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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****O.A. No. 368 OF 2022****IN THE MATTER OF**ABHILASH,
R/O KHAMMAM DISTRICT

..... Applicants(S)

Versus

STATE OF TELANGANA

.... Respondents.

REPORT OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (R6)**RUNNING INDEX**

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Place.Hyderabad

Date: 08.6.2023

REPORT OF PRINCIPAL CHIEF CONSERVATOR OF FORESTS

TELANGANA, HYDERABAD

1. It is submitted that an application with O.A.No. 368/2022 is registered by the Hon'ble NGT, based on the complaint received from Sri Abhilash R/o Khammam District on illegal mining and operation of M/s. Sri Lakshmi Narsimha Stone Crusher etc., in Garlavoddu (V), Enkoor Zone, Khammam District, thereby damaging endangered hills and forests and adversely affecting wild animals and running of stone crusher day and night causing air & noise pollution.
2. The Hon'ble Tribunal while hearing the case on 24.05.2022 has opined that the allegations made in the letter required due verification and immediate remedial action. Accordingly, constituted a Joint Committee of the Principal Secretary, Ministry of Tribal Affairs, Principal Chief Conservator of Forest (HoFF) Govt of Telangana, State PCB and Collector, Khammam and directed the Joint Committee to meet within four weeks and undertake site visits, look into the grievances of the applicant and take requisite action by following due process of law.
3. As per the orders, the District Forest Officer, Khammam has represented to the Joint Committee, on behalf of the Prl. Chief Conservator of Forests(HoFF) and the Joint Committee has conducted the site inspection and submitted to the Hon'ble Tribunal.
4. Subsequently, the Hon'ble Tribunal in its orders dt. 02.11.2022 while going through the report and recommendation of the Joint Committee has considered that the respondents i.e., (1) State of Telangana through Chief Secretary, Govt of Telangana (2) Prl. Chief Conservator of Forests (HoFF), Telangana, (3) Director, Mining and Geology, Govt of Telangana (4) TSPCB, (5) District Magistrate, Khammam (6) the Project Proponent Stone Crusher M/s Sri Lakshmi Narsimha Stone Crusher (Presently operating in the name of M/s Sri Jai Santhoshi Narasimha Stone Crusher and (7) the Project Proponent Stone Quarry Mine M/s Manupati Jayasimha, are required to file reply/response in connection with the case.
5. Accordingly, a report has been obtained from the District Forest Officer Khammam. As per the report of the District Forest Officer a report has been submitted to the District Collector, Khammam on 21.10.2022 stating that, the Crusher owner has leased the said area from the farmers and quarry location showing SOI map 1973 which shows the location in the Dense Scrub area and having hillock which is revenue department control. In the report, it is also informed that the area **is not falling in the reserve forest area but spread as revenue land having dense scrub growth between the Gubbagurthy RF and Kanakagiri Reserve Forest. The area may have been used by wildlife to cross from one RF to another RF.**
6. Further, it is submitted that no felling permissions were requested and issued to the mining site by the forest department. **The relevant documents making correspondence in this regard are enclosed** (Report of District Forest Officer Khammam, Report of Forest Range Officer Tallada, Survey of India 1973 map showing the Quarry area and nearest Reserve Forest and Map showing the distance from quarry area to the nearest Reserve Forest.

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7. It is also informed that in compliance to the directions of Hon'ble, NGT, the Joint Committee has conducted site inspection to ascertain the facts and after inspection, the Joint committee in its report has also mentioned that there is no involvement of forest land (Report of the Joint Committee constituted in the O.A.No.368 of 2022 in the matter of Abhilash R/o Khammam District verus State of Telangana is enclosed).
8. In view of the above, The Registry is requested to file the reply affidavit before the Hon'ble Tribunal on behalf of the Forest Department and see that the petition is disposed off.

Date 06.2023

Place: Hyderabad

Signed by Rakesh Mohan
Dobriyal
Date: 16-06-2023 09:02:04
Reason: Approved

Principal Chief Conservator of Forests

(Head of Forest Force)

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**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Sri R.M.Dobriyal, IFS,
Prl. Chief Conservator of Forests &
(Head of Forest Force) (FAC),
Telangana State, "AranyaBhavan",
Saifabad, Hyderabad.

To
Sri. Sanjeev Kumar,
Advocate & Counsel for the State of Telangana,
J69J+F7X Faridkot House,
Copernicus marg
Near India Gate,
New Delhi 110001.

Ref.No. FC6/FC50/277/2022, Dated: 02/04/2023

Madam/ Sir,

Sub: TSPCB – Legal – Hon'ble NGT, New Delhi – Original Application No. 368 of 2022
- filed by Abhilash, R/o Khammam District – Filing reply affidavi– Reg.

Ref:- The Hon'ble NGT orders. 24.05.2022, 09.09.2022 and 02.11.2022 in O.A no. 368/2022
filed by Sri Abhilash, R/o

1. It is informed that an application with O.A.No. 368/2022 is registered by the Hon'ble NGT, based on the complaint received from Sri Abhilash R/o Khammam District on illegal mining and operation of M/s. Sri Lakshmi Narsimha Stone Crusher etc., in Garlavoddu (V), Enkoor Zone, Khammam District, thereby damaging endangered hills and forests and adversely affecting wild animals and running of stone crusher day and night causing air & noise pollution.
2. The Hon'ble Tribunal while hearing the case on 24.05.2022 has opined that the allegations made in the letter required due verification and immediate remedial action.. Accordingly, constituted a Joint Committee of the Principal Secretary, Ministry of Tribal Affairs, Principal Chief Conservator of Forest (HoFF) Govt of Telangana, State PCB and Collector, Khammam and directed the Joint Committee to meet within four weeks and undertake site visits, look into the grievances of the applicant and take requisite action by following due process of law.
3. As per the orders, the District Forest Officer, Khammam has represented to the Joint Committee, on behalf of the Prl. Chief Conservator of Forests(HoFF) and the Joint Committee has conducted the site inspection and submitted to the Hon'ble Tribunal.
4. Subsequently, the Hon'ble Tribunal in its orders dt. 02.11.2022 while going through the report and recommendation of the Joint Committee has considered that the respondents i.e., (1) State of Telangan through Chief Secretary, Govt of Telangana (2) Prl. Chief Conservator of Forests (HoFF), Telangana, (3) Director, Mining and Geology, Govt of Telangana (4) TSPCB, (5) District Magistrate, Khammam (6) the Project Proponent Stone Crusher M/s Sri Lakshmi Narsimha Stone Crusher (Presently operating in the name of M/s Sri Jai Santhoshi Narasimha Stone Crusher and (7) the Project Proponent Stone Quarry Mine M/s Manupati Jayasimha, are required to file reply/response in connection with the case.
5. Accordingly, a report has been obtained from the District Forest Officer Khammam. As per the report of the District Forest Office a report has been submitted to the

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District Collector, Khammam on 21.10.2022 stating that, the Crusher owner has leased the said area from the farmers and quarry location showing SOI map 1973 which shows the location in the Dense Scrub area and having hillock which is revenue department control. In the report, it is also informed that the area is **not falling in the reserve forest area but spread as revenue land having dense scrub growth between the Gubbagurthy RF and Kanakagiri Reserve Forest. The area may have been used by wildlife to cross from one RF to another RF.**

6. Further it is informed that no felling permissions were requested and issued to the mining site by the forest department. **The relevant documents making correspondence in this regard are enclosed** (Report of District Forest Officer Khammam, Report of Forest Range Officer Tallada, Survey of India 1973 map showing the Quarry area and nearest Reserve Forest and Map showing the distance from quarry area to the nearest Reserve Forest.
7. It is also informed that in compliance to the directions of Hon'ble, NGT, the Joint Committee has conducted site inspection to ascertain the facts and after inspection, the Joint committee in its report has also mentioned that there is no involvement of forest land (Report of the Joint Committee constituted in the O.A.No.368 of 2022 in the matter of Abhilash R/o Khammam District verus State of Telangana is enclosed).
8. In view of the above, it is requested to file the reply affidavit before the Hon'ble Tribunal on behalf of the respondent No.1st and 2nd and see that the petition is disposed off.

Encl: as above

Yours faithfully,

Rakesh Mohan Dobriyal

Signed by Rakesh Mohan

Dobriyal

Date: 02-04-2023 21:54:20

Reason: Approved

Prl. Chief Conservator of Forests &

(Head of Forest Force)(FAC)

//True Copy//

8/4/23

(Signature)
4/4/23

for Prl. Chief Conservator of Forests

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Government of Telangana
Forest Department

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No:- 1488 /2022/S5
Date :- 21-10-2022

Office of the District Forest Officer,
Khammam

From
Sri Siddharth Vikram Singh, IFS.,
District Forest Officer,
Khammam.

To,
The District Collector,
Khammam.

Sir,

Sub:- Forest Department – NGT Application No. 368 of 2022 filed by Abilash, R/o Khammam – Illegal mining and operation of M/s Sri Laxminarasimha Stone Crusher, Garloddu, Enkooor mandal, Sathupalli Forest Division, Khammam district – Report submitted – Reg.

Ref:- 1.F.R.O., Tallada Rc.No. 29/2022/T, dated 20-10-2022
2. Field visit by joint committee at mining site at Garloddu, Enkooor mandal on 21.10.2022

It is submitted that as per instructions issued with reference to above subject to the Forest Range Officer, Tallada, of Sathupalli Forest Division, he has submitted his report on the subject cited above. The details are as follows-

1. He has enquired with the crusher owner and found that they are running M/s Sri Laxminarasimha Stone Crusher, Garloddu in the Pattaland bearing the Sy.No. 200/T-A2/2, 200/T-A2/3. As per local enquiry, the stone crusher owner has leased the said area from the farmers.
2. Quarry location showing Survey of India Map 1973 is enclosed which shows the location in the **Dense scrub area** and having hillocks which in revenue departmental control. It is not falling in the Reserve Forest area but spread as revenue land having dense scrub growth between the Gubbagurthy RF and Kanakagiri RF. This area may have been used by wildlife to cross from one RF to another RF.
3. The animals generally found present in the area and sited by people were black-naped hare, common birds, reptiles, etc. **To ascertain fauna and flora biodiversity in the area, detailed survey has to be conducted over a period of a month with help of field biologist and report regarding same and wildlife movement may be prepared.**

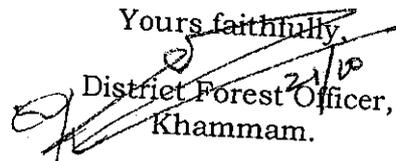
PTD

4. The dominant tree species are *Boswellia serrata*, *Azadirachta indica*, *Diospyros melanoxylon*, *Albizia amara*, *Annona squamosa*, Relu, etc.
5. Water storage has been observed in the quarried area.
6. Further, blasting and mining will cause harm to the biodiversity in the area if proper precautions and norms of Pollution control board are not followed properly.

No tree felling permissions were addressed to the forest department for this area and this area falls in **scheduled Area**. Further, it is submitted, that a copy communication between Forest Divisional Officer, Sathupally and Assistant Director of Mines & Geology, Khammam along with its enclosures is enclosed herewith. In which, the Assistant Director has informed the Forest Divisional Officer, Sathupally that he has instructed the Quarry lease holders that "for felling of trees in quarry lease area, necessary prior permission shall be obtained from the competent authority i.e., concerned Forest Officer, failing which it will be violation under Telangana State Forest Act 1967 and liable for penalization." A copy of FRO's report along with its enclosures and maps are sent herewith for kind perusal.

This is submitted for favour of information and necessary action
Encls: As Above.

Yours faithfully,


District Forest Officer,
Khammam.

Copy submitted to the Principal Chief Conservator of Forests (HoFF) Telangana, Aranya Bhavan, Saifabad, Hyderabad for favour of kind information.

Copy submitted to Dr. Naval Jit Kapoor, Joint Secretary, Ministry of Tribal Affairs, Government of India for favour of kind information

Copy submitted to Member Secretary, TSPCB, Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad - 500018 for favour of kind information.

Copy submitted to the Chief Conservator of Forests, Bhadradi Circle, Hq at Warangal for favour of kind information.

Copy to the Forest Divisional Officer, Sathupally for information..


District Forest Officer,
Khammam.



Ser,
Mail sent on dt 21/10/22
at 6:58 PM
@ 21/10/22

bil on 20/10 from from Tallada range

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Government of Telangana
Forest Department

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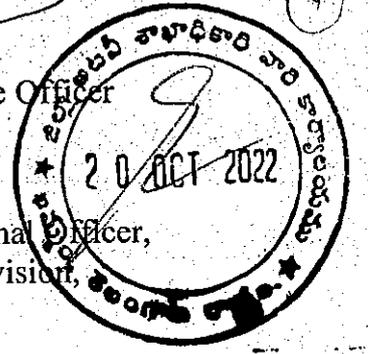
1494 - 3
(4)

Re.No:- 29 /2022/T
Date :- 20.10.2022

From
Sri. K. Aravind,
Forest Range Officer
Tallada

Office of the Forest Range Officer
Tallada

To,
Forest Divisional Officer,
Sathupally Division,
Sathupally.



Sir,

Sub:- Forest Department – NGT Application No. 368 of 2022 filed by Abilash, R/o Khammam – Illegal mining and operation of M/s Sri Laxminarasimha Stone Crusher, Garloddu, Enkoor mandal – Report submitted on the following points asked – Reg..

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In connection to be subject cited above, it is submitted that, the M/s Sri Laxminarasimha Stone Crusher, Garloddu, Enkoor mandal is near to the Garlaoddu village.

1. As enquired with the crusher owner they are running the M/s Sri Laxminarasimha Stone Crusher, Garloddu in the Pattaland bearing the Sy.No. 200/T-A2/2, 200/T-A2/3 from the enquiry the stone crusher owner leased the said area from the farmers.
2. Quarry location showing Survey of India Map 1973 enclosed.
3. The animals present in the area were black naped hare and reptiles.
4. The dominant tree species were Boswellia serrata, Azadirachta indica. Diospyros melanoxylon, Albizia amara, Annona squamosa, etc.,
5. No water bodies near by area. Water storage observed in the quarried area.

This is submitted for favour of information and necessary action

Yours faithfully

Forest Range Officer
Tallada

Copy submitted to the District Forest Officer, Khammam for favour of information

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Government of Telangana
Forest Department

Rc.No:- 1488 /2022/S5
Date : 25-01-2023

Office of the District Forest Officer,
Khammam

From
Sri Siddharth Vikram Singh, IFS.,
District Forest Officer,
Khammam.

✓ To,
The Principal Chief Conservator of Forests,
(Head of Forest Force)
Telangana State, Hyderabad.

(BY R.P.A.O)

Sir,

Sub:- Forest Department - NGT Application No. 368 of 2022 filed by Abilash, R/o Khammam - Illegal mining and operation of M/s Sri Laxminarasimha Stone Crusher, Garloddu, Enkoor mandal, Sathupalli Forest Division, Khammam district - Report submitted - Reg.

- Ref:- 1. PCCF,TS, Hyderabad Rc.No. FC6/FC50/277/2022/FCA,dt.20-10-2022.
(add. to Member Secretary,TS PCB, Hyd. and copy marked to CCF, Bhadradi Circle).
2. Field visit by Joint Committee at mining site at Garloddu, Enkoor mandal on 21-10-2022.
3. DFO, Khammam Rc.No.1488/2022/S5, dt.21-10-22. (add. to the District Collector, Khammam and copy marked to PCCF, Hyderabad and CCF, Warangal)
4. PCCF,TS, Hyd. Rc.No. 3073/2019/WL-1, dt. 20-10-2022.
5. Report of Joint Committee constituted in the O.A.No. 368 of 2022 in the matter of Abhilash R/o Khammam district versus State of Telangana.
6. DFO, Khammam Rc.No.1488/2022/S5, dt.02-11-22. (add. to the CCF, Bhadradi Circle and copy marked to PCCF, Hyderabad)
7. PCCF,TS, Hyderabad Rc.No. FC6/FC50/277/2022/FCA,dt.01-12-2022.

With reference to the subject above, it is submitted that duly obtaining a report on the subject cited from the Forest Range Officer, Tallada dated 20-10-2022 and as per instructions issued with references to above, the under signed has accompanied Dr. Naval Jit Kapoor, Joint Secretary, Ministry of Tribal Affairs, Govt. of India (Representative of Ministry of Tribal Affairs), Sri V.P.Gautham, District Collector, Khammam and Sri D.Krupanand, Joint Chief Environmental Engineer (JCEE) (Representative from TSPCB) has conducted site inspection on 21-10-2022. On the same day a report was sent to the District Collector, Khammam in the ref. 3rd cited and copy marked to the marked to the Chief Conservator of Forests, Bhadradi Circle, Warangal and Principal Chief Conservator of Forests, TS, Hyderabad. A copy of the ref. cited is enclosed herewith for kind perusal for ready reference.

It is further submitted that a report of the Joint Committee Constituted in the O.A.No. 368/2022 in the matter of Abhilash R/o. Khammam district was filed before the Hon'ble National Gree Tribunal Principal Bench, New Delhi. The same was reported in the ref. 6th cited above. A copy of the same is enclosed herewith for kind perusal for ready reference.

In view of the above, it is humbly submitted to take necessary action at Head office level to file counter affidavit in the matter.

Yours faithfully,
Sd/- Siddharth Vikram Singh,
District Forest Officer,
Khammam.

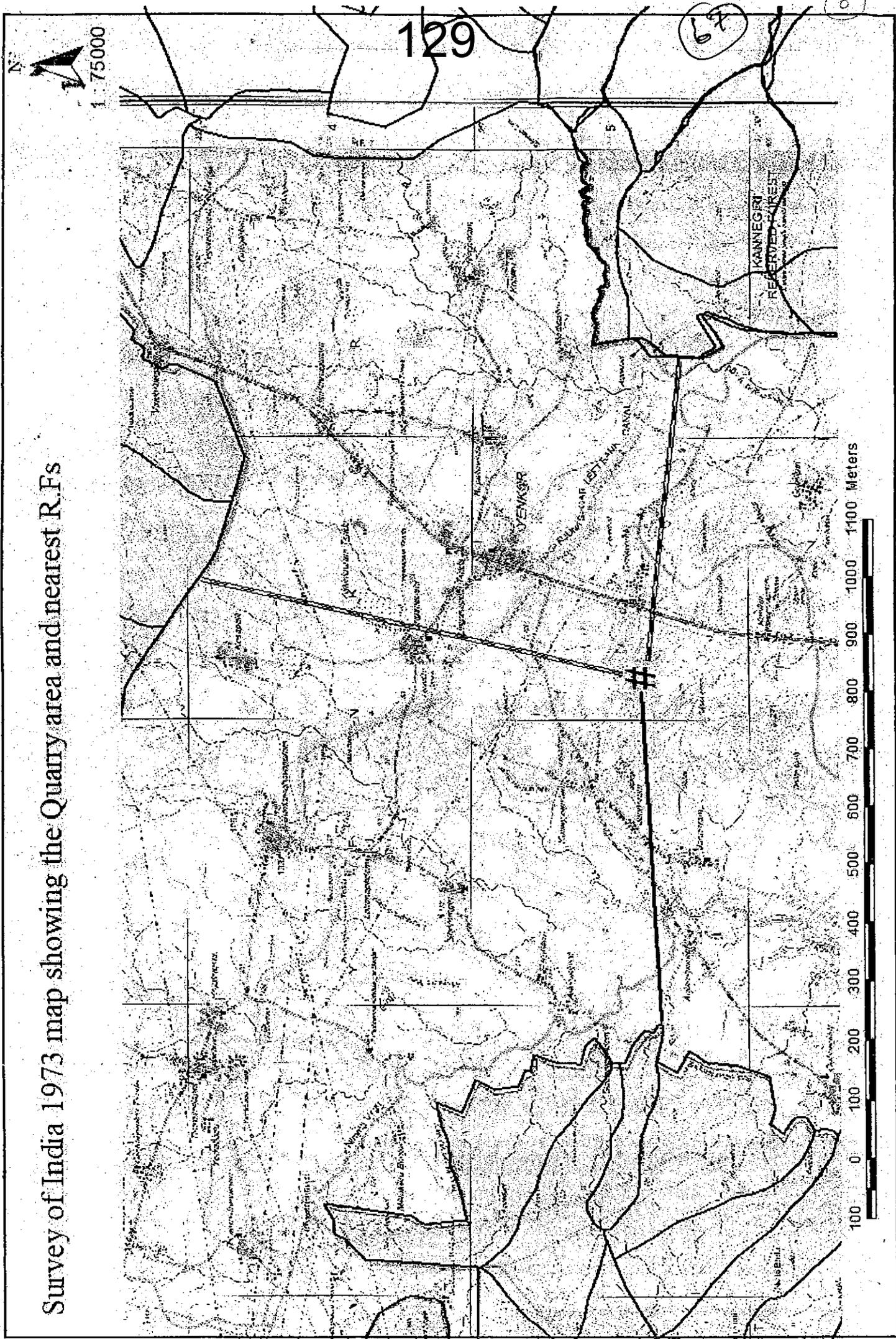
Copy submitted to the Chief Conservator of Forests, Bhadradi Circle, Warangal for favour of information and necessary action.

Sd/- Siddharth Vikram Singh,
District Forest Officer,
Khammam.

//t.c.b.o.//

Superintendent
31.1.23

Survey of India 1973 map showing the Quarry area and nearest R.F.s



Distance from Quarry area to the nearest R.F.

7.10 Kms from Cheemalapadu R.F.

Quarry

5.40 Kms from Gubbagurthi R.F.

4.98 Kms from Kanakagiri R.F.

Image © 2022 Airbus
Image © 2022 Maxar Technologies
Image © 2022 CNES / Airbus

Google Earth

Imagery Date: 4/30/2021 lat 17.351477° lon 80.402736° elev 380 ft eye alt 10.69 mi

(19) - (5) 9-

Report of the Joint Committee constituted in the O.A No. 368 of 2022 in the matter of Abhilash R/o. Khammam District versus State of Telangana

1. Introduction:

It is to submit that the Hon'ble NGT, Principal Bench registered the application in O.A No 368 of 2022 based on a Complaint received by post from Mr. Abhilash Chowdary of Garlavoddu Village, Enkoor Zone, Khammam, District Telangana stating that the hills and forests around the village are being completely destroyed due to operation of stone crushers by some non-tribal's and also illegal mining in and around the village destroying the forest area causing severe air & noise pollution leading to damaging endangered hills and forests which is adversely affecting the wild animals. He further stated that, M/s. Sri Lakshmi Narsimha Stone Crusher is plying heavy lorries and tractors with 14, 12, 10 tyres from the village thereby damaging the village roads and creating problems to the villagers.

The Hon'ble NGT, Principal Bench passed Ordersvide orders dated 24.05.2022 & 19.09.2022 in O.A No. 368 of 2022. The Hon'ble, NGT, Principal Bench has constituted a Joint Committee comprising of following members with the nodal agency as Telangana State Pollution Control Board (TSPCB):

1. Principal Secretary, Ministry of Tribal Affairs.
2. Pr. Chief Conservator of Forests (HoFF), Govt. of Telangana
3. The Telangana State Pollution Control Board (TSPCB),
4. District Collector, Khammam

The Hon'ble NGT directed the Joint Committee to undertake the site visit, look into the grievance of the applicant and take requisite action by following due process of law.

2. Constitution of Joint Committee:

In compliance with the directions of Hon'ble NGT, a Joint Committee was constituted with following members:

1. Dr. Naval Jit Kapoor, Joint Secretary, Ministry of Tribal Affairs, Govt. of India (Representative of Ministry of Tribal Affairs).
2. Shri V.P Gautham, District Collector, Khammam.
3. Shri Siddharth Vikram Singh, DFO, Khammam (Representative of Pr. Chief Conservator of Forests (HoFF), Govt. of Telangana).
4. Sri D. Krupanand, Joint Chief Environmental Engineer (JCEE) (Representative from TSPCB).

Terms of references (TOR) of the Committee:

- a. The above Joint committee to undertake the site visit, look into the grievance of the applicant Sri. Abhilash Chowdary, R/o Garlavoddu Village, Khammam, District and take requisite action by following due process of law.

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3. The Joint Committee inspection:

As per the instructions, the Joint Committee has conducted site inspection as indicated in the applicant mail on 21.10.2022 to ascertain the facts mentioned in the mail and present status. At the time of inspection, the complainant Mr. Abhilash Chowdary was also present and accompanied for inspection. The Villagers and Sri Bhukya Kranthi, Sarpanch of Garlavoddu Villagewere also present.

Observations of the Committee:

1. M/s. Sri Lakshmi Narsimha Stone Crusher (presently operating in the name of M/s. Sri Jai Santhoshi Narasimha Stone Crusher), Sy.No. 200/TA, Garlavoddu (V), Enkooor (M), Khammam District(GPS point-17°18'31.35"N & 80°25'32.25"E) is situated in an area of 3.5 Acres land and surrounded by agricultural land on East side, hillocks on North side and South side and agricultural land on west side. A granite mine of 1 Ha is existing (GPS point-17°18'26.83"N & 80°25'22.83"E) at Sy.No. 200/TA, Jannaram (V), Enkuru (M), Khammam District on the South-West corner of stone crusher. The stone crusher is procuring raw material granite blocks from the mine for crushing.
2. In the mail, it was alleged that some of the non-tribals are running stone crushers around the village and doing illegal mining. They are digging up the hills around the village and completely destroying the forest area.
3. During the site inspection, the officials from Revenue, Forest and Mining department were also present. It was enquired with the local Revenue and forest officials on the status of lands. It was confirmed by the Forest officials that the there are no forest lands/ Reserve Forests within 4 to 5 Kms from the site (The Map showing status of forest lands in and around the site are annexed as Annexure- I). The said lands are purely revenue lands, through covered by hillocks/ tree growth. Due to dense tree cover, the applicant had mistaken it for forest.
4. Quarry location showing Survey of India Map 1973, which shows the location in the Dense scrub area and having hillocks which in revenue departmental control (Annexure- IA). It is not falling in the Reserve Forest area but spread as revenue land having dense scrub growth between the Gubbagurthy RF and Kanakagiri RF. It is having hillocks having dense scrub growth and to the common person appears like forest growth. This area may have been used by wildlife to cross from one RF to another RF in the past. Further, no tree felling permission were requested and issued to the mining site by the forest department.
5. The animals generally found present in the area and sighted by people were black-naped hare, common birds, reptiles, etc. To ascertain fauna and flora biodiversity in the area, detailed survey has to be conducted over a period of a month with help of field biologist and report regarding same and about wildlife movement may be prepared
6. The Committee also noticed that the crusher i.e. M/s. Sri Lakshmi Narsimha Stone Crusher (presently operating in the name of M/s. Sri Jai Santhoshi Narasimha Stone

- Crusher) and stone quarry mine (operated in the name of M/s Manupati Jayasimha) is surrounded by hillocks on two sides and thick vegetation is seen on the hillocks indicating that there is no damage due to crushing and mining activities as alleged by complainant. The quarry operation stated that they had not fell any trees for the purpose of quarry. Google earth trenches of last five years do not mutata any tree felling.
7. It was also noticed that a quarry mine in the name of M/s. Manupati Jayasimha is located near the crusher and the quarry permission is issued to the tribal person. The Asst. Director, Mines informed that the Quarry lease for building stone & road metal over an extent of 1.0 Ha. in Sy.No.200/TA of Jannaram (V), Enkoor (M), Khammam District was granted in favour of Sri Manupati Jayasimha for a period of 10 years by the Dy. Director of Mines & Geology, Warangal vide Procg No. 2558/Q3/2008, Dt. 23.03.2009. Accordingly the Asst. Director of Mines & Geology, Khammam has executed the Quarry lease deed and issued work order to commence Quarry operations for a period of 10 years from 20.08.2009 to 19.08.2019, vide Procg. No. 3423/Q/2008, Dt. 20.08.2009. The lessee has filed 1st renewal of Quarry Lease application within stipulated time i.e., 26.02.2018. The said 1st renewal Quarry lease for grant is under process. In this regard, he further informed that in respect of renewal Quarry Lease Application, the Lessee ID has been enabled in the Department Online web portal for Royalty payments, applying for dispatch permits. Accordingly, the Renewal Applicant Sri Munupati Jayasimha had obtained dispatch permits through Auto Approval mode. Copy of the mine lease is enclosed (Annexure-II).
8. The State PCB has addressed letters to the AD, Mines and Geology department on 20.05.2022 & 16.06.2022 for taking necessary action and requested not to renew mining permission without obtaining Environmental Clearance to the stone quarry mines (Annexure-III). The proponent informed that they have applied for EC and the same is under process and the State Environment Assessment Committee (SEAC) meeting was conducted on 29.09.2022. After detailed discussions, the SEAC noted that the proponent submitted earlier production details upto 19.08.2019 only and informed the proponent to submit status of the mine after 19.08.2019 to till date issued by the Mining Department. The SEAC deferred the project for consideration after submission of above mentioned information by the proponent. The copy of minutes of the SEAC meeting held on 29.09.2022 is enclosed as (Annexure-IV).
9. With regard to Stone crushing activity, the permissions obtained were verified. The crusher obtained Consent for Establishment from State PCB in the year 2010. Subsequently, the crusher was issued with Consent for Operation and the latest CFO was issued vide order dt.24.01.2020 with a validity upto 28.02.2022 (Annexure-V). Subsequently, the industry applied for renewal on 03.03.2022 and the Board sought clarifications on the status of dust pollution control measures provided. The industry representative present during the inspection of the Joint Committee, informed that the industry was not in operation since 5 months and taken up measures to rectify the pollution control measures. They have not furnished the reply as they have not taken the

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measures and recently furnished the reply on the status. The Joint committee noticed that the stone crusher has provided Cladding to the vibrating screens, cladding to the conveyor belts with Green mesh cloth and water sprinkling system at Jaw crusher and at transfer points to control dust emissions during the process. The Committee noticed that the crusher is storing the stone dust in large heaps which is the source of fugitive dust emissions. The crusher has not provided wind breaking walls around the plant to control dust emissions to the surrounding areas and not laid internal metal roads.

10. The applicant has raised that there is no separate road from crusher to the main road and using the village road to transport gravel without permission and causing trouble to the villagers. The Joint Committee noticed that a kaccha road was laid from the crusher to the main road with gravel. A.D mines interaction with the applicant, his main concern was that through the quarries/ crushers are making profits from natural resources of their village. They were not investing in any development activities/ infrastructure in the village through DMFT. Committee observed that DMFT lands are governed by the DMFT committee, the crusher operator has no role in deciding the authority to any village.
11. The applicant also raised the issue of carrying out huge explosions and many houses are badly damaged by the blasts. During the explosions large boulders fall on the surrounding crop fields. The Joint committee noticed that the mining of stone boulders are carried out using the explosives. The mine owner obtained necessary permission from the mines & explosive department. The Sarpanch of the village informed that they do not have any problem due to blasting in the mine as the mine is located far away from their habitation. The Sarpanch and villagers informed that the allegation made by the applicant that their house are damaged is false. The joint committee observed that the habitation is around 1 km from the quarry and as per villager's statements; there are no complaints of house damage due to blasting. (Attached Google earth map showing the distance between the quarry and habitation).

Recommendations of the Committee:

1. The mine owner may be directed to stop the mining till they obtained Environmental Clearance (EC) from Ministry of Environment, Forest & Climate Change (MoEF & CC), Govt. of India.
2. The crusher shall not operate without valid Consent for operation (CFO) of the Telangana State Pollution Control Board (TSPCB) and shall take pollution control measure viz.,
 - Providing dust bunkers to store the stone dust.
 - providing wind breaking walls around the stone crusher to control fugitive emissions to the surrounding area.
 - Providing cladding with MS sheets to all the conveyor belts.
 - Laying of metal roads within the industry premises.
 - Providing of sprinklers within the industry & mine premises to control dust pollution.

Item No.6

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.368/2022

Abhilash

Applicant

Versus

State of Telangana

Respondent

Date of hearing: 24.05.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER****Application is registered based on a complaint received by Post.****ORDER**

1. Mr. Abhilash Chowdary resident of Garlavoddu Village, Enkooor Zone, Khammam, District Telangana has sent the present letter petition complaining that Sri Lakshmi Narsimha Stone Crusher is illegally operating in Garlavoddu Village, Enkooor Zone, Khammam, District Telangana and is thereby damaging endangered hills and forests and adversely affecting wild animals. Running of the said stone crusher day and night is causing air and noise pollution leading to serious health hazards to local tribals and damage to crops.

2. On due consideration of the matter, we are of the view that the allegations made in the present letter require due verification and immediate remedial action. Accordingly, we constitute a Joint Committee of the Principal Secretary, Ministry of Tribal Affairs, Principal Chief Conservator of Forests (HoFF) Government of Telangana, State PCB and Collector, Khammam and direct the Joint Committee to meet within four weeks and undertake site visits, look into the grievances of the

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applicant and take requisite action by following due process of law. The State PCB will be the Nodal agency for coordination and compliance. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 28/07/2022.

A copy of this order, along with a copy of the application, be forwarded to the Principal Secretary, Ministry of Tribal Affairs, Principal Chief Conservator of Forests (HoFF) Government of Telangana, State PCB and Collector, Khammam by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 24, 2022
Original ApplicationNo.368/2022
AG

Item No.5

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.368/2022

Abhilash

Applicant

Versus

State of Telangana

Respondent

Date of hearing: 02.11.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Respondent: Mr. Dhananjay Baijal, Advocate for TSPCB.

Application is registered based on a complaint received by Post.**ORDER**

1. Mr. Abhilash Chowdary resident of Garlavoddu Village, Enkooor Zone, Khammam, District Telangana has sent the present letter petition complaining that Sri Lakshmi Narsimha Stone Crusher is illegally operating in Garlavoddu Village, Enkooor Zone, Khammam, District Telangana and is thereby damaging endangered hills and forests and adversely affecting wild animals. Running of the said stone crusher day and night is causing air and noise pollution leading to serious health hazards to local tribals and damage to crops.

2. Vide order dated 24.05.2022, this Tribunal constituted a Joint Committee comprising of Principal Secretary, Ministry of Tribal Affairs, Principal Chief Conservator of Forests (HoFF) Government of Telangana, State PCB and Collector, Khammam and directed the same to submit its report within two months.

3. Since the report was not submitted within permitted period, vide order dated 19.09.2022 the Joint Committee was directed to submit its report within one month and the TSPCB was directed to deposit costs of Rs. 5000/- with Telangana State Legal Services Authority.

4. In compliance thereof report of the Joint Committee has been submitted vide email dated 31.10.2022 and costs of Rs. 5000/- have also been deposited by the TSPCB Telangana State Legal Services Authority vide receipt dated 14.10.2022.

5. Mr. Dhananjay Baijal, Advocate has appeared on behalf of the TSPCB and also tender apology on behalf of the TSPCB for non-submission of the report within permitted time earlier.

6. We have gone through the report of the Joint Committee. The recommendations made in the report of the Joint Committee are reproduced as under:-

“Recommendations of the Committee:

1. The mine owner may be directed to stop the mining till they obtained Environmental Clearance (EC) from Ministry of Environment, Forest & Climate Change (MoEF & CC), Govt. of India.
2. The crusher shall not operate without valid Consent for operation (CFO) of the Telangana State Pollution Control Board (TSPCB) and shall take pollution control measure viz.,
 - Providing dust bunkers to store the stone dust.
 - providing wind breaking walls around the stone crusher to control fugitive emissions to the surrounding area.
 - Providing cladding with MS sheets to all the conveyor belts.
 - Laying of metal roads within the industry premises.
 - Providing of sprinklers within the industry & mine premises to control dust pollution.
 - The stone and mine owner shall develop thick greenbelt in the all the vacant areas of the crusher and mine.

- The Joint committee recommends that DMFT committee take up development works under DMFT lands in the village, as it is a directly affected area due to mining.

7. In view of the averments made in the application and observations/recommendations made in the Joint Committee, we consider it appropriate to have response of (1) State of Telangana through Chief Secretary, Government of Telangana, (2) Principal Chief Conservator of Forests (HoFF), Government of Telangana, (3) Director, Mining and Geology, Government of Telangana, (4) TSPCB, (5) District Magistrate, Khammam, (6) the Project Proponent Stone Crusher- M/s Sri Lakshmi Narsimha Stone Crusher (Presently operating in the name of M/s. Sri Jai Santhoshi Narasimha Stone Crusher and (7) the Project Proponent Stone Quarry Mine M/s Manupati Jayasimha, who stand impleaded as respondents No. 1 to 7. The Registry is directed to prepare and attach memo of parties to the application and also to issue notices to respondents No. 1 to 3 and 5 to 7 requiring them to file their reply/response within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. Reply on behalf of respondent no. 4- TSPCB be also filed as directed above.

9. List the matter for further consideration on 16.02.2023.

10. In view of recommendations made by the Joint Committee, we direct the Project Proponent- M/s Manupati Jayasimha not to carry on any further mining without obtaining environmental clearance from MoEF & CC and the Project Proponent- M/s Sri Lakshmi Narsimha Stone Crusher (Presently operating in the name of M/s. Sri Jai Santhoshi Narasimha Stone Crusher) not to operate the stone crusher without obtaining valid consent from the TSPCB.

11. The District Magistrate and Superintendent of Police, Khammam are directed to take requisite steps for ensuring that no illegal mining on the mining site in question or illegal operation of the stone crusher in question takes place.

12. A copy of this order be sent to District Magistrate and Superintendent of Police, Khammam by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 02, 2022
AG

Item No.4

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid VC Option)

Original Application No.368/2022

Abhilash

...Applicant

Versus

State of Telangana & Ors.

...Respondent

Date of hearing: 15.05.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondent: Mr. Dhananjay Bajjal, Advocate for TSPCB.

Application is registered based on a complaint received by Post.

ORDER

1. Vide order dated 02.11.2022 notices were ordered to be issued to respondents no. 1 to 7. As per office report notices have been duly served on the respondents.

2. Report has been filed by Deputy Commissioner, Khammam District vide email dated 15.02.2023 and by TSPCB vide email dated 03.05.2023.

3. In the report filed by TSPCB it has been mentioned that M/s Sri Jai Santhoshi Narasimha Stone Crusher has obtained renewal of consent for operation from TSPCB vide orders dated 08.03.2023 with validity upto 28.02.2032 and the TSPCB has issued temporary revocation of closure order for a period of six months from TSPCB vide order dated 28.03.2023. It has been further mentioned in the report that M/s Manupati Jayasimha has obtained EC dated 13.12.2022 from SEIAA Telangana and CFO dated 21.01.2022 valid upto 30.11.2027 from TSPCB and TSPCB has issued

revocation of closure order issued to the above quarry vide order dated 28.03.2023.

4. In view of grant of EC by SEIAA and consent by TSPCB Interim injunctive order dated 02.11.2022 passed by this Tribunal has become infructuous accordingly and will no longer be operative.

5. Reply on behalf of respondents no. 6 and 7 has not been filed so far.

6. Learned counsel for respondents no. 6 and 7 seeks time to file reply.

7. Reply by respondents no. 6 and 7 be filed within **one month** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. List for further consideration on 07.07.2023.

9. A copy of this order be sent to District Magistrate and Superintendent of Police, Khammam by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 15, 2023

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