



TELANGANA STATE POLLUTION CONTROL BOARD

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Opp. Govt. ITI College, R.C.Puram, Sangareddy Dist - 502 032.
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BY REGD. POST WITH ACK. DUE

Order No. TSPCB/ZO/RCP/1038 of 2018/2020 - 136

Dt. 31.01.2020

Sub : TSPCB – M/s. Super Hitech Engineers and Contractors, Sy.No.842/1,843/3 & 84/2, Patancheru (M), Sangareddy District – Water (Prevention and Control of Pollution) Amendment Act, 1988 – Air (Prevention and Control of Pollution) Amendment Act, 1987 – Hon’ble NGT (PB), New Delhi order dt.14.11.2019 in O.A. No:1038 of 2018 – Recovering of interim environmental compensation - **DIRECTIONS** – Issued – Reg.

Ref :

1. CFO Order No. TSPCB/ZO/RCP/PTN/167/W&A/2016-1064, Date:16.05.2016.
2. Closure Order No. PTN/167/TSPCB/ZO/RCP/LH/2017, Dt: 01.09.2017.
3. Temporary Revocation of Closure Order No.MDK-169/TSPCB/UH-II/2017-3002, Dt:12.12.2017.
4. Extension of Temporary Revocation of Closure Order No.MDK-169/TSPCB/UH-II/2017, Date:26.10.2018.
5. Hon’ble NGT order dated 13.12.2018 in Original Application NO:1038 of 2018 on Polluted Industrial Clusters.
6. Hon’ble NGT order dated 10.07.2019 in Original Application No:1038 of 2018 on Polluted Industrial Clusters.
7. Hon’ble NGT order dated 14.11.2019 in Original Application No:1038 of 2018 on Polluted Industrial Clusters.

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1. **WHEREAS**, you are operating the industry located at Sy.No.842/1,843/3 & 84/2, Patancheru (M), Sangareddy District.
2. **WHEREAS**, vide reference 1st cited, your industry has obtained CFO & HWA order to manufacture Asphalt (Hot Mix + Wet Mix) - 100 TPD with a validity period upto 31.05.2021.
3. **WHEREAS**, vide reference 2nd cited, the Board issued Closure orders to your industry for non-compliance of the Board directions and CFO conditions.
4. **WHEREAS**, vide reference 3rd cited, the Board issued Temporary Revocation of Closure Order to your industry for a period of 2 months with certain directions to comply.
5. **WHEREAS**, vide reference 4th cited, the Board issued Extension of Temporary Revocation of Closure Order to your industry for a period of one year.
6. **WHEREAS**, the Central Pollution Control Board (CPCB) has identified 100 Polluted Industrial Clusters across the country and Telangana State is having 3 (three) Polluted Industrial Areas viz., Patancheru-Bollaram, Kukatpally and Kattedan. Your industry is located in the “Patancheru-Bollaram” Critically Polluted Area (CPA).
7. **WHEREAS**, vide reference 5th cited, the Hon’ble NGT has taken up the case on the news item published in “The Asian Age” authored by Sanjay Kaw Titled “CPCB to rank industrial units on pollution levels” and numbered as Original Application No. 1038 of 2018 and vide order dt.

13.12.2018 issued certain directions to the state governments for preparation of Action Plan for restoration of Environmental qualities with regard to the identified polluted industrial clusters.

8. **WHEREAS**, vide reference 6th cited, the O.A No:1038 of 2018 came for hearing before the Hon'ble NGT on 10.07.2019. The relevant extract of the Hon'ble NGT order dt:10.07.2019 is as follows:

“.....

22. *In view of water pollution caused by absence/dysfunctional CETPs /ETPs/ STPs, the Tribunal has, in the case of Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.18, directed all defaulting industries, other than green and white category, connected with CETP, to make deposits with the CPCB towards interim environmental compensation, pending assessment of actual compensation and further action 19, on the following scale:*

(i) Large Industries – Rs. 1 crore each

(ii) Medium Industries – Rs. 50 Lakhs each

(iii) Small Industries – Rs. 25 Lakhs each

23.The statutory regulatory bodies can be required to straightaway identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the red and orange category and take action against them by way of closing the polluting activity, initiating prosecution and assessing and recovering compensation. Pending such assessment, interim compensation may be recovered on the scale adopted by this Tribunal in the case of Vapi industrial area.

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28. *Accordingly, we direct the CPCB in coordination with all State PCBs/PCCs to take steps in exercise of statutory powers under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974, Environment (Protection) Act, 1986 or any other law to prohibit operation of polluting activities in the said CPAs and SPAs within three months and furnish a compliance report to this Tribunal. The Central Pollution Control Board, in coordination with the State Boards/PCBs may make assessment of compensation to be recovered from the said polluting units for the period of last 5 years, taking into account the cost of restoration and cost of damage to the public health and environment and the deterrence element. The scale of deterrence may be related to the period and the frequency of defaults. Such other factors as may be found relevant may also be taken into account. No further industrial activities or expansion be allowed with regard to 'red' and 'orange' category units till the said areas are brought within the prescribed parameters or till carrying capacity of area is assessed and new units or expansion is found viable having regard to the carrying capacity of the area and environmental norms. Pending assessment of compensation, interim compensation be recovered at the scale adopted by this Tribunal in the case of Vapi Industrial area as mentioned in para 22 above”.*

9. **WHEREAS**, vide reference 11th cited, the O.A No:1038 of 2018 came for hearing before the Hon'ble NGT on 14.11.2019. The relevant extract of the Hon'ble NGT order dt:14.11.2019 is as follows:

“11.The Tribunal has thus no option except to reiterate that meaningful action has to be taken by the State PCBs/PCCs as already directed and action taken report furnished showing the number of identified polluters in polluted industrial areas mentioned above, the extent of closure of polluting activities, the extent of environmental compensation recovered, the cost of restoration of the damage to the environment of the said areas, otherwise there will be no meaningful environmental governance.....”.

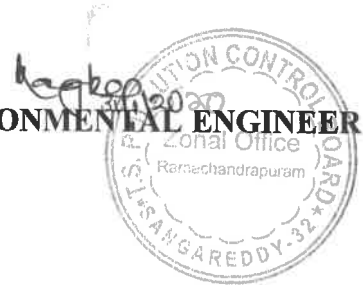
10. **WHEREAS**, as per the closure order issued to your industry dt.01.09.2017 and after careful consideration of the material facts of the case, the Board is of the firm opinion that your industry was non-complied industry in “Patancheru-Bollaram” Critically Polluted Area (CPA) during the last 5 years period and the Board hereby issue directions to your industry to pay Rs. 50 Lakhs towards environmental compensation as a interim compensation pending assessment as per Hon'ble NGT order dt.10.07.2019.

11. These directions are issued under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec. 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1987.

12. The above mentioned directives shall comply by the industry immediately, failing which legal action will be initiated against your industry under Section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Section 31(A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 directing closure of the industry in the interest of Public Health and Environment, without further notice.

JOINT CHIEF ENVIRONMENTAL ENGINEER

(Signature)



To

**M/s. Super Hitech Engineers and Contractors,
Sy.No.842/1,843/3 & 84/2,
Patancheru (M), Sangareddy District.**

1. Copy submitted to the Member Secretary, Board office, TSPCB, Hyderabad for kind information.
2. Copy submitted to the District Magistrate & Collector, Sangareddy District for kind information.
3. Copy to the Environmental Engineer, Regional Office, Sangareddy for information and necessary action.
4. Concerned file.

