

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTH ZONE, AT CHENNAI.**

**Original Application No. 208 of 2021 (SZ)**

In the matter of

**Srikanth Madhyastha**

Udupi  
Karnataka

... Applicant

Versus

**1. The District Collector,**

Udupi District.  
Rajathadri,  
Manipal, Udupi – 576104  
Karnataka  
Email: [deudu-rd-ka.nic.in](mailto:deudu-rd-ka.nic.in), [deo.udupi@gmail.com](mailto:deo.udupi@gmail.com)  
Ph.: 9480242600, 0820-2574924

**2. The Member Secretary**

**State Level Environment Assessment  
Authority Karnataka,**  
7<sup>th</sup> Floor, 4<sup>th</sup> Gate, M.S. Building,  
Bangalore – 560001.  
Email: [memsecy@kspcb.gov.in](mailto:memsecy@kspcb.gov.in)  
Ph.: 080-25589112, 080-25586321

**3. The Chairman**

**Karnataka State Pollution Control Board,**  
Parisara Bhavan, 49, IV Floor,  
Church Street,  
Bangalore – 560001  
Karnataka  
Email: [chairman@kspcb.gov.in](mailto:chairman@kspcb.gov.in)  
Ph.: 080-25581383

**4. The Environmental Officer,**

**Karnataka State Pollution Control Board,**  
Parisa Bhavan Plot No.36C,  
Shivally Industrial Area, Manipal,  
Udupi – 576104  
Karnataka

Email: [udupi@kspcb.gov.in](mailto:udupi@kspcb.gov.in)  
Ph.: 0820-296016

5. **The Regional Director (Environment)**  
**Department of Environment and Ecology,**  
Government of Karnataka, 1<sup>st</sup> Floor,  
'C' Block, Rajathadri,  
District Administrative Centre, Manipal,  
Udupi - 576104  
Karnataka

Email: [udupi3crz@gmail.com](mailto:udupi3crz@gmail.com)  
Ph.: 0820-2574848

6. The Chairman  
**Karnataka State Coastal Zone,**  
**Management Authority,**

4<sup>th</sup> Floor, M.S. Building,  
Bangalore - 560001  
Karnataka State

Email: [mkszczma@gmail.com](mailto:mkszczma@gmail.com)  
Ph.: 0820-22353961, 0820-22032206

7. **The Secretary to Government Ministry of Environment**  
**Forest and Climate Change,**

Indira Paryavaran Bhavan,  
Jor Bagh Road, Aliganj,  
New Delhi - 110003

Email: [officemefcc@gmail.com](mailto:officemefcc@gmail.com)  
Ph.: 011-24695132, 011-264695136  
Fax: 011-24695329

8. **The Additional Principal Chief Conservator of Forest**  
**Regional Office,**  
**Ministry of Environment Forest (SZ)**

Kendriya Sadan, 4<sup>th</sup> Floor, E & F Wings,  
Bangalore - 560034.  
Karnataka

Ph.: 080-25537184, 080-25537180 & 080-25635901  
Email: [rosz.bng-mef@nic.in](mailto:rosz.bng-mef@nic.in)

9. **The Director**

**Directorate of Fisheries,**  
3<sup>rd</sup> Floor, Podium Block, V.V. Tower,  
Dr. B.R. Ambedkar Veedhi,  
Bangalore - 560001.

Email: [dfkarnataka@rediffmail.com](mailto:dfkarnataka@rediffmail.com)  
Ph.: 080-25537184, 080-25637180 & 080-25635901

10. **The Deputy Director,**  
**Department of Fisheries,**

2<sup>nd</sup> Floor, Bannanje,  
Udupi Old Zilla Panchayath Building  
Udupi - 576101  
Email. [ddfudupi@gmail.com](mailto:ddfudupi@gmail.com), [sradfudp@gmail.com](mailto:sradfudp@gmail.com)  
Ph.: 080-2530444, 9884044919  
Karnataka

11. **M/s. Yashaswini Fisheries,**  
Units - I & II,  
Represented by its Managing Parnter,  
B. Keshava Kundar,  
Situatd at survey No.71/3, 71/5, 72/3, 72/21B & 71/6,  
Balkudru Vilage,  
Hangarkatte, Udupi Taluk & District  
Karnataka - 576210  
Email: Not known  
Ph.: 9900957501
12. **Uma Devi W/o. B. Keshava Kundar**  
Pandeshwara Village,  
Sasthana Post,  
Udupi Taluka District, Karnataka - 576226  
Email: Not known  
Ph.: Not known
13. **The Panchayat Development Officer,**  
Erodi Grama Panchayath, Irodi Village,  
Brahmavara Taluk,  
Udupi District - 576226  
Ph.: 9480862569
14. **The President**  
**School Development Monitoring Committee (SDMC)**  
Government Higher Primary School  
Hangarakatte Post, Balkudru Village,  
Udupi Taluk & District,  
Karnataka - 576218  
Email: [hpsbalkudru@gmail.com](mailto:hpsbalkudru@gmail.com)  
Ph.: 9845441016

... Defendants

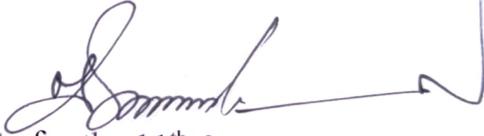
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Place: Chennai

Date: 22<sup>nd</sup> July 2022

  
Advocate for the 11<sup>th</sup> & 12 the Respondents

M V V RAMANA

Srinivassan J

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**

**SOUTH ZONE, AT CHENNAI.**

**Original Application No. 208 of 2021 (SZ)**

In the matter of

**Srikanth Madhyastha**

Udupi

Karnataka

... Applicant

Versus

**1. The District Collector,**

Udupi District.

Rajathadri,

Manipal, Udupi – 576104

Karnataka

Email : [deudu-rd-ka.nic.in](mailto:deudu-rd-ka.nic.in), [deo.udupi@gmail.com](mailto:deo.udupi@gmail.com)

Ph.: 9480242600, 0820-2574924

**2. The Member Secretary**

**State Level Environment Assessment**

**Authority Karnataka,**

7<sup>th</sup> Floor, 4<sup>th</sup> Gate, M.S. Building,

Bangalore – 560001.

Email : [memsecy@kspcb.gov.in](mailto:memsecy@kspcb.gov.in)

Ph.: 080-25589112, 080-25586321

**3. The Chairman**

**Karnataka State Pollution Control Board,**

Parisara Bhavan, 49, IV Floor,

Church Street,

Bangalore – 560001

Karnataka

Email: [chairman@kspcb.gov.in](mailto:chairman@kspcb.gov.in)

Ph.: 080-25581383

**4. The Environmental Officer,**

**Karnataka State Pollution Control Board,**

Parisa Bhavan Plot No.36C,

Shivally Industrial Area, Manipal,

Udupi – 576104

Karnataka

Email: [udupi@kspcb.gov.in](mailto:udupi@kspcb.gov.in)

Ph.: 0820-296016



5. **The Regional Director (Environment)**  
**Department of Environment and Ecology,**  
Government of Karnataka, 1<sup>st</sup> Floor,  
'C' Block, Rajathadri,  
District Administrative Center, Manipal,  
Udupi – 576104  
Karnataka  
Email : [udupi3crz@gmail.com](mailto:udupi3crz@gmail.com)  
Ph.: 0820-2574848
6. The Chairman  
**Karnataka State Coastal Zone,**  
**Management Authority,**  
4<sup>th</sup> Floor, M.S. Building,  
Bangalore – 560001  
Karnataka State  
Email: [mkszczma@gmail.com](mailto:mkszczma@gmail.com)  
Ph.: 0820-22353961, 0820-22032206
7. **The Secretary to Government Ministry of Environment**  
**Forest and Climate Change,**  
Indira Paryavaran Bhavan,  
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Fax: 011-24695329
8. **The Additional Principal Chief Conservator of Forest**  
**Regional Office,**  
**Ministry of Environment Forest (SZ)**  
Kendriya Sadan, 4<sup>th</sup> Floor, E & F Wings,  
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9. **The Director**  
**Directorate of Fisheries,**  
3<sup>rd</sup> Floor, Podium Block, V.V. Tower,  
Dr. B.R. Ambedkar Veedhi,  
Bangalore – 560001.  
Email : [dfkarnataka@rediffmail.com](mailto:dfkarnataka@rediffmail.com)  
Ph.: 080-25537184, 080-25637180 & 080-25635901
10. **The Deputy Director,**  
**Department of Fisheries,**  
2<sup>nd</sup> Floor, Bannanje,  
Udupi Old Zilla Panchayath Building  
Udupi – 576101  
Email.: [ddfudupi@gmail.com](mailto:ddfudupi@gmail.com), [sradfudp@gmail.com](mailto:sradfudp@gmail.com)



Ph.: 080-2530444, 9884044919  
Karnataka

3

11. **M/s. Yashaswini Fisheries,**

Units - I & II,  
Represented by its Managing Parnter,  
B. Keshava Kundar,  
Situatd at survey No.71/3, 71/5, 72/3, 72/21B & 71/6,  
Balkudru Vilage,  
Hangarkatte, Udupi Taluk & District  
Karnataka - 576210  
Email : Not known  
Ph.: 9900957501

12. **Uma Devi W/o. B. Keshava Kundar**

Pandeshwara Village,  
Sasthan Post,  
Udupi Taluka District, Karnataka - 576226  
Email : Not known  
Ph. : Not known

13. **The Panchayat Development Officer,**

Erodi Grama Panchayath, Irodi Village,  
Brahmavara Taluk,  
Udupi District - 576226  
Ph.: 9480862569

14. **The President**

**School Development Monitoring Committee (SDMC)**

Government Higher Primary School  
Hangarakatte Post, Balkudru Village,  
Udupi Taluk & District,  
Karnataka - 576218  
Email : [hpsbalkudru@gmail.com](mailto:hpsbalkudru@gmail.com)  
Ph.: 9845441016

... Defendants

**LIST OF DATES SUBMITTED BY THE 11<sup>TH</sup> & 12<sup>TH</sup>**

**RESPONDENTS**

The 11<sup>th</sup> and 12<sup>th</sup> Respondents respectfully submit the following details about the list of dates in chronological order for the perusal of this honourable tribunal which may be accepted in the interest of justice and equity



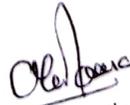
LIST OF DATES

4

| Sl.No. | Date                       | Particulars  |
|--------|----------------------------|--|
| 1.     | 9 <sup>th</sup> Dec.2004   | Consent obtained under the water (Prevention & control of Pollution) act 1974. Document No.1                       |
| 2.     | 12 <sup>th</sup> Jan.2007  | Consent obtained under the water (Prevention & control of Pollution) act 1974. Document No.2                       |
| 3.     | 29 <sup>th</sup> Nov. 2008 | Consent obtained under the water (Prevention & control of Pollution) act 1974. Document No.3                       |
| 4.     | 17/ 08/2009                | Consent extended from 1.07.2009 to 30.06.2010. Document No.4.  |
| 5.     | 21 <sup>st</sup> Dec.2011  | Consent extended up to 30.06.2012. Document No. 5  |
| 6.     | 27.06.2013                 | Consent extended up to 30 <sup>th</sup> June 2017. Document No. 6  |
| 7.     | 28.06.2018                 | Copy of the interim order passed by the honourable high court of Karnataka in W P No. 27462 of 2018. Document No.7 |
| 8.     | 13.08.2019                 | Consent validated up to 30.09.2022 Document No.8   |
| 9.     | 02.06.2022                 | Show cause notice issued by Karnataka Coastal Zone Management Authority, Bangalore. Document No.9                  |

Place: Chennai

Date: 22<sup>nd</sup> July 2022



Advocate for 11<sup>th</sup> & 12<sup>th</sup> Respt.

M V V RAMANA

## BRIEF FACTS OF THE CASE

The father of the 11<sup>th</sup> Respondent started in the year 2019, a small fish cutting Industry, in the same place where the present unit is located. The work was mostly done manually then.

That in the year 2004, this respondent after obtaining permission from the Pollution control Board, wherein, they allowed this Respondent authorizing to continue to make discharge of sewage and trade effluents, in to septic tank and soak pit in case of sewage effluents and to river after due treatment in case of trade effluent subject to the provisions of the Water ( Prevention & Control of Pollution) Act 1974, and on 21<sup>st</sup> Dec.2011, when the consent was extended, the cutting capacity was fixed at 30 T P D and the unit is operating within this limit.

The same was extended periodically and is valid up to 30/09/2022 and is currently valid. This respondent has been adhering to all the conditions stipulated in the Water ( Prevention & Control of Pollution ) act 1974, when the consent has been granted.

Place: Chennai

Date: 22<sup>nd</sup> July 2022



Advocate for the 11<sup>th</sup> & 12<sup>th</sup> Respts.

M V V RAMANA

Document no. 1

6

**KARNATAKA STATE POLLUTION CONTROL BOARD**  
**REGIONAL OFFICE, PLOT NO. 10-B, BAIKAMPADY INDUSTRIAL AREA**  
**MANGALORE-575011**

Ph: Mangalore 0824 -  
2406586, 2408239

Udupi 0820 - 2572862

170  
No: KSPCB/EO (MNG)/UDP/ABO-1/SR/2004-05/ 4398.

Date: 09/12/2004

(THIS DOCUMENT CONTAINS 04 PAGES INCLUDING ANNEXURE)  
FORM-XV

(Consent for existing discharge of sewage/ trade effluent under Sec.25/26 of the  
Water (Prevention & Control of Pollution) Act, 1974)

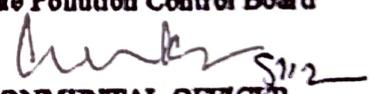
**CONSENT ORDER**

Consent is hereby granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter referred to as "THE ACT") and the Rules and Orders made there under to M/s, Yashaswini Fisheries Sy No: 71-6, 72-3 and 72-1B (Building no: 1-41) Balekudru- village, Udupi-tq and dist (hereinafter referred to as "THE APPLICANT") authorising it to continue to make discharge of Sewage and trade effluents from the above said premises into septic tank and soak pit in case of sewage effluents and to river after due treatment in case of trade effluent subject to the provisions of the Act and the Rules and Orders made there under & further subject to Terms and conditions Incorporated in the schedule annexed hereto

**THIS CONSENT SHALL BE VALID FOR THE PERIOD FROM**  
**01-07-2004 TO 30-06-2005**

DATED THIS 9<sup>th</sup> DAY OF December 2004

for and on behalf of the  
Karnataka State Pollution Control Board

  
ENVIRONMENTAL OFFICER

  
8/12

TO

The Occupier  
M/s, Yashaswini Fisheries  
Building no: 1-41, Balekudru- village  
Udupi-tq and dist

Copy to : 1. Government record file  
2. copy/cd

Received. By  
9/12/04

## SCHEDULE

7

To Accompany consent No: 172/SSP/3(C.O.(MNS)/UP/150-1/SR/2004-05/4398 D1

### TERMS & CONDITIONS

#### I. TREATMENT AND DISPOSAL OF INDUSTRIAL EFFLUENT:

1. The discharge from the premises of the applicant shall pass through terminal manholes/ where from the Board shall be free to collect samples at any time in accordance with the provisions of the Act or Rules made there under.
2. The daily quantity of the Industrial Effluent shall not exceed...5000.....litres/ day. Maximum rate being not more than           hour.
3. The discharge of Industrial Effluent shall not contain constituents in excess of the tolerance limits laid down in Annexure-1
4. The Applicant shall take immediate action to Install or modify the treatment plant for treating the Industrial Effluent to the satisfaction of the Board within 3 months .so as to conform to tolerance limits laid down in Annexure-1
5. The Applicant shall ensure that, there is no discharge of industrial Effluents either within the factory premises or outside, except to the river
6. The applicant shall not discharge the effluent into the open well

#### II. TREATMENT AND DISPOSAL OF DOMESTIC EFFLUENTS:

1. The discharge from the premises of the Applicant shall pass through terminal manhole/ manholes where from the Board shall be free to collect samples at any time in accordance with the provisions of the Act or Rules made there under.
2. The daily quantity of the Domestic effluent shall not exceed...500.....litres/day. Maximum rate being not more than           /day.
3. The Domestic sewage shall be treated in Septic Tank and Soak pit designed as per I.S.2470 Part-1 and Part-II and no overflow from Soak pit is allowed.
4. The applicant shall certify that, the Domestic sewage is treated by Septic Tank and disposed off in Soak pit and Septic tank and Soak pit are working satisfactorily and there is no overflow from the Soak pit.

#### III. GENERAL :

1. The Applicant shall at his own cost get the Industrial Effluent and Domestic sewage samples collected from the manhole chambers specified in conditions above and analyse the same every month for the parameters indicated and shall submit in duplicate to the Board within one week of the collection of sample.
2. The Applicant shall take immediate action to install mechanical composite sampling equipment and continuous flow measuring / recording devices on the Effluent drains of Industrial as well as Domestic Effluent within three months from the date of this consent order. These equipment shall be installed near the terminal manholes specified in the condition .The terminal manholes if not yet constructed shall be constructed within three months from the date of this Consent. A record of daily effluent discharge shall be maintained.
3. The Applicant shall not allow the discharge from other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the industrial and/ or Domestic Effluent on the up-stream of the terminal manholes where the flow measuring devices will be installed.

**KARNATAKA STATE POLLUTION CONTROL BOARD**  
REGIONAL OFFICE, PLOT NO. 36-C, SHIVALLY INDUSTRIAL AREA  
MANIPAL

No. 129/KSPCB/RO-UDP/DEO/2006-07/1244

Ph: 0820 - 2572862

Date: 12/1/07

(THIS DOCUMENT CONTAINS-02-PAGES INCLUDING ANNEXURE)  
FORM-XV

(Consent for existing discharge of sewage/ trade effluent under Sec.25/26 of the  
Water (Prevention & Control of Pollution) Act, 1974)

**CONSENT ORDER**

Consent is hereby granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter referred to as "THE ACT") and the Rules and Orders made there under to M/s, Yashaswini Fisheries Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru- village, Udupi-tq and dist (hereinafter referred to as "THE APPLICANT") authorising it to continue to make discharge of Sewage and trade effluents from the above said premises into septic tank and soak pit in case of sewage effluents and to river after due treatment in case of trade effluent subject to the provisions of the Act and the Rules and Orders made there under & further subject to Terms and conditions Incorporated in the Consent No:170/KSPCB/EO(MNG)/UDP/AEO-1/SR/2004-05/4398 Dt:09-12-2004

THIS CONSENT SHALL BE VALID FOR THE PERIOD FROM  
01-07-2005 TO 30 -06-2007

DATED THIS 12<sup>th</sup> DAY OF January 2007

For and on behalf of the  
Karnataka State Pollution Control Board

*(Signature)*  
Deputy Environmental Officer

TO  
The Occupier  
M/s, Yashaswini Fisheries  
Building no: 1-41, Balekudru- village  
Udupi-tq and dist

Copy to: 1. Permanent record file  
2. Case file

ADDITIONAL CONDITIONS

1. The applicant shall make an application for consent along with prescribed fee at least 120 days before the expiry of this Consent Order.
2. The Board reserves the right to review, impose additional condition or conditions, revoke or alter the terms & conditions of this consent order.
3. The Consent for discharge of sewage and or trade effluent from the factory shall not be construed as Boards' permission to continue to discharge the sewage and/or trade effluent from the factory into the place (as mentioned in this consent order) which pollutes the water thereby endangering the life and property of the persons using the water before during or after the period indicated in the terms and conditions of this consent order.
4. The applicant shall dispose solid waste in scientific manner.
5. The treated trade effluent shall be confirmed to the standards laid down in annexure-1 of previous consent order.
6. The applicant shall analyse the treated effluent every 30 days for the parameters indicated and shall furnish the analysis report regularly to this office
7. Applicant shall take all necessary steps to control the smell nuisance
8. The applicant shall submit the Environmental Statement every year at the end of September
9. This consent is granted based on the recommendations of consent committee meeting held on 06-01-2007
10. This consent is granted for the fish cutting of capacity 30 TPD
11. Applicant shall provide effluent treatment plant to treat trade effluent from the unit as per the proposal furnished to the Board within one month otherwise the consent will be withdrawn and action will be initiated as per the Act.
12. Industry shall adopt all necessary measures to avoid any complaints against the unit regarding any kind of pollution. If any complaint received from the public and on the verification if it is found true the applicant shall stop operation of the plant or to shift the unit to suitable location.

  
 Deputy Environmental Officer

DECLASSIFIED NO. 3

10

**KARNATAKA STATE POLLUTION CONTROL BOARD**  
REGIONAL OFFICE, PLOT NO. 36-C, SHIVALLY INDUSTRIAL AREA  
MANIPAL - UDUPI

Ph: 0820 - 2572862

\*\*\*\*\*

//BY REGD.POST WITH ACK.DUE//  
(This document contains...3...pages including annexure)

Combined Consent order no.....250/KSPCB/RO-UDUPI/EO/2008-09/281 Dated: 29.11.08

Consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974.

Ref: Your application received: 7.11.08

--0--

Consent is hereby granted under section 25 of Water (Prevention and Control of Pollution) Act 1974 (herein after referred as the Water Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the schedule annexed to this order.

Consent is granted to Sri B.Keshav Kunder, M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru- village, Udupi-tq and dist. authorizing him to operate their industrial plant and to make discharge of effluents and emissions from the premises as detailed below:

M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru-village, Udupi-tq and dist

Discharge of effluents under the Water Act:

| Sl.no | Description       | Permitted Quantity of discharge | Limits specified refer schedule | Place of discharge     |
|-------|-------------------|---------------------------------|---------------------------------|------------------------|
| 1     | Trade effluent    | 5000 LPD                        | Refer Annexure-1                | Into river             |
| 2     | Domestic effluent | 450                             | -                               | Septic tank & soak pit |

**This consent is valid for the fish cutting of capacity 30TPD only**

**The Consent is granted for the period from 1.07.2007 to 30.06.2009**

For and on behalf of the KSPCB

Designated Officer

To,  
The Occupier  
M/s. Yashaswini fisheries  
Balekudru- village  
Udupi-tq and dist

Copy to: 1. Master Register  
2. Case file

For Office use: Industry Code : R-95

1. Size: L/M/S : Small  
2. Category: R/O/G : Red  
3. Consent Fees paid : Rs.2000/-  
4. Receipt No.& Date : No:228585 dt:10.11.08

**SCHEDULE  
TERMS AND CONDITIONS**

(to accompany consent no. 250/1987/PCB/Ro-UDP/EO/2008-09/887/29.4.08)

**A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.**

1. The discharge from the premises of the applicant shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act or Rules made there under.
2. The daily quantity of effluent discharge shall not exceed the limits and shall not contain the constituents in excess of the tolerance limits laid down as indicated in the table below. The applicant shall monitor the quality of effluents for the parameters stipulated as per the frequency indicated.

| Sl. no. | Description of the effluents | Daily quantity of discharge in KL | Tolerance Limits | Frequency of monitoring |
|---------|------------------------------|-----------------------------------|------------------|-------------------------|
| 1       | 2                            | 3                                 | 4                | 5                       |
| 1       | Industrial effluents         | 5                                 | Refer Annexure-1 | Yearly                  |
| 2       | Domestic effluents           | .45                               | -                | -                       |

3. The applicant shall operate the effluent treatment systems as approved by the Board and maintain the same continuously so as to achieve the treated effluent quality as mentioned above.
4. The applicant shall discharge the effluents only to the place mentioned in the Consent order.

**B. GENERAL CONDITIONS**

1. The applicant shall provide water meters for every source of water and shall submit the cess returns regularly as required under Water Cess Act before 5<sup>th</sup> of every month in the prescribed form.
2. The applicant shall provide flow measuring devices at both inlet and outlet of ETP and maintain logbooks for verification of inspecting officers.
3. The applicant shall not allow the discharge from the other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.
4. The applicant shall display flow diagram of the pollution control system at the site.
5. The ETP site and the entire premises shall be always kept clean. The ETP site, inspection chambers, outlets, flow measuring points should made easily approachable.
6. The applicant shall not change or alter quality or quantity or the rate of discharge or temperature or the route of discharge with out the previous consent of the Board.
7. The applicant shall promptly comply with all orders and instructions issued from time to time by the Board or any other officers of the Board duly authorized in this behalf.
8. The applicant shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.
9. The applicant shall provide alternate power supply sufficient to operate all Pollution control equipments utilized by the applicant to maintain compliance with the terms and conditions of this consent.
10. The applicant is heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the period of consent.
11. The applicant shall forth with keep the Board informed of any accident of unforeseen act or event of any poisonous, noxious or polluting matter or emissions are being discharged into stream or well or air as a result of such discharge, water or air is being polluted.
12. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
13. The applicant shall make an application for consent at least 120 days before expiry of this consent.

**5. Solid Waste Management:**

- (a) The solid waste generated in the industry shall be handled and disposed off scientifically.

**6. Noise Pollution Control:**

- (a) The applicant shall take steps to control noise levels so as to maintain ambient air quality standard in respect of noise as laid down under the Air Act 1981.

For and on behalf of the KSPCB

*[Signature]*  
Designated Officer

## ANNEXURE-I

12

## MARINE COSTAL AREAS

| SL NO. | Parameters   | Tolerance           |
|--------|--|---------------------|
| 1.     | Colour and odour   | See Note 1          |
| 2.     | Suspended Solids mg/l. Max   | For process w/w 100 |
| 3.     | P <sup>H</sup> value   | 5.5 to 9.0          |
| 4.     | Total Kjeldtial nitrogen (as NH <sub>3</sub> ) mg/l. Max           | 100                 |
| 5.     | Free ammonia (as NH <sub>3</sub> ) mg/l. Max                       | 5.0                 |
| 6.     | Biochemical oxygen demand (5 Days at 20 <sup>o</sup> C) mg/l. Max  | 100                 |
| 7.     | Chemical Oxygen demand. Mg/l. Max                                  | 250                 |
| 8.     | Arsenic (as As), mg/l. Max   | 0.2                 |
| 9.     | Lead (as Pb) mg/l. Max   | 1.0                 |
| 10.    | Cadmium ( as Cd) mg/l. Max   | 2.0                 |
| 11.    | Hexavalent Chromium (as Cr <sup>+6</sup> ) mg/l. Max               | 1.0                 |
| 12.    | Total Chromium (as Cr) mg/l. Max                                   | 2.0                 |
| 13.    | Copper (as Cu) mg/l. Max   | 3.0                 |
| 14.    | Zinc (as Zn) mg/l. Max   | 15                  |
| 15.    | Mercury (as Hg) mg/l. Max  | 0.01                |
| 16.    | Selenium (as Sc.) 0.05 mg/l. Max                                   | 0.05                |
| 17.    | Nickel (as Ni) mg/l. Max   | 5.0                 |
| 18.    | Cyanide (as CN) mg/l. Max  | 0.2                 |
| 19.    | Fluoride (as F) mg/l. Max  | 15                  |
| 20.    | Sulphide (as S) mg/l. Max  | 5.0                 |
| 21.    | Phenolic Compounds (as C <sub>6</sub> H <sub>5</sub> OH) mg/l. Max | 5.0                 |
| 22.    | Dissolved Solids (Inorganic): mg/l. Max                            | -                   |
| 23.    | Total residual chlorine, mg/l, max                                 | 100                 |
| 24.    | Amm. Nitrogen ( asN), mg/l, max                                    | 50                  |
| 25.    | Sulphate (as So <sub>4</sub> ) mg/l. Max                           | -                   |
| 26.    | Chloride ( as Cl ) , mg/l, Max                                     | -                   |
| 27.    | Oil & grease, mg/l, max  | 20                  |

  
Environmental Officer

Document no. 4

**KARNATAKA STATE POLLUTION CONTROL BOARD**  
REGIONAL OFFICE, PLOT NO. 36-C, SHIVALLY INDUSTRIAL AREA  
MANIPAL - UDUPI

13

Ph: 0820 - 2572862

\*\*\*\*\*

//BY REGD.POST WITH ACK.DUE//  
(This document contains...3...pages including annexure)

Combined Consent order no. 173/KSPCB/RO-UDUPI/EO/2009-10/135 Dated: 17/8/09

Consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974.

- Ref: 1. Your application received on 10.7.09
- 2. Consent committee meeting held on 7.8.09

—o—

Consent is hereby granted under section 25 of Water (Prevention and Control of Pollution) Act 1974 (herein after referred as the Water Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the schedule annexed to this order.

Consent is granted to Sri B.Keshav Kunder, M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru- village, Udupi-tq and dist. authorizing him to operate their industrial plant and to make discharge of effluents and emissions from the premises as detailed below:

M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru-village, Udupi-tq and dist

Discharge of effluents under the Water Act:

| Sl.no | Description       | Permitted Quantity of discharge | Limits specified refer schedule | Place of discharge     |
|-------|-------------------|---------------------------------|---------------------------------|------------------------|
| 1     | Trade effluent    | 5000 LPD                        | Refer Annexure-1                | Into river             |
| 2     | Domestic effluent | 450                             | -                               | Septic tank & soak pit |

This consent is valid for the fish cutting of capacity 30TPD only

The Consent is granted for the period from 1.07.2009 to 30.06.2010

For and on behalf of the KSPCB

*KCL*  
Designated Officer

To,  
The Occupier  
M/s. Yashaswini fisheries  
Balekudru- village  
Udupi-tq and dist

- Copy to: 1. Master Register
- 2. Case file

|                                      |                        |
|--------------------------------------|------------------------|
| For Office use: Industry Code : R-95 |                        |
| 1. Size: L/M/S                       | : Small                |
| 2. Category: R/O/G                   | : Red                  |
| 3. Consent Fees paid                 | : Rs.2000/-            |
| 4. Receipt No.& Date                 | : No:237046 dt:10.7.09 |

7

**SCHEDULE  
TERMS AND CONDITIONS**

(to accompany consent no. 1731/KSPCB/RO-UDCL/EO.2009-10.1.635...)

14

**A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.**

1. The discharge from the premises of the applicant shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act or Rules made there under.
2. The daily quantity of effluent discharge shall not exceed the limits and shall not contain the constituents in excess of the tolerance limits laid down as indicated in the table below. The applicant shall monitor the quality of effluents for the parameters stipulated as per the frequency indicated.

| Sl. no. | Description of the effluents | Daily quantity of discharge in KL | Tolerance Limits | Frequency of monitoring |
|---------|------------------------------|-----------------------------------|------------------|-------------------------|
| 1       | 2                            | 3                                 | 4                | 5                       |
| 1       | Industrial effluents         | 5                                 | Refer Annexure-1 | Yearly                  |
| 2       | Domestic effluents           | .45                               | -                | -                       |

3. The applicant shall operate the effluent treatment systems as approved by the Board and maintain the same continuously so as to achieve the treated effluent quality as mentioned above.
4. The applicant shall discharge the effluents only to the place mentioned in the Consent order.
5. The domestic wastewater shall be treated in septic tank and soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be designed as per IS 2470 Part-I and Part-II

**B. GENERAL CONDITIONS**

1. The applicant shall provide water meters for every source of water and shall submit the cess returns regularly as required under Water Cess Act before 5<sup>th</sup> of every month in the prescribed form.
2. The applicant shall provide flow measuring devices at both inlet and outlet of ETP and maintain logbooks for verification of inspecting officers.
3. The applicant shall not allow the discharge from the other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.
4. The applicant shall display flow diagram of the pollution control system at the site.
5. The ETP site and the entire premises shall be always kept clean. The ETP site, inspection chambers, outlets, flow measuring points should made easily approachable.
6. The applicant shall not change or alter quality or quantity or the rate of discharge or temperature or the route of discharge with out the previous consent of the Board.
7. The applicant shall promptly comply with all orders and instructions issued from time to time by the Board or any other officers of the Board duly authorized in this behalf.
8. The applicant shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.
9. The applicant shall provide alternate power supply sufficient to operate all Pollution control equipments utilized by the applicant to maintain compliance with the terms and conditions of this consent.
10. The applicant is heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the period of consent.
11. The applicant shall forth with keep the Board informed of any accident of unforeseen act or event of any poisonous, noxious or polluting matter or emissions are being discharged into stream or well or air as a result of such discharge, water or air is being polluted.
12. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
13. The applicant shall make an application for consent at least 120 days before expiry of this consent.
14. **Solid Waste Management:**
  - (a) The solid waste generated in the industry shall be handled and disposed off scientifically.
15. **Noise Pollution Control:**
  - (a) The applicant shall take steps to control noise levels so as to maintain ambient air quality standard in respect of noise as laid down under the Air Act 1981.

For and on behalf of the KSPCB

Design:  Date: \_\_\_\_\_

## ANNEXURE-I

## MARINE COSTAL AREAS

15

| SL NO. | Parameters  | Tolerance           |
|--------|---|---------------------|
| 1.     | Colour and odour  | See Note 1          |
| 2.     | Suspended Solids mg/lit. Max .  | For process w/w 100 |
| 3.     | P <sup>H</sup> value .  | 5.5 to 9.0          |
| 4.     | Total Kjeldtial nitrogen (as NH <sub>3</sub> ) mg/lit. Max .          | 100                 |
| 5.     | Free ammonia (as NH <sub>3</sub> ) mg/lit. Max .                      | 5.0                 |
| 6.     | Biochemical oxygen demand (5 Days at 20 <sup>0</sup> C) mg/lit. Max . | 100                 |
| 7.     | Chemical Oxygen demand. Mg/lit.Max .                                  | 250                 |
| 8.     | Arsenic (as As), mg/lit. Max .  | 0.2                 |
| 9.     | Lead (as Pb) mg/lit.Max .   | 1.0                 |
| 10.    | Cadmium ( as Cd) mg/lit. Max .  | 2.0                 |
| 11.    | Hexavalent Chromium (as Cr <sup>+6</sup> ) mg/lit.Max .               | 1.0                 |
| 12.    | Total Chromium (as Cr) mg/lit.Max .                                   | 2.0                 |
| 13.    | Copper (as Cu) mg/lit.Max .   | 3.0                 |
| 14.    | Zinc (as Zn) mg/lit. Max .  | 15                  |
| 15.    | Mercury (as Hg) mg/lit.Max .  | 0.01                |
| 16.    | Selenium (as Sc.) 0.05 mg/lit. Max .                                  | 0.05                |
| 17.    | Nickel (as Ni) mg/lit. Max .  | 5.0                 |
| 18.    | Cyanide (as CN) mg/lit.Max .  | 0.2                 |
| 19.    | Fluoride (as F) mg/lit.Max .  | 15                  |
| 20.    | Sulphide (as S) mg/lit.Max .  | 5.0                 |
| 21.    | Phenolic Compounds (as C <sub>6</sub> H <sub>5</sub> OH)mg/lit.Max.   | 5.0                 |
| 22.    | Dissolved Solids (Inorganic): mg/lit.Max.                             | -                   |
| 23.    | Total residual chlorine, mg/l,max .                                   | 100                 |
| 24.    | Amm. Nitrogen ( asN),mg/l,max .                                       | 50                  |
| 25.    | Sulphate (as So <sub>4</sub> ) mg/lit.Max .                           | -                   |
| 26.    | Chloride ( as Cl ) , mg/l,Max .                                       | -                   |
| 27.    | Oil & grease, mg/l, max .   | 20                  |

*lll*  
Environmental Officer

Karnataka State Pollution Control Board

Regional Office  
'Parisara Bhavana'

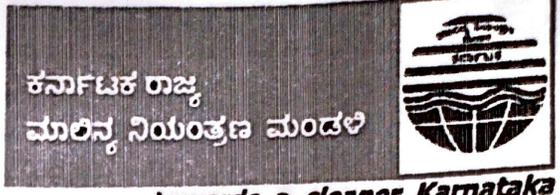
Plot No : 36-C, Shivalli Ind. Area,  
Manipal, Udupi - 576 104

Phone : 0820 - 2572862

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ

'ಪರಿಸರ ಭವನ'  
ಸಂಖ್ಯೆ : ೩೬ - ಸಿ, ಶಿವಾಲಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ  
ಮಣಿಪಾಲ, ಉಡುಪಿ - 576 104

ದೂರವಾಣಿ : 0820 - 2572862



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16

Combined Consent order no. 131.. PCB/RO-UDU/DEO/2011-12/ 1208 Dated: 21 DEC 2011

Consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974.

- Ref: 1. Your application received on 11.11.11  
2. Proceedings of Consent committee meeting held on 26.11.11

---o---

Consent is hereby granted under section 25 of Water (Prevention and Control of Pollution) Act 1974 (herein after referred as the Water Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the schedule annexed to this order.

Consent is granted to Sri B.Keshav Kunder, M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru- village, Udupi-tq and dist. authorizing him to operate their industrial plant and to make discharge of effluents and emissions from the premises as detailed below:

M/s. Yashaswini fisheries, Sy No: 71-6, 72-3 and 72-1B( Building no: 1-41) Balekudru- village, Udupi-tq and dist

Discharge of effluents under the Water Act:

| Sl.no | Description       | Permitted Quantity of discharge | Limits specified of schedule | refer | Place of discharge             |
|-------|-------------------|---------------------------------|------------------------------|-------|--------------------------------|
| 1     | Trade effluent    | 5000 LPD                        | Refer Annexure-1             |       | Into river after due treatment |
| 2     | Domestic effluent | 450LPD                          | -                            |       | Septic tank & soak pit         |

This consent is valid for the fish cutting of capacity 30TPD only

The Consent is granted for the period for a period up to 30.06.2012

For and on behalf of the KSPCB

Sd/-

Designated Officer  
Regional Office Udupi

To,  
The Occupier  
M/s. Yashaswini fisheries  
Balekudru- village  
Udupi-tq and dist

For Office use: Industry Code : R-95

- |                      |                         |
|----------------------|-------------------------|
| 1. Size: L/M/S       | : Small                 |
| 2. Category: R/O/G   | : Red                   |
| 3. Consent Fees paid | : Rs.6000/-             |
| 4. Receipt No.& Date | : No:328125 dt:11.11.11 |

Copy to: 1. Master Register  
2. Case file

R. S. P. 23-12  
Designated Officer  
Regional Office Udupi

U D U P I

185

17

**SCHEDULE  
TERMS AND CONDITIONS**

Dated:

Combined Consent order no..... PCB/RO-UDU/DEO/2011-12/

**A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.**

1. The discharge from the premises of the applicant shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act or Rules made there under.
2. The daily quantity of effluent discharge shall not exceed the limits and shall not contain the constituents in excess of the tolerance limits laid down as indicated in the table below. The applicant shall monitor the quality of effluents for the parameters stipulated as per the frequency indicated.

| Sl. no. | Description of the effluents | Daily quantity of discharge in KLD | Tolerance Limits | Frequency of monitoring |
|---------|------------------------------|------------------------------------|------------------|-------------------------|
| 1       | 2                            | 3                                  | 4                | 5                       |
| 1       | Industrial effluents         | 5                                  | Refer Annexure-1 | Yearly                  |
| 2       | Domestic effluents           | 0.45                               | -                | -                       |

3. The applicant shall operate the effluent treatment systems as approved by the Board and maintain the same continuously so as to achieve the treated effluent quality as mentioned above.
4. The applicant shall discharge the effluents only to the place mentioned in the Consent order.
5. The domestic wastewater shall be treated in septic tank and soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be designed as per IS 2470 Part-I and Part-II

**B. GENERAL CONDITIONS**

1. The applicant shall provide water meters for every source of water and shall submit the cess returns regularly as required under Water Cess Act before 5<sup>th</sup> of every month in the prescribed form.
2. The applicant shall provide flow measuring devices at both inlet and outlet of ETP and maintain logbooks for verification of inspecting officers.
3. The applicant shall not allow the discharge from the other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.
4. The applicant shall display flow diagram of the pollution control system at the site.
5. The ETP site and the entire premises shall be always kept clean. The ETP site, inspection chambers, outlets, flow measuring points should made easily approachable.
6. The applicant shall not change or alter quality or quantity or the rate of discharge or temperature or the route of discharge with out the previous consent of the Board.
7. The applicant shall promptly comply with all orders and instructions issued from time to time by the Board or any other officers of the Board duly authorized in this behalf.
8. The applicant shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.

*R. S. Purosh*  
Designated Officer

9. The applicant shall provide alternate power supply sufficient to operate all Pollution control equipments utilized by the applicant to maintain compliance with the terms and conditions of this consent.
10. The applicant is heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the period of consent.
11. The applicant shall forth with keep the Board informed of any accident of unforeseen act or event of any poisonous, noxious or polluting matter or emissions are being discharged into stream or well or air as a result of such discharge, water or air is being polluted.
12. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
13. The applicant shall make an application for consent at least 120 days before expiry of this consent.
14. **Solid Waste Management:**
  - (a) The solid waste generated in the industry shall be handled and disposed off scientifically.
15. **Noise Pollution Control:**
  - (a) The applicant shall take steps to control noise levels so as to maintain ambient air quality standard in respect of noise as laid down under the Air Act 1981.

For and on behalf of the KSPCB,

*R B Purnesh*

Designated Officer  
Regional Office Udupi

**ANNEXURE - 1**  
**MARINE COSTAL AREAS**

| SL. NO | Parameters                                     | Tolerance  |
|--------|--|--|
| 1      | pH value                                       | 5.5 to 9   |
| 2      | Temperature                                    | Shall not exceed 5 C above the receiving water temperature |
| 3      | Suspended solid                                | 100  |
| 4      | Total Residual Chlorine                        | 1.0  |
| 5      | Ammonical Nitrogen                             | 50   |
| 6      | Total Kjeldahl Nitrogen                        | 100  |
| 7      | Free Ammonia (NH <sub>3</sub> )                | 5.0  |
| 8      | Biochemical Oxygen Demand BOD (3 days at 27 C) | 100  |
| 9      | Chemical Oxygen Demand                         | 250  |
| 10     | Nitrate  | 100mg  |
| 11     | Iron   | 3mg  |
| 12     | Hexavalent Chromium (as Cr)                    | 2.0  |
| 13     | Fluoride (as F)                                | 2.0  |
| 14     | Dissolved Phosphate (as P)                     | 5.0  |
| 15     | Sulphide (as S)                                | 2.0  |

Note: All efforts shall be made to remove the colour and odour from the treated effluent before discharge

*R. R. P. P.*  
Environmental Officer  
Regional Office Udupi

Karnataka State Pollution Control Board  
Regional Office.

'Parisara Bhavana'

Plot No : 36-C, Shivalli Ind.Area,

Manipal,Udupi - 576104

Phone : 0820 - 2572862

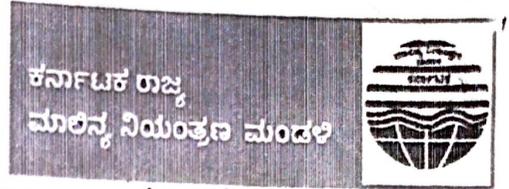
ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ

'ಪರಿಸರ ಭವನ'

ಸಂಖ್ಯೆ: ೩೬ - ಸಿ, ಶಿವಳ್ಳಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ

ಮಣಿಪಾಲ,ಉಡುಪಿ - 576104

ದೂರವಾಣಿ : 0820 - 2572892



towards a cleaner Karnataka

//BY REGD.POST WITH ACK.DUE//

UIN: 2803033961

NO. 16

PCB/RO-UDU/EO/SR/REG.NO:47855 /2013-14/ ೨೮೪

DATE: ೨೭-೦೬-೧೩

Consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974.

- Ref: 1. Previous Consent Order No.131/PCB/RO-UDU/EO/2011-12/1208 dated: 21.12.2011.  
2. Factory Consent application received on: 27.03.2013.  
3. Proceedings of Consent committee meeting held on: 27.05.2013.

\*\*\*\*

The validity of Consent is hereby extended under section 25/26 of Water (Prevention and Control of Pollution) Act 1974 and the Rules and Orders made there under and subject to the terms and conditions as detailed in the schedule annexed to the previous consent order cited under Ref (1) shall be binding

The validity of Consent is hereby extended to the Occupier of M/s Yashaswi Fisheries, authorizing him/her/it to operate their industrial plant and to make discharge of effluents and emissions from the premises as detailed below:

M/s Yashaswi Fisheries, Balekudru-Village, Hungarkatta, Udupi Tq & Dist.

The validity of Consent is extended on receipt of consent fee of Rs: 9,000/- under Water Act against capital investment of Rs: 44.5 Lakhs.

The consent is valid for the manufacture of:

| Si. No | Products & By-products       | Maximum Capacity |
|--------|------------------------------|------------------|
| 1      | Fish Processing With Peeling | 30 TPD           |

The validity of Consent is extended up to 30<sup>th</sup> June 2017 and the Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of consent.

FOR AND ON BEHALF OF THE  
KARNATAKÁ STATE POLLUTION CONTROL BOARD

Sd/-

ENVIRONMENTAL OFFICER  
UDUPI

To  
M/s Yashaswi Fisheries,  
Balekudru-Village,  
Hungarkatta,  
Udupi Tq & Dist.

Copy To: 1. Master File  
2. Case File

ENVIRONMENTAL OFFICER  
UDUPI



FORM III - A  
IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WRIT PETITION NO 27462 / 2018 (GM-RES)

[Notice under Rule 13(a) proviso]

SMT UMADEVI W/O B KESHAVA KUNDAR  
RESIDENT OF BLAKUDRU, PANDESHWARA VILLAGE,  
POST SASTHANA, UDUPI TALUK-576101

1/1920/18  
S. Vishwajith Shetty

By Sri VISHWAJITH SHETTY S  
Vs

Respondents

- 1 UNION OF INDIA  
REPRESENTED BY ITS SECRETARY TO THE  
MINISTRY OF FOREST ECOLOGY & ENVIRONMENT  
NEW DELHI-110001
- 2 THE KARNATAKA STATE COSTAL ZONE MANAGEMENT AUTHORITY  
(KSCZMA) HAVING ITS OFFICE AT M.S. BUILDING,  
DR.AMBEDKAR VEEDHI, BENGALURU-01  
REPRESENTED BY ITS MEMBER SECRETARY-560001
- 3 REGIONAL DIRECTOR (ENVIRONMENT)  
1ST FLOOR C BLOCK, RAJATADRI MANIPAL  
UDUPI DISTRICT-576101
- 4 STATE OF KARNATAKA  
REPRESENTED BY ITS SECRETARY TO  
DEPARTMENT OF ENVIRONMENT FOREST  
& WILDLIFE M.S. BUILDING, DR AMBEDKAR VEEDHI,  
BENGALURU-560001

Whereas, a Writ Petition filed by the above named petitioner under Article 226 & 227 of the Constitution of India, as in the copy annexed hereunto, has been registered by this court.

Notice is hereby given to you to appear in this court in person or through an Advocate duly instructed or through some one authorised by law to act for you in this case, at 10.30 AM in the forenoon within 10 days of the service of this notice to show cause why rule nisi should not be issued.

If you fail so to appear on the said date or any subsequent date to which the matter may be posted as directed by the court, without any further notice, the petition will be dealt with, heard and decided on merits in your absence.

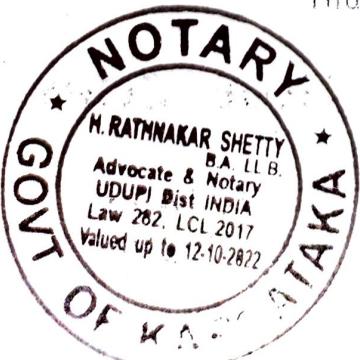
INTERIM ORDER

Pending issue of Rule nisi in the aforesaid Writ Petition it is hereby ordered by this Court on

Thursday THE 28TH DAY OF June 2018

TRUE COPY

NOTARY  
UDUPI



By Hon ble Mr. Justice ARAVIND KUMAR  
as follows:-

Issue notice to respondent Nos.1 to 3.

✓ Learned Government Advocate accepts notice for respondent No.4.

Interim stay as prayed for.

Sd/-  
JUDGE.

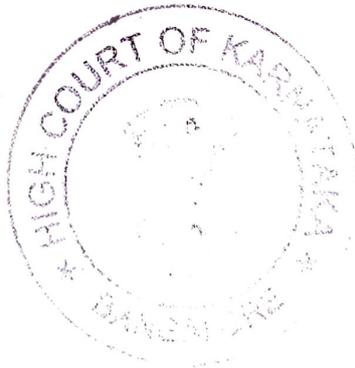
COPY

*M.V. Susheela*  
(M.V. SUSHEELA)  
ASSISTANT REGISTRAR  
*M.V. Susheela*

Note:- As an interim relief, it is prayed to stay the operation and implementation of directions Annexure 'A' issued by the 2nd respondent under section 5 of the Environment (Protection) Act 1986 dated 12/06/2018 bearing No.FEE 186 CRZ 2017.

*M.V. Susheela*  
Assistant Registrar  
*M.V. Susheela*

bk-2718.7



'TRUE COPY'  
*[Signature]*  
Section Officer  
High Court of Karnataka  
Bengaluru - 560 001

The date on which the application was made..... 29.6.18

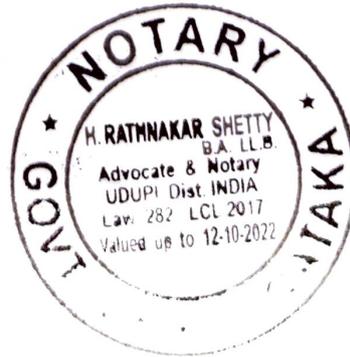
The date on which charges and addl. charges, if any, are called for.....

The date on which the charges and addl. charges, if any, are paid.....

The date on which the charges and addl. charges, if any, are paid..... 27.7.18

The date on which the charges and addl. charges, if any, are paid..... 27.7.18

The date on which the charges and addl. charges, if any, are paid.....



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*[Signature]*  
NOTARY  
UDUPI



## Consent For Operation (CFO-Air,Water)

Karnataka State Pollution Control Board

Zonal Office : Mangalore,

Plot No.10B, Parisara Bhavana, Baikampady Industrial

Area, Mangalore-575011

Tele : 0824-2408420

Industry Colour:  
ORANGE

Industry Scale: SMALL

(This document contains 8 pages including annexure &amp; excluding additional conditions)

Combined Consent Order No: W-314247

PCB ID:

17390

Date:

13/08/2019

### Combined consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act , 1974 and emission under Air (Prevention and Control of Pollution) Act , 1981

Ref: 1. Application filed by the industry / organization on 15/07/2019

2. Inspection of the Industry/organization/by RO, on 20/07/2019

Consent is hereby granted under Section 25(4) of the Water (Prevention & Control of Pollution) Act, 1974 ( here in referred to as the Water Act) & Section 21 of Air (Prevention & Control of Pollution) Act, 1981, ( here in referred to as the Air Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the Schedule Annexed to this order.

The Occupier is authorized to operate /carryout industry/activity & to make discharge of the effluents & emissions confirming to the stipulated standards from the premises mentioned below:

#### Location:

Name of the Industry: Yashaswini Fisheries

Address: Balekudru Village,, Hangarkatte

Industrial Area: Not In I.A,

Balekudru,

Taluk: Udupi,

District: Udupi

#### Discharge of effluents under the Water Act:

| Sr | Water Code              | WC(KLD) | WWG(KLD) | Remark                                       |
|----|-------------------------|---------|----------|--|
| 1  | Domestic Purpose        | 2.000   | 1.600    | Septic Tank & Soak Pit                       |
| 2  | Manufacturing Processes | 5.000   | 5.000    | To be used for gardening after due treatment |

#### Discharge of Air emissions under the Air Act from the following stacks etc.

Sl. No. Description of chimney/outlet Limits specified refer schedule

The details of Sources, control equipments and its specification, type of fuel, rate of emissions, constituents to be controlled in emissions etc. are detailed in Annexure-I.

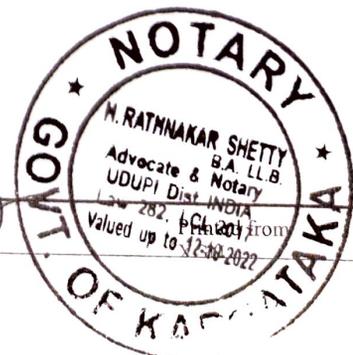
The consent for operation is granted considering the following activities/Products;

| Sr | Product Name | Applied Qty/Month | Unit |
|----|--------------|-------------------|------|
| 1  | fish cutting | 750.0000          | TON  |

This consent is valid for the period from 20/07/2019 to 30/09/2022

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## Consent For Operation (CFO-Air,Water)

Karnataka State Pollution Control Board  
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To,  
Yashaswini Fisheries  
Udupi

### NOTE:

The following Conditions A( 2b, 2c & 3c) mentioned above are not applicable.

### Additional Conditions:

1. The applicant shall treat the trade effluent to the standard stipulated in Annexure-I.
2. The applicant shall take suitable measures to control foal Smell nuisance from the industrial activities.

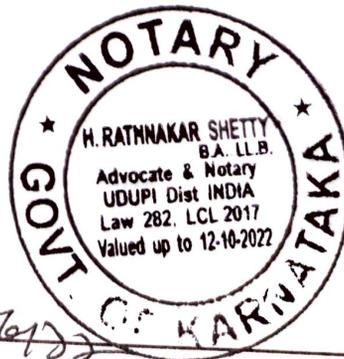
### COPY TO:

1. The Regional Officer, Udupi for information and necessary action.
2. Master Register.
3. Case file.

Consent Fee paid : Rs. 100

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**Consent For Operation  
(CFO-Air,Water)**

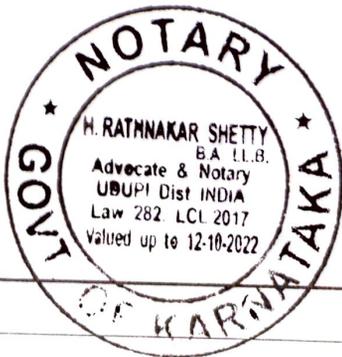
Karnataka State Pollution Control Board  
Zonal Office : Mangalore,  
Plot No.10B, Parisara Bhavana, Baikampady Industrial  
Area,Mangalore-575011  
Tele : 0824-2408420

Industry Colour: ORANGE      Industry Scale: SMALL

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### Consent For Operation (CFO-Air, Water)

Karnataka State Pollution Control Board  
Zonal Office : Mangalore,  
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#### SCHEDULE

#### TERMS AND CONDITIONS

##### A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.

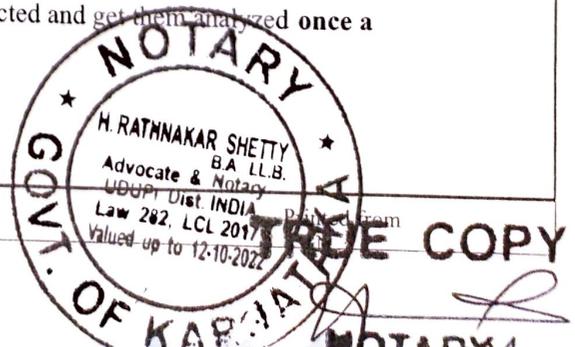
1. The discharge from the premises of the occupier shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act/Rules made there under.
- 2(a). The sewage/domestic effluent shall be treated in septic tank and with soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be as per IS 2470 Part-I & Part-II.
- 2(b). The treated sewage effluent discharged shall conform to the standards specified in Annexure-I.
- 3(a). The trade effluent generated in the industry shall be treated in the ETP and treated effluent shall confirm to the standards stipulated by the Board in Annexure-1
- 3(b). The trade effluent shall be handed over to CETP and maintain logbook of effluent generated & sent every day.
4. The occupier shall install flow measuring/recording devices to record the discharge quantity and maintain the record.
5. The occupier shall not change or alter either the quality or the quantity or the place of discharge or temperature or the point of discharge without the previous consent/ permission of the Board.
6. The Occupier shall not allow the discharge from the other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.

##### **B. EMISSIONS:**

1. The discharge of emissions from the premises of the applicant shall pass through the air pollution control equipment and discharged through stacks/chimneys mentioned in **Annexure-II** where from the Board shall be free to collect the samples at any time in accordance with the provisions of the Act and Rules made there under.
2. The occupier shall provide port holes for sampling of emission, access platforms for carrying out stack sampling, electrical points and all other necessary arrangements including ladder as indicated in Annexure-II.
3. The Occupier shall upgrade/modify/replace the control equipment with prior permission of the Board.

##### **C. MONITORING & REPORTING:**

1. The occupier shall get the samples of effluents & emissions collected and get them analyzed **once a month/ Indicated in Annexure** for the parameters.





**Consent For Operation  
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**D. SOLID WASTE (OTHER THAN HAZARDOUS WASTE) DISPOSAL:**

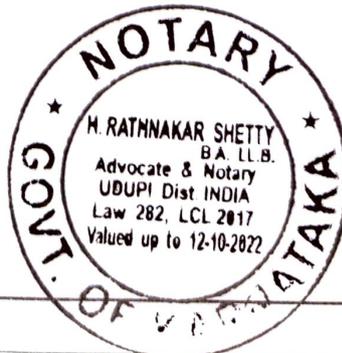
1. The Occupier shall segregate solid waste from Hazardous Waste, Municipal Solid Waste and store it properly till treatment/disposal without causing pollution to the surrounding Environment.
2. The solid waste generated shall be handled & disposed by scientific method without causing eye sore to the general public and to the surrounding environment.

**E. NOISE POLLUTION CONTROL:**

1. The industry shall ensure that the ambient noise levels within its premises shall not exceed the limits i.e 75 dB(A) Leq during day time and 70 dB(A) Leq during night time as specified in the Environment (Protection) Rules.

**F. GENERAL CONDITIONS:**

1. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
2. The Occupier shall forthwith keep the Board informed of any accidental discharge of emissions/effluents into the atmosphere in excess of the standards laid down by the Board. The applicant shall also take corrective steps to mitigate the impact.
3. The Occupier shall provide alternative power supply sufficient to operate all Pollution control equipments.
4. The entire premises shall always be kept clean. The effluent holding area, inspection chambers, outlets, flow measuring points should made easily approachable.
5. The Occupier shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.
6. The Occupier his heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the validity of consent.
7. The Occupier shall make an application for consent at least 45 days before expiry of this consent.
8. The occupier shall maintain register recording the ambient air quality and stack monitoring. The register shall be open for inspection by the Board Officers at all time.





### Consent For Operation (CFO-Air,Water)

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#### ANNEXURE-I

| Sl no | Characteristics  | Tolerance Limits |
|-------|--|------------------|
| 1     | Suspended solids mg/l, Max.                                | 200              |
| 2     | pH Value   | 5.5. to 9.0      |
| 3     | Oil and grease mg/l Max.                                   | 10               |
| 4     | Biochemical oxygen demand (3 days At 27 deg C (mg/l, Max.) | 100              |

**Note:** All efforts should be made to remove colour and unpleasant odour as far as practicable.

#### Annexure-II

| Chim. No. | Chimney attached to | KVA Rating/ Capacity | Minimum chimney height to be provided above ground level (in Mtr) | Constituents to be controlled in the emission | Tolerance limits mg/NM3 | Air pollution Control equipment to be installed,in addition to chimney height as per col.(4) | Date on which air pollution control equipments shall be provided to achieve the stipulated tolerance limits and chimney heights conforming to stipulated heights. |
|-----------|---------------------|----------------------|---|---|-------------------------|--|---|
| 1         | D.G. Sets           | Not Applicable       |   | 0 PM(mg/NM3),SO2(PPM),NOx (PPM)               | 150,100,50              | N.A  | ---   |

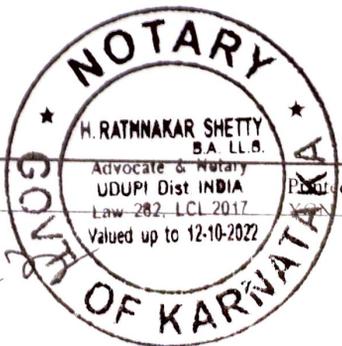
Note:  
N.A : Not Applicable

- Note:**
- The Noise levels within the premises shall not exceed 75 dB (A) leq during day time and 70 dB(A) leq during night time respectively.
  - The DG set shall be provided with acoustic measures as per Sl.No.94 in Schedule-I of Environment (Protection)Rules.
  - There shall be no smell or odour nuisance from the industry.

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#### LOCATION OF SAMPLING PORTHOLES, THE PLATFORMS, THE ELECTRICAL OUTLET.

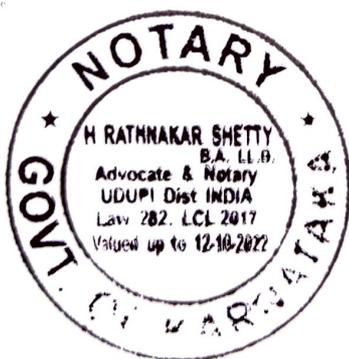
1. Location of Portholes and approach platform:

Portholes shall be provided for all chimneys, stacks and other sources of emission. These shall serve as the sampling points. The sampling point should be located at a distance equal to atleast eight times the stack or duct diameters downstream and two diameters upstream from source of low disturbance such as a Bend, Expansion, Construction Valve, Fitting or Visible Flame for rectangular stacks, the equivalent diameter can be calculated from the following equation.

$$\text{Equivalent Diameter} = \frac{2 (\text{Length} \times \text{Width})}{(\text{Length} + \text{Width})}$$

- The diameter of the sampling port should not be less than 3". Arrangements should be made so that the porthole is closed firmly during the period when it is not used for sampling.
- An easily accessible platform to accommodate 3 to 4 persons to conveniently monitor the stack emission from the portholes shall be provided. Arrangements for an Electric Outlet Point off 230 V 15 A with suitable switch control and 3 Pin Point shall be provided at the Porthole location.

For and on behalf of the  
Karnataka State Pollution Control  
Board



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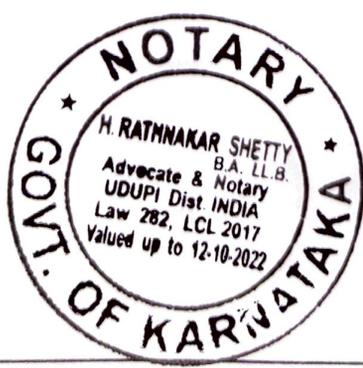
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R.P.A.D

Document no. 9

31

## KARNATAKA STATE COASTAL ZONE MANAGEMENT AUTHORITY

(Constituted by MoEF & C.C Government of India, under Sub-Section (1) & (3) of E(P) Act 1986)

No. FEE 159 CRZ 2019

dated: 02.06.2022.

Sir,

**Sub:-** Establishment of Fish Processing unit by M/s. Yashaswini Fisheries in Sy. No. 72/3, 71/6 & 72/21B of Balakudru Village, Udupi District issue of Notice of Proposed Directions reg.

- Ref:-**
1. Regional Director (Env), Mangaluru letter No: PraNiPa/Viva/Complaint 08/2016-17/129, dated: 20.04.2021.
  2. Proceedings of KSCZMA meeting held on 14.03.2022.

\*\*\*\*\*

With reference to the above subject, The Regional Director (Env) Udupi has reported that, M/s. Yashaswini Fisheries had established a Fish Processing Unit in Sy. No. 72/3, 71/6 & 72/21B of Balakudru Village, Udupi District. This area falls in CRZ zone and as per Para 3 (iii) of CRZ notification 2011, setting up & expansion of fish processing units including warehousing is a prohibited activity.

Hence, the above mater has been recorded in DCZMC meeting held on the 05.04.2021 as violation under CRZ notification 2011 and has recommended to take appropriate action for CRZ violation.

The matter was placed in Karnataka State Coastal Zone Management Authority (KSCZMA) meeting held on 14.03.2022. The Authority after discussions and deliberations decided to issue Notice of Proposed Directions (NPD) under section 5 of Environment (Protection) Act, 1986 to M/s. Yashaswini Fisheries for establishing of Fish Processing Unit at Sy. No. 72/3, 71/6 & 72/21B of Balakudru Village, Udupi District in violation of CRZ Notification 2011.

As per the decision of the authority, you hereby are issued a show cause notice for why action should not be initiated against you for violation of provisions of CRZ Notification. If any reply is to be submitted you may submit your reply within 15 days time to the under signed.

32

  
( R. Gokul )  
Member Secretary,



Sri. B Keshav Kunder,  
Yashaswini Industries,  
Bunder Road, Hangarkatta,  
Udupi - 576 218.



Srinivassan Jayaraman <advocate.srinivassanj@gmail.com>

**NGT (SZ) - O.A. No. 208 of 2021 - Srikanth Madhyastha \_List if dates and docs.**

1 message

Sun, Jul 24, 2022 at 8:23 PM

Srinivassan Jayaraman <advocate.srinivassanj@gmail.com>

To: deo.udupi@gmail.com, memsecy@kspcb.gov.in, chairman@kspcb.gov.in, udupi@kspcb.gov.in, udupi3crz@gmail.com, msksczma@gmail.com, officemefcc@gmail.com, ros.z.bng-mef@nic.in, dfkarnataka@rediffmail.com, ddfudupi@gmail.com, sradfudp@gmail.com, hpsbaikudru@gmail.com

Cc: m.v.v.ramana@gmail.com

Dear Sir's,

Please find attached the List of Dates & Documents filed by the 11th Respondent (M/s. Yashawini Fisheries) & 12th Respondent (Uma Devi W/. B. Keshava Kunder, in the O.A. 208 of 2021 (SZ).

**M V V Ramana &**  
Srinivassan J  
Advocates's  
Ph.: 9845023733  
email.: m.v.v.ramana@gmail.com  
advocate.srinivassanj@gmail.com  
9840228485

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