

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
SOUTHERN BENCH, CHENNAI**

O.A No. 221/2015

Isanaka Vedavathi

...Applicant

Versus

Union of India & 10 Ors.

...Respondents

**INDEX TO TYPED SET OF DOCUMENTS FILED
ON BEHALF OF 11th RESPONDENT IN THEIR REPLY TO
ACTION TAKEN REPORT DATED 13.12.2021**

M/s. Lakshmi Kumaran & Sridharan Attorneys
Raghavan Ramabadrn (E/1573b/2008)
P. Sridharan (E/10/2016)
A.Lawrence (E/1074/2008)
Mobile: 9941454954
court.mds@lakshmisri.com

Counsel for 11th Respondent

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
SOUTHERN BENCH, CHENNAI**

ORIGINAL APPLICATION No. 221/2015

Isanaka Vedavathi

...Applicant

Versus

Union of India & 10 Ors.

...Respondents

**INDEX TO TYPED SET OF DOCUMENTS FILED
ON BEHALF OF 11th RESPONDENT IN THEIR REPLY TO
ACTION TAKEN REPORT DATED 13.12.2021**

Sl.	Date	Description	Page No.
1.	18.01.2022	Reply Affidavit filed by 11 th Respondent to the Action Taken Report dated 13/12/2021	1 – 10
SUPPORTING DOCUMENTS			
2.	14.09.2015	Letter No. 3/APPCB/Legal/2015-638 issued by the 4 th Respondent to the Department of Industries and Commerce requesting that surface water be supplied on cost basis	11
3.	13.12.2015	Report on ground water survey conducted in the premises of the 11 th Respondent	12 – 20
4.	18.12.2015	Letter No. 3205/Hg/II/2015 issued by the Ground Water Department, Government of Andhra Pradesh	21
5.	24.06.2016	Letter from the Krishnapatnam Edible Oils Refiners Association seeking for permission to draw water from the pipelines	22
6.	20.03.2019	Letter bearing reference No. CE/TGP/TPT/DW/EEI/DEEI/AEE2/Industrial Water- M/s Adani Wilmar Ltd Unit- II (formerly Louis Dreyfus Company India Pvt. Ltd.)/208/ granting permission to draw water from Sarvepalli Reservoir	23 – 24
7.	06.09.2021	Letter from the 11 th Respondent to the Zonal Manager, APIIC-Nellore on construction of roads	25 – 29
8.	23.07.2021	Letter from Nellore Municipal Corporation providing water drawal permission	30
9.	06.12.2021 & 07.12.2021	Correspondence from Krishnapatnam Edible Oils Refiners Association in relation to drawal of water from Sarvepalli Reservoir	31 – 33
10.	07.12.2021 & 14.12.2021	Correspondence from the Krishnapatnam Edible Oils Refiners Association to the Municipal Commissioner, SPSR, Nellore	34 – 35
11.	13.12.2021	Action Taken Report filed by 4 th Respondent uploaded online on 24.12.2021	36 – 69
12.	22.12.2021	Daily Order issued by this Hon'ble Tribunal in OA/221/2015	70 – 77
13.	04.01.2022	Inspection Notice bearing No. OA 221 of 2015/APPCB/RO/NLR/2022-957 issued by 4 th Respondent	78
14.	07.01.2022	Reply issued by the 11 th Respondent to the inspection notice	79 – 80
15.	18.01.2022	Status report on mitigation measures provided by Krishnapatnam Edible Oils Refiners' Association	81 – 82

Date: 19.01.2022


Counsel for the 11th Respondent

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)

SOUTHERN BENCH, CHENNAI

ORIGINAL APPLICATION No. 221/2015

S. No. 409/2022

VIJAY C. SHAH
NOTARY
GOVT. OF INDIA

8 JAN 2022

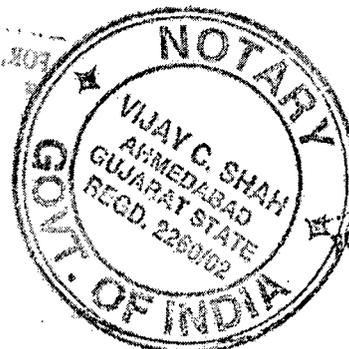
BETWEEN

Isanaka Vedavathi,
H. No. 16-4-966, Pinakini Avenue, Near
Apollo Hospital, Nellore - 524 003

....Applicant

AND

1. Andhra Pradesh Pollution Control Board
(Represented by its Regional Officer)
Regional Office, 1st Floor, A.P.S.F.C
Building, A.K. Nagar, Nellore Town &
District - 524 004, Andhra Pradesh
...1st Respondent
2. Union of India
(Represented by its Secretary),
Ministry of Environment, Forest and
Climate change III Floor, Prithivi Wing,
Indira Paryavaran Bhavan, Jor Bagh,
New Delhi-110 003 & Others
...2nd Respondent
3. Andhra Pradesh Pollution Control Board
(Represented by its Member Secretary)
A-3, Parayavaran Bhavan, Sanath Nagar,
Industrial Estate, Hyderabad, Telangana
State-500 018
...3rd Respondent
4. The District Collector/ District
Executive Magistrate
Collectorate Buildings,
Nellore Town -524 002 SPS Nellore
District, Andhra Pradesh
...4th Respondent
5. M/s. Adani Wilmar Limited (Unit-I)
(Formerly M/s. Krishnapatnam Oils &
Fats Pvt. Ltd.),
Sy. No.292, 317, Pantapalem (V) (Epur
1B), Muthukur (M), SPSR Nellore Dist.
Andhra Pradesh- 524 323
...5th Respondent
6. M/s. Saraiwalaa AGRI Refineries
Ltd
(Represented by its Managing Director)
Pantapalem Village & Post (Via)
Niduguntapalem, Muthkur Mandal, SPS
Nellore District, Andhra Pradesh- 524
323
...6th Respondent
...7th Respondent
7. M/s. Gemini Edibles & Fats India Pvt
Ltd. (Represented by its Managing
Director)
Pantapalem Village & Post, (Via)
Niduguntapalem, Muthkur Mandal, SPS



FOR, ADANI WILMAR LIMITED
AUTHORISED SIGNATORY

2

Nellore District, Andhra Pradesh-524
323

8. M/s. South India Krishna Oil & Fats
(P) Ltd (Represented by its Managing
Director)
Pantapalem Village & Post, (Via)
Niduguntapalem, Muthkur Mandal, SPS
Nellore District,
Andhra Pradesh- 524 323

...8th Respondent

9. M/s. Enami Biotech Ltd
(Represented by its Managing Director)
Pantapalem Village & Post (Via)
Niduguntapalem, Muthkur Mandal, SPS
Nellore District, Andhra Pradesh- 524
323

...9th Respondent.

10. M/s. 3F Industrials Ltd
(Represented by its Managing Director)
Pantapalem Village & Post, (Via)
Niduguntapalem Muthkur Mandal, SPS
Nellore District, Andhra Pradesh- 524
323

...10th Respondent

11. M/s. Adani Wilmar Limited -(Unit-II)
(Previously M/s. Louis Dreyfus
Commodities India Pvt. Ltd.)
Sy. No.1601, Epuru Bit-1B, APIIC,
Pantapalem (V), Muthukur (M), SPSR
Nellore Dist Andhra Pradesh- 524 323

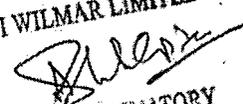
...11th Respondent

**REPLY AFFIDAVIT FILED ON BEHALF OF 11th RESPONDENT TO THE ACTION
TAKEN REPORT DATED 13/12/2021**

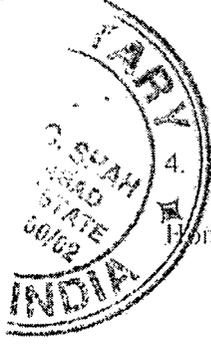
I, Asheesh Gupta, S/o Late Dr. M.L. Gupta, aged about 38 years, having office at Fortune House, Near Navrangpura Railway Crossing, Ahmedabad-380 009 and residing at Flat No. 801, Setu Elegance, Motera, Ahmedabad 380 005, do hereby solemnly affirm and sincerely state as follows:

2. I am the Senior Manager, Legal of M/s. Adani Wilmar (Unit-II), the 11th Respondent herein, and the authorized signatory of the 11th Respondent. As such I am well acquainted with the facts of the case. I am authorized to file this affidavit on behalf of the 11th Respondent herein.

3. The 4th Respondent has filed Action Taken Report dated 13/12/2021 (henceforth: 'Action Taken report') in the Original Application No. 221 of 2015 pending before this Hon'ble Tribunal.

FOR, ADANI WILMAR LIMITED

AUTHORISED SIGNATORY





4. The OA 221 of 2015 was heard by this Hon'ble Tribunal on 22/12/2021, wherein this Hon'ble Tribunal directed:

- a. the 4th Respondent not to proceed with directions issued in Order dated 23/09/2021;
- b. the Joint Committee to file a further report;
- c. the 4th Respondent to file their further action taken report.

5. Subsequent to the Order dated 22.12.2021, the 11th Respondent was served with an Inspection Notice bearing No. OA 221 of 2015/APP/RO/NLR/2022-957 dated 04.01.2022 (henceforth: 'Inspection Notice') stating the Joint Committee's intention to inspect the 11th Respondent's unit on 10-11 January 2022 and directing the 11th Respondent to file their objections to the Action Taken Report by 07.01.2022.

6. The 11th Respondent filed Reply to the Inspection Notice in Letter dated 07th January, 2022.

7. The 11th Respondent denies all the contentions in the Action Taken Report to the extent it is prejudicial to the interest of the 11th Respondent and is filing this Reply to place on record its objections thereto.

8. In the interest of brevity, the 11th Respondent refrains from reiterating the background and submissions made in the OA 221 of 2015. It is prayed that all submissions made in the prior Replies and Objections may be considered as part and parcel of this Reply to the Action Taken Report.

SUBMISSIONS AGAINST ACTION TAKEN REPORT



The Action taken report is thoroughly non-speaking and unreasoned

A. The Action Taken Report does record any findings against the submissions of the Respondent. The Action Taken Report merely repeats the direction to pay Environmental Compensation (henceforth: 'EC') by ignoring the elaborate submissions of the 11th Respondent.

B. Only pages 4-6 of the Action Taken Report are relevant to the 11th Respondent and the following submissions are made as responses to each of the contentions therein.

Objections to the Action Taken Report

S l.	Direction in Action Taken Report	Compliance	11 th Respondent's response
1	The industry shall	The Hon'ble NGT vide	The 4 th Respondent's

FOR, ADANI WILMAR LIMITED

 AUTHORIZED SIGNATORY

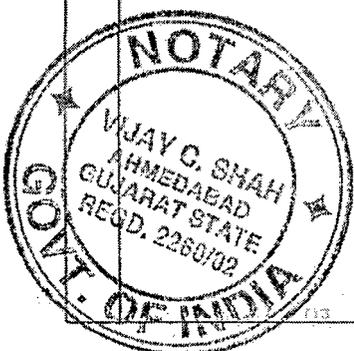
4

<p>immediately pay the EC of Rs. 73,80,000/-</p>	<p>order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.</p>	<p>directions in Order dated 23.09.2021 are kept in abeyance till the OA 221 of 2015 is disposed of, vide Paragraph 17 of Order dated 22.12.2021 passed by this Hon'ble Tribunal.</p>
<p>2. The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement from government authorized sources only.</p>	<p>Not complied. The industry is still procuring the water from the outside agencies which was tapped in illegal manner. The APPCB vide Ir. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area. The Collector & District Magistrate strictly directed to the Revenue & Panchayath-raj departments to take immediate action. Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide Ir. Dated 07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>	<ul style="list-style-type: none"> ▪ The allegations are vague and baseless. ▪ It is an admitted fact that the region suffers from water scarcity and also that available ground water resources are not sufficient to meet the industrial water requirements. ▪ Even the 4th Respondent has acknowledged this fact and prayed that this Hon'ble NGT to direct the APIC and Department of Industries, Nellore to provide water supply to Respondent-units. ▪ Because of the above difficulties, the units arranged to procure water from water tankers, which would supply water at doorsteps of the factory. The Respondent-units have no mechanism to check and ensure the source. ▪ The 11th Respondent is not involved in procurement of water which was tapped in an illegal manner The 11th Respondent submits that they cannot be penalized on this count. ▪ The 11th Respondent was permitted to withdraw 380 KL of ground water under Letter No. 3205/Hg/11/2015 dated 18.12.2015 issued by the Ground Water Department, Government of Andhra Pradesh, but due to low water level the water quantity is not sufficient to meet daily requirement of industry.



FOR, ADANI WILMAR LIMITED

[Signature]
AUTHORISED SIGNATORY



▪ APPCB issued Lr. No. 3/APPCB/Legal/2015-638 dated 14.09.2015 to the Department of Industries and Commerce requesting that surface water be supplied on cost basis to 11th Respondent as the drawl of ground water by the 7 edible oil refineries (Respondents 5 to 11 herein) was leading to depletion of ground water levels and contamination of fresh ground water due to intrusion of saline water.

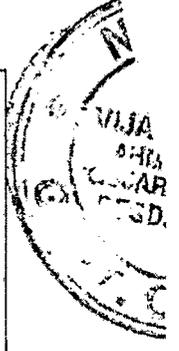
▪ Subsequently, the 11th Respondent was permitted to draw up to 550 KLD from Sarvepalli Reservoir under Letter CE/TGP/TPT/DW/EEI/DEEI/AEE2/Industrial Water- M/s Adani Wilmar Ltd Unit- II (formerly Louis Dreyfus Company India Pvt. Ltd.)/208/ dated 20.03.2019. That due to inadequate infrastructure and uncertainty/irregular availability of water, the 11th Respondent is unable to utilize this permission. However, the Industry Association have also submitted letter to Rural Water Supply Department for submitting detailed Project Report (DPR) for laying infrastructure for supply of water from reservoir which is located 25-30 km from industries.

▪ 11th Respondent has got permission from Nellore Municipal Corporation for drawing water through tankers, but since due to long distance same is not feasible for industries and therefore

FOR, ADANI WILMAR LIMITED

 AUTHORIZED SIGNATORY

6

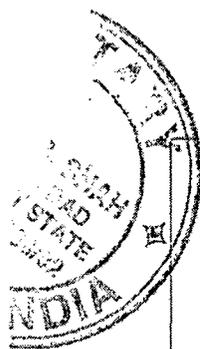


			<p>Industry association have requested NMC for preparing DPR for laying pipelines for supply of water.</p> <ul style="list-style-type: none"> ▪ The 11th Respondent is happy to cooperate in ensuring that alternative sources are used and is already exploring possibilities for taking water through Nellore Municipal Corporation and Sarvepalli reservoir by laying pipeline. ▪ The 11th Respondent denies all allegations and reserves their right to file detailed submissions over the course of the matter. Copy of Letters referred herein above are enclosed herewith.
3.	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors and the unit shall comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.	Complied. The industry disposed spent nickel catalyst to the authorised vendor for reprocessing duly following the manifest system.	No specific allegation was ever levelled against the 11 th Respondent as they are compliant with the extant requirements and will continue to comply. No response is required to this portion of the Action Taken Report.
4.	The industry shall not discharge any treated/untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.	The 11 th Respondent is compliant with the extant requirements and will continue to comply. No response is required to this portion of the Action Taken Report.
5.	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of its disposal.	Complied.	The 11 th Respondent is already compliant and will continue to comply. No response is required to this portion of the Action Taken Report.
6.	The industry are purchasing crude palm & sunflower oil locally solvent extraction units in addition to the import from foreign countries. The crude that is locally purchased is not	Complied. The industry is importing crude edible oils and carryout mineral oil test through third party. The industry is not procuring crude edible oil locally.	The 11 th Respondent is already compliant and will continue to comply. No response is required to this portion of the Action Taken Report.



FOR, ADANI WILMAR LIMITED

 AUTHORISED SIGNATORY



	<p>tested for the presence of mineral oil content or Hydrocarbons. The industries shall carry out mineral oil test with every batch of consignment locally procured also. These reports have to be submitted to APPCB along with their compliance report</p>		
<p>7.</p>	<p>The industry shall provide online AAQ monitoring station to measure PM10 in the surrounding villages.</p>	<p>Not complied.</p>	<p>This is common point and Industry association is working on it for proper closure. As individual industry we have online stack monitoring system for monitoring SPM. . The allegation of non-compliance is cast for the very first time in the Action Taken Report. These allegations are baseless and inconsistent with the stance in the earlier Joint Committee Reports earlier, as described hereinbelow: <ul style="list-style-type: none"> ▪ The Joint Committee Report -I records in para VI.d.1 on page 23 that, <i>"The unit is complying with stack emissions and ambient air standards."</i> Paragraph IX. 10 on page 41 again records compliance. ▪ The Joint Committee Report-II records in Paragraph IV on page 21 that all the surrounding villages meet the National ambient air quality standards. This allegation of non-compliance is cast for the very first time in the Action Taken Report dated 13th Dec, 2021. In any case, all industries would ensure continued compliance and install one common AAQ station on behalf of all industries at place instructed in writing by APPCB.</p>
<p>87.</p>	<p>The porthole provided to the</p>	<p>Complied.</p>	<p>The 11th Respondent is already</p>

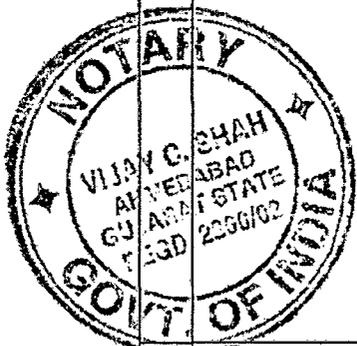


FOR, ADANI WILMAR LIMITED

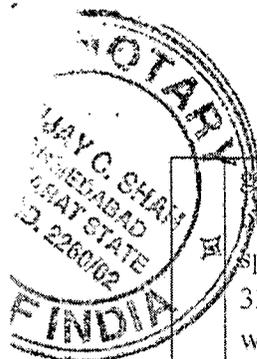
[Signature]
 AUTHORISED SIGNATORY



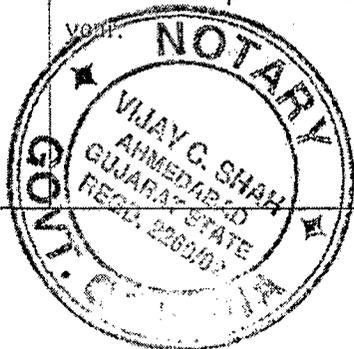
	stacks for manual monitoring shall not be utilized for online stack monitors. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.		compliant and will continue to comply. No response is required to this portion of the Action Taken Report.
9.	The committee observed fly ash dumped towards North side of M/s Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust.	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.	Though there was no specific allegation against the individual Unit, all edible oil units have undertaken to fill clay or sand in the Ash lying on north-eastern direction, on private land for the benefit of the society and as part of social responsibility. The said activity is almost completed. A photograph of same is enclosed herewith.
10.	The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. M/s. Emami, M/s. Gemini and M/s. Adani Wilmar Unit shall collectively construct new concrete roads as part of CSR activity.	Not Complied. The access road connecting M/s. Emami and M/s. Adani Wilmar Unit- II is not improved. The industry representative informed that there is a land dispute and temporary improvements are under progress	The 11 th Respondent and M/s. Emami Agrotech Limited have undertaken the activity of making approach road on priority, provided the necessary approvals are obtained. This direction requires concerted efforts, and the Unit is pursuing all avenues to comply with the same. At present there are difficulties in acquiring the land as it belongs to private parties. We are approaching RDO, APIIC District Industries for getting clearances but same is pending. The present status of roads is that it is repaired and is in good condition. It is requested that in view of several complications this condition may please be waived. Further, we are willing to construct new concrete road provided we get land clearance from local government authorities.
11.	The industry shall develop	Complied	The 11 th Respondent is already



FOR, ADANI WILMAR LIMITED
[Signature]
 AUTHORISED SIGNATORY



	green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition, as part of CSR activity the units can take up compensatory green belt in public lands.		compliant and will continue to comply. No response is required to this portion of the Action Taken Report.
1	The industry shall ensure that proper segregation of various types of hazardous wastes and provide provision with leachate collection.	Complied. The industry stored the hazardous wastes in a closed room.	The 11 th Respondent is already compliant and will continue to comply. No response is required to this portion of the Action Taken Report.
1	The industry shall ensure that the storm water drainage system as below: <ul style="list-style-type: none"> Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through pipes. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. There shall not be any entry of contaminated wastewater into the storm water drains.	Partially Complied. i) Complied ii) The industry is routing the 1st flush of the storm water into the storm water drains and provided pumps in the storm water drain to transfer to the ETP. iii) The industry is maintaining dry condition in storm water drains during non-rainy days.	The factum of storm water drains being clear insofar as this unit is concerned was also recorded in page 10 of the Joint Committee Report-II. The 11 th Respondent is compliant and will continue to comply with the requirement. A letter dated 2 nd November, 2021 confirming compliance with respect to point (ii) is enclosed.
1	4. The industry shall scrupulously comply with all other recommendations made by the joint committee in its reports dt: 01.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.	The 11 th Respondent is compliant and will continue to comply, as has been acknowledged by the Action Taken Report. The directions issued to all the units require concerted action and the 11 th Respondent is in the process of complying to the directions along with the other Respondent units as they all are common points to be done for all industries together.
1	The industry shall extend the existing bank guarantee for further period of one year.	The bank guarantee of Rs.12,50,000/- submitted by the industry is valid upto 25.03.2022. The representative informed that the Bank Guarantee will be extended before expiry.	The 11 th Respondent is already compliant and will continue to comply. No response is required to this portion of the Action Taken Report.



FOR, ADANI WILMAR LIMITED

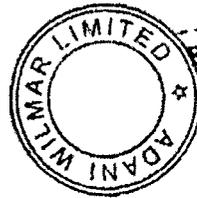
[Signature]
 AUTHORISED SIGNATORY

C. In sum and substance, there is no non-compliance on part of the 11th Respondent. It is therefore submitted that the imposition of EC is without any basis whatsoever and must be dismissed at the threshold.

D. The 11th Respondent would be filing a copy of the summary sheet detailing the contentions in each Action Taken Report and the objections pressed by the 11th Respondent, in due course.

E. The 11th Respondent prays that they may be permitted to prefer detailed arguments and file additional submissions over the course of proceedings, as may be required, in the interest of justice.

F. It is prayed that this Hon'ble Tribunal may be pleased to dismiss the prayer as sought in the Action Taken Report and consequently set aside the recommendation of Environmental Compensation as against the 11th Respondent.

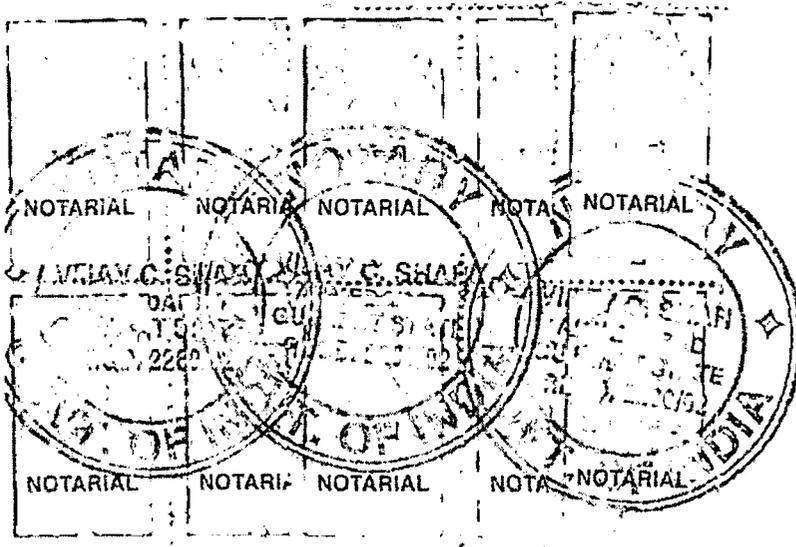


FOR, ADANI WILMAR LIMITED
[Signature]
AUTHORISED SIGNATORY

Solemnly affirmed at Ahmedabad on)
this the 18th day of January, 2022)
and signed his name in my)
Presence.)

DEPONENT

NOTARY PUBLIC



SOLEMNLY AFFIRMED
BEFORE ME

[Signature]
VIJAY C. SHAH
NOTARY
GOVT. OF INDIA
18 JAN 2022



ANDHRA PRADESH POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-3, IE, Sanathnagar, Hyderabad-18.

Phone: 040 - 23887500
Fax: 040 - 23815631

Grams: "Kalushya Nivarana"
Website: www.appcb.ap.nic.in
e-mail: uh3_jcee@pcb.ap.gov.in

Lr. No.3/APP/2015- 638.

Date: 14.09.2015.

To
The Secretary,
Department of Industries and Commerce,
Govt. of Andhra Pradesh,
A.P. Secretariat,
Hyderabad.

Sir,

Sub: Edible Oil Refineries located in Nellore District - Complaint received from the public on Environmental Problems - Providing of surface water- Requested - Reg.

Ref: Review meeting held with Managements of Edible Oil Refineries on 06.07.2015.

@@@

It is to inform that the Board has received several complaints from the local villagers on environmental problems due to operations of Edible Oil Refineries located in Muthukur Mandal of Nellore District. Officials of the Board have verified the complaints and observed that one of the major concern is usage of huge quantity of ground water by edible oil refineries.

Seven Edible Oil Refineries are operating in the area and new edible oil refineries also coming up in the area. These are large scale Edible Oil Port Based Refineries having capacity of around 1000 TPD. These refiners consume water in the range of 1000 to 1500 KLD by each refinery. At present these refineries are meeting water requirement from the ground water sources within outside the premises. Due to proximity to the coast, fresh water is available only at shallow depths in the area. Drawl of huge quantity of ground water by refineries is leading depletion of fresh water and also contamination of fresh water due to intrusion of saline water, supply of surface water and avoiding of usage of ground water is only way out for sustainable development of edible oil refineries in the area.

In view of the above, it is requested to arrange supply of surface water on cost basis to the edible oil refineries to overcome severe environmental problems associate with present mode of usage of huge quantity of ground water by the refineries.

Encl: As above.

Yours faithfully,

MEMBER SECRETARY

Copy to the Vice Chairman and Managing Director, APIC, Hyderabad for favour of information and necessary action.

Copy to the President, Krishnapatnam Edible Oil Refiners' Association, # 203, Diamond House Behind Topaz Building, Panjagutta, Hyderabad - 500082 for information and with a request to take up the issue with Authorities of the Government.

DESPATCHED
ON 21.9.15

003...5

12/12/15

GOVERNMENT OF ANDHRA PRADESH
GROUND WATER DEPARTMENT

From
Sri K.Ramesh Kumar, M.Sc.,
Deputy Director,
Ground Water Department,
Nellore.

To
The Director,
Ground Water Department,
Andhra Pradesh,
Hyderabad.

Lr.No.573/Hg/Single window/2015, dated 12-12-2015.

Sir,

Sub:- Ground Water Department, Nellore - Single Window programme
M/s.Louis Dreyfus Commodities India Pvt. Ltd., - Pantapalem
Village of Muthukur Mandal, SPSR Nellore Dist. - Detailed ground
water investigation report - Submitted - Reg.

Ref:- Lr.No.LDC/KP/GW/01/15-16, dt.27-11-2015 of the M/s.Louis
Dreyfus Commodities India Pvt. Ltd., Pantapalem.

--:o:--

I invite kind attention to the subject and reference cited.

I am herewith submitting the detailed report on Ground water surveys
conducted under single window programme in the premises of M/s.Louis
Dreyfus Commodities India Pvt. Ltd., Pantapalem Village, Muthukur Mandal,
SPSR Nellore District for Head office approval.

Encl:- Detailed report with map.

Yours faithfully,


DEPUTY DIRECTOR

REPORT ON GROUND WATER SURVEY CONDUCTED IN THE PREMISES OF
M/S LOUIS DREYFUS COMMODITIES INDIA PRIVATE LIMITED, PANTAPALEM
VILLAGE, MUTTUKUR MANDAL, SPSR NELLORE DISTRICT

Introduction: Ground water surveys were carried out in the lands of M/s Louis Dreyfus Commodities Private limited, Pantapalem village, Muttukur mandal with reference to application received under Single desk policy on 1-12-2015. The total requirement of water for industrial and drinking purpose as mentioned in application is 413 KLD. The surveys were carried out on 5-12-2015.

Location: The investigated area is with an extent of 15 acres bearing survey no. 1.601 of Pantapalem [Epuru 1B] village which is situated 2.5 km South East of Pantapalem village. The surveyed area lies around the Geo co-ordinates $14^{\circ} 15' 24.1''$ North latitude and $80^{\circ} 04' 18.2''$ East longitude which are falls in the survey of India toposheet no. 66 B/3. Location of VES conducted are shown in the map is enclosed with this report.

Physiography: The surveyed area is plain and gently sloping towards SouthEast which lies at a height of 5 m above mean sea level.

Drainage: The area is having parallel drainage and it is drained by local streams which are joined to the Bay of Bengal. It is a command area through Pantapalem canal. Due to these conditions, ground water recharge may be moderate in that area.

Climate and Rainfall: The area is under tropical climate conditions. The normal annual rainfall of Muttukur mandal is 1216 mm. Most of the rainfall occurs during the North-East monsoon. The maximum and minimum temperatures in the district are 45°C and 18°C respectively.

Hydrogeology: The investigated area is covered by Alluvium consisting of limited productive sand zone and followed by clay. The area is feasible for shallow Filter points. During Investigations it is noticed that three filter points (Well nos. 1,2,3) are functioning with moderate yields which are fitted with 3 Hp submercible motors. Two filter points (Well nos. 4,5) are kept idle due to low yields and poor quality. The depth range of the existing Filter points is 8m to 10m. The depth to water level varies from 2 to 3m bgl. The depth to water level in nearest piezometer at Muttukuru is 1.67 m in the month of November, 15. Only two vertical electrical sounding was carried out because of sufficient vacant place is not available in the Factory premises.

Yield test was conducted to know the discharge of the existing Filter points. After calibration of yield test the Filter points discharges in the range from 6,000 to 7,000 LPH. Quality reports of ground water in factory premises are examined. The PH of the water varies from 7.5 to 8.4, the Electrical conductivity varies from 1196 to 3400 micro mhos/cm and the total dissolved solids varies from 500 to 2000 ppm resulted that the water is usable for domestic purpose.

GEC Status:- The Pantapalem village, Muthukur mandal falls in the basin NLR-c-73 Muthukur. As per GEC 2012-13 calculations, the stage of development of the basin is 22% and falls in safe category.

Geophysical survey results:- Two vertical Electrical sounding were conducted in the proposed area to know the sub-surface Lithology. The data was interpreted in terms of resistivity and thickness of different geo-electrical layers and tabulated below.

15

VES No.	P1 ohm.m	H1 mts.	P2 ohm.m	H2 mts.	P3 ohm.m	H3 mts	P4 ohm.m	H4 mts	H mts	Remarks
1	14.4	1.9	101	8.2	6.6	∞			10.1	Feasible for Filter Point
2	20	2.4	86	7.5	5.4	∞			9.9	Feasible for Filter Point

Based on the interpreted VES data, the thickness of First layer varies from 1.9 to 2.4 mts with resistivity varies from 14.4 to 20 Ohm.mts which is Alluvium soil. The thickness of second layer is 7.5 to 8.2 mts with resistivity 86 to 101 Ohm.m which is sand. The 2nd layer is followed by clay and hard rock at deeper depths. The above two points are feasible for shallow depth filter points.

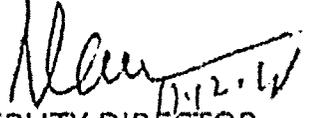
Conclusion and Recommendations: Hydro geological conditions reveal that the area is covered by Alluvium consisting of limited productive sand zone followed by clay. The scheme area is having moderate recharge conditions. During well inventory, it is observed that the existing filter points in and around the industry are functioning with moderate yields.

Based on the integrated survey results, the existing 3 Filter points [Well nos. 1 to 3] in the factory premises are recommended for exploitation of ground water. Well nos. 4 and 5 are also recommended to tap the ground water with low capacity motors as they are having low yields. In addition to these, 2 filter points are recommended to drill at VES no. 1 and 2 to a depth 10 m. Their locations are shown in the site plan. Approximately 380 KLD of

ground water can be expected from these existing and proposed filters points,
Break up of the expected yield from each Filter point is given below.

Expected Yield per Day from existing & proposed sources:

From well no.1:	6,000 lph X10 hours =	60,000 LPD
From well no.2:	6,000 lph X10 hours =	60,000 LPD
From well no.3:	6,000 lph X10 hours =	60,000 LPD
From well no.4:	4,000 lph X10 hours =	40,000 LPD
From well no.5:	4,000 lph X10 hours =	40,000 LPD
At VES no.1:	6,000 lph X10 hours =	60,000 LPD
At VES no.2:	6,000 lph X10 hours =	60,000 LPD
<u>Total quantity:</u>		<u>3,80,000 LPD or 380 KLD</u>


DEPUTY DIRECTOR
GROUND WATER DEPARTMENT
NELLORE

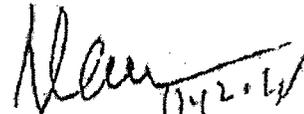
17

5

TERMS & CONDITIONS:

- 1) The wells recommended must be constructed at the recommended place/site and to the recommended depths.
- 2) Only the type of well recommended must be constructed.
- 3) The wells must be pumped for the recommended number of hours/day with recommended discharge.
- 4) Pumping tests must be conducted by the party on all the wells recommended and data should be send to the concerned Deputy Director, Ground Water Department in the District.
- 5) Observation wells must be established by the party and they should monitor the water levels once a month (last week of a month) and quality twice a year (pre and post monsoon periods) and record the data.
- 6) Half-yearly reports on the above must be sent by the party to the concerned District Deputy Director, Ground Water Department. The above reports / data may be send by post or email: ddgwd.nellore@gmail.com
- 7) The effluents must be treated properly and must be free from all toxic materials, colour, odour and turbidity harmful to human beings, plants and animals.
- 8) The effluents before or after treatment must not be let out into any surface or ground water bodies. As far as possible the water must be recycled.
- 9) Artificial recharge structure capable of recharging twice the quantum of ground water extracted by the plant must be constructed in or on the upstream side of the plant area/ outside the plant area and must also be properly maintained by them.

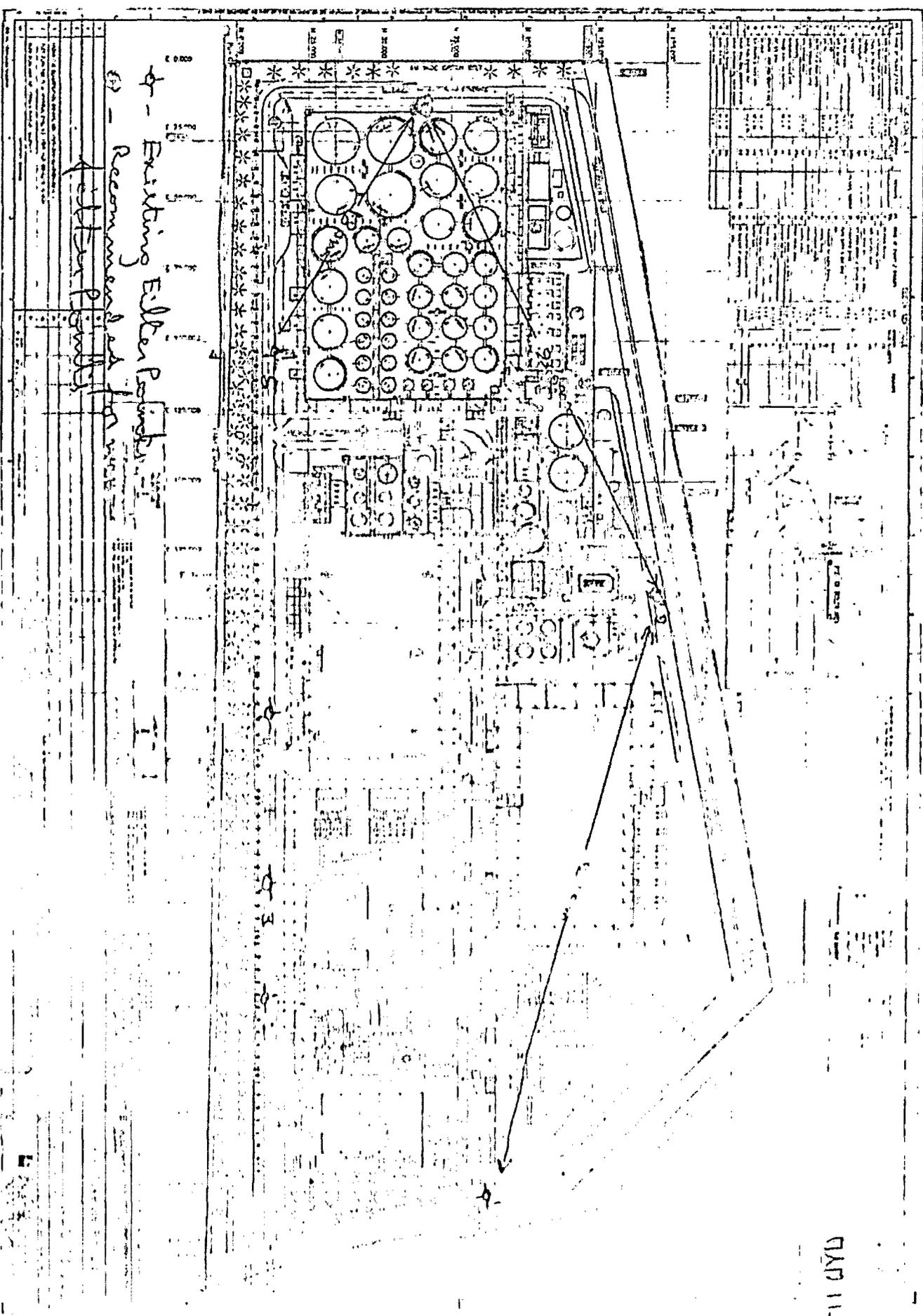
- 10) Officers of the Ground Water Department must be allowed to inspect the wells, plant area, recharge structures and data whenever found necessary by them.
- 11) The recommendations hold good subject to the normal rainfall conditions and stage of Ground Water Department in the area.
- 12) The Government of A.P/GWD reserved the right to stop the plant from using ground water during emergencies or whenever the plant deviates from the terms and conditions.
- 13) The party has to give their consent to the above terms and conditions within a week. Compliance regarding grounding of recommendations and terms & conditions within a month of receipt of the report/recommendations.



DEPUTY DIRECTOR

GROUND WATER DEPARTMENT
NELLORE

SITE PLAN



Existing Ellen P. Smith
Recommended for use
Ellen P. Smith

DATE 11-1-11

21

GOVERNMENT OF ANDHRA PRADESH
GROUND WATER DEPARTMENT,

From
Dr.K.Venugopal,
M.Tech., F.I.E., MBA., Ph.D.,
Director,
Ground Water Department,
BRKR Govt.Offices Complex,
7th & 8th Floors, B-Block,
Tank Bund Road,
HYDERABAD – 500 063.
Fax No:040-23225602

To
✓The Managing Director,
M/s.Louis Dreyfus Commodities Ltd,
Pantapalem village and Mandal,
Nellore district.

Letter No.3205/Hg.II/2015. dated: 18/12/2015.

Sir,

Sub:- Andhra Pradesh Ground Water Department – M/s.Louis Drefus
Commodities Ltd., Pantapalem village and Mandal, Nellore district-
Communicating the approved report-Regarding.

Ref:- Your Letter No.LDC/KP/GW/01/15-16, dated 27.11.2015.

-0000000-

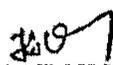
With reference to the above, herewith furnishing the "Report on Groundwater surveys conducted in the premises of M/s.Louis Drefus Commodities Ltd., Pantapalem village and Mandal, Nellore district".

The firm is permitted to draw 380 kld. from existing 5 filterpoints + 2 new recommended filterpoints at V1 and V2 @ 10 hours of pumping in a day duly following the terms and conditions.

The firm is also advised to construct a piezometer to monitor water levels on real time.

Yours faithfully,

Encl:-As above.


DIRECTOR.

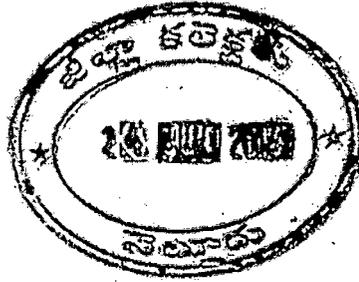


Copy to Deputy Director, Ground Water Department, Nellore for information.

**KRISHNAPTANAM EDIBLE OILS REFINER'S ASSOCIATION
PANTAPALEM, KRISHNAPATNAM PORT**

Date: 24th June 2016

To
The Honourable Collector,
Nellore,
SPSR Nellore Dist.



CE / TWP - P. process
SF / Irrigation

Jun
24/6

Respected Madam,

SUB: TO DRAW WATER FROM SURVEPALLI RESERVOIR THROUGH PIPE LINE.

REG: Memo No : CE/TGS/TS/T4/Irrigation/water supply of oil Refineries , Date:16.04.2016.

Krishnapatnam Edible Oils Refiners' Association would like to thank you for your kind support towards sanctioning of the water from Survepalli reservoir for the Industrial consumption. The quantities confirmed initially to draw water of 7.65MLD through road tankers temporarily to meet the immediate requirement and later on to draw 12.650MLD through pipe line with prior approval.

This is really going to help all the industries operating in the port area to sustain against all the odds relating to water for industrial usage.

After reviewing thoroughly and as per the opinions of local authorities it will be a difficult task and a cumbersome operation for drawing the water through road tankers due to the local problems, as well as the approach road towards the reservoir is slender and congested as it is only murrum road developed on the bund of the canal.

Due to all these problems we now strongly apprehend and propose to draw water through pipe line rather than road tankers, therefore we are putting forward our proposal for laying the pipe line and submitting the detailed project report, which was already got it prepared by a private agency for your kind perusal

Kindly request you permit us to draw water through pipeline and to develop the necessary infrastructure as per the detailed survey report enclosed. We solicit your kind cooperation and help for giving your consent approval for going ahead and to approach other departments for laying the pipe line.

Thanking You,
Yours Faithfully

P. C. Vad

Office of the Chief Engineer,
NTRTGP: Tirupati

Proceedings No.CE/TGP/TPT/DW/EE1/DEE1/AEE2/Industrial Water- M/s Adani Wilmar limited Unit-II (formerly Louis Dreyfus Company India Pvt Ltd)/208/Dt:20.03.2019

Present: Sri. R. Muralinatha Reddy., M.Tech.
Chief Engineer,
NTRTGP: Tirupati

Sub:- Water Resources Department- Single Desk Policy- M/s Adani wilmar limited Unit-II (formerly Louis Dreyfus Company India Pvt Ltd) , Pantapalem Village, SPSR Nellore District– Establishing factory for manufacturing Distilled Fatty Acids - Allocation of 550 KLD (7.100 Mcft/year) of water from Survepalli Reservoir for industrial Purpose- Permission Accorded- Communication- Regarding.

- Ref:-**
1. Govt.Memo.No.2772/Reforms/A2/2015-1, dt-30.09.2015.
 2. G.O.Ms.No.116, Industries and Commerce (P&I) Department, dtd:-31.08.2017.
 - 3.ENC(I)/WRD/VJD Lr.No.ENC(I)/EE/DEE1/AEE2/IWS(NATEMS SUGAR Pvt Ltd) Dt:-17.07.2018.
 4. ENC (I)/ WRD/ VJD Lr. No: ENC (I) /EE/ DEE1/ AEE2/ IWS (Adani Wilmar Ltd Unit -II) dt:-06.03.2019 communicated vide T/O Endt.No.CE/TGP/TPT/DW/ EE1/ DEE1/ AEE2/ Industrial Water Supply/ M/s Adani wilmar limited Unit-II/191/ Dt:-12.03.2019.
 5. SE/IC/NLR,Lr.No.58^{CETGP}, Dt: 18.03.2019.

Considering the request of the M/s Adani wilmar limited Unit-II (formerly Louis Dreyfus Company India Pvt Ltd) , Pantapalem Village, SPSR Nellore District for Establishing factory for manufacturing of Distilled Fatty Acids vide reference 4th cited and based on Govt. Memo.No.2772/Reforms/A2/2015, dt-30.09.2015, permission is hereby accorded to draw water to a maximum of 550 KLD or 7.100 Mcft per year from Survepalli reservoir. The agency shall make their own arrangement for drawl and storage of 7.100 Mcft of water since water releases may not be available throughout the year.

This water allocation is accorded subject to proportional share of availability of water and releases in to Survepalli Reservoir. Measuring arrangements, cost of construction of OT

24

sluice, pipe lines, Storage arrangements etc., if any, shall be born by the establishing authority itself. Release of water would be done only after fulfilling all the conditions stipulated while giving allocation and a proper agreement is entered between the industry and Water Resources Department for O & M as well as realization of royalty from the industry. The water royalty charges shall be levied @ Rs.5.50 per 1000 Gallons or at the rates prescribed by the Government from time to time.

To

M/s Adani wilmar limited Unit-II (formerly Louis Dreyfus Company India Pvt Ltd),
Pantapalem Village,
SPSR Nellore District.

Sd/-(Dt:-20.03.2019)
Chief engineer,
NTR TGP: Tirupati.

//t c f//

k. Ramesh 20/3/19
Deputy Executive Engineer (Designs)
28 O/o Chief Engineer
20/3/19 NTR TGP: Tirupati.

**adani
wilmar**

To,
The Zonal Manager,
APIIC-Nellore District,
Nellore. SPSR Nellore District
Andhra Pradesh

Date: 06/09/2021.

Respected Sir,

Sub: Approach Road to Adani Wilmar Limited (formerly Louis Dreyfus Company Pvt Ltd)
Sy No.1601, Epuru B1, Pantapalem, Muthukuru Mandal, SPSR Nellore District.

The approach road which is connecting between Krishnapatnam port zero point to Adani Wilmar Limited Unit2 is completely under damaged condition; we have submitted many requests to local panchayat, R & B and APIIC to provide adequate road facility. Initially at the time of starting our project, we have received written commitment from GMDIC through GOMS NO-111 Dated 30/10/2010 (we have attached the annexure-III) stating that all the infrastructure facilities we are going to provide to your door step, but still it is under pending, the land owners beside the road is occupying the road boundaries, we have approached GM DIC & District collector many times to express our problem, but still it was not resolved, we did not get any confirmation from government end.

Continue to the same matter in the year of 2016 APIIC has verified the existing road and issued one order stating that the existing land is not sufficient to form the road, so they had proposed for land acquisition. In the year of 2017. The same year again APIIC has discussed and agreed to provide 40 feet road and we have agreed the same and issue NOC from our end, but since last 4 years there was no much progress in this matter even though after continuous follow up with APIIC. In the recent visit of NGT they have raised this road issue and they have highlighted this issue very seriously and they have penalized with huge fine.

So finally, Adani Wilmar Limited & Emami Agrotech Ltd has mutually agreed to construct the road from Zero point to Adani Wilmar Limited Unit-2 with our own funds, the estimation of this road is around 5 crores, and the road measurements are (1.5 kilometres length and 40 feet width). To construct the road, we require No objection certificate (NOC) and Road map with all boundaries to avoid future issues with adjacent land owners.

Here we have attached all our previous communications to APIIC, once again we request APIIC to help on this road matter and provide NOC & Road map with all boundaries as early as possible to start the work.

For Adani Wilmar Limited



Authorized Signature



Adani Wilmar Ltd
Survey No 1601
Village Pantapalem (Epuru16)
Sripottisramulu, Nellore 524 323
Andhra Pradesh, India

Tel +91 8886641639/630
info@adaniwilmar.in
www.adaniwilmar.com

26



Louis Dreyfus Company India Pvt, Ltd
 (Formerly known as Louis Dreyfus Commodities India Pvt. Ltd.)
 (CIN: U51909DL1997PTC126131)
 Factory: Survey No. 1601,
 Epuru 1B, Pantapalem Village,
 Muthukur Mandal, SPSR Nellore Dist.
 Pjn - 524344 (A.P) India
 Tel: +91 861 3048222
 +91 861 3048242.
 www.ldcom.com

To,
 The Zonal Manager,
 APIIC
 SPSR Nellore

27 December 2016

Subject : Approach road - SPSR Nellore District - Muthukur Mandal - Epuru 1B, Pantapalem Village - Acquisition of Acres 1.95 for road facility to Industries - Request to furnish consent of Land Cost - Reg.

Reference : Lr. No. ZO/APIIC/NLR/Approach road/ 2014/ 197 dated: 05-02-2016

Dear Sir,

W.r.t. the letter dated 05-02-2015 and email communication dated 22-02-2016, APIIC proposed to acquire land of Acres 1.95 in Epuru 1 B, Pantapalem village, Muthukur Mandal where ever the width of the existing government land in survey number 1610 of Pantapalem is not sufficient to form the road to the Industries as per the request.

The cost of Land acquisition and cost of road will be share with neighbour companies and APIIC has requested to provide the consent of our Company.

We Louis Dreyfus Company India Private limited (Formerly known as Louis Dreyfus Commodities India Private limited) requested APIIC, dated: 08-08-2016 to provide the tentative cost share to Louis Dreyfus Company India Private limited (Formerly known as Louis Dreyfus Commodities India Private limited), for further planning, fund arrangements and necessary approvals. In this regard we again request your good office to please provide the tentative cost of LDC share.

Kindly obelise

Yours faithfully,

For LOUIS DREYFUS COMPANY INDIA PVT. LTD.

(AUTHORISED REPRESENTATIVE)

Encl.:



1. Lr. No. ZO/APIIC/NLR/Approach road/ 2014/ 197 dated: 05-02-2016
2. Email communication from ZM Nellore, dated: 22-02-2016
3. Reply acknowledgement receipt from APIIC, dated: 08-08-2016



Louis Dreyfus Company India Pvt. Ltd
(Formerly known as Louis Dreyfus Commodities India Pvt. Ltd.)
(CIN: U51909DL1997PTC126131)
Factory : Survey No. 1601,
Epuru 1B, Pantapalem Village,
Muthukur Mandal, SPSR Nellore Dist.
Pin - 524344 (A.P) India

Tel: +91 861 3048222
+91 861 3048242
www.ldc.com.com

To 08/08/2016

The Zonal Manager
APIIC
Nellore

Sub: - Approach Road - SPSR Nellore District - Muthukur Mandal - Epuru 1 B, Pantapalem Village, -
Acquisition of Acs. 1.95 for road facilities to Industries - Request to furnish consent of Land Cost -
Reg.

Ref: Lr. No. ZO/APIIC / NLR / Approach road / 2014, / 197 dated 05 - 02 - 2016

Respected Sir,

With reference to the letter dated 05/02/2016 and email communication dated 22/02/2016, APIIC proposed to acquire land of Acs. 1.95 in Epuru 1B, Pantapalem village, Muthukuru Mandal where ever the width of the existing Govt. land in Sy.No.1610 of Pantapalem is not sufficient to form the road to the Industries as per the request.

The cost of land acquisition and cost of road will be share with neighbor companies and APIIC has requested to provide the consent of our company.

We, LDC requesting APIIC to provide the tentative cost share to LDC for further planning, fund arrangements and necessary approvals.

Request your good office to pl. provide the tentative cost of LDC share.

Kindly Oblige

Thanking You

Your's sincerely



For Louis Dreyfus Company India Pvt Ltd

Encl:

1. Lr. No. ZO //APIIC / NLR / Approach.road / 2014, / 197 dated 05 - 02 - 2016
2. Email communication ZM Nellore, dated 22/02/2016.

28



V. NAGESWARA RAO
ZONAL MANAGER

Andhra Pradesh
Industrial Infrastructure Corporation Ltd.
(A Govt. of Andhra Pradesh Undertaking)
www.apic.in

Lr.No.ZO/APIIC/NLR/Approach road/2014/197

Dt.05-02-2016

To
M/s.Louis Dreyfus Commodities India PVE Ltd,
2nd Floor, Tower 9B,
DLF Cyber City, DLF Phase-III,
Gurgaon-122 002,
Hayyana, India.

Sir,

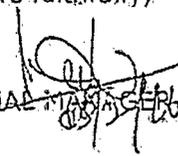
Sub: APIIC - Approach road - SPSR Nellore District - Muthukur Mandal -
Epuru-1B, Pantapalem Village - Acquisition of Acs.1.95 for road facilities
to Industries - Request to furnish consent for payment of Land cost -
Reg.

-oOo-

It is to inform that the APIIC proposed to acquire patta land of Acs.1.95 in
Epuru-1B, Pantapalem Village, Muthukur Mandal where ever the width of the existing
Govt.land in Sy.No.1610 of Pantapalem is not sufficient to form the road to the
Industries as per your request. It is further to inform that the Land Acquisition
process is initiated for formation of road as per requests made by you earlier.

Therefore, it is to request you to give your consent to bear the cost of Land
Acquisition and also cost of road. The probable cost will be intimated to you at
appropriate time after fixation of market value by the Revenue Authorities and
preparation of detailed estimate for road work.

Yours faithfully,


ZONAL MANAGER


5/2/16

29

From: zm nel <zm_nel@apiic.in>
Date: 22 February 2016 11:26:15 am IST
To: suresh majeti <suresh.majeti@ldcom.com>
Subject: APIIC-Approach road -SPSR Nellore District-Muthukur Mandal-Epuru-
1B,Pantapalem Village-Acquisition of Acs.1.95 for road facilities to Industries -Request to
furnish consent for payment of land cost- Reg

Sir,

In continuation to this office letter dated 5-2-2016 it is to inform that the cost of land acquisition and cost of road will be share with your neighbour companies . So please give consent to bear the cost of land acquisition and cost of road.

With regards

Zonal Manager,
APIIC Ltd.,
Nellore.

File No.NMC-ED0ACPT/150/2021-ASSTENG-NMC-NLR

NELLORE MUNICIPAL CORPORATION

From
Sri.K.Dinesh Kumar,I.A.S,
Commissioner
Municipal Corporation,
Nellore.

To
The General Manager,
Aadaani Willmar Unit - II,
Muthukur,
SPSR Nellore District.

Roc No: 54-5/MAE/NMC/2020-21 Dt: .07.2021

- Sub:** Nellore Municipal Corporation - Water Supply - Permission to obtain potable water from Sundarajah Colony ELSR through tankers - Accorded - Regarding.
- Ref:** Review meeting held in the chambers of Commissioner, Nellore Municipal Corporation on 29.01.2021

@@@@@

It is to inform that, during the review meeting held in the reference cited, you have requested this office to provide potable water for operating the refineries, for running boilers, cooling the towers top-up, gardening and drinking purposes of your industry located in Pantapalem Panchayathy.

This office after comprehensive study accepted in principle to provide the water as required and in compliance with the rates stipulated in the by-laws of Nellore Municipal Corporation and on par with the G.O.MS.No: 159 Dt: 17.05.2018 by MA&UD department i.e Rs.60/- per Kilo Litre.

During the review meeting, the group of companies situated in Pantapalem Panchayathy have agreed to bare the cost for laying of pipe line from the existing source under the supervision of Nellore Municipal Corporation authorities.

Since, the laying of pipeline will take time, permission is here by accorded to draw the required water from Sundarajah Colony ELSR, which shall be transported to the end point by making your own filling and transportation arrangements. The concerned parties shall ensure that the premises is maintained upto the satisfaction of Nellore Municipal Corporation. Nellore Municipal Corporation reserves the right to revoke the permission to supply of water. The concerned companies shall pay advance for 30 days, only after settling for 30 days, NMC provides water for the next period.

Your's Faithfully,

Commissioner

Nellore Municipal Corporation

Signed by Kothamasu
Dinesh Kumar I A S
Date: 23-07-2021 12:28:50

31

KRISHNAPATNAM EDIBLE OILS REFINERS' ASSOCIATION

203, Diamond House, Behind Topaz Building, Panjagutta, Hyderabad – 500 082, Telangana

Regn. No. 1020/2014

To
The Superintending Engineer,
Rural Water Supply and Sanitation Department,
Nellore.

Date: 06-12-2021

Dear Sir

Sub: Distribution of Water from Survepalli Reservoir through your infrastructure for Industrial Purpose – Seeking support to transfer the same from Survepalli Reservoir – Reg.

With reference to the above we bring to your notice that this **KRISHNAPATNAM EDIBLE OILS REFINERS' ASSOCIATION** formed in the year 2015 with membership of Seven Edible Oil Refineries located in the same cluster and in the same business line and some more to be established.

With reference to the above cited subject, we bring you the following:

All these industries have started their operations somewhere in between 2011-12. And as per Industrial Investment Promotion Policy 2005-10 – Andhra Pradesh – Pipe Line Scheme the Government assured Infrastructure like roads, power and water at the door step of the industry, but could not materialized so far.

All the Industries got approval for drawing ground water through borewells from the AP Ground Water but the plants are in the coastal area close to the sea the ground water is completely saline, and the industry can only draw the shallow water from the upper level of ground which is not sufficient.

And later on the Government has allocated permission to draw water from Survepally reservoir which is ten to 14 kilo meters away from the industries. Efforts are on to draw water jointly by all the Edible Oil Industries through a common pipeline. All the Industries for the time being are procuring water through tanker Lorries. Now the District Administration and APPCB is directing us, not to procure the water locally.

32

KRISHNAPATNAM EDIBLE OILS REFINERS' ASSOCIATION

203, Diamond House, Behind Topaz Building, Panjagutta, Hyderabad – 500 082, Telangana

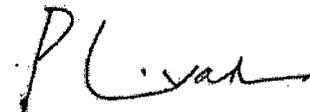
Regn. No. 1020/2014

There are around eight industries of the same line of manufacturing (Edible Oil Refineries) located at the same location, all industries are facing the same concern and all industries got their allocation of water from the NTRTGP, Tirupathi. We all prepared to bear the total cost involved in preparation of DPR and laying the pipeline to all the industries from your existing set up (Survepalli reservoir).

Since laying of pipe line may take some time, in the meantime, we would like to draw water from your existing infrastructure as per allocation through water tankers for the time being until the pipe line is materialised. We are ready to pay water charges for the estimated quantity in advance as fixed by the Department. We can be part to bear the cost involved in preparation of DPR maintenance of Pump House & infrastructure and laying the pipeline to all the industries.

Hence, we are hereby sincerely requesting you to please transfer the water allocated in our account from Survepally Reservoir as per allocation through water tankers and address our concern at the earliest for which the act of yourself is highly helpful to all industries located in this cluster.

Thanking you.
For Krishnapatnam Edible Oil Refiners Association



Authorised Signatory

c.c to Executive Engineer, RWS, Nellore Division, SPSR Nellore Dist.
Deputy Engineer, RWS, Nellore Division, SPSR Nellore Dist.

S No	Name of the Factory	Water allotment date from Chief Engineer - NTR - TGP	Actual Quantity of Allocation KLD
1	Adani Wilmar Limited Unit 1	28.02.2019	264
2	Adani Wilmar Limited Unit 2	20.03.2019	550
3	EMAMI AGROTECH LIMITED	30.01.2019	400
4	3F Industries Limited	01.04.2019	1500
5	Santhoshimathaa Oils & Fats Pvt Ltd	22.03.2019	151
6	South India Krishna Oils & Fats Pvt Ltd	11.02.2019	520
7	Gemini Edibles & Fats India Ltd	30.01.2019	621

33

Krishnapatnam Edible Oils Refiners' Association

203, Diamond House, Behind Topaz Building, Panjagutta, I-Hyderabad - 500082, Telangana

(Regn. No. 1020 / 2014)

To.

Date: 07-12-2021

The Municipal Commissioner
SPSR Nellore

Sub: Consent to draw Water from Nellore Municipal Corporation through pipeline for industrial purpose for edible oil refineries and request for initiation of DPR

Dear Sir,

We are the refiners of edible oils at Krishnapatnam port. The edible oil refining industry has developed here since the year 2010 onwards. There are seven refineries operating at Krishnapatnam port. We import crude edible oils at Krishnapatnam port, refine the oil and sell it in packaged or in bulk form, largely across the Southern and Eastern part of India.

To attract industry to set up in the state of Andhra Pradesh, the Andhra Pradesh Industrial Investment Promotion Policy 2010 – 2015, as issued by the Industries and Commerce department had committed delivery of water at the doorstep of the industry. The existing edible oil refineries at Krishnapatnam were all set up under this policy. However, this promise of water delivery at the doorstep of industry has not materialized. Now that our industries have been set up, we are having to fend for ourselves to source water, an essential item to run our industry. For operating our refineries, we require water for running boilers, cooling towers, gardening and drinking purpose.

The Ground Water Department of Andhra Pradesh has periodically given consent to dig borewells in our premises and we ran our units using water from those borewells. Over time as the refineries have expanded and water requirements have increased, with no source of water from the Government, the refineries have been purchasing water from outside vendors.

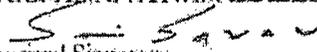
As directed by the District Collector and your recent past discussions we are all interested to take Water from Nellore Municipality through Pipe Line by keeping view of long-term industry interest. Our water requirement will be approx. 6000 KL/Day presently and in future it may go to 8000 to 9000 KL /Day as few more new units are coming up at Krishnapatnam.

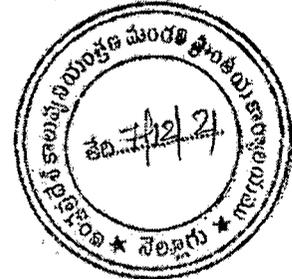
Requesting your good self to kindly treat this as our consent and arrange for a DPR (Detailed project Report) for pipeline laying from Nellore corporation to Edible oil cluster.

Thanking you.

Yours faithfully.

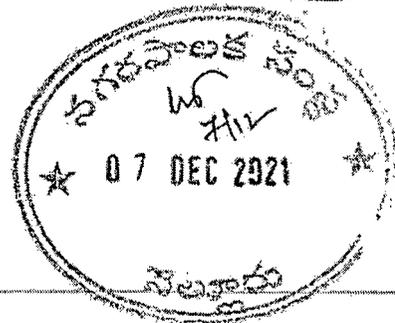
For KRISHNAPATNAM EDIBLE OILS REFINERS' ASSOCIATION


Authorized Signatory



List of operating Edible Oil refineries in Krishnapatnam:

1. South India Krishna Oil and Fats Pvt. Ltd.
2. Panami Agrotech Ltd.
3. Gemini Edibles and Fats Ltd.
4. Adani Wilmar Ltd. (Unit -1)
5. Adani Wilmar Ltd. (Unit -2)
6. 3F Industries Ltd.
7. Santoshimathaa Edible Oil Refinery Pvt. Ltd.



Submitting copy to CC, APCCB, SO, Nellore.

35

Krishnapatnam Edible Oils Refiners' Association

203, Diamond House, Behind Topaz Building, Panjagutta, I-Hyderabad - 500082, Telangana

(Regn. No. 1020 / 2014)

14th December 2021

**The District Collector and Magistrate
SPSR Nellore District**

Dear Sir

Sub: Consent to draw water from Nellore Municipal Corporation

**Ref: Memorandum vide ROC No.3656/2021-A6 Dated 20-1102021 from Panchayat Officer,
Muthukur Mandal, SPSR Nellore District**

As directed by your good selves, we have submitted our willingness letter through our edible oil association to the Nellore Municipal Commissioner on 7th Dec 2021 to draw water through the pipeline.

Further, we have also requested NMC to provide the DPR (detailed project report) for laying of pipeline from the nearest point to the edible oil cluster.

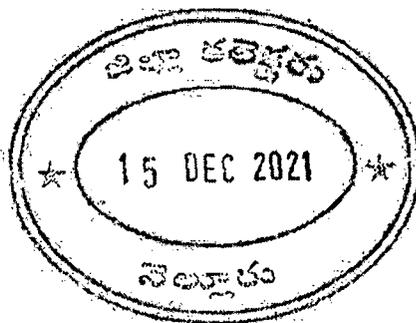
In view of the above we humbly request you to allow us to maintain a status quo to draw water till the DPR is made and complete infrastructure is ready.

Thank You.

Yours Sincerely

For KRISHNAPATNAM EDIBLE OILS REFINERS'S ASSOCIATION

Authorised Signatory



36

BEFORE NATIONAL GREEN TRIBUNAL
SOUTHERN BENCH, CHENNAI
ORIGINAL APPLICATION No. 221/2015

ACTION TAKEN REPORT IN THE MATTER OF O.A. NO.221/2015 SUBMITTED TO
HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN BENCH, CHENNAI IN COMPLIANCE
TO HON'BLE NGT ORDER DATED 24th NOVEMBER, 2021.

INDEX

Sl.No.	Description	Page nos
1	Action taken report on edible oil industries	1-18
2.	Annexure-I- Hon'ble NGT order copy dated 24.11.2021	19-33

C. Raj Sekh
13/12/2021

Andhra Pradesh Pollution Control Board,
Regional Office Nellore

ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

Date: 13.12.2021

Place: Nellore.

37

Action taken report:

1. In the matter of OA 221/2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District, in compliance to Hon'ble NGT directions dated 16.03.2020 & 29.09.2020, the Joint Committee inspected seven edible oil units during 13.10.2020 to 14.10.2020 and submitted the report to the Hon'ble National Green Tribunal during December, 2020. Five edible oil units raised objections to the committee report. Hon'ble NGT vide order dated 03.02.2021 directed the committee to go into the objections and come with their findings on that aspect. In order to verify the ground level implementation of the corrective measures, the committee re-inspected five edible oil units during 29th to 30th July, 2021 which have filed objections to committee report and submitted report to the Hon'ble NGT on 10.08.2021 through e-filing.
2. The Hon'ble National Green Tribunal, Southern Bench vide its order dated 11.08.2021 has directed the following:

"Parties are at liberty to file objection, if any, to the Committee report apart from filing their independent reply to the allegations made in the application. In the meantime, the Pollution Control Board is also directed to file the further action taken report on the basis of the observations made by them along with the Committee at the time of the inspection. Parties are directed to file the same on or before 11.08.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules."
3. In order to take action on the industries based on the observations of the Committee and other observations, the APPCB placed the issue before the External Advisory Committee (Task Force) meeting held on 07.09.2021.
4. After detailed discussions, the External Advisory Committee recommended that the edible oil units shall pay the Environmental Compensation as recommended by the NGT Committee, shall comply with all recommendations of the Committee and also to come up with detailed time bound action plan on utilization of surface water. The committee observed that the industries were given several opportunities for compliance and the committee by the NGT after considering the objections have inspected the industries again and finally recommended levying EC and to issue directions. Thus, having already given ample opportunity, the EAC committee recommended to issue following directions and to levy Environmental Compensation as recommended by the NGT Committee.


13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

38

5. Accordingly, the A.P. Pollution Control Board has issued directions to the edible oil industries on 23.09.2021 in which the unit shall pay the Environmental Compensation as recommended by the Joint Committee constituted by the Hon'ble NGT. Based on the directions issued by the APPCB, the following edible oil units has to pay environmental compensation to APPCB as below:

Sl. No	Name of the Edible oil industry	Environmental Compensation to be paid
1	M/s. Gemini Edibles & Fats India Pvt. Ltd	Rs. 66,00,000/-
2	M/s. Emami Agrotech Limited	Rs. 1,32,50,000/-
3	M/s. Adani Wilmar -(Unit-II)	Rs. 73,80,000/-
4	M/s. South India Krishna Oil & Fats Pvt. Ltd	Rs. 1,05,86,000/-
5	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,)	Rs. 1,10,06,000/-

6. The following industries submitted their objections to the directions dated 23.09.2021 issued by the APPCB and NGT committee report dated.10.08.2021 stating that the matter of Environmental Compensation is pending with the Hon'ble National Green Tribunal, South Zone, Chennai and their submissions are under hearing.

- M/s. 3F Industries Limited (formerly M/s.Foods Fats & Fertilizers Ltd.)
Sy. No. 1604, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPS Nellore District
- M/s. South India Krishna Oil & Fats Pvt. Ltd., Sy. No.275, 279, 280 & 281,
Epuru Bit - 1B, Pantapalem Village, Muthukur Mandal, SPSR Nellore District.
- M/s. Adani Wilmar Ltd (Unit-II) (M/s. Louis Dreyfus India Pvt. Ltd.,
(formerly M/s. Louis Dreyfus Commodities India Pvt. Ltd.,) Sy. No.1601,
Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.
- M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited),
Sy. Nos.501, 502/1, 502/2, 503/1, 503/2, 504, 505/2, 507/2, 509/1,
509/2, 510/1 & 510/2, Pantapalem (V), Muthukur (M), SPSR Nellore District.

7. A virtual meeting was conducted on 04.10.2021 with the representatives of Edible oil industries who have filed objections on the Joint committee report dated. 10.08.2021 submitted to the Hon'ble NGT (SZ). The official's of the Joint committee comprising from MoEF&CC, CPCB and APPCB were attended the virtual meeting. After discussions, the Committee opined that the

C. Raj Sekhar
15/10/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

39

industries has to pay Environmental Compensation as recommended by the Joint Committee in its report dt: 10.08.2021.

8. It is to submit that the Joint committee has recommended the Environmental Compensation after conducting inspection of the industries; the joint committee re-inspected the industries based on the objections raised on the committee report; and the external advisory committee (Task force) of APPCB reviewed the report of the joint committee and recommended to impose Environmental Compensation to the industries. Accordingly, the APPCB vide order dt: 23.09.2021 issued directions to the industries to pay environmental compensation. But the industries filed their objections in I.A.No.155 of 2021 (SZ), I.A.No.156 of 2021 (SZ) , I.A.No.174 of 2021 (SZ) and I.A.No.175 of 2021 (SZ) for staying the direction to pay Environmental Compensation.
9. The Hon'ble NGT heard the case on 24.11.2021 and issued an order with the following directions:
 6. *The matters are pending from 2015 onwards we feel that the question of compensation also can be considered by the Tribunal itself, after giving an opportunity to the parties to file their objections to the Joint Committee report.*
 7. *The respondents against whom compensation has been imposed by the subsequent Joint Committee report after considering the objections filed by them, they are directed to file their objections to the further Joint Committee report as well as action taken report filed by Andhra Pradesh Pollution Control Board (APPCB) before this Tribunal within a week.*
 8. *In the mean time, we direct the Andhra Pradesh Pollution Control Board (APPCB) to keep the direction to pay the compensation issued against the respondents in abeyance till the next hearing date. The interim order if any passed by this tribunal, if necessary can be extended on the next hearing date. With the above observations I.A.No.155 of 2021 (SZ), I.A. No. 156 of 2021 (SZ), I.A. No.-174 of 2021 (SZ) and I.A. No. 175 of 2021 (SZ) are disposed of.*
 9. *The parties are directed to file their objection to the present report submitted by the Joint Committee as well as the Andhra Pradesh Pollution Control Board (APPCB) regarding the quantum of compensation and also the reasons given by them for reiterating their findings regarding the assessment of compensation on or before 08.12.2021 and get ready with the Original Application on 16.12.2021.*


13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

40

10. The committee as well as the Andhra Pradesh Pollution Control Board (APPCB) are also directed to file their further report to this Tribunal on or before 01.12.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules and get ready with the matter on 16.12.2021.

A copy of the Hon'ble NGT order dated. 24.11.2021 is herewith enclosed as Annexure-I for kind perusal.

In view of the above, the Board officials have inspected the edible oil industries on 08.12.2021 & 09.12.2021 and verified the compliance status of the Board directions dated. 23.09.2021 is submitted below:

M/s. Adani Wilmar Ltd (Unit-II) (M/s. Louis Dreyfus India Pvt. Ltd., (formerly M/s. Louis Dreyfus Commodities India Pvt.Ltd.,) Sy.No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.

Sl.No	Direction	Compliance
1	The industry shall immediately pay the EC of Rs. 73,80,000/-	The Hon'ble NGT vide order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.
2	The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement from government authorized sources only.	<p>Not complied.</p> <p>The industry is still procuring the water from the outside agencies which was tapped in illegal manner.</p> <p>The APPCB vide lr. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.</p> <p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p> <p>Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide lr.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>

C. P. Sekhri
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

A

3	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors and the unit shall comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.	Complied. The industry disposed spent nickel catalyst to the authorised vendor for reprocessing duly following the manifest system.
4	The industry shall not discharge any treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.
5	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of its disposal.	Complied.
6	The industry are purchasing crude palm & sunflower oil locally solvent extraction units in addition to the import from foreign countries. The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The industries shall carry out mineral oil test with every batch of consignment locally procured also. These reports have to be submitted to APPCB along with their compliance report	Complied. The industry is importing crude edible oils and carryout mineral oil test through third party. The industry is not procuring crude edible oil locally.
7	The industry shall provide online AAQ monitoring station to measure PM10 in the surrounding villages.	Not complied.
8	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitors. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
9	The committee observed fly ash dumped towards North side of M/s Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust.	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.
10	The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. M/s. Emami, M/s. Gemini and M/s. Adani Wilmar Unit shall collectively construct new concrete roads as part of CSR activity.	Not Complied. The access road connecting M/s. Emami and M/s. Adani Wilmar Unit- II is not improved. The industry representative informed that there is a land dispute and temporary improvements are under progress.
11	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition as part of CSR activity the units can take up compensatory green belt in public lands.	Complied.

C. Raj Sekhar
13/11/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

42

12	The industry shall ensure that proper segregation of various types of hazardous wastes and provide provision with leachate collection.	Complied. The industry stored the hazardous wastes in a closed room.
13	The industry shall ensure that the storm water drainage system as below: I. Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through pipes. II. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. iii. There shall not be any entry of contaminated wastewater into the storm water drains.	Partially Complied. i) Complied ii) The industry is routing the 1 st flush of the storm water into the storm water drains and provided pumps in the storm water drain to transfer to the ETP. iii) The industry is maintaining dry condition in the storm water drains during non-rainy days.
14	The industry shall scrupulously comply with all other recommendations made by the joint committee in its reports dt: 01.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.
15	The industry shall extend the existing bank guarantee for further period of one year.	The bank guarantee of Rs.12,50,000/- submitted by the industry is valid upto 25.03.2022. The representative informed that the Bank Guarantee will be extended before expiry.

M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited), Sy. Nos.501, 502/1, 502/2, 503/1, 503/2, 504, 505/2, 507/2, 509/1, 509/2, 510/1 & 510/2, Pantapalem (V), Muthukur (M), SPSR Nellore District.

Sl.No	Direction	Compliance
1	The industry shall immediately pay the EC of Rs.1,32,50,000/-	The Hon'ble NGT vide order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.
2	The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement from government authorized sources only.	Not complied. The industry is still procuring the water from the outside agencies which was tapped in illegal manner. The APPCB vide lr. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.

C. Raj Sekh
13/11/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

43

		<p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p> <p>Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide lr.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>
3	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors. The industry shall dispose the waste within 90 days from date of generation and shall comply with other provisions of HoWM Rules, 2016 for transportation and disposal.	The industry is storing spent nickel catalyst in a closed shed.
4	The industry shall not discharge treated/ untreated effluents into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.
5	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal	Complied.
6	The industry shall maintain test results for mineral oil in v/v% in the crude palm & sunflower oil procuring from indigenous sources and from the crude edible oil being imported from foreign countries. The proof of test reports for every consignment submitted to Food Quality Dept.,/ regulatory bodies shall be produced to Regional Office, Nellore for every 3 months	<p>Complied.</p> <p>The industry is importing crude edible oils and carryout mineral oil test through third party.</p> <p>The industry is not procuring crude edible oil locally.</p>
7	The industry shall provide online AAQ monitoring station to continuously monitor PM10, SO2 & other critical pollutants in the upward and cross wind directions at surrounding villages, in network with other edible oil industries	Not complied.
8	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitoring. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
9	The committee observed fly ash dumped towards North side of M/s. Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust. The	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.


 13/12/2021
 ENVIRONMENTAL ENGINEER
 A.P. POLLUTION CONTROL BOARD
 Regional Office
 NELLORE

44

	compliance of the above shall be submitted to the Board within 15 days along with photographic evidence.	
10	The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. M/s.Emami, M/s. Gemini and M/s. Adani Wilmar Units shall collectively construct new concrete roads as part of CSR activity.	Not Complied. The access road connecting M/s. Emami and M/s. Adani Wilmar Unit- II is not improved. The industry representative informed that there is a land dispute and temporary improvements are under progress.
11	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition as part of CSR activity the units can take up compensatory green belt in public lands.	Not Complied. The industry is suppose to develop about 10 acres of green belt. But, the industry has developed greenery in an area of about 6.0 acres only.
12	The industry shall ensure that proper segregation of various types of hazardous wastes and shall provide with leachate collection system and to route the run-off/leachate to ETP for treatment.	Complied. The industry stored the hazardous wastes in a closed room.
13	The industry shall ensure that the storm water drainage system as below: I. Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through permanent pipeline network laid above the ground level with appropriate color coding. II. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. Implementation plan of action shall be furnished to the Board within 15 days. III. There shall not be any entry of contaminated wastewater into the storm water drains	Partially Complied. The industry is routing the 1 st flush of the storm water into the storm water drains and provided pumps in the storm water drain to transfer to the ETP. The industry is maintaining dry condition in the storm water drains during non-rainy days.
14	The industry shall scrupulously comply with all other recommendations made by the Joint Committee in its reports dated 1.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.
15	The industry shall extend the Bank Guarantee of Rs. 50 lakhs dt. 06.10.2020 for further period for one more year i.e. 05.10.2022.	The industry extended the bank guarantee of Rs.50 Lakhs for the period upto 25.11.2022.

C. Raj Sekh
13/11/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

45
M/s. 3F Industries Limited (formerly M/s. Foods Fats & Fertilizers Ltd.) Sy.No. 1604, Epuru 1-B, Pantapalem (V), Muthukur (M), SPSR Nellore District.

Sl.No	Direction	Compliance
1	The industry shall immediately pay the EC of Rs.1,10,06,000/-	The Hon'ble NGT vide order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.
2	The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement from government authorized sources only.	<p>Not complied.</p> <p>The industry is still procuring the water from the outside agencies which was tapped in illegal manner.</p> <p>The APPCB vide Ir. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.</p> <p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p> <p>Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide Ir.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>
3	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors. The industry shall dispose the waste within 90 days from date of generation and shall comply with other provisions of HoWM Rules, 2016 for transportation and disposal.	The industry is disposing the spent nickel catalyst to the recyclers.
4	The industry shall not discharge treated/untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.
5	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.	Complied.
6	The industry shall maintain test results for mineral oil in v/v% in the crude palm & sunflower oil procuring from indigenous sources and from the crude edible oil being imported from foreign countries. The proof of test	<p>Complied.</p> <p>The industry is importing crude edible oils and carryout mineral oil test through third party.</p>

C. Raj Sekhar
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office

46

	reports for every consignment submitted to Food Quality Dept./ regulatory bodies shall be produced to Regional Office, Nellore for every 3 months	The industry is not procuring crude edible oil locally.
7	The industry shall provide online AAQ monitoring station to continuously monitor PM10, SO2 & other critical pollutants in the upward and cross wind directions at surrounding villages, in network with other edible oil industries	Not complied.
8	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitoring. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
9	The committee observed fly ash dumped towards North side of M/s. Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust. The compliance of the above shall be submitted to the Board within 15 days along with photographic evidence.	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.
10	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition as part of CSR activity the units can take up compensatory green belt in public lands.	Not Complied. The industry is suppose to develop about 0.7 acres of green belt to achieve 33% of the total area.
11	The industry shall ensure that proper segregation of various types of hazardous wastes and shall provide with leachate collection system and to route the run-off / leachate to ETP for treatment.	Complied. The industry stored the hazardous wastes in a closed room.
12	The industry shall ensure that the storm water drainage system as below: i. Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through permanent pipeline network laid above the ground level with appropriate color coding. ii. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. Implementation plan of action shall be furnished to the Board within 15 days. iii. There shall not be any entry of contaminated wastewater into the storm water drains	Complied The industry is routing the 1 st flush of the storm water into the storm water drains and provided pumps in the storm water drain to transfer to the ETP. The industry is maintaining dry condition in the storm water drains during non-rainy days.

C. Raj Sekhar
15/11/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

47

13	The industry shall scrupulously comply with all other recommendations made by the Joint Committee in its reports dated 1.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.
14	The industry shall extend the existing Bank Guarantees for further period of one year.	The industry submitted bank guarantee of Rs.15 Lakhs & 16 Lakhs which are valid upto 23.02.2022 & 26.02.2022 .

M/s. Adani Wilmar Limited (Unit -I), (formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.), Sy.No.292, 317, Pantapalem (V) (Epuru-1B), Muthukur (M), SPSR Nellore District.

Sl.No	Direction	Compliance
1	The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement from government authorized sources only.	<p>Not complied.</p> <p>The industry is still procuring the water from the outside agencies which was tapped in illegal manner.</p> <p>The APPCB vide lr. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.</p> <p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p> <p>Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide lr.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>
2	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors. The industry shall dispose the waste within 90 days from date of generation and shall comply with other provisions of HWM Rules, 2016 for transportation and disposal.	The industry is disposing the spent nickel catalyst to the recyclers.
3	The industry shall not discharge treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.

C. P. S. S.
15/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office

48

4	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.	Complied.
5	The industry shall maintain test results for mineral oil in v/v% in the crude palm & sunflower oil procuring from indigenous sources and from the crude edible oil being imported from foreign countries. The proof of test reports for every consignment submitted to Food Quality Dept.,/ regulatory bodies shall be produced to Regional Office, Nellore for every 3 months.	Complied. The industry is importing crude edible oils and carryout mineral oil test through third party. The industry is procuring crude edible oil locally after getting mineral oil test in case of any scarcity.
6	The industry shall provide online AAQ monitoring station to continuously monitor PM10, SO2 & other critical pollutants in the upward and cross wind directions at surrounding villages, in network with other edible oil industries	Not complied.
7	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitoring. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
8	The committee observed fly ash dumped towards North side of M/s . Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust. The compliance of the above shall be submitted to the Board within 15 days along with photographic evidence.	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.
9	The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. M/s. Emami, M/s. Gemini and M/s. Adani Wilmar Units shall collectively construct new concrete roads as part of CSR activity.	Not applicable to M/s. Adani Wilmar Unit-I.
10	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition as part of CSR activity the units can take up compensatory green belt in public lands.	Not Complied. The industry is suppose to develop about 4.95 acres of green belt to achieve 33% of the total area. At present , the industry has developed green belt in an extent of about 4.0 acres.
11	The industry shall ensure that proper segregation of various types of hazardous wastes and shall provide with leachate collection system and to route the run-off / leachate to ETP for treatment.	Complied. The industry stored the hazardous wastes in seperate closed rooms.

C. Raj Sekhar
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

49

12	<p>The industry shall ensure that the storm water drainage system as below:</p> <ol style="list-style-type: none"> Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through permanent pipeline network laid above the ground level with appropriate color coding. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. Implementation plan of action shall be furnished to the Board within 15 days. There shall not be any entry of contaminated wastewater into the storm water drains 	<p>Complied</p> <p>The industry is routing the 1st flush of the storm water into the storm water drains and provided pumps in the storm water drain to transfer to the ETP.</p> <p>The industry is maintaining dry condition in the storm water drains during non-rainy days.</p>
13	<p>The industry shall scrupulously comply with all other recommendations made by the Joint Committee in its reports dated 1.12.2020 and 10.08.2021.</p>	<p>Partially Complied.</p> <p>The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.</p>

M/s. Gemini Edibles & Fats India Pvt. Ltd., Sy.No.1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore District

Sl.No	Direction	Compliance
1	<p>The industry shall pay the EC of Rs.66,00,000/- within a week time.</p>	<p>The Hon'ble NGT vide order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.</p>
2	<p>The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement through surface water sources from government authorized agencies only.</p>	<p>Not complied.</p> <p>The industry is still procuring the water from the outside agencies which was tapped in illegal manner.</p> <p>The APPCB vide lr. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.</p> <p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p>

C. Raj Sekhar
15/11/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office

50

		Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide lr.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.
3	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors. The industry shall dispose the waste within 90 days from date of generation and shall comply with other provisions of HWM Rules, 2016 for transportation and disposal.	The industry is storing spent nickel catalyst in separate closed room until its disposal.
4	The industry shall not discharge treated/ untreated effluents into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.
5	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.	Complied.
6	The industry shall maintain test results for mineral oil in v/v% in the crude palm & sunflower oil procuring from indigenous sources and from the crude edible oil being imported from foreign countries. The proof of test reports for every consignment submitted to Food Quality Dept./ regulatory bodies shall be produced to Regional Office, Nellore for every 3 months.	Complied. The industry is importing crude edible oils and carryout mineral oil test through third party. The industry is not procuring crude edible oil locally.
7	The industry shall provide online AAQ monitoring station to continuously monitor PM10, SO2 & other critical pollutants in the upward and cross wind directions at surrounding villages, in network with other edible oil industries	The industry placed purchase order for CAAQM station and expected to be installed by the end of December, 2021.
8	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitoring. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
9	The committee observed fly ash dumped towards North side of M/s. Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust. The compliance of the above shall be submitted to the Board within 15 days along with photographic evidence	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.

C. Raj Sekhar
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

51

10	The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. M/s. Emami, M/s. Gemini and M/s. Adani Wilmar Units shall collectively construct new concrete roads as part of CSR activity.	Not Complied. The access road connecting M/s. Emami and M/s. Adani Wilmar Unit- II is not improved. The industry representative informed that there is a land dispute and temporary improvements are under progress.
11	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition ,as part of CSR activity, the units can take up compensatory green belt in public lands.	Not Complied. The industry is suppose to develop about 4.6 acres of green belt. But, the industry has developed greenery in an area of about 4.2 acres only.
12	The industry shall ensure that proper segregation of various types of hazardous wastes and shall provide with leachate collection system and to route the run-off / leachate to ETP for treatment.	Complied. The industry stored the hazardous wastes in a closed shed with partition.
13	The industry shall ensure that the storm water drainage system as below: i. Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through permanent pipeline network laid above the ground level with appropriate color coding. ii. The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. Implementation plan of action shall be furnished to the Board within 15 days. iii. There shall not be any entry of contaminated wastewater into the storm water drains.	Complied The industry is routing the 1 st flush of the storm water into the storm water drains and provided 3 nos of pumps in the storm water drain to transfer to the ETP. The industry has provided rain water harvesting pit in an extent of about 0.35 Acre The industry is maintaining dry condition in the storm water drains during non-rainy days.
14	The industry shall scrupulously comply with all other recommendations made by the Joint Committee in its reports dated 1.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.
15	The industry shall extend the existing Bank Guarantees for further period of one year.	The industry has submitted bank guarantees for Rs.11.0 Lakhs which is valid upto 06.02.2022 and Rs.20 Lakhs which is valid upto 26.02.2022.

C. Raj Sekhar
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

52

M/s. South India Krishna Oil & Fats Pvt. Ltd., Sy. No.275, 279, 280 & 281, Epuru Bit - 1B, Pantapalem Village, Muthukur Mandal, SPSR Nellore District

Sl.No	Direction	Compliance
1	The industry shall immediately pay the EC of Rs.1,05,86,000/- within a weektime.	The Hon'ble NGT vide order dated. 24.11.2021 issued directions to the APPCB to keep the direction to pay the compensation in abeyance till next hearing date.
2	The industry shall stop procurement of water from the outside agencies which was tapped in illegal manner. They shall meet water requirement through the surface water sources from government authorized agencies only.	<p>Not complied.</p> <p>The industry is still procuring the water from the outside agencies which was tapped in illegal manner.</p> <p>The APPCB vide lr. dated. 18.11.2021 requested the Collector & District Magistrate, SPSR Nellore district to direct the concerned officials / Departments to stop illegal drawl of water from bore wells, who are supplying water to the edible oil industries in Muthukur Mandal, SPSR Nellore district to prevent ground water depletion in the area.</p> <p>The Collector & District Magistrate strictly directed to the Revenue and Panchayath-raj departments to take immediate action.</p> <p>Subsequently, the industries requested the Nellore Municipal Corporation to provide water. The edible oil industries association Vide lr.dated.07.12.2021 issued consent to the Corporation to prepare DPR for laying of pipeline for supply of water.</p>
3	The industry shall store the spent nickel catalyst safely until its disposal to the authorized re-processors. The industry shall dispose the waste within 90 days from date of generation and shall comply with other provisions of HoWM Rules, 2016 for transportation and disposal.	The industry is storing spent nickel catalyst in separate closed room until its disposal.
4	The industry shall not discharge treated/ untreated effluents into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.	Complied.
5	The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.	Complied.
6	The industry shall maintain test results for mineral oil in v/v% in the crude palm & sunflower oil procuring from indigenous sources and from the crude edible oil being imported from	<p>Complied.</p> <p>The industry is importing crude edible oils and carryout mineral oil test through third party.</p>

C. Raj Sekhar
13/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

53

	foreign countries. The proof of test reports for every consignment submitted to Food Quality Dept.,/ regulatory bodies shall be produced to Regional Office, Nellore for every 3 months	At Present, the industry is not procuring crude edible oil locally.
7	The industry shall provide online AAQ monitoring station to continuously monitor PM10, SO2 & other critical pollutants in the upward and cross wind directions at surrounding villages, in network with other edible oil industries.	Not complied.
8	The porthole provided to the stacks for manual monitoring shall not be utilized for online stack monitoring. The units shall ensure that real time data is directly transferred from analyzer to APPCB server without any interface.	Complied.
9	The committee observed fly ash dumped towards North side of M/s. Emami Agrotech Limited. All the 7 nos of edible oil industries directed to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust. The compliance of the above shall be submitted to the Board within 15 days along with photographic evidence	The Krishnapatnam Edible Oils Refiners Association has issued purchase order to cover the area with sand/ Granular Sub Base (GSB) by 28.02.2022 vide P.O. dated. 22.11.2021.
10	The industry shall develop green belt all along the boundary and in vacant spaces and ensure that the 33% of total area is covered with green belt. In addition as part of CSR activity the units can take up compensatory green belt in public lands.	Complied. The total area of the industry is about 16.12 Acres. The industry has to develop green belt in an extent of 5.3 Acres : The industry has developed green belt in an extent of about 3.0 Acres inside the plant.. The industry has purchased 4.9 acres of land towards South side and developed green belt in about 3.2 acres as compensatory green belt.
11	The industry shall ensure that proper segregation of various types of hazardous wastes and shall provide with leachate collection system and to route the run-off / leachate to ETP for treatment.	Complied. The industry stored the hazardous wastes in a closed shed with leachate collection system.
12	The industry shall ensure that the storm water drainage system as below: i. Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through permanent pipeline network laid above the ground level with appropriate color coding. ii. The first flush of storm water for the first 15 minutes shall be	Complied The industry is routing the 1 st flush of the storm water into the storm water

C. Raj Sekh
15/12/2021
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office

54

	collected and routed to the ETP. Implementation plan of action shall be furnished to the Board within 15 days. iii. There shall not be any entry of contaminated wastewater into the storm water drains.	drains and provided 2 nos of pumps in the storm water drain to transfer to the ETP. Complied.
13	The industry shall scrupulously comply with all other recommendations made by the Joint Committee in its reports dated 1.12.2020 and 10.08.2021.	Partially Complied. The industry complied with the issues pertaining to the individual industry but not yet complied with the directions pertaining to the all units such as raw water, clay / soil cover over the ash dumped in the vacant area, CAAQM station in the nearby village.
14	The industry shall extend the existing Bank Guarantees for further period of one year.	The industry has submitted bank guarantee for Rs.34.5 Lakhs which is valid upto 25.03.2022.

M/s. Saraiwalaa Agr. Refineries Limited, Sy.No. 256, 257/1, 257/2A, 257/2B, 271, 272, 273/A, 274, Pantapalem (V), Muthukur (M), SPSR Nellore District.

Sl.No	Direction	Compliance
	The industry is not operation since Three years.	

Hence, it is humbly submitted that the Hon'ble National Green Tribunal to issue directions to the edible oil industries to pay the Environmental Compensation and implement the directions dt: 23.09.2021 without any delay.

C. Raj Sekhar
13/11/2021

Andhra Pradesh Pollution Control Board,
Regional Office Nellore

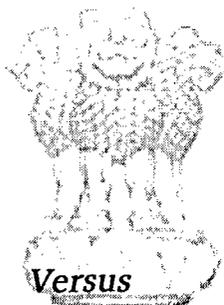
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office
NELLORE.

Item No.13:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 221 of 2015 (SZ) &
I.A. Nos 155 & 156 of 2021 (SZ) &
I.A. Nos. 174 & 175 of 2021 (SZ)
(Through Video Conference)

IN THE MATTER OF:

Isanaka Vedavathi,
H.No. 16-4-966, Pinakini Avenue,
Near Apollo Hospital,
Nellore – 524 003.



... Applicant(s)

Union of India
Rep. by its Secretary,
Ministry of Environment, Forest & Climate Change,
New Delhi and Ors.

... Respondent(s)

Date of hearing: 24.11.2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s):
Smt/Me Saraswathy for R1.
Smt. Madhuri Donti Reddy for R2 to R4.
Mr. C. Seethapathy along with
Mr. P.R. Raman for R5.
Mr. D. Sreenivasan for R6 & R7
Ms. Sneha Parthasarathy represented
Mrs. Aparajitha Vishwanath for R8/I.A. No.
156/2021
Mr. M. Ravindran Sr. Advocate along with
Mr. D. Srinivasan for R9/I.A. No. 175/2021
Mr. M. Ravindran Sr. Advocate along with
Mr. D. Srinivasan for R10/I.A. No. 174/2021
Mr. Radhakrishnan Sr. Advocate along with

Mr. D. Sreenivasan for R10
Mr. Raghavan Ramabadrn represented
M/s. Lakshmi Kumaran & Sridharan Attorney, R.
Raghavan for R11/ I.A. No.155/2021

ORDER

1. As per order dated 11.08.2021, this Tribunal had considered the conclusion portion of the Joint Committee report dated 10.08.2021 which was extracted in Para (3) of the order and posted the case to 16.09.2021 for filing their objection to the same. On 16.09.2021, this Tribunal had directed the committee to go into the objections filed by the respondents 9 and 10 to the earlier report and also directed the 11th respondent to file their objections before this Tribunal within a week and to serve a copy of the same to the Joint Committee and directed the Joint Committee to consider that objection also and then posted the case to 18.10.2021 for consideration of further action taken report. On 18.10.2021, the matter has been adjourned to today by notification.
2. There was no representation for the applicant.
3. The Joint Committee has filed a further report in compliance with the order dated 16.09.2021 dated Nil. e-filed on 23.11.2021 and received today (24.11.2021) which reads as follows:-

1. Preamble

Seven Edible Oil Industries are operating in Krishnapatnam Port region in SPSR Nellore district. The applicant Smt. Isanaka Vedavathi submitted a representation stating that pollution has been caused by edible oil units. Hon'ble National Green Tribunal Southern Bench vide order dated 16.03.2020 appointed a joint committee comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Chennai (2) Senior Officer from the Regional Office of MoEF&CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to ascertain the status of functioning of edible oil refinery units at Krishnapatnam. In compliance to Hon'ble NGT order dated 16.03.2020, the committee inspected the edible oil units in October, 2020 and submitted the report during December, 2020. Out of seven units operating in the region, five edible oil units raised objections to the committee report. Hon'ble NGT vide order dated 03.02.2021 directed the committee to go into the objections and come with their findings on that aspect. Copy of Hon'ble NGT order dated 03.02.2021 is placed as Annexure-I.

In compliance to Hon'ble NGT order 16.03.2020 and 03.02.2021 the following committee was composed:

1. Dr. Suresh Babu Pasupuleti, Scientist-C, Integrated Regional Office (IRO), Ministry of Environment, Forest and Climate Change, Vijayawada.
2. Smt. Mahima T, Scientist-D, Central Pollution Control Board, Regional Directorate, Chennai.
3. Sri. Rajasekhar, Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, Nellore (Nodal agency).

The Committee has been vested with the mandate to review the objections raised by the edible oil units on committee report, verify the compliance status. The committee convened a meeting with the edible oil units on 25.03.2021 to understand the issues raised by them. During the meeting the five edible oil units informed the committee members that they have upgraded the treatment units, laid effluent conveyance system and presently are fully complying with all the CFO conditions stipulated by APPCB. In order to verify the ground level implementation of the corrective measures the committee inspected five edible oil units which have filed objections to committee report during 29th to 30th July, 2021.

The committee after ascertaining the ground level implementation of the action plan, the committee submitted second report during August, 2021.

58

The Hon'ble NGT vide order dt: 11.08.2021 issued order that "Parties are at liberty to file objection, if any, to the Committee report apart from filing their independent reply to the allegations made in the application. In the meantime, the Pollution Control Board is also directed to file the further action taken report on the basis of the observations made by them along with the Committee at the time of the inspection. Parties are directed to file the same on or before 11.08.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules." Copy of Hon'ble NGT order dated 11.08.2021 is placed as Annexure-II.

Accordingly, the APPCB vide order dt: 23.09.2021 issued directions to the edible oil units based on the observations and recommendations of the Committee and directed 5nos. of edible oil units to pay the environmental compensation to the APPCB within a week. Copies of the directions issued to the edible oil industries are herewith enclosed as Annexure - III.

In the meanwhile, four industries again submitted objections to Hon'ble NGT against the second report of the committee, which was submitted during August,2021. Hon'ble NGT vide order dated 16.09.2021 directed the committee to consider the objections and to give the opinion on the same and to file further report as well as action taken report by 18.10.2021. Copy of Hon'ble NGT order dated 16.09.2021 is placed as Annexure-IV.

2. Action taken by the Committee:

The Joint committee conducted a virtual meeting with the Edible oil industries, Krishnapatnam Port area, SPSR Nellore District on 04.10.2021. During the meeting, the committee interacted with all four industries that have raised objections to the committee report. The committee reviewed the objections filed by the edible oil industries by the individual industries on the joint committee report dated 10.08.2021. In compliance to Hon'ble NGT directions, the committee has considered the objections raised by the industries and same is summarized in table 1. During committee inspection the industry representatives were also present. The committee has explained the about non-compliances observed during inspection to the industry representatives for which the industry representatives assured to the committee members that they shall take corrective actions.

Committee Report in the matter of OA 221/2015 (SZ)

Table 1: Review of objections raised by the industry against committee report of December, 2020.

Sl.No	Objection raised by the industry	Decision of the committee	Remarks
<u>I. M/s. 3F Industries Limited</u>			
1	Objected regarding constitution of the committee and mentioned that all 7 units were inspected in a single day.	The committee was constituted by Hon'ble NGT and committee was composed based on the nominations received by respective departments of APPCB, CPCB & MoEF&CC. The committee convened online meetings and inspected the units in detail in two days. In addition APPCB has carried out ambient air quality and source emission monitoring	Objection need not be considered.
2	Claimed that all units of the ETP are in operation, 7 fat traps provided, storm water drains are in dry condition, spillage of oil observed mainly at tank form area due to pump seal leaks and tank form is built on concrete floor.	On the day of committee inspection, the ETP was not in operation; oil was spilled all over the plant and in tank form area and ETP areas; There was no proper effluent transfer system from production block to ETP and storm water drains were used for transfer of effluent instead of closed conduits. Storm water drains were clogged and filled with oil waste. Though the unit had installed seven traps but they were not adequate and were not effectively functioning due to which thick oil deposition was observed in ETP components and ETP was not in operation. Photos taken during inspection were submitted along with earlier committee reports	Non-complying during committee inspection. Objection need not be considered
3	Reported that they are installing an advance version of skimmer for removal of oil or solids through DAF system.	The committee first inspected the units during October, 2020 and second inspection was carried out during July, 2021. Even after a lapse of nine months, unit had not	DAF system for oil skimming not installed at the time of committee inspection.

		installed DAF system by the time of inspection. The unit reported that they have placed the order for procurement of DAF.	Found Non-complying during inspection. Objection need not be considered
4	Claimed that they are spent nickel catalyst to the authorized reprocessors who are selling to their unit.	During inspection, the unit is not able to produce the records i.e. Manifest pertaining to disposal of spent nickel catalyst to authorized re-processors. As per the HWM Rules, 2016, the unit shall dispose the hazardous wastes within 90 days.	Non-complying during inspection. Objection need not be considered
5	Disposing fullers earth to authorized incense manufacturers.	Fullers earth and oil recovered from ETP are bye products of the unit. The bye-products shall be either utilized for further beneficial purposes or disposed safely. The unit is supposed to maintain records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of its disposal. The unit informed that they are disposing fullers earth to incense sticks manufacturers and soap industries, however no records were made available to committee on its utilization or disposal.	Objection need not be considered
6	The unit informed that they installing new equipment in the ETP which will be commissioned by end of September,2021.	The committee reported the status of the unit as on date of inspection i.e.30.07.2021, during which ETP was not in operation.	Objection need not be considered
7	Requested to reject the joint committee report and set aside the fine of Rs.1,10,06,000/- levied without basis.	The committee inspected the industry in detail and calculated the Environmental Compensation as per the formula given by the CPCB. The unit is filing their objections to delay the payment of the Environmental Compensation.	Objection need not be considered. Committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 1,10,06,000/- to APPCB.

Committee Report in the matter of OA 221/2015 (SZ)

M/s. South India Krishna Oil & Fats Pvt. Ltd.			
8	The industry reported that they are in the process of improving the storm water drains, issued work order for rain water harvesting system and placed order for oil & grease skimmer.	The industry is supposed to maintain the storm water drains in such a way that they shall be in dry condition during sunny days and storm water shall not get contaminated with rain water. But, on the day of inspection, there is no rain but contaminated effluent was present in the storm water drain. Rain water harvesting system not yet completed. Further, oil & grease skimmer also not yet provided. Hence the committee recommended the unit to improve wastewater handling and also reported as partially complied.	Partially complied during committee inspection. Objection need not be considered
9	The industry reported that they have provided odour control system.	The committee observed severe odour nuisance within the premises and the same was reported. However the unit assured the committee that corrective measures shall be taken and odour will be controlled.	Objection need not be considered
10	Objected the levy of Environmental Compensation of Rs. 1,05,86,000/-	The unit is partially complying but unit is in the process of implementing corrective measures. As there is some improvement and some more improvements are under progress, the committee has considered R factor as Rs. 100/- only.	Objection need not be considered. Unit was partially complying during committee inspection. EC is assessed till compliance is achieved. EC of Rs.1,05,86,000/- is assessed as per CPCB formula considering the improvements made by the unit.

M/s. Emami Agrotech Limited			
11	Objected regarding constitution of the committee and mentioned that all 7 units were inspected in a single day.	The representatives of the APPCB, CPCB & MoEF&CC inspected the units as nominated by the respective organizations. The committee inspected the units in detail in two days.	Objection need not be considered.
11	The industry claimed that they complied in all aspects as per the report dt: 10.08.2021 and the EC was levied.	It is clarified that no fresh EC was levied as the industry complied with the conditions. As there are certain non-compliances during previous inspection of the committee, the industry is liable to pay Environmental Compensation of Rs. 1,32,50,000/- to APPCB.	Unit is one of the reputed & largest industry in the region. In spite of directions & notices issued by APPCB, unit was found non-complying during first inspection of the committee. EC was assessed as per CPCB formula. Objection need not be considered.
M/s. Adani Wilmar Ltd (Unit-II) (Formerly M/s. Louis Dreyfus India Pvt. Ltd.,)			
12	The industry claimed that they complied in all aspects as per the report dt: 10.08.2021 and the EC was levied.	It is clarified that no fresh EC was levied as the industry complied with the conditions. As there are certain non-compliances during previous inspection of the committee, the industry is liable to pay Environmental Compensation.	Objection need not be considered.

During meeting, the joint committee members has reviewed individual unit and explained about their violations observed in detailed manner and directed to pay the environmental compensation as per the directions of the Hon'ble NGT.

The representatives of the edible oil industries informed that they have complied with violations observed by the Joint committee during their inspections held during 29th to 30th October, 2020 and 29th to 30th July, 2021. Since the industries have taken corrective measures and are currently complying with the stipulated standards and with the directions issued by APPCB, on these grounds the industries requested the Joint committee to waive-off the Environmental Compensation.

63
Committee Report in the matter of OA 221/2015 (SZ)

The committee reviewed the objections filed by the edible oil industries by the individual industries on the joint committee report dated 10.08.2021. The representatives of M/s. Gemini, M/s. Emami and M/s. Adani (Unit-1) informed that they have complied with the directions and conditions insisted by the APPCB. The Committee clarified that the Environmental Compensation is for the earlier period but not for the recent period. APPCB are regularly monitoring the industries and have issued directions vide order dated 15.02.2018 and 16.02.2018.

Further APPCB has inspected the industries and issued modified directions on 17.01.2020. The committee inspected the units during October, 2020 and found that the units are yet to comply with Directions issued by APPCB. The committee has assessed Environmental Compensation for the non-compliance during January, 2020 to October, 2020. In compliance to Hon'ble NGT directions dated 03.02.2021 and 16.09.2021, the industries have presently cleaned the drains, separated storm water drains and effluent drains, not discharging effluent into storm water drains, oily sludge removed from drains. The committee submits that present compliance of the industries can't be considered or represented as the units were complying with APPCB directions during January to October, 2020. Hence the committee humbly submits to Hon'ble NGT to direct the industries to pay Environmental Compensation to APPCB as briefed in table 2.

Table 2 :

Sl. No	Name of the Unit	EC to be paid in INR
1	M/s Gemini Edibles & Fats India Pvt. Ltd	66,00,000/-
2	M/s Emami Agrotech Limited	1,32,50,000/-
3	M/s. Adani Wilmar -(Unit-II)	73,80,000/-
4	M/s South India Krishna Oil & Fats Pvt. Ltd	1,05,86,000/-
5	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,)	1,10,06,000/-

Sri G. Prathap, Director of M/s. Gemini Edible oil industries Pvt. Ltd., representing the Edible oil association has submitted that they are consistently improving the industries and also solving the common issues. He informed that they had a meeting with the District Administration & Municipal Corporation authorities for procurement of raw water. The association is in positive to work together with authorities for procurement of water to overcome this problem. The work is under progress.

The committee observed that the industries have taken lot of corrective measures within a short time. Significant positive changes such as rain water harvesting pits and complete recharge of ground water, installation of additional fat traps for efficient oil recovery etc., are implemented by the industries for Environmental Protection.

The industries collectively agreed to take up additional tree plantation. The committee has identified the efforts made by the industry which will benefit both industries as well as surrounding during the committee visit, the industries are liable to pay Environmental Compensation as recommended in the Joint Committee report dated. 10.08.2021.

Finally, the joint committee has opined that the Environmental Compensation as recommended by the Joint Committee in its report dt: 10.08.2021 and directions issued by the APPCB dt. 23.09.2021.

Prayer: The Committee humbly submits the Hon'ble national Green Tribunal to direct the edible oil industries to Joint Committee in its report dt: 10.08.2021 and implement the directions issued by the APPCB vide order dt. 23.09.2021."

4. The Andhra Pradesh Pollution Control Board (APPCB) also filed an action taken report dated 17.11.2021, e-filed on 23.11.2021 and received today (24.11.2021) which reads as follows:

Action taken report:

In the matter of OA/221/2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District, in compliance to Hon'ble NGT directions dated 16.03.2020 & 29.09.2020, the Joint Committee inspected seven edible oil units during 13.10.2020 to 14.10.2020 and submitted the report to the Hon'ble National Green Tribunal during December, 2020. Five edible oil units raised objections to the committee report. Hon'ble NGT vide order dated 03.02.2021 directed the committee to go into the objections and come with their findings on that aspect. In order to verify the ground level implementation of the corrective measures, the committee reinspected five edible oil units during 29th to 30th July, 2021 which have filed objections to committee report and submitted report to the Hon'ble NGT on 10.08.2021 through e-filing.

The Hon'ble National Green Tribunal, Southern Bench vide its order dated 11.08.2021 has directed the following:

"Parties are at liberty to file objection, if any, to the Committee report apart from filing their independent reply to the allegations made in the application. In the meantime, the Pollution Control Board is also directed to file the further action taken report on the basis of the observations made by them along with the Committee at the time of the inspection. Parties are directed to file the same on or before 11.08.2021, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules."

A copy of the Hon'ble NGT order is herewith enclosed as Annexure-I for kind perusal.

In order to take action on the industries based on the observations of the Committee and other observations, the APPCB placed the issue before the External Advisory Committee (Task Force) meeting held on 07.09.2021.

After detailed discussions, the External Advisory Committee recommended that the edible oil units shall pay the Environmental Compensation as recommended by the NGT-Committee, shall comply with all recommendations of the Committee and also to come up with detailed time bound action plan on utilization of surface water. The committee observed that the industries were given several opportunities for compliance and the committee by the NGT after considering the objections have inspected the industries again and finally recommended levying EC and to issue directions. Thus, having already given ample opportunity, the EAC committee recommended to issue following directions and to levy Environmental Compensation as recommended by the NGT Committee.

Accordingly, the A.P. Pollution Control Board has issued directions to the edible oil industries on 23.09.2021 in which the unit shall pay the Environmental Compensation as recommended by the Joint Committee constituted by the Hon'ble NGT. Copies of the directions issued to the edible oil industries are herewith enclosed as annexure-III for kind perusal.

Based on the directions issued by the APPCB, the following edible oil units has to pay environmental compensation to APPCB as below:

Sl. No

Name of the Edible oil industry

Environmental Compensation to be paid

M/s. Gemini Edibles & Fats India Pvt. Ltd Rs. 66,00,000/-

M/s. Emami Agrotech Limited Rs.1,32,50,000/-
M/s. Adani Wilmar -(Unit-II) Rs. 73,80,000/-
M/s. South India Krishna Oil & Fats Pvt. Ltd Rs.1,05,86,000/-
M/s. 3F Industries Limited
(Formerly Foods fats & Fertilizers Ltd.,) Rs.1,10,06,000/-

The Hon'ble National Green Tribunal, Southern Bench vide its order dated 16.09.2021 in the matter of O.A. No. 221/2015 has directed the following:

The Committee is directed to consider these objections and give their opinion regarding the same, so that can also be considered by this tribunal at

the time of considering the matter during final hearing. . The learned counsel appeal regarding for the Andhra Pradesh Pollution Control Board, (APPCB) submitted certain discussions were made with the units and recommendations have been made to the Board and it is for the Board to take some decision, and if some time is granted, they may be able to file the further action taken report in this regard.

. The committee as well as the Andhra Pradesh Pollution Control Board must understand the fact that the matter is of the year 2015, and it is pending for last six years now and it will have to be completed at the earliest possible time, as the entire proceedings will have to be completed within six months from the date of application and as per the provisions of the National Green Tribunal Act. The committee as well as the Andhra Pradesh Pollution Control Board (APPCB) are also directed to file their further report as well as further action taken report respectively, to this Tribunal on or before 18.10.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules."

Copy of the Hon'ble NGT order is enclosed as Annexure-II.

The following industries submitted their replies to the directions dated 23.09.2021 issued by the APPCB stating that the matter of Environmental Compensation is pending with the Hon'ble National Green Tribunal, South Zone, Chennai and their submissions are under consideration.

It is pertaining to mention that the following industries have made objections on the Joint Committee report dated. 10.08.2021.

. M/s. 3F Industries Limited (formerly M/s.Foods Fats & Fertilizers Ltd.)
Sy. No. 1604, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPS Nellore District

. M/s. South India Krishna Oil & Fats Pvt. Ltd., Sy. No.275, 279, 280 & 281, Epuru Bit – 1B, Pantapalem Village, Muthukur Mandal, SPSR Nellore District.

M/s. Adani Wilmar Ltd (Unit-II) (M/s. Louis Dreyfus India Pvt. Ltd., (formerly M/s. Louis Dreyfus Commodities India Pvt. Ltd.,) Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.

. M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited), Sy. Nos.501, 502/1, 502/2, 503/1, 503/2, 504, 505/2, 507/2, 509/1, 509/2, 510/1 & 510/2, Pantapalem–(V), Muthukur (M), SPSR Nellore District.

A virtual meeting was conducted on 04.10.2021 with the representatives of Edible oil industries who have filed objections on the Joint committee report dated. 10.08.2021 submitted to the Hon'ble NGT (SZ). The officials of the Joint committee comprising from MoEF&CC, CPCB and APPCB has attended the virtual meeting. After discussions, the Committee opined that industries has to pay Environmental Compensation as recommended by the Joint Committee in its report dt: 10.08.2021.

It is to submit that the Joint committee has recommended the Environmental Compensation after conducting inspection of the industry; the joint committee reinspected the industries based on the objections raised on the committee report; and the external advisory committee (Task force) of APPCB reviewed the report of the joint committee and recommended to impose Environmental Compensation to the industries. Accordingly, the APPCB vide order dt: 23.09.2021 issued directions to the industries to pay environmental compensation. But the industries are filing their objections without paying the environmental compensation to delay the process. Hence, it is humbly submitted that the Hon'ble National Green Tribunal to issue directions to the edible oil industries to pay the Environmental Compensation and implement the directions dt: 23.09.2021 without any delay.

5. The respondents 8 to 11 have filed I.A. No. 155 of 2021 (SZ), I.A. No. 156 of 2021 (SZ), I.A. No. 174 of 2021 (SZ) and I.A. No. 175 of 2021 (SZ) respectively for staying the direction to pay compensation received

from the Andhra Pradesh Pollution Control Board (APPCB) during the pendency of the ongoing application.

6. The matters are pending from 2015 onwards we feel that the question of compensation also can be considered by the Tribunal itself, after giving an opportunity to the parties to file their objections to the Joint Committee report.

7. The respondents against whom compensation has been imposed by the subsequent Joint Committee report after considering the objections filed by them, they are directed to file their objections to the further Joint Committee report as well as action taken report filed by Tamil Nadu Pollution Control Board (TNPCB) before this Tribunal within a week.

8. In the mean time, we direct the Andhra Pradesh Pollution Control Board (APPCB) to keep the direction to pay the compensation issued against the respondents in abeyance till the next hearing date. The interim order if any, passed by this Tribunal, if necessary can be extended on the next hearing date. With the above observations I.A. No. 155 of 2021 (SZ), I.A. No. 156 of 2021 (SZ), I.A. No. 174 of 2021 (SZ) and I.A. No. 175 of 2021 (SZ) are disposed of.

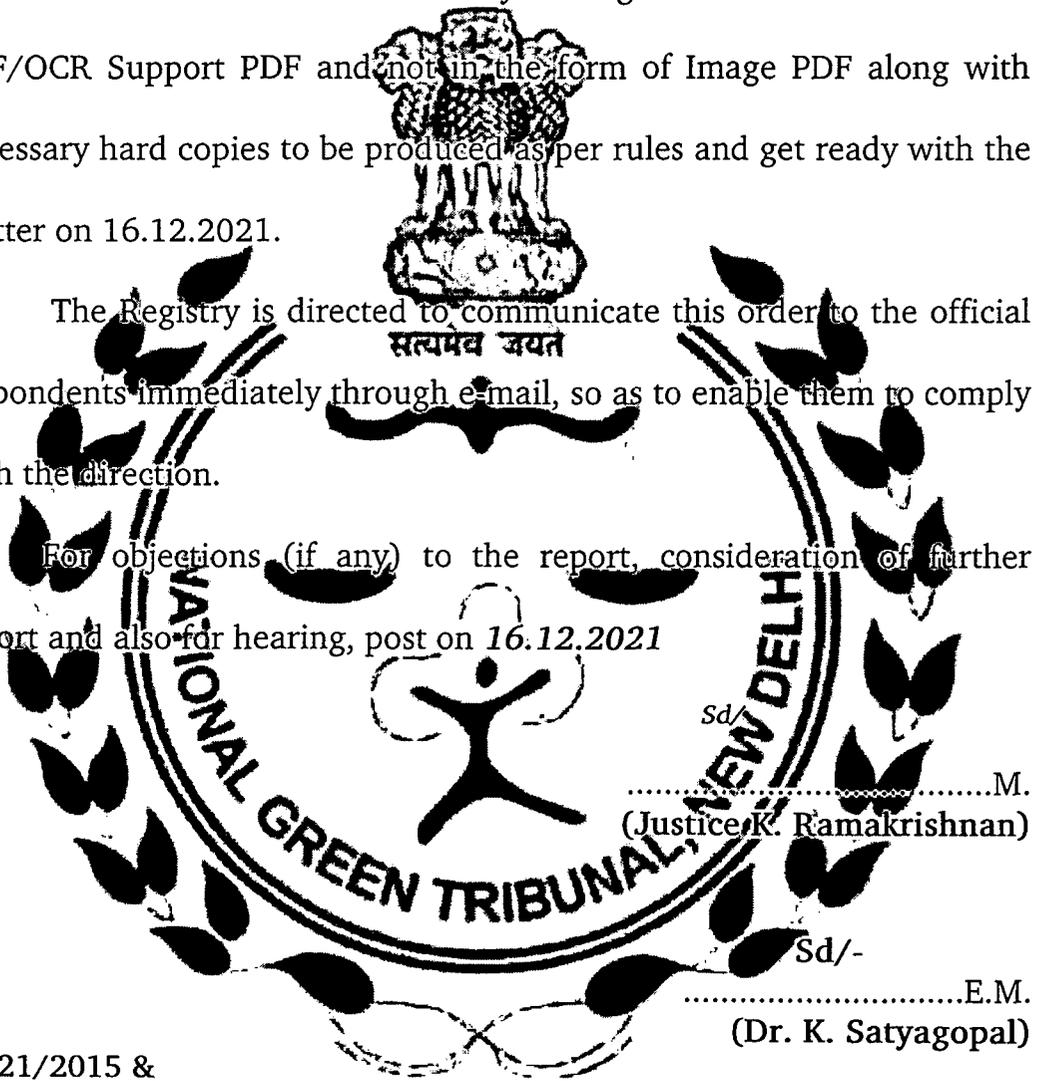
9. The parties are directed to file their objection to the present report submitted by the Joint Committee as well as the Andhra Pradesh Pollution Control Board (APPCB) regarding the quantum of compensation and also the reasons given by them for reiterating their

findings regarding the assessment of compensation on or before 08.12.2021 and get ready with the Original Application on 16.12.2021.

10. The committee as well as the Andhra Pradesh Pollution Control Board (APPCB) are also directed to file their further report to this Tribunal on or before 01.12.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules and get ready with the matter on 16.12.2021.

11. The Registry is directed to communicate this order to the official respondents immediately through e-mail, so as to enable them to comply with the direction.

12. For objections (if any) to the report, consideration of further report and also for hearing, post 16.12.2021



Sd/

.....M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Dr. K. Satyagopal)

O.A. No.221/2015 &
I.A. Nos.155 & 156/2021 &
174& 175/2021(SZ)24.11.2021. Sr.

Item No.11 to 13:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 221 of 2015 (SZ)**With****Appeal No. 77 of 2021(SZ)****with****Appeal No. 78 of 2021(SZ)**

(with Hybrid Option)

IN THE MATTER OF:

Isanaka Vedavathi,

... Applicant(s)

Union of India and Ors.

Versus

... Respondent(s)

M/s. Adani Wilmar Limited, Andhra Pradesh

... Appellant(s)

Vs

Andhra Pradesh Pollution Control Board and others.

... Respondent(s)

With

M/s. Adani Wilmar Limited, Andhra Pradesh

... Appellant(s)

Vs

Andhra Pradesh Pollution Control Board and others.

... Respondent(s)

Date of hearing: 22.12.2021.

71

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

O.A. No. 221 of 2015

For Applicant(s): None Appeared.

For Respondent(s): Smt. Me. Saraswathy for R1.
Smt. Madhuri Donti Reddy for R2 to R4.
Sri. C. Seethapathy for Mr. P.R. Raman for R5.
Sri. D. Srinivasan for R6, R7, R9.
Mr. Radha Krishnan Sr. Adv for R10
Ms. Sneha for Ms. Apparajitha Vishwanath for R8.
Ms. Krithika for Sri. Lakshmi Kumaran and Mr. Rahavan for R11.

Appeal Nos. 77 and 78 of 2021

For Appellant (s): Ms. Krithika for Ms. Lakshmi Kumaran
(in both Appeals)

For Respondent(s): Ms. Madhuri Donti Reddy (in Both Appeals)

ORDER

1. The above cases have been posted to today for consideration of further reports and also objections filed by the project proponent and for hearing.
2. As per order dated 11.08.2021 in O.A. No. 221 of 2015, this Tribunal had considered the report submitted by the Joint Committee dated 10.08.2021, e-filed on the same date and conclusion portion was extracted in Para 3 of the order and then posted the case to 16.09.2021 for filing objections, if any, to the Committee report and filing their independent reply to the allegations made in the application. Further, Pollution Control Board was

also directed to file the further action taken report on the basis of the observations made by the Committee at the time of inspection.

3. Earlier as per order dated 03.02.2021, this Tribunal had considered the Joint Committee report dated 01.02.2020 extracted in Para 4 of the order and then passed the following order:

5. The 5th respondent has filed their objection to the report of the Joint Committee along with certain documents to show that the observation made by the committee regarding the alleged insufficiency of the system that is being operated in their unit is not correct.

6. Though the applicant is absent, we feel that on the basis of the objections raised by the 5th respondent regarding the change in ownership of the 5th respondent unit, we direct the office to substitute the name of the 5th respondent as M/s. Adani Wilmar Limited represented by its Managing Director having its registered office at Fortune House, Near Navrangpura Railway Crossing, Ahmedabad – 380009, Gujarat, India.

7. The Office is directed to carry out the amendment in the cause title.

8. Other respondent units who have not filed their objections to the committee report are directed to file their objections within a period of 15 (Fifteen) days to this Tribunal by e-filing with a copy to the committee so that the committee can go into the objections and come with their findings on that aspect, apart from filing their further action taken report, after considering the objections to the findings arrived at by them to this Tribunal on or before 26.03.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

9. The Registry is directed to communicate this order to the members of the committee by e-mail immediately so as to enable them to comply with the direction.

4. This Tribunal by above said order directed the Committee to consider the objections filed by the industries and give their findings on those aspects, apart from filing their further action taken report after considering the objections to the findings arrived at by them. It is thereafter, that subsequent report dated 10.08.2021 was filed which was referred to above. The case was posted to 16.09.2021 for completion of pleadings

73

and consideration of further reports. On 16.09.2021, the matter was adjourned to 18.10.2021 for consideration of further reports.

5. The matter was taken up on 24.11.2021 and considered the further report filed by the Joint Committee pursuant to order dated 16.09.2021 dated nil, e-filed on 23.11.2021 which was extracted in Para 3 of the order and also considered the action taken report submitted by Andhra Pradesh Pollution Control Board dated 17.11.2021, e-filed on 23.11.2021 which was extracted in Para 4 of the order.
6. This Tribunal also considered the Interlocutory Applications filed by respondents 8 to 11 seeking to stay the direction to pay compensation and directed the project proponent to file their objections to the Joint Committee report and in the meantime directed the Pollution Control Board not to proceed with coercive action and the interlocutory application was disposed of.
7. In the meantime, 11th respondent has filed Appeal No. 77 of 2021 against the order passed by Pollution Control Board by their proceedings no. 149/APPCB/UH-II/TF/NLR/2018, dated 23.09.2021 on the question of imposing certain directions to be complied with and also filed another Appeal No. 78 of 2021 by the same respondent against the order of the Andhra Pradesh Pollution Control Board by their proceedings no. 149/APPCB/UH-II/TF/NLR/2018 dated 23.09.2021 including the compensation imposed both under the Air (Prevention and Control of

Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 respectively.

8. The Andhra Pradesh Pollution Control Board has filed their objection in the form of a report in the appeals, which can also be considered by the Tribunal in Original Application.

9. We are not going into the question as to whether the appeals are maintainable or not. Though two different orders have been passed and two forums are provided for filing the appeals since, the issue regarding the violation and also further action taken to be against them are also matters to be considered in the original application pending before this Tribunal under such circumstances, we feel that these appeals can be disposed of with a liberty to the appellants to raise all those contentions raised by them, in original application pending before this Tribunal as O.A. No. 221 of 2015 and those contentions can be considered by the Tribunal and appropriate orders can be passed while disposing the original application itself, so as to avoid further statutory appeals being filed by the affected parties before different forums which ultimately comes before this Tribunal again for consideration. Under the National Green Tribunal Act, 2010, Tribunal itself can consider those aspects and pass final orders including the further directions to be issued either for closure or even imposing compensation so that the entire things can be agitated by the parties by way of single appeal to the Hon'ble Supreme

75

Court under Section 22 of the National Green Tribunal Act, 2010. So with the above observations and directions, Appeal No. 77 of 2021 and Appeal No. 78 of 2021 are disposed of .

O.A. No. 221 of 2015

10. In the meantime, Joint Committee shall consider all the objections filed by respondents, namely, 9, 10 and 11 and objection of any other industries and also compliance of the directions, if any, issued by the Pollution Control Board on the basis of the subsequent inspections made and if there is any further violations, then consider those aspects as well and come with a comprehensive report to the Tribunal, so that this Tribunal can finally consider all those aspects and pass appropriate orders and dispose of the matter itself as the matter is pending since 2015.

11. Joint Committee as well as Pollution Control Board are directed to meet the objections and give their specific findings on those aspects so that the industries as well as this Tribunal can consider those aspects while disposing the matter at the final stage.

12. 9th respondent also filed their objections that also can be considered by the Joint Committee as well as Pollution Control Board while submitting the report.

13. Report must contain the nature of objections raised by the respective industries to the earlier report as well as subsequent action taken reports

filed and then meet those objections by giving reasons why they are accepting or not accepting the same and if they feel that further direction given by them were also not complied with by them, that aspect can also be considered and come with a further detailed report regarding revisiting of compensation payable for the part violation as well as the subsequent violation.

14. They are directed to submit the respective reports to this Tribunal on or before 27.01.2022 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules. If possible the Committee as well as Pollution Control Board are directed to give a personal hearing to the industries to substantiate their objections so that the Committee as well as the Pollution Control Board can meet those objections in detail when their respective reports are filed as directed by this Tribunal.

15. Even for the present action taken report filed, the industries are at liberty to file their objections to the same to the Pollution Control Board as well as to the Joint Committee within 10 days and they are also directed to submit the objections to this Tribunal before handing over copies to the members of the Committee as well as to the Pollution Control Board so that the same also can be considered by the Committee while submitting the further report.

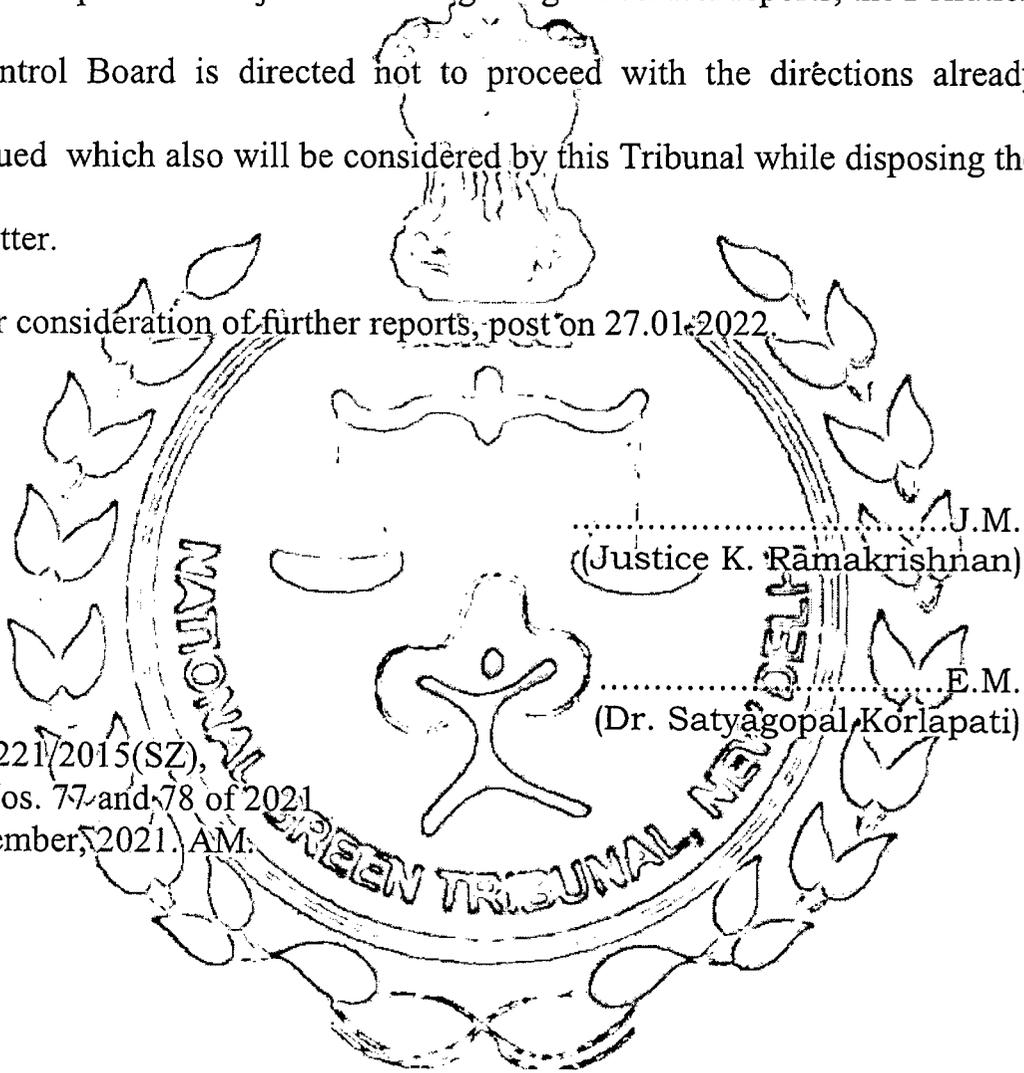
77

16. Registry is directed to communicate this order to the members of the Committee and also to official respondents for their information and compliance of the directions.

17. Since, this Tribunal had expanded the scope of consideration of the entire reports and objections after getting the further reports, the Pollution Control Board is directed not to proceed with the directions already issued which also will be considered by this Tribunal while disposing the matter.

18. For consideration of further reports, post on 27.01.2022.

O.A. No.221/2015(SZ),
Appeal Nos. 77 and 78 of 2021
22nd December, 2021. AM.





ANDHRA PRADESH POLLUTION CONTROL BOARD

REGIONAL OFFICE: NELLORE

1st Floor, A.P.S.F.C BUILDING, A.K.NAGAR, NELLORE - 524 004

Phone : +91- 861- 2329730

e-mail: ronlr-ee1@appcb.gov.in

Notice. No. O.A.No.221 of 2015/APPCB/RO/NLR/2022- 957 Date: 04.01.2022

INSPECTION NOTICE

Sub.: APPCB - RO, Nellore -- O.A.NO.221 of 2015 filed before Hon'ble NGT (SZ), Chennai against Edible oil units operating at Krishnapatnam area, Muthukur(M), SPSR Nellore District- Inspection Notice - Issued - Reg.

Ref.: Hon'ble NGT order dated.22.12.2021 in O.A.No.221 of 2015.

Adverting to the above, it is to inform that the Hon'ble NGT vide its order dated. 22.12.2021 directed that the Joint Committee shall consider all the objections filed by respondents, namely, 9, 10 and 11and objection of any other industries and also compliance of the directions, if any, issued by the Pollution Control Board on the basis of the subsequent inspections made and if there is any further violations, then consider those aspects as well and come with a comprehensive report to the Tribunal, so that this Tribunal can finally consider all those aspects and pass appropriate orders and dispose of the matter itself as the matter is pending since 2015.

In this regard, the Joint committee decided to conduct meeting with the representative of the industries and to carryout inspection on 10.01.2022 & 11.01.2022. IN the meanwhile, you are directed to submit the remarks/ objections if any on the earlier reports by 07.01.2022.

In view of the above, you are hereby directed that the decision making authority pertaining to your unit shall be available for the mentioned period and ensure that all the relevant records as required by the Joint committee shall be made available.

C. Raju Sekhar
4/1/2022
ENVIRONMENTAL ENGINEER

To

The Occupier

1. M/s. 3F Industries Limited, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPSR Nellore District
2. M/s. South India Krishna Oil & Fats Pvt. Ltd., Epuru Bit - 1B, Pantapalem Village, Muthukur Mandal, SPSR Nellore District.
3. M/s. Adani Wilmar Ltd (Unit-II) (M/s. Louis Dreyfus India Pvt. Ltd., Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.
4. M/s. Emami Agrotech Limited, Pantapalem (V), Muthukur (M), SPSR Nellore District.
5. M/s. Gemini Edibles & Fats India Pvt. Ltd, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore District.

Copy submitted to the Member Secretary, APPCB, Vijayawada for favour of kind information.

From: Prabhakara Korrapati <Prabhakara.Korrapati@adaniwilmar.in>
Sent: 07 January 2022 21:09
To: APPCB RO Nellore
Cc: Srinivasa Rao .B
Subject: FW: APPCB – RO, Nellore -- O.A.NO.221 of 2015 filed before Hon'ble NGT (SZ), Chennai against Edible oil units operating at Krishnapatnam area, Muthukur(M), SPSR Nellore District- Inspection Notice – Issued - Reg.
Attachments: A- 1-Adani - Reply to APPCB Inspection Notice- 06.01.2022_pdf-LFH1-8XXXQT2.pdf
Importance: High

Dear Sir,

Please see attached our response in reply to inspection notice. As desired we are submitting remarks on all earlier reports as desired. It is requested to please look into the same.

Please see google link of the folder below for all annexures with our previous response updating compliances status on regular basis. Please acknowledge receipt of same.

<https://drive.google.com/file/d/1nwPSMK57kxfDaPr9YWubVH7pf9jv3uBi/view?usp=sharing>

Regards



K Prabhakara Rao

Human Resources | Adani Wilmar Ltd

+91 7228939496 Extn 76802 | prabhakara.korrapati@adaniwilmar.in

Sy No.292 & 317 Epuru 1b, Pantapalem, Muthukuru Mandal, SPSR Nellore Dist, Andhara Pradesh.

From: Ch. Rajasekhar <ronlr-ee1@appcb.gov.in>

Sent: Tuesday, January 4, 2022 5:00:27 PM

To: 3F Industries <phalgun@fff.co.in>; 3F Industries <psrao@fff.co.in>; South India Krishna Oils <vincent.paul@sioils.com>; South India Krishna Oils <b.muthukrishnan@sioils.com>; Vishal kumar. Jain <Vishal.Jain1@Adaniwilmar.In>; Prabhakara Korrapati <Prabhakara.Korrapati@adaniwilmar.in>; Emami Agrotech <narayana.murthy@emamiagrotech.com>; Gemini Edible Oil <prathap@gefindia.net>; Gemini Edible Oil <manna@gefindia.net>

Cc: Srinivasa Rao .B <pa-ms@appcb.gov.in>

Subject: APPCB – RO, Nellore — O.A.NO.221 of 2015 filed before Hon'ble NGT (SZ), Chennai against Edible oil units operating at Krishnapatnam area, Muthukur(M), SPSR Nellore District- Inspection Notice – Issued - Reg.

CAUTION: This mail originated from outside AWL. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please check the mail ids of the senders and recipients in the mail by double clicking them.

Sir,

Adverting to the above, it is to inform that the Hon'ble NGT vide its order dated. 22.12.2021 directed that the Joint Committee shall consider all the objections filed by respondents, namely, 9, 10 and 11and objection of any other industries and also compliance of the directions, if any, issued by the Pollution Control Board on the basis of the subsequent inspections made and if there is any further violations, then consider those aspects as well and come with a comprehensive report to the Tribunal, so that this Tribunal can finally consider all those aspects and pass appropriate orders and dispose of the matter itself as the matter is pending since 2015.

In this regard, the Joint committee decided to conduct meeting with the representative of the industries and to carryout inspection on 10.01.2022 & 11.01.2022. IN the meanwhile, you are directed to submit the remarks/ objections if any on the earlier reports by 07.01.2022.

In view of the above, you are hereby directed that the decision making authority pertaining to your unit shall be available for the mentioned period and ensure that all the relevant records as required by the Joint committee shall be made available.

790:

With regards
Environmental Engineer,
APPCB, RO, Nellore.



796

**adani
wilmar**

To,
The Andhra Pradesh Pollution Control Board,
Regional Office: Nellore
1st Floor, APFSC Building , A.K. Nagar, Nellore-520 004
Email: ronlr-ee1@appcb.gov.in

Date: 07/01/2022

Respected Sir,

Subject: Inspection Notice bearing No. OA 221 of 2015/APP/RO/NLR/2022-957 dated 04.01.2022.

Ref: 1. Inspection Notice dated 04.01.2022
2. Action Taken Report dated 13.12.2021
3. Original Application 221 of 2015 pending on the files of Hon'ble NGT (SZ)

M/s. Adani Wilmar Limited (Unit- II) (hereinafter: 'We'/'Us'/'Unit'/'Company') is in receipt of the Inspection Notice bearing No. OA 221 of 2015/APP/RO/NLR/2022-957 dated 04.01.2022 (hereinafter: 'Inspection Notice').

2. We have noted your goodselves' intention to complete the matter as early as is possible since the Original Application No. 221 of 2015 has been pending since 2015. We appreciate the intention and submit that We wish to co-operate fully towards achieving this objective.

3. In paragraph 2 of the Inspection Notice, your good selves had directed Us to submit our objections if any, on the earlier reports by 07.01.2022.

4. In the OA 221 of 2015, the following Reports have been submitted before the Hon'ble Tribunal, and We have replied to each report, detailed as follows:

Sl.	Report reference	Reply filed by Unit
1.	Joint Committee Report-I dated 01.12.2020	Reply dated 18.02.2021
2.	Joint Committee Report-II dated 10.08.2021	Reply dated 24.09.2021
3.	Action Taken Report dated 17.11.2021	Reply dated 06.12.2021
4.	Joint Committee Report-III dated 20.11.2021	Reply dated 06.12.2021

5. That you have also conducted inspection on 9th of December 2021 and post inspection we had submitted details compliance report to your office. The copy of said compliance letter is enclosed with this Letter.

6. You will note that for each report specified above, we have filed elaborate Objections in the reply above. As far as the Action Taken Report dated 13.12.2021 is concerned, we are in the process of finalising our submissions and We will file our objections shortly.

7. We request you to consider all objections made in each of the replies made by Us. Considering the brief time your good offices have given to Us, it is impossible for us to

Adani Wilmar Ltd.
Fortune House
Nr. Navrangpura Railway Crossing
Ahmedabad - 380 009
Gujarat, India
CIN: U15146GJ1999PLC035320

Tel +91 79 2555 5650
Fax +91 79 2555 5621
info@adaniwilmar.in
www.adaniwilmar.com

Registered Office: Fortune House, Nr. Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

80

adani wilmar

consolidate and summarise the objections filed to each Report and compile it with pages numbers.

8. While we are in the process of completing the above task, We are finding it difficult to do so by 07.01.2022.
9. You may consider the earlier Replies filed by the Unit during your inspection on 10.01.2022 and 11.01.2022.
10. We would be able to submit to your good offices the summary of objections against each report by 20.01.2022, considering the intervening holidays.
11. We hope this meets your requirement. We will be happy to be of any further assistance required of us.

FOR THIS ACT OF KINDNESS, WE SHALL BE FOREVER GRATEFUL.

Sincerely,

For Adani Wilmar Limited (Unit-II)

Enclosed:

1. References at Sl. 1 -2 above
2. Reports and Objections filed by Unit detailed in paragraph 4.

Copy To:

The Member Secretary,
Andhra Pradesh Pollution Control Board,
D.No-33-26-14, D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari street, Kasturibaipet, Vijayawada - 521010

Adani Wilmar Ltd.
Fortune House
Nr. Navrangpura Railway Crossing
Ahmedabad - 380 009
Gujarat, India
CIN: U15146GJ1999PLC035320

Tel +91 79 2555 5650
Fax +91 79 2555 5621
info@adaniwilmar.in
www.adaniwilmar.com

Registered Office: Fortune House, Nr. Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

81

Krishnapatnam Edible Oils Refiners' Association

203, Diamond House, Behind Topaz Building, Panjagutta, I-Hyderabad - 500082, Telangana

(Regn. No. 1020 / 2014)

18th January 2022

For the kind attention of NGT Committee

Dear Sirs,

Sub: Status report about mitigation measures undertaken

This is with regards to ongoing discussion with NGT team. We wish to update the status about actions undertaken by edible oil refineries at Krishnapatnam to protect the local environment.

It may kindly be noted that following actions have been taken on war-footing and are in line with suggestions made by NGT team. We hope that following actions will be an important intervention to protect the environment by edible oil refiners at Krishnapatnam.

Water Issue

We are actively perusing following options as suggested by authorities

- We have already applied for Municipal corporation water supply. Recently we all have given our consent to NMC to proceed with preparation of pipeline DPR. We are waiting for the same from their end. We attach herewith the letter sent to NMC and collector to help us in this regard.
- Parallely, we have approached authorities for supply of water from Sarvepalli reservoir. Upon enquiry, we have been given to understand that some of the approvals from government authorities are yet to be completed and are being taken up. Pending such approval, it may not be possible to give firm completion dates. We need help from APPCB for said clearances.

Ash land filling

Refineries Association has taken up this job collectively and almost 80 % work also completed. Recently, NGT committee had visited the site and expressed their satisfaction also. Remaining work also will be completed by 28/2/2022

Road Matter

Emami Agrotech and Adani Wilmar have jointly repaired this road by spending substantial amount. Recent esteemed committee also seen the road condition and have expressed their satisfaction. Simultaneously, refineries are putting all efforts to make a permanent road with the help of District Administration by clearing private parties' objections.

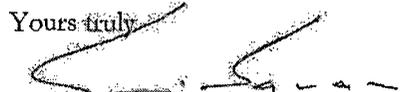
Real Time Monitoring through AAQ Meter

We collectively have already purchased this equipment and have decided to install at Pantapalem by 28/2/2022.

We trust that above measures are in line with what has been discussed and suggested by NGT team.

Thank you.

Yours truly



(Authorised Signatory)

For Krishnapatnam Edible Oil Refiners Association

82



**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL (SOUTHERN ZONE)
SOUTHERN BENCH, CHENNAI**

O.A No. 221/2015

Isanaka Vedavathi

...Applicant

Versus

Union of India & 10 Others.

...Respondents

**INDEX TO TYPED SET OF
DOCUMENTS FILED
ON BEHALF OF 11th RESPONDENT IN
THEIR REPLY TO
ACTION TAKEN REPORT DATED
13.12.2021**

M/s. Lakshmi Kumaran & Sridharan
Attorneys
Raghavan Ramabadran (E/1573b/2008)
P. Sridharan (E/10/2016)
A.Lawrence (E/1074/2008)
Mobile: 9941454954
court.mds@lakshmisri.com

Counsel for 11th Respondent