

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)
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Place: Hyderabad.
Date: 30-11-2024.


COUNSEL FOR RESPONDENT No.5

REPORT OF TELANGANA POLLUTION CONTROL BOARD (R5) DATED 30.11.2024 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 21.08.2024 noted that TGPCB except issuing demand notice for Environmental Compensation (EC) has not taken further action for recovering the amount and posted the issue for further hearing on 19.09.2024.

Subsequently, the issue was heard before the Hon'ble NGT, Chennai on 19.09.2024 and the learned counsel sought time for filing the report. The case was posted for further hearing on 02.12.2024.

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

The stone metal quarry at Sl. No. 8 i.e., M/s. Sri Lunavath Kishan (6.273 Ha. Building Stone & Road Metal Mine), Sy. No. 29 & 30, Thogudem (V), Palvancha (M), Bhadradi Kothagudem District 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 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 (**Annexure-I**), the Respondent Board has 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. As per the recommendations of the Committee, the Board issued Show Cause Notices to the Stone Metal Quarries on 27.01.2024 at (**Annexure-II**) 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, which was attended by the representatives of stone quarries. The Committee observed that the

assessment 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 objections on the levy of EC during the meeting. Hence, the Committee recommended that the EC levied by the Board may be treated as final assessment.

As per the recommendations of the Task Force committee, the Board vide letter dated 07.05.2024 (**Annexure-III**) has requested the AD, Mines and Geology, Bhadradi Kothagudem to furnish details of excavation and no. of days activity carried out to assess the Environmental Compensation. The AD, Mines and Geology, Bhadradi Kothagudem submitted the details vide letter dated 25.05.2024 (**Annexure-IV**).

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, Assistant Director, 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 Mines & Geology Department permit days. 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-V**.

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/-

Sl. No.	Name of the Quarry	Revised/final EC amount levied vide order dated 20.07.2024
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/-

The Hon'ble NGT, Order vide dated 21.08.2024 ordered as follows: -

"Admittedly, none of the quarry owners paid the environmental compensation levied, which resulted in the closure of all the units. As on date, it is stated that none of the units are in operation. Except issuing the demand notice for environmental compensation, further action has not been taken by the TGPCB for recovering the amount".

As the stone metal quarries mentioned in Sl.Nos.1 to 7 have not paid the Environmental Compensation till date, the Board has addressed a letter to the Collector and District Magistrate, Bhadradi Kothagudem District to initiate action for recovery of Environmental Compensation under Revenue Recovery Act. Copy of the same is enclosed as **Annexure-VI**.

The Board Officials along with AD, Mines & Geology, Bhadradi Kothagudem inspected the stone metal quarries on 28.11.2024. During inspection, the stone metal quarries were not in operation and observed that the Mining Department officials has dug trenches near entry and exit of mining areas to stop movement of vehicles for carrying mining activity. Photocopies attached as **Annexure-VII**.

Date: 30-11-2024.

Place: Kothagudem


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

Item No.7:-**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)

Union of India,
Rep. by its Secretary,
MoEF&CC, New Delhi and Ors.*With*

...Respondent(s)

Date of hearing: 13.12.2023.



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER****For Applicant(s):** Mr. Sravan Kumar.**For Respondent(s):** Dr. Kuna. Suryanarayanan for R1.
Ms. C.P. Kavitha Renjini represented
Mr. T. Sai Krishnan for R2 & R5.
Mrs. H. Yasmeen Ali for R3, R4, R6 & R7.

ORDER

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered though they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

5. Post the matter on 31.01.2024.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O. A. No.12/2023 (SZ)
13th December 2023. Mn.





TELANGANA STATE POLLUTION CONTROL BOARD

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

BY REGD. POST WITH ACK. DUE

Order No. RGM-EC/TSPCB/U-V/TF/2020-1876

Dt. 27.01.2024

SHOW CAUSE NOTICE

COPY
 DESPATCH NO.
 DATE - 03 FEB 2024

Sub : M/s Smt. Ch. Nagamma (1.0 Ha), Sy No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District. 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 and causing dust nuisance to the surrounding areas. Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No.12 of 2023 - Assessment of Environmental Compensation - Show Cause Notice - Issued - Reg.

Ref :

1. Original Application No. 12 of 2023
2. Show cause notice to the stone & metal quarry on 25.02.2023
3. Closure Order issued vide Order dated 15.03.2023
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice issued on 11.12.2023
6. Hon'ble NGT order dated 13.12.2023 in O.A. No.12 of 2023
7. EE,RO Kothagudem report dated 20.01.2024
8. Hearing held on 23.01.2024 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

9

8. WHEREAS, the EE,RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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 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_r 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	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

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

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (2420 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 1534 days for levy of Environmental Compensation of Rs.92,04,000/- (Rupees Ninety Two Lakh and Four Thousand only) on the industry.

10. Your reply / objections if any on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

Received by

Ch. Nagamma

To

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

Sd/-
MEMBER SECRETARY

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. Jambhavi
Senior Environmental Engineer
(TF-HYD : UH-VI)

TELANGANA STATE POLLUTION CONTROL BOARD



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

BY REGD. POST WITH ACK. DUE

Order No. RGM-EC/ISPCB/U-V/TF/2020-1584

DU:27.01.2024

SHOW CAUSE NOTICE

Subj: M/s Smt. Ch. Nagamma (40 Ha), SY No.42 & 43, Fogudem (V), Paloncha (M), Bhadradri Kothagudem District - 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 mining and stone crushing activities in the surrounding areas. Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No.12 of 2023 - Assessment of Environmental Compensation - Issued - Reg

DATE - 03 FEB 2024
 DESTROYED

- Ret: 1. Original Application No. 12 of 2023
 2. Show cause notice to the stone & metal quarry on 25.02.2023
 3. Closure Order issued vide order dated 15.03.2023
 4. Board Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice issued on 11.12.2023
 6. Hon'ble NGT order dated 13.12.2023 in O.A. No.12 of 2023
 7. EC, Ro. Kothagudem report dated 20.01.2024
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad

1. WHEREAS, you are operating the stone & metal quarry located at SY No.42 & 43, Fogudem (V), Paloncha (M), Bhadradri 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 mining and stone crushing activities by the private respondents at Fogudem (V), Paloncha (M), Bhadradri Kothagudem District without obtaining necessary permissions from Government Departments & ISPCB 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 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order
 7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through, they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

8. WHEREAS, the EE.RO, Kothagudem vide report dated 20.01.2024 submitted the revised calculations on levy of Environmental Compensation as per the orders of the Hon'ble NGT vide order dated 13.12.2023. The calculation is as follows:

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

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	01.01.2020	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

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

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (1170 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 2784 days for levy of Environmental Compensation of Rs.1,67,04,000/- (Rupees One Crore Sixty Seven Lakhs and Four Thousand only) on the industry.
10. Your reply / objections if any on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

Received by

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

Sd/-
 MEMBER SECRETARY

Copy to:

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

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

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



TELANGANA STATE 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

Order No. KGM-EC/TSPCB/U-V/TF/2020-1585

Dt. 27.01.2024

SHOW CAUSE NOTICE

Sub : 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 - 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 and causing dust nuisance to the surrounding areas- Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 - Assessment of Environmental Compensation - **Show Cause Notice - Issued - Reg.**

CAIR
DESPATCH NO:

DATE: 03 FEB 2024

Ref :

1. Original Application No. 12 of 2023.
2. Show cause notice to the stone & metal quarry on 25.02.2023.
3. Closure Order issued vide Order dated 15.03.2023.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice issued on 11.12.2023.
6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
7. EE.RO.Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

RECEIVED COPY BY

B. Chittibabu
05/2/24
9553039432

8. WHEREAS, the EE,RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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

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_r 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
Exempted Days : 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

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

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (2265 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 1689 days for levy of **Environmental Compensation of Rs. 1,01,34,000/- (Rupees One Cröre One Lakh Thirty Four Thousand only)** on the industry.
10. **Your reply / objections if any** on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

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),
 Bhädradri 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. Jandhan
 Senior Environmental Engineer
 (TF-HYD : UH-VI)



TELANGANA STATE 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

Order No. KGM-EC/TSPCB/U-VI/TF/2020-1588

Dt.27.01.2024

SHOW CAUSE NOTICE

CAIR
DESPATCH NO:
DATE: 03 FEB 2024

Sub : M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District – 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 and causing dust nuisance to the surrounding areas– Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Assessment of Environmental Compensation – **Show Cause Notice – Issued - Reg.**

- Ref :**
1. Original Application No. 12 of 2023.
 2. Show cause notice to the stone & metal quarry on 25.02.2023.
 3. Closure Order issued vide Order dated 15.03.2023.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice issued on 11.12.2023.
 6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
 7. EE.RO.Kothagudem report dated 20.01.2024.
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No. 12, 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

Received by
Settipalli narsimha rao
w/o.

S. S. S. S. S. S. S.
7/2/2024

phone: 9948728636

8. WHEREAS, the EE,RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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

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

- Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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. LF is taken as 1 considering the population is < 1 million in which the industry existing.
- 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

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

- WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (1499 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 2455 days for levy of Environmental Compensation of Rs. 1,47,30,000/- (Rupees One Crore Forty Seven Lakhs and Thirty Thousand only) on the industry.
- Your reply / objections if any on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

Sd/-
MEMBER SECRETARY

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

Copy to:

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

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

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



TELANGANA STATE POLLUTION CONTROL BOARD

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

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Order No. KGM-EC/TSPCB/U-V/TF/2020-15809

Dt.27.01.2024

SHOW CAUSE NOTICE

C.O.I.R.
DESPATCH NO:
DATE: 03 FEB 2024

Sub : M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Paloncha(M), Bhadradi Kothagudem District - 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 and causing dust nuisance to the surrounding areas- Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 - Assessment of Environmental Compensation - Assessment of Environmental Compensation - **Show Cause Notice - Issued - Reg.**

Ref :

1. Original Application No. 12 of 2023.
2. Show cause notice to the stone & metal quarry on 25.02.2023.
3. Closure Order issued vide Order dated 15.03.2023.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice issued on 11.12.2023.
6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
7. EE.RO.Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No.22, 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 years back.

Revised COPY BY

S. Satish

05/02/2024

9948033036

8. WHEREAS, the EE,RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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

- Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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
- 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	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

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

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (3057 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 897 days for levy of **Environmental Compensation of Rs.53,82,000/- (Rupees Fifty Three Lakh and Eighty Two Thousand only)** on the industry.
10. **Your reply / objections if any** on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

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:

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

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

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

18



TELANGANA STATE 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

Order No. KGM-EC/TSPCB/U-VI/TF/2020- 1590

Dt. 27.01.2024

SHOW CAUSE NOTICE

Sub : M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabji, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - 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 and causing dust nuisance to the surrounding areas- Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 - Assessment of Environmental Compensation - **Show Cause Notice - Issued - Reg.**

copy
DESPATCH NO:
DATE : 03 FEB 2024

- Ref :**
1. Original Application No. 12 of 2023.
 2. Show cause notice to the stone & metal quarry on 25.02.2023.
 3. Closure Order issued vide Order dated 15.03.2023.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice issued on 11.12.2023.
 6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
 7. EE.RO.Kothagudem report dated 20.01.2024.
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

* * * * *

1. WHEREAS, you are operating the stone & metal quarry located at R.Sy.No.20, 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

Received by

V. V. Subbarao
05/2/2024
9441979376

8. WHEREAS, the EE,RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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

- Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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
- 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		
Exempted Days 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 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

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

- WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (2766 days) and exempting the no. of days (238 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 2528 days for levy of **Environmental Compensation of Rs.1,51,68,000/- (Rupees One Crore Fifty One Lakh Sixty Eight Thousand only)** on the industry.
- Your reply / objections if any on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

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:

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

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

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



TELANGANA STATE 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

Order No. KGM-EC/TSPCB/U-VI/TF/2020-15011

Dt.27.01.2024

SHOW CAUSE NOTICE

Sub : M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District – 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 and causing dust nuisance to the surrounding areas– Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 – Assessment of Environmental Compensation – Assessment of Environmental Compensation – **Show Cause Notice – Issued - Reg.**

Ref :

1. Original Application No. 12 of 2023.
2. Show cause notice to the stone & metal quarry on 25.02.2023.
3. Closure Order issued vide Order dated 15.03.2023.
4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
5. Show Cause Notice issued on 11.12.2023.
6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
7. EE,RO.Kothagudem report dated 20.01.2024.
8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

1. WHEREAS, you are operating the stone & metal quarry located at Sy.No.12 & 14, 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:
 1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
 2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
 3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
 4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

Received copy
Enamath Sanku

8. WHEREAS, the EE.RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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 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_r 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:

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 x 2612 x 150 x 0.5 x 1 =Rs. 1,56,72,000/-

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (2870 days) and exempting the no. of days (258 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 2612 days for levy of **Environmental Compensation of Rs.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy Two Thousand only)** on the industry.

10. **Your reply / objections if any** on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

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//

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



TELANGANA STATE POLLUTION CONTROL BOARD

Paryavaran Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23847500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

Order No. KGM-01/TSPCB/U-V/TF/2020-1592

DT. 27.01.2024

SHOW CAUSE NOTICE

COPY
DESPATCH NO:
DATE: 03 FEB 2024

Sub : M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Paloncha (M), Bhadradi Kothagudem District - 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 and causing dust nuisance to the surrounding areas- Hon'ble NGT, Chennai order dt. 18.10.2023 & 13.12.2023 in O.A. No 12 of 2023 - Assessment of Environmental Compensation - Assessment of Environmental Compensation - **Show Cause Notice - Issued - Reg.**

- Ref :**
1. Original Application No. 12 of 2023.
 2. Show cause notice to the stone & metal quarry on 25.02.2023.
 3. Closure Order issued vide Order dated 15.03.2023.
 4. Board Office Order dated 03.01.2020 issued modalities / methodology for assessing, imposing and utilization of Environmental Compensation.
 5. Show Cause Notice issued on 11.12.2023.
 6. Hon'ble NGT order dated 13.12.2023 in O.A. No 12 of 2023.
 7. EE.RO Kothagudem report dated 20.01.2024.
 8. Hearing held on 23.01.2024 at Board Office, Hyderabad.

1. WHEREAS, you are operating the stone & metal quarry 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 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 Board vide order dated 11.12.2023 issued Show cause notice to the industry levying the Environmental Compensation of Rs. 1,26,000/- and directed the industry to submit any objections in writing within 15 days from the date of the Order.
7. WHEREAS, the Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

8. WHEREAS, the EE.RO, Kothagudem vide report dated 20.01.2024, based on the Hon'ble NGT order dated 13.12.2023, submitted the revised calculation on levy of Environmental Compensation. The calculation is as follows:

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 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

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

9. WHEREAS, the revised calculations submitted by the Regional Officer, Kothagudem for levy of Environmental Compensation on the industry, was reviewed in the Task Force Committee meeting held on 23.01.2024. The Committee recommended that the Environmental Compensation may be levied by considering the no. of days of violation (3954 days) and exempting the no. of days (3027 days) for which the mine is not in operation as per the records of AD, Mines & Geology department. Hence, the No. of days of violation may be considered as 927 days for levy of **Environmental Compensation of Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only)** on the industry.
10. Your reply / objections if any on the revised calculations carried out by the Board for assessment of Environmental Compensation, shall be submitted in writing within 15 days from the date of this order, failing which the assessment carried out by the Board will be treated as final assessment.

Sd/-
MEMBER SECRETARY

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

Copy to:

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

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

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

Received by

J. Raju

7/02/2024

9491236799



TELANGANA STATE POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar,

Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

Letter No. GEN-KGM/TSPCB/U-VI/TF/2020 - 304

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradri Kothagudem.

c. a. r. Sub : TSPCB - M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradri Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - Reg.

- 07 MAY 2024* 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O:A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradri Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Letter dt. 13.02.2024 of the Mine submitting reply to the show cause notice.
 9. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 10. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradri Kothagudem to the Hon'ble NGT
 11. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradri Kothagudem.
 12. Letter dt. 23.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradri Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.

4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 23.02.2006 to 22.02.2016 and further it was also mentioned that the last dispatch permit issued & its validity is from 31.10.2014 to 30.11.2014.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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

- Pollution Index, (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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 industry existing
- 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 mail dated 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

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

The Board, vide reference 7th cited issued Show cause notice to the mine regarding the assessment of Environmental Compensation of **Rs. 55,62,000/- (Rupees Fifty Five Lakh Sixty Two Thousand only)** to be levied on the industry and directed the industry 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.

The Mine, vide reference 8th cited has submitted reply to the show cause notice stating that they have not done any quarry operations during financial years 2010-2011, 2011- 2012.

Vide reference 9th cited, the issue was reviewed in the Board's 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., during financial years 2010-2011, 2011- 2012. Further, the Mine has not produced any evidence on non

operation of the Mine for the remaining period. It is also observed from the statement of Mines and Geology Department that the mine lease period is from 23.02.2006 to 22.02.2016 and further it was also mentioned that the last dispatch permit issued & its validity is from 31.10.2014 to 30.11.2014. Hence, the Board has taken violation period from 18.05.2012 (i.e., the issue of Office Memorandum by the MoEFCC stating that renewal of leases of minor minerals with lease area less than 5 Ha shall be granted only after getting the Environmental Clearance) upto 30.11.2014, (i.e., last dispatch validity date) and also the statement of Mines & Geology which clearly specified that the quarry is not working since 01.12.2014. 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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 10th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 13,11,55,020/- (Rupees Thirteen Crore Eleven Lakh Fifty Five Thousand and Twenty only) on the Mine.

Subsequently, the Mine, vide reference 12th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2012 to March 2017 are 136 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 13,11,55,020/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

Sd/-

MEMBER SECRETARY

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887510

Letter No. GEN-KGM/TSPCB/U-VI/TF/2020 - 308

Dt:07.05.2024

**To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.**

Sub : TSPCB - M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A.No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 24.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.

3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 22.08.2006 to 21.08.2016 and further it was also mentioned that the last dispatch permit issued & its validity is from 17.12.2016 to 31.12.2016.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 is 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 mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 16,05,38,296.5/- (Rupees Sixteen Crore Five Lakh Thirty Eight Thousand Two Hundred and Ninety Six and Paise Five only) on the Mine.

Subsequently, the Mine, vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2010 to March 2017 are 961 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 16,05,38,296.5/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

Sd/-
MEMBER SECRETARY

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s. Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



(30)

TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887519

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 306

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

C. O. R. P.
DESPATCH NO:

DATE : 07 MAY 2024

Sub : TSPCB - M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 23.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the

damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.

3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 13.06.2011 to 12.06.2026 and further it was also mentioned that the last dispatch permit issued & its validity is from 13.12.2019 to 31.12.2019.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 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 is less than 1 Million. LF 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 mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 35,92,99,950.80/- (Rupees Thirty Five Crore Ninety Two Lakh Ninety Nine Thousand Nine Hundred and Fifty and Paise Eighty only) on the Mine.

Subsequently, the Mine vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2011 to March 2024 are 1340 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 35,92,99,950.80/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

**Sd/-
MEMBER SECRETARY**

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



(33)

TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887519

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 307

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

c.ack
Sub : TSPCB - M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 23.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.

3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 07.05.2015 to 06.05.2025 and further it was also mentioned that the last dispatch permit issued & its validity is from 16.06.2022 to 30.06.2022.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 is 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:

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		
Exempted Days As per AD, Mines & Geology department mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 82,76,71,650/- (Rupees Eighty Two Crore Seventy Six Lakh Seventy One Thousand Six Hundred and Fifty only) on the Mine.

Subsequently, the Mine vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2015 to March 2024 are 913 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 82,76,71,650/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 07.05.2015 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 07.05.2015 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

**Sd/-
MEMBER SECRETARY**

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



(36)

TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887510

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 308

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

C. O. P. K. G.
DISPATCH NO:
07 MAY 2024

Sub : TSPCB - 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 - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 24.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to 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 on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.

3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 16.05.2007 to 15.05.2017 and further it was also mentioned that the last dispatch permit issued & its validity is from 17.12.2016 to 31.12.2016.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 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 is 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 mail dt. 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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



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TELANGANA STATE POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar,

Hyderabad-500 018

Phones : 040-23887500 Fax: 040 - 23887519

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 309

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

C.A.R.
JESPA: 309
DATE: 07 MAY 2024

Sub : TSPCB - M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 24.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.

3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 16.06.2007 to 15.05.2017 and further it was also mentioned that the last dispatch permit issued & its validity is from 11.01.2019 to 05.02.2019.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 is 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 mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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

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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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 40,94,43,547.5/- (Rupees Forty Crore Ninety Four Lakh Forty Three Thousand Five Hundred and Forty Seven and Paise Five only) on the Mine.

Subsequently, the Mine vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2011 to March 2019 are 584 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 40,94,43,547.5/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

**Sd/-
MEMBER SECRETARY**

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



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TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887510

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 310

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

C. O.P. 2
Sub : TSPCB - M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - Reg.

- 07 MAY 2024
- 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 by the Board to the mine.
 3. Closure order dated 15.03.2023 issued by the Board to the mine.
 4. Show Cause Notice dated 11.12.2023 issued by the Board to the mine.
 5. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.
 6. E-mail of AD, Mines & Geology, Bhadradi Kothagudem dt. 09.01.2024.
 7. Show cause notice dated 27.01.2024 issued by the Board to the mine.
 8. Hearing held on 06.04.2024 at Board Office, Hyderabad.
 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 24.04.2024 of the Mine.

* * * * *

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.

4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 23.06.2007 to 22.06.2017 and further it was also mentioned that the last dispatch permit issued & its validity is from 09.10.2014 to 31.10.2014.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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 is 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 mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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

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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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 17,28,95,580/- (Rupees Seventeen Crore Twenty Eight Lakh Ninety Five Thousand Five Hundred and Eighty only) on the Mine.

Subsequently, the Mine vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2007 to March 2017 are 513 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 17,28,95,580/- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

Sd/-

MEMBER SECRETARY

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



(45)

TELANGANA STATE POLLUTION CONTROL BOARD

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

Phones : 040-23887500 Fax: 040 - 23887519

Letter No. GEN-KGM/TSPCB/U-VI/TF/2024 - 311

Dt:07.05.2024

To
The Assistant Director of
Mines and Geology,
Bhadradi Kothagudem.

carb
Sub : TSPCB - M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District - Hon'ble NGT orders in O.A No 12 of 2023 - Levy of Environmental Compensation - Information sought - Reg.

- DATE : 07 MAY 2024
- 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 by the Board to the mine.
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 9. Affidavit dt. 13.03.2024 submitted by the Asst. Director of Mines & Geology, Bhadradi Kothagudem to the Hon'ble NGT
 10. Lr.No.2040/GC/2017, dt. 20.04.2024 of AD, Mines & Geology, Bhadradi Kothagudem.
 11. Letter dt. 23.04.2024 of the Mine.

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.

The Board, vide reference 2nd cited, issued show cause notice to M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District on 25.02.2023 for operating without CFE and CFO of the Board.

The Board, vide reference 3rd cited issued Closure order to the Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

The Board, vide reference 4th cited issued Show cause notice to the mine regarding levy of 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.

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023, vide reference 5th cited and same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.
2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.

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4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back.

The Assistant Director of Mines and Geology, Bhadradi Kothagudem, vide reference 6th cited, submitted that the mine lease period is from 19.08.2015 to 18.08.2025 and further it was also mentioned that the last dispatch permit issued & its validity is from 01.07.2022 to 20.07.2022.

As per the orders of the Hon'ble NGT, dated 13.12.2023 and based on the information furnished by the Assistant Director of Mines and Geology, Bhadradi Kothagudem, the issue was reviewed in the Board's Task Force Committee meeting. The Committee recommended that the Environmental Compensation may be levied on the above mine, 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

- Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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 industry existing
- 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 mail dated 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

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

The Board, vide reference 7th cited 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 industry and directed the industry 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. The mine has not submitted reply to the show cause notice.

Vide reference 8th cited, the issue was reviewed in the Board's 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

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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.

The Asst. Director of Mines & Geology, Bhadradi Kothagudem has submitted an Affidavit dt. 13.03.2024 to the Hon'ble NGT, vide reference 9th cited. It is observed from the Affidavit that the Asst. Director of Mines & Geology, Bhadradi Kothagudem has levied penalty of Rs. 35,26,57,757.40 /- (Rupees Thirty Five Crore Twenty Six Lakh Fifty Seven Thousand Seven Hundred and Fifty Seven and Paise Forty only) on the Mine.

Subsequently, the Mine vide reference 11th cited has submitted the letter, Lr.No.2040/GC/2017, dt. 20.04.2024 of Asst. Director of Mines & Geology, Bhadradi Kothagudem with the details of dispatch permits issued to the Mine, wherein it was mentioned that the permit valid working days from April 2012 to March 2017 are 136 days.

In view of the above, it is requested to submit the following details within 7 days, for taking further necessary action on the representation submitted by the mine on levying of Environmental Compensation :

- i. Details based on which the penalty amount of Rs. 35,26,57,757.40 /- is levied by the Asst. Director of Mines & Geology, Bhadradi Kothagudem, on the Mine.
- ii. Number of days the mine has carried out operation with valid permits, during the period from 19.08.2015 to 15.03.2023.
- iii. Number of days the mine has carried out operation without valid permits, during the period from 19.08.2015 to 15.03.2023.

The above information may be furnished at the earliest so as to finalize the Environmental Compensation to be levied on the Mine and submit the report to the Hon'ble NGT.

Sd/-
MEMBER SECRETARY

Copy submitted to :

1. The Principal Secretary to Government (Mines & Geology), Telangana for kind information.
2. The Director, Mines & Geology, My Home Sarovar, 2nd Floor, Adarsh Nagar, Opp : Secretariat, Hyderabad for information.
3. The Deputy Director of Mines and Geology, Warangal for information.
4. M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District for information.
5. The Environmental Engineer, Regional Office, Kothagudem for information and necessary action.

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

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



GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY

From
Sri G.Dinesh Kumar, M.Sc.
Asst. Director of Mines & Geology(I/c),
Bhadradri Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 2291/Q/2005, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 0.800 Hectares in Sy.No. 46 of Thogudem Village, Palvancha Mandal, Bhadradri Kothagudem Disrtict held by Sri Islavath Raju – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

Ref: 1) Procgs.No. 5795/Q3/1994, dt: 12.01.1996 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 2291/Q/2005, Dated: 21.06.2022 addressed to Sri Islavath Raju
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-304, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 0.800 Hectares in Sy.No. 46 of Thogudem Village, Palvancha Mandal, Bhadradri Kothagudem Disrtict held by Sri Islavath Raju for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 13,11,55,020/- is levied by the Asst,Director of Mines & Geology, Bhadradri Kothagudem on the Mine.

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over extent of 0.800 Hectares in Sy.No. 46 of Thogudem Village, Palvancha Mandal, Bhadradri Kothagudem Disrtict held by Sri Islavath Raju for a period of (10) years and the same was executed by this office vide Procgs No. 4369/Q/1992, dated 23.02.1996.

Further, the lease was renewed for a further period of 10 years w.e.f from 23.02.2006 to 22.02.2016 by the Dy.Director of Mines & Geology, Warangal vide 5795/Q3/1994, dt: 12.09.2006 and the renewal lease deed was executed by this office vide Procgs No. 913/Q/2005 dated 06.10.2006.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procgs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s. Chaitanya Geo- Surveys, empanelled agency has conducted DGPS survey of the quarry lease on 29.08.2017 and 25.10.2017 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No._2291/Q/2005, Dated: 30.01.2020.

In this regard, M/s. Chaitanya Geo-Surveys, empanelled agency has conducted ETS survey of the quarry lease area on 21.09.2019 & 22.09.2019 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

SI.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess beyond the permitted quantity within the leased area	Quantity the quantity outside the leased area
1.	Excavated Stone & Metal Pit within the leased area	199828.30	17892	181936.3	-
2.	Excavated Stone & Metal Pit in outside the leased area	59737.80	-	-	59737.80

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 2291/Q/2005, dt: 16.05.2022 to Sri Islavath Raju requested to Show cause why should not take action for excess excavation and transportation of 181936.3 cbm of Stone & Metal from within the leased area and unauthorized excavation and transportation of 59737.80 cbm of Stone & Metal from outside the leased area violation under Rule 26(2) & 26(3)(ii) & 34 of TSMMC Rules, 1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Islavath Raju directed to pay for an amount of Rs. 1,81,25,557.5/- towards normal seig. fee along with towards Penalty (5/10) times for Rs. 1,130,29,462.5 to a total an amount of Rs. 13,11,55,020 for excess excavation and transportation of 181936.3 cbm of Stone & Metal from within the leased area and unauthorized excavation and transportation of 59737.80 cbm of Stone & Metal from outside the leased area under Rule 26(2) & 26(3)(ii) and 34 of TSMMC Rules, 1966 (adopted) and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in cbm)	Rate of S. fee per cbm	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	181936.3	75/-	1,36,45,222.5	6,82,26,112.5 (05 times)	8,18,71,335
2	Outside the leased area (Stone & Metal)	59737.80	75/-	44,80,335	4,48,03,350 (10 times)	4,92,83,685
	TOTAL	241,674.1		1,81,25,557.5	1,130,29,462.5	13,11,55,020

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2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, as per this office records and OMEPPS online department web portal, the information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,

Encl: Annexure-I



Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information


ANNEXURE-I

SLAVATH RAJU DISPATCH PERMITS (Lease period : 23-02-2006 to 22-02-2016). QL expired on 23.02.2016 and filed Renewal on 18.11.2015 which is under process

Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
2012-13						
1	Apr-12	03/Minor/12-13	12.04.12	11.05.12	30	1200
2	May-12	-	-	-	0	0
3	Jun-12	18/Minor/12-13	13.06.12	11.07.12	29	900
4	Jul-12	-	-	-	0	0
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	32/Minor/12-13	08.11.12	07.12.12		900
9	Dec-12	-	-	-	0	0
10	Jan-13	-	-	-	0	0
11	Feb-13	49/Minor/12-13	21.02.13	20.03.13		600
12	Mar-13	-	-	-	0	0
2013-14						
1	Apr-13	-	-	-	0	0
2	May-13	11/Minor/13-14	08.05.13	30.05.13	23	1200
3	Jun-13	-	-	-	0	0
4	Jul-13	-	-	-	0	0
5	Aug-13	34/Minor/13-14	19.08.13	10.09.13	23	300
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0
7	Oct-14	16/Minor/14-15	31.10.14	31.11.14	31	600
8	Nov-14	-	-	-	0	0
9	Dec-14	-	-	-	0	0
10	Jan-15	-	-	-	0	0
11	Feb-15	-	-	-	0	0
12	Mar-15	-	-	-	0	0
2015-16						
1	Apr-15	-	-	-	0	0
2	May-15	-	-	-	0	0
3	Jun-15	-	-	-	0	0
4	Jul-15	-	-	-	0	0
5	Aug-15	-	-	-	0	0
6	Sep-15	-	-	-	0	0
7	Oct-15	-	-	-	0	0
8	Nov-15	-	-	-	0	0
9	Dec-15	-	-	-	0	0
10	Jan-16	-	-	-	0	0
11	Feb-16	-	-	-	0	0
12	Mar-16	-	-	-	0	0
2016-17						
1	Apr-16	-	-	-	0	0
2	May-16	-	-	-	0	0
3	Jun-16	-	-	-	0	0
4	Jul-16	-	-	-	0	0
5	Aug-16	-	-	-	0	0

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6	Sep-16	-	-	-	0	0
7	Oct-16	-	-	-	0	0
8	Nov-16	-	-	-	0	0
9	Dec-16	-	-	-	0	0
10	Jan-17	-	-	-	0	0
11	Feb-17	-	-	-	0	0
12	Mar-17	-	-	-	0	0
Total					136	5700


Asst. Director of Mines & Geology (I/c),
Bhadradi Kothagudem

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GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY



From
Sri G.Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer,
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 5306/Q/2009, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma – Hon’ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref:
- 1) Procs.No. 1583/Q4/DDWGL/2006, dt: 03-08-2006 of the Dy.Director of Mines and Geology, Warangal
 - 2) This office Demand Notice No. 5306/Q/2009, dt: 24.06.2022 addressed to Smt Ch.Nagamma
 - 3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-305, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 160538296.5 /- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over extent of 1.000 Hectare in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma for a period of (10) years and the same was executed by this office vide Procs No. 1305/Q/2005, dt: 22-08-2006.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s. Chaitanya Geo- Surveys, empanelled agency has conducted DGPS survey of the quarry lease on 21.08.2017 and 31.10.2017 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 5306/Q/2009, Dated: 18.01.2020.

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In this regard, M/s. Chaitanya Geo-Surveys, empanelled agency has conducted ETS survey of the quarry lease area on 13.09.2019 & 14.09.2019 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

Sl.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area
1.	Excavated Stone & Metal Pit within the leased area	371769.77	15018	356751.77 (05 times)	

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in within the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 5306/Q/2009, Dated: 12.05.2022 to Smt Nagamma requested to Show cause why should not take action for excess excavation and transportation of 356751.77 cbm of Stone & Metal from within the leased area violation under Rule 34 of TMMC Rules, 1966 . In this regard, the lease holder has requested to give another (15) days time to submit reply for show cause notice.

Further, Smt. Ch.Nagamma has submitted reply on 18.06.2022 duly stated that the Mining Department have granted a quarry lease in favor of them and they have supplied stone & metal to the Government works. The authority have already recovered the seigniorage charges from the work bills and credited the same to the Department of Mines & Geology.

As per the above, on verification of the reply, Smt Ch. Nagamma has not submitted documentary evidences having paid seigniorage fee transit forms for excavated mineral quantity from their quarry lease. Hence the reply submitted by Smt. Ch. Nagamma is not satisfactory

Therefore, this office issued Demand Notice vide reference 2nd cited, to Smt Ch.Nagamma directed to pay for an amount of Rs. 2,67,56,382.75 towards normal seig.fee along with towards Penalty (5) times for Rs. 13,37,81,913.8/- to a total an amount of Rs. 16,05,38,296.5 for excess excavation and transportation of 356751.77 cbm of Stone & Metal from within the leased area under Rule 34 of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in cbm)	Rate of S.fee per cbm	Normal Seig. Fee in Rs.	Penalty (5) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	356751.77	75/-	26756382.75	133781913.8	160538296.5
	TOTAL	356751.77		2,67,56,382.75/-	13,37,81,913.8/-	16,05,38,296.5

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

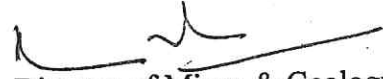
In this connection, it is submitted that as per this office records and OMEPPS online department web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Encl: Annexure-I

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

ANNEXURE-I

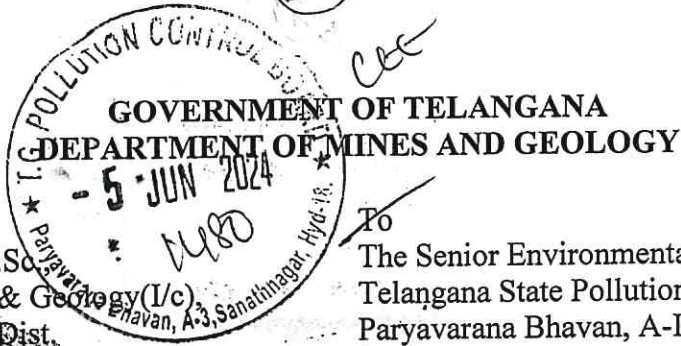
Ch. NAGAMMA DISPATCH PERMITS (1.00 Hects) (Lease period: 22-08-2006 to 21-08-2016).
QL expired on 23.02.2016 and filed Renewal on 13.05.2016 which is under process

Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
2010-11						
1	Apr-10	-	-	-	0	0
2	May-10	17/Minor/10-11	13-05-10	11-06-2010	26	600
3	Jun-10	-	-	-	0	0
4	Jul-10	-	-	-	0	0
5	Aug-10	-	-	-	0	0
6	Sep-10	45/Minor/10-11	20-09-10	05-10-2010	16	300
7	Oct-10	59/Minor/10-11	19-10-10	30-10-10	12	96
8	Nov-10	66/Minor/10-11	19-11-10	30-12-10		198
9	Dec-10	73/Minor/10-11	04-12-2010	21-12-10	18	198
		75/Minor/10-11	29-12-10	01-12-2011	4	198
10	Jan-11	83/Minor/10-11	22-01-11	10-02-2011	20	198
11	Feb-11	90/Minor/10-11	15-02-11	03-05-2011	17	198
12	Mar-11	95/Minor/10-11	08-03-2011	31-03-11	24	198
2011-12						
1	Apr-11	03/Minor/11-12	02.04.11	30.04.11	29	600
2	May-11	14/Minor/11-12	02.05.11	31.05.11	30	600
3	Jun-11	24/Minor/11-12	02.06.11	30.06.11	29	600
4	Jul-11	-	-	-	0	0
5	Aug-11	-	-	-	0	0
6	Sep-11	58/Minor/11-12	08.08.11	31.08.11	24	200
7	Oct-11	77/Minor/11-12	27.10.11	25.11.11	29	200
8	Nov-11	-	-	-	0	0
9	Dec-11	103/Minor/11-12	15.12.11	31.12.11	17	198
10	Jan-12	110/Minor/11-12	04.01.12	03.02.12	31	300
11	Feb-12	127/Minor/11-12	14.02.12	13.03.12	28	198
12	Mar-12	-	-	-	0	0
2012-13						
1	Apr-12	-	-	-	0	0
2	May-12	13/Minor/12-13	10.05.12	09.06.12	31	198
3	Jun-12	-	-	-	0	0
4	Jul-12	24/Minor/12-13	19.07.12	08.08.12	21	198
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	30/Minor/12-13	05.11.12	04.12.12	29	198
9	Dec-12	-	-	-	0	0
10	Jan-13	40/Minor/12-13	01.01.13	31.01.13	31	198
11	Feb-13	46/Minor/12-13	20.02.13	19.03.13	28	198
12	Mar-13	52/Minor/12-13	22.03.13	31.03.13	10	90
2013-14						
1	Apr-13	6/Minor/13-14	25.04.13	15.05.13	21	198
2	May-13	18/Minor/13-14	27.05.13	15.06.13	20	198
3	Jun-13	25/Minor/13-14	18.06.13	30.06.13	13	198
4	Jul-13	-	-	-	0	0
5	Aug-13	30/Minor/13-14	05.08.13	31.08.13	27	198
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0

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7	Oct-14	09/Minor/14-15	08.10.14	31.10.14	24	198
8	Nov-14	-	-	-	0	0
9	Dec-14	-	-	-	0	0
10	Jan-15	18/Minor/14-15	31.12.14	31.01.15	31	198
11	Feb-15	28/Minor/14-15	18.02.15	31.03.15		198
12	Mar-15	35/Minor/14-15	11.03.15	31.03.15	21	396
2015-16						
1	Apr-15	02/Minor/15-16	09.04.15	08.05.15	30	198
2	May-15	14/Minor/15-16	14.05.15	05.06.15	23	198
3	Jun-15	18/Minor/15-16	16.06.15	30.06.15	15	198
4	Jul-15	24/Minor/15-16	07.07.15	31.07.15	25	198
5	Aug-15	36/Minor/15-16	06.08.15	31.08.15	26	198
6	Sep-15	-	-	-	0	0
7	Oct-15	52/Minor/15-16	09.10.15	03.11.15	25	132
8	Nov-15	65/Minor/15-16	07.11.15	30.11.15	24	133
9	Dec-15	76/Minor/15-16	08.12.15	31.12.15	24	126
10	Jan-16	-	-	-	0	0
11	Feb-16	97/Minor/15-16	20.02.16	15.03.16	16	399
12	Mar-16	101/Minor/15-16	10.03.16	31.03.16	22	84
2016-17						
1	Apr-16	-	-	-	0	0
2	May-16	22210600050001	02.05.16	31.05.16	30	333
		22210600050002	31.05.16	09.06.16	10	333
3	Jun-16	22210600050003	30.06.16	29.07.16	30	266
4	Jul-16	-	-	-	0	0
5	Aug-16	-	-	-	0	0
6	Sep-16	-	-	-	0	0
7	Oct-16	-	-	-	0	0
8	Nov-16	-	-	-	0	0
9	Dec-16	-	-	-	0	0
10	Jan-17	-	-	-	0	0
11	Feb-17	-	-	-	0	0
12	Mar-17	-	-	-	0	0
Total					961	10738


 Asst. Director of Mines & Geology (I/c),
 Bhadradi Kothagudem



From
Sri G.Dinesh Kumar, M.Sc.
Asst. Director of Mines & Geology (I/c)
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 90/Q/2007, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 22 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Sri Sode Sathish – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

Ref: 1) Procs.No. 1365/Q4-SM/DDWGL/ 2007, Dt: 05.05.2007 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 90/Q/2007, dt: 10.08.2022 addressed to Sri Sode Sathish.
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-310, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 22 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Sri Sode Sathish for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 17,28,95,580/- is levied by the Asst.Director of Mines & Geology, Bhadradi Kothagudem on the Mine.

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over an extent of 1.00 Hect in Sy.No. Sy.No. 22 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Sri Sode Sathish for a period of (10) years and the same was executed by this office vide Procs No. 90/Q/2007, Dt: 23.06.2007 for a period of (10) years from 23.06.2007 to 22.06.2017.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted DGPS survey of the quarry lease on 09.06.2022 & 10.06.2022 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 90/Q/2007, dt: 15.06.2022.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted ETS survey of the quarry lease area on 30.06.2022 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

Sl.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area	Conversion into MT
1.	Excavated Stone & Metal Pit within the leased area	1458.7	12966	-	-	
2.	Excavated Stone & Metal Pit in outside the leased area	161208	-	-	161208	241812

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 90/Q/2007, dt: 02.07.2022 to Sri Sode Sathish requested to Show cause why should not take action for unauthorized excavation and transportation of 241812 MT of Stone & Metal from outside the leased area violation under as per Rule 26(2) of TMMC Rules'1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Sode Sathish directed to pay for an amount of Rs. 1,57,17,780 towards normal Seig. fee along with towards Penalty (5/10) times for Rs. 15,71,77,800 to a total an amount of Rs. 17,28,95,580 for unauthorized excavation and transportation of 241812 MT of Stone & Metal from outside the leased area under Rule 26(2) of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in MT)	Rate of S. fee per MT	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	-	-			
2	Outside the leased area (Stone & Metal)	241812	65/-	15717780	157177800	172895580
	TOTAL	241812		1,57,17,780	15,71,77,800	17,28,95,580

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2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, as per this office records and OMEPPS department online web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Encl: Annexure-I

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

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ANNEXURE-I

SODE SATISH DISPATCH PERMITS (Lease period: 23-06-2007 to 22-06-2017). QL expired on 29.03.17 and filed Renewal on 13.05.2016 which is under process


Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
2007-08						
1	Apr-07	-	-	-	0	0
2	May-07	-	-	-	0	0
3	Jun-07	39/Minor/07-08	06-07-2007	31-07-07	26	90
4	Jul-07	-	-	-	0	0
5	Aug-07	50/Minor/07-08	14-08-07	31-08-07	18	150
6	Sep-07	-	-	-	0	0
7	Oct-07	-	-	-	0	0
8	Nov-07	78/Minor/07-08	14-11-07	30-11-07	17	100
9	Dec-07	-	-	-	0	0
10	Jan-08	-	-	-	0	0
11	Feb-08	-	-	-	0	0
12	Mar-08	-	-	-	0	0
2008-09						
1	Apr-08	132/Minor/08-09	04.03.2009	31-03-09	28	528
2	May-08	-	-	-	0	0
3	Jun-08	47/Minor/08-09	13-06-08	12-07-2006	30	300
4	Jul-08	61/Minor/08-09	15-07-08	14-08-08	31	300
		64/Minor/08-09	21-07-08			600
5	Aug-08	-	-	-	0	0
6	Sep-08	28/Minor/08-09	09-05-2008	31-05-08	23	300
7	Oct-08	-	-	-	0	0
8	Nov-08	-	-	-	0	0
9	Dec-08	105/Minor/08-09	17-12-08	15-01-08	30	600
10	Jan-09					
11	Feb-09	-	-	-	0	0
12	Mar-09	-	-	-	0	0
2009-10						
1	Apr-09	-	-	-	0	0
2	May-09	-	-	-	0	0
3	Jun-09					
4	Jul-09	31/Minor/09-10	01.07.2009	31-07-09	31	600
5	Aug-09	47/Minor/09-10	22-08-09	20-09-09	29	300
6	Sep-09					
7	Oct-09					
8	Nov-09					
9	Dec-09					
10	Jan-10	86/Minor/09-10	04.01.2010	31-01-2010	28	198
11	Feb-10	-	-	-	0	0
12	Mar-10	-	-	-	0	0
2010-11						
1	Apr-10	-	-	-	0	0
2	May-10	-	-	-	0	0
3	Jun-10	-	-	-	0	0
4	Jul-10	-	-	-	0	0
5	Aug-10	-	-	-	0	0
6	Sep-10	-	-	-	0	0
7	Oct-10	-	-	-	0	0
8	Nov-10	-	-	-	0	0
9	Dec-10	-	-	-	0	0
10	Jan-11	-	-	-	0	0
11	Feb-11	-	-	-	0	0
12	Mar-11	-	-	-	0	0
2011-12						
1	Apr-11	-	-	-	0	0
2	May-11	15/Q/11-12	03-05-2011	31-05-2011	29	600
		20/Q/11-12	12-05-2011	11-06-2011	31	1800

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3	Jun-11	-	-	-	0	0
4	Jul-11	47/Q/11-12	16-07-2011	15-08-2011	31	2400
5	Aug-11	-	-	-	0	0
6	Sep-11	-	-	-	0	0
7	Oct-11	-	-	-	0	0
8	Nov-11	-	-	-	0	0
9	Dec-11	-	-	-	0	0
10	Jan-12	115/Q/11-12	11-01-2012	10-02-2012	31	600
11	Feb-12	-	-	-	0	0
12	Mar-12	138/Q/11-12	15-03-2012	31-03-2012	17	1200
2012-13						
1	Apr-12	-	-	-	0	0
2	May-12	08/Q/12-13	05.05.12	31.05.12	27	500
3	Jun-12	-	-	-	0	0
4	Jul-12	-	-	-	0	0
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	-	-	-	0	0
9	Dec-12	-	-	-	0	0
10	Jan-13	-	-	-	0	0
11	Feb-13	-	-	-	0	0
12	Mar-13	-	-	-	0	0
2013-14						
1	Apr-13	-	-	-	0	0
2	May-13	18/Minor/13-14	21.05.13	05.06.13	16	600
3	Jun-13	-	-	-	0	0
4	Jul-13	28/Minor/13-14	15.07.13	31.07.13	17	600
5	Aug-13	-	-	-	0	0
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0
7	Oct-14	13/Minor/14-15	09.10.2014	31.10.2014	23	600
8	Nov-14	-	-	-	0	0
9	Dec-14	-	-	-	0	0
10	Jan-15	-	-	-	0	0
11	Feb-15	-	-	-	0	0
12	Mar-15	-	-	-	0	0
2015-16						
1	Apr-15	-	-	-	0	0
2	May-15	-	-	-	0	0
3	Jun-15	-	-	-	0	0
4	Jul-15	-	-	-	0	0
5	Aug-15	-	-	-	0	0
6	Sep-15	-	-	-	0	0
7	Oct-15	-	-	-	0	0
8	Nov-15	-	-	-	0	0
9	Dec-15	-	-	-	0	0
10	Jan-16	-	-	-	0	0
11	Feb-16	-	-	-	0	0
12	Mar-16	-	-	-	0	0
2016-17						
1	Apr-16	-	-	-	0	0

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3	JUN-16	-	-	-	0	0
4	JUL-16	-	-	-	0	0
5	AUG-16	-	-	-	0	0
6	SEP-16	-	-	-	0	0
7	OCT-16	-	-	-	0	0
8	NOV-16	-	-	-	0	0
9	DEC-16	-	-	-	0	0
10	JAN-17	-	-	-	0	0
11	FEB-17	-	-	-	0	0
12	MAR-17	-	-	-	0	0
2017-18						
1	Apr-16	-	-	-	0	0
2	May-16	-	-	-	0	0
3	Jun-16	-	-	-	0	0
4	Jul-16	-	-	-	0	0
5	Aug-16	-	-	-	0	0
6	Sep-16	-	-	-	0	0
7	Oct-16	-	-	-	0	0
8	Nov-16	-	-	-	0	0
9	Dec-16	-	-	-	0	0
10	Jan-17	-	-	-	0	0
11	Feb-17	-	-	-	0	0
12	Mar-17	-	-	-	0	0
Total					513	12966


Asst. Director of Mines & Geology (I/c),
Bhadradi Kothagudem

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GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY



From
Sri G.Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer,
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 5577/Q/2009, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 4.000 Hectares in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref: 1) Procs.No. 2909/Q4/2011, dt. 07-06-2011 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 236/Q/2014, dt: 10.08.2022 addressed to Smt Ch.Nagamma
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-306, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

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I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 4.000 Hectares in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 35,92,99,950.8 /- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over extent of 4.000 Hectares in Sy.No. 42 &43 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Smt Ch.Nagamma for a period of (15) years and the same was executed by this office vide Procs No. 5577/Q/2009, dt: 13.06.2011 for a period of (15) years from 13.06.2011 to 12.06.2026

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s. Chaitanya Geo- Surveys, empanelled agency has conducted DGPS survey of the quarry lease on 21.08.2017 and 31.10.2017 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 5577/Q/2009, Dated: 07.01.2020.

KGM

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U/G/2024

In this regard, M M/s. Chaitanya Geo-Surveys, empanelled agency has conducted ETS survey of the quarry lease area on 13.09.2019 & 14.09.2019 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

Sl.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area
1.	Excavated Stone & Metal Pit within the leased area	492282	50300.5	442198.5	-
2.	Excavated Stone & Metal Pit in outside the leased area	194315.91	-	-	194315.91

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 5577/Q/2009, Dated: 12.05.2022 to Smt Nagamma requested to Show cause why should not take action for excess excavation and transportation of 442198.5 cbm of Stone & Metal from within the leased area and unauthorized excavation and transportation of 194315.91 cbm of Stone & Metal from outside the leased area violation under Rule 26(2) & 26(3)(ii) & 34 of TSMMC Rules, 1966 (adopted). In this regard, the lease holder has requested to give another (15) days time to submit reply for show cause notice.

Further, Smt. Ch.Nagamma has submitted reply on 18.06.2022 duly stated that the Mining Department have granted a quarry lease in favor of them and they have supplied stone & metal to the Government works. The authority have already recovered the seigniorage charges from the work bills and credited the same to the Department of Mines & Geology.

As per the above, on verification of the reply, Smt Ch. Nagamma has not submitted documentary evidences having paid seigniorage fee transit forms for excavated mineral quantity from their quarry lease. Hence the reply submitted by Smt. Ch. Nagamma is not satisfactory

Therefore, this office issued Demand Notice vide reference 2nd cited, to Smt Ch.Nagamma directed to pay for an amount of Rs. 4,77,38,580.75 towards normal seig.fee along with towards Penalty (5/10) times for Rs. 31,15,61,370 to a total an amount of Rs. 35,92,99,950.8 for excess excavation and transportation of 442198.5 cbm of Stone & Metal from within the leased area and unauthorized excavation and transportation of 194315.91 cbm of Stone & Metal from outside the leased area under Rule 26(2) & 26(3)(ii) and 34 of TSMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in cbm)	Rate of S.fee per cbm	Normal Fee in Rs.	Seig. Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty - Stone & Metal)	442198.5	75/-	33164887.5	165824437.5 (05 times)	198989325
2	Outside the leased area (Stone & Metal)	194315.91	75/-	14573693.25	145736932.5 (10 times)	160310625.8
	TOTAL	636,514.41		4,77,38,580.75	31,15,61,370	35,92,99,950.8

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, it is submitted that as per this office records and OMEPPS online department web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,

Encl: Annexure-I

Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

(67)


ANNEXURE-I

H. NAGAMMA (4.00 Hects) DISPATCH PERMITS (Lease period : 13-06-2011 to 12-06-2026).
 QL determined vide Procds. No. 2909/QL-2/KMM/2011, Dt: 16.11.2022 by the DDM&G,
 Warangal

Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
2011-12						
1	Apr-11	-	-	-	0	0
2	May-11	-	-	-	0	0
3	Jun-11	31/Q/11-12	13.06.11	12.07.11	30	1200
4	Jul-11	-	-	-	0	0
5	Aug-11	61/Q/11-12	08.08.11	31.08.11	24	600
6	Sep-11	64/Q/11-12	02.09.11	30.09.11	29	600
7	Oct-11	76/Q/11-12	27.10.11	25.11.11	30	600
8	Nov-11	-	-	-	0	0
9	Dec-11	99/Q/11-12	12.12.11	10.01.12	30	600
10	Jan-12	109/Q/11-12	04.01.12	03.02.12	31	600
11	Feb-12	126/Q/11-12	14.02.12	13.03.12	28	600
12	Mar-12	-	-	-	0	0
2012-13						
1	Apr-12	-	-	-	0	0
2	May-12	12/Minor/12-13	10.5.12	9.6.12	31	600
3	Jun-12	-	-	-	0	0
4	Jul-12	23/Minor/12-13	9.7.12	8.8.12	31	600
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	31/Minor/12-13	5.11.12	4.12.12	30	600
9	Dec-12	-	-	-	0	0
10	Jan-13	39/Minor/12-13	01.01.13	31.1.13	31	798
11	Feb-13	47/Minor/12-13	20.2.13	19.3.13	28	600
12	Mar-13	51/Minor/12-13	22.3.13	31.3.13	10	300
2013-14						
1	Apr-13	07/Minor/13-14	25.04.13	15.05.13	21	600
2	May-13	17/Minor/13-14	27.05.13	15.06.13	20	600
3	Jun-13	26/Minor/13-14	18.06.13	15.07.13	28	402
4	Jul-13	-	-	-	0	0
5	Aug-13	31/Minor/13-14	05.08.13	31.08.13	27	198
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0
7	Oct-14	08/Minor/14-15	08.10.2014	31.10.15	24	600
8	Nov-14	-	-	-	0	0
9	Dec-14	17/Minor/14-15	31.12.14	31.01.15	31	600
10	Jan-15	-	-	-	0	0
11	Feb-15	27/Minor/14-15	18.02.15	28.02.15	11	600
12	Mar-15	34/Minor/14-15	10.03.15	31.03.15	22	798
2015-16						
1	Apr-15	03/Minor/15-16	09.04.15	08.05.15	30	600
2	May-15	13/Minor/15-16	14.05.15	05.06.15	23	600
3	Jun-15	19/Minor/15-16	16.06.15	30.06.15	15	600
4	Jul-15	25/Minor/15-16	07.07.15	31.07.15	25	600
5	Aug-15	35/Minor/15-16	06.08.15	31.08.15	26	600
6	Sep-15	-	-	-	0	0
7	Oct-15	52/Minor/15-16	09.10.15	09.10.15	1	396
8	Nov-15	66/Minor/15-16	30.11.15	07.12.15	8	396

9	Dec-15	75/Minor/15-16	08.12.15	31.12.15	24	528
10	Jan-16	-	-	-	0	0
11	Feb-16	89/Minor/15-16	03.02.16	29.02.16	28	600
		98/Minor/15-16	20.02.16	15.03.16	24	798
12	Mar-16	101/Minor/15-16	10.03.16			924
2016-17						
1	Apr-16	02/Minor/16-17	12.04.16	30.04.16	19	997.5
2	May-16	22211100120001	02.05.16	31.05.16	30	600
		22211100120002	31.05.16	29.06.16	30	1050
3	Jun-16	22211100120003	30.06.16	29.07.16	30	1050
4	Jul-16	-	-	-	0	0
5	Aug-16	22211100120004	05.08.16	03.09.16	30	1050
6	Sep-16	22211100120005	07.09.16	29.09.16	23	1050
7	Oct-16	-	-	-	0	0
8	Nov-16	22211100120006	19.11.16	05.12.16	17	840
9	Dec-16	22211100120007	09.12.16	01.01.17	24	1050
10	Jan-17	22211100120008	06.01.17	04.02.17	30	1050
11	Feb-17	22211100120009	21.02.17	05.03.17	13	1050
12	Mar-17	22211100120010	16.03.17	31.03.17	16	1050
2017-18						
1	Apr-17	PR22211100120011	11.04.2017	05.05.2017	25	1575
2	May-17	PR22211100120012	12.05.2017	05.06.2017	25	1400
3	Jun-17	PR22211100120013	20.07.2017	05.08.2017	16	1400
4	Jul-17	-	-	-	0	0
5	Aug-17	-	-	-	0	0
6	Sep-17	PR22211100120014	27.09.2017	20.10.2017	24	1050
7	Oct-17	PR22211100120015	20.10.2017	05.11.2017	16	1050
8	Nov-17	PR22211100120016	09.11.2017	05.12.2017	26	1050
9	Dec-17	P5BAD00008	20.12.2017	08.01.2017	19	1050
10	Jan-18	-	-	-	0	0
		-	-	-	0	0
		-	-	-	0	0
11	Feb-18	-	-	-	0	0
12	Mar-18	-	-	-	0	0
2018-19						
1	Apr-18	-	-	-	0	0
2	May-18	-	-	-	0	0
3	Jun-18	-	-	-	0	0
4	Jul-18	P6BAD00010	20.07.2018	05.08.18	17	1050
		P6BAD00011	20.07.2018	05.08.18	17	1050
5	Aug-18	-	-	-	0	0
6	Sep-18	-	-	-	0	0
7	Oct-18	P6BAD00021	08.08.2018	05.09.18	28	2100
8	Nov-18	P6BAD00024	20.09.2018	05.10.18	16	1050
9	Dec-18	P6BAD00030	26.10.2018	05.11.18	11	1050
10	Jan-19	-	-	-	0	0
11	Feb-19	-	-	-	0	0
12	Mar-19	-	-	-	0	0
2019-20						
1	Apr-19	P6BAD00001	01.04.2019	11.04.2019	12	1050
		P6BAD00006	22.04.2019	05.05.2019	14	1050
2	May-19	-	-	-	0	0
3	Jun-19	P6BAD00014	20.06.2019	05.07.2019	16	1050
4	Jul-19	-	-	-	0	0
5	Aug-19	P6BAD00017	05.08.2019	23.08.2019	19	1050
6	Sep-19	-	-	-	0	0
7	Oct-19	-	-	-	0	0
8	Nov-19	-	-	-	0	0
9	Dec-19	P6BAD00025	06.12.2019	31.12.2019	26	1050
10	Jan-20	-	-	-	0	0
11	Feb-20	-	-	-	0	0
12	Mar-20	-	-	-	0	0
2020-21						

2	May-20	-	-	-	0	0
3	Jun-20	-	-	-	0	0
4	Jul-20	-	-	-	0	0
5	Aug-20	-	-	-	0	0
6	Sep-20	-	-	-	0	0
7	Oct-20	-	-	-	0	0
8	Nov-20	-	-	-	0	0
9	Dec-20	-	-	-	0	0
10	Jan-21	-	-	-	0	0
11	Feb-21	-	-	-	0	0
12	Mar-21	-	-	-	0	0
2021-22						
1	Apr-21	-	-	-	0	0
2	May-21	-	-	-	0	0
3	Jun-21	-	-	-	0	0
4	Jul-21	-	-	-	0	0
5	Aug-21	-	-	-	0	0
6	Sep-21	-	-	-	0	0
7	Oct-21	-	-	-	0	0
8	Nov-21	-	-	-	0	0
9	Dec-21	-	-	-	0	0
10	Jan-22	-	-	-	0	0
11	Feb-22	-	-	-	0	0
12	Mar-22	-	-	-	0	0
2022-23						
1	Apr-22					
2	May-22					
3	Jun-22					
4	Jul-22					
5	Aug-22	-	-	-	0	0
6	Sep-22	-	-	-	0	0
7	Oct-22	-	-	-	0	0
8	Nov-22	-	-	-	0	0
9	Dec-22	-	-	-	0	0
10	Jan-23	-	-	-	0	0
11	Feb-23	-	-	-	0	0
12	Mar-23	-	-	-	0	0
2023-24						
1	Apr-23	-	-	-	0	0
2	May-23	-	-	-	0	0
3	Jun-23	-	-	-	0	0
4	Jul-23	-	-	-	0	0
5	Aug-23	-	-	-	0	0
6	Sep-23	-	-	-	0	0
7	Oct-23	-	-	-	0	0
8	Nov-23	-	-	-	0	0
9	Dec-23	-	-	-	0	0
10	Jan-24	-	-	-	0	0
11	Feb-24	-	-	-	0	0
12	Mar-24	-	-	-	0	0
Total					1340	50300.5


Asst. Director of Mines & Geology (I/c),
Bhadradri Kothagudem



(70)

GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY

From
Sri G. Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 1575/Q/2012, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 2.023 Hectare in Sy.No. 20 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Distrtict held by Sri Vage Venkateswara Rao – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref: 1) Procgs.No. 1575/Q4/2012/Camp at KTDM Dt: 23.06.2015 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 1575/Q/2012, dt: 10.08.2022 addressed to Sri Vage Venkateswara Rao.
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-311, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 2.023 Hects in Sy.No. 20 of Thogudem (V), Palvancha (M), Bhadradi Kothagudem District held by Sri Vage Venkateswar Rao for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 35,26,57,757.40/- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over an extent of 2.023 Hects in Sy.No. 20 of Thogudem (V), Palvancha (M), Bhadradi Kothagudem District held by Sri Vage Venkateswar Rao for a period of (10) years and the same was executed by this office vide Procgs No. 1575/Q/2012 Dt: 19.08.2015 for a period (10) years from 19.08.2015 to 18.08.2025.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procgs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted DGPS survey of the quarry lease on 09.06.2022 & 10.06.2022 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide 1575/Q/2012, dt: 15.06.2022.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted ETS survey of the quarry lease area on 30.06.2022 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

Sl. No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area	Conversion into MT
1.	Excavated Stone & Metal Pit within the leased area	Pit.1 - 21254.4 Pit.2 - 1737.54 Pit.3 - 194825 Total - 217816.94	92,467.5	125,349.44	-	188,024.16
2.	Excavated Stone & Metal Pit in outside the leased area	260446	-	-	260446	390,669

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 1575/Q/2012, Dated: 02.07.2022 to Sri Vage Venkateswara Rao requested to Show cause why should not take action for excess excavation and transportation of 1,88,024.16 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 3,90,669 MT of Stone & Metal from out side the leased area under Rule 26(2) & 34 of TMMC Rules, 1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Vage Venkateswara Rao directed to pay for an amount of Rs. 3,76,15,055.40 towards normal seig. fee along with towards Penalty (5/10) times for Rs. 31,50,42,702 to a total an amount of Rs. 35,26,57,757.40 for excess excavation and transportation of 188,024.16 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 390,669 MT of Stone & Metal from outside the leased area under Rule 26(2) & 34 of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in MT)	Rate of S. fee per MT	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	188,024.16	65/-	1,22,21,570.4	6,11,07,852 (05 times)	7,33,29,422.4
2	Outside the leased area (Stone & Metal)	390,669	65/-	2,53,93,485	25,39,34,850 (10 times)	27,93,28,335
	TOTAL	578,693.16		3,76,15,055.40	31,50,42,702	35,26,57,757.40

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, it is submitted that as per this office records and OMEPPS online department web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Encl: Annexure-I

Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

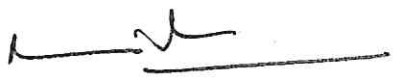
ANNEXURE-I

MAGE VENKATESWARA RAO DISPATCH PERMITS (Lease period : 19.08.2015 to 18.08.2025).
 QL determined vide Procds. No. 1575/QL-2/KMM/2012, Dt: 20.05.2023 by the DDM&G,
 Warangal

2015-16						
SI.No		Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
1	Apr-15	-	-	-	0	0
2	May-15	-	-	-	0	0
3	Jun-15	-	-	-	0	0
4	Jul-15	-	-	-	0	0
5	Aug-15	41/Minor/15-16	21.08.15	31.08.15	11	600
6	Sep-15	-	-	-	0	0
7	Oct-15	-	-	-	0	0
8	Nov-15	64/Minor/15-16	05.11.15	30.11.15	26	1200
9	Dec-15	78/Minor/15-16	09.12.15	31.12.15	23	1200
10	Jan-16	87/Minor/15-16	29.01.16	15.02.16	18	1200
11	Feb-16	95/Minor/15-16	17.02.16	29.02.16	13	1200
12	Mar-16	104/Minor/15-16	21.03.16	30.03.16	10	1197
2016-17						
1	Apr-16	06/Minor/16-17	13.04.16	30.04.16	17	1050
2	May-16	22211500450001	03.05.16	01.06.16	30	1050
3	Jun-16	22211500450002	02.06.16	29.06.16	28	998
4	Jul-16	22211500450003	02.07.16	31.07.16	30	945
5	Aug-16	-	-	-	0	0
6	Sep-16	22211500450004	09.09.16	08.10.16	30	1050
7	Oct-16	-	-	-	0	0
8	Nov-16	22211500450005	19.11.16	05.12.16	17	1050
9	Dec-16	22211500450006	09.12.16	04.01.17	27	1850
10	Jan-17	22211500450007	12.01.17	15.01.17	4	200
		22211500450008	12.01.17	04.02.17	24	1600
11	Feb-17	22211500450009	13.02.17	11.02.17	30	2100
12	Mar-17	22211500450010	14.03.17	30.03.17	17	2100
2017-18						
1	Apr-17	PR22211500450011	11.04.2017	05.05.2017	25	2100
2	May-17	PR22211500450012	12.05.2017	05.06.2017	25	2100
3	Jun-17	PR22211500450013	21.06.2017	05.07.2017	15	2100
4	Jul-17	PR22211500450014	11.07.2017	05.08.2017	26	2100
5	Aug-17	PR22211500450015	11.08.2017	05.09.2017	26	2450
6	Sep-17	PR22211500450016	27.09.2017	25.10.2017	29	2331
7	Oct-17	-	-	-	0	0
8	Nov-17	PR22211500450017	06.11.2017	05.12.2017	30	2500
		PR22211500450018	21.11.2017	05.12.2017	15	700
9	Dec-17	P5BAD00002	05.12.2017	03.01.2018	30	1250
		P5BAD00003	05.12.2017	03.01.2018	30	1250
		P5BAD00006	16.12.2017	05.01.2018	21	2050
		P5BAD00012	29.12.2017	17.01.2018	20	2500
10	Jan-18	P5BAD00018	18.01.2018	16.02.2018	30	700
		P5BAD00019	18.01.2018	16.02.2018	30	1170
		P5BAD00020	20.01.2018	18.02.2018	30	1940
11	Feb-18	P5BAD00025	03.02.2018	04.03.2018	30	1974
12	Mar-18	-	-	-	0	0
2018-19						
1	Apr-18	-	-	-	0	0
2	May-18	-	-	-	0	0
3	Jun-18	-	-	-	0	0
4	Jul-18	P6BAD00012	20.07.2018	05.08.18	17	2100
5	Aug-18	P6BAD00020	10.08.2018	05.09.18	27	2100
6	Sep-18	P6BAD00025	11.09.2018	06.10.18	26	2100
7	Oct-18	P6BAD00029	05.10.2018	04.11.18	31	2100
8	Nov-18	P6BAD00032	06.11.2018	03.12.18	29	2100

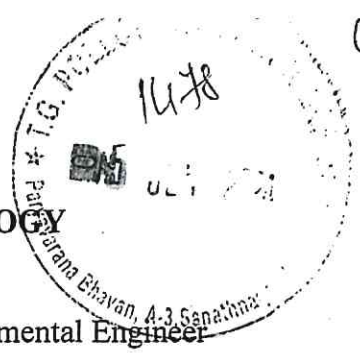
9	Dec-18	P6BAD00036	13.12.2018	20.12.18	8	210
		P6BAD00037	13.12.2018	05.01.19	24	1890
10	Jan-19	P6BAD00039	05.01.2019	03.02.19	30	2100
11	Feb-19	P6BAD00045	16.02.2019	05.03.19	18	2100
		P6BAD00046	16.02.2019	05.03.19	18	2100
12	Mar-19	P6BAD00047	13.03.2019	30.03.19	18	4100
2019-20						
1	Apr-19	P7BAD00004	08.04.2019	05.05.2019	28	4200
		P7BAD00005	08.04.2019	05.05.2019	28	300
2	May-19	P7BAD00010	07.05.2019	05.06.2019	30	4809
3	Jun-19	P7BAD00011	11.06.2019	10.07.2019	30	4620
4	Jul-19	P7BAD00015	11.07.2019	09.08.2019	30	2100
5	Aug-19	P7BAD00018	14.08.2019	12.09.2019	30	1218
6	Sep-19	-	-	-	0	0
7	Oct-19	P7BAD00022	17.10.2019	09.11.2019	24	1207.5
8	Nov-19	-	-	-	0	0
9	Dec-19	P7BAD00024	06.12.2019	31.12.2019	26	1208
10	Jan-20	-	-	-	0	0
11	Feb-20	-	-	-	0	0
12	Mar-20	-	-	-	0	0
2020-21						
1	Apr-20	-	-	-	0	0
2	May-20	-	-	-	0	0
3	Jun-20	-	-	-	0	0
4	Jul-20	-	-	-	0	0
5	Aug-20	-	-	-	0	0
6	Sep-20	-	-	-	0	0
7	Oct-20	-	-	-	0	0
8	Nov-20	-	-	-	0	0
9	Dec-20	-	-	-	0	0
10	Jan-21	-	-	-	0	0
11	Feb-21	-	-	-	0	0
12	Mar-21	-	-	-	0	0
2021-22						
1	Apr-21	-	-	-	0	0
2	May-21	-	-	-	0	0
3	Jun-21	-	-	-	0	0
4	Jul-21	-	-	-	0	0
5	Aug-21	-	-	-	0	0
6	Sep-21	-	-	-	0	0
7	Oct-21	-	-	-	0	0
8	Nov-21	-	-	-	0	0
9	Dec-21	-	-	-	0	0
10	Jan-22	-	-	-	0	0
11	Feb-22	-	-	-	0	0
12	Mar-22	-	-	-	0	0
2022-23						
1	Apr-22	P10BAD0004	19.05.2022	31.05.2022	13	1200
2	May-22	P10BAD0005	21.05.2022	31.05.2022	11	800
		P10BAD0006	28.05.2022	31.05.2022	4	600
3	Jun-22	P10BAD0007	06.06.2022	15.06.2022	10	1400
		P10BAD0009	09.06.2022	15.06.2022	7	600
4	Jul-22	P10BAD0013	01.07.2022	20.07.2022	21	1400
5	Aug-22	-	-	-	0	0
6	Sep-22	-	-	-	0	0
7	Oct-22	-	-	-	0	0
8	Nov-22	-	-	-	0	0
9	Dec-22	-	-	-	0	0
10	Jan-23	-	-	-	0	0
11	Feb-23	-	-	-	0	0
12	Mar-23	-	-	-	0	0
2023-24						
1	Apr-23	-	-	-	0	0
2	May-23	-	-	-	0	0
3	Jun-23	-	-	-	0	0
4	Jul-23	-	-	-	0	0

7	Oct-23	-	-	-	0	0
8	Nov-23	-	-	-	0	0
9	Dec-23	-	-	-	0	0
10	Jan-24	-	-	-	0	0
11	Feb-24	-	-	-	0	0
12	Mar-24	-	-	-	0	0
Total					1305	98467.5



Asst. Director of Mines & Geology (I/c),
Bhadradi Kothagudem

(76)



**GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY**

From
Sri G.Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 1005/Q/2004, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 20/A of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Boda Chitti babu – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref:
- 1) Procgs.No. 1299/Q4-SM/DDWGL/2007 dated 03-05-2007 of the Dy.Director of Mines and Geology, Warangal
 - 2) This office Demand Notice No. 1005/Q/2004, dt: 10.08.2022 addressed to Sri Boda Chitti babu
 - 3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-308, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 1.000 Hectare Sy.No. 20/A of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Boda Chitti babu for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 43,71,10,752/- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over an extent of 1.00 Hect in Sy.No. 20/A of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Boda Chitti babu for a period of (10) years and the same was executed by this office vide Procgs No. 1005/Q/2004, dt: 16.05.2007.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procgs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted DGPS survey of the quarry lease on 09.06.2022 & 10.06.2022 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 1005/Q/2004, dt: 15.06.2022.

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In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted ETS survey of the quarry lease area on 30.06.2022 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

Sl.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area	Conversion into MT (1 Cbm = 1.5 MT)
1.	Excavated Stone & Metal Pit within the leased area	Pit.1 - 35334 Pit.2 - 8254.2 Total - 43588.2	23582	20006.2	-	30,009.3
2.	Excavated Stone & Metal Pit in outside the leased area	3,96,650	-	-	3,96,650	594,975

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 1005/Q/2004, dt: 02.07.2022 to Sri Boda Chittibabu requested to Show cause why should not take action for excess excavation and transportation of 30,009.3 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 594,975 MT of Stone & Metal from outside the leased area under Rule 26(2) & 34 of TMMC Rules, 1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Boda Chitti Babu directed to pay an amount of Rs. 4,06,23,979.5 towards normal seig. fee along with towards Penalty (5/10) times for Rs. 39,64,86,772.5 to a total an amount of Rs. 43,71,10,752 for excess excavation and transportation of 30,009.3 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 594,975 MT of Stone & Metal from outside the leased area under Rule 26(2) & 34 of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in MT)	Rate of S. fee per MT	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty - Stone & Metal)	30,009.3	65/-	19,50,604.5	97,53,022.5 (05 times)	1,17,03,627
2	Outside the leased area (Stone & Metal)	594,975	65/-	3,86,73,375	38,67,33,750 (10 times)	42,54,07,125
	TOTAL	624,984.3		4,06,23,979.5	39,64,86,772.5	43,71,10,752

2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

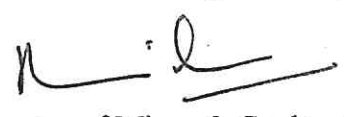
In this connection, it is submitted that as per this office records and OMEPPS online department web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Encl: Annexure-I

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

ANNEXURE-I

BODA CHITTIBABU DISPATCH PERMITS (Lease period: 16-05-2007 to 15-05-2017). QL expired on 23.02.2016 and filed Renewal on 16.03.17 which is under process

2007-08						
Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
1	Apr-07	-	-	-	0	0
2	May-07	-	-	-	0	0
3	Jun-07	27/Minor/07-08	13-06-07	30-06-07	15	300
4	Jul-07	-	-	-	0	0
5	Aug-07	47/Minor/07-08	08-08-2007	31-08-07	24	300
6	Sep-07	-	-	-	0	0
7	Oct-07	-	-	-	0	0
8	Nov-07	77/Minor/07-08	14-11-07	30-11-07	17	300
9	Dec-07	82/Minor/07-08	05-12-2007	31-12-07	27	300
10	Jan-08	-	-	-	0	0
11	Feb-08	-	-	-	0	0
12	Mar-08	119/Minor/07-08	04-03-2008	31-03-08	28	400
2008-09						
1	Apr-08	-	-	-	0	0
2	May-08	-	-	-	0	0
3	Jun-08	39/Minor/08-09	03-06-2008	30-06-08	28	400
4	Jul-08	-	-	-	0	0
5	Aug-08	71/Minor/08-09	08-09-2008	30-09-08	23	400
6	Sep-08	13/Minor/08-09	09-04-2008	30-04-08	22	400
7	Oct-08	-	-	-	0	0
8	Nov-08	-	-	-	0	0
9	Dec-08	103/Minor/08-09	12-12-2008	31-12-08	20	200
10	Jan-09	-	-	-	0	0
11	Feb-09	-	-	-	0	0
12	Mar-09	-	-	-	0	0
2009-10						
1	Apr-09	-	-	-	0	0
2	May-09	10/Minor/09-10	14-05-09	31-05-09	18	250
3	Jun-09	-	-	-	0	0
4	Jul-09	36/Minor/09-10	29-07-09	28-08-09	31	120
		36/Minor/09-10	29-07-09	28-08-09	31	380
5	Aug-09	-	-	-	0	0
6	Sep-09	-	-	-	0	0
7	Oct-09	63/Minor/09-10	16-10-09	10-11-2009	25	250
8	Nov-09	-	-	-	0	0
9	Dec-09	-	-	-	0	0
10	Jan-10	-	-	-	0	0
11	Feb-10	-	-	-	0	0
12	Mar-10	112/Minor/09-10	18-03-10	31-03-10	14	400
2010-11						
1	Apr-10	-	-	-	0	0
2	May-10	-	-	-	0	0
3	Jun-10	24/Minor/10-11	16-06-10	05-07-2010	20	500
4	Jul-10	-	-	-	0	0
5	Aug-10	-	-	-	0	0
6	Sep-10	-	-	-	0	0
7	Oct-10	-	-	-	0	0
8	Nov-10	-	-	-	0	0
9	Dec-10	-	-	-	0	0
10	Jan-11	-	-	-	0	0
11	Feb-11	-	-	-	0	0
12	Mar-11	100/Minor/10-11	28-03-11	31-03-11	4	500
2011-12						
1	Apr-11	-	-	-	0	0
2	May-11	-	-	-	0	0
3	Jun-11	25/Q/11-12	02.06.11	30.06.11	29	500
4	Jul-11	46/Q/11-12	16.07.11	15.08.11	31	500


6	Sep-11	70/Q/11-12	09.09.11	8.10.11	30	500
7	Oct-11	79/Q/11-12	28.10.11	25.11.11	29	1000
8	Nov-11	93/Q/11-12	19.11.11	18.12.11	31	996
9	Dec-11	-	-	-	0	0
10	Jan-12	107/Q/11-12	02.01.11	31.01.12	30	1200
11	Feb-12	124/Q/11-12	10.02.12	09.03.12	28	1200
12	Mar-12	137/Q/11-12	12.03.12	31.03.12	20	1200
2012-13						
1	Apr-12	06/Minor/12-13	26.04.12	25.05.12	30	200
2	May-12	11/Minor/12-13	08.05.12	07.06.12	31	1200
3	Jun-12	20/Minor/12-13	18.06.12	17.07.12	30	1200
4	Jul-12	-	-	-	0	0
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	-	-	-	0	0
9	Dec-12	-	-	-	0	0
10	Jan-13	-	-	-	0	0
11	Feb-13	-	-	-	0	0
12	Mar-13	-	-	-	0	0
2013-14						
1	Apr-13	14/Minor/13-14	15.05.13	31.05.13	16	600
2	May-13	23/Minor/13-14	14.06.13	30.06.13	16	600
3	Jun-13	29/Minor/13-14	15.07.13	31.07.13	11	600
4	Jul-13	32/Minor/13-14	19.08.13	15.01.14	149	600
5	Aug-13	-	-	-	0	0
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0
7	Oct-14	12/Minor/14-15	29.10.14	08.11.14	12	600
8	Nov-14	-	-	-	0	0
9	Dec-14	-	-	-	0	0
10	Jan-15	-	-	-	0	0
11	Feb-15	31/Minor/14-15	26.02.15	03.03.15	6	600
12	Mar-15	33/Minor/14-15	04.03.15	30.03.15	27	600
2015-16						
1	Apr-15	-	-	-	0	0
2	May-15	-	-	-	0	0
3	Jun-15	-	-	-	0	0
4	Jul-15	-	-	-	0	0
5	Aug-15	40/Minor/15-16	20.08.15	30.08.15	11	1995
6	Sep-15	-	-	-	0	0
7	Oct-15	-	-	-	0	0
8	Nov-15	59/Minor/15-16	03.11.15	31.11.05	29	994
		77/Minor/15-16	09.11.15	31.12.15	23	1498
9	Dec-15	-	-	-	0	0
10	Jan-16	84/Minor/15-16	19.01.16	10.02.16	23	1995
11	Feb-16	99/Minor/15-16	20.02.16	10.03.16	19	994
12	Mar-16	-	-	-	0	0
2016-17						
1	Apr-16	2221070070001	10.05.16	08.06.16		1050
2	May-16	2221070070002	16.06.16	30.06.16		650
3	Jun-16	2221070070003	05.07.16			650
4	Jul-16	-	-	-	0	0
5	Aug-16	-	-	-	0	0
6	Sep-16	-	-	-	0	0
7	Oct-16	-	-	-	0	0
8	Nov-16	-	-	-	0	0
9	Dec-16	2221070070004	17.12.16	31.12.16	19	600

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12	Mar-17	-	-	-	0	0
2017-18						
1	Apr-17	-	-	-	0	0
2	May-17	-	-	-	0	0
3	Jun-17	-	-	-	0	0
4	Jul-17	-	-	-	0	0
5	Aug-17	-	-	-	0	0
6	Sep-17	-	-	-	0	0
7	Oct-17	-	-	-	0	0
8	Nov-17	-	-	-	0	0
9	Dec-17	-	-	-	0	0
10	Jan-18	-	-	-	0	0
11	Feb-18	-	-	-	0	0
12	Mar-18	-	-	-	0	0
Total					839	30222

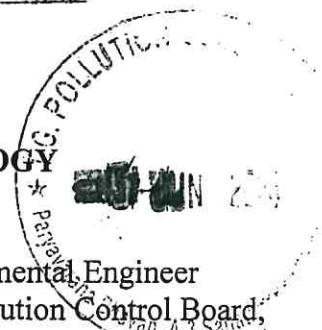


Asst. Director of Mines & Geology (I/c),
Bhadradi Kothagudem



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GOVERNMENT OF TELANGANA
DEPARTMENT OF MINES AND GEOLOGY



From
Sri G.Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhayan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 1105/Q/2011, Dt: 25.05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 12 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Settipalli Narasimha Rao – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref: 1) Procs.No. 1300/Q4/SM/DDWGL/2006, dt 03.05.2007 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 1105/Q/2011, dt: 10.08.2022 addressed to Sri Settipalli Narasimha Rao
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-309, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 1.000 Hectare in Sy.No. 12 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Settipalli Narasimha Rao for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 40,94,43,547.5/- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over an extent of 1.00 Hect in Sy.No. Sy.No. 12 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrtict held by Sri Settipalli Narasimha Rao for a period of (10) years and the same was executed by this office vide Procs No. 1105/Q/2011, dt:12-09-2011.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted DGPS survey of the quarry lease on 09.06.2022 & 10.06.2022 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 1105/Q/2011, Dated: 02.01.2020.

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In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted ETS survey of the quarry lease area on 30.06.2022 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

SI.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area	Conversion into MT's (1 Cbm = 1.5 MT)
1.	Excavated Stone & Metal Pit within the leased area	286950	40131	-	2,46,819	3,70,228.5
2.	Excavated Stone & Metal Pit in outside the leased area	247137	-	-	-	370705.5

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 1105/Q/2011, dt: 02.07.2022 to Sri Settipalli Narasimha Rao with a request to Show cause why should not take action for excess excavation and transportation of 3,70,228.5 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 370705.5 MT of Stone & Metal from outside the leased area under Rule 26(2) & 34 of TSMCM Rules, 1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Settipalli Narasimha Rao directed to pay for an amount of Rs. 4,81,60,710 towards normal seig.fee along with towards Penalty (5/10) times for Rs. 36,12,82,837.5 to a total an amount of Rs. 40,94,43,547.5 for excess excavation and transportation of 3,70,228.5 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 370705.5 MT under Rule 26(2) & 34 of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in MT)	Rate of S.fee per MT	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	3,70,228.5	65/-	2,40,64,852.5	12,03,24,262.5 (05 times)	14,43,89,115
2	Outside the leased area (Stone & Metal)	370705.5	65/-	2,40,95,857.5	24,09,58,575 (10 times)	26,50,54,432.5
	TOTAL	7,40,934.00		4,81,60,710.00	36,12,82,837.5	40,94,43,547.5

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2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, it is submitted that as per this office records and OMEPPS department online web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Encl: Annexure-I

Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.

Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.

Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

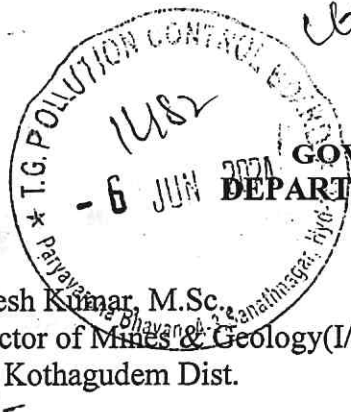
ANNEXURE-I

SETTIPALLI NARSIMHA RAO DISPATCH PERMITS (Lease period: 16-05-2007 to 15-05-2017).
QL expired on 21.01.2017 and filed Renewal on 13.05.2016 which is under process

Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
2011-12						
1	Apr-11	-	-	-	0	0
2	May-11	-	-	-	0	0
3	Jun-11	-	-	-	0	0
4	Jul-11	-	-	-	0	0
5	Aug-11	-	-	-	0	0
6	Sep-11	-	-	-	0	0
7	Oct-11	-	-	-	0	0
8	Nov-11	95/Minor/2011-12	24.11.11	23.12.11	30	600
		85/Minor/2011-12	02.11.11	30.11.11	29	1104
9	Dec-11	-	-	-	0	0
10	Jan-12	-	-	-	0	0
11	Feb-12	-	-	-	0	0
12	Mar-12	-	-	-	0	0
2012-13						
1	Apr-12	4/Minor/2012-13	12.4.12	30.4.12	19	552
2	May-12	9/Minor/2012-13	5.5.12	04.06.12	31	600
3	Jun-12	17/Minor/2012-13	12.6.12	11.7.12	30	500
4	Jul-12	26/Minor/2012-13	23.7.12	22.8.12	30	600
5	Aug-12	-	-	-	0	0
6	Sep-12	-	-	-	0	0
7	Oct-12	-	-	-	0	0
8	Nov-12	33/Minor/2012-13	8.11.12	7.12.12	30	600
9	Dec-12	37/Minor/2012-13	20.12.12	19.1.13	31	600
10	Jan-13	-	-	-	0	0
11	Feb-13	-	-	-	0	0
12	Mar-13	-	-	-	0	0
2013-14						
1	Apr-13	-	-	-	0	0
2	May-13	-	-	-	0	0
3	Jun-13	19/Minor/13-14	28.05.13	30.06.13	33	300
4	Jul-13	-	-	-	0	0
5	Aug-13	-	-	-	0	0
6	Sep-13	-	-	-	0	0
7	Oct-13	-	-	-	0	0
8	Nov-13	-	-	-	0	0
9	Dec-13	-	-	-	0	0
10	Jan-14	-	-	-	0	0
11	Feb-14	-	-	-	0	0
12	Mar-14	-	-	-	0	0
2014-15						
1	Apr-14	-	-	-	0	0
2	May-14	-	-	-	0	0
3	Jun-14	-	-	-	0	0
4	Jul-14	-	-	-	0	0
5	Aug-14	-	-	-	0	0
6	Sep-14	-	-	-	0	0
7	Oct-14	11/Minor/14-15	09.10.14	31.10.14	23	600
8	Nov-14	-	-	-	0	0
9	Dec-14	-	-	-	0	0
10	Jan-15	-	-	-	0	0
11	Feb-15	-	-	-	0	0
12	Mar-15	30/Minor/14-15	26.02.15	15.03.15	21	600
2015-16						
1	Apr-15	-	-	-	0	0
2	May-15	-	-	-	0	0
3	Jun-15	-	-	-	0	0
4	Jul-15	-	-	-	0	0

5	Aug-15	42/Minor/15-16	25.08.15	31.08.15	7	294
6	Sep-15	-	-	-	0	0
7	Oct-15	-	-	-	0	0
8	Nov-15	-	-	-	0	0
9	Dec-15	73/Minor/15-16	04.12.15	30.12.15	27	1050
10	Jan-16	85/Minor/15-16	21.01.16	31.01.16	11	756
11	Feb-16	93/Minor/15-16	10.02.16	29.02.16	20	1050
12	Mar-16	105/Minor/15-16	22.03.16	30.03.16	9	1050
2016-17						
1	Apr-16	-	-	-	0	0
2	May-16	-	-	-	0	0
3	Jun-16	-	-	-	0	0
4	Jul-16	-	-	-	0	0
5	Aug-16	-	-	-	0	0
6	Sep-16	-	-	-	0	0
7	Oct-16	-	-	-	0	0
8	Nov-16	-	-	-	0	0
9	Dec-16	-	-	-	0	0
10	Jan-17	-	-	-	0	0
11	Feb-17	-	-	-	0	0
12	Mar-17	-	-	-	0	0
2017-18						
1	Apr-17	PR22211100080010	20.04.2017	05.05.2017	16	1050
2	May-17	PR22211100080011	16.05.2017	05.06.2017	22	1550
3	Jun-17	PR22211100080012	12.06.2017	05.07.2017	24	1500
4	Jul-17	PR22211100080013	18.07.2017	05.08.2017	19	1500
5	Aug-17	-	-	-	0	0
6	Sep-17	-	-	-	0	0
7	Oct-17	-	-	-	0	0
8	Nov-17	PR22211100080014	09.11.2017	25.11.2017	17	1050
9	Dec-17	P5BAD00011	22.12.2017	10.01.2018	19	1050
10	Jan-18	P5BAD00024	30.01.2018	18.02.2018	20	1700
11	Feb-18	-	-	-	0	0
12	Mar-18	-	-	-	0	0
2018-19						
1	Apr-18	-	-	-	0	0
2	May-18	-	-	-	0	0
3	Jun-18	-	-	-	0	0
4	Jul-18	P6BAD00014	20.07.2018	05.08.18	17	1050
5	Aug-18	-	-	-	0	0
6	Sep-18	-	-	-	0	0
7	Oct-18	-	-	-	0	0
8	Nov-18	P6BAD00034	13.11.2018	05.12.18	23	1050
9	Dec-18	-	-	-	0	0
10	Jan-19	P6BAD00040	11.01.2019	05.02.19	26	4000
11	Feb-19	-	-	-	0	0
12	Mar-19	-	-	-	0	0
Total					584	26356


 Asst. Director of Mines & Geology (I/c),
 Bhadradi Kothagudem



From
Sri G.Dinesh Kumar, M.Sc.,
Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem Dist.

To
The Senior Environmental Engineer
Telangana State Pollution Control Board,
Paryavarana Bhavan, A-III, Industrial
Estate, Sanath Nagar, Hyderabad-500018

Lr.No. 236/Q/2014, Dt: 25 .05.2024

Sir,

Sub: Mines and Quarries – TSPCB – Quarry lease for Stone & Metal & Gravel over an extent of 5.058 Hectares in Sy.No. 12 & 14 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem Disrict held by Sri Banoth Ramaiah – Hon'ble NGT orders in O.A.No. 12 of 2023 – Levy of Environmental Compensation - Requested to sought the information– Submitted - Reg.

- Ref: 1) Procs.No. 236/QL/2014, dt: 01.05.2015 of the Dy.Director of Mines and Geology, Warangal
2) This office Demand Notice No. 236/Q/2014, dt: 10.08.2022 addressed to Sri Banoth Ramaiah
3) Lr.no. GEN-KGM/TSPCB/U-VI/TF/2020-307, dt: 07.05.2024 from the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad.

I invite kind attention to the subject and references cited. In the reference 3rd cited, the Senior Environmental Engineer, Telangana State Pollution Control Board, Hyderabad has requested this office to submit the following details of the Quarry lease for Stone & Metal over an extent of 5.058 Hectares in Sy.No. 12 & 14 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Sri Banoth Ramaiah for taking further necessary action on the representation submitted by the mine on levying of environmental Compensation.

1. Details based on which the penalty amount of Rs. 82,76,71,650/- is levied by the Asst,Director of Mines & Geology, Bhadradi Kothagudem on the Mine.
2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.
3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this regard, it is submitted that the Dy.Director of Mines & Geology, Warangal vide reference 1st cited, has granted a Quarry Lease for Stone & Metal over extent of 5.058 Hectares in Sy.No. 12 & 14 of Thogudem Village, Palvancha Mandal, Bhadradi Kothagudem District held by Sri Banoth Ramaiah for a period of (10) years and the same was executed by this office vide Procs No. 236/Q/2014, dt: 07.05.2015 for a period of 10 years from 07.05.2015 to 06.05.2025.

Further it is submitted that as per this office records, the Director of Mines and Geology, Hyderabad vide Procs.No.906/P/2014, dt: 22.09.2018 has accorded permission to all the empanelled agencies to take-up ETS survey and preparation of 3-dimension cadastral map duly indicating the location of quarry pit within the executed /occupied area along with quantification of mineral excavated in the areas where the agency have earlier conducted DGPS survey.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted DGPS survey of the quarry lease on 09.06.2022 & 10.06.2022 and prepared the drawings and submitted draft report along with DGPS map and this office has submitted proposals to the Dy. Director of Mines and Geology, Warangal for approval of DGPS map vide Lr.No. 236/Q/2014, dt: 15.06.2022.

In this regard, M/s Lotus Engineers, Hanamkonda, empanelled agency has conducted ETS survey of the quarry lease area on 30.06.2022 in presence of representative of lease holder. The representative has shown the quarry lease boundaries to the agency as per executed lease deed sketch. The empanelled agency has taken the pit measurements duly covering the thickness of the over burden (OB) and prepared the drawings and submitted draft report along with ETS map. The details of volume of the pit arrived as per ETS are as follows:

Table-I

SI.No.	Quantification area	Excavated Mineral quantity / Volume (in M3)	Permitted quantity in M3 (As per record)	Excess Quantity beyond the permitted quantity within the leased area	Excavated quantity outside the leased area	Conversion into MT (1 Cbm = 1.5 MT)
1.	Excavated Stone & Metal Pit within the leased area	294972	48,961	-	246,011	369,016.5
2.	Excavated Stone & Metal Pit in outside the leased area	637534	-	-	637534	956,301

In this connection, it is submitted that, as per the ETS survey map, worked out the pit measurements falling in outside the leased area. The Building Stone & Road Metal has excavated and transported more than the permitted quantity from within the quarry leased area and also excavated and transported in outside the leased area is shown in the table-I.

In this regard, this office issued Show Cause Notice vide notice No. 236/Q/2014, dt: 02.07.2022 to Sri Banoth Ramaiah requested to Show cause why should not take action for excess excavation and transportation of 369,016.5 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 956,301 MT of Stone & Metal from outside the leased area under Rule 26(2) & 34 of TMMC Rules, 1966. In this regard, the lease holder failed to produce the reply to the Show Cause Notice.

Therefore, this office issued Demand Notice vide reference 2nd cited, to Sri Banoth Ramaiah directed to pay for an amount of Rs. 8,61,45,637.50 towards normal seig.fee along with towards Penalty (5/10) times for Rs. 74,15,26,012.50 to a total an amount of Rs. 82,76,71,650 for excess excavation and transportation of 369,016.5 MT of Stone & Metal from within the leased area and unauthorized excavation and transportation of 956,301 MT of Stone & Metal from outside the leased area under Rule 26(2) & 26(3)(ii) of TMMC Rules, 1966 and submit original challans to this office within (07) days from the date of receipt of this notice, otherwise action will be initiated to recover the amounts under provisions contained in RR Act. The details are as given below:

Table-II

Sl. No	Quantification area	Total Quantity (in MT)	Rate of S.fee per MT	Normal Seig. Fee in Rs.	Penalty (5/10) times	Total penalty (in Rs)
1	Within the leased area (Excess Qty – Stone & Metal)	369,016.5	65/-	2,39,86,072.5	11,99,30,362.5 (05 times)	14,39,16,435
2	Outside the leased area (Stone & Metal)	956,301	65/-	6,21,59,565	62,15,95,650 (10 times)	68,37,55,215
	TOTAL	1,325,317.50		8,61,45,637.50	74,15,26,012.50	82,76,71,650

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2. Number of days the mine has carried out operation with valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, it is submitted that as per this office records and OMEPPS online department web portal, the desired information is herewith annexed (Annexure-I).

3. Number of days the mine has carried out operation without valid permits, during the period from 18.05.2012 to 15.03.2023.

In this connection, the information treated as Nil

This is submitted for favour of kind information.

Yours faithfully,



Asst. Director of Mines & Geology(I/c),
Bhadradi Kothagudem District.

Encl: Annexure-I

Copy submitted to the District Collector & Magistrate, Bhadradi Kothagudem for favour of kind information.
Copy submitted to the Director of Mines & Geology, Hyderabad for favour of kind information.
Copy submitted to the Dy. Director of Mines & Geology, Warangal for favour of kind information

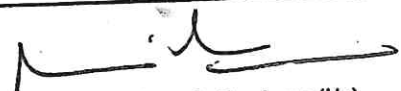
ANNEXURE-I

BANOTH RAMAIAH DISPATCH PERMITS (Lease period : 07.05.2015 to 06.05.2025). QL determined vide Procds. No. 236/QL-2/KMM/2014, Dt: 09.01.2024 by the DDM&G, Warangal

2015-16						
Sl.No	Month	Permit No	Date of Issue	Validity	Permit valid working days	Quantity in Cums
1	Apr-15	-	-	-	0	0
2	May-15	09/Minor/15-16	11.05.15	31.05.15	21	1050
3	Jun-15	20/Minor/15-16	16.06.15	30.06.15	15	1050
4	Jul-15	26/Minor/15-16	07.07.15	31.07.15	25	1050
5	Aug-15	-	-	-	0	0
6	Sep-15	-	-	-	0	0
7	Oct-15	55/Minor/15-16	09.10.15	03.11.15	25	1050
8	Nov-15	61/Minor/15-16	04.11.15	30.11.15	27	1050
9	Dec-15	74/Minor/15-16	04.12.15	30.12.15	27	1050
10	Jan-16	86/Minor/15-16	21.01.16	31.01.16	11	1050
11	Feb-16	90/Minor/15-16	03.02.16	29.02.16	27	1050
12	Mar-16	103/Minor/15-16	18.03.16	31.03.16	14	1050
2016-17						
1	Apr-16	01/Minor/16-17	12.04.16	30.04.16	19	1995
2	May-16	22211506220001	02.05.16	31.05.16	30	1050
		22211500220002	31.05.16	29.06.16	30	1050
3	Jun-16	22211500220003	30.06.16	29.07.16	30	1050
4	Jul-16	22211500220004	16.07.16	14.08.16	30	2666
5	Aug-16	30/Minor/16-17	26.08.16	24.09.16	30	997.5
6	Sep-16	22211500220005	07.09.16	30.09.16	24	1050
7	Oct-16	-	-	-	0	0
8	Nov-16	22211500220006	19.11.16	05.12.16	17	1050
9	Dec-16	22211500220007	09.12.16	04.01.17	27	1050
10	Jan-17	22211500220008	05.01.16	03.02.17	30	1890
11	Feb-17	22211500220009	10.02.17	06.03.17	25	1050
12	Mar-17	22211500220010	16.03.17	31.03.17	16	1848
2017-18						
1	Apr-17	PR22211500220011	11.04.2017	05.05.2017	25	3360
2	May-17	PR22211500220012	12.05.2017	05.06.2017	25	1000
3	Jun-17	PR22211500220013	08.06.2017	04.07.2017	27	1050
4	Jul-17	-	-	-	0	0
5	Aug-17	PR22211500220014	10.08.2017	25.08.2017	16	1050
6	Sep-17	PR22211500220015	27.09.2017	20.10.2017	24	1950
7	Oct-17	-	-	-	0	0
8	Nov-17	PR22211500220016	02.11.2017	16.11.2017	15	500
		PR22211500220017	06.11.2017	05.12.2017	30	1950
9	Dec-17	P5BAD00001	05.12.2017	03.01.2018	30	1950
		P5BAD00007	20.12.2017	13.01.2018	25	1950
		P5BAD00010	21.12.2017	19.01.2018	30	1950
10	Jan-18	P5BAD00014	05.01.2018	29.01.2018	25	1974
		P5BAD00021	22.01.2018	15.02.2018	25	1974
		P5BAD00022	30.01.2018	20.02.2018	22	1974
11	Feb-18	-	-	-	0	0
12	Mar-18	-	-	-	0	0
2018-19						
1	Apr-18	-	-	-	0	0
2	May-18	-	-	-	0	0
3	Jun-18	-	-	-	0	0
4	Jul-18	P6BAD00016	20.07.2018	05.08.18	17	1050
5	Aug-18	-	-	-	0	0
6	Sep-18	-	-	-	0	0
7	Oct-18	-	-	-	0	0
8	Nov-18	-	-	-	0	0
9	Dec-18	-	-	-	0	0
10	Jan-19	-	-	-	0	0
11	Feb-19	P6BAD00043	11.02.2019	05.03.19	23	1000
12	Mar-19	P6BAD00048	18.03.2019	31.03.19	14	2940
		P6BAD00049	27.03.2019	31.03.19	5	2940
2019-20						
1	Apr-19	-	-	-	0	0
2	May-19	-	-	-	0	0
3	Jun-19	-	-	-	0	0

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4	Jul-19	-	-	-	-	0	0	
5	Aug-19	-	-	-	-	0	0	
6	Sep-19	-	-	-	-	0	0	
7	Oct-19	-	-	-	-	0	0	
8	Nov-19	-	-	-	-	0	0	
9	Dec-19	-	-	-	-	0	0	
10	Jan-20	-	-	-	-	0	0	
11	Feb-20	-	-	-	-	0	0	
12	Mar-20	-	-	-	-			
2020-21							0	0
1	Apr-20	-	-	-	-	0	0	
2	May-20	-	-	-	-	0	0	
3	Jun-20	-	-	-	-	0	0	
4	Jul-20	-	-	-	-	0	0	
5	Aug-20	-	-	-	-	0	0	
6	Sep-20	-	-	-	-	0	0	
7	Oct-20	-	-	-	-	0	0	
8	Nov-20	-	-	-	-	0	0	
9	Dec-20	-	-	-	-	0	0	
10	Jan-21	-	-	-	-	0	0	
11	Feb-21	-	-	-	-	0	0	
12	Mar-21	-	-	-	-			
2021-22							0	0
1	Apr-21	-	-	-	-	0	0	
2	May-21	-	-	-	-	0	0	
3	Jun-21	-	-	-	-	0	0	
4	Jul-21	-	-	-	-	0	0	
5	Aug-21	-	-	-	-	0	0	
6	Sep-21	-	-	-	-	0	0	
7	Oct-21	-	-	-	-	0	0	
8	Nov-21	-	-	-	-	0	0	
9	Dec-21	-	-	-	-	0	0	
10	Jan-22	-	-	-	-	0	0	
11	Feb-22	-	-	-	-	0	0	
12	Mar-22	-	-	-	-			
2022-23							0	0
1	Apr-22	-	-	-	-	13	1650	
2	May-22	P10BAD0003	19.05.2022	31.05.2022		7	900	
3	Jun-22	P10BAD0008	07.06.2022	13.06.2022		15	4000	
		P10BAD0012	16.06.2022	30.06.2022				
4	Jul-22	-	-	-	-	0	0	
5	Aug-22	-	-	-	-	0	0	
6	Sep-22	-	-	-	-	0	0	
7	Oct-22	-	-	-	-	0	0	
8	Nov-22	-	-	-	-	0	0	
9	Dec-22	-	-	-	-	0	0	
10	Jan-23	-	-	-	-	0	0	
11	Feb-23	-	-	-	-	0	0	
12	Mar-23	-	-	-	-			
2023-24							0	0
1	Apr-23	-	-	-	-	0	0	
2	May-23	-	-	-	-	0	0	
3	Jun-23	-	-	-	-	0	0	
4	Jul-23	-	-	-	-	0	0	
5	Aug-23	-	-	-	-	0	0	
6	Sep-23	-	-	-	-	0	0	
7	Oct-23	-	-	-	-	0	0	
8	Nov-23	-	-	-	-	0	0	
9	Dec-23	-	-	-	-	0	0	
10	Jan-24	-	-	-	-	0	0	
11	Feb-24	-	-	-	-	0	0	
12	Mar-24	-	-	-	-			
Total							913	63308.5


 Asst. Director of Mines & Geology (I/c),



TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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.

TGPCB
Ref :
20 JUL 2024
Signature: *[Handwritten Signature]*

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/2020-305 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

- Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale mine.
- 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.
- 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	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

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

- 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.
- WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
- 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//

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



TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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- 631

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.

TGPCB Ref :
Despatch No.
20 JUL 2024
Signature: *[Handwritten Signature]*

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.
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.
22. 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. Jambhale
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/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.



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.
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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/2020-306 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:

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	01.01.2020	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

EC = 80 x 2784 x 150 x 0.5 x 1 = 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.
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.1,67,04,000/- (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. J. Jawalkar
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



1100

TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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 :

TGPCB
Dispatch No.
20 JUL 2024
Signature: *e. a. m. d.*

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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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 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. Jewallah
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- 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 :
20 JUL 2024
Sig. *[Signature]*

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), Palvoncha (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 × N × R × S × 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
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 × 2528 × 150 × 0.5 × 1 = 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//

P. J. Venkatesh
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)

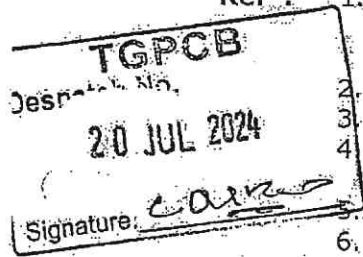
Order No. KGM - 01/TGPCB/U-VI/TF/2023- 663

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.
 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.
 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 Thogudem (V), Palvoncha (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.

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



TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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

TGPCB
Despatch No.
20 JUL 2024
Signature: *[Handwritten Signature]*

Sub: TGPCB - M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, 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.

- 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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- 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.
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- 10. Regional Office, Kothagudem report dated 13.03.2024.
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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, Bhadradri 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, Bhadradri 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), Bhadradri 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), Palvoncha (M), Bhadradri 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

- Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale mine.
- 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.
- 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.

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

- 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.
- WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
- 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//

P. *[Signature]*
20/7/2024
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavaran 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 Ramiah (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.



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/TSPCB/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 E.E.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.1,56,72,000/- (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).
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.1,56,72,000/- (Rupees One Crore Fifty Six Lakh Seventy 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 Banoth Ramaiah (5.058 Ha),
R.Sy.No. 12 & 14, 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)



(112)

TELANGANA POLLUTION CONTROL BOARD

Paryavaran 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

- Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale mine.
- 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.
- 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	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

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

- 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.
- WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
- 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).

- 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.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),
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. 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- 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: *[Handwritten Signature]*

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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8. Hearing held on 23.01.2024 at Board Office, Hyderabad.
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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.

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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 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).
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.1,01,34,000/- (Rupees One Crore One Lakh Thirty 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 Sri Boda Chittibabu (1.0 Ha),
S/o Late Boda Bikku, R.Sy.No. 20/A,
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. J. J.
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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: *[Signature]*
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:

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

- Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale mine.
- 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.
- 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	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:

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

- 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.
- WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
- 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),
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. *Jamshilav*
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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.
 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.
 16. Order No. KGM - 01/TSPCB/U-VI/TF/2023- Dt.20.07.2024

TGPCB
Despatch No.
20 JUL 2024
Signature: *[Handwritten Signature]*

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 (L.O 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. Jounhan
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.
 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.

* * * * *

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

- Pollution Index (PI) is taken as 80 duly considering the category of the mine i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale mine.
- 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.
- 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

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

- 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.
- WHEREAS, the EE.RO. Kothagudem vide report dated 13.03.2024 stated that the mine has not submitted reply to the show cause notice.
- 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).

- 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.



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TELANGANA POLLUTION CONTROL BOARD
Paryavaran 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 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 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 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, 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.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),
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. Jambhalal
Senior Environmental Engineer
(TF-HYD-UH-VI)



TELANGANA POLLUTION CONTROL BOARD

Paryavaranā Bhavan, A-III, Industrial Estate, Sanāthnagar, 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: TGPCB - M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvonchā (M), Bhādradri 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.

20 JUL 2024

Signature: *CAIR*

- 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, Bhādradri Kothagudem.
13. T.O Letter No. GEN-KGM/TSPCB/U-VI/TF/2020-304 Dated 07.05.2024.
14. Lr No. 2291/Q/2005, Dt.25.05.2024 of AD, Mines & Geology, Bhādradri Kothagudem.
15. 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), Bhādradri 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), Palonchā (M), Bhādradri 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 Telāngana based on GPCB 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:

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

- Pollution Index (PI) is taken as 80 duly considering the category of the industry i.e., Red Category.
- R is suggested to consider as 150.
- S is taken as 0.5 considering the unit is small scale industry.
- 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
- 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	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

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

- 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.
- 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.
- 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.

- 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.
- 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. 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),
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. Janshal
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- 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. *CAIRP*

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.
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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/2020-304 Dated 07.05.2024.
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. J. *J. J. J.*
Senior Environmental Engineer
(TF-HYD-UH-VI)



(133) ANNEXURE - 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

Lr No. KGM-Legal/TGPCB/TF/BO/UH-VI/2024-1852

Date:19.11.2024

To
The Collector & District Magistrate,
Bhadradi Kothagudem District.

Sub:	TGPCB - Hon'ble NGT, Chennai - Original Application No. 12 of 2023 filed by Sri K. Ramesh Babu, Hyderabad vs Union of India & Ors. 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 - Levied Environmental compensation (EC) - Non-payment of EC - Recovery of Environmental compensation (EC) under Revenue Recovery Act - Reg.
Ref :	<ol style="list-style-type: none">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. Closure order dated 15.03.2023 issued to the mines.3. Hon'ble NGT order dated 13.12.2023 in O.A No 12 of 2023.4. Task Force Committee meeting held on 23.01.2024 & 06.04.2024 at Board Office, Hyderabad.5. Lr dated 25.05.2024 of AD, Mines & Geology, Bhadradi Kothagudem.6. Task Force Committee meeting held on 16.07.2024 at Board Office, Hyderabad.7. Order No. KGM - 01/TSPCB/U-VI/TF/2023 dated 20.07.2024 levying EC.8. Hon'ble NGT Order dated 21.08.2024 in OA No. 12 of 2023 (SZ).9. Reports of EE, RO, Kothagudem dt. 30.08.2024 & 07.11.2024.

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 & TGPCB and for causing dust nuisance to the surrounding areas.

The Board, vide order dated 15.03.2023 issued closure orders to the following Stone & Road Metal Quarry for operating without CFE / CFO of the Board and causing pollution in the area.

i.	M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District
ii.	M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District
iii.	M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District
iv.	M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District
v.	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
vi.	M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District
vii.	M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District
viii.	M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District

The Hon'ble NGT has reviewed the case and issued order dated 13.12.2023 and the same is read as follows:

1. Today, we have gone through the reports of the Department of Mines and Geology and the Telangana State Pollution Control Board.

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2. When normally the Telangana SPCB levies penalty based on the report of the Department of Mines and Geology, in this case, apparently, it was not applied for the reasons best known to the Telangana SPCB. They have only calculated the damages for a period of 21 days only i.e. from the date of inspection till the date of show cause notice issued.
3. Let the Telangana SPCB give a reason as to why they have not followed the report of the Department of Mines and Geology in levying the environmental compensation and a reason for adopting a different yardstick for the quarry operators involved in this Original Application in particular. Let a detailed report be filed by the Telangana SPCB in this regard.
4. The Department of Mines and Geology is also directed to answer why the amounts were not recovered through they assessed, what is the action taken, and whether they will be able to even locate the quarry operators who ceased operations at least 5 or 6 years back."

In compliance of the Hon'ble NGT order dated 13.12.2023, the Board vide order dated 20.07.2024 levied Environmental Compensation on the following stone & metal quarries.

	Name of the Mines	Amount of Environmental Compensation levied (Rs)
i.	M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	55,62,000/-
ii.	M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District	92,04,000/-
iii.	M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District	1,67,04,000/-
iv.	M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	1,56,72,000/-
v.	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	1,01,34,000/-
vi.	M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District	1,47,30,000/-
vii.	M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District	53,82,000/-
viii.	M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	1,51,68,000/-

The Hon'ble NGT vide order dated 21.08.2024 issued following orders :

"Admittedly, none of the quarry owners paid the environmental compensation levied, which resulted in the closure of all the units. As on date, it is stated that none of the units are in operation. Except issuing the demand notice for environmental compensation, further action has not been taken by the TGPCB for recovering the amount".

The case is posted for hearing on 02.12.2024.

The EE,RO,Kothagudem vide reports dated 30.08.2024 and 07.11.2024 submitted that no mine have paid the Environmental Compensation levied by the Board.

In view of the above, the Collector and District Magistrate, Bhadradi Kothagudem District is requested to initiate action on the following Stone Metal Quarries for recovery of Environmental Compensation under Revenue Recovery Act:

	Name of the Mines	Amount of Environmental Compensation levied (Rs)
i.	M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	55,62,000/-
ii.	M/s Smt. Ch. Nagamma (1.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District	92,04,000/-
iii.	M/s Smt. Ch. Nagamma (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District	1,67,04,000/-
iv.	M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	1,56,72,000/-
v.	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	1,01,34,000/-
vi.	M/s. Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District	1,47,30,000/-
vii.	M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District	53,82,000/-
viii.	M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District	1,51,68,000/-

Sd/-
MEMBER SECRETARY

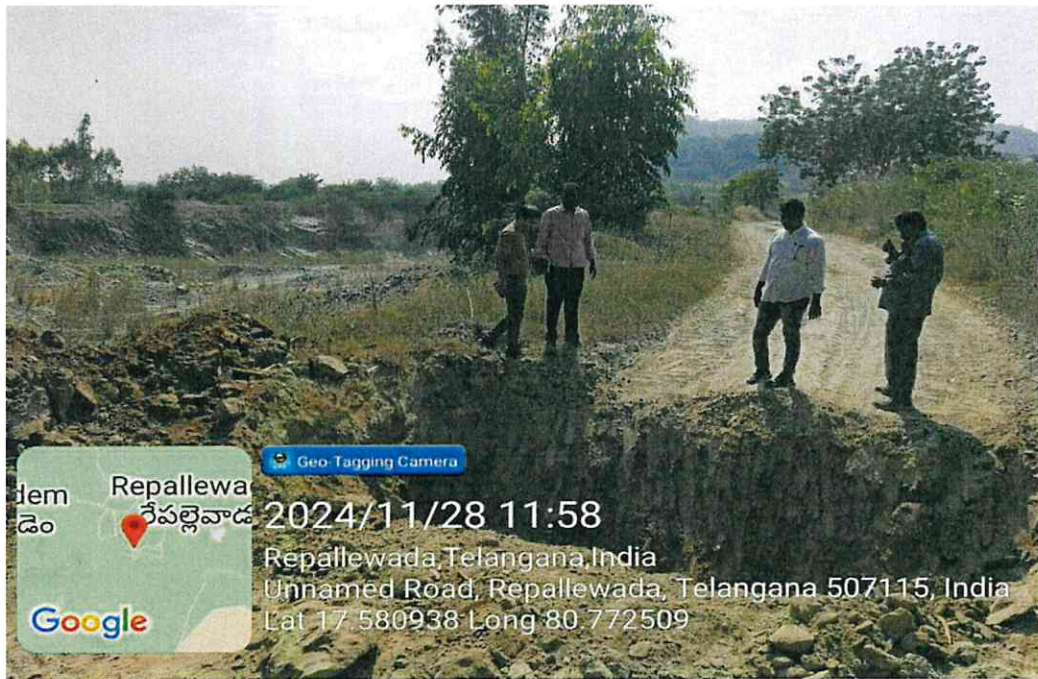
Copy to:

1. The Environmental Engineer, TGPCB, Regional Office – Kothagudem for information and necessary action. He is directed to follow up with the District Collector for recovery of Environmental Compensation and report compliance.
2. The JCEE, ZO, Hyderabad for information and necessary action.

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

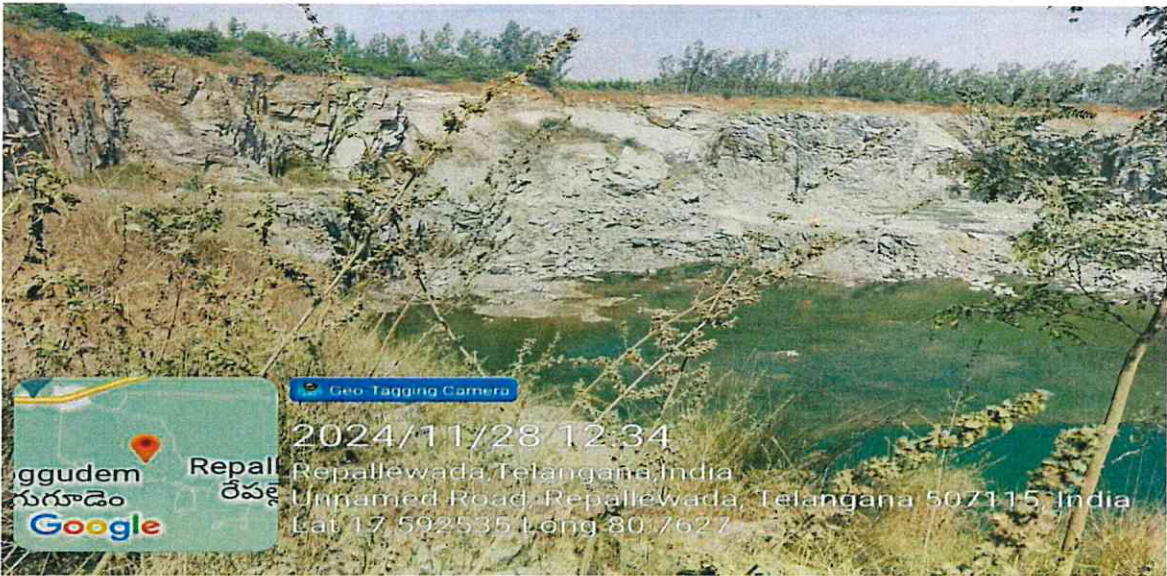
P. Jawahar
Senior Environmental Engineer
(TF-HYD : UH-VI)

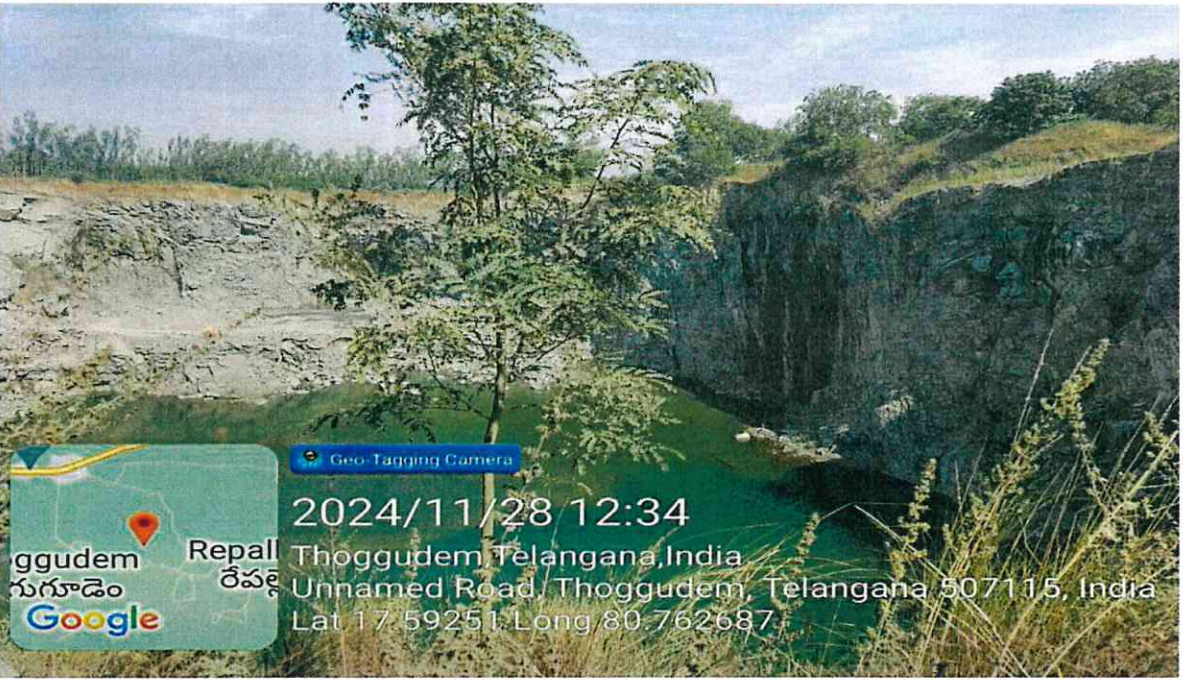
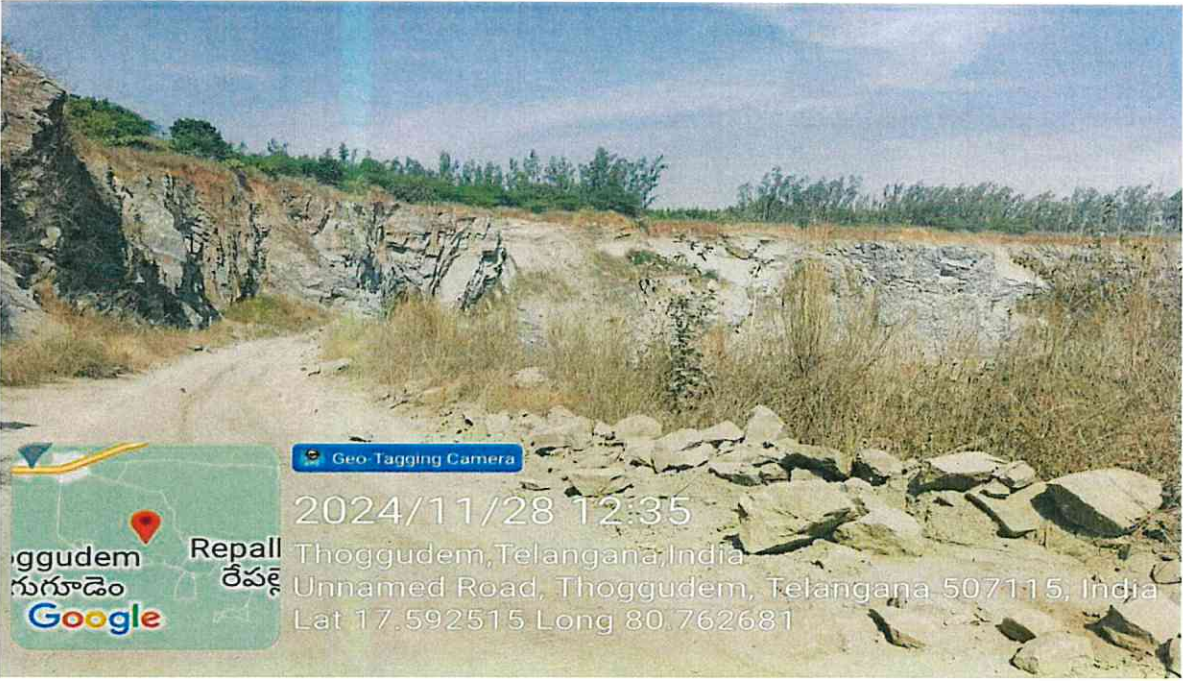
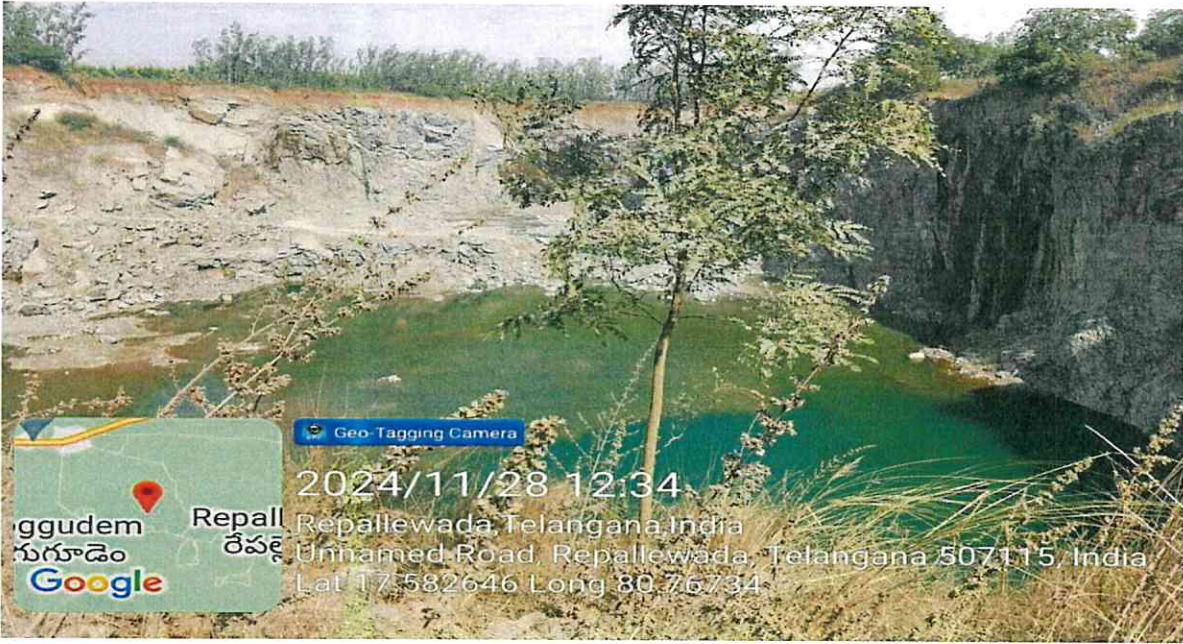
Trenches dug to stop movement of vehicles for carrying mining activity





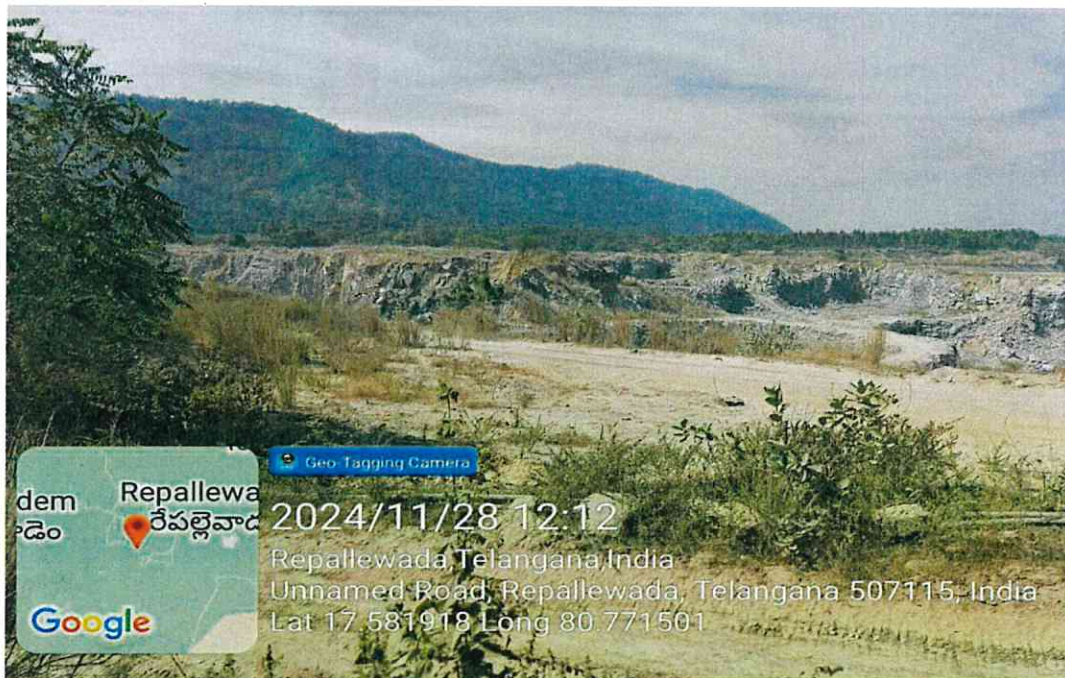
M/s Smt. Ch. Nagamma (1.0 Ha) and (4.0 Ha), Sy.No.42 & 43, Toggudem (V), Paloncha (M), Bhadradi Kothagudem District (R8)



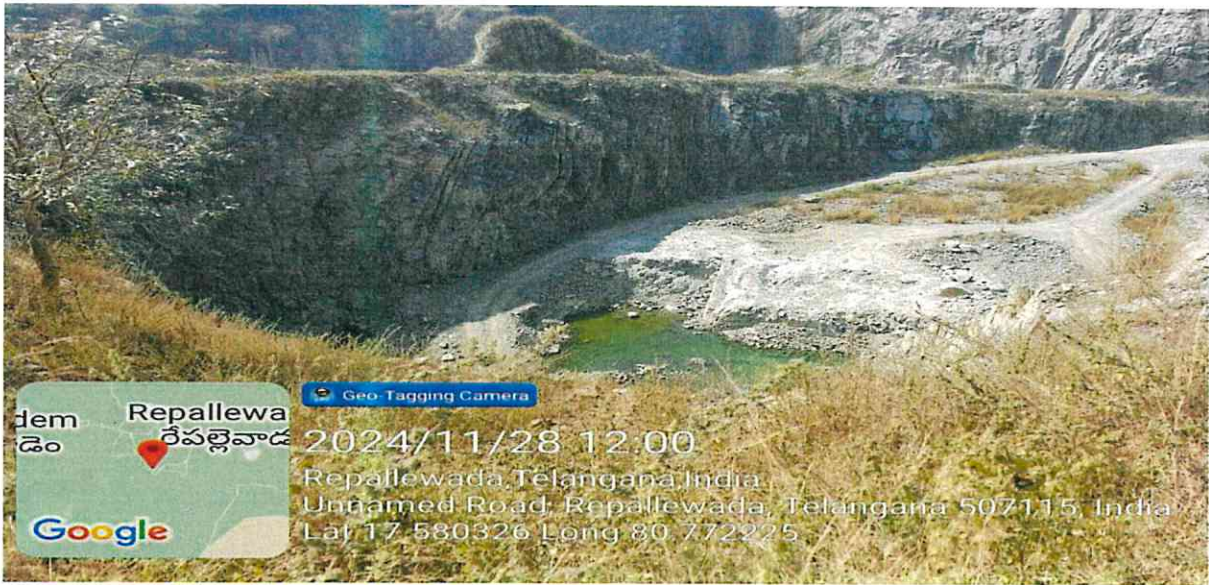


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M/s Sri Boda Chittibabu (1.0 Ha), S/o Late Boda Bikku, R.Sy.No. 20/A, Toggudem (V), Paloncha (M), Bhadradri Kothagudem District (R12)

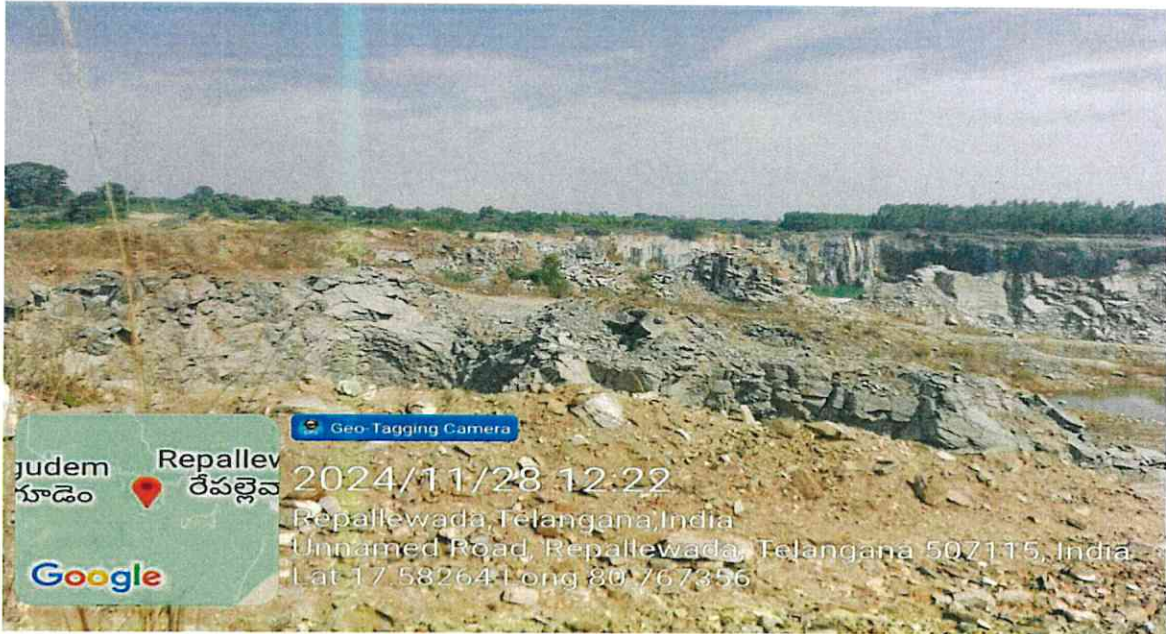


M/s Sri Settipalli Narsimha Rao (1.0 Ha), R.Sy.No. 12, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District (R13)



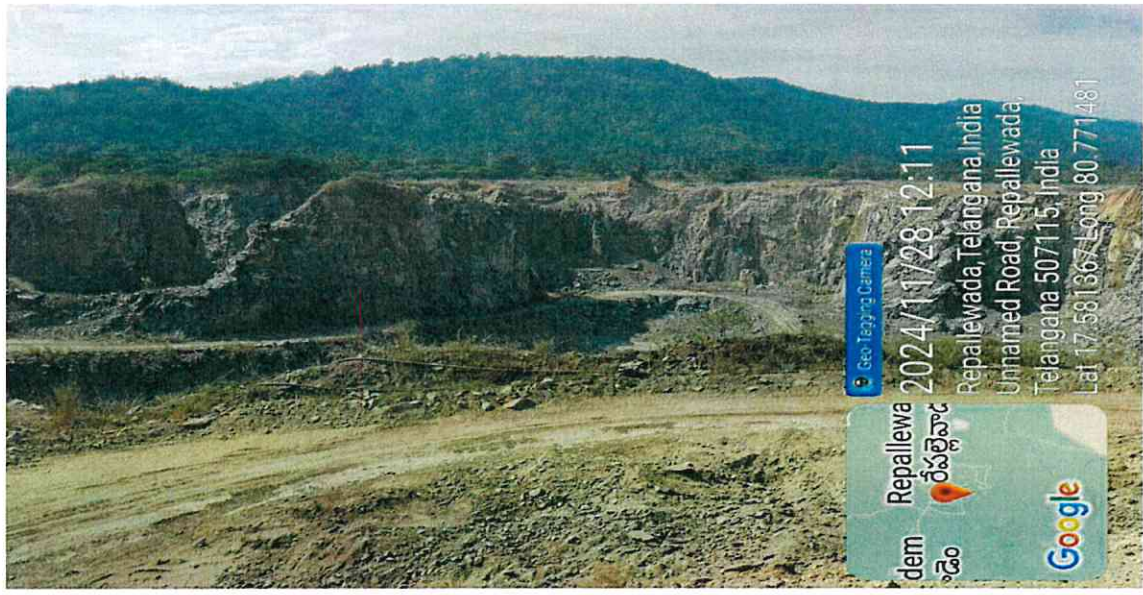
(141)

M/s Sri Sode Satish (1.0 Ha), S/o Mutyalu, R.Sy.No. 22, Thogudem(V), Palvoncha(M), Bhadradi Kothagudem District (R14)





M/s Sri Vage Venkateswar Rao (2.023 Ha), S/o Chinnabbi, R.Sy.No.20, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District (R9)





M/s Sri Banoth Ramaiah (5.058 Ha), R.Sy.No. 12 & 14, Thogudem(V), Palvoncha (M), Bhadradi Kothagudem District (R11)



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M/s Islavath Raju (0.8 Ha), Sy.No. 46, Thogudem(V), Palvoncha (M),
Bhadradi Kothagudem District (R15)



Item No.10:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

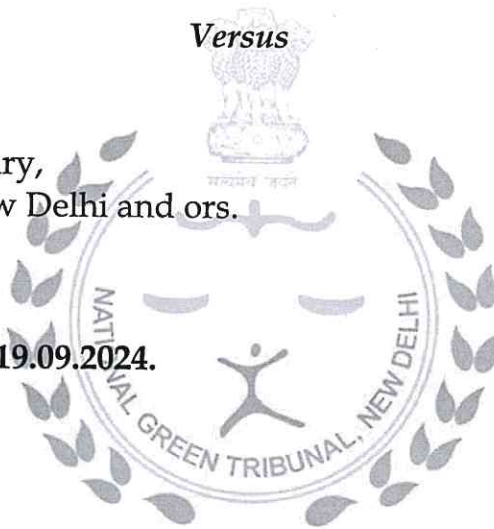
(Through Video Conference)

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: 19.09.2024.**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 Singh.

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.

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ORDER

1. For filing the further report by the Telangana State Pollution Control Board, the learned counsel seeks time. Post the matter on 02.12.2024.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.12/2023(SZ)
19th September, 2024. AD.

