

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION No. 178 OF 2024**

IN THE MATTER OF:

Kaka Ashok

Telangana

...Applicant

-Vs-

Central pollution Control Board

Through its Member Secretary

New Delhi and Others

...Respondent(s)

Report Filed By The District magistrate And District collector

3rd & 4th Respondent

Place: Chennai

Date: 17.09.2024



Mrs. H. Yasmmeen Ali,
Counsel for the 3rd & 4th Respondent

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No.178/2024 (SZ)

(Earlier O.A.No.192 of 2024 (PB))

IN THE MATTER OF:

Kaka Ashok

Telangana

.....Applicant(s)

With

Central Pollution Control Board

Through its Member Secretary

New Delhi and Ords.

... Respondent(s)

COMPLIANCE REPORT FILED BY DISTRICT COLLECTOR & DISTRICT
MAGISTRATE, BHADRADRI KOTHAGUDEM DISTRICT ON O.A.NO.178/2024
(SZ) (Earlier O.A.No.192/2024 (PB))

It is submitted that an Original application No.178/2024 (SZ) (Earlier O.A.No.192/2024 (PB)) was registered by the Hon'ble NGT, New Delhi on a letter petition received from Sri Kaka Ashok, H.No.2-138, Garivoddu(V), Ramachandrapuram G.P, Aswapuram Mandal, Bhadradi Kothagudem District with regard to pollution caused by operation of Sri Venkateswara Egg Tray Industry, Ramachandrapuram (V), Aswapuram (M), Bhadradi Kothagudem District.

The Hon'ble NGT vide order dated 29.04.2024 constituted a joint committee comprising representatives of Telangana State Pollution Control

Board and the District Magistrate, Kothagudem, and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and take appropriate remedial action by following due process of law. The Telangana State Pollution Control Board is the Nodal Agency for coordination and compliance.

The brief facts of the case are:-

- 1) A constitution of the joint committee has nominated the following members for the Joint Committee i.e. 1)K.Dhamodharao, Revenue Divisional Officer, Bhadrachalam Division- Representative of District Collector, Bhadradi Kothagudem, 2) Sri B. Ravinder, Environmental Engineer, Regional Officer, TGPCB, Kothagudem- Representative of TGPCB.
- 2) The then District Collector, Bhadradi Kothagudem has inquired and visited the site with regard to Pollution caused by the operation of Sri Venkateswara Egg Tray Industries, Ramachandrapuram GP, Aswapuram Mandal, Bhadradi Kothagudem District.
- 3) As per the directions of the District Collector & District Magistrate, Bhadradi Kothagudem the above committee has personally visited the site along with and interacted with the public and submitted a detailed report duly undersigned by the Joint Committee of the Bhadradi Kothagudem District dated 25.06.2024 before the Hon'ble NGT.

Observation of the Joint Committee:

- i. Originally M/s. Sri Venkateswara Egg Trays Industry is located in Sy.No.190/129/EE, 190/129/E, Nellipaka village, Aswapuram Mandal,

Bhadradi Kothagudem District (GPS point 17° 45'08.7"N 80°51'01.9"E).

The Industry is surrounded bounded by boundaries:

North : Open Land

East : Agricultural Land

West : Vaddigudem village road followed by Agricultural lands

South : Agricultural land

- ii. In Nellipaka village of Aswapuram Mandal, Bhadradi Kothagudem District, it is a non-schedule area.
- iii. The Industry has obtained consent for operation (CFO) renewal from the TGPCB vide order dated 30.08.2023 with a validity period up to 31.10.2038.
- iv. The Industry uses ETP sludge from the Integrated Pulp & Paper Industry as raw material for the manufacture of Egg Trays.
- v. At the time of Inspection, the industry was in operation on a shift basis only due to less market demand.
- vi. The Industry uses water 1.5 KLD which 1.0 KLD for process makeup which is being used to make ETP sludge along with waste paper into slurry form for making Egg trays and 0.5KLD for domestic purposes.
- vii. The slurry will be pumped to the Egg tray forming machines for the formation of wet Egg trays and water will be collected into the settling tank. The Industry re-circulates this water into the process. Once a month, wastewater of about 2000 liters per month is generated after cleaning the circulation tanks.
- viii. The Joint Committee observed that the washings/wastewater is being treated in the settling tank followed by sludge drying beds and re-cycle the drained water into the process. Excess water is used on land for irrigation within the premises or for their own agricultural lands, and also no

- wastewater discharges outside the industry premises during the inspection.
- ix. Domestic wastewater of about 0.2 KLD is being generated and the same is disposed to septic tank.
 - x. The Industry has developed greenbelts on the east and north sides of the industry, and no major air pollution is being generated in this type of industry. However, the Industry has provided a concrete platform for the storage of ETP sludge.
 - xi. During the inspection of the joint committee, the applicant and other villagers raised that earlier the industry had discharged washings/wastewater into adjacent agricultural lands without treatment and the water entered into the agricultural lands of surrounding farmers and affected the crop.
 - xii. The industry representative informed us that they are using the treated washing for irrigation purposes within the premises and for their own agricultural lands. The water might have entered into the surrounding agriculture fields during heavy rains along with stormwater.
 - xiii. The Board received a complaint against the industry by the applicant on 06.09.2023. The TGPCB issued notice to the industry on 20.09.2023 and directed them to take all necessary measures to control water pollution from the industry and provide sludge drying beds/settling tanks to treat the wastewater generated during the cleaning of tanks and recycle the drained water into the process and excess water shall be used on land for irrigation within the premises so as to avoid water pollution to the surrounding agricultural fields.

- xiv. The committee has collected soil samples from the sludge depositions in the drain located within the agricultural lands of the industry proprietor's family where the villagers raised concern that the industry has released washing water through that drain. As per the analysis report, no abnormality was observed in the soil, and the same was reported by the industry to the Board on 20.10.2023.
- xv. The nearby residence to the industry i.e. Sri K.Venkateswar Rao S/o Narayanadasu has stated that they don't have any problem with the industry and Sri SK. Ramzan S/o Madarsab and Smt. Thokala Amrutha W/o Anjaneyulu (late) has stated that they are facing a smell nuisance from the industry with wind direction towards their houses.
- xvi. During the course of the inspection by the Revenue Divisional Officer, Bhadrachalam, the applicant some villagers, and the industry representative argued among themselves regarding land dispute for the land located adjacent to the industry on the North side. The applicant and some villagers raised that they have started construction of Panchayath building in the open land but, the industry representative has stopped the construction by claiming that the land belongs to the industry representative.
- xvii. It is seen that the then Tahsildar, Aswapuram a letter addressed to the S.H.O, Aswapuram dated 10.07.2023 regarding the ownership of the open land and the industry has obtained NALA order for the disputed open land.
- xviii. According to that, the subject land a writ petition bearing No.16826/2023 filed by Kanakamedala Ramakoteswara Rao S/o Late Ramasheshaiah against Government Officials and Enugu Krishna Reddy S/o Sathi Reddy

R/o Ramachandrapuram village (un-official respondent No.7 herein) before the Hon'ble High Court of Telangana at Hyderabad praying the Hon'ble Court may be pleased to declare the action of the respondent in interfering with the possession petitioners private patta lands to an extent of Ac.0.05gts in Sy.No.190/129/A situated at Nellipaka sivaru of Ramachandrapuram G.P, Aswapuram Mandal, Bhadradri Kothagudem District in spite of granting digital pattadar passbook bearing No.T27030110727 against Khatha No.1266 dated 20.04.2018 as illegal and consequently declare that the panchanama said to be have been conducted on 25.02.2023 from handing over 0.05gts of land showing different Sy.Nos and marking extent Ac.0.05gts in private patta land as void illegal without power and jurisdiction, in the interest of justice.

- xix. The Hon'ble High Court of Telangana has given interim direction in I.A.No.02/2023 in W.P.No.16826/2023 dated 08.02.2024 and made the following order:-

"It is evident from the Report in Rc.No.A3/392/2023 dated 16.09.2023 that the petitioner is pattadar and enjoyer of the land admeasuring Acs. 2-04 guntas in Survey No.190/129/A situated at Ramachandrapuram Village of Aswapuram Mandal. Thus, the subject land allotted for construction of Gram Panchayat building in Survey No.190 is not a Government land. It is also stated that building construction in the proposed land in Survey No.190/47 (190/129 as per Khasra Pahani) is a patta land.

In the circumstances, the petitioner is permitted to erect fencing to his private land admeasuring Acs.2-04 guntas in Survey No.190/129/A situated at Ramachandrapuram Village of Aswapuram Mandal, as per the Panchanama dated 31.08.2023 of

the Deputy Inspector In-charge, Bhadrachalam Division". Now the said Write Petition is still pending.

❖ **The Joint Committee finally concluded that:**

- a. The industry is mainly a small-scale recycling unit and produces Egg Trays using ETP sludge from paper mills and waste paper for the total production of 10,000 bundles/month of Egg trays.
- b. These industries are categorized under the Green category as per the TGPCB circular dated 03.05.2018 and the line of activity is Egg tray/cardboard unit (Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers).
- c. The industry shall not discharge any wastewater outside its industry premises.
- d. The industry shall ensure that the wastewater from the industry does not mix with storm water during rains.

Action Taken Report:

It is humbly submitted that as per the Joint Committee personal inspection of the proposed site and observing the proposed site surrounding located premises and also the Industry under Green category as per TGPCB circulated dated 03.05.2018 and also soil sample collected from the sludge depositions in the drain located in the agriculture lands of the industry proprietor's family and where the villagers raised concerned that the industry is released washing water through that drain from EE, AEE & AES, Regional Office, Kothagudem.

It is an observation that no abnormality was observed in the soil testing sample analysis report ISO certified laboratory of Senior Environmental Scientist, Telangana Pollution Central Board, Zonal Warangal, and submission report to

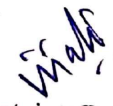
the EE, AEE & AES, Regional Office, Kothagudem dated 25.05.2024. After obtaining a report from the above, the Joint Committee has submitted photographs before the Hon'ble NGT.

Thus, there is a dispute regarding the subject land for the construction of panchayath building for the extent Ac.0.05gts situated in Sy.No.190/129/A situated at Nellipaka sivaru of Ramachandrapuram GP, Aswapuram Mandal, Bhadradri Kothagudem District. Now the subject land is pending at the Hon'ble High Court of Telangana, Hyderabad in W.P.No.16826/2023.

However, the Industry uses ETP sludge from the integrated pulp and paper industry as raw material for the manufacture of Egg trays, and also the industry installed six (06) Nos.of machines for the manufacture of Egg trays in a closed shed. The industry has been directed that it shall not discharge any wastewater outside the industry premises. The residents near the industry have stated that they don't have any objections with the industry, during the visit of a joint committee.

This is submitted for favour of kind information.



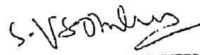

District Collector
Bhadradri Kothagudem

	TELANGANA POLLUTION CONTROL BOARD ZONAL LABORATORY: HYDERABAD ZONE H.No.: 1-8-269, Balasamudram, Warangal - 506001
	ISO Certified Laboratory ISO 9001:2015 (Q-205224051107) & ISO 45001:2018 (HS-205224051108)

ANALYSIS REPORT

Sample Code	: ZLWGL24-05414
Sample description	: M/s. Sri Venkateshwara Egg Trays Industry, Sy.No.190/129/EE, 190/129/E, Ramachandrapuram (V), Nellipaka (GP), Aswapuram (M), Bhadradi Kothagudem District.
Date of Collection	: 23.05.2024.
Date of submission	: 25.05.2024.
Sample Collected & Submitted by	: EE, AEE & AES, Regional Office, Kothagudem.
Point of Sample	: 05414-Soil Sample collected in the agriculture land outside the industry premise towards south side.

Sl. No.	Parameter	Sample No.
		05414
		Values
1.	Colour	Brown
2.	Physical State	Solid
3.	pH (1:10)	7.44
4.	Electrical Conductivity ($\mu\text{S}/\text{cm}$) (1:10)	734
Note:	• Results related to samples as-received.	


SENIOR ENVIRONMENTAL SCIENTIST
 Senior Environmental Scientist
 Telangana Pollution Control Board,
 Zonal Laboratory - Hyderabad Zone
 Warangal-506 001.