

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

ORIGINAL APPLICATION No. 06 OF 2022 (SZ)

IN THE MATTER OF:

P.V.Subramanya Varma,
S/o.P.Atchutha Rama Raju,
Hyderabad.

Applicant(s)

Versus

State of Telangana,
rep by its Pri. Secretary,
EFS&T Dept., & Others

Respondent(s)

**REPORT ON STATUS OF ACTION TAKEN BY
THE TELANGANA STATE POLLUTION CONTROL BOARD (R4)**

RUNNING INDEX

Sl. No	Particulars	Page Nos.
1.	Report on status of action taken by the Telangana State Pollution Control Board (Respondent No. 4).	1 – 5
2.	Annexure-I – Hon'ble NGT, Chennai Order dated 29.08.2022 in Appeal Nos. 37 of 2022 and 39 of 2022.	6 – 16
3.	Annexure-II – Hon'ble High Court Orders dated 06.09.2022 and 26.09.2022 in WP Nos. 34787 of 2022 and 34788 of 2022.	17 – 26
4.	Annexure-III – Directions dated 12.11.2022 levying Environmental Compensation, issued by TSPCB, Zonal Offices, Hyderabad & RC Puram to the violating stone crushers.	27 – 76

Place: Hyderabad.

Date: 12-11-2022.

REPORT ON STATUS OF ACTION TAKEN BY THE TELANGANA STATE POLLUTION CONTROL BOARD (RESPONDENT NO. 4) IN OA NO.6 OF 2022 FILED BY SRI P.V.SUBRAMANYA VARMA, R/O.KHAIRTHABAD, HYDERABAD AGAINST UNAUTHORIZED OPERATION OF RESPONDENT STONE CRUSHING UNITS IN SANGAREDDY AND RANGAREDDY DISTRICTS.

It is to submit that an Original Application (OA) was filed before the Hon'ble NGT, Chennai by P.V.Subramanya Varma, Hyderabad against illegal and unauthorised stone crusher units operated in GO Ms No. 111 area i.e., Vattinagulapally, Kokapet, Gouldoddi, Gopanpally, Kollur, Kotwalguda, Osmannagar villages in Rangareddy & Sangareddy Districts.

The Hon'ble NGT, Chennai during the hearing held on 14.10.2022 directed the TSPCB to file report of status of action taken by 15.11.2022.

In this regard, the following is submitted: -

The Board officials have inspected the stone crushing units on 20.10.2022, 21.10.2022, 03.11.2022, 05.11.2022 & 07.11.2022 existing in 10 kms radius of Himayatsagar and Osmansagar lakes.

The following three stone crusher units are operating with valid Consent for Operation (CFO) and hence not levied Environmental Compensation on these three units.

Crushing units operating with valid CFO:

1.	M/s. Hyma Developers (formerly M/s. Pullur Constructions & My Home Constructions), Kokapet(V), Gandipet (M), Rangareddy District (Respondent No. 16)	Having valid CFO and operating
2.	M/s. GMR Stone Crusher, (Formerly M/s. Progressive Construction Company), Sy.No. 270 & 271, Vattinagulapally (V), Gandipet (M), Rangareddy District	Having valid CFO and operating
3.	M/s. Sree Rama Engineering Constructions, Vattinagulapalli, Gandipet, RR District. (Respondent No. 20)	Having valid CFO and operating

Further, the following stone crushers were dismantled and there is no activity observed in these crushers.

Crushing units dismantled and not in operation:

1.	M/s. Kore Stone Minerals, Vattinagulapally (V), Gandipet (M), Rangareddy District. (Respondent Nos. 18)	Crusher was dismantled and no activity was observed.
2.	M/s. AMI Stone Crushers (formerly AQI Metal Industries / Ahmed Metal Industries), Kothwalguda, Shamshabad, RR District (Respondent No. 33)	Crusher was dismantled and no activity was observed.

3.	M/s. Sri Srinivasa & Co., Sy.No.452/1, Puppalaguda (V), Gandipet (M), Rangareddy District	Crusher was dismantled and no activity was observed.
4.	M/s. Sree Sand Mineral(formerly Ganesh Metal Industries), Gopanpalli, Serilingampally, RR District	Crusher was dismantled and no activity was observed.
5.	M/s. Padmavathi Metal Industry, Kothwalguda, Shamshabad, RR District	Crusher was dismantled and no activity was observed.
6.	M/s. JMI Stone Crushers (formerly M/s. Jagadamba Metal Industry) Kothwalguda, Shamshabad, RR District	Crusher was dismantled and no activity was observed.
7.	M/s. Sree Rock Sand Minerals, Sy.No.36, Gopanpalli, Serilingampally, RR District (Respondent No. 23)	Crusher was dismantled and no activity was observed.
8.	M/s. ASR Metal Industry, Kothwalguda, Shamshabad, RR District	Crusher was dismantled and no activity was observed.
9.	M/s. Arkid Infra, Sy. No. 192, 193, 194, 195, 196, 197 & 198, Kollur (V), Ramachandrapuram (M), Sangareddy District.	Crusher was dismantled and no activity was observed.
10.	M/s. Pulluri Mining & Logistics Pvt. Ltd., Unit-I, Sy. No. 196, 197 and 198, Kollur Village, Ramachandrapuram (M), Sangareddy District.	Crusher was dismantled and no activity was observed.
11.	M/s. Hitech Stone & Robos and Industry, Sy. No.193 &194, Kollur, Sangareddy District	Crusher was dismantled and no activity was observed.
12.	M/s. Hanuma Enterprises, Sy. No. 12E, Osman Nagar (V), Ramachandrapuram (M), Sangareddy District.	Crusher was dismantled and no activity was observed.
13.	M/s. Gold Dust Ventures LLP, Sy.No.192 to 198, Kollur (V), Ramachandrapuram (M), Sangareddy District.	Crusher was dismantled and no activity was observed.

The following violating stone crushers were seized by the Revenue Officials in the presence of TSPCB Officials except one unit i.e., M/s. Adeshwar Aggregates Pvt Ltd., (Formerly Vesella Aggregates). After seizure, the seized crushers are not in operation. The status is mentioned below:-

1.	M/s. Great India Mining (formerly Sebi Mining), Goulidoddi(V), Serilingampally(M), Rangareddy District (Respondent No. 24)	Crushing unit seized on 20.10.2022 and the unit is not in operation.
2.	M/s. Sri Laxmi Narasimha Metal Industries, Vattinagulapally, Gandipet, RR District (Respondent No. 15)	Crushing unit seized on 21.10.2022 and the unit is not in operation.
3.	M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 19)	Crushing unit seized on 21.10.2022 and the unit is not in operation.
4.	M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 22)	Crushing unit seized on 21.10.2022 and the unit is not in operation.
5.	M/s. Adeshwar Traders (formerly M/s. Vensai Metals / M/s. Prasad Metals), Vattinagulapally (V), Gandipet (M),	Crushing unit seized on 21.10.2022 and the unit is not in operation.

	Rangareddy District	
6.	M/s. Teja Reddy Crushers, Vattinagulapally (V), Gandipet (M), Rangareddy District	Crushing unit seized on 21.10.2022 and the unit is not in operation.
7.	M/s. C5 Infra Pvt. Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR District	Crushing unit seized on 21.10.2022 and the unit is not in operation.
8.	M/s. Unnamed Stone Crusher, located beside Aadeeshwar Aggregates, Vattinagulapally, Gandipet (M), RR District	Crushing unit seized on 21.10.2022 and the unit is not in operation.
9.	M/s. Shama Metal Supply, Sy.No.7 & 20, Dargha Khaleej Khan Village, Gandipet(M), Rangareddy District.	Crushing unit seized on 21.10.2022 and the unit is not in operation.
10.	M/s. DBR Metal Industry, Kothwalguda, Shamshabad, RR District (Respondent No. 25)	Crushing unit seized on 05.11.2022 and the unit is not in operation.
11.	M/s. SMI Stone Crusher (Shama Metal Industry), Kothwalguda, Shamshabad, RR District (Respondent No. 32)	Crushing unit seized on 05.11.2022 and the unit is not in operation.
12.	M/s. Sri Sai Balaji Rock Sand Industry, Sy.No.193 & 194, Kollur (V), RC Puram (M), Sangareddy District.	The TSPCB Officials in coordination with the Revenue Department Officials seized the DG Set and the control room on 03.11.2022. The unit is not in operation.
13.	M/s. Adeshwar Aggregates Pvt Ltd., (Vesella Aggregates), Sy.No.246/1 & 246/2, Vattinagulapalli, Gandipet, RR District (Respondent Nos. 17 Repeated at Respondent No. 21)	<p>During inspection, the unit was not in operation. However, as observed from the existing stocks of stone aggregates, the unit has been operating by using alternative power supply i.e., DG Set.</p> <p>The industry filed an Appeal before the Hon'ble Telangana State Pollution Control Appellate Authority against the CFE rejection order dated 09.03.2022 issued by the TSPCB. The Appellate Authority vide order dated 12.05.2022 allowed the Appeal and remitted the matter to TSPCB for fresh consideration on merits. The Appellate Authority also permitted the Appellant industry to carry out and run the activity in the industry.</p> <p>The Board filed Appeal No.39 of 2022 before the Hon'ble NGT, Chennai against Hon'ble Appellate Authority Order dated 12.05.2022. The Hon'ble NGT issued judgment vide order dated 29.08.2022, setting aside the Appellate Authority Order stating as follows: -</p> <p>"...the Order of the Appellate Authority is set aside and the order of the Pollution Control Board is restored."</p> <p>The industry has filed WP Nos. 34787 and WP No. 34788 of 2022 against orders dated 29.08.2022 issued by the Hon'ble NGT in Appeal Nos. 37 & 39 of 2022. The Hon'ble High Court issued orders on</p>

		<p>06.09.2022 to maintain the status quo., ordering as follows: -</p> <p><i>".....Till then, status quo as regards the stone crusher unit of the petitioner shall be maintained."</i></p> <p>The copy of the Hon'ble NGT Order is enclosed as Annexure-I.</p> <p>The Hon'ble High Court vide Order dated 26.09.2022 extended the interim order passed earlier and posted the matter to 21.11.2022 (Annexure-II).</p> <p>The Board has filed report in WP No. 34787 of 2022 on 26.09.2022.</p> <p>In view of the status quo orders of Hon'ble High Court, the Board is the process of filing Vacate Petition before the Hon'ble High Court, which will happen on 14.11.2022.</p>
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Further, it is to submit that, in compliance with the Hon'ble NGT Order dated 14.10.2022, the TSPCB, Zonal Offices, Hyderabad & RC Puram, issued Show Cause-cum-Hearing Notices dated 31.10.2022 to the violating stone crushing units to show cause as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT orders for operating the units without consents of the Boarc, continuing operations even after issue of closure orders by the Board and for causing damage to the environment.

The TSPCB, Zonal Offices, Hyderabad & RC Puram conducted the hearing before the Task Force Committee of the Zonal Office, TSPCB on 07.11.2022 and the Task Force committee recommended to levy Environmental Compensation in accordance with methodology developed by the CPCB, as follows:

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

where

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

Accordingly, the TSPCB, Zonal Offices, Hyderabad & RC Puram issued directions to the violating industries operating without permissions of the Board vide order dated 12.11.2022, with detailed calculations of the Environmental Compensation (**Annexure-III**). The abstract of the Environmental Compensation levied is as follows: -

Sl. No.	Name and address of the units	Environmental Compensation levied in Rs.
1	M/s. Great India Mining (formerly Sebi Mining), Goulidoddi(V), Serilingampally(M), Rangareddy District (Respondent No. 24)	8,45,000/-

Sl. No.	Name and address of the units	Environmental Compensation levied in Rs.
2	M/s. Sri Laxmi Narasimha Metal Industries, Vattinagulapally, Gandipet, RR District (Respondent No. 15)	82,80,000/-
3	M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 19)	49,30,000/-
4	M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District (Respondent No. 22)	32,50,000/-
5	M/s. Adeshwar Traders (formerly M/s. Vensai Metals / M/s. Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District	49,30,000/-
6	M/s. Teja Reddy Crushers, Vattinagulapally (V), Gandipet (M), Rangareddy District	82,80,000/-
7	M/s. C5 Infra Pvt. Ltd, (Crusher), Vattinagulapally, Gandipet (M), RR District	8,50,000/-
8	M/s. Unnamed Stone Crusher, located beside Aadeeshwar Aggregates, Vattinagulapally, Gandipet (M), RR District	8,50,000/-
9	M/s. Shama Metal Supply, Sy.No.7 & 20, Dargha Khaleej Khan Village, Gandipet(M), Rangareddy District.	19,20,000/-
10	M/s. DBR Metal Industry, Kothwalguda, Shamshabad, RR District (Respondent No. 25)	83,55,000/-
11	M/s. SMI Stone Crusher (Shama Metal Industry), Kothwalguda, Shamshabad, RR District (Respondent No. 32)	91,25,000/-
12.	M/s. Sri Sai Balaji Rock Sand Industry, Sy. No.193 & 194, Kollur, Sangareddy District	30,25,000/-

The Board will regularly monitor the stone crushing units for compliance of the directions issued.

Encl: As above.

Jeetu
12.11.

MEMBER SECRETARY

MEMBER SECRETARY
T.S. Pollution Control Board,
Paryavarana Bhavan, A-3,
Industrial Estate, Sanathnagar,
Hyderabad-500 018.

6

ANNEXURE-I

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Appeal No. 37 of 2022 (SZ)

With

Appeal No. 39 of 2022(SZ)

IN THE MATTER OF

Mr. P. V. Subramanya Varma,

S/o. P. Atchutha Rama Raju,
Aged about 45 years,
Occ: Journalist, R/o H. No. 8-3-762/1/A,
Flat No. 3, Sai Sri Maruthi Apartments,
Jaya Prakash Nagar, Behind RBI Quarters,
Sri Nagar, Colony, Khairthabad,
Hyderabad- 500073

...Appellant (s)



1. The State Government of Telangana,

Rep by its Principal Secretary,
E.F.S. & T. Dept., Secretariat,
Hyderabad-500022

2. Telangana State Pollution Control Board,

Rep by its Member Secretary,
Sanathnagar, Hyderabad- 500022

3. M/s Aadeshwar Aggregates Pvt. Ltd,

Sy. No. 246/1, 246/2, Vattinagaulappli (V),
Gandipet Mandal, Rangareddy District,
Rep by its Authorized Signatory,
Sri D. Sumanth, S/o D. Subrahmanyam Reddy,
Aged about 30 years, Disignation: Director,
R/o. Villal No. 21, Vessella Villas, Sri Ram Nagar,
Block C, Kondapur, Kothaguda Post,
Hyderabad- 500084

...Respondent(s)

With

Telangana State Pollution Control Board,,

Rep. by its Member Secretary,
Paryavaran Bhavan, A-III,
Industrial Estate, Sanath Nagar,
Hyderabad- 500018

...Appellant (s)

Versus

1. M/s Aadeshwar Aggregates Pvt. Ltd,

Sy. No. 246/1, 246/2, Vattinagaulappli (V),
Gandipet Mandal, Rangareddy District,
Rep by its Authorized Signatory,
Sri D. Sumanth, S/o D. Subrahmanyam Reddy,
Aged about 30 years, Disignation: Director,
R/o. Villal No. 21, Vessella Villas, Sri Ram Nagar,

Block C, Kondapur, Kothaguda Post,
Hyderabad- 500084

2. The State Government of Telangana,

Rep by its Chief Secretary,
E.F.S. & T. Dept., Secretariat,
Hyderabad-500022.

3. Mr. P. V. Subramanya Varma,

S/o. P. Atchutha Rama Raju,
R/o H. No. 8-3-762/1/A,
Flat No. 3, Sai Sri Maruthi Apartments,
Jaya Prakash Nagar, Behind RBI Quarters,
Sri Nagar, Colony, Khairthabad,
Hyderabad- 500073

...Respondent(s)

Appeal No. 37 of 2022

For Applicant(s):

Mr. V. B. Subrahmanyam

For Respondent(s):

Mr. Muralidhar Rao Along with Ms. Rohini
Ravikumar for R3

Appeal No. 39 of 2022

For Applicant(s):

Mr. R. Sarvanan and Ms. Dayana for Mr. T. Sai
Krishnan

For Respondent(s):

Mr. Muralidhar Rao Along with Ms. Rohini
Ravikumar for R3

Judgment Reserved on: 8th August, 2022.

Judgment Pronounced on: 29th August, 2022.

CORAM:

HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

JUDGMENT

Delivered by Justice Smt. Pushpa Sathyanarayana, Judicial Member

1. These Appeals are directed against the order passed by the Appellate Authority, Telengana State Pollution Control Board in Appeal No. 35 of 2022 dated 12.05.2022 under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
2. Appeal No. 37 of 2022 is filed by the impleaded respondent in the Appeal before the Appellate Authority aggrieved by the order of remand by the Appellate Authority to the State Pollution Control Board. Similarly, Appeal No. 39 of 2022 is filed by the State Pollution Control Board itself aggrieved by the above said order of remand to the Pollution Control Board.

Brief Facts

3. The appellant in Appeal No. 35 of 2022 before the Appellate Authority is one M/s Aadeshwar Aggregates (herein referred as 'AA') is the project proponent, who is involved in stone crushing activity in SY. No. 246/1 and 246/2 Vattinagulapally Village in Ranga Reddy District.
4. The above Survey numbers wherein the crushing activities are done is located within 10km radius of Osman Sagar and Himayat Sagar lakes. Admittedly, the said unit did not have consent to establish or consent to operate, therefore, a closure order was issued on 22.08.2019 by the State Pollution Control Board. After the said closure order, the project proponent applied for consent to establish on 27.12.2019. In view of a G.O. Ms. No. 111 dated 08.03.1996 issued by the Municipal Admiration and Urban Development Department with a view to protect the catchment areas of Osman Sagar and Himayat Sagar lakes the application was returned. Thereafter, it was re-submitted by the 'AA' on 16.03.2020. As the location of the industry was within the limits indicated in the G.O.Ms. No. 111, the Board did not accept the application which was challenged before the Hon'ble High Court in W.P. No. 17554 of 2020. The Hon'ble High Court had directed the Telengana State Pollution Control Board to consider the application and pass appropriate orders.
5. Pursuant to the direction issued by the Hon'ble High Court, the CFE and CFO Committee conducted a virtual meeting on 13.01.2022. It was submitted on behalf of the 'AA' that (a) its stone crusher unit is located in Vattinagulapally Village which is downstream of the Gandhipet Lake and which is notified as conservation zone pursuant to G.O. No. 288, (b) there are several commercial and residential activities falling within 10km radius as prescribed in G.O. Ms. No.111 including Shilparamam near Madhapur the Hi-tech city and financial district comprising of all IT companies, (c) the Pollution Control Board had permitted similar stone crushing units, namely, GMR Stone Crusher, Sri Rama Engineering Constructions and Pullur Constructions.
6. While the CFE and CFO Committee was considering the above application, there was O.A. No. 06 of 2022 filed before the Hon'ble National Green Tribunal, Chennai by the appellant in Appeal No. 37 of

9

2022 challenging the establishment of the unauthorised stone crusher unit including 'AA' who was arrayed as respondent no. 21. A Joint Committee was appointed in the said Original Application to inspect the area and submit a factual report and the action taken report. The Committee found that the 'AA' had established its stone crusher and operating the same using boulders excavated from the construction site within 10km radius from the Osman Sagar and Himayat Sagar lakes. The Vattinagulapally Village where the crusher unit is located is one among the 84 villages listed in the G.O. Ms. No. 111.

7. As per G.O. No. 288, the location is classified as 'Conservation Zone' and in the activity Column of the said G.O crushing units is a prohibited industry in the conservation zone. The 'AA' also did not have CFE or CFO of the Board. Further, the validity of the G.O. MS. No. 111 and prohibition of polluting industrial activity in the 10km buffer zone was already upheld by the Hon'ble Supreme Court in the case **APPCB vs. Professor N.V. Naidu** in Civil Appeals No. 368-371 of 1999 by judgement dated 01.12.2000. There was a specific exertion to the State of Andhra Pradesh to identify those industries located within 10 km radius of the two lakes and to take action in consultation with Andhra Pradesh Pollution Control Board to prevent pollution to the drinking water in the two reservoirs.
8. Pursuant to the direction of the Hon'ble Supreme Court, the State had issued direction to the State Pollution Control Board also not to allow any new polluting industry within 10 km radius of the two lakes. Argument of the 'AA' is that other commercial units, namely, Shilparamam and the Hi-tech city are within 10km was rejected by the Board stating that the Madhapur Village is not one among the 84 villages listed in the G.O. Ms. No. 111 within 10 km of the catchment area where as 'AA' is a stone crushing industry located in Vattinagulapally Village which is listed in the 84 villages referred in the G.O.
9. The Board had also clearly found that during inspection the 'AA' was one of the illegal units operating with diesel generators even after the closure orders was issued by the Telengana Pollution Control Board. The said act was done by breaking open the lock and seal put on the DG set and Jaw crushing machine. Based on the above observations given in the action taken report before the National Green Tribunal and also considering the application of the 'AA', the Pollution Control Board has categorically found

that the distance of Vattinagulapally Village is within 10km of the catchment area of Osman Sagar and Himayat Sagar lakes and the said village is also listed in the 84 villages mentioned in the G.O. Secondly, 'AA' was operating without CFE or CFO which is an illegal act.

10. For all the above reasons referred to in the report of the Joint Committee and on independent consideration of the application of the 'AA', the Pollution Control Board also found that the unit was running without CFE and CFO and that it had tampered the lock and seal put on the DG set and Jaw crushing machine which is an illegal act. There was raw-material and crushed metal stone present in the site of the unit which proves that the unit has conducted its production operations even after the seizure of the machines by the revenue officials. Since, the 'AA' had violated the law by conducting industrial operations even after the closure notice, the application for consent to Establish and Consent to Operate was rejected by the Pollution Control Board. Aggrieved by the same, Appeal No. 35 of 2022 was filed before the Hon'ble Appellate Authority.
11. Even before the Appellate Authority same grounds were raised by the project proponent. In addition to the grounds raised earlier the project proponent had produced G.O. Ms. No. 69 dated 12.04.2022, the above said G.O is issued by the Municipal Administration and Urban Development Department for removing the restrictions imposed in the villages covered by G.O. Ms. No. 111 dated 08.03.1996. The above G.O. Ms. No. 69 reads that considering the fact that Hyderabad city's drinking requirements are no longer dependent on Osman Sagar and Himayat Sagar reservoirs, it was decided to remove the restrictions imposed under Para-3 of the G.O. Ms. No. 111 dated 08.03.1996 subject to the condition that the water quality of the two reservoirs shall not be impacted in any manner whatsoever and the Government should initiate all efforts to improve the water quality of these two reservoirs and constituted a committee. The Appellate Authority has given the reasoning for rejecting the application by 'AA' for seeking consent to establish as follows:
 - a. The Government has taken measures, in G.O. Ms. No. 111 with certain restrictions mainly keeping the industries or any activity beyond and outside certain limits of distance, with a view to keep the source for the drinking water to the twin cities does not get polluted. In view of the substantive change of scenario, it follows that necessarily whatever the legal statutory position existing all along either before G.O. MS. No. 111 or subsequent to G.O. MS. 69, regarding the non-compliance of the requirements amounting to violation of the mandate under any of the statutory provisions concerning the environmental laws, like Air Act or Water Act or other environmental legislations or any other law concerning

thereto, remain in force and continue to operate. Mere distance bar is not a sole criteria, but it has to be a concern regarding environment or pollution or human hazard, which to be looked into and if so, whether any remedial measures are taken. Now, the distance bar is taken away. It is relevant to bear that every citizen is entitled to do or carry on the business or industries or any activity, subject to above. All those requirements have to be complied with without committing any prohibited act or violation there under. Even otherwise, this is fact constitutes the primary concern and consideration for any authority before any action is taken in any manner. In view of the either of the each case and situation has to be considered afresh and the authorities after applying their mind to the provisions of the concerned legislation and giving valid reasons after a due enquiry and putting the concerned prior notice and opportunity. It is needless to mention that the environmental loss do not intend to prohibit doing or carrying on any business industry or activity except to the extent of compliance of the requirements under those laws and keeping in view that no such activity cause or effect any interdiction or hazard to the environment by way of pollution or otherwise or effect the human beings or any other living beings. The compliance of the environmental laws should be prime concern and consideration by any activity and the authorities should have proper attention to course or effect to creating environmental hazards, pollution etc. A clear distinction should be drawn between those causes, if curable or non-curable due to any activity by taking resource to all such remedial measures. An opportunity should be given to mend or make provision for taking steps for those curable aspects. It is needless to say that if any cause fall within a non-curable and has wider effect on the environment or causing any health hazard etc., the question of allowing such activity or continuing the same is wholly impermissible and will be illegally and amounts to serious violation of mandate under the law.

Thus, in view of the aforesaid reasons, and the topsy-turvy situation arising at the level of state res no. 1 State Government in completely over hauling the policy and especially on perusal of the impugned order which runs into 17 pages wherein there is repeated stress on the lines on the said GO. MS. No. 111 dated 08.03.1996 more so like on the pages 3,5,8,9,13,14 and 17 and ultimately forming almost the sole ground of rejection of the application, we are of the view that the impugned action is no longer sustainable and cannot be upheld and such the impugned orders dated 09.03.2022 are liable needs to be set aside.

12. Having given the above findings, the Appellate Authority has found that the project proponent is merely recycling and reusing and no quarrying is done. Further, in view of the substantial change in the policy of the Government the distance bar is not there, hence remitted the matter back to the Pollution Control Board to dispose the same after fresh consideration. The above order is now assailed by the appellant, who is the intervenor in Appeal No. 37 of 2022 and the Pollution Control Board itself in Appeal No. 39 of 2022.

Submissions

13. Learned Counsel appearing for the appellant in Appeal No. 37 of 2022 would contend that when it is admitted that the project proponent has been continuing his activity of running the crushing unit in the absence of CFE, the Board had rightly rejected the application. The similar other units as pointed out by the project proponent are all having valid permissions from the statutory authorities whereas the project proponent

in spite of the orders from the Hon'ble High Court also has been operating the unit in violation of the rules.

14. The appellant in Appeal No. 39 of 2022 which is the Telengana Pollution Control Board contended that the unit is operating without CFE or CFO of the Board since November, 2018. Secondly, the unit is located within 10km radius of Osman Sagar and Himayat Sagar lakes. The unit has not provided any dust containment cum suppression system for all the crushing and dust generating area. The unit also had not provided a water sprinkling system to control the dust emission from jaw crusher, cone crusher, conveyors and screen. The unit also has not been carrying out regular cleaning and wetting of the ground within the premises. The unit had also not developed the green belt along the boundary of the crusher as per the mandate. Because of the above said shortfalls the Board had rightly rejected the application for Consent for Establishment and directed the closure of the unit even in the year 2019. In spite of issuing of closure order and disconnection of the power supply, the project proponent is continuing with his illegal operations by using diesel generators without adequate air pollution control equipments which is again violation of closure order. Even after the seizure of the DG Set by the Revenue officials, the 'AA' had tampered with the lock and broke open the same and continued its illegal activity. The Board also pointed out that the Joint Committee report in O.A. No. 06 of 2022 was also against the project proponent.
15. Therefore, the appellants prayed for setting aside the order of the Appellate Authority remitting the matter back to the Pollution Control Board when the Appellate Authority could have decided the matter.

Findings

16. The question that now arises for consideration is whether the order of remand by the Appellate Authority is correct in view of the subsequent GO Ms No. 69 dated 14.04.2022.
17. The Appellate Authority had found that the Pollution Control Board had stressed more on the lines of GO. Ms. No. 111 dated 08.03.1996 and that was the sole ground for rejecting the CFE application of the project proponent. Since, the new GO. Ms. No. 69 dated 12.04.2022 has come into force the Appellate Authority found that the action of the Board is unsustainable. The Pollution Control Board is aggrieved mainly because

the appellant was permitted to carry out and run the activity in the industry and it is at liberty to substantiate his case and comply with any direction for any remedial measures, if any, given or pointed out by the authorities. When it is illegal or impermissible to allow a unit which is running without a CFE pending consideration of the same, the unit cannot be allowed to continue with the illegal operation.

18. As mentioned earlier, GO.Ms. No. 111 was issued by the State Government for the protection of catchment areas of the two lakes and it further amended the previous GO Ms. No. 192 dated 31.03.1994. The Clause-III of the above GO.Ms. No. 111 prohibits polluting industries within 10 km radius both on upstream and downstream side of the lakes to prevent acidification of the lake due to air pollution. It had also enlisted 84 villages in the annexure-1 which are falling within 10km of the catchment area of both the lakes.
19. Recently, GO. Ms. No. 69 dated 12.04.2022 was issued for removal of restrictions imposed in the villages covered by GO.Ms. No. 111. Para-3 of the GO. Ms. No. 69 states that the Government after careful examination of the matter has decided that the restrictions imposed under Para-3 of the GO.Ms. No. 111 are removed subject to the condition that the water quality of these reservoirs shall not be impacted in any manner whatsoever and all the efforts will be initiated by the Government to improve the water quality of these two reservoirs and prescribed the certain conditions. The Committee was also constituted to frame guidelines and detailed regulations and the terms of reference were also issued. The Committee was directed to work on the above mentioned terms of reference and submit its report to the Government at the earliest.
20. The tenor of the GO.Ms. No. 69 is that the removal of the restrictions imposed in the villages will be only subject to the report of the Committee based on the TOR issued. Therefore, it is to be noted that the said GO. Ms. No. 69 has not become fully operational. Therefore, in the light of the same, the GO MS. No. 69 does not take away the statutory requirement of obtaining consent from the regulatory authority and it does not take way mandatory statutory requirements as waived.
21. The Appellate Authority seems to have been carried away only by the distance criteria and found that CFE was rejected by the Pollution Control

14

Board only on the sole ground of distance criteria of 10km radius. Even otherwise the industry did not comply with the environmental norms and had caused pollution to the lakes as the industry is operating in an eco-sensitive and critical zone. It is mentioned that the unit is located at a distance of 1.89 km from the FTL of Osman Sagar Lake without proper control mechanism.

22. As discussed above the Appellate Authority has not given any reasons for setting aside the well considered order of the Pollution Control Board before remanding the matter to the same. It is also a well settled principle that the order or remand cannot be passed as a matter of course. The order of remand also cannot be passed for a mere purpose of remanding the proceedings to the Board without an endeavour being made by the Appellate Authority to dispose of the case on merits. In this case the subsequent GO. Ms. No. 69 which has not even come into effect and was also not brought to the knowledge of the Pollution Control Board was not considered by the Appellate Authority in detail. As has been rightly pointed out by the Learned Counsel appearing for the Pollution Control Board that the GO. MS. No. 69 would come into operation only after the Committee constituted had filed its report in terms of the TOR issued and orders of the Government on the same and also subject to challenges before the Court of law. Therefore, as on date only GO Ms. No. 111 is applicable which is also upheld by the Hon'ble Supreme Court. The Hon'ble Supreme Court also while upholding the GO.Ms. No. 111 had specifically directed the State to identify the industries located within 10km radius of the two lakes and to take action in consultation with the Andhra Pradesh Pollution Control Board to prevent pollution to the drinking water in these two reservoirs. When such is a direction issued the same cannot be diluted by issuing a subsequent GO which has not yet become functional.
23. In view of the above the Vattinagulapally Village where the project proponent is having his crusher unit is coming within the list of villages in G.O Ms. No.111 which is enforceable as on date and when the Pollution Control Board is bound by the above said GO and had passed the order of rejection based on the same, the Appellate Authority cannot set aside the same on the ground that the rejection was only based on GO.Ms. No. 111 and that the said GO is no longer sustainable in view of GO. Ms. No. 69 dated 12.04.2022 issued by Municipal Administration and Urban Development Department.

24: In view of the above discussions, the order of the Appellate Authority is set aside and the order of the Pollution Control Board is restored.

25. In view of the disposal of the Appeals, I.A. No. 126 of 2022 in Appeal No. 37 of 2022 and I.A. No. 128 of 2022 in Appeal No. 39 of 2022 also stands disposed of.

.....J.M.
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.
(Dr. Satyagopal Korlapati)

Internet – Yes/No
All India NGT Reporter – Yes/No

Appeal No. 37/2022(SZ)&
Appeal No. 39/2022(SZ)
29th August, 2022. (AM)



16

**Before the National Green
Tribunal
Southern Zone (Chennai)**

**Appeal No. 37 of 2022
&
Appeal No. 37 of 2022**

Mr. P.V. Subramanya Varma,

Vs.

The State Government of Telengana
and Ors.



Appeal No. 37/2022(SZ)
&
Appeal No. 39/2022(SZ)
29th August, 2022. (AM)

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HONBLE THE CHIEF JUSTICE UJJAL BHUYAN
AND
THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY**

WRIT PETITION NOS: 34787 & 34788 OF 2022

W.P. NO. 34787 OF 2022:

Between:

M/s. Aadeshwar Aggregates Pvt. Ltd., Represented by its Authorized Signatory, Sri D. Sumanth, Designation: Director, R/o. Villa No. 21, Vessella Villas, Sri Ram Nagar, Block C, Kondapur, Kothaguda Post, Hyderabad - 500 084

Petitioner

AND

1. State of Telangana, Represented by its Chief Secretary, Environment Forest Science and Technology Dept., Secretariat, Hyderabad - 500022
2. Telangana State Pollution Control Board (TSPCB), Represented by its Member Secretary, Office at - Paryavaran Bhavan, A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500018
3. Mr. P.V. Subramanya Varma, S/o. P. Atchutha Rama Raju, R/o. H.No. 8-3-762/1/A, Flat No.3, Sai Sri Maruthi Apartments, Jaya Prakash Nagar, Behind RBI Quarters, Sri Nagar Colony, Khairthabad, Hyderabad - 500073.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri P.Vishnu Vardhan, presented this petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly, one, in the nature of Writ of Mandamus;

a). To Declare the Common Order Dt.29/08/2022 passed by the NGT Chennai (SZ) in Appeal No.37 of 2022, to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India,

b). To Declare the Rejection Order Dt.09/03/2022, vide Order No.161/TSPCB/CFE/RRD/RO-RR1/HO/2022-2189, passed by the 2nd Respondent to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India, and to Consequently direct the 2nd Respondent to issue Consent for Establishment (CFE) and Consent for Operation (CFO) to the Petitioner's Unit under the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981,

(18)

c). To Declare that Sy.No.246/1 & 246/2 of Vattinagulapally Village, Gandipet Mandal, Ranga Reddy District, to be outside the purview of G.O.Ms.No.69, Dt.12/04/2022, pursuant to the Common Order Dt.28/04/2022, passed by the Division Bench of this Hon'ble Court in WP No. 21801 of 2022 & Batch, and

d). To Declare that the Writ Petitioner is entitled to establish and run its' eco-friendly and sustainable recycling stone crushing unit, on par with other existing units on the Doctrine of parity under Article 14 and 19 (1) (g) of the Constitution of India.

IA NO: 1 OF 2022:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to suspend the operation of the Impugned Common Order Dt.29/08/2022 passed by the National Green Tribunal, Chennai (SZ) in Appeal No. 37 of 2022 in the interest of justice, pending disposal of WP No. 34787 of 2022, on the file of the High Court.

W.P. NO. 34788 OF 2022:

Between:

M/s. Aadeshwar Aggregates Pvt. Ltd., Represented by its Authorized Signatory, Sri D. Sumanth, Designation: Director, R/o. Villa No. 21, Vessella Villas, Sri Ram Nagar, Block C, Kondapur, Kothaguda Post, Hyderabad - 500 084

Petitioner

AND

1. State of Telangana, Represented by its Chief Secretary, Environment Forest Science and Technology Dept., Secretariat, Hyderabad - 500022
2. Telangana State Pollution Control Board (TSPCB), Represented by its Member Secretary, Office at - Paryavaran Bhavan, A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500018
3. Mr. P.V. Subramanya Varma, S/o. P. Atchutha Rama Raju, R/o. H.No. 8-3-762/1/A, Flat No.3, Sai Sri Maruthi Apartments, Jaya Prakash Nagar, Behind RBI Quarters, Sri Nagar Colony, Khairatabad, Hyderabad - 500073.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri P.Vishnu Vardhan, presented this petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly, one, in the nature of Writ of Mandamus;

a). To Declare the Common Order Dt.29/08/2022 passed by the NGT Chennai (SZ) in Appeal No.39 of 2022, to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India,

b). To Declare the Rejection Order Dt.09/03/2022 vide Order No.151/TSPCB/CFE/RRD/RO-RR1/HO/2022-2189, passed by the 2nd Respondent to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India, and to Consequently direct the 2nd Respondent to issue Consent for Establishment (CFE) and Consent for Operation (CFO) to the Petitioner's Unit under the

Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981,

c). To Declare that Sy.No.246/1 & 246/2 of Vattinagulapally Village, Gandipet Mandal, Ranga Reddy District, to be outside the purview of G.O.Ms.No.69, Dt.12/04/2022, pursuant to the Common Order Dt.28/04/2022, passed by the Division Bench of this Hon'ble Court in WP No. 21801 of 2022 & Batch, and

d). To Declare that the Writ Petitioner is entitled to establish and run its' eco-friendly and sustainable recycling stone crushing unit, on par with other existing units, on the Doctrine of parity under Article 14 and 19 (1) (g) of the Constitution of India.

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AND WHEREAS the High Court upon perusing the petition and affidavit filed herein, and upon hearing the arguments of Sri Dammalapati Srinivas, Senior Counsel appearing for Sri P.Vishnu Vardhan, Advocate for the Petitioner, in both petitions, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Chief Secretary, Environment Forest Science and Technology Dept., State of Telangana, Secretariat, Hyderabad - 500022
2. The Member Secretary, Telangana State Pollution Control Board (TSPCB), Office at - Paryavaran Bhavan, A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500018
3. Mr. P.V. Subramanya Varma, S/o. P. Atchutha Rama Raju, R/o. H.No. 8-3-762/1/A, Flat No.3, Sai Sri Maruthi Apartments, Jaya Prakash Nagar, Behind RBI Quarters, Sri Nagar Colony, Khairthabad, Hyderabad - 500073.

are directed to show cause on or before 26-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following: ORDER:

"Heard Mr. Dammalapati Srinivas, learned Senior Counsel appearing for the petitioner.

Petitioner is aggrieved by the common order dated 29.08.2022 passed by the National Green Tribunal, Southern Zone, Chennai (NGT), in Appeal Nos.37 and 39 of 2022 interfering with the decision of the appellate authority setting aside the order of

the Pollution Control Board in not allowing the crusher unit of the petitioner to come up in Survey No.246 of Vattinagulapally Village.

Learned Senior Counsel submits that the aforesaid village and Survey No.246 are exempted vide G.O.Ms.No.69, dated 12.04.2022, which position has been reiterated by a Division Bench of this Court in its order dated 28.04.2022 passed in W.P.No.21801 of 2022 and batch.

Though learned counsel for respondent No.2 submits that against the impugned order of NGT the petitioner has the right of appeal under Section 22 of the National Green Tribunal Act, 2010, we are *prima facie* of the view that since NGT had not followed the binding decision of the Division Bench of this Court, the same has vitiated the impugned order, lacking in jurisdiction.

Issue notice.

Mr. A.Sanjeev Kumar, learned Special Government Pleader, accepts notice on behalf of respondent No.1.

Mr. P.Shiv Kumar, learned Standing Counsel accepts notice on behalf of respondent No.2.


Petitioner to serve respondent No.3 personally and thereafter file proof of service.

List on 26.09.2022.

Till then, *status quo* as regards the stone crusher unit of the petitioner shall be maintained."

//TRUE COPY//

SD/- K. SHYLESHI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Chief Secretary, Environment Forest Science and Technology Dept., State of Telangana, Secretariat, Hyderabad – 500022
2. The Member Secretary, Telangana State Pollution Control Board (TSPCB), Office at - Paryavaran Bhavan, A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500018
3. Mr. P.V. Subramanya Varma, S/o. P. Atchutha Rama Raju, R/o. H.No. 8-3-762/1/A, Flat No.3, Sai Sri Maruthi Apartments, Jaya Prakash Nagar, Behind RBI Quarters, Sri Nagar Colony, Khairthabad, Hyderabad - 500073. (Addressees 1 to 3 by RPAD along with a copy of petition and affidavit)
4. Two CCs to Special Govt. Pleader, High Court of Telangana, at Hyderabad (OUT)
5. One CC to Sri P.Vishnu Vardhan, Advocate (OPUC)
6. Two Spare Copies

HIGH COURT

HCJ
&
CVBR,J

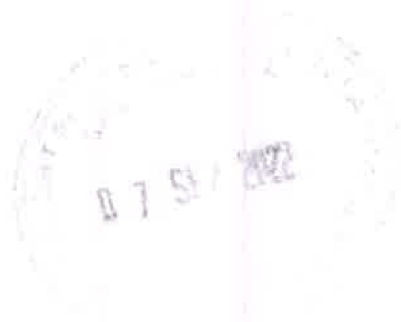
DATE: 06-09-2022

NOTE: POST ON 26-09-2022

NOTICE BEFORE ADMISSION

WP. NOS. 34787 & 34788 OF 2022

STATUS QUO



23
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN
AND
THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NOS: 34787 & 34788 OF 2022

W.P. NO. 34787 OF 2022:

Between:

M/s. Aadeshwar Aggregates Pvt. Ltd., Represented by its Authorized Signatory, Sri D. Sumanth, Designation: Director, R/o. Villa No. 21, Vessella Villas, Sri Ram Nagar, Block C, Kondapur, Kothaguda Post, Hyderabad - 500 084

Petitioner

AND

1. State of Telangana, Represented by its Chief Secretary, Environment Forest Science and Technology Dept., Secretariat, Hyderabad - 500022
2. Telangana State Pollution Control Board (TSPCB), Represented by its Member Secretary, Office at - Paryavaran Bhavan, A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500018
3. Mr. P.V. Subramanya Varma, S/o. P. Atchutha Rama Raju, R/o. H.No. 8-3-762/1/A, Flat No.3, Sai Sri Maruthi Apartments, Jaya Prakash Nagar, Behind RBI Quarters, Sri Nagar Colony, Khairthabad, Hyderabad - 500073.

Respondents

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a). To Declare the Common Order Dt.29/08/2022 passed by the NGT Chennai (SZ) in Appeal No.37 of 2022, to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India,

b). To Declare the Rejection Order Dt.09/03/2022, vide Order No.161/TSPCB/CFE/RRD/RO-RR1/HO/2022-2189, passed by the 2nd Respondent to be illegal, arbitrary, untenable and irrational, and also in gross violation of Article 14 of Constitution of India, and to Consequently direct the 2nd Respondent to issue Consent for Establishment (CFE) and Consent for Operation (CFO) to the Petitioner's Unit under the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981,

c). To Declare that Sy.No.246/1 & 246/2 of Vattinagulapally Village, Gandipet Mandal, Ranga Reddy District, to be outside the purview of G.O.Ms.No.69, Dt.12/04/2022, pursuant

to the Common Order Dt.28/04/2022, passed by the Division Bench of this Hon'ble Court in WP No. 21801 of 2022 & Batch, and

d). To Declare that the Writ Petitioner is entitled to establish and run its' eco-friendly and sustainable recycling stone crushing unit, on par with other existing units, on the Doctrine of parity under Article 14 and 19 (1) (g) of the Constitution of India.

IA NO: 1 OF 2022:

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Between:

M/s. Aadeshwar Aggregates Pvt. Ltd., Represented by its Authorized Signatory, Sri D. Sumanth, Designation: Director, R/o. Villa No. 21, Vessella Villas, Sri Ram Nagar, Block C, Kondapur, Kothaguda Post, Hyderabad - 500 084

Petitioner

AND

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- c). To Declare that Sy.No.246/1 & 246/2 of Vattinagulapally Village, Gandipet Mandal, Ranga Reddy District, to be outside the purview of G.O.Ms.No.69, Dt.12/04/2022, pursuant to the Common Order Dt.28/04/2022, passed by the Division Bench of this Hon'ble Court in WP No. 21801 of 2022 & Batch, and
- d). To Declare that the Writ Petitioner is entitled to establish and run its' eco-friendly and sustainable recycling stone crushing unit, on par with other existing units, on the Doctrine of parity under Article 14 and 19 (1) (g) of the Constitution of India.

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These petitions coming on for hearing, upon perusing the petitions and affidavits filed therein, and the order of the High Court 06-9-2022 made herein, and upon hearing the arguments of Sri Dammalapati Srinivas, Senior Counsel appearing for Sri P.Vishnu Vardhan, Advocate for the Petitioner, in both petitions, of Ms. Darshana, Advocate representing Sri P.Shiv Kumar, SC for the Respondent No.2, and of Sri V.B. Subrahmanyam, Advocate for the Respondent No.3, the Court made the following;

ORDER:

“Heard Mr. Dammalapati Srinivas, learned Senior Counsel for the petitioner; Ms. Darshana, learned counsel representing Mr. P.Shiv Kumar, learned Standing Counsel for respondent No.2-Pollution Control Board; and Mr. V.B.Subrahmanyam, learned counsel, who has entered appearance for respondent No.3.

Respondents may file counter-affidavit by the next date.

List this matter on 21.11.2022.

Interim order passed earlier to continue till then.”

**SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. Two CCs to Special Govt. Pleader, High Court of Telangana, at Hyderabad (OUT)
2. One CC to Sri P.Vishnu Vardhan, Advocate (OPUC)
3. Two Spare Copies

HIGH COURT

HCJ
&
CVBR,J

DATE: 26-09-2022

NOTE: POST ON 21-11-2022

ORDER

WP. NOS. 34787 & 34788 OF 2022



EXTENDING THE INTERIM ORDER



**TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD**

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1235

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Great India Mining (Formerly M/s. Sebi Mining), Goulidoddi (V), Serilingampally (M), Rangareddy District – Causing of damage due to operation of the unit- **Levyng of Environmental Compensation – ISSUED** – Reg.

Ref:

1. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad.
2. Hon'ble NGT Order dated 17.01.2022.
3. Inspection of Board Officials on 14.02.2022.
4. Closure Order issued on 21.03.2022.
5. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022.
6. Inspection of the Board Officials on 08.06.2022.
7. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022.
8. Hon'ble NGT Order dated 14.10.2022.
9. The crusher unit seized on 21.10.2022.
10. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
11. Status report submitted by the TSPCB, Regional Office, Rangareddy District on 31.10.2022.
12. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1147, dt:31.10.2022.
13. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
14. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1205, Dated:09.11.2022.
15. Industry's representation dt.10.11.2022.
16. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Great India Mining (Formerly M/s. Sebi Mining), Goulidoddi (V), Serilingampally (M), Rangareddy District.
2. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sanga Reddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
 - II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
 - IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
 - V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
3. **WHEREAS**, the Board Officials inspected the crushing unit on 14.02.2022 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 4th cited, the Board issued closure orders and power disconnection orders to the industry.
 4. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the unit was dismantled.
 5. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the unit was in operation.
 6. **WHEREAS**, vide reference 7th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
 7. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 20.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No.06 of 2022.
 8. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the

Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 12th cited

9. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for **Rs.10,56,250/- (Rupees Ten Lakhs Fifty six Thousand Two hundred and Fifty Only)**.
10. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
11. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
12. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	14.02.2022	No. of days of violation is 35 days
Closure Order issued on	21.03.2022	
Reinstallation and operation observed on	03.06.2022	No. of days of violation is 134 days
Seized on	20.10.2022	
Total no. of violating days		169

Environmental Compensation to be levied:

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

Where

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

N taken as 169 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×169
= **Rs.8,45,000/-**.

(30)

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.8,45,000/- (Rupees Eight Lakhs and Forty Five Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.8,45,000/- (Rupees Eight Lakhs and Forty Five Thousand Only)** towards Environmental Compensation within one week.


JOINT CHIEF ENVIRONMENTAL ENGINEER

B2

To
M/s. Great India Mining,
(Formerly M/s. Sebi Mining), Goulidoddi (V),
Serilingampally (M), Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(31)

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1236

Date:12.11.2022

Sub: TSPCB - ZO, HYD - M/s. Sri Laxmi Narasimha Metal industries, Vattinagulapally (V), Gandipet (M), Rangareddy District - Causing of damage due to operation of the unit - Levying of Environmental Compensation - ISSUED - Reg.

- Ref:**
1. Inspection of Board Officials on 23.09.2017 & 24.09.2017.
 2. Closure Order issued on 27.09.2017.
 3. T.O. Report dated 28.09.2020 in WP No. 12022 of 2020
 4. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 5. Hon'ble NGT Order dated 17.01.2022
 6. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022
 7. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 8. Inspection of the Board Officials on 08.06.2022
 9. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 10. Hon'ble NGT Order dated 14.10.2022.
 11. The crusher unit seized on 21.10.2022.
 12. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 13. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 14. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 15. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 16. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1210, Dated:09.11.2022.
 17. Representation dt.10.11.2022 submitted by certain industries.
 18. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s Sri Laxmi Narasimha Metal industries, Vattinagulapally (V), Gandipet (M), Rangareddy District.
2. **WHEREAS**, the Board Officials inspected the crushing unit on 23.09.2017 & 24.09.2017 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the RO report, vide reference 3rd cited, submitted in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, it was observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Gandipet for dismantling / seizure of the crushers / DG sets.

5. **WHEREAS**, the Board Officials conducted Joint Inspections along with Revenue and Mining Officials on 28.01.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Gandipet submitted report dated 03.02.2022.
6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.

II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.

IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.

V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.
8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power connection for the unit was disconnected and generator was seized.
9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was in operation.
10. **WHEREAS**, Vide reference 9th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
12. **WHEREAS**, the Board issued a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculation communicated vide reference 15th cited.
1. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.1,03,50,000/- (**Rupees One Crore Three Lakhs Fifty Thousand Only**).
2. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
3. **WHEREAS**, the issue, was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.

34

13. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on, Closure Orders issued on 27.09.2017, but power was not disconnected	23.09.2017	No. of days of violation is 1589 days
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	28.01.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	- 68 days
Total no. of violating days		1656

Environmental Compensation to be levied:

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

Where

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

N taken as 1656 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×1656
=Rs.82,80,000/-

In view of the above, the Board hereby levy revised Environmental Compensation of Rs.82,80,000/- (Rupees Eighty Two Lakhs and Eighty Thousand Only) in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the Rs.82,80,000/- (Rupees Eighty Two Lakhs and Eighty Thousand Only) towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To

M/s. Sri Laxmi Narasimha Metal industries,
Vattinagulapally (V), Gandipet (M),
Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(35)

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1237

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District - Causing of damage due to operation of the unit- Levying of Environmental Compensation – ISSUED– Reg.

- Ref:**
1. Inspection of Board Officials on 25.07.2019.
 2. Closure Order issued on 22.08.2019.
 3. T.O. Report dated 28.09.2020 in WP No. 12022 of 2020
 4. T.O. Letter addressed to Tahsildhar, Gandipet dated 02.12.2019, 08.10.2020 & 01.11.2021
 5. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022.
 6. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 7. Hon'ble NGT Order dated 17.01.2022
 8. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022*
 9. Inspection of the Board Officials on 08.06.2022
 10. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 11. Hon'ble NGT Order dated 14.10.2022.
 12. The crusher unit seized on 21.10.2022.
 13. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 14. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 15. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 16. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 17. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1209, Dated:09.11.2022.
 18. Industry's representation dt.10.11.2022.
 19. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Sri Laxmi Constructions (formerly Raghavendra Stone Crusher), Vattinagulapally (V), Gandipet (M), Rangareddy District.
2. **WHEREAS**, the Board Officials inspected the crushing unit on 25.07.2019 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the RO report, vide reference 3rd cited, submitted in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, it was observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Gandipet for dismantling / seizure of the crushers / DG sets.

5. **WHEREAS**, the Board Officials conducted Joint Inspections along with Revenue and Mining Officials on 28.01.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Gandipet submitted report dated 03.02.2022.
6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint an expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.

II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.

IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.

V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.
8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the crusher was dismantled by the management.
9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was reinstalled and was in operation.
10. **WHEREAS**, Vide reference 10th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
1. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 15th cited.
2. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.61,62,500/- (Rupees Sixty One Lakhs Sixty Two Thousand and Five Hundred Only).
3. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
4. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
12. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

(38)

Operation of unit observed on	25.07.2019	No. of days of violation is 919 days
Closure Orders issued on 22.08.2019, but power was not disconnected	---	
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	28.01.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	- 68 days
Total no. of violating days		986

Environmental Compensation to be levied:

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

Where

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

N taken as 986 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×986
= **Rs.49,30,000/-**

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.49,30,000/- (Rupees Forty Nine Lakhs and Thirty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.49,30,000/- (Rupees Forty Nine Lakhs and Thirty Thousand Only)** towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Sri Laxmi Constructions
(formerly Raghavendra Stone Crusher),
Vattinagulapally (V), Gandipet (M),
Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



39

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1238

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District – Causing of damage due to operation of the unit- Levying of Environmental Compensation – ISSUED – Reg.

- Ref:**
1. Inspection of Board Officials on 01.09.2020.
 2. Closure Order issued on 28.09.2020.
 3. T.O. Report dated 28.09.2020 in WP No. 12022 of 2020.
 4. T.O. Letter addressed to Tahsildhar, Gandipet dated 08.10.2020 & 01.11.2021.
 5. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022.
 6. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad.
 7. Hon'ble NGT Order dated 17.01.2022.
 8. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022.
 9. Inspection of the Board Officials on 08.06.2022
 10. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022.
 11. Hon'ble NGT Order dated 14.10.2022.
 12. The crusher unit seized on 21.10.2022.
 13. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 14. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1148, dt:31.10.2022.
 15. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 16. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1206, Dated:09.11.2022.
 17. Industry's representation dt.10.11.2022.
 18. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Hyderabad Rock Sand, Vattinagulapally (V), Gandipet (M), Rangareddy District.
2. **WHEREAS**, the Board Officials inspected the crushing unit on 01.09.2020 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the report, vide reference 3rd cited, submitted by this office in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, vide reference 4th cited, has observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Gandipet for dismantling / seizure of the crushers / DG sets.
5. **WHEREAS**, the Board Officials has conducted Joint Inspections along with Revenue and Mining Officials on 28.01.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Gandipet submitted report dated 03.02.2022.

6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.

II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.

IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.

V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.

8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power supply was disconnected, generator was seized and the unit was not in operation.
9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was reinstalled and was in operation.
10. **WHEREAS**, Vide reference 10th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
12. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 14th cited.
13. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.40,62,500/- (Rupees Forty Lakhs Sixty Two Thousand and Five Hundred Only).
14. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry failing under Orange category and requested to reduce the Environmental Compensation is Levied.
15. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
16. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	01.09.2020	No. of days of violation is 515 days
Closure Orders issued on 28.09.2020, but power	---	

42

was not disconnected		No. of days of violation is 135 days
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	28.01.2022	
Reinstallation and operation observed on	08.06.2022	
Seized on	21.10.2022	
Total no. of violating days		650

Environmental Compensation to be levied:

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

Where

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


N taken as 650 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×650
= **Rs.32,50,000/-**.

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.32,50,000/- (Rupees Thirty Two Lakhs and Fifty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.32,50,000/- (Rupees Thirty Two Lakhs and Fifty Thousand Only)** towards Environmental Compensation within one week.


JOINT CHIEF ENVIRONMENTAL ENGINEER

To

**M/s. Hyderabad Rock Sand,
Vattinagulapally (V), Gandipet (M),
Rangareddy District.**

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



43

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1239

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Adeshwar Traders (Formerly M/s. Vensai metals or M/s. Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District – Causing of damage due to operation of the unit - Levying of Environmental Compensation – ISSUED– Reg.

- Ref:**
1. Inspection of Board Officials on 25.07.2019.
 2. Closure Order issued on 22.08.2019.
 3. The TSPCB, Regional Office-I, Rangareddy District Report dated 28.09.2020 in WP No. 12022 of 2020
 4. The TSPCB, Regional Office-I, Rangareddy District Letter addressed to Tahsildhar, Gandipet dated 02.12.2019, 08.10.2020 & 01.11.2021
 5. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022.
 6. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad in Hon'ble NGT.
 7. Hon'ble NGT Order dated 17.01.2022
 8. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022.
 9. Inspection of the Board Officials on 08.06.2022
 10. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 11. Hon'ble NGT Order dated 14.10.2022.
 12. The crusher unit seized on 21.10.2022.
 13. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 14. Status report submitted by the TSPCB, Regional Office-I, Rangareddy District on 31.10.2022.
 15. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1148, dt:31.10.2022.
 16. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 17. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1202, Dated:09.11.2022.
 18. Industry's representation dt.10.11.2022.
 19. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Adeshwar Traders (Formerly M/s.Vensai metals or M/s Prasad Metals), Vattinagulapally (V), Gandipet (M), Rangareddy District.
2. **WHEREAS**, the Board Officials inspected the crushing unit on 25.07.2019 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the RO report, vide reference 3rd cited, submitted in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.

4. **WHEREAS**, it was observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Gandipet for dismantling / seizure of the crushers / DG sets.
5. **WHEREAS**, the Board Officials conducted Joint Inspections along with Revenue and Mining Officials on 28.01.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Gandipet submitted report dated 03.02.2022.
6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint an expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
- II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
- III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
- IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
- V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.
8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power connection to the crusher was disconnected and the crusher was not in operation.
9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was reinstalled and was in operation.
10. **WHEREAS**, Vide reference 10th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
12. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 15th cited.
13. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.61,62,500/- (**Rupees Sixty One Lakhs Sixty Two Thousand and Five Hundred Only**).
14. **WHEREAS**, you have submitted a representation stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industry is the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
15. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.

(46)

16. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	25.07.2019	No. of days of violation is 919 days
Closure Orders issued on 22.08.2019, but power was not disconnected	---	
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	28.01.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	68 days
Total no. of violating days		986

Environmental Compensation to be levied:

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

Where

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

N taken as 986 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×986
= Rs.49,30,000/-.

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.49,30,000/- (Rupees Forty Nine Lakhs and Thirty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.49,30,000/- (Rupees Forty Nine Lakhs and Thirty Thousand Only)** towards Environmental Compensation within one week.

To
M/s. Adeshwar Traders,
(Formerly M/s. Vensai metals or M/s Prasad Metals),
Vattinagulapally (V), Gandipet (M),
Rangareddy District.

JOINT CHIEF ENVIRONMENTAL ENGINEER

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(47)

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jccc-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1240

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Teja Reddy Crushers (Formerly M/s. Sree Rama Engineering Constructions, Unit-II), Vattinagulapally(V), Gandipet(M), Rangareddy District - Causing of damage due to operation of the unit- Levying of Environmental Compensation – ISSUED– Reg.

- Ref:**
1. Inspection of Board Officials on 23.09.2017 & 24.09.2017.
 2. Closure Order issued on 27.09.2017.
 3. T.O. Report dated 28.09.2020 in WP No. 12022 of 2020
 4. T.O. Letter addressed to Tahsildhar, Gandipet dated 08.10.2020 & 01.11.2021
 5. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 6. Hon'ble NGT Order dated 17.01.2022
 7. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 28.01.2022
 8. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 9. Inspection of the Board Officials on 08.06.2022
 10. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 11. Hon'ble NGT Order dated 14.10.2022.
 12. The crusher unit seized on 21.10.2022.
 13. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 14. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 15. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 16. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 17. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1201, Dated:09.11.2022.
 18. Industry's representation dt.10.11.2022.
 19. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Teja Reddy Crushers (Formerly M/s. Sree Rama Engineering Constructions, Unit-II), Vattinagulapally(V), Gandipet(M), Rangareddy District.
2. **WHEREAS**, the Board Officials inspected the crushing unit on 23.09.2017 & 24.09.2017 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the RO report, vide reference 3rd cited, submitted in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, it was observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Gandipet for dismantling / seizure of the crushers / DG sets.

5. **WHEREAS**, the Board Officials conducted Joint Inspections along with Revenue and Mining Officials on 28.01.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Gandipet submitted report dated 03.02.2022.
6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint an expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.

II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.

IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.

- V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.
 8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the generator was removed and crusher was not in operation.
 9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was in operation.
 10. **WHEREAS**, Vide reference 10th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
 11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
 1. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 15th cited.
 2. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for **Rs.1,03,50,000/- (Rupees One Crore Three Lakhs and Fifty Thousand Only)**.
 3. **WHEREAS**, you have submitted a representation stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industry is the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
 4. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.

50

12. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on, Closure Orders issued on 27.09.2017, but power was not disconnected	23.09.2017	No. of days of violation is 1589 days
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	28.01.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	- 68 days
Total no. of violating days		1656

Environmental Compensation to be levied:

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

Where

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

N taken as 1656 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×1656
=Rs. 82,80,000/-

In view of the above, the Board hereby levy revised Environmental Compensation of Rs.82,80,000/- (Rupees Eighty Two Lakhs and Eighty Thousand Only) in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the Rs.82,80,000/- (Rupees Eighty Two Lakhs and Eighty Thousand Only) towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To

M/s. Teja Reddy Crushers

(Formerly M/s. Sree Rama Engineering Constructions, Unit-II),

Vattinagulapally(V), Gandipet(M),

Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(51)

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1241

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. C5 Infra Pvt. Ltd., Vattinagulapally (V), Gandipet (M), Rangareddy District – Causing of damage due to operation of the unit-
Levying of Environmental Compensation – ISSUED – Reg.

- Ref:**
1. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad.
 2. Hon'ble NGT Order dated 17.01.2022.
 3. Inspection of Board Officials on 14.02.2022.
 4. Closure Order issued on 21.03.2022.
 5. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022.
 6. Inspection of the Board Officials on 08.06.2022.
 7. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022.
 8. Hon'ble NGT Order dated 14.10.2022.
 9. The crusher unit seized on 21.10.2022.
 10. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 11. Status report submitted by the TSPCB, Regional Office, Rangareddy District on 31.10.2022.
 12. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1147, dt:31.10.2022.
 13. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 14. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1203, Dated:09.11.2022.
 15. Industry's representation dt.10.11.2022.
 16. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. C5 Infra Pvt. Ltd., Vattinagulapally (V), Gandipet (M), Rangareddy District.
2. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:
 - (A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.
 - (B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.
 - (C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
 - II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
 - IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
 - V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
3. **WHEREAS**, vide reference 3rd cited, the Board Officials inspected the crushing unit on 14.02.2022 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 4th cited, the Board issued closure orders and power disconnection orders to the industry.
 4. **WHEREAS**, vide reference 5th cited, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power supply was disconnected, generator was seized and crusher was not in operation.
 5. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the unit was in operation. Vide reference 7th cited, the EE, RO-I Rangareddy District addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
 6. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, vide reference 9th cited, the unit was seized on 20.10.2022 in co-ordination with Revenue Officials.
 7. **WHEREAS**, the Boards memo dated 29.10.2022, the Member Secretary directed the JCEE, ZO, Hyderabad & EE, RO, Rangareddy to levy environmental compensation on violating stone crushing units existing in G.O.Ms.No.111 area.
 8. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the

Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 12th cited.

9. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.10,62,500/- (Rupees Ten Lakhs Sixty Two Thousand and Five Hundred Only).
10. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
11. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
12. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	14.02.2022	No. of days of violation is 35 days
Closure Order issued on	21.03.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Total no. of violating days		170

Environmental Compensation to be levied:

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

Where

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

N taken as 170 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×170
= Rs.8,50,000/-.

54

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.8,50,000/- (Rupees Eight Lakhs and Fifty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.8,50,000/- (Rupees Eight Lakhs and Fifty Thousand Only)** towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. C5 Infra Pvt. Ltd.,
Vattinagulapally (V),
Gandipet (M), Rangareddy District.

28



1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



55

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1242

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Unnamed Crusher, Beside Adishwar Aggregates Pvt Ltd, Vattinagulapalli, Gandipet(M), Rangareddy District - Causing of damage due to operation of the unit- **Levying of Environmental Compensation – ISSUED**– Reg.

- Ref:**
1. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 2. Hon'ble NGT Order dated 17.01.2022
 3. Inspection of Board Officials on 14.02.2022
 4. Closure Order issued on 21.03.2022
 5. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 6. Inspection of the Board Officials on 08.06.2022
 7. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 8. Hon'ble NGT Order dated 14.10.2022.
 9. The crusher unit seized on 21.10.2022.
 10. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022
 11. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 12. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 13. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 14. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1211, Dated:09.11.2022.
 15. Representation dt.10.11.2022 submitted by certain industries.
 16. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Unnamed Crusher, Beside Adishwar Aggregates Pvt Ltd, Vattinagulapalli, Gandipet(M), Rangareddy District.
2. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

1. Restrain Respondent No.15 to 33 from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.
2. Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sanga Reddy Districts of State of Telangana.

3. Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.
 - I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
 - II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
 - IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
 - V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
3. **WHEREAS**, the Board Officials inspected the crushing unit on 14.02.2022 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 4th cited, the Board issued closure orders and power disconnection orders to the industry.
4. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power supply was disconnected, generator was seized and crusher was not in operation.
5. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the unit was in operation.
6. **WHEREAS**, vide reference 7th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
7. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 20.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No.06 of 2022.

8. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 12th cited.
1. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.10,62,500/- (Rupees Ten Lakhs Sixty Two Thousand and Five Hundred Only).
2. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
3. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
9. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	14.02.2022	No. of days of violation is 35 days
Closure Order issued on	21.03.2022	
Reinstallation and operation observed on	08.06.2022	No. of days of violation is 135 days
Seized on	21.10.2022	
Total no. of violating days		170

Environmental Compensation to be levied:

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

Where

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

N taken as 170 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×170
= **Rs.8,50,000/-**

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.8,50,000/- (Rupees Eight Lakhs and Fifty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.8,50,000/- (Rupees Eight Lakhs and Fifty Thousand Only)** towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Unnamed Crusher,
Beside Adishwar Aggregates Pvt Ltd,
Vattinagulapalli, Gandipet(M),
Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



59

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- 1243

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. Shama Metal Supply, Sy.No.7 & 20 of Dargahkhaleej Khan Village, Gandipet (M), Rangareddy District - Causing of damage due to operation of the unit- Levying of Environmental Compensation – ISSUED– Reg.

- Ref:**
1. Inspection of Board Officials on 06.05.2021.
 2. Closure Order issued on 17.06.2021
 3. T.O. Letter addressed to Tahsildhar, Gandipet dated 07.10.2021
 4. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 5. Hon'ble NGT Order dated 17.01.2022
 6. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 7. Inspection of the Board Officials on 29.08.2022
 8. Letter addressed to the District Collector on 01.09.2022
 9. Hon'ble NGT Order dated 14.10.2022.
 10. The crusher unit seized on 21.10.2022.
 11. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022
 12. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 13. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 14. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 15. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1207, Dated:09.11.2022.
 16. Representation dt.10.11.2022 submitted by certain industries.
 17. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. Shama Metal Supply, Sy.No.7 & 20 of Dargahkhaleej Khan Village, Gandipet(M), Rangareddy District.
2. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Archutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint and expert Committee to conduct surprise inspection on the units run-by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sanga Reddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
 - II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
 - IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
 - V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
3. **WHEREAS**, the Board Officials inspected the crushing unit on 06.05.2021 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
 4. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the crusher was dismantled by the Revenue Officials.
 5. **WHEREAS**, the Board Officials inspected the area and the unit on 29.08.2022 and observed that the crusher was reinstalled and was in operation.
 6. **WHEREAS**, vide reference 8th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
 7. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No.06 of 2022.

(61)

1. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 13th cited.
2. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.24,00,000/- (Rupees Twenty Four Lakhs Only).
3. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
4. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
8. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Operation of unit observed on	06.05.2021	No. of days of violation is 330 days
Closure Orders issued on 17.06.2021, but power was not disconnected	---	
Inspection of Joint Committee constituted by Hon'ble NGT on	31.03.2022	
Reinstallation and operation observed on	29.08.2022	No. of days of violation is 54 days
Seized on	21.10.2022	
Total no. of violating days		384

Environmental Compensation to be levied:

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

Where

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

N taken as 384 days for which period violation took place.

(62)

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×384
= **Rs.19,20,000/-**

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.19,20,000/- (Rupees Nineteen Lakhs Twenty Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.19,20,000/- (Rupees Nineteen Lakhs Twenty Thousand Only)** towards Environmental Compensation within one week.


JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Shama Metal Supply,
Sy.No.7 & 20 of Dargahkhaleej Khan Village,
Gandipet(M), Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(63)

TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1244

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. DBR Stone Crusher (Formerly M/s. Venkateshwara Metal Industries), Kothwalguda (V), Shamshabad (M), Rangareddy District – Causing of damage due to operation of the unit- Levying of Environmental Compensation – ISSUED – Reg.

- Ref:**
1. Inspection of Board Officials on 23.09.2017 & 24.09.2017.
 2. Closure Order issued on 27.09.2017.
 3. The TSPCB, Regional Office-I, Rangareddy District Report dated 28.09.2020 in WP No. 12022 of 2020
 4. The TSPCB, Regional Office-I, Rangareddy District Letter addressed to Tahsildhar, Shamshabad dated 02.12.2019, 08.10.2020 & 01.11.2021
 5. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 6. Hon'ble NGT Order dated 17.01.2022.
 7. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 03.02.2022.
 8. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 9. Inspection of the Board Officials on 08.06.2022
 10. Letter addressed to the District Collector on 27.06.2022 & 01.09.2022
 11. Hon'ble NGT Order dated 14.10.2022.
 12. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022.
 13. Status report submitted by the TSPCB, Regional Office-I, Rangareddy District on 31.10.2022.
 14. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1149, dt:31.10.2022.
 15. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 16. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1204, Dated:09.11.2022.
 17. Representation dt.10.11.2022 submitted by certain industries.
 18. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. DBR Stone Crusher (Formerly M/s. Venkateshwara Metal Industries), Kothwalguda (V), Shamshabad (M), Rangareddy District.
2. **WHEREAS**, vide reference 1st cited, the Board Officials inspected the crushing unit on 23.09.2017 & 24.09.2017 and observed that the unit was operating without consents of the Board required under Water and Air Acts. Subsequently, vide reference 2nd cited, the Board issued closure orders and power disconnection orders to the industry.
3. **WHEREAS**, as per the report, vide reference 3rd cited, submitted by this office in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, vide reference 4th cited, has observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Shamshabad for dismantling / seizure of the crushers / DG sets.

5. **WHEREAS**, vide reference 5th cited, the Board Officials has conducted Joint Inspections along with Revenue and Mining Officials on 03.02.2022 and observed that the crusher was in operation. The Revenue Officials seized the crusher and the Tahsildhar, Shamshabad submitted report dated 16.02.2022.
6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:
 - (A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.
 - (B) Appoint an expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.
 - (C) Pass an order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.
 - I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
 - II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
 - IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
 - V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.
7. **WHEREAS**, vide reference 6th cited, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations

committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.

8. **WHEREAS**, vide reference 8th cited, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the power connection to the crusher was disconnected and the crusher was not in operation.
9. **WHEREAS**, vide reference 9th cited, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was reinstalled and was in operation.
10. **WHEREAS**, vide reference 10th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, vide reference 11th cited, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action. Subsequently, the unit was seized on 21.10.2022 in co-ordination with Revenue Officials in compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.
12. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 14th cited.
13. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.1,04,43,750/- (**Rupees One Crore Four Lakhs Forty three Thousand Seven Hundred and fifty Only**).
14. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
15. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
16. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

66

Operation of unit observed on, Closure Orders issued on 27.09.2017, but power was not disconnected	23.09.2017	No. of days of violation is 1595 days
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	03.02.2022	
Reinstallation and operation observed on	03.06.2022	No. of days of violation is 144 days
Operating till date	29.10.2022	
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	68 days
Total no. of violating days		1671

Environmental Compensation to be levied:

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

Where

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

N taken as 1671 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×1671
= **Rs.83,55,000/-**.

In view of the above, the Board hereby levy revised Environmental Compensation of **Rs.83,55,000/- (Rupees Eighty Three Lakhs and Fifty Five Thousand Only)** in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the **Rs.83,55,000/- (Rupees Eighty Three Lakhs and Fifty Five Thousand Only)** towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. DBR Stone Crusher,
(Formerly M/s. Venkateshwara Metal Industries),
Kothwalguda (V), Shamshabad (M),
Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.

67



TELANGANA STATE POLLUTION CONTROL BOARD
ZONAL OFFICE: HYDERABAD

H.No.6-3-1219, TS No.1 Part, Block - C, Ward No.91, Near Country Club,
Uma Nagar, Begumpet, Hyderabad. Phone: 040-23402463
Email: jcee-zhyd-tspcb@telangana.gov.in

BY REGD. POST WITH ACK. DUE

Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1245

Date:12.11.2022

Sub: TSPCB – ZO, HYD – M/s. SMI Stone Crusher (Formerly M/s. Shama Metal Industry), Kothwalguda (V), Shamshabad (M), Rangareddy District - Causing of damage due to operation of the unit - Levying of Environmental Compensation – ISSUED – Reg.

- Ref:**
1. Closure Order issued on 28.03.2012.
 2. T.O. Report dated 28.09.2020 in WP No. 12022 of 2020
 3. T.O. Letter addressed to Tahsildhar, Shamshabad dated 02.12.2019, 08.10.2020 & 01.11.2021
 4. OA No.6 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad
 5. Hon'ble NGT Order dated 17.01.2022
 6. Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on 03.02.2022
 7. Inspection of Joint Committee constituted by Hon'ble NGT on 31.03.2022
 8. Inspection of the Board Officials on 08.06.2022
 9. Letter addressed to the District Collector on 27.06.2022 & 31.09.2022
 10. Hon'ble NGT Order dated 14.10.2022.
 11. Memo No.3/NGT-Chennai/TSPCB/Legal/2022-87, dated 29.10.2022
 12. Status report submitted by Regional Office, Rangareddy on 31.10.2022.
 13. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022- dt:31.10.2022.
 14. Personal hearing held before the Task Force committee at Zonal Office, Hyderabad on 07.11.2022.
 15. T.O. Order No.15-RR-I/TSPCB/ZO-HYD/TF/2022-1208, Dated:09.11.2022.
 16. Industry's representation dt.10.11.2022.
 17. The Task Force committee meeting held on 11.11.2022 at Zonal Office, Hyderabad.

* * *

1. **WHEREAS**, you are operating a crusher in the name of M/s. SMI Stone Crusher (Formerly M/s. Shama Metal Industry), Kothwalguda (V), Shamshabad (M), Rangareddy District.
2. **WHEREAS**, vide reference 1st cited, the Board issued closure orders to the industry for operating without consents of the Board required under Water and Air Acts.
3. **WHEREAS**, as per the RO report, vide reference 2nd cited, submitted in WP No. 12022 of 2020, the stone crusher was observed to be in operation as on 28.09.2020.
4. **WHEREAS**, it was observed that the stone crusher is operating despite the closure orders of the Board and addressed letters to Tahsildhar, Shamshabad for dismantling / seizure of the crushers / DG sets.
5. **WHEREAS**, the Board Officials conducted Joint Inspections along with Revenue and Mining Officials on 03.02.2022 and observed that the crusher was in operation. The Revenue

Officials seized the crusher and the Tahsildhar, Shamshabad submitted report dated 16.02.2022.

6. **WHEREAS**, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

(A) Restrain Respondent No.15 to 33 (29th respondent is M/s.Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.

(B) Appoint and expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
- II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
- III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
- IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
- V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

7. **WHEREAS**, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.
8. **WHEREAS**, the Joint Committee constituted by the Hon'ble NGT has inspected the unit on 31.03.2022 and observed that the crusher was dismantled by the Revenue Officials.
9. **WHEREAS**, the Board Officials inspected the area and the unit on 08.06.2022 and observed that the crusher was reinstalled.
10. **WHEREAS**, Vide reference 9th cited, the Board addressed letters to the District Collector to direct the concerned for dismantling the crushing unit.
11. **WHEREAS**, the Hon'ble NGT vide Order dated 14.10.2022 directed the Revenue Department and State PCB take appropriate action.
12. **WHEREAS**, the Board issued vide order dt.09.11.2022 issued directions Levying Environmental Compensation of a SHOW CAUSE CUM HEARING NOTICE as to why the Board shall not levy Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board and for causing damage to the environment, as per the calculations communicated vide reference 13th cited.
1. **WHEREAS**, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs.1,14,06,250/- (Rupees One Crore Fourteen Lakhs Six Thousand Two Hundred and fifty Only).
2. **WHEREAS**, a representation was submitted stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are the small scale industry falling under Orange category and requested to reduce the Environmental Compensation is Levied.
3. **WHEREAS**, the issue was again review before the Task Force committee at T.S Pollution Control Board, Zonal Office, Hyderabad 11.11.2022 to examined the representation submitted by the industry. The committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.
13. **WHEREAS**, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

70

Closure Orders issued on	28.03.2012	
Seizure of crusher during Joint Inspection of Revenue, TSPCB and Mining Officials on	03.02.2022	No. of days of violation is 3600 days
Reinstallation and operation observed on	08.06.2022	
Operating till date	29.10.2022	No. of days of violation is 144 days
Covid lockdown period exempted	From 25.03.2020 to 31.05.2020	- 68 days
Total no. of violating days		3744 (However, Maximum of 5 yrs (1825 days) as per Hon'ble NGT orders is considered)

Environmental Compensation to be levied:

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

Where

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

N is taken as 1825 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×1825
=Rs.91,25,000/-

In view of the above, the Board hereby levy revised Environmental Compensation of Rs.91,25,000/- (Rupees Ninety One Lakhs and Twenty Five Thousand Only) in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the Rs.91,25,000/- (Rupees Ninety One Lakhs and Twenty Five Thousand Only) towards Environmental Compensation within one week.

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. SMI Stone Crusher
(Formerly M/s. Shama Metal Industry),
Kothwalguda (V), Shamshabad (M),
Rangareddy District.

1. Copy submitted to the Member Secretary, TSPCB, Board Office, Hyderabad for kind information.
2. Copy to the Environmental Engineer, Regional Office, Rangareddy for information and necessary action.



(71)

TELANGANA STATE POLLUTION CONTROL BOARD

Zonal Office, 25-35/11, Tulasi Reddy Complex, 2nd Floor,
Opp. Govt. ITI College, R.C.Puram, Sangareddy District - 502 032.
Phone : 08455 280477, Website: tspcb.cgg.gov.in

BY REGD. POST WITH ACK. DUE

Order No. GEN/173/TSPCB/ZO/RCP/LH/2022-229

Dt: 12.11.2022.

Sub: TSPCB, ZO, R.C. Puram – M/s. Sai Balaji Rock Sand Industries (Stone Crushing unit), Sy. No.193 &194, Kollur(V), Ramachandrapuram (M), Sangareddy District – Environmental Compensation levied – Reg.

- Ref:**
1. Inspection by the Board officials on 06.03.2019.
 2. Show Cause Notice issued to the industry on 15.03.2019.
 3. T.O. report to the Board Office on 15.04.2019.
 4. Closure Order issued on 14.05.2019.
 5. Inspection by the Board officials on 13.06.2019.
 6. Reminder letter to the SEE, TSSPDCL on 17.06.2019.
 7. Lr. to CMD, TSSPDCL on 19.07.2019.
 8. Letter addressed to the District Collector on 10.12.2019.
 9. Letter addressed to the Tahsildhar, RC Puram on 20.12.2019.
 10. Reminder letter addressed to the Tahsildhar, RC Puram on 13.02.2020.
 11. Inspection by the Joint Inspection of Revenue, TSPCB and Mining Officials on 16.12.2020.
 12. Inspection by the Board officials on 04.01.2021.
 13. T.O. report to the Board Office on 11.01.2021.
 14. Lr. No. H2/65/2021 received from the District Collector w.r.t. W.P. (PIL No. 233/2020) on 01.02.2021.
 15. T.O. report to the Board Office on 05.11.2021.
 16. Joint Inspection Team constituted by Hon'ble NGT vide order dated 17.01.2022.
 17. Hon'ble Hight Court orders dated 18.01.2022 in WP No. 12022 of 2020.
 18. Inspection by the Joint Inspection Team on 08.03.2022.
 19. T.O. report to the Hon'ble NGT on 30.03.2022.
 20. Inspection by the Board officials on 15.06.2022.
 21. Letter addressed to the District Collector on 20.06.2022.
 22. Hon'ble NGT order dated 17.08.2022 in OA No.06 of 2022.
 23. Inspection by the Board officials on 29.08.2022.
 24. Letter addressed to the District Collector on 01.09.2022.
 25. Letter addressed to the Tahsildhar, RC Puram on 02.09.2022.
 26. Inspection by the Board officials on 03.09.2022.
 27. Lr. No. H2/1849/2022 received from the District Collector w.r.t. W.P. No. 12022 of 2020 and OA No. 06 of 2022 filed by Sri P.V.Subramanya Varma, S/o. Sri Achuta Ramaraju, R/o. Khairathabad, Hyderabad.
 28. Inspection by the Board officials on 17.10.2022.
 29. Letter addressed to the Tasildhar, RC Puram on 25.10.2022.
 30. Lr. No. 01/PCB/RO-I:SRD/CFE/2022, Dt: 31.10.2022.
 31. T.O. Notice No. GEN/173/TSPCB/ZO/RCP/LH/2022-224, Dt: 31.10.2022.
 32. Hearing held at TSPCB, Zonal Office, R.C.Puram on 07.11.2022.
 33. Industry's letter dated 09.11.2022.
 34. T.O. Order No. GEN/173/TSPCB/ZO/RCP/LH/2022-225, Dt: 09.11.2022.
 35. Representation dated 11.11.2022 by the stone crushing industries located in 111 G.O.
 36. Hearing held at TSPCB, Zonal Office, R.C.Puram on 11.11.2022.

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WHEREAS, you are operating a crusher in the name of M/s.Sai Balaji Rock Sand Industries at Sy. No.193 &194, Kollur (V), Ramachandrapuram (M), Sangareddy District.

WHEREAS, the Board Officials inspected your unit on 06.03.2019 and issued show cause notice vide reference 2nd cited for operating the unit without consents of the Board required under Water and Air Acts. Subsequently, the Board issued closure orders and power disconnection orders to the industry on 14.05.2019.

WHEREAS, the Board Officials again inspected your unit on 13.06.2019 and observed that, the stone crusher is in operation. The Board has addressed a reminder letter to the Superintending Engineer (Operations), TSSPDCL, Sangareddy and the Chairman & Managing Director, TSSPDCL, Corporate Office, Hyderabad vide reference 6th & 7th cited for disconnection of power supply.

In the meanwhile, M/s. D.S.R Educational Society, Office at Plot No. 901, IInd Floor, DSR Tranquil, Ayyappa Society, Madhupur, Hyderabad has filed a writ Petition No. 15471 of 2019 against your Stone Crusher, before the Hon'ble High Court. The Hon'ble High Court vide order dated 18.10.2019, has passed an interim direction directing the TSPCB to ensure that the Stone Crusher do not carry on crushing operation in the premises.

The Board has addressed letter to the District Collector & Magistrate, Sangareddy vide reference 8th cited requesting to direct the Tahsildhar, RC Puram to confiscate the stone crusher under Section 133 of Code of Criminal Procedure which deals the procedure for removal of public nuisance and process thereof and subsequently, addressed a letter to the Tahsildhar, RC Puram in this regard.

A reminder letter dated: 13.02.2020 was also addressed to the Tahsildar, RC Puram by the Office of the District Collector, Sangareddy with a direction to submit the action taken report. Accordingly, as per instructions from District Collector, the team consisting of Tahsildar, Ramachandrapuram Mandal, Environmental Engineer, TSPCB, Sangareddy, AD (Mines), Sangareddy and officials of TSSPDCL inspected the industry on the night of 16.12.2020. During inspection, it was observed that the above stone was not in operation. The Tahsildar, Ramachandrapuram Mandal seized the power transmission equipments of the above stone crusher.

The Board Officials again inspected the stone crusher on 04.01.2021, and observed that the stone crusher is not in operation. During inspection on 11.01.2022, it was observed that the above stone crusher is not in operation and ideal. However, storage of metal and dust observed within the premises.

WHEREAS, Sri. P.V.Subramanya Varma, S/o. P.Atchutha Rama Raju, R/o. Hyderabad has sent a representation to the Chairman, Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT registered the representation as Original Application (O.A.) No.6 of 2022. The main prayer of the applicant is as follows:

- (A) Restrain Respondent No.15 to 33 (29th respondent is M/s. Sai Balaji Rock Sand Industries) from carrying illegal and unauthorized crushing activities in Rangareddy District and Sangareddy Districts without obtaining Consent from 4th Respondent / Telangana State Pollution Control Board.
- (B) Appoint an expert Committee to conduct surprise inspection on the units run by Respondent Nos.15 to 33 in order to examine the real activity and assess the damage caused to the environment in Rangareddy and Sangareddy Districts of State of Telangana.

(C) Pass and order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and the circumstances of the present application.

- I. Direct the respondent Nos.1 to 14 to initiate stringent action against the respondent Nos. 15 to 33 for an unauthorized and illegal operation of stone crushing activities in Ranga Reddy and Sanga Reddy Districts of State of Telangana without obtaining Consent for Establishment and Consent for Operation from the 4th respondent.
- II. Direct the Respondent Nos. 1 to 14 to demolish / remove all the illegal and unauthorized structures erected by the Respondent Nos. 15 to 33 without obtaining Consent for Establishment and Consent for Operation from the 4th respondent as laid down under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
- III. Direct the Respondent Nos. 1 to 14 preventing establishment and operation of the illegal and unauthorized stone crushing units of Districts which is bad in law and contrary to the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in violation of the fundamental rights guaranteed under Article 21 of the constitution of India and accordingly direct the respondent Nos. 1 to 14 to seize and prevent the operation of the Respondent Nos. 15 to 33.
- IV. Direct the Respondent Nos. 15 to 33 to pay environmental compensation including the cost of restitution of Environment under Section 15 of NGT Act, 2010.
- V. Pass any order or orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present application.

WHEREAS, the Hon'ble NGT vide orders dated 17.01.2022 appointed a Joint Committee and directed to impose environmental compensation for the violations committed by them if any, apart from assessing compensation for the damage caused to the environment, including cost required for restoration of the same.

During inspection on 08.03.2022 by the Joint Committee constituted by the Hon'ble NGT vide order dt.17.01.2022 in O.A.No.06 of 2022, the above stone crusher was observed not in operation and idle. However, legacy storage of metal and dust was observed within the premises. During inspection on 15.06.2022, it was observed that the industry again installed the DG Sets for operating the crusher clandestinely.

The Board has addressed letter the District Collector & Magistrate, Sangareddy 20.06.2022 requesting to issue necessary instructions to the Revenue Authorities in compliance of the orders of Hon'ble High Court on 18.01.2022 in WP.No.12022 of 2020 to stop the operations of the stone crusher.

The Board Officials again inspected the stone crusher on 29.08.2022, and observed that the stone crusher has installed DG set for operating the crusher clandestinely. The Board has addressed letter The District Collector & Magistrate, Sangareddy and the Tahsildhar, RC Puram vide letter dated 01.09.2022 & 02.09.2022 requested to issue stop the operation of the stone crusher by seizing and

confiscating the machinery in compliance of the orders of Hon'ble High Court on 18.01.2022 in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.

During inspection on 03.09.2022 by the Joint Inspection Team, consisting of Officials of TSPCB, Mines & Geology and Revenue the stone crusher was not in operation and the DG set was removed.

The Board Officials again inspected the stone crusher on 17.10.2022, and observed that the stone crusher has re-installed removed DG set for operating the crusher clandestinely.

The Board has addressed letter the District Collector & Magistrate, Sangareddy and the Tahsildhar, RC Puram vide letter dated 25.10.2022 requested to seize / confiscate the DG set and machinery for compliance with the directions issued by the Hon'ble High Court in WP.No.12022 of 2020 & Hon'ble NGT, Chennai in the matter OA No. 06 of 2022.

The RO, Sangareddy vide reference 30th cited, submitted a detailed report on the status of the industry and indicating the no. of days of violation of the Board Directions as follows:

Operation of unit observed and issued Show Cause Notice for operating without CFE/CFO of the Board	15.03.2019	No. of days of violation is 373 + 138 = 511days
Closure Orders issued and power was not disconnected.	14.05.2019	
Government issued Lock Down Orders due to COVID-19	21.03.2020 (till 31.07.2020)	
Seizure of power transmission equipment of stone crusher during Joint Inspection of Revenue, TSPCB and Mining Officials	16.12.2020	
Reinstallation and operating the stone crusher by installing DG Set.	15.06.2022	No. of days of violation is 80 days
DG set removed	03.09.2022	
Reinstallation and operating the stone crusher by installing removed DG Set.	17.10.2022	No. of days of violation till date is 14 days
Total no. of violating days		605 days

Accordingly, the Board calculated Environmental Compensation in compliance with the Hon'ble NGT Orders dated 17.01.2022, as per the calculation below:

Environmental Compensation to be levied:

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

Where

P_I – Pollution index of industrial sector

N - No of days of violation took place

R – A factor in Rupees for EC

S – Factor for scale of operation

L_F – Location factor

P_I is taken as 50 duly considering the category of the industry i.e., Orange Category.

N taken as 605 days for which period violation took place.

R is suggested to consider as 250

S is taken as 0.5 considering the unit is small scale industry

L_F is taken as 1 considering the city population is < 1 million in which the industry existing.

Vide reference 31st cited, you are issued with a show cause cum hearing notice intimating the levy of environmental compensation of Rs.37,81,250/- and directed to appear before the External Advisory Committee of Zonal Office, R.C.Puram in the Office of Joint Chief Environmental Engineer, Zonal Office, R.C.Puram, TSPCB on 07.11.2022 at 11.30 AM for hearing in this regard.

Accordingly, you were given opportunity of hearing before the External Advisory Committee of Zonal Office, R.C.Puram on 07.11.2022 at 11.30 AM, which you have attended. The industry informed that they were issued with closure orders on 14.05.2019 and power connection to the crusher was disconnected and the crusher was not in operation at any point of time. Further, they did not have renewal of Mineral Dealer Lease (MDL) from Mines & Geology Department and therefore it could be safely presumed that there was no activity in the site at any point of time. The unit was closed during the COVID period. The industry also submitted an application to the Board for grant of CFO and they were neither approved nor rejected and are pending for consideration before the Board. The industry submitted they have never committed any violation environmental loss and is in severe financial crises. They have used DG sets for 50 families who worked in their place for trading road metal and road work materials. In view of the same, the industry requested to drop the levy of Environmental Compensation.

The Committee observed that the industry made an online application vide application no. 1876228 on 14.03.2019 directly for CFO (Fresh) of to the Board. The application was returned by the RO on 15.03.2019 with an advice to make an application through single window system (TSiPASS). Accordingly no application of the industry is pending with the Board. Further, during several inspections by Board officials and also the Joint Committee, it was observed that the industry is being operated clandestinely using DG Sets. The Committee after detailed discussions, recommended to levy final Environmental Compensation of Rs.37,81,250/- for violation of Board's Closure orders.

WHEREAS, the Board vide order dt.09.11.2022 issued directions Levying the Environmental Compensation for Rs. 37,81,250/- (Rupees Thirty Seven Lakhs Eighty One Thousand Two Hundred and Fifty Only).

WHEREAS, the stone crushing industries located in 10 KM radius area of Osman Sagar & Himayath Sagar lakes have represented to the Board stating that the Environmental Compensation levied is on higher side and pollution potential of the industry is minimum and the industries are small scale industry falling under orange category and requested to reduce the Environmental Compensation levied.

WHEREAS, the issue was again review before the External Advisory Committee at T.S Pollution Control Board, Zonal Office, R.C.Puram 11.11.2022 to examine the representation submitted by the industries located in 10 KM radius area of Osman Sagar & Himayath Sagar lakes. The Committee noted that the pollution index (PI) considered for assessment was taken as 50 and R factor in rupees was taken as 250. The committee after detailed examination of the representation

of the industry noted that the industries are small scale industries which have pollution potential for Orange category. The committee recommended to consider minimum Environmental Compensation of Rs.5000/- per day as per the guidelines of CPCB for levying the environmental compensation.

WHEREAS, after careful examination of the material facts of the case, objections of the industry and recommendations of the committee, the Board hereby levy revised Environmental Compensation as per the calculation below:

Environmental Compensation to be levied:

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

Where

P_1 – Pollution index of industrial sector

N - No of days of violation took place

R – A factor in Rupees for EC

S – Factor for scale of operation

L_f – Location factor

P_1 is taken as 45 duly considering the category of the industry i.e., Orange Category.

N taken as 605 days for which period violation took place.

Minimum Environmental Compensation of Rs.5000/- per day shall be considered for assessment of Compensation.

Hence, the Environmental Compensation is 5000×605
= Rs.30,25,000/-.

In view of the above, the Board hereby levy revised Environmental Compensation of Rs.30,25,000/- (Rupees Thirty Lakhs and Twenty five Thousands Rupees Only) in compliance with the Hon'ble NGT Orders dated 17.01.2022, for operating units without consents of the Board, continuing operations even after issue of closure orders by the Board issued under section 31 (A) of Air (P&CP) Act, 1981 and for causing damage to the environment.

You are directed deposit the Rs.30,25,000/- (Rupees Thirty Lakhs and Twenty five Thousands Rupees Only) towards Environmental Compensation within one week.

Sd/- 12/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Sai Balaji Rock Sand Industries,
(Stone Crushing unit),
Sy. No.193 &194, Kollur(V),
Ramachandrapuram (M),
Sangareddy District.

Copy to the E.E. R.O., Sangareddy, Sangareddy District for information and necessary action.