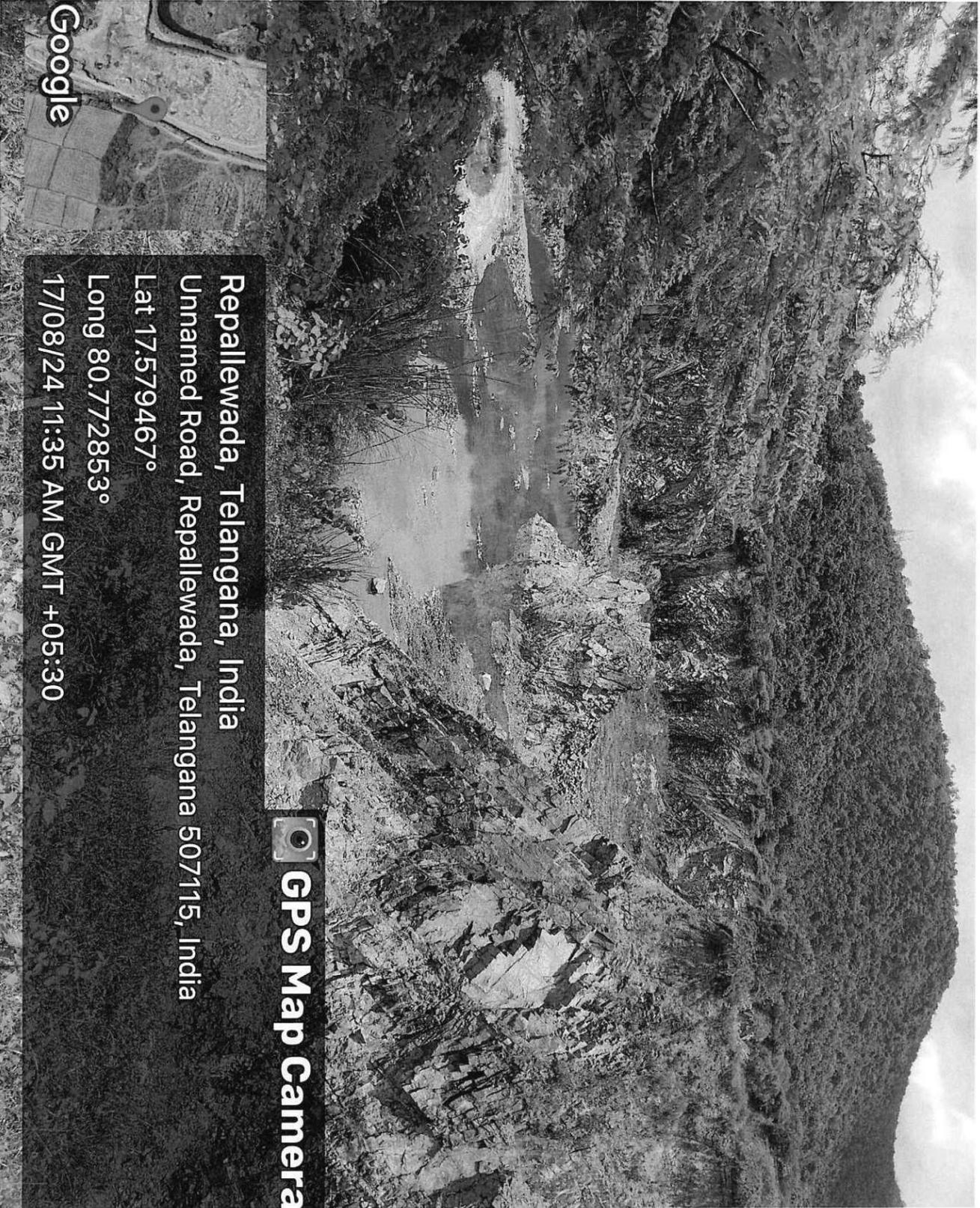
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Google

M/s. Sri Banath Ramiah (5.058 Ha)



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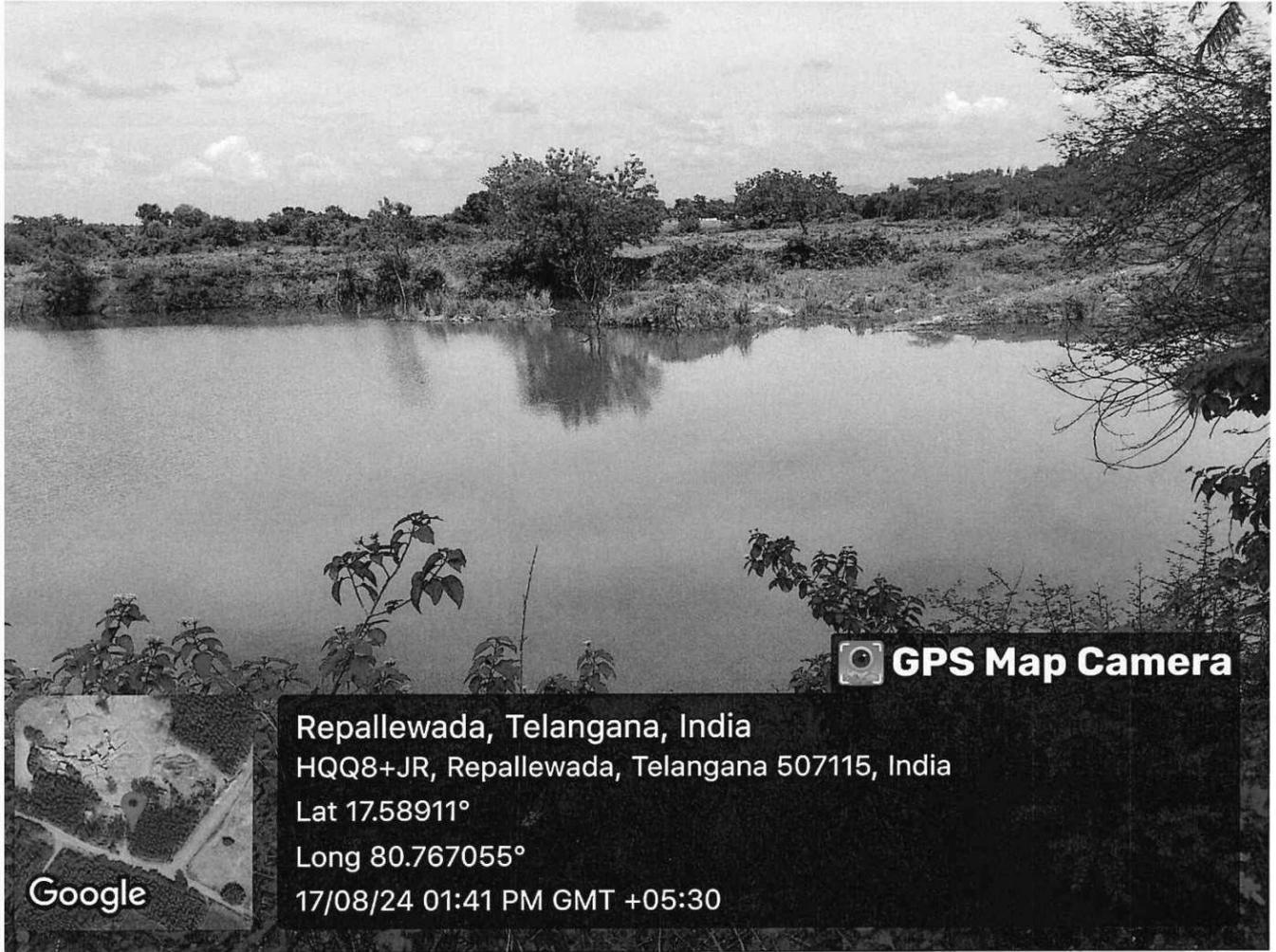
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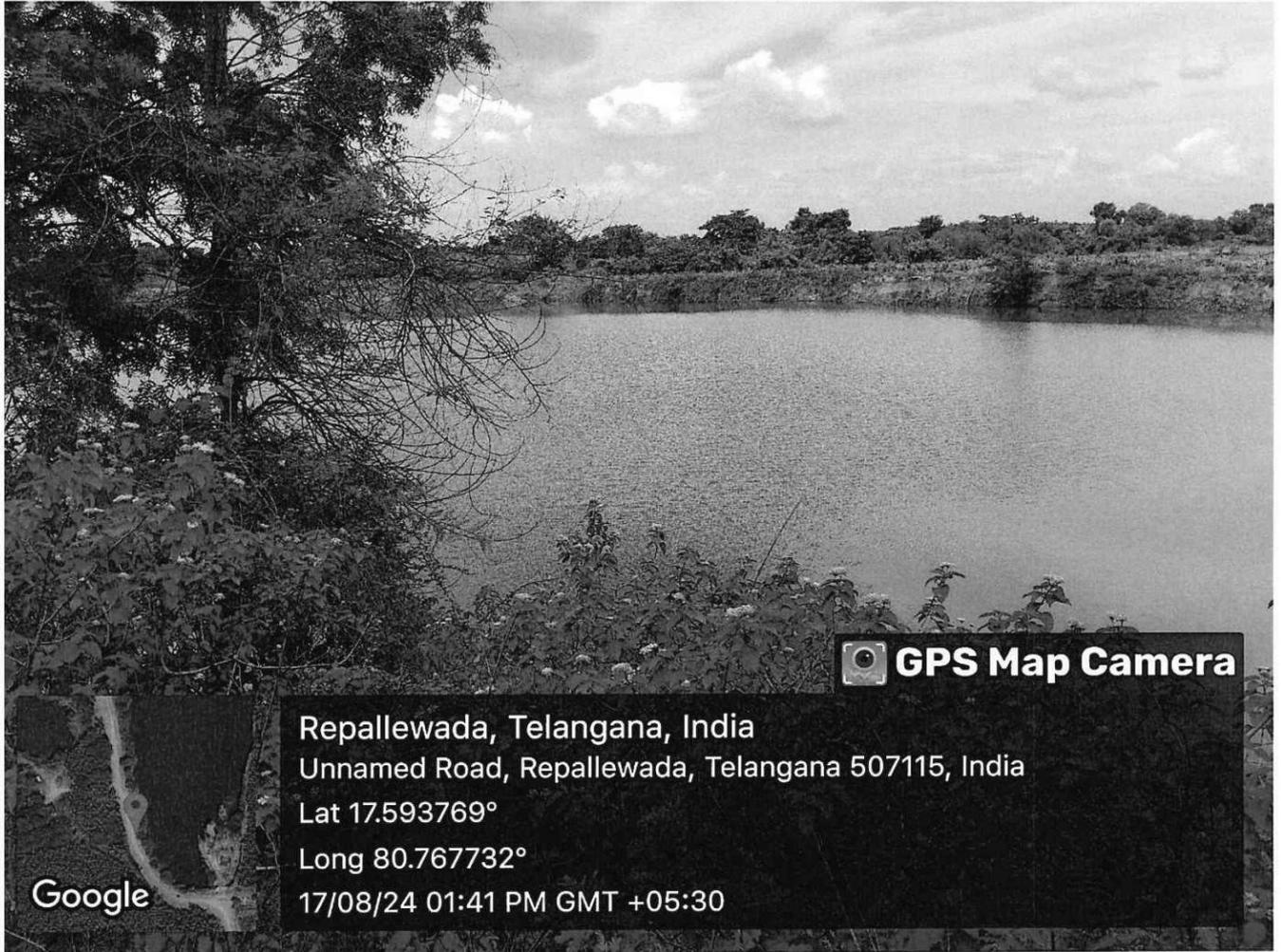
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Google

M/s. J Blavik Raju (0.8 Ha)



M/s. Telavath Raju (0.8 Ha)



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Unnamed Road, Repallewada, Telangana 507115, India
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Google

Item No.11:-

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

(Through Video Conference)

Original Application No. 12 of 2023 (SZ)

IN THE MATTER OF:

K. Ramesh Babu,
Hyderabad.

...Applicant(s)

Versus

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

...Respondent(s)

Date of hearing: 22.07.2024.



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Ms. Mamatha Ralla and Mr. Shivang.

For Respondent(s): Dr. Kuna Suryanarayana for R1.
Ms. C.P. Kavitha Renjini represented
Mr. T. Sai Krishnan for R2 & R5.
Mr. Mohamed Aathic represented
Mrs. H. Yasmeen Ali for R3, R4, R6 & R7.
Mr. Vikram Kumar. P for R16 to R18, R20 & R21.

ORDER

1. The vakalat of Mrs. Mamatha Ralla has not yet been registered. She is directed to file the vakalat and ensure that it is registered.
2. The learned counsel appearing for the Telangana Pollution Control Board (TGPCB) would state that all the crushing units viz., Respondents No.16 to 21 are operating, whereas those who are involved in the mining activity viz., Respondents No.8, 9, 11 to 15 are not carrying their operation.
3. However, the learned counsel appearing for the applicant Mr. Shivang would state that the mining operations are carrying on. However, he has not produced any documents in support of his contentions.
4. Let the TGPCB as well as the applicant file their respective affidavits in this regard.
5. Post the matter on **21.08.2024**.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

**O.A. No. 12/2023 (SZ)
22nd July, 2024. AD.**