

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

O.A. No. 221 of 2015

Insanka Vedavathi

..Applicant

..vs..

Union of India & others

..Respondents

REPLY AFFIDAVIT FILED BY THE 11TH RESPONDENT
TO THE JOINT COMMITTEE REPORT SUBMITTED
TO THIS HON'BLE TRIBUNAL 20.11.2021

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

SOUTHERN BENCH, CHENNAI

ORIGINAL APPLICATION No. 221/2015

Isanaka Vedavathi

...Applicant

Versus

Union of India & Ors.

...Respondents

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HON'BLE TRIBUNAL ON 20/11/2021

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Date: 06.12.2021


Counsel for the 11th Respondent

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

SOUTHERN BENCH, CHENNAI
ORIGINAL APPLICATION No. 221/2015

S. No. 9131/2021

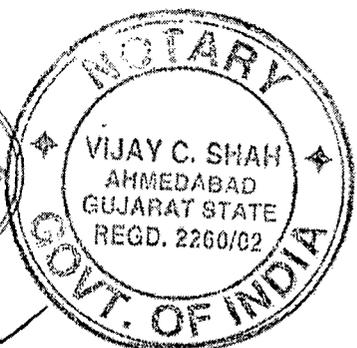
VIJAY C. SHAH
NOTARY
GOVT. OF INDIA
- 3 DEC 2021

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

...Applicant

versus

1. **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
2. **Andhra Pradesh Pollution Control Board**
(Represented by its Member Secretary)
A-3, Parayavaran Bhavan, Sanath Nagar, Industrial Estate, Hyderabad,
Telangana State-500 018
3. **The District Collector/ District Executive Magistrate**
Collectorate Buildings,
Nellore Town -524 002
SPS Nellore District, Andhra Pradesh
4. **Andhra Pradesh Pollution Control Board,**
(Represented by its Regional Officer)
Regional office, Floor, A.P.S.F.C Building, A.K. Nagar,
Nellore Town & District-524 004, Andhra Pradesh
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
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
7. **M/s Gemini Edibles & Fats India Pvt Ltd**
(Represented by its Managing Director)
Pantapalem Village & Post, (Via) Niduguntapalem,
Muthkur Mandal, SPS Nellore District,
Andhra Pradesh- 524 323
8. **M/s South India Krishna Oil & Fats (P) Ltd**
(Represented by its Managing Director)



1 AUTHORIZED SIGNATORY

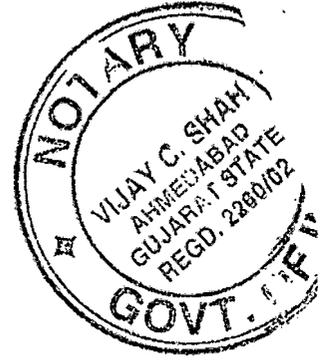
Pantapalem Village & Post, (Via) Niduguntapalem,
Muthkur Mandal, SPS Nellore District,
Andhra Pradesh- 524 323

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

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

11. M/s. Adani Wilmar -(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

Respondents



REPLY AFFIDAVIT ON BEHALF OF 11th RESPONDENT TO THE JOINT

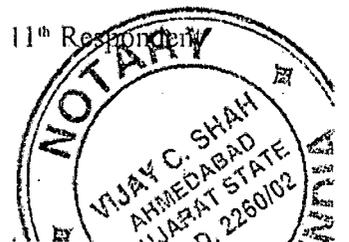
COMMITTEE REPORT SUBMITTED TO THIS HON'BLE TRIBUNAL ON 20/11/2021

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. I submit that this Hon'ble Tribunal had appointed a Joint committee *vide* its Order dated 16/03/2020 to ascertain whether the edible oil units (Respondents No. 5 to 11 named above) were complying with applicable laws and regulations. The 11th Respondent's unit was inspected by the Joint Committee on 13/10/2020 and 14/10/2020. However, even before undertaking inspection and investigation, the 4th Respondent, unilaterally forfeited the 11th Respondent's bank guarantee to the tune of INR 7,50,000/- *vide* Letter dated 06/10/2020. This drastic step was taken by the Ld. Environmental Engineer of the 4th Respondent without affording the 11th Respondent an opportunity to present its case.

FOR, ADANI WILMAR LIMITED
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4. In fact, the Ld. Environmental Engineer who initiated action to forfeit the 11th Respondent's bank guarantee was also part of the Joint Committee constituted by this Hon'ble Tribunal. In light of the above facts and circumstances, the 11th Respondent submits that the actions of the 4th Respondent reek of pre-determination of guilt and high-handedness in addition to being violative of the principles of natural justice as they sought to forfeit bank guarantee on 06/10/2020 even before undertaking inspection on 13/10/2020 & 14/10/2020 even before inspecting the 11th Respondent's unit and without recording any findings of non-compliance on part of the 11th Respondent.

5. Pursuant to inspection of the 11th Respondent's unit on 13/10/2020 and 14/10/2020, the Joint Committee submitted their Joint Committee Report-I dated 01/12/2020 recommending that EC of INR 81,30,000/- must be paid by the 11th Respondent. The 11th Respondent filed their Objections on 18/02/2021 to the Joint committee Report-I clearly stating that there was no non-compliance or violation on the part of the 11th Respondent and that the findings of the Committee was based on incorrect evidences as none of the photographs adduced by the Joint Committee belonged to the unit of the 11th Respondent.

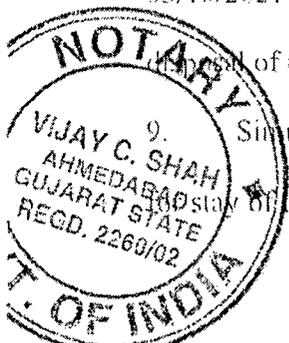
6. I submit that the Joint Committee Report-II dated 10/08/2021 was issued in a rote and routine manner, without considering any of the objections raised by the 11th Respondent while repeating the recommendation for payment of EC. The 11th Respondent submitted their Reply dated 24/09/2021 highlighting how the Joint Committee Report-II dated 10/08/2021 did not comply with the mandate cast on the Joint Committee to record findings against the objections raised by the 11th Respondent.

7. While the matter stood thus, this Hon'ble Tribunal, *vide* Order dated 16/09/2021 directed the Joint Committee to file their further report.

8. Subsequently, the 4th Respondent issued **Order bearing reference no. No.149/APPCB/UH-II/TF/NLR/2018 dated 23/09/2021** ('Order dated 23/09/2021') directing the 11th Respondent to pay the EC of INR 73,80,000/- [INR 81,30,000/- less INR 7,50,000/- already forfeited] within a week's time. The 11th Respondent furnished a detailed Reply dated 03/10/2021 to the Order dated 23/09/2021 praying that no coercive steps be taken pending

disposal of the OA 221 of 2015.

9. Simultaneously, the 11th Respondent filed Interim Application No. 155 of 2021 praying for the direction to pay EC pending disposal of the OA 221 of 2015. The IA 155 of 2021



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was disposed of by this Hon'ble Tribunal *vide* Order dated 24/11/2021 wherein the 4th Respondent was directed to keep the order dated 23/09/2021 in abeyance until the next hearing i.e., 16/12/2021.

10. This Hon'ble Tribunal had, *vide* Order dated 16/09/2021, directed the Joint Committee to file a further report and also directed the 4th Respondent to file their further action taken report. The 4th Respondent has filed a report titled "*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 16th September, 2021*", wherein the said report contains the *Report of the Joint Committee as submitted to this Hon'ble Tribunal on 20th November, 2021* (hereinafter referred to as "*Joint Committee Report-III*"). The Joint Committee Report-III was uploaded on the website of the Hon'ble NGT on 25/11/2021, after the Original Application No. 221 of 2015 was listed for hearing on 24/11/2021.

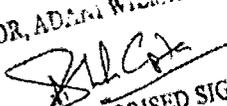
11. Against the said report, the 11th Respondent is filing this Reply as permitted by this Hon'ble Tribunal during the hearing of the OA 221 of 2015 on 24/11/2021.

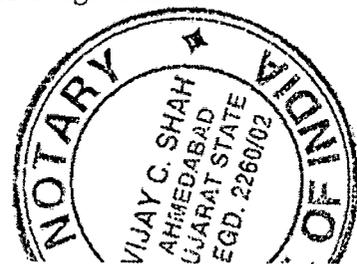
12. I submit that *vide* the Joint Committee Report-III, the Joint Committee repeated the request for directions to be issued against the 11th Respondent for payment of Environmental Compensation of INR 73,50,000/- (henceforth: 'EC'). The 11th Respondent herewith sets out the following objections to the Joint Committee Report-III.

SUBMISSIONS AGAINST JOINT COMMITTEE REPORT-III

A. At the outset, I submit that the Joint Committee Report-III captures the various events that have transpired in the Original Application No. 221 of 2015. However, the Joint Committee Report-III does not present a complete and correct picture of the ongoing issue as they do not refer to any of the objections pressed by the 11th Respondent in their Reply dated 18/02/2021 filed against the Joint Committee Report -I dated 01/12/2020 and in their Reply dated 24/09/2021 filed against the Joint committee Report-II dated 10/08/2021. The above referred replies dated 18/02/2021 and 24/09/2021 may be read as part and parcel of this reply.

B. I submit that despite multiple opportunities extended by this Hon'ble Tribunal, the 4th Respondent had failed to counter or even consider the submissions pressed by the 11th Respondent and has blatantly ignored the 11th Respondent's rebuttals to the allegations of non-compliance levelled by the Joint Committee Reports I and II.

FOR, ADAR WILMAR LIMITED

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C. Pages 4-7 of the Joint Committee Report-III effect a "Review of the objections raised by the industry against committee report of December, 2020". Sl. 12 of the Table (Page 7 of the Joint Committee Report-III) records the following review w.r.t. the 11th Respondent:

Sl. No	Objection raised by Industry	Decision of Committee	Remarks
<i>M/s. Adani Wilmar Ltd (Unit-II) (Formerly M/s. Louis Dreyfus India Pvt. Ltd.)</i>			
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.

D. From the above extract, it is evident that the Joint Committee has not even adverted to any of the submissions pressed by the 11th Respondent. The Joint Committee Report-III merely repeats the direction to pay EC without any cognizance of the fact that the very allegation of non-compliance is being resisted. A bare perusal of the Joint Committee Report-III indicates that none of the factual and legal objections raised by the 11th Respondent have been considered, including the issue of the non-compliance of the mandate fixed on the Joint Committee by this Hon'ble Tribunal.

E. I further submit that as none of the objections raised time and again by the 11th Respondent were ever considered by the Joint Committee, this Respondent is constrained to draw reference to the issues set out in the Joint Committee Reports herein again to apprise this Hon'ble Tribunal of the various objections that were taken at various stages, which were not considered by the Joint committee:

F. SUBMISSIONS ON THE ISSUE OF FLY ASH SPILLAGE

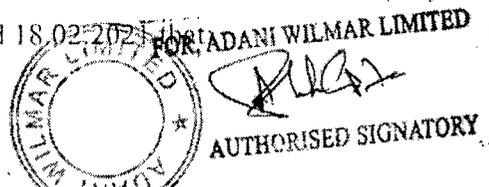
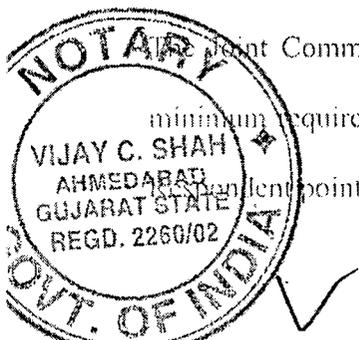
Findings of Joint Committee Report-I dated 01/12/2020 and 11th Respondent's Reply dated 18/02/2021

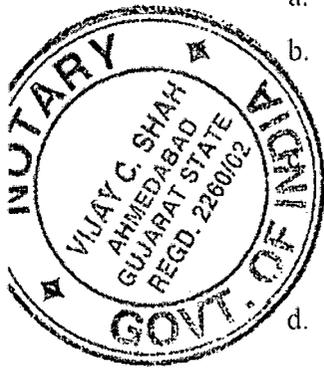
F.1. Vide Para VI.d.(h) of the report, findings regarding alleged fly ash spillage were made.

The Joint Committee Report-I observed that fly ash was disposed on alternate days whereas

minimum requirement was of 10 days storage capacity. In response to this observation, the 11th

Respondent pointed out vide Para A.1 to A.19 of Reply dated 18.02.2021





- a. the finding was factually incorrect,
 - b. the 11th Respondent generates 24 MT fly ash each week, and existing silos with capacity of 40 MT could store fly ash for 15 days.
- Further, the requirement for silos to store Fly Ash upto 30 days is a newly imposed condition, which the 11th Respondent was also in the process of complying with.
- d. Any EC levied on this count must be set aside considering the above circumstances.

Findings of Joint Committee Report-II dated 10/08/2021 and 11th Respondent's Reply dated 24/09/2021

F.2. The Joint Committee Report-II dated 10/08/2021 recorded in page 10 the fact that a new silo of 120 MT capacity is under installation and that the unit is disposing the fly ash on alternate days further recorded that no fly ash spillage was observed, and concluded the status as yet to comply. The 11th Respondent pointed out in their Reply dated 24/09/2021 that:

- a. the Joint Committee Report-II was non-speaking on all counts as it disregarded all submissions made and was silent on all rebuttals of the 11th Respondent;
- b. The Joint Committee had failed to satisfy the mandate of the Hon'ble Tribunal;
- c. the 11th Respondent had already installed a silo with capacity of 120MT, operational from 30/09/2021.

Findings of Joint Committee Report-III dated 20/11/2021

F.3. The Joint Committee Report-III submitted to this Hon'ble Tribunal on 20/11/2021 does not consider the above submissions and merely records in Sl. 12 of Page 7 that "The industry claimed that they complied in all aspects as per the report dt: 10.08.2021 and the EC was levied". Evidently, it is silent on all the objections raised by the 11th Respondent. The Joint Committee has conveniently suppressed the various objections raised by the 11th Respondent and has cursorily remarked that "Objection need not be considered". Therefore, the findings of the Joint Committee Report-III is incorrect, incomplete and deserves no indulgence.

G. ON THE ISSUE OF EFFLUENT TREATMENT PLANT (ETP)

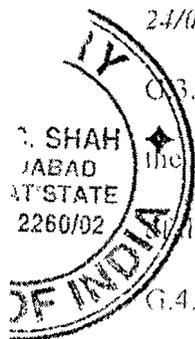
Findings of the Joint Committee Report-I dated 01/12/2020 and 11th Respondent's reply dated 18/02/2021

G.1. It has been observed *vide* Paragraph VI.D (j) of the Joint Committee Report- I that the ETP was not properly maintained; that the ETP sludge is stored in the open; and that the Effluent carrying drains were clogged.

G.2. In response to the same, it was objected *vide* Para C. 1 to C.5 of the 11th Respondent's reply that the observations were factually incorrect; the photographs in Report were not of 11th

Respondent unit and that the 11th Respondent had replaced the ATFD which had depreciated due to normal wear and tear and consequently the EC recommendation deserves to be set aside.

Findings of the Joint Committee Report-II dated 10/08/2021 and 11th Respondent's reply dated 24/09/2021



G.3. The Joint Committee Report-II was conspicuously silent on various objections raised by the 11th Respondent, even though it recorded the status of compliance as "complying", in Page 10 of the Report.

G.4. The 11th Respondent in Paragraph C1 to C10 of Reply dated 24.09.2021 specifically pointed out that none of the objections raised by the 11th Respondent were even considered. Further, the Joint Committee had gone on an incorrect premise that there was non-compliance earlier, which stood complied later. The Joint Committee ignored the fact that there was never any non-compliance in the first place. The 11th Respondent prayed that recommendation of EC merits no indulgence.

Findings of the Joint Committee Report-III submitted to this Hon'ble Tribunal on 20/11/2021

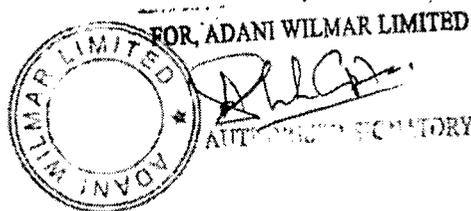
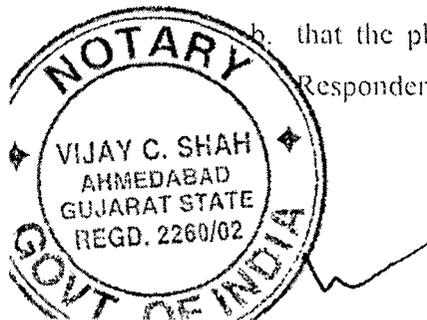
G.5. The Joint Committee has merely recorded that "The industry claimed that they complied in all aspects as per the report dt: 10.08.2021 and the EC was levied", which is self evidently silent on any of the objections raised by the 11th Respondent. The Joint Committee has conveniently suppressed the various objections raised by the 11th Respondent and has cursorily remarked that "Objection need not be considered", when even the primary evidence (the photographs) basis which the allegation was levelled, is being challenged. Therefore, the findings of the Joint Committee Report-III is incorrect, incomplete and deserves no indulgence.

H. ON THE ISSUE OF HAZARDOUS WASTE GENERATION

Findings of the Joint Committee Report-I dated 01/12/2020 and 11th Respondent's reply dated 18/02/2021

H.1. Para Vi.D (j) records that hazardous waste was found lying in ETP area. In response thereto, the 11th Respondent responded *vide* Ground G that:

- a. the said findings were factually incorrect;
- b. that the photographs adduced in the Report did not belong to the unit of the 11th Respondent,



- c. that the ETP sludge (being the hazardous waste) was taken out from sludge drying beds, bagged in HDPE bags, and kept near the sludge drying beds so that they could be shifted into the separate storage shed.
- d. the ETP Sludge is then dispatched to Waste Management Entities for further processing once in every 90 days.

Findings of the Joint Committee Report-II dated 10/08/2021 and 11th Respondent's reply dated 24/09/2021

H.2. The Joint Committee Report-II was conspicuously silent on various objections raised by the 11th Respondent, and recorded the status of compliance as "complying", in Page 12 of the Report even though they proceeded to confirm the levy of EC.

H.3. The 11th Respondent in Ground D1 to D8 specifically pointed out that none of the objections raised by the 11th Respondent were even considered. The Joint Committee had not even addressed the objection that they has relied on incorrect photographs to fasten liability on the 11th Respondent. Further, the Joint Committee has gone on an incorrect premise that there was non-compliance earlier which stood complicit later. The Joint Committee ignored the fact that there was no non-compliance in the first place.

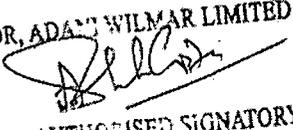
Findings of the Joint Committee Report-III submitted to this Hon'ble Tribunal on 20/11/2021

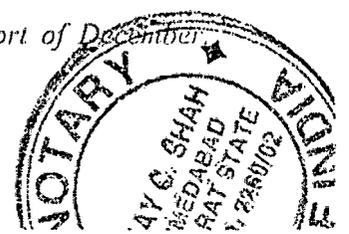
H.4. The Joint Committee Report-III has merely recorded that "The industry claimed that they complied in all aspects as per the report dt: 10.08.2021 and the EC was levied", which is self evidently silent on any of the objections raised by the 11th Respondent. The Joint Committee has conveniently suppressed the various objections raised by the 11th Respondent and has cursorily remarked that "Objection need not be considered". Therefore, the findings of the Joint Committee Report-III is incorrect, incomplete and deserves no indulgence.

I. I submit that apart from the above, there are several other issues which were raised in the Joint Committee Report-I, on which compliance status was recorded in so far as the 11th Respondent i.e., with respect to installation of online emission monitor system, stack emissions and ambient air standard etc. Therefore, the same are not specifically extracted herein, and the 11th Respondent may be permitted to file additional submissions on those aspects, if the need arises, in the interest of justice.

J. Therefore, in sum and substance, the Joint Committee Report-III though it fleetingly records "Review of objections raised by the industry against committee report of December



FOR, ADAM WILMAR LIMITED

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2020" [Table 1-Page 4], it has paid a mere lip service approach to the mandate cast on it by this Hon'ble Tribunal.

K. In the said table, at Sl.12 on Page 7, it has been bluntly stated that the 11th Respondent's objections need not be considered as EC was being levied for non-compliance observed during previous inspections of the Joint Committee.



L. I submit that neither has the objection of the 11th Respondent been recorded correctly, nor has there been a sufficient response to any of the objections placed on record by the 11th Respondent.

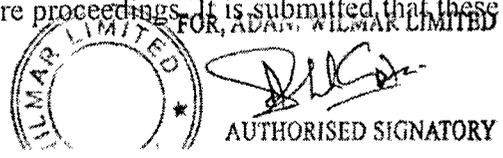
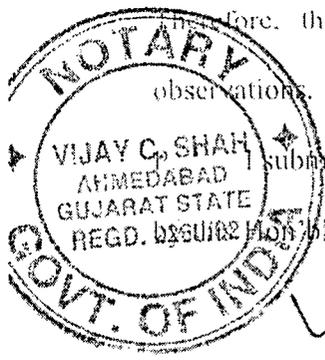
M. Therefore, the Joint Committee Report-III is a non-speaking report and is wholly silent on the objections raised by the 11th Respondent, and therefore the recommendations and findings of the Joint Committee Report-III deserves to be set aside.

N. Further, the Joint Committee Report-III records that "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." It is however denied that such a stand of current compliance was sought as a ground by the 11th Respondent to set aside the EC. It is not the case that the 11th Respondent has only currently complied, but has been in compliance since and before the findings of the Joint Committee Report-I arose. This is evident from various paragraphs of the 11th Respondent's reply dated 18/02/2021 to the Joint Committee Report-I which records that the 11th Respondent has remained all along compliant with its obligations. The 11th Respondent has also vehemently contested the imposition of EC as the very basis for recommending the EC was flawed, and as the EC has been recommended without establishing pollution being caused by the 11th Respondent, and by relying on photographs that do not even belong to the 11th Respondent unit.

O. In effect, the challenge to the recommendation of EC has not been addressed even as on date by the Joint Committee, and the Joint Committee Report-III sets out as objections, whatever is convenient to them while ignoring the multifold factual and legal objections on record.

P. Therefore, the Joint Committee Report-III is incomplete and are replete with incorrect observations.

Q. I submit that the Joint Committee Report- III pays mere lip service to the mandate affixed on the Hon'ble Tribunal, thereby compromising the entire proceedings. It is submitted that these



actions subvert the directions of this Hon'ble Tribunal, where the intent was to ascertain if there was any non-compliance by the Respondent-units warranting the levy of EC, the Joint Committee has repeated the demand for EC without any positive finding that non-compliance on part of the 11th Respondent led to pollution.

Q. I therefore submit that the recommendation of imposition of EC as set out in the Joint Committee Report-III are without any basis whatsoever and are to be dismissed at the threshold.

13. It is prayed that the 11th Respondent may be permitted to file additional submissions over the course of proceedings, as may be required, in the interest of justice.

14. It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the prayer as sought in the Joint Committee Report- III and consequently set aside the recommendation of Environmental Compensation as against the 11th Respondent.

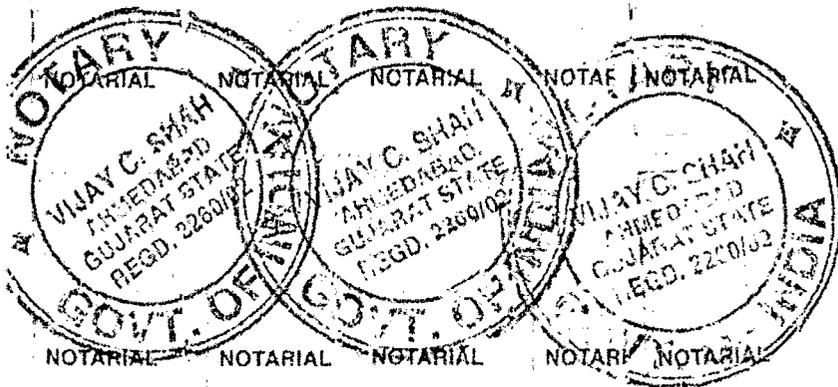
Solemnly affirmed at Ahmedabad on this the 3rd day of December, 2021 and signed his name in my Presence.

FOR ADANI WILMAR LIMITED
[Signature]
AUTHORISED SIGNATORY

BEFORE ME.

ADVOCATE, AHMEDABAD

SOLEMNLY AFFIRMED
BEFORE ME
[Signature]
VIJAY C. SHAH
NOTARY
GOVT. OF INDIA
= 3 DEC 2021





ఆంధ్రప్రదేశ్ కాలుష్య నియంత్రణ మండలి

ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE :: NELLORE

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

M. Pramod Kumar Reddy
ENVIRONMENTAL ENGINEER

e-mail: ronlr-ee1@appcb.gov.in
Phone : +91- 861- 2329730

Lr No. N-855/PCB/RO-NLR/2020 - 657

Dated 06.10.2020

To
The Manager,
HDFC Bank Limited,
Hdfc Bank House No.40-5-4a,
Tikkle Road,
Vijayawada - 520 010.

Sir,

Sub.: APPCB - RO, Nellore - M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt. Ltd.,) Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District - Forfeit an amount of Rs.7.5 Lakhs from the existing BG - Requested - Reg.

- Ref.: 1. B. G. No. 006GTO2190850002 dated 26.03.2019 (HDFC Bank, Vijayawada) for Rs.20.0 lakhs valid period up to **25.03.2021**.
2. Hearing held by External Advisory Committee(Task Force) meeting held on 09.09.2020
3. Board issued directions vide Order No.149/APPCB/UH-II/TF/NLR/2019 -278 dated 28.09.2020 received at RO, Nellore on 06.10.2020.

It is to inform that M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt. Ltd.,) situated at Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District has submitted a Bank Guarantee for Rs.20.0 Lakhs for the period upto 22.02.2021 towards their compliance to Board Directions/ conditions stipulated vide reference 1st cited.

The External Advisory Committee (Task Force) of the A.P. Pollution Control Board in its meeting held on 09.09.2020 reviewed the pollution control status of M/s. Adani Wilmar Limited (Unit -II) and observed certain non compliance of the Board directions/ conditions. After detailed discussion, the committee recommended to forfeit worth of Rs.7.5 Lakhs from the existing Bank Guarantee of Rs.20.0 lakhs for non-compliance of Board directions.



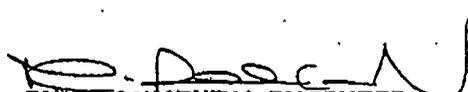
Vide reference 3rd cited, It was directed the Environmental Engineer, APPCB, RO, Nellore to invoke the Bank Guarantee worth of Rs.7.5 Lakhs from the existing Bank and to obtain the amount by way of Demand Draft in favour of **the Member Secretary, A.P. Pollution Control Board payable at Vijayawada** immediately. Copy of the directions issued by the Board is herewith enclosed.

Hence, it is requested the Manager to forfeit an amount of Rs.7.50 Lakhs from the existing Bank Guarantee of Rs.20.0 Lakhs furnished by the above industry & issue DD in favour of **the Member Secretary, A.P. Pollution Control Board, Vijayawada** for an amount of Rs.7.50 Lakhs (Rupees seven lakhs fifty thousand only) and send the Demand Draft to the **A.P. Pollution Control Board, Regional Office, Nellore** immediately along with Bank Guarantee for the rest of the amount of Rs.12.50 lakhs.

This may be treated as MOST URGENT.

Yours faithfully,

Encl: Original Bank Guarantee of Rs.20.0 Lakhs


ENVIRONMENTAL ENGINEER



CIN Number: 165920MH1994PLC080618
Web Address: Support@hdfcbank.com

DEBIT ADVICE CUM INVOICE

GUARANTEE ISSUED

ADANI WILMAR LIMITED
FORTUNE HOUSE
NR NAVRANGPURA RLY CROSSING
NAVRANGPURA
AHMEDABAD 380009

OUR GTEE REF NO. : 006GT02190850002
USER REFERENCE NO. : 0006D00219000582
BENEFICIARY : ANDHRA PRADESH POLLUTION CONTROL
BG AMOUNT : INR 2,000,000.00
ISSUE DATE : 26-MAR-2019
EXPIRY DATE : 25-MAR-2021
CLAIM DATE : 25-MAR-2022

WE HAVE DEBITED YOUR ACCOUNT NO. 00060330000760

DESCRIPTION	CCY	AMOUNT	DR/CR
Availment amount paid	INR	750,000.00	Dr.

DETAILS :

TOTAL AMOUNT DEBITED INR 750,000.00 Dr.

(RUPEES SEVEN HUNDRED FIFTY THOUSAND ONLY)

VALUE DATE : 12-OCT-2020

CUSTOMER PAN NO : AABCA8056G

CUSTOMER GSTN NO : 24AABCA8056G2ZU

STATE CODE : 24 STATE NAME : GUJARAT

BANK GSTN NO : 24AAACH2702H1Z6

BANK ADDRESS : ASTRAL TOWERS OPP RELIANCE GEN.INSU, NEAR MITHAKALI SIX ROAD, NAVRANGPURA AHMEDABAD GUJARAT

PIN- 380 009

HSN No for Other Charges : 997113-Credit granting services including stand by commitment guarantees and securities

GST INVOICE NO. 1 (Other Charges): FCU2003582859978 Value of Service : 12000

GST AMOUNT :- CGST : INR 1080 SGST : INR 1080 IGST : INR 0 UGST : INR 0

GST RATE :- CGST : 9 % SGST : 9 % IGST : 0 % UGST : 0 %

KCESS : INR 0

GST INVOICE NO. 2 (Discrepancy Charges):

Discrepancy Charge :

GST AMOUNT DISCP :- CGST : INR 0 SGST : INR 0 IGST : INR 0 UGST : INR 0

GST RATE DISCP :- CGST : % SGST : % IGST : % UGST : %

HSN No for FX Conversion : 997157-Foreign exchange services

GST INVOICE NO. 3 (Fx Conversion Charges):

FX Conversion :

GST AMOUNT :- CGST : INR 0 SGST : INR 0 IGST : INR 0 UGST : INR 0

GST RATE FX :- CGST : 9 % SGST : 9 % IGST : 0 % UGST : 0 %

KCESS : INR 0

REGISTERED OFFICE ADDRESS: HDFC BANK HOUSE, SENAPATI BAPAT MARG,
LOWER PAREL, MUMBAI-400 018.

IN CASE OF ANY DISCREPANCY, PLEASE CONTACT US WITHIN 7 DAYS.

=====
End of Advice
=====

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

COMMITTEE REPORT IN THE MATTER OF OA NO.221/2015 SUBMITTED TO HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN BENCH, CHENNAI IN COMPLIANCE TO HON'BLE NGT ORDER DATED 16TH MARCH, 2020 AND 29th SEPTEMBER, 2020

INDEX

Sl.No.	Description	Page No.
1	Report of the Joint Committee Comprising Representatives of Ministry of Environment Forest and Climate Change, Central Pollution Control Board (CPCB) and Andhra Pradesh Pollution Control Board (APPCB)	01-42
2	Annexure-I	44-53
3	Annexure-II	54-57



M. Pramod Kumar Reddy,
Environmental Engineer,
Andhra Pradesh Pollution Control Board,
Regional Office Nellore

01.12.2020
Nellore

REPORT OF THE JOINT COMMITTEE IN THE MATTER OF O.A. NO. 221/2015 IN COMPLIANCE TO THE HON'BLE NGT SOUTHERN BENCH ORDER DATED MARCH 16, 2020 AND 29.09.2020.



Satellite image of Cluster of Edible Oil Industries in Krishnapatnam Port area, SPSR Nellore district, Andhra Pradesh.

Submitted to
Hon'ble National Green Tribunal
Southern Bench, Chennai



Ministry of Environment
Forest and Climate Change



Central Pollution
Control Board



Andhra Pradesh Pollution
Control Board

I Preamble

Cluster of 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 in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard has appointed a joint committee comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board.

II Orders of the Hon'ble National Tribunal dated 16.03.2020 in OA No 221/2015

Hon'ble NGT vide order dated 16.03.2020 has directed the following " *So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at ngtszfilng@gmail.com." Hon'ble NGT order dated 16.03.2020 and 29.09.2020 is enclosed as Annexure-I and Annexure-II respectively.*

III Composition and Scope of Committee

In compliance to Hon'ble NGT order, the following committee was composed:

1. Smt. Mahima T, Scientist-D, Central Pollution Control Board, Regional Directorate, Chennai
2. Dr. C. Palpandi, Scientist-C, Ministry of Environment Forest and Climate Change, Regional Office, Chennai
3. Sri. M. Pramod Kumar Reddy, Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office Nellore (Nodal agency)

The Committee has been vested with the mandate to visit and inspect the site in question and vested with following scope vide the Order dated 16.03.2020:

- a. to ascertain the present status of the functioning of the edible oil refinery units
- b. to find out whether edible oil units are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning
- c. action taken by Andhra Pradesh Pollution Control Board
- d. to find out whether whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose
- e. to find out whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements has been provided under the Environment (Protection) Act, 1984
- f. to determine whether these units are properly disposing the fly ash generated during their manufacturing process
- g. imposition of environment compensation against the erring units

IV Site Visit by the Committee

The committee constituted by Hon'ble NGT vide order dated 16.03.2020 convened its first meeting on 27.07.2020 through video conference (VC) with the officials of Regional office, Nellore and reviewed the status of operation of Edible oil industries with respect to Pollution control issues. The committee inspected the units on 13.10.2020 and 14.10.2020. As per the scope vested on the committee, the information is compiled in tables VIa to VIg.

V Process Description- Edible Oil Refining Process

V. a. General information:

Seven edible oil units are operating in Krishnapatnam Port region. The units are involved in refining of crude palm and sunflower oil. The Palm Oil extraction is to be done with the fresh Palm fruit to avoid the deterioration of Palm Oil. Hence, palm oil is extracted in the countries where it is cultivated to avoid its deterioration. All the seven edible oil units are importing crude

palm oil from Indonesia, Singapore and Malaysia. Crude Palm Oil is yellow red or dark yellow in color and contains certain impurities which are removed by physical refining. During refining, Phospholipids, free fatty acids, colouring pigments (Carotenoids), Moisture, oxidative material, metal impurities, and water soluble impurities (glycerol, Phenols, Sugars) are removed. Crude sunflower oil is imported from Ukraine, Argentina, Malaysia. The crude palm oil is physically refined while the sunflower oil is chemically refined. All units are practising similar refining process with only minor modifications in the stages of refining. (carotenoids).

V.b Physical refining of crude palm oil: Crude palm oil contains 3.5% to 4.5% fatty acids that comes out as waste. Around 1% to 2% of fats or oil is lost in bleaching section. Total loss will be around 4.5% to 6.5%. The stages in physical refining are as follows:

- a. De-gumming: It is the process of removal of gums or phosphatides. It comprises the treatment of crude oil with water, salts, enzymes, caustic soda, or dilute acids such as phosphoric acid to remove phosphatides, waxes, pro-oxidants, and other impurities.
- b. Bleaching: Trace metal complexes such as iron & copper, colouring pigments and oxidative products are removed by adsorption using bleaching earth. Spent Earth is sold to soap manufacturing units.
- c. De-odorizer: Deodorization / De-acidification is done to remove the volatile components, mainly aldehydes and ketones, which causes smell in refined oil. In Deodorization process, free fatty acid removes in the form of Palm fatty acid distillate as a refining waste. During deodorization, bleached palm oil is steam distilled or boiled. The vapors from this section is the palm fatty acid distillate.
- d. Crystallization: Portion of palm oil will crystallize on cooling and is known as palm-stearin or margarine and the other portion remains as liquid and is called palm-olien or cooking oil.

Waste from physical refining: gums and other impurities and wastewater from degumming section, refining waste from refining section. The waste water contains oil and it is removed by centrifuge principles.

V.c Chemical refining of Sunflower oil/ Soybean oil: The steps involved in chemical refining are as follows:

- a. Neutralization: Addition of caustic to reduce FFA (gum/ phospho lipid) from crude palm oil
- b. Bleaching: Removal of colouring pigments and other impurities
- c. De-waxing: The wax so removed is sold to cosmetic industry
- d. De-odorization: Removal of fatty acids and other volatile components.
- e. Fractionation: separation of hard fraction from refined palm oil

VI. The status of edible oil industries is as follows**VI.a Compliance Status of M/s Gemini Edibles & Fats India Pvt Ltd**

a	Name & complete address of the unit	M/s Gemini Edibles & Fats India Pvt Ltd, Sy.No. 1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore district
b	Contact Details	Sh. Prathap Vice- President Operations +91 -9866556188
c	Geo-coordinates	14°15'36.3"N 80°04'19.0"E
d	Area	15.2 acres
e	Status of CFO & Authorizations and its compliance	The combined Consent and Authorization issued by APPCB is valid till 30.06.2021.
f	Year of commissioning	2010
g	Production capacity	Refined Vegetable Oil (Physical refining)-550TPD Refined Vegetable Oil (Chemical refining)-250 TPD Fractioned vegetable oil- 600 TPD Interesterified fats- 125 TPD Vanaspathi-100 TPD <u>By-products</u> Distilled fatty acids-13386 Tons Per annum Acid oil-1690 Tons Per annum
h	Coal and flyash storage measures taken to control fugitive emissions	The unit has constructed separate shed for coal storage but however, it was observed during inspection that the size of the shed is small and coal was stored in open. The unit has installed water sprinklers in storage yard. The unit has installed flyash silo of capacity 100 Tonnes (10 days storage capacity against the direction of APPCB to install silo for 30 day storage. The flyash is sold to brick manufacturers. Partially complied.
i	Source of water and quantity of water used per day	Through water tankers and bore wells. The total water requirement of the unit is 610 KLD including domestic requirement. Quality of water will be having TDS of more than 1200 ppm, which has to be treated through RO. Ground water and water audit department has given permission to the unit to utilize 350 KLD of ground through four bore wells but three of them have become dry and the unit has constructed three new bore wells and is drawing 180 KLD of ground water

		and has obtained fresh permission to draw additional 70 KLD of water. The unit has permission to utilize 250 KLD of ground water by 10 hrs of pumping from the filter points. But however the major water requirement is met by procuring water in tankers.
j	Effluent generation	<p>Around 30 KLD of effluent is generated from physical refining and is Low TDS effluent which is treated in ETP of capacity 200 KL. ETP comprises of collection tank→ oil recovery system→ primary settling tank→ DAF aeration tank→ secondary clarifier→ RO. Raw water is treated in two stage RO system and RO rejects (70 KLD) is also treated in MEE. Outlet effluent from ETP is treated in RO of 200 KLD capacity. RO permeate is taken to cooling tower and for dust suppression. RO reject is taken to MEE. 20 KL of HTDS effluent is generated from chemical refining section and after oil recovery it is treated in MEE followed by ATFD .ATFD salts sent to TSDF. MEE condensate is used for gardening and dust suppression.</p> <p>There is no proper effluent conveyance system, the open drains carry both effluent and storm water. Though the effluent generation is only 30 KLD and capacity of ETP is 200 KLD. The industry has not given justification for providing higher capacity of the ETP and RO even the industry is generating 30 KLD and 20 KLD of LTDS and HTDS effluents, hence it prevails the industry is operating ETP in phased manner. During storage in collection tank, settling and putrefaction of effluent takes place which is likely to emanate odour.</p> <p>There is no proper mechanism for sludge collection and transferring to sludge drying beds. Sludge was haphazardly stored in ETP area.</p> <p>Part of sewage generated from the unit is also treated in ETP even the industry provided STP of 30 KLD capacity.</p> <p>Not complying</p>

Table VI.a 1: Analysis results of samples collected by APPCB during 30.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	7.26	7.5	8.85	8.53	10.09	6.74	8.35
2	TSS	200	184	136	201	12	186	4	76
3	TDS	2100	3256	4018	10170	2486	52500	90	7240
4	COD	250	960	196	928	192	19680	<10	116
5	BOD	100	364	62	350	56	6152	BDL	34
6	Oil & grease	10	12.6	8.4	25	47	226	BDL	4.0

The results indicate that MEE condensate is not complying with discharge standards stipulated by APPCB. Therefore MEE condensate shall be treated in RO. ETP outlet is around 30 to 35 KLD and RO capacity is 200 KLD, treated effluent is stored in a tank and RO is operated once in a week during which oxidation may take place resulting in BOD & COD reduction. RO reject is having TDS of 7240 mg/L against APPCB stipulated standard of 2100mg/L. Hence RO reject will be treated in MEE.

k	Installation of magnetic flow meters with totalizer	Partially complied The unit has installed flow meters and totalizer at the inlet and outlet of ETP but however the unit has not installed flow meter at raw water inlet. Since both ground water and water from tankers is utilized, the unit has not quantified the total water consumption and water used for various utilities. Partially complied					
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tbody> <tr> <td>Boiler of capacity 20 TPH</td> <td rowspan="2">Multi cyclone dust collector followed by Bag filters</td> </tr> <tr> <td>Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)</td> </tr> <tr> <td>3x 1000 KVA DG Sets</td> <td>Acoustic enclosures with silencer & Muffler</td> </tr> </tbody> </table> <p>OCEMS has been installed at 24 mtr height of chimney. Not complying</p>	Boiler of capacity 20 TPH	Multi cyclone dust collector followed by Bag filters	Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)	3x 1000 KVA DG Sets	Acoustic enclosures with silencer & Muffler
Boiler of capacity 20 TPH	Multi cyclone dust collector followed by Bag filters						
Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)							
3x 1000 KVA DG Sets	Acoustic enclosures with silencer & Muffler						

Table VI.a.2: Stack monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 20 TPH boiler	129.7 mg/Nm³	115 mg/ Nm ³

Table VI.a.3: Ambient air quality monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	PM 10 measured value	APPCB emission standards
Near the main gate within unit premises	132.2 µg/m³	100 µg/m ³

m	Status of installation of online stack monitoring equipment	The unit has installed online continuous stack monitoring system to measure SPM and it is connected to APPCB server.
n	Status of green belt	Partially complied. The unit has developed green belt in an area of 3.5 acres against the requirement of 5.0 acres (33%) with avenue plants. It was informed to the committee that the unit has taken compensatory plantation in their own 32 acres of land in other area. Rain water harvesting pit of 50Mtr X 40mtr is established inside the plant.
o	Hazardous waste generation	Unit is generating MEE salts, ETP sludge, used oil and spent nickel catalyst. MEE salts and ETP sludge are disposed to TSDF. The quantity of MEE salts & ETP sludge sent to TSDF is around 9 to 10 MT every three months against consented quantity of 10 MT / month. ETP sludge is not properly removed and stored. Used oil and oil recovered from ETP is sold to soap manufacturers/ oil reclamation units, however no records were shown to committee. No records were shown to the committee on disposal of spent nickel catalyst. There is no proper covered shed for hazardous waste storage.
p	Actions taken by APPCB during last one year	The APPCB has issued directions to the industry 15.02.2018, 27.12.2018, 17.01.2020. The APPCB has forfeited Bank Guarantee of Rs.5.0 Lakhs on 17.01.2020 for non-compliance of Board directions. Directions were again issued on 28.09.2020. The APPCB has again forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of

the Board directions.

Overall Compliance status

APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement but partially complied with few of the directions as detailed above. But the committee observed that APPCB has not received specific complaints against the unit for discharging of effluent outside the industry premises. As per OCEMS records available with APPCB, the unit is not complying with APPCB standards for Particulate Matter. ZLD system installed. The actual water requirement of the unit is more than available water resources in the region.

Since the unit is partially complying the committee calculated environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 13.10.2020*	80	1.5	1	250/-	270	81,00,000/-
Total EC for violation						270	81,00,000/-
Compensation levied by APPCB from 17.01.2020 onwards							15,00,00
Net Compensation to be paid by M/s Gemini Edibles							66,00,000/-
Rupees Sixty-Six Lakhs Only							

List of major non-compliances

- stack emission and ambient air not complying with APPCB standards w.r.t SPM and PM 10 respectively
- MEE condensate and RO reject which is used for green belt development/ dust suppression is not complying with APPCB discharge standards w.r.t TDS and O&G
- No proper effluent conveyance system from production block to ETP



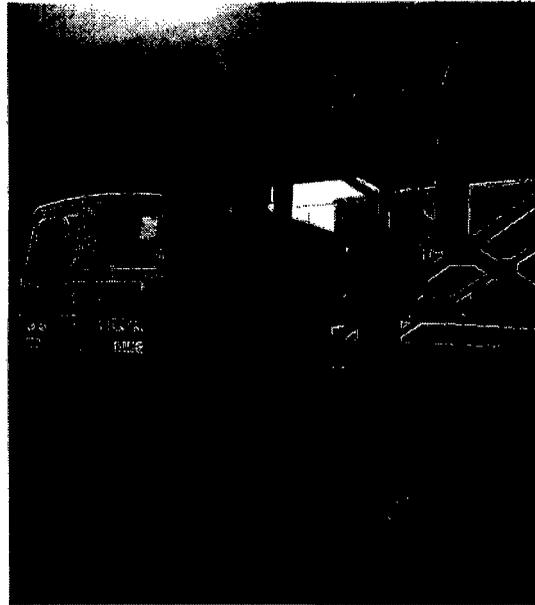
Open drains used for carrying both effluent and storm water



Stack



Rice husk storage shed



flyash loading into silo

VI.b Compliance Status of Emami Agrotech Limited

a	Name & complete address of the unit	M/s Emami Agrotech Limited, Sy No.s 501, 502/1 etc., Pantapalem (V), Muthukur (M), SPSR Nellore	
b	Contact Details	Sri M.V.Narayana Murthy- Unit Head Mobile: 9677167862	
c	Geo-coordinates	14°15' 40.2"N 80° 04' 23.2"E	
d	Area	29.78 acres	
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 30.11.2021	
f	Year of commissioning	2013	
g	Production capacity	Refined Palm oil	1886 TPD
		Sunflower oil	186TPD
		Interesterfied oil	100 TPD
		Hydrogenated Oil	100 TPD
		Vanaspathi	200 TPD
		Refining of Soft Palm oil	130 TPD
		Palmolein	800 TPD
		Bakery Fat	210 TPD
		Palm stearine	200 TPD
		By Product	
		Distilled Palm Fatty Acids	106.325TPD
		Distilled sunflower Fatty acids	0.5 TPD
		Acid Oil	14 TPD
h	Coal and flyash storage measures	The unit has constructed separate shed for storage of rice husk and coal however it was stored both inside	

		<p>and outside the shed. 41 TPD of ash is generated per day. The unit has installed a silo of 150 Tonnes (roughly six days storage capacity) against APPCB direction of 30 days storage capacity. Fly ash spillage was observed in the area. The fly ash is also dumped in North east side of the industry.</p> <p>On the day of inspection, chemical refining plant was not in operation</p> <p>Not complying</p>														
i	Source of water and quantity of water used per day	<p>The total water requirement of the unit is 902 KLD and majority (80 to 90%) of the water requirement is met from tankers. The total water consumed is not quantified by means of flow meter but however the units have maintained registers for the no. of tankers of water received. The quantity of water drawn from borewells is amounted by no. of pumping hours which is not accurate.</p>														
j	Effluent generation	<table border="1"> <thead> <tr> <th>Source</th> <th>Wastewater generation</th> </tr> </thead> <tbody> <tr> <td>Process & Washings</td> <td>23.0 KLD</td> </tr> <tr> <td>Acid Oil Plant</td> <td>6.0 KLD</td> </tr> <tr> <td>Boiler Bleed off</td> <td>28.0 KLD</td> </tr> <tr> <td>Cooling Tower Blow down</td> <td>32.0 KLD</td> </tr> <tr> <td>RO Reject</td> <td>60.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>6.0 KLD</td> </tr> </tbody> </table> <p>The quantity of the effluent collected in the ETP is not proportionate with their production and water consumption. The effluent is transferred in open drains from production block to ETP and committee observed that effluent spillage, over flow into adjoining areas. Storm water drains were filled with effluent and drains were clogged. The MEE and Sludge Centrifuge were not in operation since chemical refining was not taking place.</p> <p>STP is provided for treatment of sewage.</p>	Source	Wastewater generation	Process & Washings	23.0 KLD	Acid Oil Plant	6.0 KLD	Boiler Bleed off	28.0 KLD	Cooling Tower Blow down	32.0 KLD	RO Reject	60.0 KLD	Domestic	6.0 KLD
Source	Wastewater generation															
Process & Washings	23.0 KLD															
Acid Oil Plant	6.0 KLD															
Boiler Bleed off	28.0 KLD															
Cooling Tower Blow down	32.0 KLD															
RO Reject	60.0 KLD															
Domestic	6.0 KLD															
k	Installation of magnetic flow meters with totalizer	<p>Flow meters installed at inlet and outlet of ETP & STP but total water consumed is not quantified</p>														
l	Quantity of effluent discharged and mode of disposal. Components of ETP.	<p>The ETP is very poorly maintained. The aeration was not in operation. Sludge is not removed and oily sludge was accumulated in all components of ETP</p>														

	<p>and which results in improper operation of ETP .</p> <p>The unit has to first scrap and remove the accumulated sludge and send it to TSDF. After sludge removal, the mixing chambers and aerators has to be repaired and ensure that ETP is properly operated.</p> <p>Presently, effluent from filter press is pouring down and not recycled into ETP and sludge is lying below the filter press. Periodically, the sludge is manually removed, packed in bags and stored in ETP area.</p> <p>The unit has not provided dedicated storage shed for storing hazardous wastes. Provision shall be made to recycle the effluent from filter press into ETP. A bin will be provided to collect the sludge from filter press. MEE condensate and RO permeate as well as RO reject is used for dust suppression and green belt development.</p> <p>A periphery drain carrying the effluent and storm water drain was found to join the creek at south-east corner of the unit. Though it is temporarily closed but during heavy rains, there are likely chances of effluent joining the drain.</p> <p>Not complying</p>
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Table VI.b 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	RO permeate	RO reject
1	pH	5.5-9.0	6.63	7.29	2.00	7.30	7.54
2	TSS	200	132	118	156	4	120
3	TDS	2100	2352	2798	11955	198	5137
4	COD	250	1960	320	7800	<10	176
5	BOD	100	627	104	2496	BDL	40
6	Oil & grease	10	13.4	10.8	15.8	BDL	12.0

The unit is using RO reject for dust suppression and green belt. From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards.

m	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Source	Air pollution control device installed
		FBC Boiler of capacity 16 TPH	Multi cyclone dust collector followed by
		Thermic fluid heater of capacity 8.0 lakh k.cal/hr (Coal or husk fired)	Bag filters and attached to Common stack of height 30m
		Thermo siphon of capacity 20 lakh k.cal/hr	Bag filters
		Thermic fluid heater of capacity 6.0 lakh k.cal/hr (Coal or husk fired)	Bag filters
		DG sets of 1x750 KVA, 1x1500 KVA	Acoustic enclosures
		FBC Boiler of capacity 36 TPH	Electro-static precipitators(ESP)- 3 no. of fields with stack height of 35 mtrs
		Thermo siphon of capacity 20 lakh k.cal/hr	Bag filter

Table VI.b.2: Stack monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	123.5 mg/Nm ³	115 mg/ Nm ³

Table VI.b.3: Ambient air quality monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	PM 10 measured value	APPCB standards
Near the main gate within unit premises	125.5 µg/m ³	100 µg/m ³

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

n	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online PM monitors and connected to APPCB servers
o	Status of green belt	Reported that the unit has planted 7000 trees along the unit boundary but is not complying with 33% green belt. Unit shall further develop green belt in vacant spaces.
p	Hazardous waste generation	MEE Centrifuge salts and ETP sludge are the hazardous wastes generated from the unit. As per the production records and as per consent, the unit has to generate 30 TPM of MEE-centrifuge and 8.4 tons of ETP sludge but from the hazardous waste manifest copies it is observed that the unit has despatched only 10-15 tons of hazardous waste to TSDF. This implies that either the unit is not properly operating ETP and MEE & MEE Centrifuge or the hazardous waste so generated is haphazardly disposed. It was observed that sludge was lying in open in the unit premises. There is no dedicated hazardous waste storage shed. Oil recovered from ETP is sold to soap manufacturers.
q	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards and for exceeding the consented production in terms of chemical refining. The unit was again inspected by APPCB officials on 31.01.2020 & 04.02.2020 and found non-complying. APPCB vide order dated 20.03.2020 issued directions to the unit to ensure compliance. APPCB carried out analysis and monitoring on 18.06.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.

Overall Compliance status

APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like replacement of old MEE with new MEE and installation of Centrifuge in place of ATFD which is not adequate for converting MEE concentrate in to salts. During APPCB inspections during January and February, 2020, unit was found discharging effluent into adjoining drains.

Further, the unit is not complying with effluent discharge and emission standards stipulated by APPCB, with APPCB directions dated 20.03.2020, no proper effluent transfer system. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 20.03.2020*	80	1.5	1	250/-	63	18,90,000/-
2	21.03.2020 to 13.10.2020	80	1.5	1	250/-	206	61,80,000 x 2 (for repeated violation) =1,23,60,000
3	Compensation levied by APPCB on or after 17.01.2020						10,00,000/-
Total Environmental Compensation for violation						269	1,32,50,000/-
Rupees One Crore Thirty-two lacs fifty thousand Only							

Major Non-Compliances

- The unit has not achieved ZLD. Instead of MEE-ATFD the unit has installed MEE-centrifuge which is not adequate to convert MEE concentrate to salts.
- The unit is not complying with effluent discharge and emission standards stipulated by APPCB. No proper effluent transport system is provided, the drains are completely clogged. The effluent generated and hazardous waste generated is not matching with the production details and water consumption.
- Flyash is found dumped adjacent to the unit in north-eastern direction
- During APPCB inspections in January and February, 2020, the unit was found discharging the effluent into storm water drains located outside the industry.



Effluent transferred through drains



Effluent disposed from production block



Hazardous waste haphazardly dumped in unit premises



Thick oily sludge accumulated in the drains

VI.C. Compliance Status of M/s Adani Wilmar Limited (Unit-I)

a	Name & complete address of the unit	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.														
b	Contact Details	Sri. Vishal Jain, Unit Head Email: Vishal.Jain1@adaniwilmar.in Mobile No.: 8886060496														
c	Geo-coordinates	14°15' 27.14"N 80° 03' 16.38"E														
d	Area	14.91 acres														
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2021														
f	Year of Commissioning	2011														
g	Production capacity	<table border="1"> <tr> <td>Refined vegetable Oils (Physical Refining)</td> <td>600 TPD</td> </tr> <tr> <td>Interesterfied Vegetable Fats</td> <td>100 TPD</td> </tr> <tr> <td>Hydrogenated Vegetable Oils</td> <td>100 TPD</td> </tr> <tr> <td>Refined vegetable Oils (Chemical refining)</td> <td>200 TPD</td> </tr> <tr> <td>Bakery Fat</td> <td>145 TPD</td> </tr> <tr> <td colspan="2">By Products</td> </tr> <tr> <td>Distilled Fatty Acid</td> <td>45.55 TPD</td> </tr> </table>	Refined vegetable Oils (Physical Refining)	600 TPD	Interesterfied Vegetable Fats	100 TPD	Hydrogenated Vegetable Oils	100 TPD	Refined vegetable Oils (Chemical refining)	200 TPD	Bakery Fat	145 TPD	By Products		Distilled Fatty Acid	45.55 TPD
Refined vegetable Oils (Physical Refining)	600 TPD															
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Refined vegetable Oils (Chemical refining)	200 TPD															
Bakery Fat	145 TPD															
By Products																
Distilled Fatty Acid	45.55 TPD															
h	Coal and flyash storage measures taken to control fugitive emissions	The industry has provided shed for storage of coal with water sprinklers. The unit is generating 480 TPM of flyash and unit has installed ash silo of 100MT (around seven days' storage capacity) against APPCB direction of installing silo of 30 days' storage capacity. Reported that unit is disposing the flyash on alternate day basis.														
i	Source of water and quantity of water used per day	The total water requirement of the unit is 260 KLD and additional 4KLD is recycled from RO plant. The unit is having permission from Ground Water and Water Audit department to draw 150 KLD of ground water. But due to high salinity the unit 75% of water requirement is met from tankers.														
j	Effluent generation	The unit is generating 90 KLD of effluent. Low TDS effluent is treated in ETP of 115KL capacity comprising of Fat trap, equalisation tank, chemical														

		<p>dosing tank, primary settling tank, aeration, Secondary settling tank, Aeration tank 2, clarifier, Tube settler and filter press. Treated effluent from ETP is further treated in RO. It is a ZLD plant.</p> <table border="1"> <tr> <td>Source</td> <td>Wastewater generation</td> </tr> <tr> <td>Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)</td> <td>73.0 KLD</td> </tr> <tr> <td>Acid wash</td> <td>8.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>10.0 KLD</td> </tr> </table> <p>High TDS effluent is treated in three stage MEE-15 KL capacity followed by ATFD.</p> <p>Sewage is treated in septic tank followed by soak pit. Rainwater harvesting pits and Summer storage tank is available. Summer storage tank capacity is 180MT</p>	Source	Wastewater generation	Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD	Acid wash	8.0 KLD	Domestic	10.0 KLD
Source	Wastewater generation									
Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD									
Acid wash	8.0 KLD									
Domestic	10.0 KLD									
k	Installation of magnetic flow meters with totalizer	Flow meters installed at inlet and outlet of ETP and MEE feed tank. Flow meter is not installed to quantify raw water consumption.								

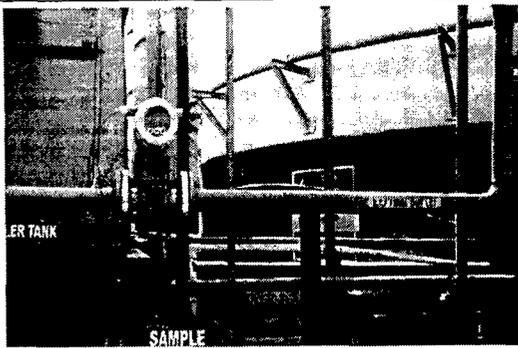


Table VI.C 1: Analysis results of samples collected by APPCB during 23.06.2020

S.No	Parameter in mg/L except pH	APPC B standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	6.42	7.22	5.56	4.09	5.94	6.5	7.69
2	TSS	200	200	122	136	12	200	20	120
3	TDS	2100	2642	1380	28925	208	38051	740	4990
4	COD	250	1712	260	34000	24	67200	32	112
5	BOD	100	420	60	8500	2.6	16800	52	28
6	Oil & grease	10	20.2	16.4	28.2	BDL	20	BDL	BDL

MEE condensate is not complying with discharge limits stipulated by APPCB for pH. The unit shall neutralize the MEE condensate before discharging.

RO reject is not complying with APPCB discharge limits for TDS. RO reject shall be treated in MEE before discharging. RO permeate is complying with standards.

From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP.

1	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Boiler of capacity 1 x 16 TPH	Mechanical dust collectors fol.by bag filters
		Boiler of capacity 1 x 12.0 TPH	
		Thermic Fluid Heater 2 x 6 Lakh. K.Cal/ hour & 1 x 10 Lakh. K. Cal/hour	Acoustic enclosure
		Thermo siphon of capacity 4 lakh k.cal/hr	
		DG sets of 1x1250 KVA, 2x625 KVA	

Table VI.C.2: Stack monitoring by APPCB on 23.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	101.8 mg/Nm ³	115 mg/ Nm ³

Table VI.C3: Ambient air quality monitoring at M/s, Adani Wilmar Limited (Unit-I) by APPCB on 23.06.2020

Source	PM ₁₀ measured value	APPCB standards
Near the main gate within unit premises	95.5 µg/m ³	100 µg/m ³

The unit is complying with stack emissions and ambient air standards.

m	Status of installation of online stack monitoring equipment	Stack attached to boiler is provided with continuous online PM monitors and connected to APPCB servers
n	Status of green belt	The unit has developed green belt in around 4 acres of land.
o	Hazardous waste generation	MEE salts (0.2 TPD) and ETP sludge (0.4 TPD) are the hazardous wastes generated from the unit and it is stored in 40 MT covered shed and it is disposed to TSDF
p	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 27.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non

	compliance of the Board directions.
Overall Compliance status:	
As compared to other units in the region, M/s Adani Wilmar Unit-I has implemented lot of corrective measures. There were proper effluent transfer system, Emissions are complying with APPCB norms.	
Major non-compliances observed in the unit are	
<ul style="list-style-type: none"> • MEE condensate is not meeting the APPCB stipulated standards w.r.t pH. The unit shall be directed to check for pH and neutralize the effluent before final discharge. • Illegal drawal of ground water through tankers from outside agencies. • Not provided ash silo for 30 days storage capacity 	

VI.d. Compliance Status of M/s. Adani Wilmar -(Unit-II)

a	Name & complete address of the unit	M/s. Adani Wilmar -(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			
b	Contact Details	Sri G. Sreenivasulu, Plant Head +91- 9444398011 sreenivasulu.gundarapu@adaniwilmar.in			
c	Geo-coordinates	14°15' 20"N 80° 04' 25.9"E			
d	Area	15.58 acres			
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 29.02.2024			
f	Year of Commissioning	2011			
g	Production capacity	S.N	Products	Quantity	
		01	Physical Refining Refined Vegetable Oil (Palm Oil, Palmolein, Palm Stearin)	600 TPD	
		02	Chemical Refining Refined Vegetable Oil (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	200 TPD	
		02	Fractionated Vegetable Oil	800 TPD	
		03	Interesterified Vegetable Oil	150.0 TPD	
		04	Vanaspathi	150.0 TPD	
		Co-Product			
		1	Palmstearin	167.0 TPD	

		By-products		
		1	Distilled Fatty Acids (Physical refining) (Palm Oil, Palm kernel, Palmolein)	48.0 TPD
		2	Distilled Fatty Acids (Chemical refining) (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	0.8 TPD
		3	Acid Oil	4.0 TPD
		4	Soap Stock	4.0 TPD
		5	Acid Sludge	0.6 TPD
		6	Gums	9.0 TPD
h	Coal and flyash storage	<p>The unit is generating 940 TPM of flyash and unit has installed silo of 40 tonnes (roughly around Two days storage) against APPCB direction of 30 days storage capacity storage capacity. Lot of Fly ash spillage was observed in the area.</p> <p>Reported that unit is disposing flyash on alternate days. The unit should have had minimum of 10 days storage capacity.</p>		
i	Source of water and quantity of water used per day	Source	Water consumption	
		Floor washings, plant washings from physical refining process, inter-esterfied fats, vanaspathi unit	15.0 KLD	
		Chemical refining Manufacturing Process	25.0 KLD	
		Washings in chemical refining (Acid Oil Wash)	30.0 KLD	
		DM/ Softener	5.0 KLD	
		Boiler R.O. (Fresh water for Boiler feed-210 KLD)	275.0 KLD	
		Cooling towers (Non contaminated)	70.0 KLD	
		Cooling towers (contaminated)	60.0 KLD	
		Gardening	30.0 KLD	
		Domestic	20.0 KLD	

		Total	530
		Though the unit has obtained permission to withdraw 380 KL of ground water but 75% of the water requirement is met from tankers.	
j	Effluent generation	Process & Washings physical and chemicals, Cooling tower, Boiler blow down	100.0 KLD
		Feed water RO Reject & DM/ Softener back wash	70.0 KLD
		Acid Oil Wash	30.0 KLD
		Domestic	15.0 KLD
		The unit has installed an ETP of 200 KLD capacity followed by RO plant of 10 KLH capacity for treatment of LTDS. HTDS effluent is treated in three stage three stage MEE -60 KLD followed by ATFD to meet ZLD system but ATFD is completely worn out and is not in operation. Sewage is treated in Septic tanks followed by soak pits. But it was observed that ETP is not properly maintained. ETP sludge is stored in the ETP section in open and leachate was flowing. ETP comprises of Fat Trap, Equalization tank, Chemical Dosing tank, Primary Clarifier, Collection tank, Aeration tank, Secondary Clarifier, secondary Collection tank, Filter Press (2No.). Effluent carrying drains were clogged. Unit has constructed rainwater harvesting pits and summer storage tank of 1600 KL capacity.	
k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, MEE outlet.	

Table VI.d 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	5.27	7.64	7.13	8.08	6.24
2	TSS	200	186	122	206	4	180
3	TDS	2100	4279	2516	5100	80	22840
4	COD	250	772	360	404	BDL	58020
5	BOD	100	290	114	136	BDL	14876
6	Oil & grease	10	18.2	12.6	15	BDL	158

On the day of APPCB inspection RO was not in operation and treated effluent was directly

discharged without treating in RO. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards.

1	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Air pollution source	Air pollution control device provided
		FBC Boiler of capacity 20.0 TPH	Multi cyclone dust collector followed by Bag filters
		Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;	Chimney to disperser the flue gases
		FBC boiler of Capacity 7.0 TPH	Dust Collector & Bag filter
		Thermo Syphon 1x15 Lakh.k.cal	Mechanical dust collectors fol.by bag filters
		DG sets of 1x1010 KVA, 1x1250KVA	Acoustic enclosure
The unit has installed online emission monitor system to measure SPM and is connected to APPCB server.			

TableVI.d.2: Stack monitoring at by APPCB on 30.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 7 TPH boiler	85.5 mg/Nm ³	115 mg/ Nm ³

TableVI.d.3: Ambient air quality monitoring by APPCB on 30.06.2020

Source	PM ₁₀ measured value	APPCB standards
Near the main gate within unit premises	90.5 µg/m ³	100 µg/m ³

The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.

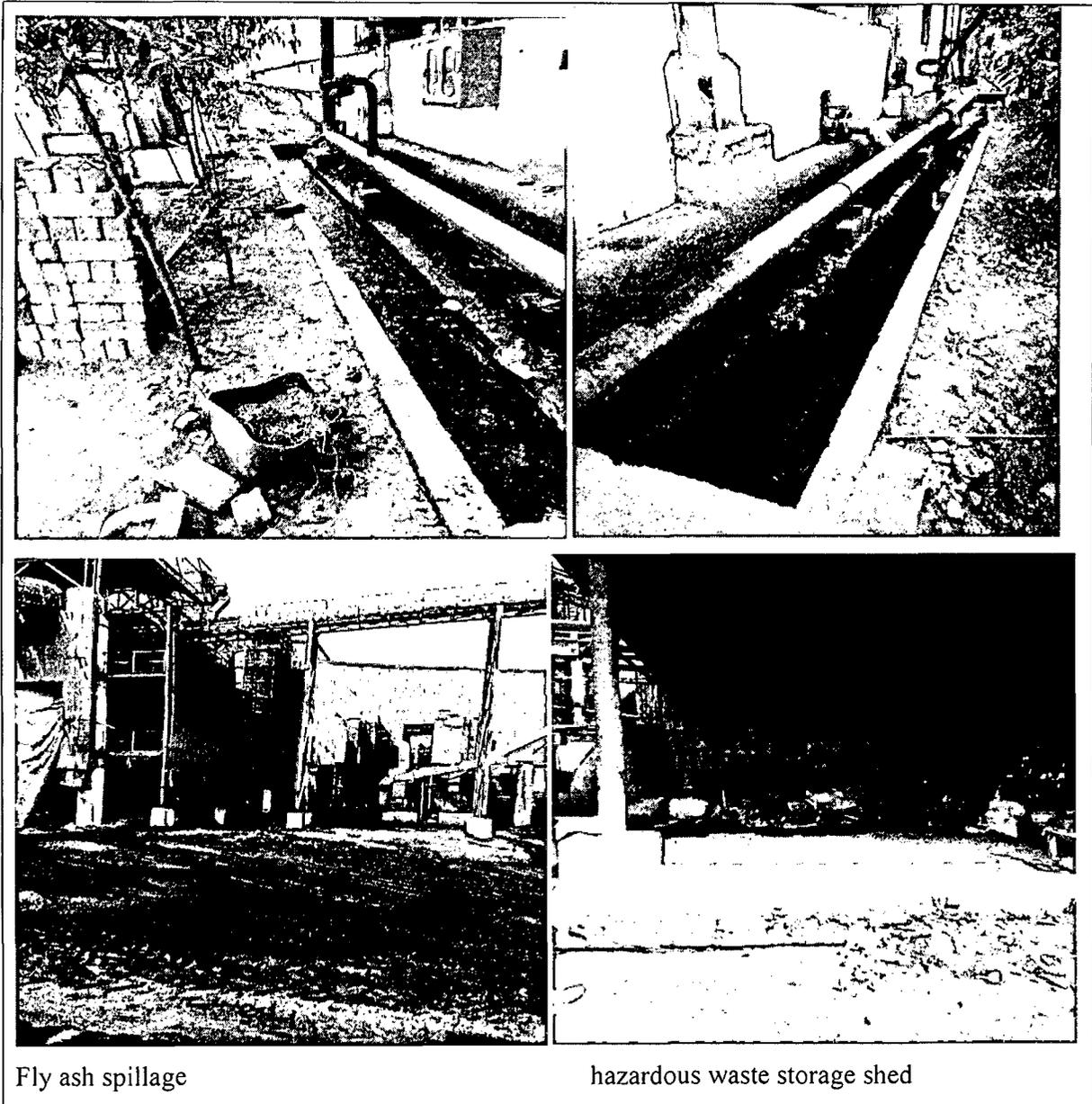
m	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online SPM monitors and connected to APPCB servers
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 to 4.0 acres against APPCB requirement of 5 acres (33%)

O	Hazardous waste generation	5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers
p	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non compliance of the Board directions.

Overall Compliance status

APPCB issued directions to the unit vide order dated 15.02.2018. Further, the unit is not complying with APPCB directions dated 17.01.2020, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Two days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 14.10.2020	80	1.5	1	250/-	271	81,30,000/-
EC for violation						271	81,30,000/-
EC levied by APPCB after 17.01.2020							7,50,000/-
Total EC to be paid by unit							73,80,000/-
Rupees Seventy-Three lacs and Eighty thousand Only							



Fly ash spillage

hazardous waste storage shed

V.I.E Compliance Status of M/s South India Krishna Oil & Fats Pvt.Ltd

a	Name & complete address of the unit	M/s.South India Krishna Oil & Fats Pvt.Ltd., Sy.No.275,279,280 & 281,Epuru Bit - 1B, Pantapalem (V), Muthukur (M), SPSR Nellore Dist	
b	Contact Details	Sri B. Muthu Krishnan, GM +91-7799800065 vincent.paul@sioils.com	
c	Geo-coordinates	14°15' 19.7"N 80° 02' 50"E	
d	Area	16.12 acres	
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2022	
f	Year of Commissioning	2014	
g	Production capacity	Refined Oil (Physical Refining)	1000 TPD
		RBDPalmolein	800 TPD
		TBD Stearine	200 TPD
		Vanaspathi	200 TPD

		<table border="1"> <tr> <td>Palm Powder</td> <td>72 TPD</td> </tr> <tr> <td>Palm Flakes</td> <td>50 TPD</td> </tr> <tr> <td colspan="2">By Product</td> </tr> <tr> <td>Distilled Fatty Acid (Physical Refining)</td> <td>42 TPD</td> </tr> <tr> <td>Refined Vegetable Oil (Soyabean, Sunflower, Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)</td> <td>192 TPD</td> </tr> <tr> <td colspan="2">By Product</td> </tr> <tr> <td>Distilled Fatty Acid (Chemical Refining)</td> <td>0.488 TPD</td> </tr> <tr> <td>Acid Oil</td> <td>4.0 TPD</td> </tr> <tr> <td>Soap Stock</td> <td>8.0 TPD</td> </tr> <tr> <td>Wax</td> <td>2.05 TPD</td> </tr> </table>	Palm Powder	72 TPD	Palm Flakes	50 TPD	By Product		Distilled Fatty Acid (Physical Refining)	42 TPD	Refined Vegetable Oil (Soyabean, Sunflower, Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)	192 TPD	By Product		Distilled Fatty Acid (Chemical Refining)	0.488 TPD	Acid Oil	4.0 TPD	Soap Stock	8.0 TPD	Wax	2.05 TPD
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Wax	2.05 TPD																					
g	Coal and flyash storage	<p>Unit is generating 14 TPD of flyash and is equipped with ash pneumatic conveying system for conveying ash from different points to ash silos and ash shed to avoid the ash escaping into the air.</p> <p>Ash storage yard having a capacity of 30 days including silo & closed storage shed. Lot of fugitive dust is emitted while loading from storage shed into trucks.</p>																				
h	Source of water and quantity of water used per day	<table border="1"> <thead> <tr> <th>Source of water</th> <th>Consumption in KLD</th> </tr> </thead> <tbody> <tr> <td>Process & washings (physical & chemical)</td> <td>21.0 KLD</td> </tr> <tr> <td>Cooling Make up</td> <td>319.0 KLD</td> </tr> <tr> <td>Boiler</td> <td>586.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>23.0 KLD</td> </tr> <tr> <td>Total</td> <td>949 KLD</td> </tr> </tbody> </table> <p>Though the unit has obtained permission to withdraw 360 KL of ground water but entire water requirement of 949 KLD is met from tankers.</p>	Source of water	Consumption in KLD	Process & washings (physical & chemical)	21.0 KLD	Cooling Make up	319.0 KLD	Boiler	586.0 KLD	Domestic	23.0 KLD	Total	949 KLD								
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Boiler	586.0 KLD																					
Domestic	23.0 KLD																					
Total	949 KLD																					

I	Effluent generation	Source	Effluent generation
		Trade effluents (Boiler & Cooling tower blow down, Process, Primary dual RO, back wash)	136.0 KLD
		HTDS effluents from Acid plant and dual RO rejects	53.0 KLD
		Primary RO rejects	93.0 KLD
		Domestic	16.0 KLD

ETP of 300 KLD & Dual RO Plant, MEE of 18 KLD followed by ATFD provided to meet ZLD . STP of 20 KLD provided for domestic purposes. ETP comprises of Collection tank, Oil & grease trap, Equalization tank, Primary clarifier, Aeration tank 1 & 2, buffer tank, Secondary clarifier, Sludge drying beds & Filter Press, Pressure Sand filter, activated carbon filter etc.

The effluent is transferred in drain which is completely clogged. Thick oily scum is accumulated on the surface of aeration and clarification tank. Aerator was not working. Effluent and oil spillage in production block and ETP section. The unit has not installed rain water harvesting pits.

Table VI.e 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	6.99	7.02	4.89	6.99	5.62
2	TSS	200	132	86	156	12	145
3	TDS	2100	2982	1874	32669	128	36278
4	COD	250	456	216	90800	72	38000
5	BOD	100	146	68	29056	16	12160
6	Oil & grease	10	12.4	6.2	16.5	---	17.0

From the analysis results it is evident that MEE is not properly operated, the concentration of COD and BOD is high in MEE feed rather than in MEE concentrate. There is only slight variation in TDS concentration in MEE feed and concentrate.

j	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, ATFD inlet, MEE outlet.								
k	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of capacity 1x24 TPH</td> <td rowspan="3">Mechanical dust collectors fol.by bag filters</td> </tr> <tr> <td>Boiler of capacity 1x15.0 TPH</td> </tr> <tr> <td>Thermo Syphon 1x20 Lakh.k.cal.</td> </tr> <tr> <td>Thermic Fuel Heater 2x6 Lakh. K.cal/hour</td> <td>Mechanical dust collectors fol.by bag filters</td> </tr> <tr> <td>4x750 KVA D.G. Sets</td> <td>Acoustic enclosures</td> </tr> </table> <p>The unit has installed online emission monitors to measure SPM and is connected to APPCB server.</p>	Boiler of capacity 1x24 TPH	Mechanical dust collectors fol.by bag filters	Boiler of capacity 1x15.0 TPH	Thermo Syphon 1x20 Lakh.k.cal.	Thermic Fuel Heater 2x6 Lakh. K.cal/hour	Mechanical dust collectors fol.by bag filters	4x750 KVA D.G. Sets	Acoustic enclosures
Boiler of capacity 1x24 TPH	Mechanical dust collectors fol.by bag filters									
Boiler of capacity 1x15.0 TPH										
Thermo Syphon 1x20 Lakh.k.cal.										
Thermic Fuel Heater 2x6 Lakh. K.cal/hour	Mechanical dust collectors fol.by bag filters									
4x750 KVA D.G. Sets	Acoustic enclosures									

Table: Stack monitoring by APPCB on 16.06.2020.

Source	SPM measured value	APPCB emission standards
Stack attached to 16 TPH boiler	105.8 mg/Nm³	115 mg/ Nm ³

Table: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM ₁₀ measured value	APPCB standards
Near the main gate within unit premises	89.5 µg/m³	100 µg/m ³

The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.

l	Status of installation of online stack monitoring equipment	OCEMS installed in both the chimnies attached to Boiler -24 TPH & common chimney provided to 15 & 16 TPH boilers which is connected to APPCB Server.
m	Status of green belt	Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 acres against APPCB requirement of 5 acres (33%). The unit has developed 1.0 Acre of green belt towards South Side outside of the industry.

N	Hazardous waste generation	0.6 TPD of ATFD salts and 0.037 TPD of ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers
o	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.

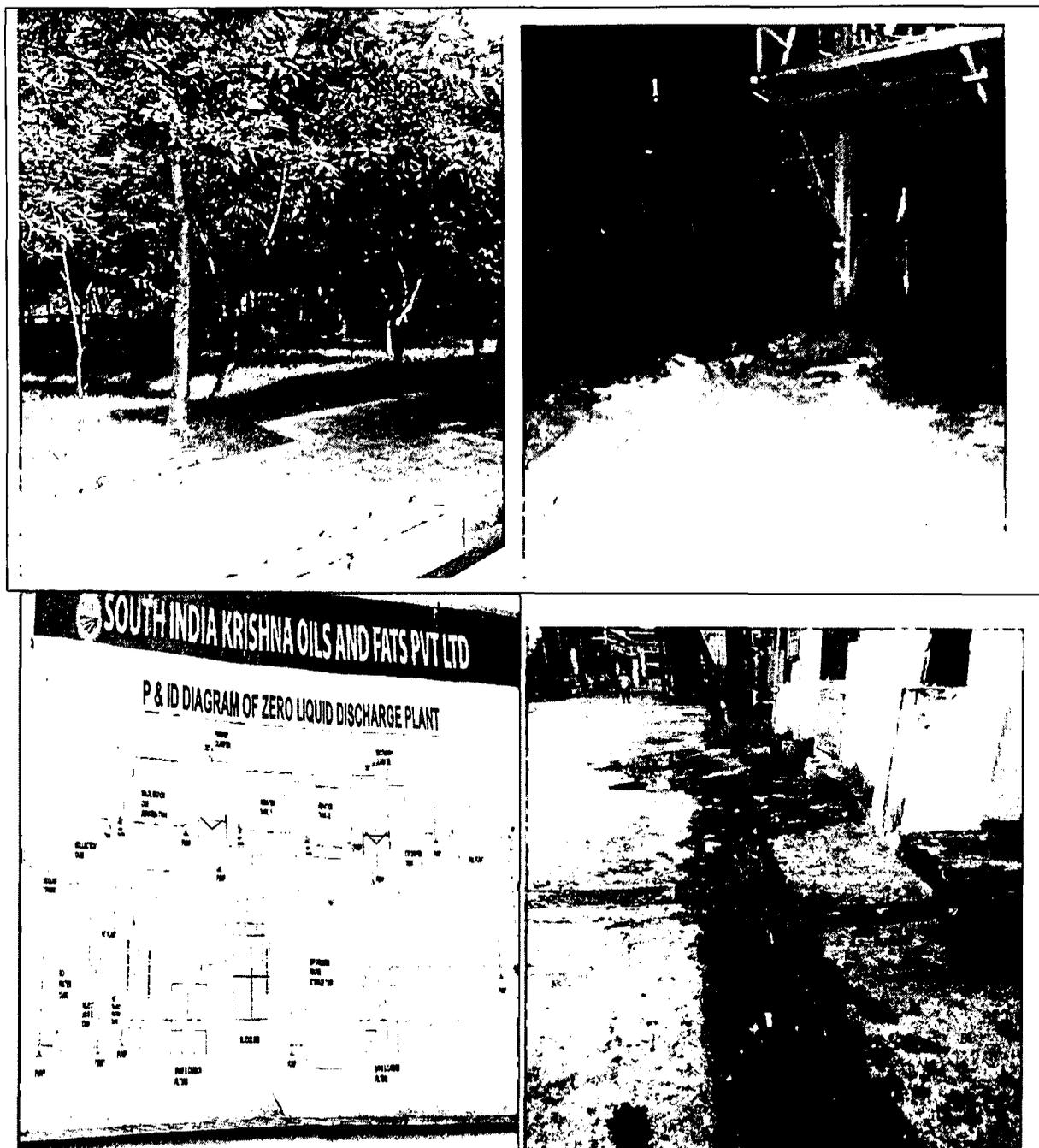
Overall Compliance status

APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like compliance of stack, AAQ and ETP discharge standards.

MEE shall be operated properly

Further, the unit is not complying with APPCB directions, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Five days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 14.10.2020	80	1.5	1	250/-	271	81,30,000/-
EC for violation						271	81,30,000/-
EC levied by APPCB on or after 17.01.2020							10,00,000/-
Total EC to be paid by the unit to APPCB							71,30,000/-
Rupees Seventy- One lacs and thirty thousand Only							



VI.F Compliance Status of M/s. Santhoshimatha Oils and Fats Private Limited

a	Name & complete address of the unit	M/s. Santhoshimatha Oils and Fats Private Limited, Sy.No.252, Epuru Bit-IB, Pantapalem Village, Muthukur Mandal, SPSR Nellore District
b	Contact Details	Sh. Ganesh Vidhun Kota ganeshvk@smoils.com 9963329792
c	Geo-coordinates	14°15' 18.1"N 80° 02' 39.1"E
d	Area	5.52 acres
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.01.2022
f	Year of Commissioning	2016

G	Production capacity	Refined Palm oil	225 TPD
		<u>By product</u>	
		Distilled Fatty Acids	15 TPD
h	Coal and flyash storage	Unit is generating 8 TPD of flyash and has installed ash silo of 30 tonnes(4- 5 days storage capacity). In addition a covered shed is provided for flyash storage.	
i	Source of water and quantity of water used per day	Source	Water consumption
		Process & Wash	12 KLD
		Boiler Feed & Cooling Tower Make up	70 KLD
		Domestic	8.0 KLD
		Total	90 KLD
		The unit has obtained permission from Ground Water and Water Audit Department, Government of Andhra Pradesh vide order dated 01.10.2020 to draw 70 KLD of ground water. Previously the water requirement was met through tankers. As per the Ground water report the quality of ground water is moderate saline in nature. The water is procured through tankers.	
j	Effluent generation	Trade effluents	20 KLD
		Domestic	5.0 KLD
		The unit is involved in only physical refining and only LTDS effluent is generated. The effluent is treated in ETP of 50 KLD followed by RO Plant. ETP comprises of bar screens, oil & grease trap, equalization cum neutralization tank, aeration tank, primary clarifier, aeration tank, secondary clarifier, sand filter, carbon filter, sludge drying beds. ETP outlet is treated in RO plant of 5m ³ /hr capacity. The treated effluent is utilized for green belt development and RO reject is used for ash quenching.	

Table VI.f 1: Analysis results of samples collected by APPCB during 19.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	RO feed	RO permeate	RO reject
1	pH	5.5-9.0	4.94	6.69	7.56	7.11	7.28
2	TSS	200	183	150	160	140	120
3	TDS	2100	4506	2844	1310	521	3460
4	COD	250	860	320	104	20	96
5	BOD	100	326	112	22	2.8	15
6	Oil & grease	10	22.4	18.3	40	BDL	BDL

The unit is not complying with effluent discharge standards with respect to TDS, COD, BOD and Oil & Grease. The RO reject is having TDS higher than the APPCB discharge limits and hence RO reject shall be recycled back to ETP for treatment.

k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at inlet and outlet of ETP					
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tbody> <tr> <td>Boiler of 8.0 TPH</td> <td rowspan="2">Mechanical dust collectors fol.by bag filters</td> </tr> <tr> <td>Thermic Fluid Heater -15 Lakh. K.cal/hr</td> </tr> <tr> <td>DG sets of 1x750 KVA, 1x125 KVA</td> <td>Accoustic enclosures</td> </tr> </tbody> </table>	Boiler of 8.0 TPH	Mechanical dust collectors fol.by bag filters	Thermic Fluid Heater -15 Lakh. K.cal/hr	DG sets of 1x750 KVA, 1x125 KVA	Accoustic enclosures
Boiler of 8.0 TPH	Mechanical dust collectors fol.by bag filters						
Thermic Fluid Heater -15 Lakh. K.cal/hr							
DG sets of 1x750 KVA, 1x125 KVA	Accoustic enclosures						

Table VI f 2: Stack monitoring at by APPCB on 16.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 8TPH & boiler	92.5 mg/ Nm ³	115 mg/ Nm ³

Table VI f 3: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM10 measured value	APPCB emission standards
Near the main gate within unit premises	118.5 µg/m³	100 µg/m ³

The unit is not complying with ambient air standards.

M	Status of installation of online stack monitoring equipment	The industry has installed small boiler of 8.0 TPH , hence not installed Online Stack monitoring.
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in an extent of 1.4 Acres. But unit is yet to develop green belt in 0.4 acres of land to meet 33%.of Green belt area.

O	Actions taken by APPCB during last one year	APPCB vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 5.0 lakhs on 28.09.2020 for non compliance of the Board directions.
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p	<p>Overall Compliance status</p> <p>The industry is not a respondent in the Hon'ble NGT OA No 221/2015 as the industry was not established at that time. But as it is located in the cluster at present, the APPCB issued directions to the unit vide order dated 15.02.2018. This is small scale edible oil refinery unit operating with only physical refinery section with 225 TPD capacity.</p> <p>The unit has taken steps for improvements. Further, the unit is not complying with APPCB directions, flyash silo of storage capacity of Four days against requirement of 30 days, not meeting the effluent discharge standard and ambient air quality.</p>
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ETP section

VI. G Compliance Status of M/s. 3F Industries Limited

a	Name & complete address of the unit	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,) Sy.No. 1604, APIIC- IALA, EPURU 1-B Pantapalem (V) Muthukuru (M) SPSR Nellore Dist.
b	Contact Details	P. Srinivasa Rao, Plant Manager 91-9642225502 psrao@fff.co.in

c	Geo-coordinates	14°15' 28.8"N 80° 04' 09.4"E			
d	Area	11.62 acres			
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2022			
f	Year of Commissioning	2011.			
g	Production capacity	Refined Edible Oils (Physical Refining)	670.166 TPD		
		Refined Edible Oils (Chemical Refining)	100 TPD		
		Vanaspathi & Bakery Shortenings	90 TPD		
		Margerine	30 TPD		
		Fatty Acids	200 TPD		
		Toilet Soap Noodles	50 TPD		
		BY PRODUCT			
		Fatty Acids	27.74 TPD		
		Glycerine	18 TPD		
		Pitch Oils	7 TPD		
		Filter Cake/ Spent Earth	1.22 TPD		
		Fatty acids/ Acid Oils	3.35 TPD		
h	Coal and flyash storage	Unit is generating 27 TPD of flyash. Unit has provided ash silo of 60 Tonnes capacity which is sufficient for ash storage for 2 days against APPCB direction of 30 days storage.			
i	Source of water and quantity of water used per day	Source	Water consumption		
		Process & Washings	50.0 KLD		
		Boiler make up & Cooling tower make up	360 KLD		
		RO reject water (used for cooling tower makeup)	253 KLD		
		Total	663 KLD		
		Entire water requirement of 663 KLD is met from Tankers.			
j	Effluent generation	Source	Quantity of effluent		
		Process & Washings Boiler blow down, Cooling tower bleed off, Acid Oil plant waste water	152 KLD		
		Fresh Water RO rejects	110 KLD		
		Domestic	15 KLD		

		<p>ETP of 200 KLD & RO plant , MEE-100 KLD provided with ATFD to meet ZLD system. Septic tanks followed by soak pits are provided for treatment of domestic effluents.</p> <p>On the day of inspection, it was observed that the ETP was not in operation. Thick Sludge was deposited in ETP section. The oil was spilled all over the plant. MEE and ATFD were not properly operated. The pumps were not working and effluent was leaking. There was no proper effluent transfer system from production block to ETP. There were lot of temporary arrangements.</p>
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Table VI.g 1: Analysis results of samples collected by APPCB during 23.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	Ro feed	RO permeate	RO reject
1	pH	5.5-9.0	5.34	6.85	7.92	7.53	7.09	5.74
2	TSS	200	160	90	204	76	54	4
3	TDS	2100	3772	1248	5826	1248	3134	430
4	COD	250	1580	232	3580	128	368	12
5	BOD	100	410	68	1124	40	106	1.8
6	Oil & grease	10	22.4	9.0	20.8	1.8	1.2	BDL

The Outlet of ETP is meeting the Board stipulated standards. The MEE is not in operation during the Board officials inspection and sample collection. ON the day of committee inspection MEE was not in operation.

K	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, MEE inlet and outlet																
L	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of capacity 1x35 TPH</td> <td>ESP</td> </tr> <tr> <td>Boiler of capacity 1x2.0 TPH</td> <td>Bag filters</td> </tr> <tr> <td>Boiler of capacity 1x8 TPH; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x20.0Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk</td> <td>Dust collectors</td> </tr> <tr> <td>Coal Mill of capacity 10 TPH</td> <td>Bag filters</td> </tr> <tr> <td>DG sets of 3x750 KVA</td> <td>Acoustic enclosure</td> </tr> </table> <p>The unit has installed online emission monitors to measure SPM and is connected to APPCB server.</p>	Boiler of capacity 1x35 TPH	ESP	Boiler of capacity 1x2.0 TPH	Bag filters	Boiler of capacity 1x8 TPH; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x20.0Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk	Dust collectors	Coal Mill of capacity 10 TPH	Bag filters	DG sets of 3x750 KVA	Acoustic enclosure
Boiler of capacity 1x35 TPH	ESP																	
Boiler of capacity 1x2.0 TPH	Bag filters																	
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Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters																	
Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk	Dust collectors																	
Coal Mill of capacity 10 TPH	Bag filters																	
DG sets of 3x750 KVA	Acoustic enclosure																	

Table VIg 2: Stack monitoring at by APPCB on 23.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 35TPH boiler	133.5 mg/Nm³	115 mg/Nm ³

Table VI g 3: Ambient air quality monitoring by APPCB on 23.06.2020

Source	PM10 measured value	APPCB emission standards
Near the main gate within unit premises	138.6 µg/m³	100 µg/m ³

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

M	Status of installation of online stack monitoring equipment	OCEMS installed in the stack connected to 35 TPH boiler and connected to APPCB Server.
N	Status of green belt	The plantation is very sparse and is not complying with 33% of green belt.
O	Hazardous waste generation	The unit is generating 1TPD of MEE salts and 0.034 TPD of ETP sludge. The quantity of sludge generated is very less and sludge is not properly disposed.
P	Actions taken by APPCB during last one year	APPCB has vide order dated 16.02.2018 issued certain directions to the industry and forfeited Bank Guarantee of Rs.5.0 Lakhs for non-compliance of the directions. The APPCB has again issued modified directions on 17.01.2020 for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.

Overall Compliance status

The committee observed major violations in the unit w.r.t effluent handling and treatment and sludge disposal. ETP was accumulated with sludge. The unit is not complying with emission monitoring, ambient air quality.

The industry has constructed and commissioned hydrogenated stearine and stearine beads manufacturing plant inside the existing industry without obtaining consent for establishment and consent for operation of the APPCB.

Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 28.09.2020	80	1.5	1	250/-	255	76,50,000/-
2	29.09.2020 to 14.10.2020	80	1.5	1	250/-	15	4,50,000/- * 2 for repeated violation
Total EC for violation						271	85,50,000/-
EC levied by APPCB on or after 17.01.2020							10,00,000/-
EC to be paid by unit to APPCB							75,50,000/-
Rupees Seventy- Five lacs and Fifty thousand Only							



Sludge stored below clarifier



Aeration tank



Clogged drains



Secondary clarifier

VII Actions taken by APPCB

1. The APPCB is continuously reviewing the status of air pollution/ water pollution control equipments provided and compliance of the APPCB standards etc for control of pollution problems from the edible oil industries operating at Krishnapatnam port area from last Five years in connection with the O.A. NO.221 of 2015 filed before the Hon'ble NGT.
2. The status of industries with regards to compliance of the directions are reviewing before External Advisory Committee meetings held at Board office, APPCB and issuing directions time to time. It is to submit that the status of implementation of action plan by the edible oil units was reviewed before Task Force Committee at Board Office during its meetings held on 25.06.2016, 15.07.2016, 05.08.2016, 27.08.2016, 16.09.2016, 30.09.2016, 11.11.2016, 03.12.2016, 30.12.2016, 20.01.2017, 04.02.2017 & 09.11.2017.
3. The board has issued directions to the Edible oil industries on 15.02.2018, 17.01.2020 & 28.09.2020.
4. The APPCB has also forfeited Bank Guarantee amount of Rs.65 Lakhs in the year 2020 from the above 7 nos of Edible oil industries for non compliance of the APPCB directions.

VIII Overall Observations

1. Presently all edible oil units were operational but on the day of committee inspection ponly physical refining of palm oil was in operation.
2. The units have made improvements, augmentation of ETP and air pollution control devices. The units have installed facilities like ETP followed by RO, MEE & ATFD to achieve "Zero Liquid Discharge" but there are no proper effluent transport system. But units are yet to achieve 100% compliance to consent conditions of APPCB. All units shall make improvements in drains/ pipelines used for transporting effluent from production block to ETP. The units shall ensure that storm water is not mixed with effluent.
3. The flyash generated from the units is sold to brick manufacturers. The units have provided ash silo and covered shed for storage of flyash. But the units are not complying with APPCB condition of 30 days silo capacity. The units represented to the unit that installation of such large silo is difficult. The flyash is sold to brick manufacturers at frequency of two to three days in a week. Since the condition was imposed by APPCB, the committee suggests APPCB to review the condition.
4. APPCB is continuous vigil on the edible oil units and issued directions, forfeited bank guarantees due to which no discharge of effluent outside the unit premises was observed during committee inspection.
5. Based on CPCB formula the committee has assessed environmental compensation on the the erring units for violating the directions issued by APPCB vide order dated 17.01.2020.
6. Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for

removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.

7. The committee submits to Honble NGT that the units shall carry out performance evaluation of ETP and ZLD system. Based on the TDS concentration in RO reject, the unit shall either treat RO reject in ETP or MEE. (If TDS > 5000mg/l in RO reject, it may be treated in MEE or else in ETP). The units in any case shall not discharge the RO reject without further treatment.

IX Conclusions

1. Construction of CETP: Previously all the units had proposed for construction of common effluent treatment plant but the district administration and the units could not find a suitable land for construction of CETP. Currently all seven units have established their individual effluent treatment plants and hence the proposal of CETP is shelved.
2. As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Considering this the committee recommends that all edible oil units in Krishnapatnam Port area to install common desalination plant thereby sea water may be drawn, treated and to be used by all edible oil industries by requesting the management of the Krishnapatnam port Ltd who is nodal agency for importing the crude edible oil on behalf of the edible oil industries management. Thereby withdrawal of ground water and procurement of water from tankers will be avoided. The units shall install desalination plant within a period of one year and entire water requirement has to be met from desalination only. The units shall install electromagnetic flow meters with totalizer to quantify the water consumption.
3. The units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated. The committee submits to Hon'ble NGT to instruct APPCB to direct APPCB to safely store the spent nickel catalyst and to dispose the same to authorized re-processors. The units shall be directed to comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.
4. During the inspection, the committee did not observe any discharge of effluent into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises. But however, in all the units except M/s Adani Wilmar unit-I, there is no proper effluent conveyance system/ pipelines to transfer effluent from production blocks to effluent treatment plant. The committee observed that open drains were used for effluent transfer and during rains, effluent and rain water may overflow into the

peripheral drains (drains are provided all along the boundary of the units to collect the effluent). The units informed that during rains, water/effluent is taken to ETP from peripheral drains and no effluent is let out of the unit. The units shall be directed to close the peripheral drains at the exit point near unit boundary. The drains used for transfer of effluents from production block to ETP are clogged, thick oily scum is floating on top and sludge is settled at bottom of drains. Under these circumstances very little effluent may be transferred to ETP and effluent may overflow into area/ soil adjacent to the drains. The committee submits to Hon'ble NGT to instruct APPCB to direct the industries to establish proper effluent pipelines within a period of two months of adequate size to transfer effluent from production block to ETP and for utilization of treated effluent. The pipelines shall be periodically cleaned and cleaning water shall be routed to ETP to prevent any clogging. The status of cleaning shall be submitted to APPCB while submitting compliance reports.

5. The units shall maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal. Though all units informed that the same were disposed for incense sticks manufacturer and soap industries, however no records were shown to committee.
6. The units are importing crude palm oil and sunflower oil from Malaysia, Singapore and Indonesia. The Port Authorities are testing the crude oil for presence of any mineral oil and after ensuring that no mineral oil is present, the consignment is handed to the units. While verifying the documents, the committee observed that the quantity of the imported crude is around 60% to 70% of the unit production. The units are locally procuring crude oil from other industries (it was reported that these industries purchase palm and sunflower from farmers and extract crude and sell to edible oil refineries in Krishnapatnam). The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The committee humbly submits to Hon'ble NGT that the units have to 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.
7. The flyash generated from the industries are sold to brick manufacturers. APPCB directed the units to install flyash silo of 30 day storage capacity with an objective that during rainy season, if the ash is not taken by the brick manufacturers on a daily or weekly basis, the ash could be safely stored in silo for a period of atleast 30 days and from silo it can be transferred directly into trucks. But all seven units have not complied with this condition and have installed a silo of capacity handling flyash for period varying from seven to ten days. Further it was informed to the committee that the units are disposing the flyash on alternate days and is not stored in the unit beyond a week. The committee submits to Hon'ble NGT to direct APPCB to hold a meeting with edible oil units, brick manufacturers, flyash transporters and any other flyash users and review the

direction. Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.

8. The units have not made proper arrangements for flyash storage and loading into the trucks. It was observed during inspection that lot fugitive dust was emitted during loading operations. The units shall ensure wetting or water spraying at the time of loading of flyash and also the feeding hopper is covered.
9. The committee has assessed environmental compensation for serious violation and for not meeting conditions stipulated in the consent. The units shall pay Environmental Compensation to APPCB as summarized below:

Sl. No	Name of the Unit	Environmental Compensation to be paid by the unit to APPCB 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	71,30,000/-
5	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,)	75,50,000/-

10. The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The Committee submits that Hon'ble NGT instructs APPCB to direct the units to establish fresh points for online dust monitors. The units have to ensure that all the stacks connected to boilers are provided with APCD's and OCEMS including the stand-by boilers. The units shall augment their pollution control devices so as to ensure that they comply with the standards stipulated by APPCB. The units shall take measures to prevent fugitive dust generated during loading, unloading of raw materials, products, flyash etc so as to meet the National Ambient Air Quality Standards.
11. The units shall upgrade the effluent treatment plants, periodically remove the accumulated sludge and oil from the tanks and send the same to TSDF. The units shall properly operate the ETP and ensure that they comply with the effluent discharge standards stipulated by APPCB.

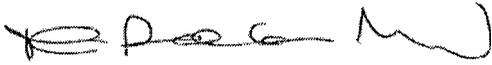
12. The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. All the edible oil units shall collectively construct new concrete roads as part of CSR activity. The units shall develop green belt all along the boundary of the units and in vacant spaces and 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.



Dr. C. Palpandi
Scientist-C, Ministry of Environment Forest
and Climate Change, Regional Office,
Chennai



Mahima T
Scientist-D
Central Pollution Control Board
Regional Directorate, Chennai



M. Pramod Kumar Reddy, Environmental
Engineer, Andhra Pradesh Pollution Control
Board, Regional Office Nellore

1

Item No.9

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

O.A.No.221 of 2015 (SZ)

IN THE MATTER OF:

Isanaka Vedavathi

.. Applicant

Vs.

Union of India & others

... Respondent(s)

Date of hearing: 16.3.2020

CORAM: HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For applicant

Nil

For Respondent(s) :

Mrs. Me. Sarashwathy for R1

Mrs. Madhuri Donti Reddy for R2, R3 & R4

Mr. C. Seethapathy for R5

Mr. S. Giritharan for R6,R7,R9 & R10

Mrs. Niveda C.P for R8

Mrs. Lakshmi Kumaran

ORDER

The above application has been filed by the applicant, alleging that pollution is being caused on account of operation of cluster of edible oil refinery units situated in the industrial estate. Respondents 5 to 11 are some of the edible oil refinery units by whom pollution has been caused. It is alleged in the application that the edible oil refineries are discharging their untreated effluents into the drainage, thereby contaminating the surface water quality, which indirectly affects agricultural yield of the properties of the applicant. According to the applicant, they are getting water for irrigation from Budda Kalva Drain. These edible oil refineries are discharging their untreated trade effluents into this drain, affecting the quality of water and this in turn affects the fertility of the agricultural lands nearby. It is also alleged in the application that apart from draining the same into Budda Kalva Drain, they are letting the same into Pantapalem

irrigation channel as well. It is so alleged that sufficient green belt has not been provided, there by dust emission could not be suppressed, causing air pollution as well. Though the units are expected to apply the technology of "Zero Liquid Discharge", that is not being followed by them, thereby affecting the quality of water in that area. Applicant filed this application seeking the following relief:

"Issue an order of injunction restraining the respondents 5 to 11 not to discharge the edible oil industrial effluents with contaminated water into the irrigation channels and drain channels in Pantapalem village, Muthukur Manda, SPS Nellore District, Andhra Pradesh 524 323.

Issue an order of direction directing the respondents 1 to 4 to remove industrial contaminated wastes and effluent water on the water channels which were discharged by the respondents 5 to 11.

Issue a direction to remediate and restore the water cannels, agricultural fields and the water tanks to the original position due to water pollution and other environmental damages arising out of effluents released from the edible oil refineries by the respondents 5 to 11"

2. First respondent filed counter statement contending that the application has been filed alleging that pollution is being caused on account of operation of the edible oil refinery units and that will have to be regulated under the Water (Prevention and Control of Pollution) Act, 1975 and Air (Prevention and Control of Pollution) Act, 1981 and the respective State Pollution Control Boards have to take action against the violating units. The MoEF & CC has notified effluent standards for edible oil and vanaspati industry at Serial No.67 in schedule I of the Environment (Protection) Rules, 1986 wherein waste water discharge standards are also notified. The concerned State Pollution Control Board, being the regulating authority, has to take action against the erring units, if there is any violation.

3. Second respondent filed counter statement contending that the Rolling Task Force, a team of officials constituted by the Board, has inspected the seven edible oil refinery units which have been arrayed as respondents 5 to 11 and submitted a detailed report on various issues like non compliance of water and air pollution control aspects, depletion of surface water level, instances of illegal discharge of untreated trade effluents into the waterbodies and inadequate air pollution control system provided by the edible oil refinery units, thereby causing air pollution and requested the Board to conduct review meetings with the edible oil refinery units. The second respondent Board conducted the review meeting on 6.7.2015 with all the edible oil refinery units operating in Krishnapattinam area and reviewed the pollution control status and directed the edible oil industries to prepare a comprehensive action plan to overcome the severe pollution and environmental issues noticed by the inspection team and directed the edible oil refinery units to take measures to implement the action plan. They have conducted stack and ambient air quality monitoring of the edible oil refinery units and observed that SPM & RSPM values exceeded the prescribed norms stipulated by the Board. Respondents 5 to 11 have constructed the effluent treatment plant for treating waste water. Some of the units are not having adequate extent of land to utilize treated effluents for online applications. These industries have provided ZLD systems, as per the directions of this Board. After the receipt of several complaints from the public regarding the operation of ETPs, the Board conducted review meeting on 6.7.015, after the inspection conducted by the Rolling Task Force Team. As per the discussions during the meeting, all the managements of edible oil refinery units have submitted an action plan for the construction of common ETP, permissions from the concerned departments for drawal/allotment of water by the State Government, upgradation/rectification of the existing air pollution control systems to meet Board's standards. During the subsequent monitoring it was noticed that the SPM levels of stack emissions are not meeting the standards stipulated by the Board and also not taken steps for effective implementation of pollution control resource as committed in the action plan submitted to the

Board by the edible oil refinery units. In respect of the violations of the provisions of the APWALTA Act, 2002 for drawal of huge quantities of water from unauthorized external agencies, second respondent Board has addressed a letter to the Revenue Divisional Officer for taking necessary action against respondents 5 to 11 for causing public nuisance by letter dated 8.7.2015 and the review meeting was again held on 3.2.2016 and the Board reviewed the implementation status of the action plan proposed on 6.7.2015 during which revised time lines for implementation were submitted by the industries and the industries have been directed to stick to the revised time line and complete the action plan within nine months time. It is alleged in the counter statement that they are periodically submitting the implementation of the action plan with the representatives of the edible oil industries in task force meetings and also taken up issue with the concerned government agencies for providing of surface water and infrastructure facilities including land for construction of common treatment and disposal facilities. They have also produced the copy of the minutes of the review meeting and also the report of the task force committee.

4. The fifth respondent filed counter statement denying the allegations in the application. According to them, Adani Wilmar Ltd., is a company incorporated under the Companies Act engaged inter alia in the business of manufacture and sale of edible oil. Krishnapatnam Oils and Fats Pvt. Ltd., amalgamated with Adani Wimar Ltd., vide order of the Hon'ble High Court of Gujarat, passed in Company Petition No.309 of 2015 dated 28.10.2015 which was prior to the filing of the application. They are Zero Liquid Discharge unit and so there is no question of discharge of water effluents by fifth respondent into waterbodies or drain arise. Fifth respondent has been permitted by the Ground Water Department of the Government of Andhra Pradesh for drawal of water. Further, they were also permitted to draw water from Sarvapally reservoir. In so far as drawal of surface water is concerned, fifth respondent is operating in strict compliance of the permission granted by the Ground Water Department, Government of Andhra Pradesh.

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Fifth respondent is permitted to draw 264 KLD of water per day from Sarvapalli reservoir by Chief Engineer, NTR Telugu Ganga Project, Tirupati. This helps in reducing the withdrawal of water from the ground.

5. As far as air pollution is concerned, they have provided an effective mechanism to suppress air pollution. They have installed stack monitoring system and it is being monitored by the Pollution Control Board. They have 3.5 acres of green belt within its factory premises. There is no odour nuisance caused on account of the operation of the fifth respondent unit. They are not discharging any trade effluents, causing any water pollution, as alleged, affecting the fertility of the agricultural field of the applicant. They have provided all the safeguards to meet the effluents and discharge the same within their premises, after recycling the same, for their crop. They are maintaining the standard provided for the treated effluents and also suppress air pollution. Solid waste is being transported to Ramky Enviro for disposal which is authorized by the Pollution Control Board and they are submitting the necessary periodical report to the Pollution Control Board. They are not causing any pollution, as alleged.

6. Sixth respondent also filed their counter statement stating that they are also complying with the conditions imposed by Pollution Control Board for operating their unit. They are not discharging any waste water through tankers or let out waste water outside their factory premises. They are operating effluent treatment plant and forced evaporation plant. Water is being used after recycling for their factory purpose and also for development of green belt and for ash quenching. They have installed flow meters for recording flow of water at each stream. They have established full fledged biological effluent treatment plant with two stages aeration system as per the approval given by Andhra Pradesh Pollution Control Board for treating effluents generated from process areas, washing and blow down and forced evaporation systems with a drier of high TDS effluents generated from chemical refining effluents. They are maintaining the parameters fixed by the Pollution Control Board. They have approached the

District Collector for allotment of land for CETP and as per his advice, they met APHC ZM and MRO to identify suitable land. To conduct the feasibility study of CETP, work order has been issued to NEERI. As regards management of solid waste, they have approached District Collector, Nellore to allot abandoned mine for disposal of solid waste and identified one mine belonging to M/s. Penna Cements at Nalagonda. They have agreed to take solid waste/ETP sludge to co incinerate in the kiln. The details have been submitted to MRO for further processing. The Regional Office of the Pollution Control Board has forwarded the report to the zonal office for further action in this regard. They have installed necessary equipments to suppress air pollution. They have provided closed shed for coal/husk storage with covered conveyors and ash storage shed as per the directions of Pollution Control Board. They have taken all necessary precautions to suppress air as well as water pollution. They are complying with the pollution control norms as fixed by Pollution Control Board. They have also created necessary green belt within their unit.

7. Seventh respondent filed detailed counter statement, more or less in tune with the contentions raised by the other edible oil refinery units, reiterating that they are complying with all the necessary pollution control norms and there is no possibility of any water or air pollution caused on account of their operation. They are purchasing water from outside vendors as adequate quantity of water has not been supplied by the Government. Necessary representations have been made to District Collector and Commissioner of Industries to provide some mechanism for supply of adequate water for their purpose. They have installed all necessary pollution control mechanism to suppress air pollution. They have made arrangement for disposal of their hazardous solid waste as well as other wild waste, including sludge from ETP to Ramkay Enviro Engineers, who are the approved agency for disposal of such waste, as authorized by Pollution Control Board. They are also undertaking Corporate Social Responsibility activities for the welfare of the local people.

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8. Eighth respondent also filed a detailed counter statement, more or less adopting the contentions of the other edible oil refinery units, reiterating that they are also implementing all precautionary methods and provided all necessary pollution control mechanism and there is no possibility of air or water pollution being caused on account of their operation. This respondent also reiterated the source of water from which they have obtained water. They are complying with all pollution norms, as fixed by Pollution Control Board.

9. Ninth respondent filed counter statement, more or less adopting the contentions of other edible oil refineries, reiterating that they are complying unit and they have obtained all necessary "consent" from the Board and they have provided all necessary pollution control mechanism and they are not discharging any effluents. They have obtained necessary permission from the concerned department for drawal of water for their purpose. They are also adopting "Zero Liquid Discharge" system. The allegation that pollution is being caused on account of their operation is not correct.

10. Tenth respondent also filed counter statement, more or less in tune with the contentions raised by the other edible oil refinery units, reiterating the fact that they are complying with all the conditions and they are "Zero Liquid Discharge" unit. So there is no possibility of trade effluents being discharged into any waterbody, as alleged. They have also installed all necessary pollution control mechanism and there is no possibility of any pollution being caused on account of operation of their unit. They also obtained necessary permission from various departments for drawal of water for their purpose. They have developed green belt necessary to protect air pollution. There is no possibility of odour nuisance caused on account of operation of their unit.

11. Tenth respondent also filed an additional counter statement, reiterating that they are complying with the directions issued by Pollution Control Board from time to time and also

approached District Collector for allotment of land for CETP and necessary steps have been taken for issuing work order for this purpose.

12. Eleventh respondent also filed counter, more or less adopting the contentions raised by the other edible oil refinery units, reiterating the contentions that they have obtained all necessary "consent" and they have installed all pollution control mechanism to suppress air pollution. They are adopting "Zero Liquid Discharge" system and thereby there is no possibility of discharge of trade effluents being discharged from their unit. They have also developed necessary green belt to suppress air pollution. They have also obtained necessary permission from the concerned department for drawal of water. There is no illegal drawal of surface water, as alleged.

13. Applicant filed rejoinder to the counter statement filed by respondents, reiterating his contentions of pollution being caused on account of operation of edible oil refinery units in that area.

14. Fifth respondent filed rejoinder as per the order of this Tribunal in I.A.Nos.7 and 8 of 2019, reiterating their contentions and the pollution control mechanism adopted by them to suppress air as well as water pollution.

15. There is no representation for applicant, since long time. However, considering the fact that the issue raised is regarding pollution being caused on account of operation of the industries, there is a duty cast upon the Tribunal to find out whether there is any pollution caused on account of operation of the units and if so, what are all the necessary remedial measures to be taken to rectify the same. Applicant as well as some of the respondents filed written submissions in support of their case in the respective pleadings. We are not aware of the present status of the operation of the edible oil refinery units in the disputed area. It is not known as to whether the directions given by Pollution Control Board to suppress air or water

pollution or usage of surface water has been properly complied with by the units or not. It is seen from the report submitted by Pollution Control Board in the year 2016 that when inspections were made, certain deficiencies were found and a review meeting had been conducted, calling upon the refineries to evolve a management plan to suppress air pollution and also to submit implementation of their action plan and it is also seen that time line has been extended by nine months on an earlier occasion. We do not know what is the present status of the pollution control mechanism that is being adopted by the edible oil refinery units, including establishment of CETP or treatment of the trade effluents discharged from the industrial area. It is seen from some of the counter statements that they have approached District Collector and certain work orders have been issued for this purpose. It is not known as to whether this has been put into operation or not and if so whether it is properly functioning or not. It is also not clear as to whether the fly ash created during the process of manufacturing and refining of oil, has been properly disposed of by these units and what is the arrangements made by them for this purpose and whether that has been properly disposed in a scientific manner

16. So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the

units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard, and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at ngtszfilong@gmail.com. Andhra Pradesh Pollution Control Board will be nodal agency for coordination and providing necessary logistic for this purpose. The Registry shall communicate this order to the above officials through e-mail immediately so as to enable them to comply with the directions of this Tribunal.

For consideration of report post on 22.5.2020.

.....J.M.

(Justice K. Ramakrishnan)

.....E.M.

(Shri. Saibal Dasgupta)

O.A.221/2015
6.3.2020
kk

ORDER

1. As per order dated 16.03.2020, this Tribunal had considered the pleadings in the matter and appointed a Joint Committee to inspect the area in question and directed them to submit a report and posted the case to 22.05.2020.
2. On 22.05.2020, the matter was adjourned to 16.06.2020 and on 16.06.2020, it was adjourned to 28.07.2020 and on 28.07.2020, it was adjourned to 14.08.2020 and on 14.08.2020, it was adjourned to today by successive notifications.
3. When the matter came up for hearing today through Video Conference, there is no representation for the applicant. Smt. Me. Saraswathy represented 1st respondent, Smt. Madhuri Donti Reddy represented respondents 2, 3 & 4, Sri. C.Seethapathy represented 5th respondent, M/s. Lakshmi Kumaran represented 11th respondent, M/s. Niveda C.P. represented M/s. Apparajitha Vishwanath, learned counsel appearing for 8th respondent and Sri. D. Srinivasan represented respondents 6, 7, 9 & 10.
4. Smt. Madhuri Donti Reddy, learned counsel submitted that due to Covid pandemic situation prevailing in the State, they were not able to conduct the inspection and they wanted some more time for that purpose.

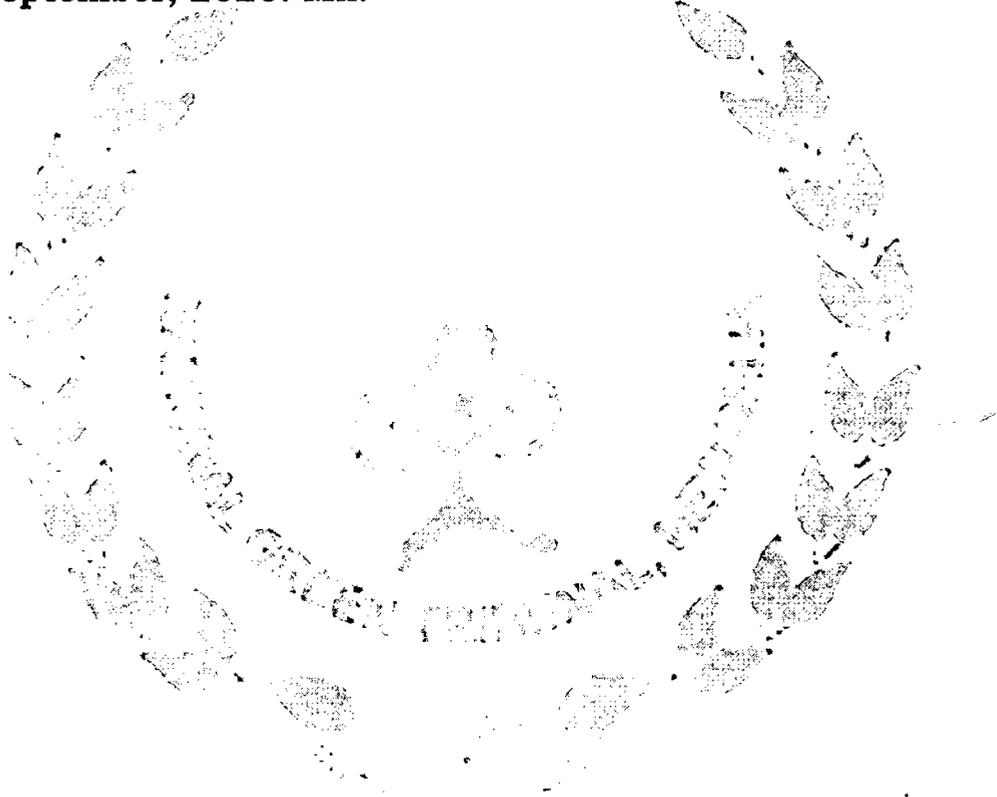
5. The issue is regarding industrial pollution in the disputed area. The committee is also expected to note the fact that the matter is relating to the pollution which is pending from 2015 onwards. Though, as per the provisions of the National Green Tribunal Act, 2010, the matter will have to be disposed of within six months from the date of filing of application, this could not be disposed of so far.
6. So considering this fact, they are also expected to act swiftly to meet the situation and help the Court in disposing the case in an effective manner.
7. However, considering the circumstances we feel that one more opportunity can be given to the committee to submit the report.
8. The committee is directed to complete the exercise and submit the report as directed by this Tribunal on or before 03.12.2020 by e-filing 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.

10. For consideration of report, post on 03.12.2020.

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

.....E.M.
(Shri. Saibal Dasgupta)

**O.A. No.221/2015,
29th September, 2020. Mn.**



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

SOUTHERN BENCH, CHENNAI

ORIGINAL APPLICATION No. 221/2015

S. No. 1404/2021

VIJAY C. SHAH
NOTARY
GOVT. OF INDIA-

17 FEB 2021

Isanaka Vedavathi

H.No. 16-4-966, Pinakini Avenue,

Near Apollo Hospital,

Nellore - 524 003....Applicant

versus

1. 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

2. Andhra Pradesh Pollution Control Board

(Represented by its Member Secretary)

A-3, Parayavaran Bhavan, Sanath Nagar, Industrial Estate, Hyderabad,

Telangana State-500 018

3. The District Collector/ District Executive Magistrate

Collectorate Buildings,

Nellore Town -524 002

SPS Nellore District, Andhra Pradesh

4. Andhra Pradesh Pollution Control Board,

(Represented by its Regional Officer)

Regional office, Floor, A.P.S.F.C Building, A.K. Nagar,

Nellore Town & District-524 004, Andhra Pradesh

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

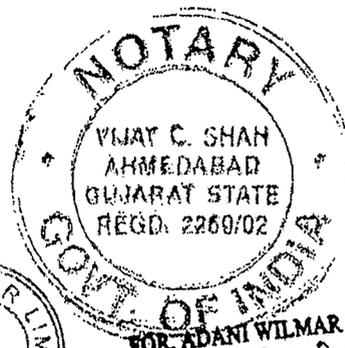
6. M/s Saraiwwalaa AGRI Refineries Ltd

(Represented by its Managing Director)

Pantapalem Village & Post (Via) Niduguntapalem,

Muthkur Mandal, SPS Nellore District,

Andhra Pradesh- 524 323


 FOR ADANI WILMAR LIMITED
 [Signature]
 AUTHORISED SIGNATORY

7. **M/s Gemini Edibles & Fats India Pvt Ltd**

(Represented by its Managing Director)

Pantapalem Village & Post, (Via) Niduguntapalem,
Muthkur Mandal, SPS 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

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

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

11. **M/s. Adani Wilmar Limited -(Unit-II)**

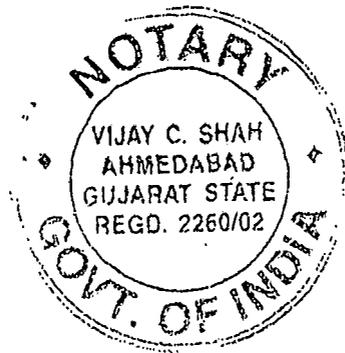
Previously M/s. Louis Dreyfus Commodities India Pvt. Ltd.(now Louis Dreyfus
Commodities Pvt.Ltd),

Sy. No.1601,

Epuru Bit-1B, APIIC,

Pantapalem (V), Muthukur (M), SPSR Nellore Dist

Andhra Pradesh- 524 323... Respondents



REPLY AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO. 11 IN RESPONSE

TO JOINT COMMITTEE REPORT DATED 01.12.2020

I, Asheesh Gupta, S/o Late Dr. M.L.Gupta, aged about 37 years, having its registered office at Fortune House, Near Navrangpura Railway Crossing, Ahmedabad- 380009 and residing at Flat No.801, Setu Elegance, Motera, Ahmedabad-380005, do hereby solemnly affirm and sincerely state as follows:

1. I am the Senior Manager Legal of M/s Adani Wilmar Limited, the 11th Respondent herein, and the authorised 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 Petitioner



FOR, ADANI WILMAR LIMITED
[Signature]
AUTHORISED SIGNATORY

2. A Joint Committee comprising of Representatives of the Ministry of Environment, Forest and Climate Change, Central Pollution Control Board (CPCB) and Andhra Pradesh Pollution Control Board (APPCB) (henceforth: 'Joint Committee') had filed the "Committee Report in the matter of OA No.221/2015 submitted in compliance of Hon'ble NGT Order dated 16.03.2020 And 29.09.2020" (hereinafter: 'Joint Committee Report') on 01.12.2020.

3. The 11th Respondent received the Joint Committee Report on 19.01.2021. and is aggrieved by the findings contained therein to the extent that the Joint Committee Report has found the 11th Respondent as only partially compliant.

4. The Joint Committee has assessed INR 81,30,000/- as the Environmental Compensation (hereinafter: 'EC') allegedly payable by the 11th Respondent for non-compliance with APPCB directions over the period from 17.01.2020 to 14.10.2020.

5. At the outset, the 11th Respondent denies all averments contained in the Joint Committee Report to the extent they are prejudicial to the 11th Respondent unless they are specifically admitted herein. The 11th Respondent submits that they are fully compliant with the requirements under environmental laws.

6. The 11th Respondent is filing this paragraph-wise reply to the Joint Committee Report.

7. Paragraphs I to V of the Joint Committee Report are prefatory, and hence no response is required by the 11th Respondent.

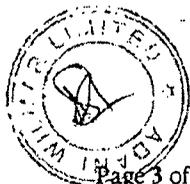
8. Paragraphs VI details the compliance status of the seven edible oil refineries operating in the Krishnapatnam Port region (Respondents No. 5 to 11 herein). Only the contents of Paragraph VI.d of the Joint Committee Report are relevant to the 11th Respondent.

9. Paragraph VI.d(a) to (g) are admitted facts and no reply is warranted by the 11th Respondent.

A. Observations in Paragraph VI.d.(h) regarding inadequate storage capacity for Fly Ash are inaccurate.

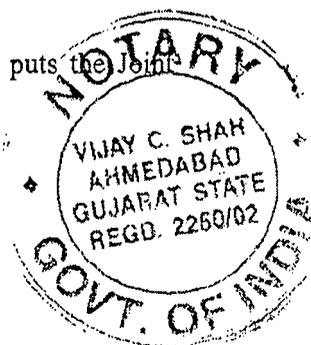
A.1 Paragraph VI.d.(h) of the Joint Committee Report states that Fly ash spillage was observed in the area and that the 11th Respondent is disposing Fly Ash on alternate days, whereas the minimum requirement is of 10 days storage capacity.

A.2 The 11th Respondent submits that this finding is factually incorrect and puts the Joint Committee to strict proof of the observations made.



FOR, ADANI WILMAR LIMITED
 AUTHORIZED SIGNATORY

Page 3 of 17



A.3 The 11th Respondent is authorised to generate Fly ash upto 940 TPM (Tons Per Month) under the Consent for Operation bearing reference APPCB/VJA/NLR/161/CFO/HO/2019 dated 09.03.2019(hereinafter: 'CFO'). The CFO is enclosed as Annexure-1.

A.4 While this is so, the actual quantity of Fly Ash generated by the 11th Respondent is far below the permitted limit.

A.5 Over the period 17.01.2020 to 14.10.2020, the 11th Respondent generated an average of 66.968 TPM and did not exceed 119.9 TPM. The quantity of Fly Ash generated every week is approximate 24 MT.

A.6 The 11th Respondent has installed silo with capacity to store upto 40 MT of Fly Ash, which can accommodate the Fly Ash generated by the 11th Respondent for upto 15 days.

A.7 Going further, the 11th Respondent submits that no accumulation of Fly Ash is taking place. The 11th Respondent disposes the Fly Ash twice or thrice a week. The 11th Respondent is disposing Fly Ash to various brick manufacturing units as per Clause 16 of the conditions relating to Solid Waste in the CFO.

A.8 Therefore, the observation is factually incorrect and should be dismissed.

Requirement for silos to store Fly Ash upto 30 days is a newly imposed condition. The 11th Respondent is in the process of complying with said requirement.

A.9 It is relevant to note that the CFO does not specify any time-limit within which the 11th Respondent is required to dispose Fly Ash from boiler and heater or any maximum storage limit. Condition 16 of the CFO only requires that Fly Ash must be disposed to brick manufacturing units.

A.10 For the first time, Sl. No. 15 of the APPCB directions vide reference No. 149/APPCB/UH-II/TF/NLR/2020 dated 17.01.2020 (Annexure - 2) required the 11th Respondent to install silos with capacity for storing Fly Ash for 30 days within 3 months.

A.11 The 11th Respondent immediately initiated the process for increasing storage capacity as required under the APPCB directions dated 17.01.2020. However, due to unforeseen circumstances arising out of the COVID-19 Pandemic, the 11th Respondent was able to execute the Purchase Orders only in 2021.

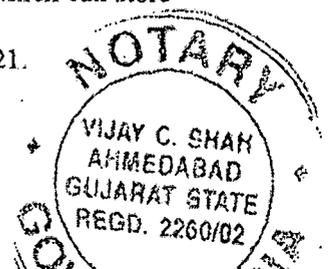
A.12 The 11th Respondent is installing silos with storage capacity of 120 Ton, which can store Fly Ash for upto 30 days. The installation is expected to be completed by July, 2021.

The relevant Purchase Orders are collectively enclosed as Annexure -3.



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A.13 The APPCB directions with reference No. 149/APPCB/UH-II/TF/NLR/2019 dated 28.09.2020 (Annexure - 4) again directed the installation of silos with storage for upto 30 says. The Respondent had replied to said Letter vide its Letter dated 09.10.2020.

A.14 Without prejudice to the above arguments, the APPCB Guidelines dated 17.01.2020 had stipulated 3 months' time for the 11th Respondent to complete installation of the silos for storing Fly Ash for upto 30 days.

A.15 Assuming without admitting that any EC is leviable on the 11th Respondent, it is prayed that the said period of 90 days should be excluded from the period for computing EC liability on the alleged inadequate facilities for storage of Fly Ash.

Requirement for silos to store Fly Ash upto 30 days is not a final instruction as on date.

A.16 Without prejudice, the 11th Respondent submits that the Joint Committee Report has recommended in **Paragraph VIII.3** that the APPCB (the Respondent No. 2 herein) should review its instructions for installing silos to store Fly Ash upto 30.

A.17 The observation in the Joint Committee Report that the 11th Respondent should have installed silos capable of storing Fly Ash for 30 days must not be treated as final because the APPCB's instructions have been subjected to review.

A.18 Hence, the observation that 11th Respondent has not complied with APPCB Guidelines for storing Fly Ash upto 30 days cannot operate against the 11th Respondent until the APPCB completes the review.

A.19 The 11th Respondent submits that any amount of EC levied on this count must be set aside.

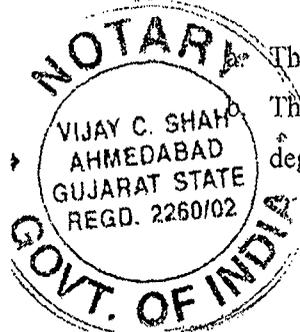
B. In Paragraph VI.d.(i) regarding surface water consumption, no violation is alleged by the Joint Committee Report.

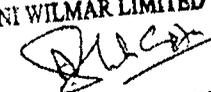
B.1 The Joint Committee Report has stated that the 11th Respondent is sourcing 75% of its water requirements from tankers, though the 11th Respondent is permitted to withdraw 380 KL of ground water.

B.2 There can, therefore, be no allegation that the 11th Respondent has violated any direction, because:

There was no prohibition over usage of surface water for industrial purposes;

There was a specific prohibition over withdrawal of ground water to prevent degradation;



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c. There is no allegation that the 11th Respondent has used water in excess of permitted limits.

B.3 It is a matter of record that the 11th Respondent is permitted to withdraw 380 KL of ground water under Letter No. 3205/Hg/II/2015 dated 18.12.2015 (enclosed as Annexure-5) issued by the Ground Water Department, Government of Andhra Pradesh.

B.4 The 11th Respondent made every effort to meet their industrial water requirements from ground water and had even instituted a rainwater harvesting plant within the factory premises.

B.5 Unfortunately, and for reasons beyond human control, the region receives scanty rainfall. Being unable to meet industrial water requirements using the ground water alone, the 11th Respondent was constrained to file an onlinerepresentation with the Ld. District Collector requesting permission to source water for their industrial water requirements from the nearest water reservoir.

B.6 Subsequently, the 11th Respondent's Representation was allowed, and permission was granted for drawing up to 550 KLD from Survepalli Reservoir under Letter with reference CE/TGP/TPT/DW/EE1/DEE1/AEE2/Industrial Water- M/s Adani Wilmar Ltd Unit- II(formerly Louis Dreyfus Company India Pvt. Ltd.)/208/ dated 20.03.2019 (enclosed as Annexure-6).

B.7 It is relevant to note that the APPCB had issued Letter with reference Lr. No. 3/APP/PCB/Legal/2015-638 dated 14.09.2015 (enclosed as Annexure-7) to the Department of Industries and Commerce stating that 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. The APPCB Letter requested that surface water be supplied on cost basis to prevent further environmental degradation to the ground water resources.

B.8 Therefore, even the APPCB Letter dated 14.09.2015 acknowledged that supply of surface water to avoid drawl from ground water is the only way to ensure sustainable development of the edible oil refineries.

B.9 In such circumstances, the 11th Respondent prays that the Joint Committee Report's observation must not operate against them because even the APPCB acknowledged that the 11th Respondent should procure surface water to prevent degradation of ground water and has recommended that the 11th Respondents' water requirements should be met from surface water and not ground water.



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11th Respondent is willing to make efforts for setting up common desalination plant

B.10 The Joint Committee Report has recommended in **Paragraph IX.2** that all Respondents No. 5 to 11 should install a common desalination plant to draw, treat and use sea water to avoid withdrawal of ground water and procurement of surface water from tankers. The Joint Committee Report has further directed that the desalination plant should be installed within one year.

B.11 Without prejudice to the above submissions, the 11th Respondent represents their commitment to set up a common desalination plant as recommended by the Joint Committee, subject to necessary approvals and due co-operation of Respondents No. 5 to 10 herein.

B.12 The 11th Respondent submits that the issue concerning usage of surface water vis-à-vis withdrawal of ground water is not caused solely or even partly by the actions of the 11th Respondent herein. The 11th Respondent has no alternative but to source surface water instead of drawing ground water.

B.13 The situation is truly paradoxical, for reasons already explained hereinabove. Hence, the 11th Respondent prays that the EC demand, if any, on this count must be set aside.

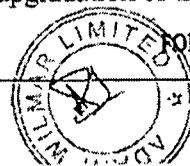
C. Observations in Paragraph VI.d.(j) that Effluent Treatment Plant (ETP) is not properly maintained are incorrect.

C.1 The Joint Committee Report has stated in Paragraph VI.D.(j) that ETP was not properly maintained, that ETP sludge is stored in the open, and that effluent carrying drains were clogged.

C.2 The 11th Respondent submits that the observations of the Joint Committee Report are incorrect and based on an incomplete understanding of the operative facts. The 11th Respondent makes the following submissions in this regard:

Table 1- Rebuttals to allegations that ETP is not properly maintained

Observation	Response	Documentary Proof adduced
Agitated Thin Film Dryers (ATFD) are worn out.	<p>The ATFDs have corroded but are still functioning. Salt generation and disposal data for the relevant period is enclosed as <u>Annexure-8</u>, to show that the effluents were well-within required parameters.</p> <p>The 11th Respondent commenced the process of upgrading the entire Multi Effect Evaporator (MEE) plant even prior to receipt of the Joint Committee Report. The upgraded MEE Plant will be operational from the first week of May, 2021.</p>	<p>Purchase Order no. 3200008050 dated 13.06.2020 (<u>Annexure-9</u>) for upgrading the MEE plant.</p> <p>Photographs (<u>Annexure-10</u>) to evidence the ongoing works in upgradation of the MEE Plant.</p>



Observation	Response	Documentary Proof adduced
ETP sludge is stored in the open and leachate was flowing.	<p>The 11th Respondent does not store ETP sludge in the open. Paragraph VI.d.(o) states separate shed is used for storing ETP Sludge.</p> <p>The sludge is taken out from sludge drying beds, bagged in HDPE bags and kept near the sludge drying beds to shift to the sludge storage area.</p>	Photographs (<u>Annexure-11</u>) to show that ETP Sludge is not stored in the open.
Effluent-carrying Drains were clogged.	<p>The Krishnapatnam Port area received heavy rainfall on 14.10.2020, the day prior to the visit by the Joint Committee. Due to the rains, some silt accumulated in the drainage pit and in adjacent packing drains. No complaints were reported that effluent discharge had drained outside plant premises.</p> <p>The photographs of drains enclosed in Page 26 of the Joint Committee Report do not belong to the 11th Respondent.</p>	Correct photographs showing that drains are well-maintained, dry, and not clogged are enclosed as <u>Annexure-12</u> .

C.3 The 11th Respondent submits that the observations in the Joint Committee Report are mere assertions without due consideration of surrounding facts and circumstances.

C.4 Furthermore, the photographs adduced in Page 26 of the Joint Committee Report showing fly ash spillage, hazardous storage area and clogged drains are incorrectly labelled as belonging to the 11th Respondent, when in fact, those photographs do not belong to the 11th Respondent at all. Therefore, the observations of Joint Committee shall not be taken into consideration and no liability must be cast on the 11th Respondent to this extent.

C.5 In view of the above submissions, the 11th Respondent prays that EC is not warranted for the alleged improper maintenance of the ETP area.

D. Observations in Paragraph VI.d.(k) regarding non-functioning of RO plant are incorrect.

D.1. The 11th Respondent submits that the samples were collected on 18.06.2020 by the APPCB, the 2nd Respondent herein. The Joint Committee Report has averred that during the inspection on 18.06.2020, the RO Plant was not in operation, that treated effluent was directly discharged without RO treatment, and that the outlet of treated water of ETP was not meeting the standards stipulated by the APPCB.



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D.2. The 11th Respondent denies the above allegation *in toto*. The 11th Respondent submits that the ETP as also the ETP-RO Plant were fully functional on 18.06.2020 and all the tested parameters were within the prescribed ranges. The 11th Respondent submits a copy of the RO analysis report and logbook dated 18.06.2020 (Annexure-13) to prove that the ETP and RO plant were in use on the above date.

D.3. The 11th Respondent denies the allegation that the outlet of treated water of ETP does not fulfil the standards stipulated by the APPCB. The 11th Respondent submits a report analyzing samples of the past year (2020) as recorded by Global Enviro Labs, (Annexure -14) to prove that outlet of ETP/treated waste of ETP was meeting APPCB stipulated standards.

Samples collected on 18.06.2020 violate Section 21 of The Water (Prevention and Control of Pollution) Act, 1974 and are not admissible as valid evidence.

D.4. The 11th Respondent further submits that the Analysis results of samples collected by APPCB on 18.06.2020 contained in Table VI.d. 1 are not admissible as evidence because they were collected in violation of the procedure prescribed in Section 21 of The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter: 'Water Act').

D.5. Section 21(1) of the Water Act empowers a State Pollution Control Board or any authorised officer to take samples of water from any stream/well/sewage/trade effluent for the purpose of analysis. The APPCB had collected samples of treated effluents under Section 2(k) of the Water Act on 18.06.2020.

D.6. As per Section 21(2), samples so collected under Section 21(1) are admissible as evidence in legal proceedings only when the procedure in Sections 21(3), (4), and (5) are complied with.

D.7. To illustrate, Section 21(3)(a) of the Water Act requires the person collecting the sample to serve a notice on the person in charge of the plant from where the sample is collected. Section 21(3)(b) of the Water Act mandates that the samples so collected will be divided in two different containers, sealed and then sent to different laboratories for testing.

D.8. The 11th Respondent states that the none of the requirements in Sections 21(3), 21(4), or 21(5) were adhered to on 18.06.2020. Hence, the samples collected for analysis on 18.06.2020 are not admissible as evidence in the present OA 221 of 2015. Therefore, the analysis in Table VI.d.1 must be disregarded.

D.9. The 11th Respondent submits that no EC is warranted against these findings.



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E. Observations in Paragraphs VI.d.(l) and (m) affirm that the 11th Respondent is compliant with prescribed standards. No response is required in this regard because no finding has been made on these parameters in the 'Overall Compliance status'.

F. Observations in Paragraphs VI.d.(n) that green belt maintained by the 11th Respondent is inadequate are unfounded.

F.1. The Joint Committee Report has stated that the 11th Respondent has developed green belt only to an extent 3.5 to 4.0 acres against the APPCB requirement of 5 acres (33% of total area).

F.2. The 11th Respondent denies the above observation as false. The 11th Respondent has developed a total of 9 acres as green belt to protect the environment. Out of these 9 acres, 4 acres are within the 11th Respondent's plant premises itself. The 11th Respondent is also maintaining compensatory plantation of 5 acres outside factory premises in nearby villages due to space constraints at its unit.

F.3. The Respondent No. 2 (APPCB) under letter no. Green Belt/PCB/RO/ NLR/2018-988 dated 12.07.2018 (enclosed as Annexure-15) directed the 11th Respondent to take up and maintain plantation outside factory premises.

F.4. Accordingly, the 11th Respondent maintains green cover at Venkatachalam Mandal, Epuru Bit-II village, Survey Nos.1212/2 and 1215/2 in compliance with the APPCB Instructions dated 12.07.2018 and hence the 11th Respondent is fully compliant with the requirement for maintaining 33% green cover.

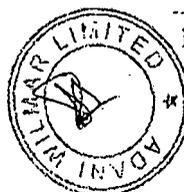
F.5. The Joint Committee has ignored the balance 5 acres despite the fact that the 11th Respondent informed the Joint Committee of this fact at the time of inspection on 13.10.2020 and 14.10.2020. However, for reasons best known to themselves, the Joint Committee Report has not addressed this fact at all.

F.6. For the reasons pressed above, the 11th Respondent submits that no EC can be levied upon them.

G. Observations in Paragraph VI.d.(o) that hazardous waste was lying around the ETP area are baseless.

G.1. The 11th Respondent denies this observation in Paragraph VI.d.(o) as being untrue.

G.2. The Joint Committee Report has stated though the 11th Respondent has provided for a separate shed in which to store the ETP Sludge, said ETP sludge was found lying around in the ETP area.



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G.3. The 11th Respondent diligently follows best practices in respect of hazard waste management. In the instant case, the ETP sludge (being the hazardous waste) was taken out from the sludge drying beds, bagged in HDPE bags, and kept near the sludge drying beds so that they could be shifted into the separate storage shed. The ETP Sludge is then dispatched to Waste Management Entities for further processing once in every 90 days.

Photographs showing manner of storing ETP sludge have already been enclosed as Annexure-

11. 

G.4. It is evident that the ETP sludge is properly contained within the bund created in the ETP area to avoid any leakages. Till date, no leakage of ETP sludge has ever occurred on the 11th Respondent's plant. The actions of the 11th Respondent are conscientious and compliant with the prescribed norms.

G.5. Going further, the 11th Respondent submits that the picture enclosed in Page 26 of the Joint Committee Report which alleges improper maintenance of shed for 'hazardous waste' does not belong to the 11th Respondent's factory at all.

G.6. The 11th Respondent prays that EC levied to this extent must be set aside.

H. The 11th Respondent is aggrieved by the Observations in Paragraph VI.d.(p) regarding actions taken by the APPCB.

H.1. The Joint Committee Report has listed out the actions taken by the APPCB over the last one year. The 11th Respondent makes the following submissions in respect of each action:

Table 2- Rebuttals to action taken by APPCB

Sl.	Action taken by 2 nd Respondent	Response
a.	Issued Order dated 17.01.2020 with directions for non-compliance with APPCB discharge and emission standards.	The 11 th Respondent has been complying with each direction and will continue to comply.
b.	Inspected the unit again on 28.07.2020.	The 11 th Respondent has been complying with each direction and will continue to comply. All compliance reports filed are collectively enclosed as <i>Annexure - 16</i> .
c.	Issued Directions dated 28.09.2020 and Forfeited Bank guarantee of INR 7,50,000/- for non-compliance with directions.	The 11 th Respondent was not given any opportunity to demonstrate its compliance with all the directions issued by the APPCB. Forfeiting the Bank Guarantee in the midst of ongoing proceedings without any notice to the 11 th Respondent is violative of the principles



Sl.	Action taken by 2 nd Respondent	Response
		of Natural Justice. The 11 th Respondent responded to said directions under Letter dated 09.10.2020 much before the date when BG was revoked on 12.10.2020. Therefore, APPCB revoked the BG unilaterally, in spite of receiving our response and without giving any opportunity for hearing.

H.2. The 11th Respondent submits that the actions of the APPCB are unconscionable, unjustified, and violative of the principles of Natural Justice.

H.3. The 11th Respondent has already submitted how the photographs relied upon in Page 26 of the Joint Committee report are not from the 11th Respondent's factory premises.

H.4. On this count alone, the findings of the Joint Committee Report must be set aside, and the EC imposed must be quashed.

I. The 11th Respondent is not liable to pay Environmental Compensation as alleged by the Joint Committee Report.

I.1 The Joint Committee has fixed INR 81,30,000/- as the EC allegedly payable by the 11th Respondent over the period from 17.01.2020 to 14.10.2020 for:

- (i) improper effluent transfer system.
- (ii) effluent clogging in drains,
- (iii) Spillage of Fly Ash and ETP sludge
- (iv) Inadequate storage capacity of silos for Fly Ash (only Five days against requirement of 30 days).

I.2 The 11th Respondent submits as a matter of fact that no EC has been contemplated for the observations pertaining to withdrawal of ground water, and for alleged non-maintenance of 33% green cover.

I.3 The 11th Respondent submits that the Joint Committee Report is marred by inconsistencies and is based on unreliable evidences.

I.4 The 11th Respondent submits that its effluent transfer system is fully functional, and the Joint Committee Report has erred in claiming that the RO system was not operational on the date of the visit.

I.5 The 11th Respondent denies that its drains are clogged with effluents and that the hazardous wastes of ETP sludge/Fly Ash were spilled around the ETP area. The 11th Respondent reiterates that none of the pictures enclosed in Page 26 of the Joint Committee Report belong to the 11th Respondent.



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I.6. The 11th Respondent submits that they are in the process of enhancing storage capacity for Fly Ash in line with the APPCB directions dated 28.09.2020. In any case, the said Directions are currently under review by the APPCB, and the said allegation cannot sustain against the 11th Respondent until and unless the direction is upheld *in toto*.

I.7 The 11th Respondent submits that the APPCB (2nd Respondent herein) has concluded non-compliance on part of the 11th Respondent without heeding the 11th Respondents submissions on facts.

Forfeiture of Bank Guarantee is mala fide and violative of Natural Justice

I.8 The APPCB had issued a letter with reference Lr. No. N/855/PCB/RO-NLR/2020-657 dated 07.10.2020 (Annexure-17) to the Manager, HDFC Bank Ltd. requesting that INR 7,50,000/- be forfeited out of the existing Bank Guarantee of INR 20,00,000/- and a Demand Draft be furnished in favor of the APPCB.

I.9 The Letter dated 07.10.2020 references the APPCB Directions dated 28.09.2020 as if it contained directions for forfeiture of bank guarantee. However, the APPCB Directions dated 28.09.2020 did not make even a passing mention of Bank Guarantees or their revocation thereof. The revocation of BG within period of 7 days of issuance of directions is it itself unfair and unreasonable.

I.10 The 11th Respondent submits that the APPCB has violated the principles of natural justice by taking coercive steps to forfeit the 11th Respondent's Bank Guarantee even prior to determination of EC by the Joint Committee and without so much as putting the 11th Respondent on notice to this fact.

I.11 The 11th Respondent wrote to the APPCB under communication dated 13.10.2020 (Annexure-18) registering their protest on the above count.

I.12 This act shows pre-meditation on part of the APPCB, thereby debasing the whole investigation directed by this Hon'ble Tribunal.

I.13 Therefore, the EC sought to be imposed on the 11th Respondent is illegal and unjustifiable.



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J. Paragraph VII of the Joint Committee Report lists out the action taken by the APPCB. No response is warranted for the facts stated therein.

K. Paragraph VIII of the Joint Committee Report states the 'Overall observations' made in respect of the Respondents 5 to 11.

L. The 11th Respondent makes the following submissions against each observation specified therein, to the extent applicable to the 11th Respondent:

Table 3- Specific replies to 'Overall Observations'

Paragraph VIII	Observation	Rebuttal
1	On the day of inspection, only physical refining of palm oil was in operation.	The 11 th Respondent is not required to respond to this.
2	Units are yet to achieve 100% compliance. All units shall make improvements in drains/ pipelines used for transporting effluent from production block to ETP. The units shall ensure that storm water is not mixed with effluent.	The 11 th Respondent is fully compliant. The MEE Plant is being replaced due to normal depreciation and this should not be termed as wilful neglect of factory machinery.
3	Units are not complying with APPCB Stipulation that silos installed must have capacity to store Fly Ash for 30 days.	The 11 th Respondent has already purchased the silos with enhanced storage capacity. Without prejudice, no EC should be levied for the period till this recommendation is still under review.
4	APPCB's continuous vigilance ensured that no effluent was discharged outside premises.	The 11 th Respondent is an environmentally responsible company with rigid standards of self-governance. Any allegation that supervision of APPCB has ensured compliance is only a self-serving statement.
5	EC has been affixed on erring units.	The 11 th respondent is not an erring unit as they are fully compliant with all prescribed conditions. No EC is liable.
6	Fly Ash is being dumped in land adjacent to Respondents No. 7 and 9	11 th Respondent is not required to respond to this.
7	All units to carry out performance	11 th Respondent is already

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Paragraph VIII	Observation	Rebuttal
	evaluation of MEE Plant and RO plant. No unit to discharge RO reject without treatment.	complying and will continue to comply.

M. Paragraph IX of the Joint Committee Report has recorded conclusions in respect of the Respondents 5 to 11. The 11th Respondent makes the following submissions against each observation specified therein, to the extent applicable to the 11th Respondent:

Table 4- Specific rebuttals to 'Overall Observations'

Paragraph IX	Conclusion	Rebuttal
1	Construction of Common Effluent Treatment Plant ('CETP') is shelved as each unit has set up their own ETP.	11 th Respondent is not required to respond to this.
2	Joint Committee recommended a common desalination plant to be set up by all units.	The 11 th Respondent is ready to participate in setting up a common desalination plant, subject to permissions and cooperation of other Respondents No. 5 to 10.
3	Units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated.	The 11 th Respondent is not required to respond to this as no such specific allegation was made against them.
4	Effluence Transport systems were improper.	11 th Respondent has proper effluent treatment pipelines in its factory. The photos on which Joint Committee Report has relied to allege non-compliance do not even belong to its factory.
5	Units to maintain proper records for fullers' earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal.	11 th Respondent is already compliant and will continue to comply.
6	Units must carry out mineral oil test on every batch of crude oil which is procured locally.	11 th Respondent is already compliant and will continue to comply.
7	Recommendation that Fly Ash Silo with increased storage capacity is under review.	11 th Respondent will participate in the review conferences.



Paragraph IX	Conclusion	Rebuttal
	Fly Ash dumped in lands adjacent to R7 and R9 will have to be removed and sent to brick manufacturers	11 th Respondent is not required to respond to this.
8	Improper arrangements for flyash storage and loading into the trucks. Recommended that units must wet the Fly Ash at the loading.	11 th Respondent is already compliant and will continue to comply.
9	Joint committee EC for serious violation and for not meeting conditions stipulated in the consent order. 11 th Respondent allegedly liable to pay INR 73,80,000/- (after forfeiture of BG of INR 7,50,000/-).	The 11 th Respondent is not liable to pay EC because no conditions have been violated. Further, Joint Committee Report has made baseless conclusions due to incorrect factual understanding and incorrect photographs.
10	The units to measures to prevent fugitive dust generated during loading, unloading of raw materials, products, flyash etc so as to meet the National Ambient Air Quality Standards	11 th Respondent is already compliant and will continue to comply.
11	Units to upgrade the effluent treatment plants.	The upgraded ETP will be operational from May 2021.
12	Units to collectively construct new concrete roads as part of CSR activity and ensure green cover.	11 th Respondent is already compliant and will continue to comply.

10. The 11th Respondent submits that severe prejudice has been caused to their case by virtue of the Joint Committee Report, which has adduced unreliable evidences.

11. The 11th Respondent submits that there is no violation of EC Compensation guidelines to attract Environmental Compensation in this case.

12. The 11th Responded craves leave to raise additional grounds and adduce additional evidences, should the need arise, during the course of the proceedings.



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PRAYER

It is, therefore, respectfully prayed that this Hon'ble Tribunal may be pleased to pass orders for-

- (i) Deletion of the findings of the Joint Committee Report insofar as they are prejudicial to the 11th Respondent;
- (ii) Setting aside the Environmental Compensation imposed under the Joint Committee Report dated 01.12.2020; and
- (iii) Dismissing the OA 221 of 2015 to the extent it is prejudicial to the case of the 11th Respondent and pass such other Orders as this Hon'ble Tribunal may deem fit and necessary in the interests of justice.

Solemnly affirmed at Ahmedabad on
 this the February, 2021
 and signed his name in my
 Presence.

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FOR, ADANI WILMAR LIMITED
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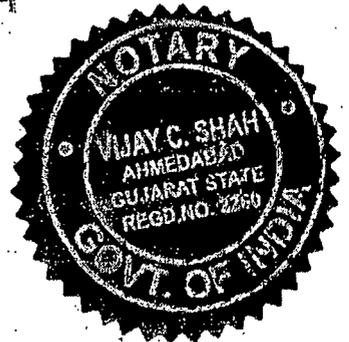
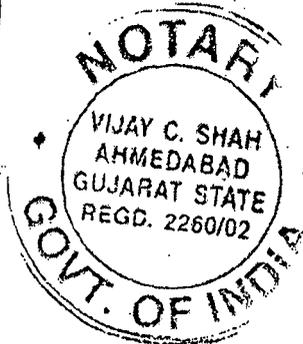
BEFORE ME,

ADVOCATE, AHMEDABAD



SOLEMNLY AFFIRMED
 BEFORE ME

VIJAY C. SHAH
 NOTARY
 GOVT. OF INDIA
 17 FEB 2021



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

COMMITTEE 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 03rd FEBRUARY, 2021 AND 13th JULY, 2021.

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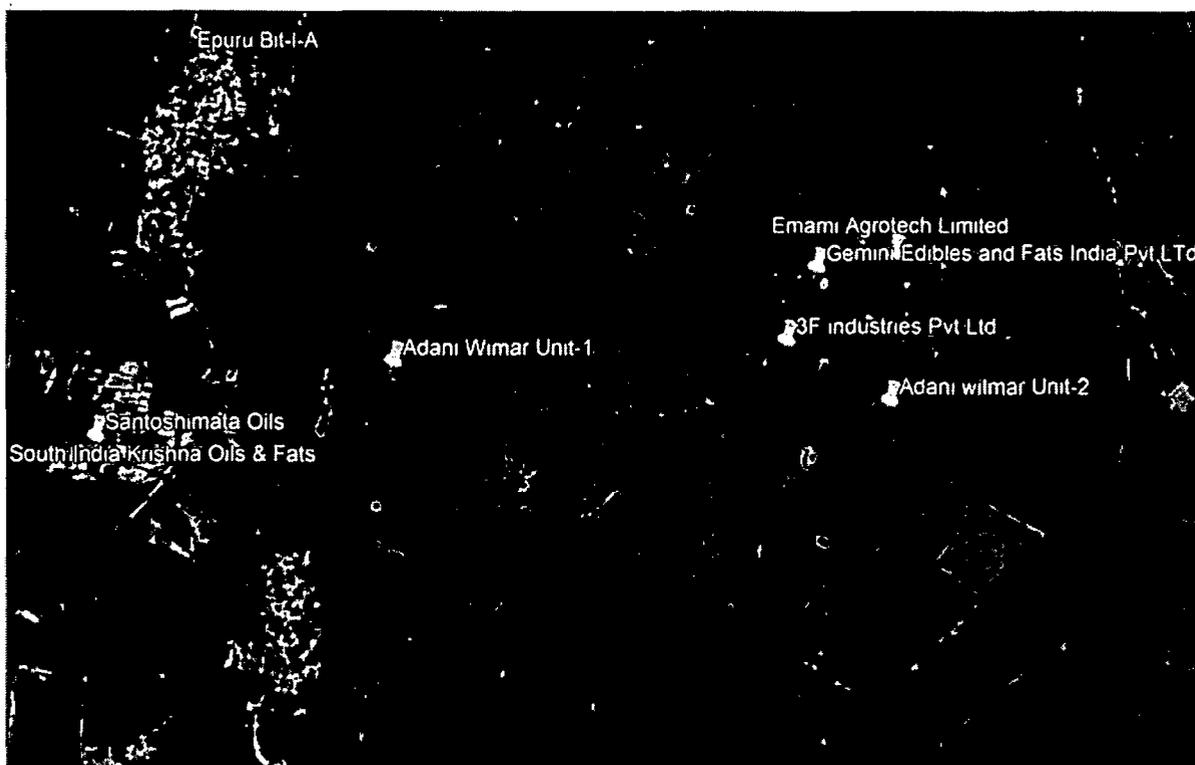


Ch. Rajasekhar,
Environmental Engineer,
Andhra Pradesh Pollution Control Board,
Regional Office Nellore

Date: 10.08.2021

Place: Nellore

REPORT OF THE JOINT COMMITTEE IN THE MATTER OF O.A. NO. 221/2015 IN COMPLIANCE TO THE HON'BLE NGT SOUTHERN BENCH ORDER DATED 03.02.2021.



Satellite image of Cluster of Edible Oil Industries in Krishnapatnam Port area, SPSR Nellore district, Andhra Pradesh.

Submitted to
Hon'ble National Green Tribunal
Southern Bench, Chennai
August, 2021



Ministry of Environment
Forest and Climate Change



Central Pollution
Control Board



Andhra Pradesh Pollution
Control Board

I 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. Rajashekar, 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.

II. The current status of edible oil industries is as follows: Post submission of committee report to Hon'ble NGT and assessment of Environmental compensation on erring edible oil units, the units have taken corrective actions on priority.

II.a Compliance Status of M/s Gemini Edibles & Fats India Pvt Ltd

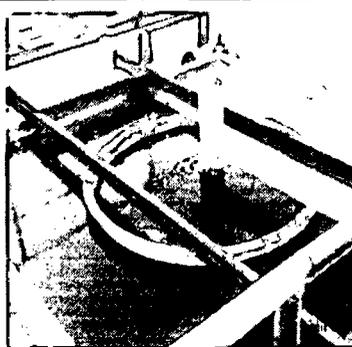
a	Name & complete address of the unit	M/s Gemini Edibles & Fats India Pvt Ltd, Sy.No. 1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore district		
b	Contact Details	Sri SS Manna, Factory Manager +91 77299 96854		
c	Geo-coordinates	14° 15'36.3"N 80° 04'19.0"E		
d	Area	15.2 acres		
e	Status of CFO & Authorizations and its compliance	The combined Consent and Authorization issued by APPCB is valid till 30.06.2026.		
f	Year of commissioning	2010		
g	Production capacity	Refined Vegetable Oil (Physical refining)- 700TPD Refined Vegetable Oil (Chemical refining)-400 TPD Fractioned vegetable oil- 600 TPD Interesterified fats- 125 TPD Vanaspathi-100 TPD <u>By-products</u> Distilled fatty acids-49.176 TPD Acid oil-6.42 TPD Spent Earth - 8.693 TPD		
	Parameter	Non-compliances observed by the committee during October, 2020	Present status of the unit during committee visit in July, 2021	Status of compliance
	Coal and fly ash storage measures taken to control fugitive emissions	Open storage of coal. The unit has installed fly ash silo of capacity 100 Tonnes (10 days storage capacity against the direction of APPCB to install silo for 30 day storage.	Separate sheds for coal and rice husk is constructed. Coal stored in closed shed of 35 mtr x 41 mtr x 3 mtr area. Total capacity 4305m ³ . Water sprinklers are installed in sheds and are working. Unit has installed two silos each of 150 Tons capacity for fkyash storage upto 30 days.	Complying



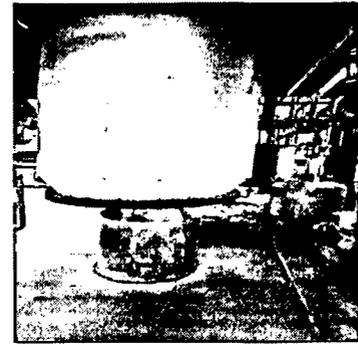
<p>Effluent generation</p>	<p>No proper effluent conveyance system, no proper mechanism for sludge collection and transferring to sludge drying beds. Sludge was haphazardly stored in ETP area.</p> <p>sewage is also treated in ETP inspite of having STP of 30 KLD capacity</p>	<p>Unit has installed dedicated pipelines to transfer process effluent to ETP. All storm water drains are cleaned.</p> <p>Sludge storage room is provided and sludge from sludge press is sent to storage room in conveyors. The sludge was stored in closed shed.</p> <p>Sewerage generated from unit is treated in STP. Sewage is not diverted into ETP</p> <p>Separate energy meters are provided at ETP and RO plant</p>	<p>Complying</p>
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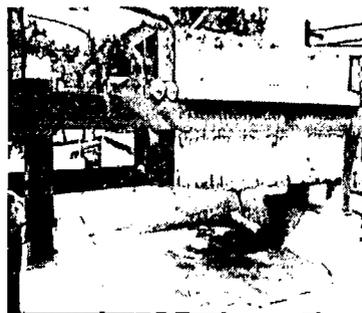
MEE



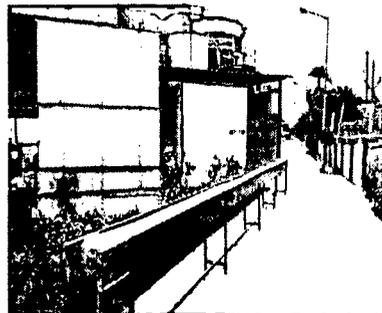
Primary clarifier



ATFD



Sludge filter



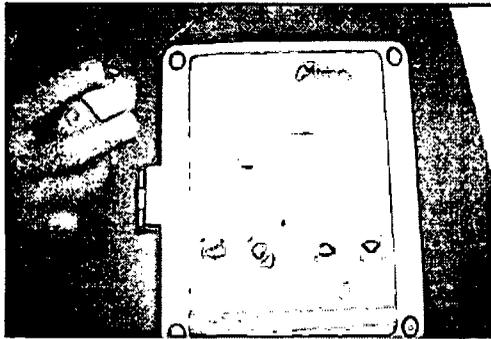
Conveyor belt and storage room



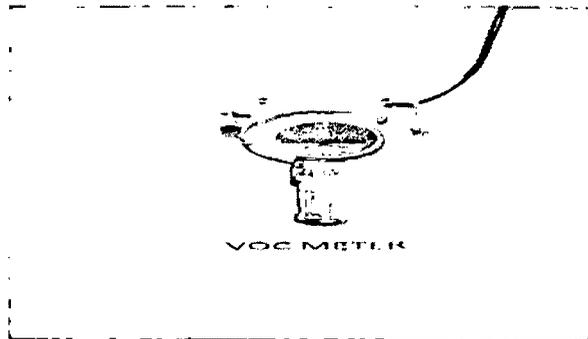
Energy meter at ETP

<p>Flow meter and totaliser</p>	<p>Flow meter is not installed to quantify the total water consumed</p>	<p>Magnetic flowmeters with totalizer installed at inlet point for the raw water purchased & distribution of raw water.</p>	<p>Complying</p>
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		Magnetic flowmeters available in all the inlet & outlet point of ETP	
Stack emissions	The unit was not meeting APPCB standards	The unit has upgraded the MDC and bag filters and online emission monitoring system is installed in the stack and connected to APPCB server. The unit is found meeting APPCB standards. Unit has installed VOC meter and connected to APPCB server	Complying

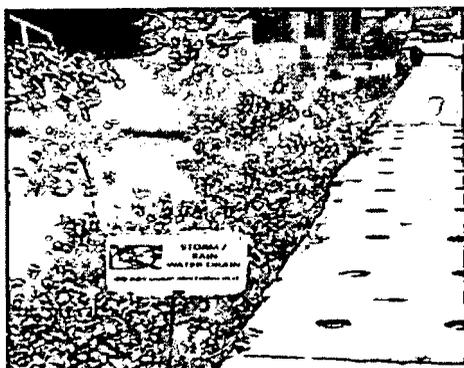


Online stack reading



VOC meter

Developing 33% of green belt	The unit has developed green belt in an area of 3.5 acres against the requirement of 5.0 acres (33%) with avenue plants	Unit has developed 33% green belt with avenue trees and Conacarpus trees. Unit has purchased 2.4 acre of land to develop compensatory green belt. Unit is having rain harvesting pond measuring 50 Mtr X 40 mtr to collect roof top water collection.	
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Hazardous waste	No hazardous waste storage room	Unit is generating around 10 to 15 MT of hazardous waste which is stored in dedicated shed and is sent to Ramky TSDF every month. Unit has constructed a closed shed for hazardous waste storage.	Complying
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Overall Compliance status

The committee observed that the unit has taken steps for improvement and has complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is complying with APPCB standards for Particulate Matter.

Based on the non-compliances observed during committee inspection in October, 2020 environment compensation of Rs. 66.00 lakhs was assessed for non-compliances during period 17.01.2020 to 13.10.2020. The committee has calculated EC using CPCB formula $EC=PI \times N \times R \times S \times LF$

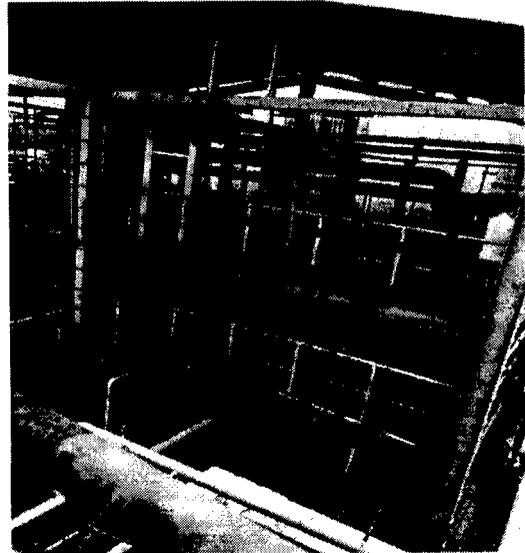
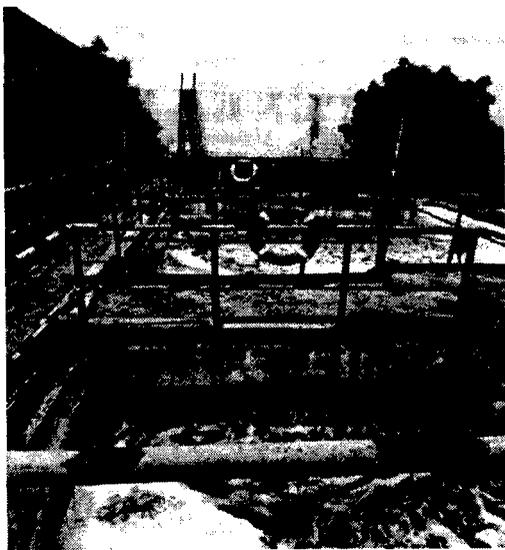
The committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 66.00 lakhs to APPCB for non-compliance during the period 17.01.2020 to 13.10.2020. Presently unit is found complying with all conditions stipulated in CFO. Unit is not discharging effluent outside unit premises. Proper effluent conveyance system is laid and ETP was fully operational.

II.b Compliance Status of Emami Agrotech Limited

a	Name & complete address of the unit	M/s EmamiAgrotech Limited, SyNo.s 501, 502/1 etc., Pantapalem (V), Muthukur (M), SPSR Nellore	
b	Contact Details	Sri M.V.Narayana Murthy- Unit Head Mobile: 9677167862	
c	Geo-coordinates	14° 15' 40.2"N 80° 04' 23.2"E	
d	Area	29.78 acres	
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.12.2025	
f	Year of commissioning	2013	
g	Production capacity	Refined Palm oil	1886 TPD
		Sunflower oil	186TPD
		Interesterfied oil	100 TPD
		Hydrogenated Oil	100 TPD
		Vanaspathi	200 TPD
		Refining of Soft Palm oil	130 TPD

		Palmolein	800 TPD	
		Bakery Fat	210 TPD	
		Palm stearine	200 TPD	
		By Product		
		Distilled Palm Fatty Acids	106.325TPD	
		Distilled sunflower Fatty acids	0.5 TPD	
		Acid Oil	14 TPD	
Parameter	Non-compliances observed by the committee during October, 2020	Present status of the unit during committee visit in July, 2021	Status of compliance	
Coal and fly ash storage measures	Coal and fly ash were stored in open	Unit has constructed separate sheds and both rice husk and fly ash are stored inside the shed.	Complying	
Effluent transfer	The effluent is transferred in storm water drains from production block to ETP and committee observed effluent spillage, over flow into adjoining areas. Storm water drains were filled with effluent and drains were clogged	The unit has laid separate pipeline to transfer effluent from production block to ETP. The drains were clear, no effluent was found in storm water drains. Reported that deposition in the drain was treated in ETP.	Complying	
Flow meter and totaliser	Flow meter is not installed to quantify the total water consumed	Magnetic flowmeters with totalizer installed at inlet point for raw water purchased & distribution of raw water. Magnetic flow meters available in all the inlet & outlet point of ETP	Complying	
Effluent treatment	ETP is very poorly maintained. The aeration was not in operation. Sludge is not removed and oily sludge was	ETP was in operation. Aeration tanks are revamped. Diffused aerators are installed. Adequate MLSS was present indicating that ETP was fully operational.	Complying	

	<p>accumulated in all components of ETP which results in improper operation of ETP</p>		
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ETP was fully operational during committee inspection

<p>Hazardous waste</p>	<p>No dedicated storage room</p>	<p>The unit has constructed one dedicated hazardous waste storage room. But however the wastes were not stacked properly. The quantity of hazardous waste generated was very less as compared to other units with similar production capacity. The unit replied that it is using advance technology for refining oil due to which water consumption and waste generation is less.</p>	<p>Complying The unit shall properly segregate different type of hazardous wastes and provide provision for leachate collection.</p>
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Overall Compliance status

The committee observed that the unit has taken steps for improvement and has complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is found complying with APPCB standards for Particulate Matter. During previous inspection the committee had observed serious non-compliances w.r.t effluent transfer & its treatment and sludge disposal. Based on these non-compliances observed during committee inspection in October, 2020 environment compensation of Rs. 123.5 Lakhs was assessed based on

repeated violation for non-compliances during period 17.01.2020 to 13.10.2020. The committee has calculated EC using CPCB formula $EC=PI \times N \times R \times S \times LF$

The committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 123.5.00 lakhs to APPCB for non-compliance during the period 17.01.2020 to 13.10.2020. Presently unit is found complying with all conditions stipulated in CFO. Unit is not discharging effluent outside unit premises. Proper effluent conveyance system is laid and ETP was fully operational.

II.c. Compliance Status of M/s. Adani Wilmar -(Unit-II)

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

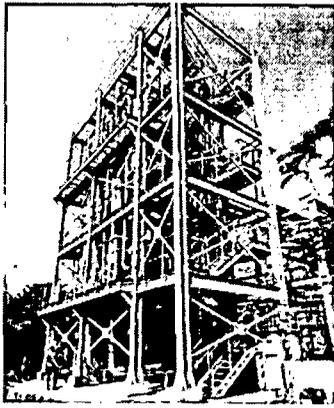
Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 29.02.2024	
Year of Commissioning	2011	
Production capacity		
S.N	Products	Quantity
01	Physical Refining Refined Vegetable Oil (Palm Oil, Palmolein, Palm Stearin)	600 TPD
02	Chemical Refining Refined Vegetable Oil (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	200 TPD
02	Fractionated Vegetable Oil	800 TPD
03	Interesterified Vegetable Oil	150.0 TPD
04	Vanaspathi	150.0 TPD
Co-Product		
1	Palmstearin	167.0 TPD
By-products		
1	Distilled Fatty Acids (Physical refining) (Palm Oil, Palm kernel, Palmolein)	48.0 TPD
2	Distilled Fatty Acids (Chemical refining) (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	0.8 TPD
3	Acid Oil	4.0 TPD
4	Soap Stock	4.0 TPD
5	Acid Sludge	0.6 TPD
6	Gums	9.0 TPD

Parameter	Non-compliances observed by the committee during October, 2020	Present status of the unit during committee visit in July, 2021	Status of compliance
Coal and fly ash storage	Fly ash spillage. Fly ash storage capacity for two days.	New silo of 120 MT is under installation. Presently, the existing silo of 40 MT is under use. The unit is disposing the fly ash on alternate days. Reported that the new silo will be made operational by September, 2021. No fly ash spillage observed.	Yet to be complied. Silo is under installation

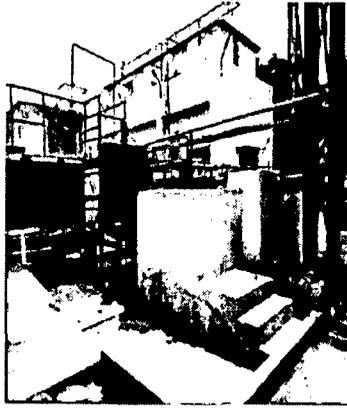


Fly ash silo work under progress

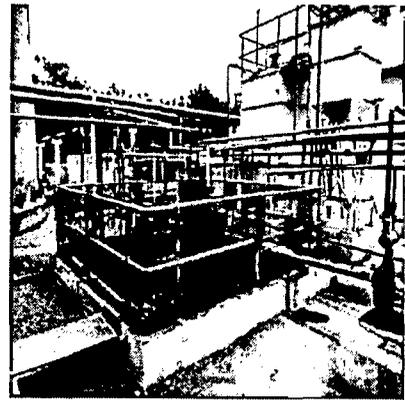
Effluent treatment	ETP was worn out	<p>The unit has installed an ETP of 200 KLD capacity followed by RO plant of 10 KLH capacity for treatment of LTDS. HTDS effluent is treated in three stage three stage MEE -60 KLD followed by ATFD to meet ZLD. ETP is fully revamped. New MEE plant of 35 KL is installed for treatment of HTDS effluent. Reported that the Cloggings from drains were removed and treated in ETP. Presently storm water drains were clear. Flow meters and toralizer installed.</p> <p>LTDS treatment plant Collection tank→flocculation tank→primary clarifier→primary aeration→secondary aeration→secondary clarifier→ collection tank→ sand filters→carbon filters→ RO plant</p>	complying
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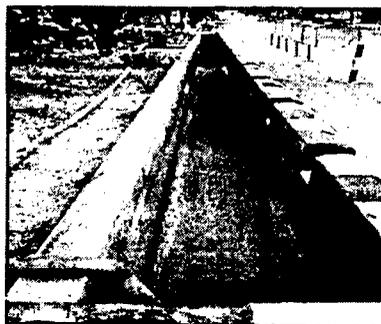
New MEE plant installed



ETP after revamping



Green belt



Storm water drains are cleaned



Flow meter		Flow meters with totalizers are installed at raw water inlet , ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, MEE outlet.	complying								
Stack emission		<p>The unit has installed online emission monitor system to measure SPM and is connected to APPCB server. Last six months online data was verified and unit is found complying.</p> <table border="1" data-bbox="657 1645 1201 2421"> <tr> <td data-bbox="657 1645 950 1789">Air pollution source</td> <td data-bbox="950 1645 1201 1789">Air pollution control device provided</td> </tr> <tr> <td data-bbox="657 1789 950 2013">FBC Boiler of capacity 20.0 TPH</td> <td data-bbox="950 1789 1201 2013">Multi cyclone dust collector followed by Bag filters</td> </tr> <tr> <td data-bbox="657 2013 950 2329">Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;</td> <td data-bbox="950 2013 1201 2329">Chimney to disperser the flue gases</td> </tr> <tr> <td data-bbox="657 2329 950 2421">FBC boiler of Capacity 7.0 TPH</td> <td data-bbox="950 2329 1201 2421">Dust Collector & Bag filter</td> </tr> </table>	Air pollution source	Air pollution control device provided	FBC Boiler of capacity 20.0 TPH	Multi cyclone dust collector followed by Bag filters	Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;	Chimney to disperser the flue gases	FBC boiler of Capacity 7.0 TPH	Dust Collector & Bag filter	Complying
Air pollution source	Air pollution control device provided										
FBC Boiler of capacity 20.0 TPH	Multi cyclone dust collector followed by Bag filters										
Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;	Chimney to disperser the flue gases										
FBC boiler of Capacity 7.0 TPH	Dust Collector & Bag filter										

		Thermo Syphon 1x15 Lakh.k.cal	Mechanical dust collectors fol.by bag filters	
		DG sets of 1x1010 KVA, 1x1250KVA	Acoustic enclosure	
Hazardous waste generation	Hazardous waste spillage	5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit and stored in separate shed and disposed to Ramky TSDF, Nellore		Complying

Overall Compliance status

The committee observed that the unit has taken steps for improvement and has complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is found complying with APPCB standards for Particulate Matter. During previous inspection the committee had observed non-compliances w.r.t effluent transfer & its treatment and sludge disposal. Based on these non-compliances observed during committee inspection in October, 2020 environment compensation of Rs. 73.85 Lakhs was assessed for non-compliances during period 17.01.2020 to 13.10.2020. The committee has calculated EC using CPCB formula $EC=PI \times N \times R \times S \times LF$.

The committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 73.8 lakhs to APPCB for non-compliance during the period 17.01.2020 to 13.10.2020. Presently unit is found complying with all conditions stipulated in CFO. Unit is not discharging effluent outside unit premises. Proper effluent conveyance system is laid and ETP was fully operational.

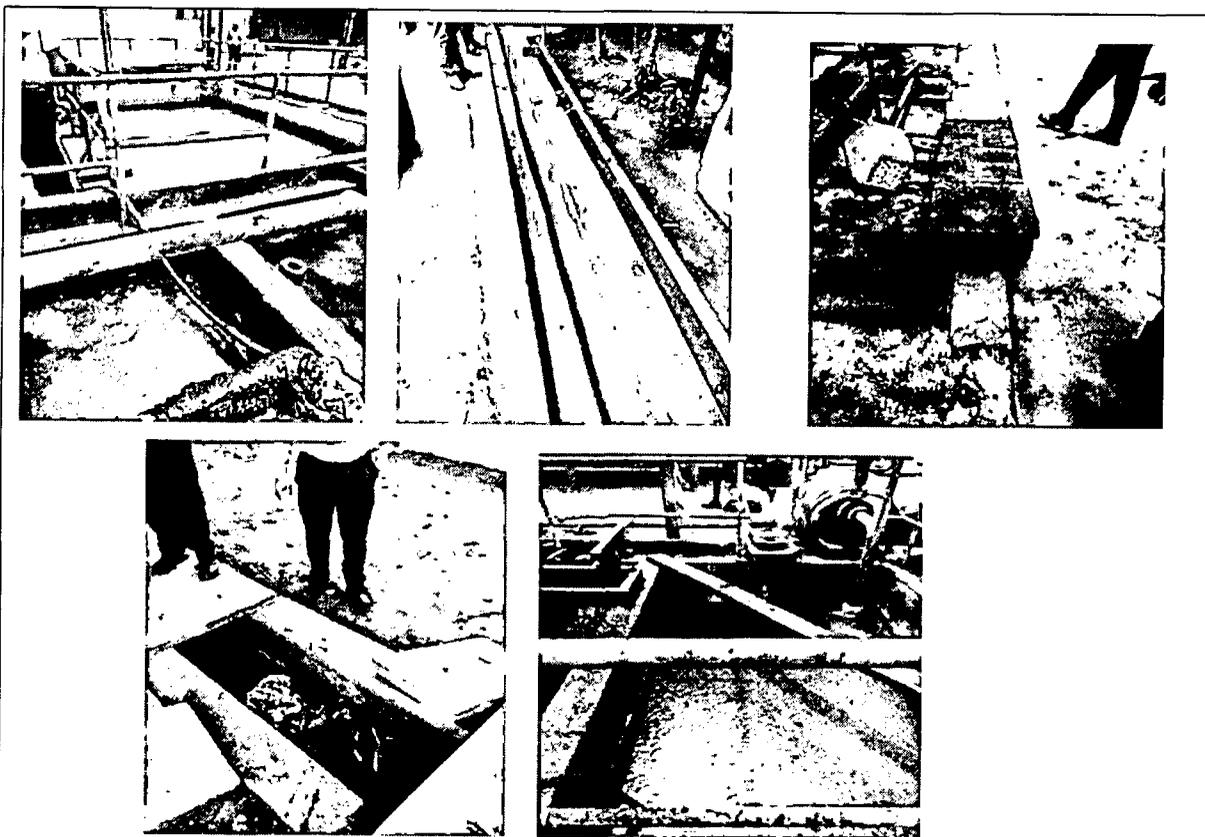
II.d Compliance Status of M/s South India Krishna Oil & Fats Pvt.Ltd

M/s. South India Krishna Oil & Fats Pvt.Ltd., Sy.No.275,279,280 & 281,Epuru Bit - 1B, Pantapalem (V), Muthukur (M), SPSR Nellore District.	
Contact Details	Sri B. Muthu Krishnan, GM +91-7799800065 vincent.paul@sioils.com
Geo-coordinates	14° 15' 19.7"N 80° 02' 50"E
Area	16.12 acres
Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2022
Year of Commissioning	2014

Production capacity	
Refined Oil (Physical Refining)	1000 TPD
RBDPalmolein	800 TPD
TBD Stearine	200 TPD
Vanaspathi	200 TPD
Palm Powder	72 TPD
Palm Flakes	50 TPD
By Product	
Distilled Fatty Acid (Physical Refining)	42 TPD
Refined Vegetable Oil (Soyabean, Sunflower, Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)	192 TPD
By Product	
Distilled Fatty Acid (Chemical Refining)	0.488 TPD
Acid Oil	4.0 TPD
Soap Stock	8.0 TPD
Wax	2.05 TPD

Parameter	Non-compliance observed during committee inspection in Oct, 2020	Present status		Compliance status
Effluent generation	Effluent transfer in drains. ETP is not in operation	Source	Effluent generation	Partially complying Unit has taken corrective actions and there are improvements but effluent found in storm water drains.
		Trade effluents (Boiler & Cooling tower blow down, Process, Primary dual RO, back wash)	136.0 KLD	
		HTDS effluents from Acid plant and dual RO rejects	53.0 KLD	
		Primary RO rejects	93.0 KLD	
		Domestic	16.0 KLD	
		ETP of 300 KLD & Dual RO Plant, MEE of 18 KLD followed by ATFD provided to meet ZLD. STP of 20 KLD provided for domestic purposes. ETP comprises of Collection tank, Oil & grease trap, Equalization tank, Primary clarifier, Aeration tank 1 & 2, buffer tank,		

		<p>Secondary clarifier, Sludge drying beds & Filter Press, Pressure Sand filter, activated carbon filter etc.</p> <p>Separate pipeline for effluent transfer is under installation. Storm water network has to be improved. ETP is under operation. Effluent was observed in storm water drains.</p>		
Air pollution	Odour problem.	Boiler of capacity 1x24 TPH	Mechanical dust collectors fol.by bag filters	Partially complied.
		Boiler of capacity 1x15.0 TPH		
		Thermo Syphon 1x20 Lakh.k.cal.		
		Thermic Fuel Heater 2x6 Lakh. K.cal/hour	Mechanical dust collectors fol.by bag filters	
		4x750 KVA D.G. Sets	Acousic enclosures	
		<p>The unit has installed online emission monitors in both the stacks attached to Boiler -24 TPH & common chimney provided to 15 & 16 TPH boilers and same is connected to APPCB Serverto monitor SPM. The committee verified the online results for last six months and found that the unit is complying with Stipulated standards.</p> <p>But however odour nuisance is still persisting.</p>		



Overall Compliance status

The committee observed that the unit has taken steps for improvement and has not fully complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is found complying with APPCB standards for Particulate Matter. During previous inspection the committee had observed non-compliances w.r.t effluent transfer & its treatment and sludge disposal. Based on these non-compliances observed during committee inspection in October, 2020 environment compensation of Rs. 71.30 Lakhs was assessed based on non-compliances during period 17.01.2020 to 13.10.2020. The committee has calculated EC using CPCB formula $EC=PI \times N \times R \times S \times LF$.

Presently though unit has taken measures for improvement but it not fully complying. Hence committee has calculated EC:

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	14.10.2020 to 29.07.2021	80	1.5	1	100/-	288	34,56,000/-
EC for violation						288	34,56,000/-
EC assessed by committee for non-compliances during 17.01.2020 to 13.10.2020							71,30,000/-
Total EC to be paid by the unit to APPCB							1,05,86,000/-
Rupees One crore five lakhs eighty six thousand Only							

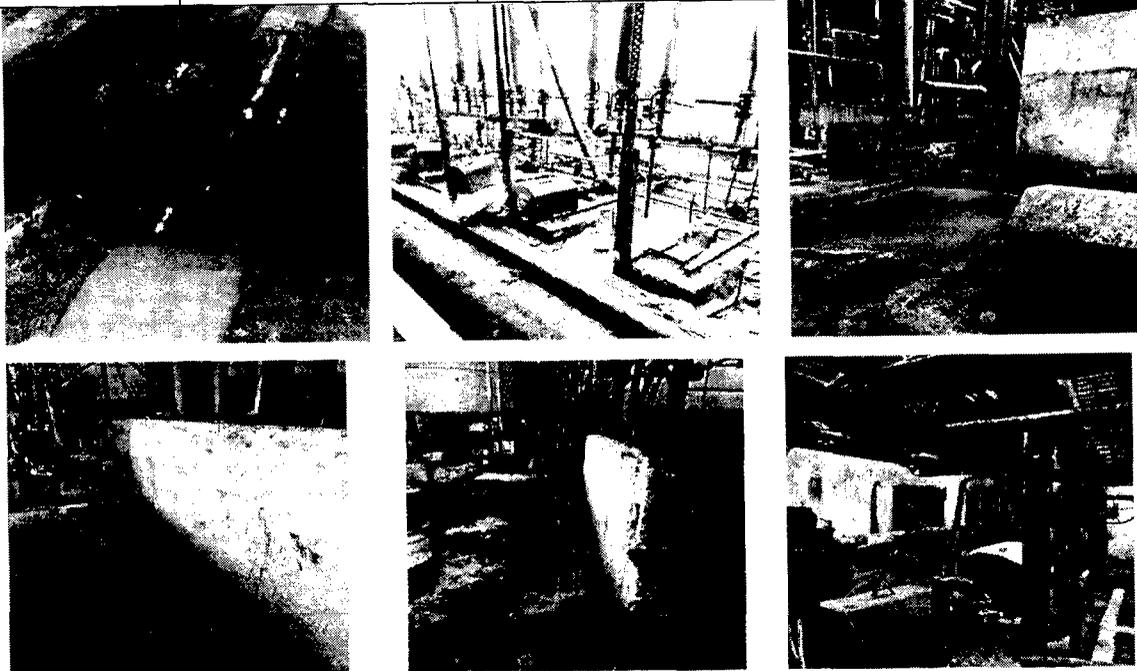
Rupee Factor of Rs.100/- is taken considering that the unit is improving. The committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 105.86 lakhs to APPCB.

II.e Compliance Status of M/s. 3F Industries Limited

a	Name & complete address of the unit	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,) Sy.No. 1604, APIIC- IALA, EPURU 1-B Pantapalem (V) Muthukuru (M) SPSR Nellore Dist.			
b	Contact Details	P. Srinivasa Rao, Plant Manager 91-9642225502 psrao@fff.co.in			
c	Geo-coordinates	14° 15' 28.8"N 80° 04' 09.4"E			
d	Area	11.62 acres			
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 30.06.2026			
f	Year of Commissioning	2011.			
g	Production capacity	Refined Edible Oils (Physical Refining)	670.166 TPD		
		Refined Edible Oils (Chemical Refining)	100 TPD		
		Vanaspathi & Bakery Shortenings	90 TPD		
		Margerine	30 TPD		
		Fatty Acids	200 TPD		
		Toilet Soap Noodles	50 TPD		
		BY PRODUCT			
		Fatty Acids	27.74 TPD		
		Glycerine	18 TPD		
		Pitch Oils	7 TPD		
		Filter Cake/ Spent Earth	1.22 TPD		
		Fatty acids/ Acid Oils	3.35 TPD		
Parameter	Non-compliance observed during committee inspection Oct, 2020	Present status		Compliance status	
Coal and fly ash storage	Unit has provided ash silo of 60 Tonnes capacity which is sufficient for ash storage for 2 days	The industry provided silos 2x70T & 1x60 m3 capacity for storage of ash and ash is being disposed to the brick units without accumulation in the plant premises.		Complied.	

Effluent generation	ETP not in operation	Source	Quantity of effluent	Improvements observed but yet to comply
		Process & Washings Boiler blow down, Cooling tower bleed off, Acid Oil plant waste water	152 KLD	
		Fresh Water RO rejects	110 KLD	
		Domestic	15 KLD	
<p>ETP of 200 KLD & RO plant , MEE-100 KLD provided with ATFD to meet ZLD system. Septic tanks followed by soak pits are provided for treatment of domestic effluents.</p> <p>On the day of inspection, it was observed that the ETP was not in operation. Storm water drains were used for transfer of effluent. The oil was spilled all over the plant. There was no proper effluent transfer system from production block to ETP.</p>				
Air pollution	Not complying with stipulated standards	Boiler of capacity 1x35 TPH	ESP	Improvements observed but yet to comply
		Boiler of capacity 1x2.0 TPH	Bag filters	
		Boiler of capacity 1x8 TPH; Fuel: Coal/Husk	Bag filters	
		Thermo Fluid heater of capacity 1x20.0 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	
		Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	
		Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk	Dust collectors	
		Coal Mill of capacity 10 TPH	Bag filters	
		DG sets of 3x750 KVA	Acoustic enclosure	

		The unit has installed online emission monitors to measure SPM and is connected to APPCB server. Committee verified last six months data and found that the unit is complying standards stipulated by APPCB.	
Hazardous waste generation	Haphazard disposal of hazardous waste	Separate shed constructed for storage of hazardous wastes	Complying



Overall Compliance status :

The committee observed that the unit has taken steps for improvement and has not fully complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is found complying with APPCB standards for Particulate Matter. During previous inspection the committee had observed non-compliances w.r.t effluent transfer & its treatment and sludge disposal. Based on these non-compliances observed during committee inspection in October, 2020 environment compensation of Rs. 75.50 Lakhs was assessed based on non-compliances during period 17.01.2020 to 13.10.2020. The committee has calculated EC using CPCB formula $EC=PI \times N \times R \times S \times LF$.

Presently though unit has taken measures for improvement but it not fully complying. Odour nuisance is still persisting, oil spillage observed, effluent is found in storm water drains.

Hence committee has calculated EC:

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	14.10.2020 to 29.07.2021	80	1.5	1	100/-	288	34,56,000/-

EC for violation	288	34,56,000
EC assessed by committee for non-compliances during the period 17.01.2020 to 14.10.2020		75,50,000/-
Total EC to be paid by the unit to APPCB		1,10,06,000/-
Rupees One crore ten lakhs six thousand Only		

Rupee Factor of Rs.100/- is taken considering that the unit is improving. The committee submits to Hon'ble NGT to direct the unit to pay EC of Rs. 110.06 lakhs to APPCB.

VII Actions taken by APPCB

1. The APPCB is continuously reviewing the status of air pollution/ water pollution control equipment provided and compliance of the APPCB standards etc for control of pollution problems from the edible oil industries operating at Krishnapatnam port area from last Five years in connection with the O.A. NO.221 of 2015 filed before the Hon'ble NGT.
2. The status of industries with regards to compliance of the directions are reviewing before External Advisory Committee meetings held at Board office, APPCB and issuing directions time to time. It is to submit that the status of implementation of action plan by the edible oil units was reviewed before Task Force Committee at Board Office during its meetings held on 25.06.2016, 15.07.2016, 05.08.2016, 27.08.2016, 16.09.2016, 30.09.2016, 11.11.2016, 03.12.2016, 30.12.2016, 20.01.2017, 04.02.2017 & 09.11.2017.
3. The Board has issued directions to the Edible oil industries on 15.02.2018, 17.01.2020 & 28.09.2020.
4. The APPCB has also forfeited Bank Guarantee amount of Rs.65Lakhs in the year 2020 from 7 nos of Edible oil industries for non compliance of the APPCB directions.

III. Common Issues jointly to be addressed by all edible oil industries:

1. **Issue related to drawl of water from tankers and ground water:** There are seven edible oil industries operating in Muthukur village, Krishnapatnam which were established during 2011 and even after lapse of 10 years, there is no assured source of water supply by Department of Industries. As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and

industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Currently the units are dependent on water supply from tankers. Reported that the industries are pursuing with Andhra Pradesh Industrial Infrastructure Corporation (APIIC) to get water supply through pipeline. The committee humbly submits to Hon'ble NGT to direct the Andhra Pradesh Industrial Infrastructure Corporation (APIIC) and Department of Industries, Nellore to provide water supply to the industries.

2. **Fly ash dumping:** Fly ash is found dumped in low lying area to an extent of ten acres in vacant plot. All the industries informed that they are not responsible for the dumping. The committee submits to Hon'ble NGT to direct all seven industries to jointly compact the fly ash and to cover with minimum 10cm clay/soil cover to prevent ambient dust.
3. **Augment capacity of oil skimming:** To further effectively remove oil & grease from effluent the committee suggested the industries to enhance the capacity of oil skimming. The units have collectively agreed to install one additional skimmers for removal of oil & grease in ETP.
4. Presently all edible oil units are fully operating the physical refining process while the units are operating the chemical refinery at 50% capacity.
5. In compliance to Hon'ble NGT directions and post committee visit in Oct, 2020 the units have taken up corrective measures. Significant improvements were observed during committee inspection in July, 2021 as compared to Oct, 2020. Dedicated pipelines are laid for transferring the process effluent into ETP. The effluent treatment plants are fully operational. The no. of filters are increased and air pollution control devices are augmented. But however two units are yet to achieve 100% compliance to consent conditions of APPCB.
6. The fly ash generated from the units is sold to brick manufacturers. The units have provided ash silo and covered shed for storage of flyash. But the units are not complying with APPCB condition of 30 days silo capacity. The units represented to the unit that installation of such large silo is difficult. The fly ash is sold to brick manufacturers at frequency of two to three days in a week. Considering this, APPCB may amend the condition.
7. APPCB is continuous vigil on the edible oil units and issued directions, forfeited bank guarantees due to which there is no discharge of effluent outside the unit premises. The committee went around the surrounding to check for any bypass discharges and observed that no edible oil unit is discharging outside its premises.

8. Based on CPCB formula the committee has assessed environmental compensation on the erring units for violating the directions issued by APPCB vide order dated 17.01.2020.

IV. Ambient Air Quality Monitoring

APPCB monitored ambient air quality in nearby villages to verify whether the operations of the industries impact on air quality in Pantapalem, Subbareddypalem, Daruvupalem and Epuru villages. All four villages are complying with ambient air quality standards.

	Measured value in $\mu\text{g}/\text{m}^3$	Ambient air quality 24 hrs standard in $\mu\text{g}/\text{m}^3$	Remarks
Pantapalem	84.4	100	The ambient air quality in the villages is meeting 24 hrs. National ambient air quality standards.
Subbareddypalem	66.4		
Daruvupalem	57.7		
Epuru village	78.4		

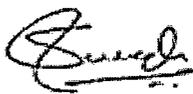
IX Conclusions:

1. Construction of CETP: Previously all the units had proposed for construction of common effluent treatment plant but the district administration and the units could not find a suitable land for construction of CETP. Currently all seven units have established their individual effluent treatment plants and hence the proposal of CETP is shelved. The individual ETP's established in the units are fully operational.
2. As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Thereby withdrawal of ground water and procurement of water from tankers will be avoided. The committee humbly submits to Hon'ble NGT to direct the Andhra Pradesh Industrial Infrastructure Corporation (APIIC) and Department of Industries, Nellore to provide water supply to the industries. There are seven edible oil industries operating in Muthukur village, Krishnapatnam.
3. The units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated. The committee submits to Hon'ble NGT to instruct APPCB to direct the industries to safely store the spent nickel catalyst and to dispose the same to authorized re-processors. The

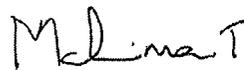
- units shall be directed to comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.
4. During the inspection, the committee did not observe any discharge of effluent into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
 5. The units shall maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal. Though all units informed that the same were disposed for incense sticks manufacturer and soap industries, however no records were shown to committee.
 6. The units are importing crude palm oil and sunflower oil from Malaysia, Singapore and Indonesia. The Port Authorities are testing the crude oil for presence of any mineral oil and after ensuring that no mineral oil is present, the consignment is handed to the units. While verifying the documents, the committee observed that the quantity of the imported crude is around 60% to 70% of the unit production. The units are locally procuring crude oil from other industries (it was reported that these industries purchase palm and sunflower from farmers and extract crude and sell to edible oil refineries in Krishnapatnam). The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The committee humbly submits to Hon'ble NGT that the units have to 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.
 7. Based on the inspection during October, 2020 the committee had assessed environmental compensation for non-compliances during the period 17.01.2020 to 14.10.2020. The committee again inspected during July, 2021 and considering the improvements and compliances/ non-compliances the committee has ascertained EC. The committee submits to Hon'ble NGT to direct the units to pay Environmental Compensation to APPCB as summarized below:

Sl. No	Name of the Unit	Environmental Compensation to be paid by the unit to APPCB 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/-

8. The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The units shall ensure that real time data is directly transferred from analyser to APPCB server without any interface.
9. Fly ash is found dumped in low lying area to an extent of ten acres in vacant plot. All the industries informed that they are not responsible for the dumping. The committee submits to Hon'ble NGT to direct all seven industries to jointly compact the fly ash and to cover with minimum 10cm clay/ soil cover to prevent ambient dust.
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. The units shall develop green belt all along the boundary of the units 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.



Dr. Suresh Pasupuleti
Scientist-C, Ministry of Environment
Forest and Climate Change, Regional
Office, Vijayawada



Mahima T
Scientist-D, Central Pollution Control Board
Regional Directorate, Chennai



Ch. Rajasekhar
Environmental Engineer,
Andhra Pradesh Pollution Control
Board, Regional Office Nellore



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE: NELLORE
1st Floor, A.P.S.F.C BUILDING, A.K.NAGAR, NELLORE - 524 004

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Lr. No. GN/PCB/RO/NLR/2021- 1382

Date: 18.01.2021

Sub: APPCB - RO, Nellore - Hon'ble National Green Tribunal Order dated.07.01.2021 in O.A.No.221 of 2015 - Joint Committee Inspection report communicated - Reg.

Ref: 1. Hon'ble NGT Order dated.07.01.2021 in O.A.No.221 of 2015.
2. Joint committee inspection dt.13.10.2020 & 14.10.2020 & report dated.01.12.2020.
3. B.O. Memo No.221/APPCB/legal/NGT/2020 dt.12.01.2021.

With reference to the above, it is to inform that as per the Hon'ble National Green Tribunal orders in O.A. No.221 of 2015, a joint committee was constituted with senior officials from MoEF&CC, GoI, CPCB & APPCB for inspection of edible oil industries located at Krishnapatnam Port area, SPSR Nellore district.

The Joint committee has inspected the edible oil industries on 13.10.2020 & 14.10.2020 and submitted a detailed report to the Hon'ble NGT on 01.12.2020.

The Hon'ble NGT passed an order on 07.01.2021 directing the APPCB to serve the copy of the report to the respondents so that they can file their objections, if any, to the report.

In view of the above, copy of the Joint committee report dated 01.12.2020 submitted to the Hon'ble NGT is herewith enclosed for information & necessary action.

Yours faithfully

Encl: Copy of Joint Committee report

ENVIRONMENTAL ENGINEER (FAC)

To

1. M/s. South India Krishna Oil & Fats Pvt. Ltd., Sy. No.275, 279, 280 & 281, Epuru Bit - 1B, Pantapalem Village, Muthukur Mandal, SPS Nellore District
2. 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
3. M/s. Gemini Edibles & Fats India Pvt. Ltd., Sy No.1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPS Nellore District

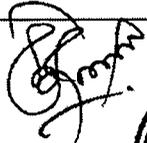
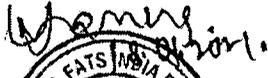
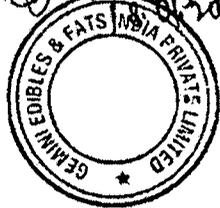
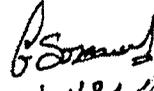
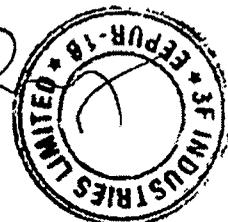
4. M/s. Adani Wilmar Limited (Unit-I) (formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.), Sy. No.292, 317, Pantapalem (V) (Epuru- 1B), Muthukur (M), SPS Nellore District
5. M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt. Ltd.) Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.
6. 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.
7. M/s.Santhoshimathaa Oils and Fats Private Limited, Sy No.252, Pantapalem Village, Epuru Bit IB, Muthukur Mandal, SPSR Nellore District.

Copy to the JCEE (Unit-II), APPCB. Board office, Vijayawada for favour of information.

Copy to the SEE (Legal cell), APPCB. Board office, Vijayawada for favour of information.

Copy to the JCEE, APPCB. Zonal office, Vijayawada for favour of information.

Acknowledgment from the Edible oil industries on serving the copy of the Joint Committee report dt.01.12.2020.

Name & Address of the Edible oil unit	Received Name & Designation, Phone no. Email id	Stamp & Signature
M/s. South India Krishna Oil & Fats Pvt. Ltd., Eperu Bit - 1B, Pantapalem Village, Muthukur Mandal, SPSR Nellore District	J.K. Vincent Paul Dy. Manager 7799800065 vincent.paul@si.oils.com	 
M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited), Pantapalem (V), Muthukur (M), SPSR Nellore District	SRI RAM. GHUNDT. Sr. Asst. Mgr 9642225558. Sriram.ghundt@emami-agrotech.com	 
M/s. Gemini Edibles & Fats India Pvt. Ltd., Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore District	Subhendu Mannag Sr. Mgr operations 7729996854 mannag@gemindia.net	 
M/s. Adani Wilmar Limited (Unit-I) (formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.), Pantapalem (V) (Eperu-1B), Muthukur (M), SPS Nellore District	K. P PRABHAKARA Rao Sr. Manager - HR 7228939496 prabhakara.k@adaniwilmar.com	 12/01/21 
M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt. Ltd.), Eperu Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District	G. SREENIVASULU DGM - operations 8886641639 Sreenivasulu.gandari@adaniwilmar.com	 12/01/21 
M/s. 3F Industries Limited (formerly M/s. Foods Fats & Fertilizers Ltd.) Pantapalem (V), Muthukuru (M), SPSR Nellore District	G. SURESH BABU Manager, UTILITIES 7799935576 Phalgun@fff.co.in	 
M/s. Santhoshimathaa Oils and Fats Private Limited, Sy No.252, Pantapalem Village, Eperu Bit 1B, Muthukur Mandal, SPSR Nellore District.	Ganesh Vidun Kota Unit Head. 9963329792 vkganesh@smoils.com	 

Item No.5:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 221 of 2015 (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)

Versus

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

... Respondent(s)

Date of hearing: 03.02.2021.

CORAM:

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

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Smt. Me. Saraswathy for R1.
Smt. Madhuri Donti Reddy for R2 to R4.
Sri. C. Seethapathy for R5.
Sri. D. Srinivasan for R6, R7, R9, R10.
M/s. Snegha represented

M/s. Apparajitha Vishwanath for R8.
Sri. Parthasarathy represented
Sri. Lakshmi Kumaran for R11.

ORDER

1. As per order dated 07.01.2021, this Tribunal had directed the 5th respondent to submit details regarding the change of identity of the 5th respondent unit as according to them, it has been amalgamated with M/s. Adani Wilmar Limited vide order of the Hon'ble High Court of Gujarat, passed in *Company Petition No.309 of 2015* dated 28.10.2015. We have also directed the committee to submit a further report on the basis of the observations made by them in the report filed and posted the case to today for that purpose.
2. When the matter came up for hearing today through Video Conference, there was no representation for the applicant. Smt. Me. Saraswathy represented 1st respondent, Smt. Madhuri Donti Reddy represented respondents 2 to 4, Sri. C. Seethapathy represented 5th respondent, Sri. D. Srinivasan represented respondents 6, 7, 9 & 10, M/s. Snegha represented Sri. Apparajitha Vishwanath, learned counsel appearing for 8th respondent and Sri. Parthasarathy represented Sri. Lakshmi Kumaran, the learned counsel appearing for the 11th respondent.
3. The learned counsel appearing for the 11th respondent submitted that in respect of 11th respondent also, there is a change in ownership and now

the unit is amalgamated with M/s. Adani Wilmar Limited group and they wanted some time to furnish the details regarding the same.

4. The report of the Joint Committee dated 01.12.2020 which was received on 06.01.2021 by this Tribunal reads as follows:

"I Preamble

Cluster of Edible Oil Industries are operating in Krishnapatnam Portregion 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 in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard has appointed a joint committee comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board.

II Orders of the Hon'ble National Tribunal dated 16.03.2020 in OA No 221/2015

Hon'ble NGT vide order dated 16.03.2020 has directed the following " So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior

Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at ngtszfilng@gmail.com." Hon'ble NGT order dated 16.03.2020 and 29.09.2020 is enclosed as Annexure-I and Annexure-II respectively.

III Composition and Scope of Committee

In compliance to Hon'ble NGT order, the following committee was composed:

1. Smt. Mahima T, Scientist-D, Central Pollution Control Board, Regional Directorate, Chennai
2. Dr. C. Palpandi, Scientist-C, Ministry of Environment Forest and Climate Change, Regional Office, Chennai
3. Sri. M.Pramod Kumar Reddy, Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office Nellore (Nodal agency)

The Committee has been vested with the mandate to visit and inspect the site in question and vested with followingscope vide the Order dated 16.03.2020:

- a. to ascertain the present status of the functioning of the edible oil refinery units

- b. to find out whether edible oil units are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning
- c. action taken by Andhra Pradesh Pollution Control Board
- d. to find out whether whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose
- e. to find out whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements has been provided under the Environment (Protection) Act, 1984
- f. to determine whether these units are properly disposing the fly ash generated during their manufacturing process
- g. imposition of environment compensation against the erring units

IV Site Visit by the Committee

The committee constituted by Hon'ble NGT vide order dated 16.03.2020 convened its first meeting on 27.07.2020 through video conference (VC) with the officials of Regional office, Nellore and reviewed the status of operation of Edible oil industries with respect to Pollution control issues. The committee inspected the units on 13.10.2020 and 14.10.2020. As per the scope vested on the committee, the information is compiled in tables VIa to VIg.

V Process Description- Edible Oil Refining Process

V.a. General information:

Seven edible oil units are operating in Krishnapatnam Port region. The units are involved in refining of crude palm and sunflower oil. The Palm Oil extraction is to be done with the fresh Palm fruit to avoid the deterioration of Palm Oil. Hence, palm oil is extracted in the countries where it is cultivated to avoid its deterioration. All the seven edible oil units are importing crude palm oil from Indonesia, Singapore and Malaysia. Crude Palm Oil is yellow red or dark yellow in color and contains certain impurities which are removed by physical refining. During refining, Phospholipids, free fatty acids, colouring pigments (Carotenoids), Moisture, oxidative material, metal impurities, and water soluble impurities (glycerol, Phenols, Sugars) are removed. Crude sunflower oil is

imported from Ukraine, Argentina, Malaysia. The crude palm oil is physically refined while the sunflower oil is chemically refined. All units are practising similar refining process with only minor modifications in the stages of refining. (carotenoids).

V.b Physical refining of crude palm oil: Crude palm oil contains 3.5% to 4.5% fatty acids that comes out as waste. Around 1% to 2% of fats or oil is lost in bleaching section. Total loss will be around 4.5% to 6.5%. The stages in physical refining are as follows:

- a. *De-gumming:* It is the process of removal of gums or phosphatides. It comprises the treatment of crude oil with water, salts, enzymes, caustic soda, or dilute acids such as phosphoric acid to remove phosphatides, waxes, pro-oxidants, and other impurities.
- b. *Bleaching:* Trace metal complexes such as iron & copper, colouring pigments and oxidative products are removed by adsorption using bleaching earth. Spent Earth is sold to soap manufacturing units.
- c. *De-odorizer:* Deodorization / De-acidification is done to remove the volatile components, mainly aldehydes and ketones, which causes smell in refined oil. In Deodorization process, free fatty acid removes in the form of Palm fatty acid distillate as a refining waste. During deodorization, bleached palm oil is steam distilled or boiled. The vapors from this section is the palm fatty acid distillate.
- d. *Crystallization:* Portion of palm oil will crystallize on cooling and is known as palm-stearin or margarine and the other portion remains as liquid and is called palm-olien or cooking oil.

Waste from physical refining: gums and other impurities and wastewater from degumming section, refining waste from refining section. The waste water contains oil and it is removed by centrifuge principles.

V.c Chemical refining of Sunflower oil/ Soybean oil: The steps involved in chemical refining are as follows:

- a. *Neutralization:* Addition of caustic to reduce FFA (gum/ phospho lipid) from crude palm oil
- b. *Bleaching:* Removal of colouring pigments and other impurities
- c. *De-waxing:* The wax so removed is sold to cosmetic industry
- d. *De-odorization:* Removal of fatty acids and other volatile components.
- e. *Fractionation:* separation of hard fraction from refined palm oil

VI. The status of edible oil industries is as follows

VI.a Compliance Status of M/s Gemini Edibles & Fats India Pvt Ltd

a	Name & complete address of the unit	M/s Gemini Edibles & Fats India Pvt Ltd, Sy.No. 1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore district
b	Contact Details	Sh. Prathap Vice- President Operations <u>+91 -9866556188</u>
c	Geo-coordinates	14°15'36.3"N 80°04'19.0"E
d	Area	15.2 acres
e	Status of CFO & Authorizations and its compliance	The combined Consent and Authorization issued by APPCB is valid till 30.06.2021.
f	Year of commissioning	2010
g	Production capacity	Refined Vegetable Oil (Physical refining)-550TPD Refined Vegetable Oil (Chemical refining)-250 TPD Fractioned vegetable oil- 600 TPD Interesterified fats- 125 TPD Vanaspathi-100 TPD <u>By-products</u> Distilled fatty acids-13386 Tons Per annum Acid oil-1690 Tons Per annum
h	Coal and flyash storage measures taken to control fugitive emissions	The unit has constructed separate shed for coal storage but however, it was observed during inspection that the size of the shed is small and coal was stored in open. The unit has installed water sprinklers in storage yard. The unit has installed flyash silo of capacity 100 Tonnes (10 days storage capacity against the direction of APPCB to install silo for 30 day storage. The flyash is sold to brick manufacturers. Partially complied.
i	Source of water and quantity of water used per day	Through water tankers and bore wells. The total water requirement of the unit is 610 KLD including domestic requirement. Quality of water will be having TDS of more than 1200 ppm, which has to be treated through RO. Ground water and water audit department has given permission to the unit to utilize 350 KLD of ground through four bore wells but three of them have become dry and the unit has constructed three new bore wells and is drawing 180 KLD of ground water and has obtained fresh permission to draw

		<p>additional 70 KLD of water. The unit has permission to utilize 250 KLD of ground water by 10hrs of pumping from the filter points. But however the major water requirement is met by procuring water in tankers.</p>
j	Effluent generation	<p>Around 30 KLD of effluent is generated from physical refining and is Low TDS effluent which is treated in ETP of capacity 200KL. ETP comprises of collection tank → oil recovery system → primary settling tank → DAF aeration tank → secondary clarifier → RO. Raw water is treated in two stage RO system and RO rejects (70 KLD) is also treated in MEE. Outlet effluent from ETP is treated in RO of 200 KLD capacity. RO permeate is taken to cooling tower and for dust suppression. RO reject is taken to MEE. 20 KL of HTDS effluent is generated from chemical refining section and after oil recovery it is treated in MEE followed by ATFD. ATFD salts sent to TSDF. MEE condensate is used for gardening and dust suppression.</p> <p>There is no proper effluent conveyance system, the open drains carry both effluent and storm water. Though the effluent generation is only 30 KLD and capacity of ETP is 200 KLD. The industry has not given justification for providing higher capacity of the ETP and RO even the industry is generating 30 KLD and 20 KLD of LTDS and HTDS effluents, hence it prevails the industry is operating ETP in phased manner. During storage in collection tank, settling and putrefaction of effluent takes place which is likely to emanate odour.</p> <p>There is no proper mechanism for sludge collection and transferring to sludge drying beds. Sludge was haphazardly stored in ETP area.</p> <p>Part of sewage generated from the unit is also treated in ETP even the industry provided STP of 30 KLD capacity.</p> <p>Not complying</p>

Table VI.a 1: Analysis results of samples collected by APPCB during 30.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	7.26	7.5	8.85	8.53	10.09	6.74	8.35

2	TSS	200	184	136	201	12	186	4	76
3	TDS	2100	3256	4018	10170	2486	52500	90	7240
4	COD	250	960	196	928	192	19680	<10	116
5	BOD	100	364	62	350	56	6152	BDL	34
6	Oil & grease	10	12.6	8.4	25	47	226	BDL	4.0

The results indicate that MEE condensate is not complying with discharge standards stipulated by APPCB. Therefore MEE condensate shall be treated in RO. ETP outlet is around 30 to 35 KLD and RO capacity is 200 KLD, treated effluent is stored in a tank and RO is operated once in a week during which oxidation may take place resulting in BOD & COD reduction. RO reject is having TDS of 7240 mg/L against APPCB stipulated standard of 2100mg/L. Hence RO reject will be treated in MEE.

k	Installation of magnetic flow meters with totalizer	Partially complied The unit has installed flow meters and totalizer at the inlet and outlet of ETP but however the unit has not installed flow meter at raw water inlet. Since both ground water and water from tankers is utilized, the unit has not quantified the total water consumption and water used for various utilities. Partially complied					
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of capacity 20 TPH</td> <td rowspan="2">Multi cyclone dust collector followed by Bag filters</td> </tr> <tr> <td>Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)</td> </tr> <tr> <td>3x 1000 KVA DG Sets</td> <td>Acoustic enclosures with silencer & Muffler</td> </tr> </table> <p>OCEMS has been installed at 24 mtr height of chimney. Not complying</p>	Boiler of capacity 20 TPH	Multi cyclone dust collector followed by Bag filters	Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)	3x 1000 KVA DG Sets	Acoustic enclosures with silencer & Muffler
Boiler of capacity 20 TPH	Multi cyclone dust collector followed by Bag filters						
Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)							
3x 1000 KVA DG Sets	Acoustic enclosures with silencer & Muffler						

TableVI.a.2: Stack monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	SPMmeasured value	APPCB emission standards
Stack attached to 20 TPH boiler	129.7 mg/Nm ³	115 mg/ Nm ³

TableVIa.3: Ambient air quality monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	PM 10 measured value	APPCB emission standards
Near the main gate within unit premises	132.2 µg/m ³	100 µg/m ³

m	Status of installation of online stack monitoring equipment	The unit has installed online continuous stack monitoring system to measure SPM and it is connected to APPCB server.
n	Status of green belt	Partially complied.

		<p>The unit has developed green belt in an area of 3.5 acres against the requirement of 5.0 acres (33%) with avenue plants. It was informed to the committee that the unit has taken compensatory plantation in their own 32 acres of land in other area. Rain water harvesting pit of 50MtrX40mtr is established inside the plant.</p>					
o	Hazardous waste generation	<p>Unit is generating MEE salts, ETP sludge, used oil and spent nickel catalyst. MEE salts and ETP sludge are disposed to TSDF. The quantity of MEE salts & ETP sludge sent to TSDF is around 9 to 10 MT every three months against consented quantity of 10 MT / month.</p> <p>ETP sludge is not properly removed and stored. Used oil and oil recovered from ETP is sold to soap manufacturers/ oil reclamation units, however no records were shown to committee.</p> <p>No records were shown to the committee on disposal of spent nickel catalyst. There is no proper covered shed for hazardous waste storage.</p>					
p	Actions taken by APPCB during last one year	<p>The APPCB has issued directions to the industry 15.02.2018, 27.12.2018, 17.01.2020. The APPCB has forfeited Bank Guarantee of Rs.5.0 Lakhs on 17.01.2020 for non-compliance of Board directions.</p> <p>Directions were again issued on 28.09.2020.</p> <p>The APPCB has again forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.</p>					
<p>Overall Compliance status</p> <p>APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement but partially complied with few of the directions as detailed above. But the committee observed that APPCB has not received specific complaints against the unit for discharging of effluent outside the industry premises. As per OCEMS records available with APPCB, the unit is not complying with APPCB standards for Particulate Matter. ZLD system installed. The actual water requirement of the unit is more than available water resources in the region. Since the unit is partially complying the committee calculated environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</p>							
S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 13.10.2020*	80	1.5	1	250/-	270	81,00,000/-

<i>Total EC for violation</i>						270	81,00,000/-
<i>Compensation levied by APPCB from 17.01.2020 onwards</i>							15,00,00
<i>Net Compensation to be paid by M/s Gemini Edibles</i>							66,00,000/-
<i>Rupees Sixty-Six Lakhs Only</i>							

List of major non-compliances

- *stack emission and ambient air not complying with APPCB standards w.r.t SPM and PM 10 respectively*
- *MEE condensate and RO reject which is used for green belt development/ dust suppression is not complying with APPCB discharge standards w.r.t TDS and O&G*
- *No proper effluent conveyance system from production block to ETP*

VI.b Compliance Status of Emami Agrotech Limited

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s Emami Agrotech Limited, Sy No.s 501, 502/1 etc., Pantapalem (V), Muthukur (M), SPSR Nellore</i>	
<i>b</i>	<i>Contact Details</i>	<i>Sri M.V.Narayana Murthy- Unit Head, Mobile: 9677167862</i>	
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15' 40.2"N 80° 04' 23.2"E</i>	
<i>d</i>	<i>Area</i>	<i>29.78 acres</i>	
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The CFO and Authorization are valid till 30.11.2021</i>	
<i>f</i>	<i>Year of commissioning</i>	<i>2013</i>	
<i>g</i>	<i>Production capacity</i>	<i>Refined Palm oil</i>	<i>1886 TPD</i>
		<i>Sunflower oil</i>	<i>186TPD</i>
		<i>Interesterfied oil</i>	<i>100 TPD</i>
		<i>Hydrogenated Oil</i>	<i>100 TPD</i>
		<i>Vanaspathi</i>	<i>200 TPD</i>
		<i>Refining of Soft Palm oil</i>	<i>130 TPD</i>
		<i>Palmolein</i>	<i>800 TPD</i>
		<i>Bakery Fat</i>	<i>210 TPD</i>
		<i>Palm stearine</i>	<i>200 TPD</i>
		<i>By Product</i>	
		<i>Distilled Palm Fatty Acids</i>	<i>106.325TPD</i>
		<i>Distilled sunflower Fatty acids</i>	<i>0.5 TPD</i>
		<i>Acid Oil</i>	<i>14 TPD</i>

h	Coal and flyash storage measures	<p>The unit has constructed separate shed for storage of rice husk and coal however it was stored both inside and outside the shed. 41 TPD of ash is generated per day. The unit has installed a silo of 150 Tonnes (roughly six days storage capacity) against APPCB direction of 30 days storage capacity. Fly ash spillage was observed in the area. The fly ash is also dumped in North east side of the industry.</p> <p>On the day of inspection, chemical refining plant was not in operation</p> <p>Not complying</p>														
i	Source of water and quantity of water used per day	<p>The total water requirement of the unit is 902 KLD and majority (80 to 90%) of the water requirement is met from tankers. The total water consumed is not quantified by means of flow meter but however the units have maintained registers for the no. of tankers of water received. The quantity of water drawn from borewells is amounted by no. of pumping hours which is not accurate.</p>														
j	Effluent generation	<table border="1" data-bbox="776 1114 1393 1486"> <thead> <tr> <th>Source</th> <th>Wastewater generation</th> </tr> </thead> <tbody> <tr> <td>Process & Washings</td> <td>23.0 KLD</td> </tr> <tr> <td>Acid Oil Plant</td> <td>6.0 KLD</td> </tr> <tr> <td>Boiler Bleed off</td> <td>28.0 KLD</td> </tr> <tr> <td>Cooling Tower Blow down</td> <td>32.0 KLD</td> </tr> <tr> <td>RO Reject</td> <td>60.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>6.0 KLD</td> </tr> </tbody> </table> <p>The quantity of the effluent collected in the ETP is not proportionate with their production and water consumption. The effluent is transferred in open drains from production block to ETP and committee observed that effluent spillage, over flow into adjoining areas. Storm water drains were filled with effluent and drains were clogged. The MEE and Sludge Centrifuge were not in operation since chemical refining was not taking place.</p> <p>STP is provided for treatment of sewage.</p>	Source	Wastewater generation	Process & Washings	23.0 KLD	Acid Oil Plant	6.0 KLD	Boiler Bleed off	28.0 KLD	Cooling Tower Blow down	32.0 KLD	RO Reject	60.0 KLD	Domestic	6.0 KLD
Source	Wastewater generation															
Process & Washings	23.0 KLD															
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Boiler Bleed off	28.0 KLD															
Cooling Tower Blow down	32.0 KLD															
RO Reject	60.0 KLD															
Domestic	6.0 KLD															
k	Installation of magnetic flow meters with totalizer	<p>Flow meters installed at inlet and outlet of ETP & STP but total water consumed is not quantified</p>														
l	Quantity of effluent discharged and mode of disposal. Components of ETP.	<p>The ETP is very poorly maintained. The aeration was not in operation. Sludge is not removed and oily sludge was accumulated in all components of ETP and which results in</p>														

		<p>improper operation of ETP . The unit has to first scrap and remove the accumulated sludge and send it to TSDF. After sludge removal, the mixing chambers and aerators has to be repaired and ensure that ETP is properly operated.</p> <p>Presently, effluent from filter press is pouring down and not recycled into ETP and sludge is lying below the filter press. Periodically, the sludge is manually removed, packed in bags and stored in ETP area. The unit has not provided dedicated storage shed for storing hazardous wastes. Provision shall be made to recycle the effluent from filter press into ETP. A bin will be provided to collect the sludge from filter press. MEE condensate and RO permeate as well as RO reject is used for dust suppression and green belt development.</p> <p>A periphery drain carrying the effluent and storm water drain was found to join the creek at south-east corner of the unit. Though it is temporarily closed but during heavy rains, there are likely chances of effluent joining the drain.</p> <p>Not complying</p>
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Table VI.b 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	RO permeate	RO reject
1	pH	5.5-9.0	6.63	7.29	2.00	7.30	7.54
2	TSS	200	132	118	156	4	120
3	TDS	2100	2352	2798	11955	198	5137
4	COD	250	1960	320	7800	<10	176
5	BOD	100	627	104	2496	BDL	40
6	Oil & grease	10	13.4	10.8	15.8	BDL	12.0

The unit is using RO reject for dust suppression and green belt. From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards.

m	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Source	Air pollution control device installed
		FBC Boiler of capacity 16 TPH	Multi cyclone dust collector followed by Bag filters and attached to
		Thermic fluid heater of capacity 8.0 lakh k.cal/hr (Coal or husk fired)	Common stack of height 30m

	Thermo siphon of capacity 20 lakh k.cal/hr	Bag filters
	Thermic fluid heater of capacity 6.0 lakh k.cal/hr (Coal or husk fired)	Bag filters
	DG sets of 1x750 KVA, 1x1500 KVA	Acoustic enclosures
	FBC Boiler of capacity 36 TPH	Electro-static precipitators(ESP)- 3 no. of fields with stack height of 35 mtrs
	Thermo siphon of capacity 20 lakh k.cal/hr	Bag filter

Table VI.b.2: Stack monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	123.5 mg/Nm ³	115 mg/Nm ³

Table VI.b.3: Ambient air quality monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	PM 10 measured value	APPCB standards
Near the main gate within unit premises	125.5 µg/m ³	100 µg/m ³

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

n	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online PM monitors and connected to APPCB servers
o	Status of green belt	Reported that the unit has planted 7000 trees along the unit boundary but is not complying with 33% green belt. Unit shall further develop green belt in vacant spaces.
p	Hazardous waste generation	MEE Centrifuge salts and ETP sludge are the hazardous wastes generated from the unit. As per the production records and as per consent, the unit has to generate 30TPM of MEE-centrifuge and 8.4 tons of ETP sludge but from the hazardous waste manifest copies it is observed that the unit has despatched only 10-15 tons of hazardous waste to TSDF. This implies that either the unit is not properly operating ETP and

		<p>MEE&MEE Centrifuge or the hazardous waste so generated is haphazardly disposed. It was observed that sludge was lying in open in the unit premises. There is no dedicated hazardous waste storage shed.</p> <p>Oil recovered from ETP is sold to soap manufacturers.</p>					
q	<p>Actions taken by APPCB during last one year</p> 	<p>APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards and for exceeding the consented production in terms of chemical refining. The unit was again inspected by APPCB officials on 31.01.2020 & 04.02.2020 and found non-complying. APPCB vide order dated 20.03.2020 issued directions to the unit to ensure compliance. APPCB carried out analysis and monitoring on 18.06.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.</p>					
<p>Overall Compliance status</p> <p>APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like replacement of old MEE with new MEE and installation of Centrifuge in place of ATFD which is not adequate for converting MEE concentrate in to salts. During APPCB inspections during January and February, 2020, unit was found discharging effluent into adjoining drains.</p> <p>Further, the unit is not complying with effluent discharge and emission standards stipulated by APPCB, with APPCB directions dated 20.03.2020, no proper effluent transfer system. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</p>							
S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 20.03.2020*	80	1.5	1	250/-	63	18,90,000/-
2	21.03.2020 to 13.10.2020	80	1.5	1	250/-	206	61,80,000 x 2 (for repeated violation) =1,23,60,000
3	Compensation levied by APPCB on or after 17.01.2020						10,00,000/-
Total Environmental Compensation for violation						269	1,32,50,000/-
Rupees One Crore Thirty-two lacs fifty thousand Only							
<i>Major Non-Compliances</i>							

- The unit has not achieved ZLD. Instead of MEE-ATFD the unit has installed MEE-centrifuge which is not adequate to convert MEE concentrate to salts.
- The unit is not complying with effluent discharge and emission standards stipulated by APPCB. No proper effluent transport system is provided, the drains are completely clogged. The effluent generated and hazardous waste generated is not matching with the production details and water consumption.
- Flyash is found dumped adjacent to the unit in north-eastern direction
- During APPCB inspections in January and February, 2020, the unit was found discharging the effluent into storm water drains located outside the industry.

VI.C. Compliance Status of M/s Adani Wilmar Limited (Unit-I)

a	Name & complete address of the unit	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.														
b	Contact Details	Sri. Vishal Jain, Unit Head. Email: Vishal.Jain1@adaniwilmar.in Mobile No.: 8886060496														
c	Geo-coordinates	14°15' 27.14"N 80° 03' 16.38"E														
d	Area	14.91 acres														
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2021														
f	Year of Commissioning	2011														
g	Production capacity	<table border="1"> <tr> <td>Refined vegetable Oils (Physical Refining)</td> <td>600 TPD</td> </tr> <tr> <td>Interesterified Vegetable Fats</td> <td>100 TPD</td> </tr> <tr> <td>Hydrogenated Vegetable Oils</td> <td>100 TPD</td> </tr> <tr> <td>Refined vegetable Oils (Chemical refining)</td> <td>200 TPD</td> </tr> <tr> <td>Bakery Fat</td> <td>145 TPD</td> </tr> <tr> <td colspan="2">By Products</td> </tr> <tr> <td>Distilled Fatty Acid</td> <td>45.55 TPD</td> </tr> </table>	Refined vegetable Oils (Physical Refining)	600 TPD	Interesterified Vegetable Fats	100 TPD	Hydrogenated Vegetable Oils	100 TPD	Refined vegetable Oils (Chemical refining)	200 TPD	Bakery Fat	145 TPD	By Products		Distilled Fatty Acid	45.55 TPD
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Bakery Fat	145 TPD															
By Products																
Distilled Fatty Acid	45.55 TPD															

h	Coal and flyash storage measures taken to control fugitive emissions	<p>The industry has provided shed for storage of coal with water sprinklers.</p> <p>The unit is generating 480 TPM of flyash and unit has installed ash silo of 100MT (around seven days' storage capacity) against APPCB direction of installing silo of 30 days' storage capacity. Reported that unit is disposing the flyash on alternate day basis.</p>								
i	Source of water and quantity of water used per day	<p>The total water requirement of the unit is 260 KLD and additional 4KLD is recycled from RO plant. The unit is having permission from Ground Water and Water Audit department to draw 150 KLD of ground water. But due to high salinity the unit 75% of water requirement is met from tankers.</p>								
j	Effluent generation	<p>The unit is generating 90 KLD of effluent. Low TDS effluent is treated in ETP of 115KL capacity comprising of Fat trap, equalisation tank, chemical dosing tank, primary settling tank, aeration, Secondary settling tank, Aeration tank2, clarifier, Tube settler and filter press. Treated effluent from ETP is further treated in RO. It is a ZLD plant.</p> <table border="1" data-bbox="776 1376 1414 1731"> <thead> <tr> <th data-bbox="776 1376 1227 1468">Source</th> <th data-bbox="1227 1376 1414 1468">Wastewater generation</th> </tr> </thead> <tbody> <tr> <td data-bbox="776 1468 1227 1634">Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)</td> <td data-bbox="1227 1468 1414 1634">73.0 KLD</td> </tr> <tr> <td data-bbox="776 1634 1227 1679">Acid wash</td> <td data-bbox="1227 1634 1414 1679">8.0 KLD</td> </tr> <tr> <td data-bbox="776 1679 1227 1731">Domestic</td> <td data-bbox="1227 1679 1414 1731">10.0 KLD</td> </tr> </tbody> </table> <p>High TDS effluent is treated in three stage MEE-15KL capacity followed by ATFD.</p> <p>Sewage is treated in septic tank followed by soak pit.</p> <p>Rainwater harvesting pits and Summer storage tank is available. Summer storage tank capacity is 180MT</p>	Source	Wastewater generation	Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD	Acid wash	8.0 KLD	Domestic	10.0 KLD
Source	Wastewater generation									
Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD									
Acid wash	8.0 KLD									
Domestic	10.0 KLD									
k	Installation of magnetic flow meters with totalizer	<p>Flow meters installed at inlet and outlet of ETP and MEE feed tank. Flow meter is not installed to quantify raw water consumption.</p>								

Table VI.C 1: Analysis results of samples collected by APPCB during 23.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	6.42	7.22	5.56	4.09	5.94	6.5	7.69
2	TSS	200	200	122	136	12	200	20	120
3	TDS	2100	2642	1380	28925	208	38051	740	4990
4	COD	250	1712	260	34000	24	67200	32	112
5	BOD	100	420	60	8500	2.6	16800	52	28
6	Oil & grease	10	20.2	16.4	28.2	BDL	20	BDL	BDL

MEE condensate is not complying with discharge limits stipulated by APPCB for pH. The unit shall neutralize the MEE condensate before discharging.

RO reject is not complying with APPCB discharge limits for TDS. RO reject shall be treated in MEE before discharging. RO permeate is complying with standards.

From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP.

1	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Boiler of capacity 1 x 16 TPH	Mechanical dust collectors fol. by bag filters	
		Boiler of capacity 1 x 12.0 TPH		
		Thermic Fluid Heater 2 x 6 Lakh. K. Cal/ hour & 1 x 10 Lakh. K. Cal/hour		Dust collectors
		Thermo siphon of capacity 4 lakh k.cal/hr		
		DG sets of 1x1250 KVA, 2x625 KVA		Acoustic enclosure

Table VI.C.2: Stack monitoring by APPCB on 23.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	101.8 mg/Nm ³	115 mg/Nm ³

Table VI.C.3: Ambient air quality monitoring at M/s, Adani Wilmar Limited (Unit-I) by APPCB on 23.06.2020

Source	PM ₁₀ measured value	APPCB standards
Near the main gate within unit premises	95.5 µg/m ³	100 µg/m ³

The unit is complying with stack emissions and ambient air standards.		
m	Status of installation of online stack monitoring equipment	Stack attached to boiler is provided with continuous online PM monitors and connected to APPCB servers
n	Status of green belt	The unit has developed green belt in around 4 acres of land.
o	Hazardous waste generation	MEE salts (0.2 TPD) and ETP sludge (0.4 TPD) are the hazardous wastes generated from the unit and it is stored in 40 MT covered shed and it is disposed to TSDF
p	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 27.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non compliance of the Board directions.
<p>Overall Compliance status:</p> <p>As compared to other units in the region, M/s Adani Wilmar Unit-I has implemented lot of corrective measures. There were proper effluent transfer system, Emissions are complying with APPCB norms.</p> <p>Major non-compliances observed in the unit are</p> <ul style="list-style-type: none"> MEE condensate is not meeting the APPCB stipulated standards w.r.t pH. The unit shall be directed to check for pH and neutralize the effluent before final discharge. Illegal drawal of ground water through tankers from outside agencies. Not provided ash silo for 30 days storage capacity 		

VI.d. Compliance Status of M/s. Adani Wilmar -(Unit-II)

a	Name & complete address of the unit	M/s. Adani Wilmar -(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		
b	Contact Details	Sri G. Sreenivasulu, Plant Head +91- 9444398011 sreenivasulu.gundarapu@adanwilmar.in		
c	Geo-coordinates	14°15' 20"N 80° 04' 25.9"E		
d	Area	15.58 acres		
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 29.02.2024		
f	Year of Commissioning	2011		
g	Production capacity	S.N	Products	Quantity
		01	Physical Refining Refined Vegetable Oil (Palm Oil, Palmolein, Palm Stearin)	600 TPD

		02	Chemical Refining Refined Vegetable Oil (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	200 TPD
		02	Fractionated Vegetable Oil	800 TPD
		03	Interesterified Vegetable Oil	150.0 TPD
		04	Vanaspathi	150.0 TPD
		Co-Product		
		1	Palmstearin	167.0 TPD
		By-products		
		1	Distilled Fatty Acids (Physical refining) (Palm Oil, Palm kernel, Palmolein)	48.0 TPD
		2	Distilled Fatty Acids (Chemical refining) (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	0.8 TPD
		3	Acid Oil	4.0 TPD
		4	Soap Stock	4.0 TPD
		5	Acid Sludge	0.6 TPD
		6	Gums	9.0 TPD
<i>h</i>	Coal and flyash storage	<p>The unit is generating 940 TPM of flyash and unit has installed silo of 40 tonnes (roughly around Two days storage) against APPCB direction of 30 days storage capacity storage capacity. Lot of Fly ash spillage was observed in the area.</p> <p>Reported that unit is disposing flyash on alternate days. The unit should have had minimum of 10 days storage capacity.</p>		
<i>i</i>	Source of water and quantity of water used per day	Source	Water consumption	
		Floor washings, plant washings from physical refining process, inter-esterfied fats, vanaspathi unit	15.0 KLD	
		Chemical refining Manufacturing Process	25.0 KLD	

		<table border="1"> <tbody> <tr> <td>Washings in chemical refining (Acid Oil Wash)</td> <td>30.0 KLD</td> </tr> <tr> <td>DM/ Softener</td> <td>5.0 KLD</td> </tr> <tr> <td>Boiler R.O. (Fresh water for Boiler feed-210 KLD)</td> <td>275.0 KLD</td> </tr> <tr> <td>Cooling towers (Non contaminated)</td> <td>70.0 KLD</td> </tr> <tr> <td>Cooling towers (contaminated)</td> <td>60.0 KLD</td> </tr> <tr> <td>Gardening</td> <td>30.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>20.0 KLD</td> </tr> <tr> <td>Total</td> <td>530</td> </tr> </tbody> </table> <p>Though the unit has obtained permission to withdraw 380 KL of ground water but 75% of the water requirement is met from tankers.</p>	Washings in chemical refining (Acid Oil Wash)	30.0 KLD	DM/ Softener	5.0 KLD	Boiler R.O. (Fresh water for Boiler feed-210 KLD)	275.0 KLD	Cooling towers (Non contaminated)	70.0 KLD	Cooling towers (contaminated)	60.0 KLD	Gardening	30.0 KLD	Domestic	20.0 KLD	Total	530
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j	Effluent generation	<table border="1"> <tbody> <tr> <td>Process & Washings physical and chemicals, Cooling tower, Boiler blow down</td> <td>100.0 KLD</td> </tr> <tr> <td>Feed water RO Reject & DM/ Softener back wash</td> <td>70.0 KLD</td> </tr> <tr> <td>Acid Oil Wash</td> <td>30.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>15.0 KLD</td> </tr> </tbody> </table> <p>The unit has installed an ETP of 200 KLD capacity followed by RO plant of 10 KLH capacity for treatment of LTDS. HTDS effluent is treated in three stage three stage MEE -60 KLD followed by ATFD to meet ZLD system but ATFD is completely worn out and is not in operation. Sewage is treated in Septic tanks followed by soak pits. But it was observed that ETP is not properly maintained. ETP sludge is stored in the ETP section in open and leachate was flowing. ETP comprises of Fat Trap, Equalization tank, Chemical Dosing tank, Primary Clarifier, Collection tank, Aeration tank, Secondary Clarifier, secondary Collection tank, Filter Press (2No.). Effluent carrying drains were clogged.</p> <p>Unit has constructed rainwater harvesting pits and summer storage tank of 1600 KL capacity.</p>	Process & Washings physical and chemicals, Cooling tower, Boiler blow down	100.0 KLD	Feed water RO Reject & DM/ Softener back wash	70.0 KLD	Acid Oil Wash	30.0 KLD	Domestic	15.0 KLD								
Process & Washings physical and chemicals, Cooling tower, Boiler blow down	100.0 KLD																	
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Acid Oil Wash	30.0 KLD																	
Domestic	15.0 KLD																	
k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, MEE outlet.																

Table VI.d 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	5.27	7.64	7.13	8.08	6.24
2	TSS	200	186	122	206	4	180
3	TDS	2100	4279	2516	5100	80	22840
4	COD	250	772	360	404	BDL	58020
5	BOD	100	290	114	136	BDL	14876
6	Oil & grease	10	18.2	12.6	15	BDL	158

On the day of APPCB inspection RO was not in operation and treated effluent was directly discharged without treating in RO. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards

1	Air pollution source	Air pollution control device provided
Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	FBC Boiler of capacity 20.0 TPH	Multi cyclone dust collector followed by Bag filters
	Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;	Chimney to disperser the flue gases
	FBC boiler of Capacity 7.0 TPH	Dust Collector & Bag filter
	Thermo Syphon 1x15 Lakh.k.cal	Mechanical dust collectors fol.by bag filters
	DG sets of 1x1010 KVA, 1x1250KVA	Acoustic enclosure
	The unit has installed online emission monitor system to measure SPM and is connected to APPCB server.	

TableVI.d.2: Stack monitoring at by APPCB on 30.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 7 TPH boiler	85.5 mg/Nm ³	115 mg/ Nm ³

TableVI.d.3: Ambient air quality monitoring by APPCB on 30.06.2020

Source	PM ₁₀ measured value	APPCB standards
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Near the main gate within unit premises	90.5 $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$					
The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.							
m	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online SPM monitors and connected to APPCB servers					
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 to 4.0 acres against APPCB requirement of 5 acres (33%)					
o	Hazardous waste generation	5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers					
p	Actions taken by APPCB during last one year	APPCB has vide order dated.17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non compliance of the Board directions.					
Overall Compliance status							
APPCB issued directions to the unit vide order dated 15.02.2018. Further, the unit is not complying with APPCB directions dated 17.01.2020, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Two days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$							
S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 14.10.2020	80	1.5	1	250/-	271	81,30,000/-
EC for violation						271	81,30,000/-
EC levied by APPCB after 17.01.2020							7,50,000/-
Total EC to be paid by unit							73,80,000/-
Rupees Seventy-Three lacs and Eighty thousand Only							

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VI.E Compliance Status of M/s South India Krishna Oil & Fats Pvt.Ltd

a	Name & complete address of the unit	M/s.South India Krishna Oil & Fats Pvt.Ltd., Sy.No.275,279,280 & 281,Epuru Bit - 1B, Pantapalem (V), Muthukur (M), SPSR Nellore Dist																													
b	Contact Details	Sri B. Muthu Krishnan, GM +91-7799800065 vincent.paul@siols.com																													
c	Geo-coordinates	14°15' 19.7"N 80° 02' 50"E																													
d	Area	16.12 acres																													
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2022																													
f	Year of Commissioning	2014																													
g	Production capacity	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Refined Oil (Physical Refining)</td> <td style="width: 30%;">1000 TPD</td> </tr> <tr> <td>RBDPalmolein</td> <td>800 TPD</td> </tr> <tr> <td>TBD Stearine</td> <td>200 TPD</td> </tr> <tr> <td>Vanaspathi</td> <td>200 TPD</td> </tr> <tr> <td>Palm Powder</td> <td>72 TPD</td> </tr> <tr> <td>Palm Flakes</td> <td>50 TPD</td> </tr> <tr> <td colspan="2">By Product</td> </tr> <tr> <td>Distilled Fatty Acid (Physical Refining)</td> <td>42 TPD</td> </tr> <tr> <td>Refined Vegetable Oil (Soyabean, Sunflower, Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)</td> <td>192 TPD</td> </tr> <tr> <td colspan="2">By Product</td> </tr> <tr> <td>Distilled Fatty Acid (Chemical Refining)</td> <td>0.488 TPD</td> </tr> <tr> <td>Acid Oil</td> <td>4.0 TPD</td> </tr> <tr> <td>Soap Stock</td> <td>8.0 TPD</td> </tr> <tr> <td>Wax</td> <td>2.05 TPD</td> </tr> </table>		Refined Oil (Physical Refining)	1000 TPD	RBDPalmolein	800 TPD	TBD Stearine	200 TPD	Vanaspathi	200 TPD	Palm Powder	72 TPD	Palm Flakes	50 TPD	By Product		Distilled Fatty Acid (Physical Refining)	42 TPD	Refined Vegetable Oil (Soyabean, Sunflower, Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)	192 TPD	By Product		Distilled Fatty Acid (Chemical Refining)	0.488 TPD	Acid Oil	4.0 TPD	Soap Stock	8.0 TPD	Wax	2.05 TPD
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Wax	2.05 TPD																														
g	Coal and flyash storage	<p>Unit is generating 14 TPD of flyash and is equipped with ash pneumatic conveying system for conveying ash from different points to ash silos and ash shed to avoid the ash escaping into the air.</p> <p>Ash storage yard having a capacity of 30 days including silo &</p>																													

		closed storage shed. Lot of fugitive dust is emitted while loading from storage shed into trucks.												
<i>h</i>	<i>Source of water and quantity of water used per day</i>	<table border="1"> <thead> <tr> <th><i>Source of water</i></th> <th><i>Consumption in KLD</i></th> </tr> </thead> <tbody> <tr> <td><i>Process & washings (physical & chemical)</i></td> <td><i>21.0 KLD</i></td> </tr> <tr> <td><i>Cooling Make up</i></td> <td><i>319.0 KLD</i></td> </tr> <tr> <td><i>Boiler</i></td> <td><i>586.0 KLD</i></td> </tr> <tr> <td><i>Domestic</i></td> <td><i>23.0 KLD</i></td> </tr> <tr> <td><i>Total</i></td> <td><i>949 KLD</i></td> </tr> </tbody> </table> <p>Though the unit has obtained permission to withdraw 360 KL of ground water but entire water requirement of 949 KLD is met from tankers.</p>	<i>Source of water</i>	<i>Consumption in KLD</i>	<i>Process & washings (physical & chemical)</i>	<i>21.0 KLD</i>	<i>Cooling Make up</i>	<i>319.0 KLD</i>	<i>Boiler</i>	<i>586.0 KLD</i>	<i>Domestic</i>	<i>23.0 KLD</i>	<i>Total</i>	<i>949 KLD</i>
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<i>i</i>	<i>Effluent generation</i>	<table border="1"> <thead> <tr> <th><i>Source</i></th> <th><i>Effluent generation</i></th> </tr> </thead> <tbody> <tr> <td><i>Trade effluents (Boiler & Cooling tower blow down, Process, Primary dual RO, back wash)</i></td> <td><i>136.0 KLD</i></td> </tr> <tr> <td><i>HTDS effluents from Acid plant and dual RO rejects</i></td> <td><i>53.0 KLD</i></td> </tr> <tr> <td><i>Primary RO rejects</i></td> <td><i>93.0 KLD</i></td> </tr> <tr> <td><i>Domestic</i></td> <td><i>16.0 KLD</i></td> </tr> </tbody> </table> <p>ETP of 300 KLD & Dual RO Plant, MEE of 18 KLD followed by ATFD provided to meet ZLD . STP of 20 KLD provided for domestic purposes. ETP comprises of Collection tank, Oil & grease trap, Equalization tank, Primary clarifier, Aeration tank 1 & 2, buffer tank, Secondary clarifier, Sludge drying beds & Filter Press, Pressure Sand filter, activated carbon filter etc. The effluent is transferred in drain which is completely clogged. Thick oily scum is accumulated on the surface of aeration and clarification tank. Aerator was not working. Effluent and oil spillage in production block and ETP section. The unit has not installed rain water harvesting pits.</p>	<i>Source</i>	<i>Effluent generation</i>	<i>Trade effluents (Boiler & Cooling tower blow down, Process, Primary dual RO, back wash)</i>	<i>136.0 KLD</i>	<i>HTDS effluents from Acid plant and dual RO rejects</i>	<i>53.0 KLD</i>	<i>Primary RO rejects</i>	<i>93.0 KLD</i>	<i>Domestic</i>	<i>16.0 KLD</i>		
<i>Source</i>	<i>Effluent generation</i>													
<i>Trade effluents (Boiler & Cooling tower blow down, Process, Primary dual RO, back wash)</i>	<i>136.0 KLD</i>													
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<i>Primary RO rejects</i>	<i>93.0 KLD</i>													
<i>Domestic</i>	<i>16.0 KLD</i>													

Table VI.e 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	6.99	7.02	4.89	6.99	5.62
2	TSS	200	132	86	156	12	145
3	TDS	2100	2982	1874	32669	128	36278
4	COD	250	456	216	90800	72	38000
5	BOD	100	146	68	29056	16	12160
6	Oil & grease	10	12.4	6.2	16.5	---	17.0

From the analysis results it is evident that MEE is not properly operated, the concentration of COD and BOD is high in MEE feed rather than in MEE concentrate. There is only slight variation in TDS concentration in MEE feed and concentrate.

j Installation of magnetic flow meters with totalizer Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, ATFD inlet, MEE outlet.

k	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Boiler of capacity 1x24 TPH	Mechanical dust collectors fol. by bag filters
		Boiler of capacity 1x15.0 TPH	
		Thermo Syphon 1x20 Lakh.k.cal.	
		Thermic Fuel Heater 2x6 Lakh. K.cal/hour	Mechanical dust collectors fol. by bag filters
		4x750 KVA D.G. Sets	Acoustic enclosures

The unit has installed online emission monitors to measure SPM and is connected to APPCB server.

Table: Stack monitoring by APPCB on 16.06.2020.

Source	SPM measured value	APPCB emission standards
Stack attached to 16 TPH boiler	105.8 mg/Nm ³	115 mg/ Nm ³

Table: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM ₁₀ measured value	APPCB standards

Near the main gate within unit premises	89.5 $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$					
<i>The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.</i>							
l	<i>Status of installation of online stack monitoring equipment</i>	<i>OCEMS installed in both the chimnies attached to Boiler -24 TPH & common chimney provided to 15 & 16 TPH boilers which is connected to APPCB Server.</i>					
m	<i>Status of green belt</i>	<i>Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 acres against APPCB requirement of 5 acres (33%). The unit has developed 1.0 Acre of green belt towards South Side outside of the industry.</i>					
n	<i>Hazardous waste generation</i>	<i>0.6 TPD of ATFD salts and 0.037 TPD of ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers</i>					
o	<i>Actions taken by APPCB during last one year</i>	<i>APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.</i>					
<p><i>Overall Compliance status</i></p> <p><i>APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like compliance of stack, AAQ and ETP discharge standards.</i></p> <p><i>MEE shall be operated properly</i></p> <p><i>Further, the unit is not complying with APPCB directions, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Five days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</i></p>							
S.N	<i>Period of noncompliance</i>	<i>PI</i>	<i>S</i>	<i>LF</i>	<i>R (Rs)</i>	<i>N (days)</i>	<i>Environmental compensation (Rs)</i>
1	17.01.2020 to 14.10.2020	80	1.5	1	250/-	271	81,30,000/-

EC for violation	271	81,30,000/-
EC levied by APPCB on or after 17.01.2020		10,00,000/-
Total EC to be paid by the unit to APPCB		71,30,000/-
Rupees Seventy- One lacs and thirty thousand Only		

VI.F Compliance Status of M/s. Santhoshimatha Oils and Fats Private Limited

a	Name & complete address of the unit	M/s. Santhoshimatha Oils and Fats Private Limited, Sy.No.252, Epuru Bit-IB, Pantapalem Village, Muthukur Mandal, SPSR Nellore District													
b	Contact Details	Sh. Ganesh Vidhun Kota ganeshvk@smoils.com 9963329792													
c	Geo-coordinates	14°15' 18.1"N 80° 02' 39.1"E													
d	Area	5.52 acres													
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.01.2022													
f	Year of Commissioning	2016													
g	Production capacity	Refined Palm oil	225 TPD												
		By product													
		Distilled Fatty Acids	15 TPD												
h	Coal and flyash storage	Unit is generating 8 TPD of flyash and has installed ash silo of 30 tonnes(4- 5 days storage capacity). In addition a covered shed is provided for flyash storage.													
i	Source of water and quantity of water used per day	<table border="1"> <thead> <tr> <th>Source</th> <th>Water consumption</th> </tr> </thead> <tbody> <tr> <td>Process & Wash</td> <td>12 KLD</td> </tr> <tr> <td>Boiler Feed & Cooling</td> <td>70 KLD</td> </tr> <tr> <td>Tower Make up</td> <td></td> </tr> <tr> <td>Domestic</td> <td>8.0 KLD</td> </tr> <tr> <td>Total</td> <td>90 KLD</td> </tr> </tbody> </table> <p>The unit has obtained permission from Ground Water and Water Audit Department, Government of Andhra Pradesh vide order dated 01.10.2020 to draw 70 KLD of ground water.</p>		Source	Water consumption	Process & Wash	12 KLD	Boiler Feed & Cooling	70 KLD	Tower Make up		Domestic	8.0 KLD	Total	90 KLD
Source	Water consumption														
Process & Wash	12 KLD														
Boiler Feed & Cooling	70 KLD														
Tower Make up															
Domestic	8.0 KLD														
Total	90 KLD														

		Previously the water requirement was met through tankers. As per the Ground water report the quality of ground water is moderate saline in nature. The water is procured through tankers.				
j	Effluent generation	<table border="1"> <tr> <td>Trade effluents</td> <td>20 KLD</td> </tr> <tr> <td>Domestic</td> <td>5.0 KLD</td> </tr> </table> <p>The unit is involved in only physical refining and only LTDS effluent is generated. The effluent is treated in ETP of 50 KLD followed by RO Plant. ETP comprises of bar screens, oil & grease trap, equalization cum neutralization tank, aeration tank, primary clarifier, aeration tank, secondary clarifier, sand filter, carbon filter, sludge drying beds. ETP outlet is treated in RO plant of 5m³/hr capacity. The treated effluent is utilized for green belt development and RO reject is used for ash quenching.</p>	Trade effluents	20 KLD	Domestic	5.0 KLD
Trade effluents	20 KLD					
Domestic	5.0 KLD					

Table VI.f 1: Analysis results of samples collected by APPCB during 19.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	RO feed	RO permeate	RO reject
1	pH	5.5-9.0	4.94	6.69	7.56	7.11	7.28
2	TSS	200	183	150	160	140	120
3	TDS	2100	4506	2844	1310	521	3460
4	COD	250	860	320	104	20	96
5	BOD	100	326	112	22	2.8	15
6	Oil & grease	10	22.4	18.3	40	BDL	BDL

The unit is not complying with effluent discharge standards with respect to TDS, COD, BOD and Oil & Grease. The RO reject is having TDS higher than the APPCB discharge limits and hence RO reject shall be recycled back to ETP for treatment.

k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at inlet and outlet of ETP			
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of 8.0 TPH</td> <td rowspan="2">Mechanical dust collectors fol. by bag filters</td> </tr> <tr> <td>Thermic Fluid Heater -15 Lakh. K.cal/hr</td> </tr> </table>	Boiler of 8.0 TPH	Mechanical dust collectors fol. by bag filters	Thermic Fluid Heater -15 Lakh. K.cal/hr
Boiler of 8.0 TPH	Mechanical dust collectors fol. by bag filters				
Thermic Fluid Heater -15 Lakh. K.cal/hr					

		DG sets of 1x750 KVA, 1x125 KVA	Accoustic enclosures
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Table VI f 2: Stack monitoring at by APPCB on 16.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 8TPH & boiler	92.5 mg/ Nm ³	115 mg/ Nm ³

Table VI f 3: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM10 measured value	APPCB emission standards
Near the main gate within unit premises	118.5 µg/m ³	100 µg/m ³

The unit is not complying with ambient air standards.

M	Status of installation of online stack monitoring equipment	The industry has installed small boiler of 8.0 TPH , hence not installed Online Stack monitoring.
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in an extent of 1.4 Acres. But unit is yet to develop green belt in 0.4 acres of land to meet 33% of Green belt area.
o	Actions taken by APPCB during last one year	APPCB vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 5.0 lakhs on 28.09.2020 for non compliance of the Board directions.
p	Overall Compliance status	<p>The industry is not a respondent in the hon'ble NGT OA No 221/2015 as the industry was not established at that time. But as it is located in the cluster at present, the APPCB issued directions to the unit vide order dated 15.02.2018. This is small scale edible oil refinery unit operating with only physical refinery section with 225 TPD capacity.</p> <p>The unit has taken steps for improvements. Further, the unit is not complying with APPCB directions, flyash silo of storage capacity of Four days against requirement of 30 days, not meeting the effluent discharge standard and ambient air quality.</p>

VI. G Compliance Status of M/s. 3F Industries Limited

a	Name & complete address of the unit	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,) Sy.No. 1604, APIIC- IALA, EPURU 1-B Pantapalem (V) Muthukuru (M) SPSR Nellore Dist.
b	Contact Details	P. Srinivasa Rao, Plant Manager

		91-9642225502 psrao@fff.co.in																								
c	Geo-coordinates	14°15' 28.8"N 80° 04' 09.4"E																								
d	Area	11.62 acres																								
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2022																								
f	Year of Commissioning	2011.																								
g	Production capacity	<table border="1"> <tr> <td>Refined Edible Oils (Physical Refining)</td> <td>670.166 TPD</td> </tr> <tr> <td>Refined Edible Oils (Chemical Refining)</td> <td>100 TPD</td> </tr> <tr> <td>Vanaspathi & Bakery Shortenings</td> <td>90 TPD</td> </tr> <tr> <td>Margerine</td> <td>30 TPD</td> </tr> <tr> <td>Fatty Acids</td> <td>200 TPD</td> </tr> <tr> <td>Toilet Soap Noodles</td> <td>50 TPD</td> </tr> <tr> <td colspan="2" style="text-align: center;">BY PRODUCT</td> </tr> <tr> <td>Fatty Acids</td> <td>27.74 TPD</td> </tr> <tr> <td>Glycerine</td> <td>18 TPD</td> </tr> <tr> <td>Pitch Oils</td> <td>7 TPD</td> </tr> <tr> <td>Filter Cake/ Spent Earth</td> <td>1.22 TPD</td> </tr> <tr> <td>Fatty acids/ Acid Oils</td> <td>3.35 TPD</td> </tr> </table>	Refined Edible Oils (Physical Refining)	670.166 TPD	Refined Edible Oils (Chemical Refining)	100 TPD	Vanaspathi & Bakery Shortenings	90 TPD	Margerine	30 TPD	Fatty Acids	200 TPD	Toilet Soap Noodles	50 TPD	BY PRODUCT		Fatty Acids	27.74 TPD	Glycerine	18 TPD	Pitch Oils	7 TPD	Filter Cake/ Spent Earth	1.22 TPD	Fatty acids/ Acid Oils	3.35 TPD
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h	Coal and flyash storage	Unit is generating 27 TPD of flyash. Unit has provided ash silo of 60 Tonnes capacity which is sufficient for ash storage for 2 days against APPCB direction of 30 days storage.																								
i	Source of water and quantity of water used per day	<table border="1"> <thead> <tr> <th>Source</th> <th>Water consumption</th> </tr> </thead> <tbody> <tr> <td>Process & Washings</td> <td>50.0 KLD</td> </tr> <tr> <td>Boiler make up & Cooling tower make up</td> <td>360 KLD</td> </tr> <tr> <td>RO reject water (used for cooling tower makeup)</td> <td>253 KLD</td> </tr> <tr> <td>Total</td> <td>663 KLD</td> </tr> </tbody> </table> <p>Entire water requirement of 663 KLD is met from Tankers.</p>	Source	Water consumption	Process & Washings	50.0 KLD	Boiler make up & Cooling tower make up	360 KLD	RO reject water (used for cooling tower makeup)	253 KLD	Total	663 KLD														
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		Domestic	15 KLD
<p><i>ETP of 200 KLD & RO plant , MEE-100 KLD provided with ATFD to meet ZLD system. Septic tanks followed by soak pits are provided for treatment of domestic effluents.</i></p> <p><i>On the day of inspection, it was observed that the ETP was not in operation. Thick Sludge was deposited in ETP section. The oil was spilled all over the plant. MEE and ATFD were not properly operated. The pumps were not working and effluent was leaking. There was no proper effluent transfer system from production block to ETP. There were lot of temporary arrangements.</i></p>			

Table VI.g 1: Analysis results of samples collected by APPCB during 23.06.2020

S.No	Parameter in mg/L, except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	Ro feed	RO permeate	RO reject
1	pH	5.5-9.0	5.34	6.85	7.92	7.53	7.09	5.74
2	TSS	200	160	90	204	76	54	4
3	TDS	2100	3772	1248	5826	1248	3134	430
4	COD	250	1580	232	3580	128	368	12
5	BOD	100	410	68	1124	40	106	1.8
6	Oil & grease	10	22.4	9.0	20.8	1.8	1.2	BDL

The Outlet of ETP is meeting the Board stipulated standards. The MEE is not in operation during the Board officials inspection and sample collection. ON the day of committee inspection MEE was not in operation.

K	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, MEE inlet and outlet												
L	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of capacity 1x35 TPH</td> <td>ESP</td> </tr> <tr> <td>Boiler of capacity 1x2.0 TPH</td> <td>Bag filters</td> </tr> <tr> <td>Boiler of capacity 1x8 TPH; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x20.0 Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk</td> <td>Dust collectors</td> </tr> </table>	Boiler of capacity 1x35 TPH	ESP	Boiler of capacity 1x2.0 TPH	Bag filters	Boiler of capacity 1x8 TPH; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x20.0 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel : Coal/Husk	Dust collectors
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	Coal Mill of capacity 10 TPH	Bag filters
	DG sets of 3x750 KVA	Acoustic enclosure
The unit has installed online emission monitors to measure SPM and is connected to APPCB server.		

Table VIg 2: Stack monitoring at by APPCB on 23.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 35TPH boiler	133.5 mg/Nm ³	115 mg/Nm ³

Table VI g 3: Ambient air quality monitoring by APPCB on 23.06.2020

Source	PM10 measured value	APPCB emission standards
Near the main gate within unit premises	138.6 µg/m ³	100 µg/m ³

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

M	Status of installation of online stack monitoring equipment	OCEMS installed in the stack connected to 35 TPH boiler and connected to APPCB Server.
N	Status of green belt	The plantation is very sparse and is not complying with 33% of green belt.
O	Hazardous waste generation	The unit is generating 1TPD of MEE salts and 0.034 TPD of ETP sludge. The quantity of sludge generated is very less and sludge is not properly disposed.
P	Actions taken by APPCB during last one year	APPCB has vide order dated 16.02.2018 issued certain directions to the industry and forfeited Bank Guarantee of Rs. 5.0 Lakhs for non-compliance of the directions. The APPCB has again issued modified directions on 17.01.2020 for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.

Overall Compliance status

The committee observed major violations in the unit w.r.t effluent handling and treatment and sludge disposal. ETP was accumulated with sludge. The unit is not complying with emission monitoring, ambient air quality.

The industry has constructed and commissioned hydrogenated stearine and stearine beads manufacturing plant inside the existing industry without obtaining consent for establishment and consent for operation of the APPCB.

Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula

$$EC=PI \times N \times R \times S \times LF$$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)

1	17.01.2020 to 28.09.2020	80	1.5	1	250/-	255	76,50,000/-
2	29.09.2020 to 14.10.2020	80	1.5	1	250/-	15	4,50,000/- * 2 for repeated violation
Total EC for violation						271	85,50,000/-
EC levied by APPCB on or after 17.01.2020							10,00,000/-
EC to be paid by unit to APPCB							75,50,000/-
Rupees Seventy- Five lacs and Fifty thousand Only							

VII Actions taken by APPCB

1. The APPCB is continuously reviewing the status of air pollution/ water pollution control equipments provided and compliance of the APPCB standards etc for control of pollution problems from the edible oil industries operating at Krishnapatnam port area from last Five years in connection with the O.A. NO.221 of 2015 filed before the Hon'ble NGT.
2. The status of industries with regards to compliance of the directions are reviewing before External Advisory Committee meetings held at Board, office, APPCB and issuing directions time to time. It is to submit that the status of implementation of action plan by the edible oil units was reviewed before Task Force Committee at Board Office during its meetings held on 25.06.2016, 15.07.2016, 05.08.2016, 27.08.2016, 16.09.2016, 30.09.2016, 11.11.2016, 03.12.2016, 30.12.2016, 20.01.2017, 04.02.2017 & 09.11.2017.
3. The board has issued directions to the Edible oil industries on 15.02.2018, 17.01.2020 & 28.09.2020.
4. The APPCB has also forfeited Bank Guarantee amount of Rs.65 Lakhs in the year 2020 from the above 7 nos of Edible oil industries for non compliance of the APPCB directions.

VIII Overall Observations

1. Presently all edible oil units were operational but on the day of committee inspection only physical refining of palm oil was in operation.
2. The units have made improvements, augmentation of ETP and air pollution control devices. The units have installed facilities like ETP followed by RO, MEE & ATFD to achieve " Zero Liquid Discharge" but there are no proper effluent transport system. But units are yet to achieve 100% compliance to consent conditions of APPCB. All units shall make improvements in drains/ pipelines used for transporting

effluent from production block to ETP. The units shall ensure that storm water is not mixed with effluent.

3. *The flyash generated from the units is sold to brick manufacturers. The units have provided ash silo and covered shed for storage of flyash. But the units are not complying with APPCB condition of 30 days silo capacity. The units represented to the unit that installation of such large silo is difficult. The flyash is sold to brick manufacturers at frequency of two to three days in a week. Since the condition was imposed by APPCB, the committee suggests APPCB to review the condition.*
4. *APPCB is continuous vigil on the edible oil units and issued directions, forfeited bank guarantees due to which no discharge of effluent outside the unit premises was observed during committee inspection.*
5. *Based on CPCB formula the committee has assessed environmental compensation on the erring units for violating the directions issued by APPCB vide order dated 17.01.2020.*
6. *Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.*
7. *The committee submits to Honble NGT that the units shall carry out performance evaluation of ETP and ZLD system. Based on the TDS concentration in RO reject, the unit shall either treat RO reject in ETP or MEE. (If TDS > 5000mg/l in RO reject, it may be treated in MEE or else in ETP). The units in any case shall not discharge the RO reject without further treatment.*

IX Conclusions

1. *Construction of CETP: Previously all the units had proposed for construction of common effluent treatment plant but the district administration and the units could not find a suitable land for construction of CETP. Currently all seven units have established their individual effluent treatment plants and hence the proposal of CETP is shelved.*
2. *As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Considering*

this the committee recommends that all edible oil units in Krishnapatnam Port area to install common desalination plant thereby sea water may be drawn, treated and to be used by all edible oil industries by requesting the management of the Krishnapatnam port Ltd who is nodal agency for importing the crude edible oil on behalf of the edible oil industries management. Thereby withdrawal of ground water and procurement of water from tankers will be avoided. The units shall install desalination plant within a period of one year and entire water requirement has to be met from desalination only. The units shall install electromagnetic flow meters with totalizer to quantify the water consumption.

3. The units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated. The committee submits to Hon'ble NGT to instruct APPCB to direct APPCB to safely store the spent nickel catalyst and to dispose the same to authorized re-processors. The units shall be directed to comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.

4. During the inspection, the committee did not observe any discharge of effluent into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises. But however, in all the units except M/s Adani Wilmar unit-I, there is no proper effluent conveyance system/ pipelines to transfer effluent from production blocks to effluent treatment plant. The committee observed that open drains were used for effluent transfer and during rains, effluent and rain water may overflow into the peripheral drains (drains are provided all along the boundary of the units to collect the effluent). The units informed that during rains, water/effluent is taken to ETP from peripheral drains and no effluent is let out of the unit. The units shall be directed to close the peripheral drains at the exit point near unit boundary. The drains used for transfer of effluents from production block to ETP are clogged, thick oily scum is floating on top and sludge is settled at bottom of drains. Under these circumstances very little effluent may be transferred to ETP and effluent may overflow into area/soil adjacent to the drains. The committee submits to Hon'ble NGT to instruct APPCB to direct the industries to establish proper effluent pipelines within a period of two months of adequate size to transfer effluent from production block to ETP and for utilization of treated effluent. The pipelines shall be periodically cleaned and cleaning water shall be routed to ETP to prevent any clogging. The status of cleaning shall be submitted to APPCB while submitting compliance reports.

5. The units shall maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal. Though all units

informed that the same were disposed for incense sticks manufacturer and soap industries, however no records were shown to committee.

6. The units are importing crude palm oil and sunflower oil from Malaysia, Singapore and Indonesia. The Port Authorities are testing the crude oil for presence of any mineral oil and after ensuring that no mineral oil is present, the consignment is handed to the units. While verifying the documents, the committee observed that the quantity of the imported crude is around 60% to 70% of the unit production. The units are locally procuring crude oil from other industries (it was reported that these industries purchase palm and sunflower from farmers and extract crude and sell to edible oil refineries in Krishnapatnam). The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The committee humbly submits to Hon'ble NGT that the units have to 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.

7. The flyash generated from the industries are sold to brick manufacturers. APPCB directed the units to install flyash silo of 30 day storage capacity with an objective that during rainy season, if the ash is not taken by the brick manufacturers on a daily or weekly basis, the ash could be safely stored in silo for a period of at least 30 days and from silo it can be transferred directly into trucks. But all seven units have not complied with this condition and have installed a silo of capacity handling flyash for period varying from seven to ten days. Further it was informed to the committee that the units are disposing the flyash on alternate days and is not stored in the unit beyond a week. The committee submits to Hon'ble NGT to direct APPCB to hold a meeting with edible oil units, brick manufacturers, flyash transporters and any other flyash users and review the direction. Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.

8. The units have not made proper arrangements for flyash storage and loading into the trucks. It was observed during inspection that lot fugitive dust was emitted during loading operations. The units shall ensure wetting or water spraying at the time of loading of flyash and also the feeding hopper is covered.

9. The committee has assessed environmental compensation for serious violation and for not meeting conditions stipulated in the consent. The units shall pay Environmental Compensation to APPCB as summarized below:

Sl. No	Name of the Unit	Environmental Compensation to be paid by the unit to APPCB 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	71,30,000/-
5	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,)	75,50,000/-

10. The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The Committee submits that Hon'ble NGT instructs APPCB to direct the units to establish fresh points for online dust monitors. The units have to ensure that all the stacks connected to boilers are provided with APCD's and OCEMS including the stand-by boilers. The units shall augment their pollution control devices so as to ensure that they comply with the standards stipulated by APPCB. The units shall take measures to prevent fugitive dust generated during loading, unloading of raw materials, products, flyash etc so as to meet the National Ambient Air Quality Standards.

11. The units shall upgrade the effluent treatment plants, periodically remove the accumulated sludge and oil from the tanks and send the same to TSDF. The units shall properly operate the ETP and ensure that they comply with the effluent discharge standards stipulated by APPCB.

12. The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. All the edible oil units shall collectively construct new concrete roads as part of CSR activity. The units shall develop green belt all along the boundary of the units 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."

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.

10. For consideration of further report, objections if any, to the report, post on 26.03.2021.

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

.....E.M.
(Shri. Saibal Dasgupta)

**O.A. No.221/2015,
03rd February, 2021. Mn.**

Item No.7:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 221 of 2015 (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)

Versus

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

... Respondent(s)

Date of hearing: 13.07.2021.

CORAM:

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

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

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, R10.

Ms. N. Shivani for M/s. Apparajitha
 Vishwanath for R8.
 Ms. Krithika for Sri. Lakshmi Kumaran for
 R11.

ORDER

1. As per order dated 03.02.2021, this Tribunal had considered the Joint Committee report dated 01.12.2020 received on 06.01.2021 and the same was extracted in para 4 of the order. Thereafter this Tribunal 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.

The case was posted to 26.03.2021 for consideration of further report and objection, if any, to the report. Thereafter the matter has been adjourned from time to time and lastly it was adjourned to today by notification dated 10.06.2021.

2. When the matter came up for hearing today through Video Conference, there is no representation for the applicant. Smt. Me. Saraswathy represented 1st respondent, Ms. Madhuri Donti Reddy represented respondents 2 to 4, Mr. P.R. Raman through Sri. C. Seethapathy represented 5th respondent, Sri. D. Srinivasan represented respondents 6, 7, 9 & 10, Ms. N. Shivani for Sri. Apparajitha Vishwanath represented 8th respondent and Ms. Krithika for Sri. Lakshmi Kumaran represented 11th respondent.
3. The Learned Counsel appearing for the State of Andhra Pradesh submitted that they want some more time for filing the report as directed by this Tribunal on the basis of the objections received from the party-respondents.
4. The matter is of the year 2015. However, considering the circumstances, we feel that some more time can be granted to the Committee to file the report as directed. The Committee is directed to submit the report on or before 11.08.2021 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.
5. The Registry is directed to communicate this order to the members of the committee as well as official respondents for their information and compliance of the directions.

6. For consideration of further report, post on 11.08.2021.

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

O.A. No.221/2015,
13th July, 2021. AM.

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

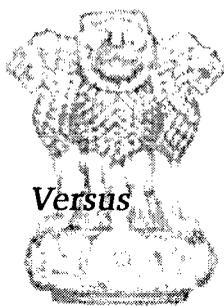


Item No.5:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 221 of 2015 (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)

Versus

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

... Respondent(s)

Date of hearing: 16.09.2021.

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
Sri. D. Seethapathy for R5
Sri. D. Srinivasan for R6, R7, R9, R10.
Ms. Shwetha Vasudevan represented
M/s. Apparajitha Vishwanath for R8.
Ms. Krithika represented
Sri. Lakshmi Kumaran for R11.

ORDER

1. The above case has been posted today for filing objections to the report of the committee and also for completion of pleadings.

2. The respondents 9 and 10 filed their objections to the committee report. We feel it appropriate to direct the committee to consider the objections filed by the respondents 9 and 10 and also objections, if any, to be filed by the 11th respondent before them within a week after filing the same before this Tribunal within that time.
3. The respondents 9 and 10 are also directed to submit their copy of the objections filed by them before the members of the committee, so that they can consider the same as directed by this Tribunal.
4. The 11th respondent is directed to file his/her objections to the committee report before one week, before this Tribunal and also to serve a copy of the same to the members of the committee within that time.
5. The committee is directed to consider these objections and give their opinion regarding the same, so that that can also be considered by this Tribunal at the time of considering the matter during final hearing.
6. The learned counsel appearing for the Andhra Pradesh Pollution Control Board (APPCB) submitted that regarding the further action taken, 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.
7. 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.

8. 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.
9. The Registry is directed to communicate this order to the members of the committee as well as the official respondents and also to the Chairman, Andhra Pradesh Pollution Control Board (APPCB) along with the copy of the application immediately through e-mail, so as to enable them to comply with the direction.
10. For consideration of further action taken report, post on **18.10.2021**.



Sd/--

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

Sd/--

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

O.A. No.221/2015,
16.09.2021. Sr.





Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - 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), SPS Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - Directions - Issued - Reg.

- Ref:**
1. CFO order issued to the industry on 19.03.2016.
 2. O.A.No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt.17.01.2020.
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No. 149/APPCB/UH-II/TF/NLR/2019, Date:28.09.2020.
 6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020.
 7. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
 8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated 10.08.2021.
 9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating an edible oil refinery unit in the name & style of M/s. Adani Wilmar Limited (formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.) at Sy. No.292, 317, Pantapalem (V) (Epur 1B), Muthukur (M), SPS Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry on 19.03.2016 for a period upto 30.03.2021 to produce Refined Vegetable Oils (Physical)- 600 Tons/day, Interestified Vegetable fats - 100 Tons/day, etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

MK

WHEREAS the M/s. Adani Wilmar Limited (Formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.), Sy.No. 292, 317, Pantapalem (V), Muthukuru (M), SPSR Nellore District submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai.

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions the 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

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.
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.
3. The industry shall not discharge treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
4. The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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.
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.
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.

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.

165

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.

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.

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

Sd/-

**VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT**

To

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), SPS Nellore Distric

// T.C.F.B.O. //

M. Rajshree
27/9/21

SENIOR ENVIRONMENTAL ENGINEER
UH-II

923

OFFICE OF THE
A.P. POLLUTION CONTROL BOARD
D.No. 33-26-14 D/2, Near Sunrise Hospital,
Chalamelavari Street, Kasturibaipet,
VIJAYAWADA - 520 010.

A.P.P.C.3-Vijayawada.
HO, BNPL No. 2120
28 SEP 2021
SPEED POST CENTRE
VIJAYAWADA-10.







OrderNo.149/APPCB/UH-II/TF/NLR/2018-- 921

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - M/s. Adani Wilmar (Unit-II) (Formerly Louis Dreyfus Commodities India Pvt. Ltd.), Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - Directions - Issued - Reg.

- Ref:**
1. CFO order issued to the industry on 19.03.2019.
 2. Memorandum of Application No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt.17.01.2020.
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No. 149/APPCB/UH-II/TF/NLR/2019, dt. 28.09.2020.
 6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated.01.12.2020.
 7. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
 8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated.10.08.2021.
 9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating industry in the name & style of M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt. Ltd.) an edible oil refinery unit at Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry dated 19.03.2019 valid upto 28.02.2024 to produce Physical refining of Refined Vegetable Oils (Palm oil, Palmolein, Palmstearin) - 600 Tons/day, Chemical refining Refined Vegetable Oil (Soyabean oil, Sun flower oil, Ground nut oil, Rice bran oil, Cotton seed oil, Mustard oil, Rapeseed oil, Sesame oil) - 200 Tons/day etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil Industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

MH

WHEREAS the M/s. Adani Wilmar (Unit-II) (Formerly Louis Dreyfus Commodities India Pvt. Ltd.), Sy. No.1601, Epuru Bit-1B, APIC, Pantapalem (V), Muthukur (M), SPSR Nellore Dist submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai.

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions, the 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 of EC and issue of 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall immediately pay the EC of Rs. 73,80,000/- within a week time
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.
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.
4. The industry shall not discharge any treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
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.
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
7. The industry shall provide online AAQ monitoring station to measure PM10 in the surrounding villages.
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.
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.
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.

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.
12. The industry shall ensure that proper segregation of various types of hazardous wastes and provide provision with leachate collection.
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.
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
15. The industry shall extend the existing Bank Guarantee for further period of one year

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

**Sd/-
VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT**

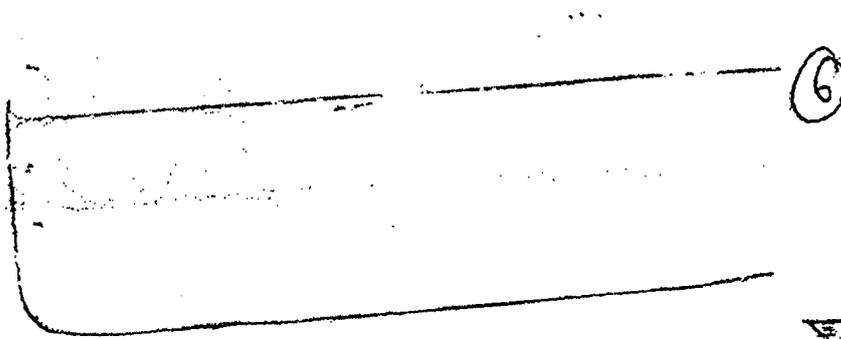
To

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

// T.C.F.B.O. //

M. Raju
27/9/21
SENIOR ENVIRONMENTAL ENGINEER
UH-II

721



A.P.P.C.B -Vijayawada,
 HO, BNPL No. 2120

28 SEP 2021

SPEED POST CENTRE
 VIJAYAWADA-10.

OFFICE OF THE
 A.P. POLLUTION CONTROL BOARD
 O.No. 33-26-14 O/2, Near Sunrise Hospital,
 Chalamalavari Street, Kasturibaipet,
 VIJAYAWADA - 520 010.



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

SOUTHERN BENCH, CHENNAI

ORIGINAL APPLICATION No. 221/2015

S. No. 2166/2021

VIJAY C. SHAH
NOTARY
GOVT. OF INDIA
24 SEP 2021

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

...Applicant

versus

1. 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

2. Andhra Pradesh Pollution Control Board

(Represented by its Member Secretary)
A-3, Parayavaran Bhavan, Sanath Nagar, Industrial Estate, Hyderabad,
Telangana State-500 018

3. The District Collector/ District Executive Magistrate

Collectorate Buildings,
Nellore Town -524 002
SPS Nellore District, Andhra Pradesh

4. Andhra Pradesh Pollution Control Board,

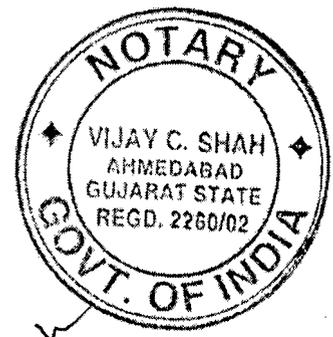
(Represented by its Regional Officer)
Regional office, Floor, A.P.S.F.C Building, A.K. Nagar,
Nellore Town & District-524 004, Andhra Pradesh

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

6. M/s Saraiwwalaa AGRI Refineries Ltd

(Represented by its Managing Director)
Pantapalem Village & Post (Via) Niduguntapalem,
Muthkur Mandal, SPS Nellore District,
Andhra Pradesh- 524 323



FOR, ADANI WILMAR LIMITED

 AUTHORISED SIGNATORY

7. M/s Gemini Edibles & Fats India Pvt Ltd

(Represented by its Managing Director)
Pantapalem Village & Post, (Via) Niduguntapalem,
Muthkur Mandal, SPS 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

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

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

11. M/s. Adani Wilmar -(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

... Respondents

**REPLY AFFIDAVIT FILED ON BEHALF OF 11th RESPONDENT IN RESPONSE TO
JOINT COMMITTEE REPORT DATED 10.08.2021**

I, Asheesh Gupta, S/o Late Dr. M.L. Gupta, aged about 37 years, having registered 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.



FOR, ADANI WILMAR LIMITED
[Signature]
AUTHORISED SIGNATORY

3. A Joint Committee comprising of Representatives of the Ministry of Environment, Forest and Climate Change, Central Pollution Control Board (CPCB) and Andhra Pradesh Pollution Control Board (APPCB) (henceforth: '1st Joint Committee') had filed the "Committee Report in the matter of OA No.221/2015 submitted in compliance of Hon'ble NGT Order dated 16.03.2020 And 29.09.2020" (hereinafter: 'Joint Committee Report-I') on 01.12.2020, a copy of which was received by the 11th Respondent on 19.01.2021. The Joint Committee Report-I had stated that Environmental Compensation (henceforth: 'EC') of INR 81,30,000/- should be levied on the 11th Respondent for various acts of non-compliance.

4. It is submitted that subsequently vide Order dated 03.02.2021, this Hon'ble Tribunal while granting time to file objections to the Joint Committee Report- I had further directed as follows:

"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"

(emphasis supplied)

5. Pursuant thereto, aggrieved by the findings contained in the Joint Committee Report- I and various incorrect observations made thereon, the 11th Respondent filed a detailed response in Reply dated 18th February, 2021 (henceforth: 'Reply dated 18.02.2021') with various material documents indicating the fact that there has been no case of non-compliance as allegedly set out in the report. The 11th Respondent was also aggrieved that the APPCB had forfeited an amount of INR 7,50,000/- out of the Bank Guarantee furnished by the 11th Respondent in gross violation of the principles of Natural Justice. Therefore, a detailed reply was filed by the 11th Respondent setting out clearly that there was no non-compliance or violation on the part of the 11th Respondent; praying for the deletion of the findings of the Joint Committee Report insofar as they are prejudicial to the 11th Respondent, and praying for cancellation of EC levied under the Joint Committee Report-I and to dismiss the above Original Application.

6. I submit that pursuant to the directions set out in this Hon'ble Tribunal's order dated 03.02.2021, a mandate was fixed on the Joint Committee to go into the objections set out by the 11th Respondent and come out with their findings on the aspects raised by the 11th Respondent. The mandate fixed by this Hon'ble Tribunal has been extracted in Paragraph 4 above.

7. Pursuant thereto and pursuant to the order dated 13.07.2021 a Joint Committee comprising of the representatives of the Ministry of Environment Forest and Climate Change, Central



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Pollution Control Board (CPCB) and Andhra Pradesh Pollution Control Board (APPCB) had filed a report titled the "*Committee Report in the matter of OA No.221/2015 submitted in compliance of Hon'ble NGT Order dated 03rd February, 2020 and 13th July, 2021*" (hereinafter: '**Joint Committee Report -II**') on 10.08.2021, a copy of which was received by the 11th Respondent on 10.08.2021. The Joint Committee Report-II at page 12 acknowledged that the 11th Respondent is compliant with all conditions stipulated in the Consent For Operation Order dated 09.03.2019 issued to the 11th Respondent.



8. At the outset, the 11th Respondent denies all averments as contained in the Joint Committee Report -II to the extent they are prejudicial to the 11th Respondent unless they are specifically admitted herein. I submit that the 11th Respondent is fully compliant with the requirements under environmental laws and therefore none of the alleged non-compliances as set out either in the Joint Committee Report-I or by the Joint Committee Report-II merit indulgence of this Hon'ble Tribunal.

9. Without prejudice to the above submissions, the 11th Respondent is herewith setting out a paragraph-wise reply to the contents of the Joint Committee Report- II.

10. Paragraphs I and II of the Joint Committee Report are matters of record and are prefatory, and hence no response is required by the 11th Respondent.

11. Paragraphs II(a), II(b), II(d) and II(e) details the compliance status of the other edible oil refineries operating in the Krishnapatnam Port region and do not concern the 11th Respondent, and thus requires no traversal. **Only the contents of Paragraph II(c) of the Joint Committee Report- II are relevant in so far as the 11th Respondent is concerned.**

12. In so far as Paragraph II(c) as contained in internal page 9 of the Joint Committee Report-II is concerned, the same are matters of admitted facts and no reply is warranted by the 11th Respondent.

A. Submissions on unsustainability of Joint Committee Reports (I and II).

A.1 The Joint Committee Report-II is cognizant of the mandate cast on it by this Hon'ble Tribunal, as apparent in the Preamble (Paragraph I) itself. However, such understanding has failed to percolate into the report as the objections of the 11th Respondent in the reply dated 18.02.2021 against the Joint Committee Report-I have not been addressed at any point.



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A.2 The Joint Committee has failed to discharge such mandate in as much as it has treated the Joint Committee Report- I as sacrosanct and drawn up the Joint Committee Report- II by completely ignoring all the objections of the 11th Respondent. The Joint Committee Report-II has proceeded on a prejudiced and preconceived notion that the 11th Respondent was already non-compliant and that it was required to verify 'corrective measures' implemented by the 11th Respondent.

A.3 In effect, the mandate fixed by this Hon'ble Tribunal on the Joint Committee- II was given a complete go-by. A copy of Joint Committee Report-II is enclosed as *Annexure-1* to this Reply.

A.4 I further submit that, even in the Joint Committee Report- I, the Joint Committee has proceeded on an incorrect premise that the 11th Respondent is non-complaint and has erroneously set out EC. Therefore, in the present Joint Committee Report-II, without considering the stand of the 11th Respondent, the Joint Committee has portrayed a picture as if there has been compliance by the 11th Respondent pursuant to the recommendations of the Joint Committee Report-I.

A.5 Therefore, the averments as set out in the Joint Committee Report- II are vehemently denied by the 11th Respondent herein. It is submitted that the Joint Committee has erroneously portrayed a compliant entity as non-compliant and has sought to impose EC without identifying even a single instance of pollution caused by the 11th Respondent. The Joint Committee- II has ignored the factum of compliance on the part of the 11th Respondent throughout. As a consequence, the EC imposed by the Joint Committee Report-I and reiterated in the Joint Committee Report-II is not valid and deserves to be ignored at the very threshold.

A.6 It is further submitted that the Joint Committee Report-II ought to have verified the allegations in the Joint Committee Report-I dated 01.12.2020 against the submissions made by the 11th Respondent in Reply dated 18.02.2021 and then recorded factual findings to determine if any non-compliance had actually taken place so as to warrant levy of EC. However, the Joint Committee Report-II has made no such effort and has merely repeated that EC should be levied for alleged non-compliance when the very basis for levy of EC is being disputed by the 11th Respondent. It is pertinent to submit that there is neither any response, nor demurer on the contents of the reply dated 18.02.2020 filed by this 11th Respondent, and therefore, the contents of the reply dated 18.02.2020 may be treated as not denied, and the same may be read as a part and parcel of the present affidavit.

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A.7 Further, the Joint Committee Report-II also suffers from various factual inconsistencies, and therefore, the findings relating to the EC recommended to be exacted from the 11th Respondent deserves to be set aside for various reasons mentioned hereinbelow.

B. The 11th Respondent has always complied with the directions for storage and disposal of Fly ash and the Joint Committee Reports (I and II) have erred in their findings.

B.1. The Joint Committee Report- II observed that "New silo of 120 MT is under installation. Presently, the existing silo of 40 MT is under use. The unit is disposing the fly ash on alternate days. Reported that the new silo will be made operational by September, 2021. No fly ash spillage observed." Consequently, the compliance status has been observed as "Yet to complied. Silo is under installation".

B.2. The 11th Respondent makes the following submissions in this connection:

OA 221/2015	Observations - Joint Committee Report I	11 th Respondent's objections in Reply dated 18.02.2021	Observations - Joint Committee Report-II	11 th Respondent's objections
No Allegation against 11 th Respondent.	<p>Paragraph VI.d.(h)</p> <p>- Fly ash spillage was observed;</p> <p>- Fly ash was disposed on alternate days whereas minimum requirement was of 10 days storage capacity</p>	<p>- Factually incorrect;</p> <p>- Photographs in Report not of 11th Respondent unit;</p> <p>- 11th Respondent generates 24 MT fly each week, and existing silos with capacity of 40 MT could store fly ash for 15 days.</p> <p>- Even so, matter of record that fly ash would be disposed of on alternate days.</p>	Does not address submissions	<p>- Non-speaking on all counts.</p> <p>- Disregards all submissions made and is silent on all rebuttals of 11th Respondent.</p> <p>- Submissions in Ground A of Reply dated 18.02.2021 are adopted in the interest of brevity.</p> <p>- In any event, the 11th Respondent is installing a 120MT capacity silo to be operational by 30.09.2021.</p>

B.3. It is reiterated that the 11th Respondent is authorized to generate Fly ash upto 940 TPM (Tons Per Month) under the Consent for Operation bearing reference APPCB/VJA/NLR/161/CFO/HO/2019 dated 09.03.2019 (henceforth: 'CFO') was also produced by the 11th Respondent. The CFO was enclosed as Annexure-1 to the Reply dated 18.02.2021.

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B.4. The 11th Respondent had raised a specific objection that was generating only 24 MT of fly ash, and extrapolated to 10 days, the fly ash output would have been only 34 MT. Thus, the existing silos with storage capacity of 40 MT would have sufficed for complying with the mandate of storing fly ash for 10 days and there was no requirement to install silos with 120 MT capacity.

Nonetheless, the 11th Respondent had commenced preparations to this end only to remain compliant with the directives of the Joint Committee(s). While this is so, there is no basis to treat the 11th Respondent as non-compliant for the past period as well. The 11th Respondent has always complied with the terms of the CFO as:

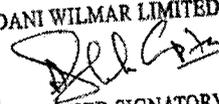
- a. the actual quantity of Fly Ash generated by the 11th Respondent is far below the permitted limit, even during the period from 17.01.2020 to 14.10.2020.
- b. the Fly Ash is disposed to various brick manufacturing units as per Clause 16 of the conditions relating to Solid Waste in the CFO.

Without prejudice to the above, 11th Respondent is not liable to EC

B.5. In any case, the requirement for silos to store Fly Ash up to 30 days is a newly imposed condition brought out for the first time by the APPCB directions *vide* reference No. 149/APPCB/UH-II/TF/NLR/2020 dated 17.01.2020, to be complied in three months and the 11th Respondent immediately initiated the process for increasing storage capacity as required under the APPCB directions dated 17.01.2020, and the same will be operational by 30th September, 2021.

B.6. Further, the observation in the Joint Committee Report that the 11th Respondent should have installed silos capable of storing Fly Ash for 30 days must not be treated as final because the APPCB's instructions were subjected to review [Para 3 of Overall observations in Page 38 of the Joint Committee Report- I].

B.7. The Joint Committee Report-II is conspicuously silent on the status of review, and so the position as on date is that pending completion of the review, this requirement to install silos capable of storing Fly Ash for 30 days has not attained any finality to invoke any allegation of non-compliance on the part of the 11th Respondent. In any event, the 120 MT silo is under progress and the same has also been inspected during the visit of the members of the joint committee on 29.07.2021. Therefore, time and again the 11th Respondent has stood compliant with the requirements concerning storage of fly ash.

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B.8. It is therefore submitted that the Joint Committee Report-II has wholly ignored the factum of compliance of the 11th Respondent and the explanation and submissions made by this 11th Respondent *vide* Reply dated 18.02.2021. Therefore, where there is no specific denial of the 11th Respondent's submissions in reply dated 18.02.2021, the 11th Respondent's stand is deemed as admitted and accepted by the Joint Committee. Therefore, the committee has erred in concluding that there was non-compliance on part of the 11th Respondent in relation to Fly Ash storage. The Committee has also ignored the fact that the 11th Respondent was completely compliant at all times.



B.9. This demonstrates patent non-application of mind on part of the 2nd Joint Committee and lack of discretion in levying EC. Therefore, the finding in relation to storage of Fly Ash in both the Joint Committee Report-I and Joint Committee Report – II deserves to be set aside.

C. Observations of the Joint Committee Report in relation to the Effluent Treatment Plant (ETP) :

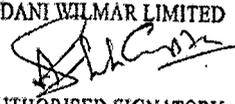
C.1. The Joint Committee Report-II records that the 11th Respondent is compliant with the following observation:

"the unit has installed an ETP of 200 KLD capacity followed by RO plant of 10 KLH capacity for treatment of LTDS. HTDS effluent is treated in three stage three stage MEE - 60 KLD followed by ATFD to meet ZLD. ETP is fully revamped. New MEE plant of 35 KL is installed for treatment of HTDS effluent. Reported that the Cloggings from drains were removed and treated in ETP. Presently storm water drains were clear. Flow meters and totalizer installed"

C.2. The 11th Respondent makes the following submissions in this regard:

OA 221/2015	Observations - Joint Committee Report I	11 th Respondent's objections in Reply dated 18.02.2021	Observations - Joint Committee Report-II	11 th Respondent's objections
No specific Allegation against 11 th Respondent.	<p>Paragraph VI.D (j)</p> <ul style="list-style-type: none"> - ETP was not properly maintained; - ETP sludge is stored in the open; - Effluent carrying drains were clogged 	<ul style="list-style-type: none"> - Factually incorrect; - Photographs in Report not of 11th Respondent unit. - 11th Respondent had replaced the ATFD which had depreciated due to normal wear and tear. 	Does not address submissions	<ul style="list-style-type: none"> - Non-speaking on all counts. - Disregards all submissions made and is silent on all rebuttals of 11th Respondent. - Submissions in Ground C of Reply dated 18.02.2021 are adopted in the interest of brevity.



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C.3. The 11th Respondent therefore submits that the observations made in the Joint Committee Reports (I and II) remain mere assertions without consideration of surrounding facts and circumstances.

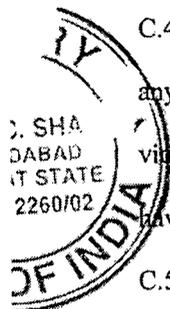
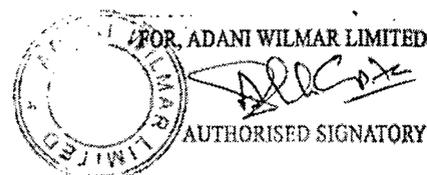
C.4. Therefore, the findings arrived in the Joint Committee Reports (I and II) are wholly without any basis and reflect patent error on the part of the Joint Committees as there was never any violation in the first place, and therefore considerations in relation to the ETP issue ought not to have even formed the basis for levy of EC.

C.5. The 11th Respondent further submits that though the compliance status has been recorded as 'complying', it is pertinent to submit that even at prior periods, the 11th Respondent has always been in due compliance of their obligations. This demonstrated that the Joint Committees had presumed non-compliance on the part of the 11th Respondent.

C.6. It is submitted that the Joint Committee- II has sought to justify the error committed in the Joint Committee Report- I by portraying as if the alleged earlier non-compliance has been subsequently complied with. I submit that the joint Committee Report-II has sought to take advantage of its own errors and inconsistencies, at the cost of the 11th Respondent by imposing a huge environmental compensation even where there is no non-compliance whatsoever. Hence, no liability can be cast on the 11th Respondent to this extent. For this reason alone, the findings in relation to non-compliance, as appearing in the Joint Committee Reports (I and II) deserve to be set aside.

C.7. Further, the factum of having based the findings of the Joint Committee Report- I on photographs not belonging to the 11th Respondent's unit was also specifically pointed out in the Reply dated 18.02.2021. However, there is no observation whatsoever by the Joint Committee Report-II, nor any demurer. Therefore, the Joint Committee Report- II fails the mandate prescribed upon it by this Hon'ble Tribunal, and the absence of demurer indicates a deemed acceptance of the error apparent in the Joint Committee Report- I which has been carried forward in Joint Committee Report-II. It is for this reason also that the reports deserve to be set aside *in toto*.

C.8. Further, insofar as the observations concerning flow meter is concerned (Page 11 of the report), it has been observed that flow meters with totalizers are installed at raw water inlet, ETP inlet, primary clarifier outlet, RO inlet, RO outlet, and MEE outlet, and the status to be complying. In any event, it is submitted that there has been no case of non-compliance in relation to the same



at any given point in time, and the 11th Respondent has always complied with the requirements and would continue to remain compliant.

C.9. Insofar as the observation concerning stack emission, as contained in internal page 11 of the Joint Committee Report - II is concerned, it has been observed that the unit has installed online emission monitor system to measure SPM and is connected to APPCB server. It has further been observed that the last six months online data was verified and unit is found complying. In connection with the same, it is submitted that, the 11th Respondent has always remained compliant and would continue to remain compliant with the required requirements.



C.10. Therefore, the Joint Committee in their reports I and II and the EC so imposed in the Joint Committee Report- I and II deserves no consideration.

D. With respect to the observations regarding hazardous waste generation, the 11th Respondent has always complied with due directions for handling and discharging hazardous waste.

D.1. Insofar as the observation concerning hazardous waste generation as contained in internal page number 12 of the Joint Committee Report-II is concerned, it was observed that "5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit and stored in separate shed and disposed to Ramky TSDF, Nellore" and the compliance status has been observed as "complying".

D.2. The 11th Respondent makes the following submissions in this connection:

OA 221/2015	Observations - Joint Committee Report I	11 th Respondent's objections in Reply dated 18.02.2021	Observations - Joint Committee Report-II	11 th Respondent's objections
No specific Allegation against 11 th Respondent.	Paragraph VI.D (j) - Hazardous waste was found lying in ETP area.;	- Factually incorrect; - Photographs in Report not of 11 th Respondent unit. - the ETP sludge (being the hazardous waste) was taken out from sludge drying beds, bagged in HDPE bags, and kept near the sludge drying beds so that they could be shifted into the separate storage shed. The ETP Sludge is then dispatched to Waste Management Entities for further processing once in every 90 days.	Does not address submissions	- Non-speaking on all counts. - Disregards all submissions made and is silent on all rebuttals of 11 th Respondent. - Submissions in Ground G of Reply dated 18.02.2021 are adopted in the interest of brevity.



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D.3. Though the status reflects as "complying", it is pertinent to submit that in the Joint Committee Report-I, the observations in relation to the hazardous waste generation is incorrect and the same was already pointed out by the 11th Respondent in their Reply affidavit dated 18.02.2021.

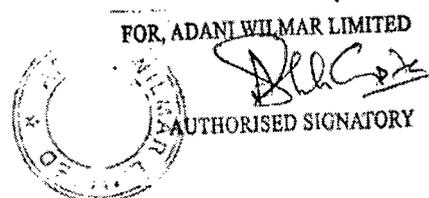
D.4. It is submitted that none of the above stand of the 11th Respondent was even considered while formulating the Joint Committee Report-II. In fact there is not a semblance of about the apparent error of appending incorrect photographs not belonging to the 11th Respondent in the Joint Committee Report- I. Therefore, the Joint Committee Report- II is conspicuously silent in so far as the objections pointed out in the 11th Respondent's reply dated 18.02.2021. Therefore, the Joint Committee- II has acted completely in derogation of the mandate prescribed by this Hon'ble Tribunal vide order dated 03.02.2021.

D.5. It is therefore submitted that for reasons mentioned above, there has been no non-compliance in this front on the part of the 11th Respondent, who continues to be compliant till date. Therefore, the very basis of alleging non-compliance on the part of the 11th Respondent, as recorded in the erstwhile report of the Joint Committee is unfounded and is wholly without any basis whatsoever. The Joint Committee Report-II has sought to justify the apparent error appearing in the earlier report and has sought to reiterate the demand for levy of EC.

D.6. I submit that the Joint Committee has turned a blind eye to the fact that the 11th Respondent diligently follows best practices in respect of hazardous waste management. In the instant case, it is reiterated that the 11th Respondent was very well compliant with obligations concerning the ETP sludge (being the hazardous waste).

D.7. It is in fact submitted that, from the pictures, (Annexure 11 filed along with 11th Respondent's reply dated 18.02.2021), it is evident that the ETP sludge is properly contained within the bund created in the ETP area to avoid any leakages. Till date, no leakage of ETP sludge has ever occurred on the 11th Respondent's plant. The actions of the 11th Respondent are conscientious and compliant with the prescribed norms.

D.8. It is therefore submitted that EC levied for the alleged contravention is without any actual contravention and is therefore unsustainable. The photographs referred by the Joint Committee does not even belong to the 11th Respondent. Therefore, it is prayed that the purported observations



as made in the earlier report of the joint committee, the observations made in the Joint Committee Report-II, along with levy of EC deserves to be set aside. The observations pertaining to the overall compliance status and the environmental compensation levied deserves to be set aside.

E. The levy of EC of INR 81,30,000/- is illegal. The forfeiture of Bank Guarantee of INR 7,50,000/- is unsustainable.

E.1. It is submitted that the computation of EC in the absence of any violation is wholly unwarranted and deserves to be set aside for the following reasons.

E.2. In this connection, it is pertinent to draw reference to the Report of the *Central Pollution Control Board In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund* issued by the Central Pollution Control Board in 2019 (enclosed as **Annexure -3** to this Reply). The EC Report has specifically set out therein, morefully *vide* Para 1.3, the cases for levying EC. None of these instances are satisfied in the instant case, as detailed hereinbelow:

Table 1- No instances warranting levy of EC have occurred

Sl.	Acts warranting EC	Whether violated by R11
a.	Discharges in violation of consent conditions, mainly prescribed standards / consent limits	NO. R11 is fully compliant with terms of CFO.
b.	Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.	No Allegation.
c.	Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.	No Allegation.
d.	Accidental discharges lasting for short durations resulting into damage to the environment	No Allegation.
e.	Intentional discharges to the environment -- land, water and air resulting into acute injury or damage to the environment.	No Allegation.
f.	Injection of treated/partially treated/ untreated effluents to ground water	No Allegation.

E.3. It is submitted that in the instant case, the Joint Committee(s) have applied the pollution index without establishing any violation or non-compliance. The Joint Committee Report-I nor the Joint Committee Report-II had established any damage, short-term or long-term, caused to the

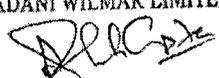


environment by the 11th Respondent. Therefore, at the very threshold, the environmental compensation is incorrectly levied without any basis whatsoever and deserves to be set aside.

E.4. The formula applied to compute the EC has been set out in paragraph 1.3.1. as $EC = PI \times N \times R \times S \times LF$. The Joint Committee has applied the above formula without any justification for applying PI i.e., Pollution Index as there is no contravention that can be attributable to the 11th Respondent. It is therefore submitted that the consequent imposition of EC of Rs. 81.30 lakhs for purported non-compliance during the period 17.01.2020 to 14.10.2020 is contrary to the well-established principles governing the award of compensation.

E.5. It is further submitted that the period of computation of compensation is also arbitrary, capricious and deserves no merit. The basis for computing the environmental compensation stood on the issues concerning proper effluent transfer system, effluent clogging in drains, fly ash and hazardous waste spillage, fly ash silo of storage capacity of two days against requirement of 30 days. It is pertinent to submit that the committee has taken a uniform basis of 271 days between 17.01.2020 to 14.10.2020, ignoring the fact that non-compliances if any in relation to the issue concerning storage of fly ash is not to be reckoned from 17.01.2020. This is because, the APPCB Guidelines dated 17.03.2020 had stipulated 3 months' time for the 11th Respondent to complete installation of the silos for storing Fly Ash for upto 30 days, which is also under review currently. In any event, assuming but not admitting any purported non-compliance, the period of non-compliance ought to be reckoned after 17.06.2020. Therefore, the compensation has been arbitrarily inflated by around 152 days. Further, the entire period of EC has been reckoned from January, 2020 till October, 2020, which was the period during which the entire country was reeling on account of the several total lockdowns imposed due to the COVID-19 situation. While the fact remains that the 11th Respondent has remained compliant all through, the calculation of EC for the above period, ignoring the pandemic is wholly arbitrary and capricious, and for this reason as well, the EC deserves to be ignored, especially in a situation where it is an inevitable challenge for industries to source manpower to comply with newly imposed conditions. In any event, despite the same, I submit that the 11th Respondent has remained completely compliant. It is therefore submitted that that there is no EC attributable to the 11th Respondent, it is further pertinent to mention that the computation of EC has also been arbitrarily arrived at and therefore,



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the same deserves to be set aside in its entirety, especially when no justification has been provided for such an arbitrary and inflated imposition of EC.

E.6. Further, the EC has been set out based on incorrect facts, evidences not belonging to the 11th Respondent and merely based on surmises and conjectures of a purported non-compliance. Therefore, the Joint Committee Reports (I and II) along with the recommendations set out therein deserves to be set aside to the extent they are prejudicial to the interest of the 11th Respondent.

E.7. Therefore, the consequent levy of EC is illegal. Further the forfeiture of Bank Guarantee to the tune of INR 7,50,000/- is contrary to the principles of Natural Justice and must be reversed forthwith.

E.8. The levy of EC is unsustainable for the factual and legal reasons set out hereinabove.

F. *Forfeiture of Bank Guarantee is mala fide and violative of Natural Justice*

F.1. It is submitted that while the fixation of environmental compensation is by itself without any basis and deserves to be set aside, the forfeiture of the bank guarantee is *mala fide*, arbitrary and contrary to the principles of natural justice and the same is to be reversed.

F.2. The APPCB had issued a letter with reference Lr. No. N/855/PCB/RO-NLR/2020-657 dated 07.10.2020 to the Manager, HDFC Bank Ltd. requesting that INR 7,50,000/- be forfeited out of the existing Bank Guarantee of INR 20,00,000/- and a Demand Draft be furnished in favor of the APPCB.

F.3. The Letter dated 07.10.2020 references the APPCB Directions dated 28.09.2020. However, the APPCB Directions dated 28.09.2020 did not make even a passing mention of Bank Guarantees or their revocation thereof. The above correspondences are already enclosed as **Annexures 17-18** to Reply dated 18.02.2021.

F.4. It is submitted that the conduct of the APPCB is arbitrary, untenable and reflects a high handedness on the part of Respondents 2 and 4.

F.5. In this connection, it is highly pertinent to draw reference to the letter bearing reference number No. N/855/PCB/RO-NLR/2020-657 dated 07.10.2020 addressed to the HDFC Bank Limited, Vijayawada where the 2nd and the 4th Respondent, represented through their environmental engineer, had invoked the Bank Guarantee furnished by the 11th Respondent, to an extent of Rs. 7.5 Lakhs. However, such conduct is wholly prejudicial and perverse, for the reasons that such forfeiture was ordered even while this Hon'ble Tribunal was seized of the matter and that



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too without ascertaining any contravention on the part of the 11th Respondent calling for the invocation of the Bank Guarantee.

F.6. In addition to the above, the authority who had invoked the Bank Guarantee, subsequently became a part of the Joint Committee which had issued Joint Committee Report-I clearly manifests a plausibility of an inherent bias in the minds of the Joint Committee- I while formulating the report recommending environmental compensation.

F.7. Therefore, it is submitted that the same authority who invoked bank guarantee without any substantial reasons subsequently justified the levy of EC without any basis, in the Joint Committee Report- I. The EC recommended without any preliminary basis was further affirmed by the Joint Committee Report- II without any application of mind whatsoever.

F.8. It is therefore submitted that the Respondents 2 and 4 have deliberately and in complete contravention of the principles of natural justice, acted as a judge of their own cause, by both invoking the bank guarantee and subsequently being a part of the committee recommending EC to be levied on the 11th Respondent.

F.9. I therefore submit that, the 11th Respondent genuinely believed that the Joint Committee-II would exercise independent judgement and adhere to the mandate prescribed by this Hon'ble Tribunal. However, since the Joint Committee- II did not adhere to the mandate prescribed and has only reiterated the EC recommended by the Joint Committee Report- I, I submit that the very existence of the authority who invoked the bank guarantee in the Joint Committee Report- I, and its report defeats the interest of justice. I submit that this Hon'ble Tribunal vide order dated 16.03.2020, vide Para 16 appointed the Joint Committee- I in the following terms:

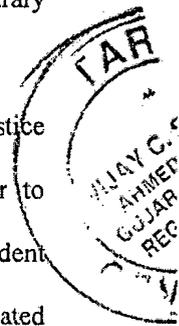
"16 ...we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found."

F.10. I submit that though this Hon'ble Tribunal had directed a senior Scientist as a representative of the 2nd and 4th Respondent, nevertheless, the appointment of the same person by the 2nd and 4th Respondent, to both invoke the bank guarantee and to be a part of the Joint Committee- I and inspect the premises of the 11th Respondent on 13.10.2020 and 14.10.2020, after invoking bank



guarantee on 07.10.2020, and consequently recommend environmental compensation is contrary to the principles of natural justice.

F.11. The 11th Respondent submits that the APPCB has violated the principles of natural justice by taking coercive steps to invoke the 11th Respondent's Bank Guarantee even prior to determination of EC by the Joint Committee and without so much as putting the 11th Respondent on notice to this fact. The 11th Respondent wrote to the APPCB under communication dated 13.10.2020 registering their protest on the above count. In any event, the conduct of APPCB is wholly unwarranted and arbitrary and contrary to settled principles governing invocation of bank guarantees.



13. It is submitted that the Joint Committee Report-II observed that *"the unit has taken steps for improvement and has complied with the conditions stipulated in CFO and directions issued by APPCB. As per OCEMS records available with APPCB, the unit is found complying with APPCB standards for Particulate Matter"*. While the compliance on the part of the 11th Respondent is a matter of fact, it is pertinent to submit that the Joint Committee(s) have failed to take note of the fact that the 11th Respondent has been in continuous compliance and there is no instance of any non-compliance with any of the environmental obligations of the 11th Respondent calling for the levy of EC.

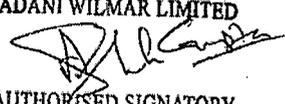
14. The 11th Respondent submits that the Joint Committee Report (I and II) are marred by inconsistencies and is based on unreliable evidences insofar as they allege non-compliance on part of the 11th Respondent. The 11th Respondent vehemently denies the observation of any non-compliance on the part of the 11th Respondent.

15. The 11th Respondent reiterates that none of the pictures enclosed in Page 26 of the Joint Committee Report-I dated 01.12.2020 belong to the 11th Respondent and the Joint Committee Report-II dated 10.08.2021 ought to have retracted these allegations and cancelled the EC imposed thereof.

16. Instead, the Joint Committee Report-II has ignored all submissions to merely repeat the demand for EC. The 11th Respondent submits that the APPCB (2nd Respondent herein) has concluded non-compliance on part of the 11th Respondent for the period 17.01.2020 to 14.10.2020 without heeding the 11th Respondents submissions on facts.



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17. In the interregnum between Paragraph II and VII of the Joint Committee Report-II, there are no contents relevant to the 11th Respondent and therefore no traversal is warranted.

18. Paragraph VII of the Joint Committee Report-II lists out the action taken by the APPCB. No response is warranted for the facts stated therein. However, in so far as the conduct of forfeiting the bank guarantees are concerned (in paragraph VII.4), the same is vehemently objected to herein as arbitrary and violative of principles of natural justice and deserves to be set aside.

19. Paragraph VIII of the Joint Committee Report -II speaks of common issues jointly to be addressed by all edible oil industries.

INDIA

Table – 2- Specific rebuttals to the *common issues*

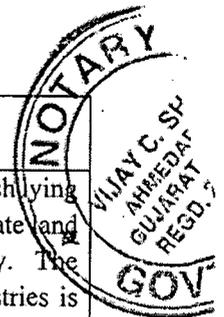
Paragraph VIII	Observation	Response
1	Issue related to drawl of water from tankers and ground water: The committee has prayed that the Hon'ble NGT direct the Andhra Pradesh Industrial Infrastructure Corporation (APIIC) and Department of Industries, Nellore to provide water supply to the industries.	While the recommendation concerns with APIIC, nevertheless, the 11 th Respondent submits that, as a part of the 11 th Respondent's reply dated 07.08.2021 addressed to the CPCB, consequent to an inspection at the site of the 11 th Respondent, it has been specifically set out that recently all the industries have obtained the permission from Nellore Municipal Corporation for drawing water through the pipeline. Since laying of pipeline would take time, it was proposed to take water by tankers from Nellore till the completion of the proposed pipeline. In this connection, the permission from Nellore Municipal Corporation and the common consent from the industries were submitted. The 11 th Respondent's letter dated 07.08.2021 along with the annexures referred therein are appended herewith as <i>Annexure- 2</i> .
2	Fly ash dumping: Fly ash is found dumped in low lying area to an extent of ten acres in vacant plot. All the industries informed that they are not responsible for the dumping. The committee submits to Hon'ble NGT to direct all seven industries to jointly compact the fly ash and to cover with minimum 10cm clay/ soil cover to prevent ambient dust.	Fly ash dumping: Insofar as this issue is concerned, there has been no violation / allegation against the 11 th Respondent, and no direction whatsoever as even the Joint Committee Report I found fly ash dumped adjacent to other units not being the 11 th Respondent. However, in the interest of the 11 th Respondent's social commitment, in good faith and as a part of the social responsibility, all the industries have

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Paragraph VIII	Observation	Response
		agreed to fill clay or sand in the Ash lagoon on northeastern direction, on private land for the benefit of the society. The common consent of all the industries is also appended as a part of Annexure -2 to this reply.
3	Augment capacity of oil skimming: To further effectively remove oil & grease from effluent the committee suggested the industries to enhance the capacity of oil skimming. The units have collectively agreed to install one additional skimmers for removal of oil & grease in ETP.	Insofar the issue concerning oil skimmer is concerned, the same has been raised for the first time in the Joint Committee Report-II and has never been alleged in the Joint Committee Report-I, and averments set out here only reflect a suggestion to augment the capacity, and does not indicate any contravention. In any event, the 11 th Respondent submits that, an oil skimmer has already been installed as a part of the 11 th Respondent's technology, and that an extra oil skimmer shall also be installed for good separation of oil and greases. In any event, the 11 th Respondent has remained fully compliant.
4	Presently all edible oil units are fully operating the physical refining process while the units are operating the chemical refinery at 50% capacity.	No response is warranted by the 11 th Respondent.
5	Units are yet to achieve 100% compliance. All units shall make improvements in drains/ pipelines used for transporting effluent from production block to ETP. The units shall ensure that storm water is not mixed with effluent.	The 11 th Respondent is fully compliant. The MEE Plant is being replaced due to normal depreciation and this should not be termed as wilful neglect of factory machinery. Therefore, the 11 th Respondent has always remained compliant.
6	Units are not complying with APPCB Stipulation that silos installed must have capacity to store Fly Ash for 30 days.	The 11 th Respondent has already purchased the silos with enhanced storage capacity. Without prejudice, no EC should be levied for the period till this recommendation is still under review. The 11 th Respondent, in any event is setting up the 120MT capacity silo, which is to be operational from 30.09.2021. Therefore, no non-compliance whatsoever can be attributed to the 11 th Respondent.
7	APPCB's continuous vigilance and forfeiture of bank guarantees ensured that no effluent was discharged outside premises.	The 11 th Respondent is an environmentally responsible company with rigid standards of self-governance. Any allegation that supervision of



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Paragraph VIII	Observation	Response
		APPCB has ensured compliance is only a self-serving statement. In any event, forfeiture of bank guarantees is contrary to the principles of natural justice.
8	EC has been affixed on erring units.	The 11 th respondent is not an erring unit as they are fully compliant with all prescribed conditions. No EC is liable to be affixed on the 11 th Respondent.
9	Fly Ash is being dumped in land adjacent to Respondents No. 7 and 9	There has never been any specific allegation against the 11 th Respondent in this regard. Nevertheless, in good faith and in complying with social obligations, all industries have collectively decided to fill clay or sand in the Ash lying on northeastern direction, on private land for the benefit of the society.
10	All units to carry out performance evaluation of MEE Plant and RO plant. No unit to discharge RO reject without treatment.	11 th Respondent is already complying and will continue to comply.

20. Paragraph IV (appearing *in seriatim* after Paragraph VIII in the report) deals with the ambient air quality monitoring. The report records that APPCB monitored ambient air quality in nearby villages to verify whether the operations of the industries impact on air quality in Pantapalem, Subbareddypalem, Daruvupalem, and Epuru villages. All four villages are complying with ambient air quality standards. In this connection it is pertinent to mention that the 11th Respondent is equally responsible in ensuring ambient air quality and has remained compliant throughout their operation and continues to remain so.

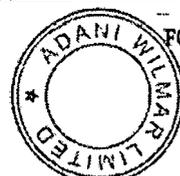
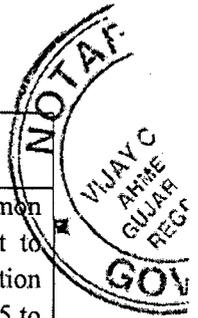
21. Paragraph IX has recorded conclusions in respect of the findings in the report. The 11th Respondent makes the following submissions against each observation specified therein, to the extent applicable to the 11th Respondent:

Table – 3- Specific rebuttals to the conclusion

Paragraph IX	Conclusion	Rebuttal
1	Construction of Common Effluent Treatment Plant ('CETP') is shelved as each unit has set up their own ETP.	11 th Respondent is not required to respond to this.
2	The committee recommended to direct the Andhra Pradesh Industrial Infrastructure Corporation	While the 11 th Respondent has been ready to participate in



Paragraph IX	Conclusion	Rebuttal
	(APIIC) and Department of Industries, Nellore to provide water supply to the industries.	setting up a common desalination plant, subject to permissions and cooperation of other Respondents No. 5 to 10, recommendations made out to the APIIC requires no traversal from the answering Respondent. However, all the industries have obtained the permission from Nellore Municipal Corporation for drawing water through the pipeline. Since laying of pipeline would take time, it was proposed to take water by tankers from Nellore till the completion of the proposed pipeline.
3	Units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated.	The 11 th Respondent is not required to respond to this as no such specific allegation was made against them.
4	During the inspection, the committee did not observe any discharge of effluent into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.	The 11 th Respondent is not required to respond to this as no such specific allegation was made against them.
5	Units to maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal.	11 th Respondent is already compliant and will continue to comply.
6	Units must carry out mineral oil test on every batch of crude oil which is procured locally.	11 th Respondent is already compliant and will continue to comply.
7	The Committee has recommended an environmental compensation payable by each of the units and a sum of Rs.73,80,000/- was recommended to be payable by the 11 th Respondent.	For various reasons set out in the above paragraphs the 11 th Respondent is not liable to pay EC because no conditions have been violated. Further, Joint Committee Report has made baseless conclusions due to incorrect factual understanding and incorrect photographs.
8	The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The units shall ensure that real time data is directly transferred from analyser to APPCB server without any interface.	11 th Respondent is already compliant and the same has also been recorded in the Joint Committee Report- I and will continue to comply.



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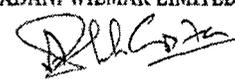
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Paragraph IX	Conclusion	Rebuttal
9	Fly ash is found dumped in low lying area to an extent of ten acres in vacant plot. All the industries informed that they are not responsible for the dumping. The committee submits to Hon'ble NGT to direct all seven industries to jointly compact the fly ash and to cover with minimum 10cm clay/ soil cover to prevent ambient dust.	Though no allegation is specifically levelled against the 11 th Respondent and the fly ash was found dumped adjacent to other units not belonging to 11 th Respondent, the 11 th Respondent, in good faith and in complying with social obligations, all industries have collectively decided to fill clay or sand in the Ash lying on northeastern direction, on private land for the benefit of the society.
10	Units to collectively construct new concrete roads as part of CSR activity and ensure green cover.	11 th Respondent is already compliant and will continue to comply. In this connection, it is pertinent to submit that vide 11 th Respondent's letter dated 07.08.2021, it has been set out that the 11 th Respondent and M/s. Emami Agrotech Limited have jointly agreed to undertake the activity of making approach road on priority, provided the necessary approvals are obtained. Further, the 11 th respondent has also been in constant talks with the authorities to ensure the above activities undertaken.

22. The 11th Respondent submits that severe prejudice has been caused to their case by virtue of the Joint Committee Report, which has adduced unreliable evidences. Further, the Joint Committee Report-II has not considered any of the objections raised by the 11th Respondent and has proceeded to rudimentarily levy environmental compensation without any basis whatsoever. In this connection, the 11th Respondent seeks to place on record that the 11th Respondent, time and again vide various affidavits, including vide the counter affidavit to the above Original Application have elaborately set out the factum of compliance maintained throughout by the 11th Respondent and no violation or non-compliance whatsoever can be attributable to the 11th Respondent. The various affidavits filed by the 11th Respondent from time to time may be read as part of the present affidavit as the same are not elaborated herein in the interest of brevity.



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23. In this connection, it is further pertinent to submit that the above Original Application does not set out any of the allegations of pollution caused by the 11th Respondent. The allegations as levelled in the Joint Committee Report- II ignoring the mandate fixed by this hon'ble Tribunal is nothing but an afterthought attempt to portray a picture of non-compliance to justify the purported environmental compensation. Therefore, such an attempt to portray non-compliance, ignoring the factual position and recommendation of EC in the absence of any contravention merits no indulgence. In any event, the 11th Respondent has set out a detailed counter to the averments set out in the Original Application, establishing the compliant status of the 11th Respondent, and the same is adopted herein.

24. The 11th Responded craves leave to raise additional grounds and adduce additional evidences, should the need arise, during the course of the proceedings.

25. In these circumstances, it is prayed that this Hon'ble Court may be pleased to dismiss the OA 221 of 2015 to the extent it is prejudicial to the case of the 11th Respondent and thus render justice.

PRAYER

It is, therefore, respectfully prayed that this Hon'ble Tribunal may be pleased to pass orders for-

- (i) Rejection of the recommendations of the Joint Committee Report(s) dated 01.12.2020 and 10.08.2021 insofar as they are prejudicial to the 11th Respondent;
- (ii) Setting aside the Environmental Compensation imposed under the Joint Committee Report dated 01.12.2020 and reiterated in the report dated 10.08.2021 insofar as the 11th Respondent is concerned;
- (iii) Setting aside the forfeiture of bank guarantee and consequentially direct the refund of Rs. 7,50,000/- by the 4th Respondent;
- (iv) Dismissing the Original Application No. 221/2015 insofar as it concerns the 11th Respondent; and
- (v) such other Orders as this Hon'ble Tribunal may deem fit and necessary in the interests of justice.

Solemnly affirmed at Ahmedabad on this the 24th September, 2021 and signed his name in my Presence.)
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FOR, ADANI WILMAR LIMITED
[Signature]
AUTHORISED SIGNATORY

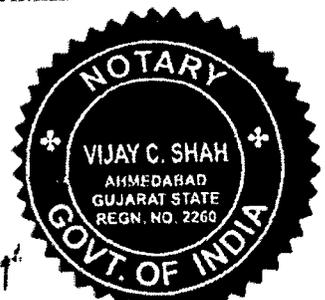
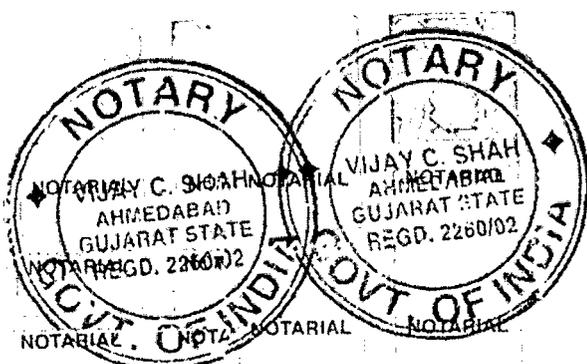
BEFORE ME,

ADVOCATE, AHMEDABAD

SOLEMNLY AFFIRMED
BEFORE ME

VIJAY C. SHAH
NOTARY
GOVT. OF INDIA

Page 22 of 22 24 SEP 2021



adani wilmar

Date:03.10.2021

To,
Sri Vijay Kumar G.Srkr, I.A.S,
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
Email: membersecy@appcb.gov.in

Respected Sir,

Subject: Seeking for the operation of the Order No. 149/APPCB/UH-II/TF/NLR/2018 dated 23/09/2021 to be kept in abeyance pending disposal of O.A. No. 221/2015 pending on the file of the Hon'ble National Green Tribunal, Southern Bench.

- Reference: 1. Consent For Operation Order issued in favour of M/s. Adani Wilmar (Unit-II) on 19/03/2019
2. Original Application No. 221 of 2015 filed by Ms. Isanaka Vedavathi before the Hon'ble National Green Tribunal, Chennai
 3. Order No.149/APPCB/UH-II/TF/NLR-2020-1813 dated 17.1.2020.
 4. Reply of M/s. Adani Wilmar Limited (Unit- II) with respect to aforesaid Letter dated 3rd March, 2020 sent via Email.
 5. Order dated 16/03/2020 passed by Hon'ble National Green Tribunal, Chennai in OA/221/2015.
 6. Task Force meeting Agenda dated 9th September 2020- Meeting with all Industries.
 7. Letter dated 09th October, 2020 M/s. Adani Wilmar Limited (Unit- II) replying to non-compliance highlighted in aforesaid Letter.
 8. Order No.149/APPCB/UH-II/TF/NLR/2019 dated 28.09.2020.
 9. Reply of M/s. Adani Wilmar Limited (Unit- II) dated 13th October, 2020 with respect to aforesaid order and also raising issue of illegal revocation of Bank Guarantee without giving any opportunity of hearing.
 10. Joint Committee Inspection on 13.10.2020 and 14.10.2020
 11. Compliance Report of M/s. Adani Wilmar Limited (Unit -II) submitted to Smt. Mahima.T.Gowda, Scientist, Member, Joint Committee.
 12. Joint Committee Report dated 01/12/2020
 13. Reply dated 18/02/2021 of M/s. Adani Wilmar Limited (Unit -II) to Joint Committee Report dated 01/12/2020
 14. Order dated 03/02/2021 passed by the Hon'ble National Green Tribunal, Chennai in OA/221/2015
 15. Joint Committee Report dated 10/08/2021
 16. Order dated 16/09/2021 passed by the Hon'ble National Green Tribunal, Chennai in OA/221/2015
 17. Letter dated 07/08/2021 issued by of M/s. Adani Wilmar Limited Unit-II addressed to the Central Pollution Control Board, Regional Directorate post Joint Committee Inspection on 29.7.2021 & 30.7.2021.
 18. Reply of M/s. Adani Wilmar Limited (Unit- II) dated 24/09/2021 to the report of the Joint Committee dated 10/08/2021
 19. Order No. 149/APPCB/UH-II/TF/NLR/2018 dated 23/09/2021, a copy of which was received by email on 29/09/2021.

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1. This has reference to the Order dated 23/09/2021 (cited at Ref. 19) ('Order') issued by the Andhra Pradesh Pollution Control Board ('APPCB/You'), a copy of which was issued on 29/09/2021 to M/s. Adani Wilmar Limited (Unit- II) (hereinafter referred to as 'Unit'/'Company') vide email id: ronlr-eel@appcb.gov.in belonging to Sri Ch. Rajasekhar, Environmental Engineer, A.P. Pollution Control Board, Regional Office, A. P. Pollution Control Board, 1st Floor, A P S F C Building, A K Nagar Nellore - 524 004.

2. The Order dated 23/09/2021 signed by your good office had directed the Unit to immediately pay the Environment Compensation ('EC') of Rs. 73,80,000/- within a week's time, and further set out several directions against the Company under Section 31(A) of the Air (Prevention and Control of Pollution) Amendment Act, 1987 ('Air Pollution Act') and Section 33(A) of the Water (Prevention and Control of Pollution) Amendment Act, 1988 ('Water Pollution Act'). The Unit has preferred detailed objections to the Joint Committee Reports dated 01.12.2020 (in Reply dt. 18.02.2021) and Joint Committee Report dated 10.08.2021 (in Reply dated 24.09.2021), previous directions issued by APPCB, Inspections conducted by Joint Committee constituted by NGT, the submissions and replies by Unit in reference stated above may be treated as part of this reply, to the extent as may be applicable.

Order dated 23.09.2021 was received only on 29.09.2021

3. The Order dated 23/09/2021 had issued various directions the Unit, effective from 23.09.2021. However, the Order was received by the Unit only on 29.09.2021, under E-mail dated 29/09/2021 as mentioned above.

4. It is submitted that no adverse action may be initiated for a situation where the Unit was not even in receipt of the Order.

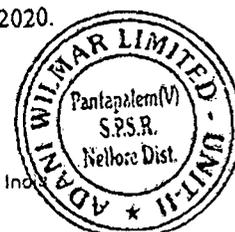
Order dated 23.09.2021 is premature & overlooks the fact that proceedings as mentioned in references of Order dated 23/09/2021 are sub-judice before Hon'ble NGT.

5. At the outset, without prejudice to the rights and contentions of the Unit in the ongoing proceedings in OA. No. 221/2015 before the Hon'ble NGT, it is submitted that the Order is premature even as it has directed the Unit to pay EC for alleged violations which are pending adjudication before the Hon'ble NGT.

6. The Order dated 23.09.2021 (received on 29.09.2021) had directed the Unit to pay EC of INR 73,80,000/- within a week, without regard to the fact that the very same issue is under dispute before the Hon'ble NGT in O.A. 221 of 2015 and that INR 7,50,000/- had been recovered by way of forfeiture of

Adani Wilmar Bank guarantee under Letter No. ~~W/855/PCB/RO/118/2020-657~~ dated 07.10.2020.
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Andhra Pradesh, India
CIN: U15146GJ1999PLC035320

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7. It is submitted that even earlier as well APPCB had forfeited Bank Guarantees in hurry after Task Force meeting on 09.09.2020 with all Industries, to which Unit had specifically replied to all compliances with status on 10.10.2020. The Bank Guarantees were forfeited after intimating to Bank about directions dated 28.09.2020 (Sl.no.8 in reference above) which does not contain any indication for forfeiting Bank guarantee. The Unit had responded to Task Force Meeting discussion held on 9th September and also to Directions issued on 28.09.2020 followed by Letter dated 13.10.2020 praying for not revoking the Bank Guarantee without any opportunity of personal hearing, but unfortunately at that time also no opportunity or response was received to any of the Letters and Bank Guarantee was forfeited. The Unit have taken this issue in reply to Joint Committee reports submitted by NGT and same is pending consideration before NGT. The Unit hereby submits that, it has regularly submitted compliance status in time to APPCB and was working under their instructions and directions.

On merits also, No EC is liable to be paid

8. In addition to and without prejudice to the above, the Order dated 23.09.2021 is a culmination of proceedings initiated by Ms. Isanaka Vedavathi by way of OA. No. 221/2015 (cited at Ref. 2 above) which is pending on the file of the Hon'ble National Green Tribunal, Southern ('Tribunal'/NGT) as on date. The OA 221 of 2015 is scheduled for hearing on 18.10.2021. It needs to be submitted that OA 221 of 2015 had raised main issue of discharge of water outside the factory against all Industries, but both the Joint Committee Report of December 2021 and August 2021 had clearly mentioned that during the inspection, the committee did not observe any discharge of effluent into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.

9. The Unit has been arrayed as the 11th Respondent and the Unit has been contesting the proceedings by way of elaborate written submissions at each opportunity afforded by the Hon'ble NGT. As on date, the pleadings are pending consideration and adjudication by the Hon'ble NGT.

10. In such circumstances, the Order dated 23.09.2021 is premature & the direction to pay INR 73,80,000/- is unsubstantiated, especially when the interests of your good offices are sufficiently protected by virtue of the proceedings pending before the Hon'ble NGT. In addition to the above, no prejudice whatsoever would be caused in the event that the operation of the captioned Order dated 23.09.2021 is kept in abeyance pending final determination of the O.A. 221 of 2015, as the Unit has already provided bank guarantee which is valid till March 2022. Thus, it is prayed that no liability whatsoever may be fastened on the Unit pending a final decision on the OA 221 of 2015 more specially on directions to deposit the EC when the Joint Committee report dated 10th August, 2021 specifically states in Clause-IX- Conclusions at

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Page.23 that "The committee submits to Hon'ble NGT to direct the units to pay Environmental Compensation to APPCB as summarized below".

Specific response to directions issued under the Order

11. A bare perusal of the Memorandum of Application in OA 221 of 2015 would reveal that there is no specific allegation levelled against the Unit. The Unit has regularly filed its response as to status of compliances to all direction and instructions given during physical inspections taken at the unit by APPCB or NGT Joint Committee and have never received any dissatisfaction or counter to any of the replies sent by the Unit. The Unit has filed their Counter Affidavit to the OA 221 of 2015. The Unit has filed their Objections to the Joint Committee's Report dated 01.12.2020 (in Reply dated 18.02.2021) and to the Joint Committee's Report dated 10.08.2021 (in Reply dated 24.09.2021), which are pending disposal as part of the OA 221 of 2015.

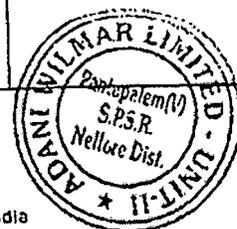
12. At the outset, the Order dated 23.09.2021 is in contravention of the principles of natural justice and the Unit is in the process of preferring legal remedies available under the applicable statutes. It is prayed that no further steps may be taken pursuant to the Order dated 23.09.2021 without first affording an opportunity of personal hearing to the Unit.

13. As far as the environmental obligations are concerned, the Unit has always remained compliant. In addition to response to Joint Committee Reports, Unit have been constantly updating APPCB regarding its compliance status. The Unit makes the following statements in respect of the directions issued by your good offices in the Order dt. 23.09.2021:

Sl.	Directions issued in Order dt. 23.08.2021	Compliance status	References
i.	The industry shall immediately pay the EC of Rs. 73,80,000/- within a week time.	The unit is contesting the levy of EC which is sub-judice before the Hon'ble NGT and same is also acknowledged in Joint Committee Report dated 11 th August, 2021 and Order of Hon'ble NGT dated 11 th August, 2021 wherein it is specifically states in Clause-IX- Conclusions at Page.23 that "The committee submits to Hon'ble NGT to direct the units to pay Environmental Compensation to APPCB as summarized below". This direction may be kept in abeyance until such time as the Hon'ble NGT disposes of the matter.	Unit is contesting all allegations forming the basis for levy and computation of EC.

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Sl.	Directions issued in Order dt. 23.08.2021	Compliance status	References
		The criterion of levying EC is not as per guidelines issued by CPCB.	
ii.	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.	<ul style="list-style-type: none"> That it is also acknowledged in Joint Committee reports that the available ground water resources are not sufficient to meet the industrial water requirements. It was submitted to Hon'ble NGT to direct the Andhra Pradesh Industrial Infrastructure Corporation (APIIC) and Department of Industries, Nellore to provide water supply to the industries. There are seven edible oil industries operating in Muthukur village, Krishnapatnam. This was common point for all industries. Recently, all Industries got the Permission letter from Nellore Municipal Corporation for drawing the water through the pipeline. Since laying pipeline will take time, industry propose to take water by tankers from Nellore till completion of proposed pipeline. All industries are working on this proposal to start to get the water by tankers on priority from Municipality. Parallely, the industries are also exploring other alternatives as suggested in joint committee report. A letter to that 	<ul style="list-style-type: none"> Ground B-Page 5 (Reply dt. 18.02.2021 to JC Report I) Paragraph 19, Page 17 (Reply dt. 24.09.2021 to JC Report II.)

Adani Wilmar Ltd
Survey No 160
Village Panchaleni (Egura 1B)
Sripottisramulu, Nellore 524 323
Andhra Pradesh, India
CIN: U15146GJ1999PLC035320

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info@adanwilmar.in
www.adanwilmar.in



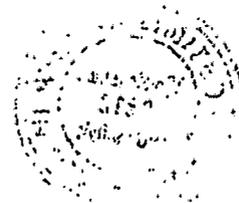
Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

adani wilmar

Sl.	Directions issued in Order dt. 23:08.2021	Compliance status	References
		effect is also submitted by Krishnapatnam Edible Oil Association (A copy of Letters from Nellore Municipal Corporation and Krishnapatnam Edible Oils Refiner's Association are enclosed as Annexures A and B respectively).	
iii.	The industry shall store 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.	<ul style="list-style-type: none"> ▪ The Unit has always been compliant and will continue to comply. ▪ No specific allegations against Unit. This was common point for all industries. 	<ul style="list-style-type: none"> ▪ Ground M.3.- Page 15 (Reply dt. 18.02.2021 to JC Report I) ▪ Paragraph 21.3- Page 20 (Reply dt. 24.09.2021 to JC Report II.)
iv.	The industry shall not discharge any treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.	<ul style="list-style-type: none"> ▪ The Unit has always been compliant and will continue to comply. ▪ No allegation against Unit. ▪ At page 23 of Joint Committee Report dated 10th August, 2021, it is specifically stated in para.4, at Cl. IX-Conclusions that, during the inspection, the committee did not observe any discharge of effluent into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises. This was common point for all industries. 	<ul style="list-style-type: none"> ▪ Ground M.4.- Page 15 (Reply dt. 18.02.2021 to JC Report I) ▪ Paragraph 21.3- Page 20 (Reply dt. 24.09.2021 to JC Report II.)
v.	The industry shall maintain proper records for fullers earth (by- product) generated and oil recovered from the ETP and its mode of its disposal.	<ul style="list-style-type: none"> ▪ The Unit has always been compliant and will continue to comply. ▪ No specific allegation against Unit in Joint Committee report. This was common point for all industries. 	<ul style="list-style-type: none"> ▪ Ground M.5.- Page 15 (Reply dt. 18.02.2021 to JC Report I) ▪ Paragraph 21.5- Page 20 (Reply dt. 24.09.2021 to JC Report II.)

Adani Wilmar Ltd
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Tel +91 8886641639/630
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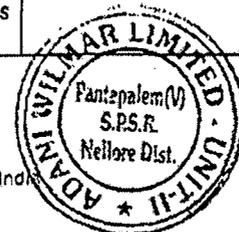
Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

adani wilmar

Sl.	Directions issued in Order dt. 23.08.2021	Compliance status	References
vi.	The locally purchased crude palm & sunflower oil is not tested for the presence of mineral oil content or Hydrocarbons. Industries shall test every batch of consignment and these reports have to be submitted to APPCB along with their compliance report.	<ul style="list-style-type: none"> This was common point for all industries. The Unit has always been compliant and will submit the report to APPCB as mentioned. 	<ul style="list-style-type: none"> Ground M.6.- Page 15 (Reply dt. 18.02.2021 to JC Report I) Paragraph 21.6- Page 20 (Reply dt. 24.09.2021 to JC Report II.)
vii.	The industry shall provide online AAQ monitoring station to measure PM10 in the surrounding villages.	<ul style="list-style-type: none"> This was common point for all industries. This is completely new point which was never raised in earlier reports submitted by Joint Committee nor in any of directions issued earlier. Unit shall be given some time to ensure compliance. As per Joint Committee reports of August, 2021, it was observed that the unit has installed online emission monitor system to measure SPM and is connected to APPCB server. The unit is complying with stack emissions and ambient air standards. As per Joint Committee reports of December, 2020, it was observed that the Unit has installed online emission monitor system to measure SPM and is connected to APPCB server. Last six months online data was verified, and unit is found complying. 	Paragraph 19-Page 20 (Reply dt. 24.09.2021 to JC Report II.)
viii.	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.	<ul style="list-style-type: none"> The Unit has always been compliant and will continue to comply. This was common point for all industries. No allegation against Unit. As per Joint Committee reports of August, 2021, it was observed that the unit has installed online emission monitor system to measure SPM and is connected to APPCB server. The unit is complying with stack emissions and ambient air standards. 	<ul style="list-style-type: none"> Ground M.10.- Page 16 (Reply dt. 18.02.2021 to JC Report I) Paragraph 21.8- Page 20 (Reply dt. 24.09.2021 to JC Report II.)

Adani Wilmar Ltd
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Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

adani wilmar

Sl.	Directions issued in Order dt. 23.08.2021	Compliance status	References
		<ul style="list-style-type: none"> As per Joint Committee reports of December, 2020, it was observed that the Unit has installed online emission monitor system to measure SPM and is connected to APPCB server. Last six months online data was verified, and unit is found complying. 	
ix.	All industries to jointly compact the fly ash and to cover with minimum 10 cm clay / soil cover to prevent ambient dust.	<ul style="list-style-type: none"> This was common point for all industries. All industries have agreed to fill clay/ sand on the Ash lying on <i>northeastern</i> direction on private land, for the benefit of society and as part of their social responsibility. (A copy of Letters of Krishnapatnam Edible Oils Refiner's Association is enclosed as Annexure-B). 	<ul style="list-style-type: none"> Ground M.7.- Page 15 (Reply dt. 18.02.2021 to JC Report I) Paragraph 21.9- Page 21 (Reply dt. 24.09.2021 to JC Report II.)
x.	Public roads surrounding the industries are in 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.	Emami Agrotech Limited and AWL, Unit-II jointly have agreed to undertake activity of making approach road on priority provided we get necessary approvals in allocation of land area from District Collector, SPSR Nellore, General Manager, District Industry Centre (DIC) and Andhra Pradesh Industrial Infrastructure Corporation (APIIC). Andhra Pradesh Pollution Control Board and NGT may please give necessary directions for land clearance so that road making activity can be started on priority. We are also in touch with APIIC for the grant of land as per rules for laying road.	<ul style="list-style-type: none"> Ground M.12.- Page 19 (Reply dt. 18.02.2021 to JC Report I) Paragraph 21.10- Page 21 (Reply dt. 24.09.2021 to JC Report II.)
xi.	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.	<ul style="list-style-type: none"> The Unit has always been compliant and will continue to comply. Unit has developed 9 acres of green belt, with 4 acres are within the Unit's premises and compensatory plantation of 5 acres outside Unit's factory premises in villages due to space 	<ul style="list-style-type: none"> Ground F- Page 13 (Reply dt. 18.02.2021 to JC Report I) Paragraph 21.10- Page 21 (Reply dt. 24.09.2021 to JC Report II.)

Adani Wilmar Ltd
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Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India



adani wilmar

Sl.	Directions issued in Order dt. 23.08.2021	Compliance status	References
		constraints at its unit. Joint Committee Report in its report dated 10 th August 2021 have not mentioned this as non-compliance, after clarification from AWL on 1 st Joint Committee report of December, 2020.	
xii.	The industry shall ensure that proper segregation of various types of hazardous wastes and provide provision with leachate collection.	<ul style="list-style-type: none"> ▪ The Unit has always been compliant and will continue to comply. ▪ The Joint Committee report dated 10th August, 2021 stated that 5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit and stored in separate shed and disposed to Ramky TSDF, Nellore. 	▪ Ground C.2.- Pages 10-11 (Reply dt. 18.02.2021 to JC Report I)
xiii.	The industry shall ensure that the storm water drainage system as below: a) Entire effluent, including floor washings, spillages etc. shall be sent to the ETP through pipes. b) The first flush of storm water for the first 15 minutes shall be collected and routed to the ETP. c) There shall not be any entry of contaminated wastewater into the storm water drains.	<p>Unit is fully compliant with Point (a) and (b) as per 2nd Joint Committee Report. Unit will continue to comply.</p> <p>For point (c)- This is new point raised for the first time and Unit shall comply with the same.</p>	▪ Ground L.2.- Page 17 (Reply dt. 18.02.2021 to JC Report I)
xiv.	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	Unit has installed silos with enhanced capacity for storing Fly Ash though this recommendation was subjected to review in the JC report dated 01.12.2020.	Paragraph 19.6- Page 18 (Reply dt. 24.09.2021 to JC Report II.)
xv.	The industry shall extend the existing Bank Guarantee for further period of one year.	Unit has already complied. The Bank Guarantee is valid till March, 2022.	Proof is enclosed as Annexure-C.

Adani Wilmar Ltd
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Sripottisramulu, Nellore 524 323
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Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

adani wilmar

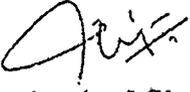
14. Without prejudice to the generality of the foregoing paragraphs, the Unit reserves its right to respond in greater detail to each direction contained in the Order dated 23.09.2021 in accordance with the principles of natural justice, fairness, and equity.

15. It is prayed that the Order No. 149/APPCB/UH-II/TF/NLR/2018 dated 23/09/2021 may be kept in abeyance pending final determination of the O.A. 221 of 2015 failing which irreparable harm and prejudice would be caused to the Unit as no EC may be liable to be paid, as the unit has always stood in compliance with the extant laws and requirements.

16. It is therefore sought that, the operation of the captioned Order dated 23.09.2021 issued by APPCB may be kept in abeyance pending determination of the O.A 221 of 2015 in the interest of justice and equity.

Sincerely,

For Adani Wilmar Limited (Unit-II)


Authorised Signatory



Copy To

- a) The Andhra Pradesh Pollution Control Board,
D.No. 33-26-14, D/2, Near Sunrise Hospital,
Pushpa Hotel Centre,
Chalamalavari Street, Kasturibaipet, Vijayawada – 520 010
- b) Sri A.K.Parida I.A.S(Retd),
Chairman,
Andhra Pradesh Pollution Control Board,
D.No-33-26-14, D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari street, Kasturibaipet, Vijayawada - 521010
Email: chairman@appcb.gov.in
- c) Sri N.V.Bhaskar Rao, Joint Chief Environmental Engineer,
A.P. Pollution Control Board,
Zonal Office, Plot No. 41,
Gurunanak Road, Opp. State Bank of Hyderabad,
Sri Kanakadurga Officer's Colony, Vijayawada – 520.008.
Email: zovja-jcee@appcb.gov.in
- d) Sri Ch.Rajasekhar, Environmental Engineer
A.P. Pollution Control Board, Regional Office,
A. P. Pollution Control Board, 1st Floor, A P S F C Building,
A K Nagar Nellore – 524 004
Email: ronlr-eel@appcb.gov.in
- e) Ms. Mahima.T. Gowda, Scientist-D
Central Pollution Control Board, Regional Directorate,
Chennai (Joint Committee Member, constituted by NGT)
Email: mahima.cpcb@nic.in

Adani Wilmar Ltd
Survey No 1601
Village Pantapalem, Nellore, Andhra Pradesh, India
Sripottisriramulu, Nellore 524 323
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Registered Office: Fortune House, Nr Navrangpura Railway Crossing, Ahmedabad 380 009, Gujarat, India

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

ANNEXURE - A**NELLORE MUNICIPAL CORPORATION**

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

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

Rec No: 54-4/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 12:40:06
Reason: Approved

(Recd-post)

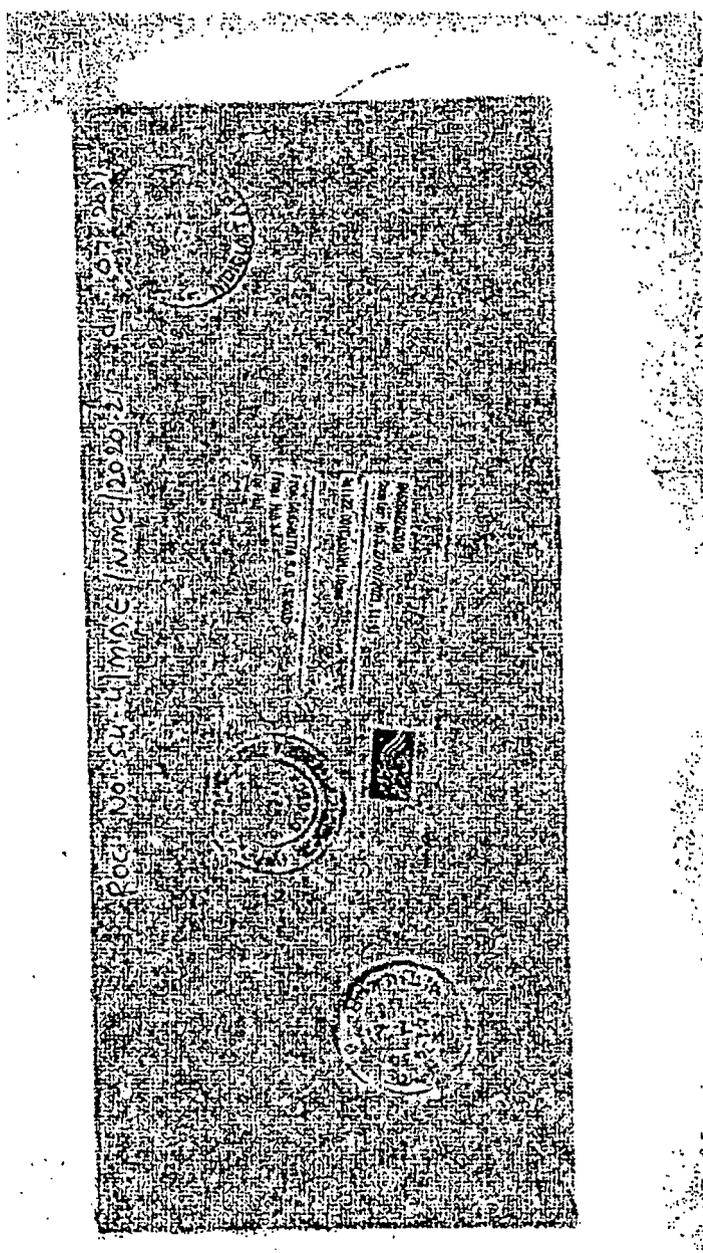
To
 The General Manager,
 Andhra Collimar (Pvt.) Ltd.
 (Incorporated)
 S.P.S. Wellore, U.S. Road,
 Madras 22

Relined

20/2

29

248



ANNEXURE - B**Krishnapatnam Edible Oils Refiners Association**203, Diamond House, Behind Topaz Building, Panjagutta, Hyderabad - 500082, Telangana
(Regn. No. 1020 / 2014)To
Ms. Mahima-T, Scientist-D
Central Pollution Control Board, Regional Directorate,
Chennai (Joint Committee Member)Date: 7th August, 2021Sub: Regarding inspection visits with reference to OA No.221/2015 pending before NGT, Southern bench, Chennai.

Dear Madam,

Reference is made to your recent visit to factories situated in Krishnapatnam which are part of association. We wish to submit that during the visit and in joint committee report dated 01.12.2020 certain common issues related to all edible oil industries were raised. We wish to submit our proposal with respect to same. As per NGT Order, joint committee has been vested with mandate to visit and inspect the factory sites in question. In continuation the site of various factories was visited between 29th July, 2021 to 30th July, 2021 and various suggestions were made by your goodself in joint meeting held at M/s Gemini. Post your visit, the industry associations have decided and mutually agreed to take below measures to resolve the issues stated in the joint committee report.

Sl.No.	Common issue raised in joint committee report	Proposed resolution
1	Issue related to drawl of water from tankers and ground water. Industries shall plan for permanent solution and get approvals and water from that source.	Recently, all Industries got the Permission letter from Nellore Municipality for drawing the water through the pipeline. Since laying pipeline will take time, industry propose to take water by tankers from Nellore till completion of proposed pipeline. All industries are working on this proposal to start to get the water by tankers on priority from Municipality. Parallely, the industries are also exploring other alternatives as suggested in joint committee report.
2	Issue of Fly Ash lying on northeastern direction of M/s Emami Agrotech Ltd in public land adjacent to M/s Gemini Edible Oils and. M/s Emami Agrotech Ltd.	All industries have agreed to fill clay/ sand on the Ash dumped next to Emami Agrotech, for the benefit of society and as part of their social responsibility. <i>Note: Industry is selling ash only to authorised vendors and are not aware of the source of ash deposited on public land.</i>

Therefore, in view of the above for the two points it is requested to please consider aforesaid proposal.

Name:
Designation:
FOR KRISHNAPATNAM EDIBLE OILS REFINER'S ASSOCIATION









P. L. Var
 (S. S. Srinivas)
 (P. SREENIVAS)
 (K. V. V.)
 (K. S. Srinivas)

No. 040-67357888, 9703111155. E-Mail: keorassociation@gmail.com

ANNEXURE - C



We understand your world



Date 25/02/2021
Form Serial No. GTEE/ 874909

HDFC BANK LTD
Hdfc Bank House 40-5-4a
Tikkie Road Vijaywada
Andhra Pradesh-520010.
GSTN of Consignee :
37AAACH2702H1ZZ

Visit: www.hdfcbank.com
Phone: 0866-6647400
PAN: AAACH2702H
Mail ID: support@hdfcbank.com
Mail ID: parvathanoni.narash@hdfcbank.com
Mail ID: bhavani.benmadevara@hdfcbank.com
Mail ID: praveenjaysudhara@hdfcbank.com
Mail ID: satish.kasimani@hdfcbank.com

To,
ANDHRA PRADESH POLLUTION CONTROL
BOARD, D NO. 33-26-14, D/2, NEAR
SUNRISE HOSPITAL, PUSHPA HOTEL
CENTRE, CHALAMALAVARI STREET,
KASTURIBAI PET, VIJAYWADA-520010.

OUR REFERENCE : 006GT02190850002
DATE OF ISSUE : 26-MAR-2019
APPLICANT : ADANI WILMAR LIMITED
GUARANTEE AMOUNT : INR12,50,000.00
AMOUNT IN WORDS : RUPEES TWELVE LAKH FIFTY THOUSAND ONLY
EXPIRY PLACE : AHMEDABAD
EXPIRY DATE : 25-MAR-2022
CLAIM DATE : 25-MAR-2023
AMENDMENT DATE : 25-FEB-2021
AMENDMENT NUMBER : 2

DEAR SIR,

PLEASE FIND ENCLOSED THE CAPTIONED GUARANTEE AMENDMENT DULY ISSUED BY US.
THIS GUARANTEE ATTACHED IS TO BE RETURNED TO US WITHIN 15 DAYS FROM
THE DATE IT CEASES TO BE IN FORCE OR AS SOON AS THE PURPOSE FOR WHICH
IT HAS BEEN ISSUED IS FULFILLED, WHICHEVER IS EARLIER.

WE CONFIRM THAT THE SIGNATORIES WHO HAVE SIGNED THE SUBJECT
GUARANTEE /EXTENSION AS STATED BELOW HAVE THE REQUISITE POWERS
TO SIGN ON BEHALF OF THE BANK.

1. Mr./Ms. K. SATISH
Designation MANAGER
P.A NO. S11445
C6790
2. Mr./Ms. B. BHAVANI
Designation Sr. Manager
P.A NO. B11336

FURTHER CONFIRMATION OF THIS GUARANTEE IF DESIRED SHOULD BE OBTAINED
FROM THE ABOVE MENTIONED BRANCH.

THIS LETTER FORMS AN INTEGRAL PART OF THE GUARANTEE.

FOR HDFC BANK LTD.

AUTHORISED SIGNATORY/S
P. S. PRAVEEN
Deputy Manager
P-13886

Date of Amendment : 25-FEB-2021

Amendment No : 2

To

ANDHRA PRADESH POLLUTION CONTROL
BOARD, D NO. 33-26-14, D/2, NEAR
SUNRISE HOSPITAL, PUSHPA HOTEL
CENTRE, CHALAMALAVARI STREET,
KASTURIBATPET, VIJAYWADA-520010.

Dear Sir,

Our BG No : 006GT02190850002
Date of Issue : 26-MAR-2019
BG Amount : INR12,50,000.00
Applicant : ADANI WILMAR LIMITED
Expiry Date : 25-MAR-2021
Claim date : 25-MAR-2022

The above Bank Guarantee stands amended as under:

a) Tenor amendments -

New Expiry date : 25-MAR-2022
New Claim date : 25-MAR-2023.

Notwithstanding anything contained herein above,

1. Our liability under this guarantee shall not exceed INR12,50,000.00 (RUPEES TWELVE LAKH FIFTY THOUSAND ONLY), and
2. This guarantee shall be valid up to 25-MAR-2022 and
3. we are liable to pay the guaranteed amount or any part thereof under this guarantee only and only if you serve upon us a written claim or demand in terms of the guarantee on or before 25-MAR-2023 failing which the Bank shall stand released and discharged from any liability whatsoever under this Guarantee.

All claims under this guarantee will be payable at HDFC BANK LTD, 40-5-4A, Hdfc Bank House, 1St Floor, Tikkle Road, Vijayawada-520010

This guarantee will be returned to us as soon as the purpose for which it is issued is fulfilled.
The BG confirmation letter no GTEE/874909 is an integral part of the 006GT02190850002, dated 26-MAR-2019

All other terms and conditions remain unchanged.

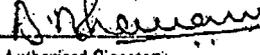
For, HDFC Bank Ltd.


Authorized Signatory

K. SATISH
MANAGER
S11445

CG790

For, HDFC Bank Ltd.



Authorized Signatory
B. BHAVANI
Sr. Manager
S11336

**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 16th SEPTEMBER, 2021.**

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Andhra Pradesh Pollution Control Board,

Regional Office Nellore

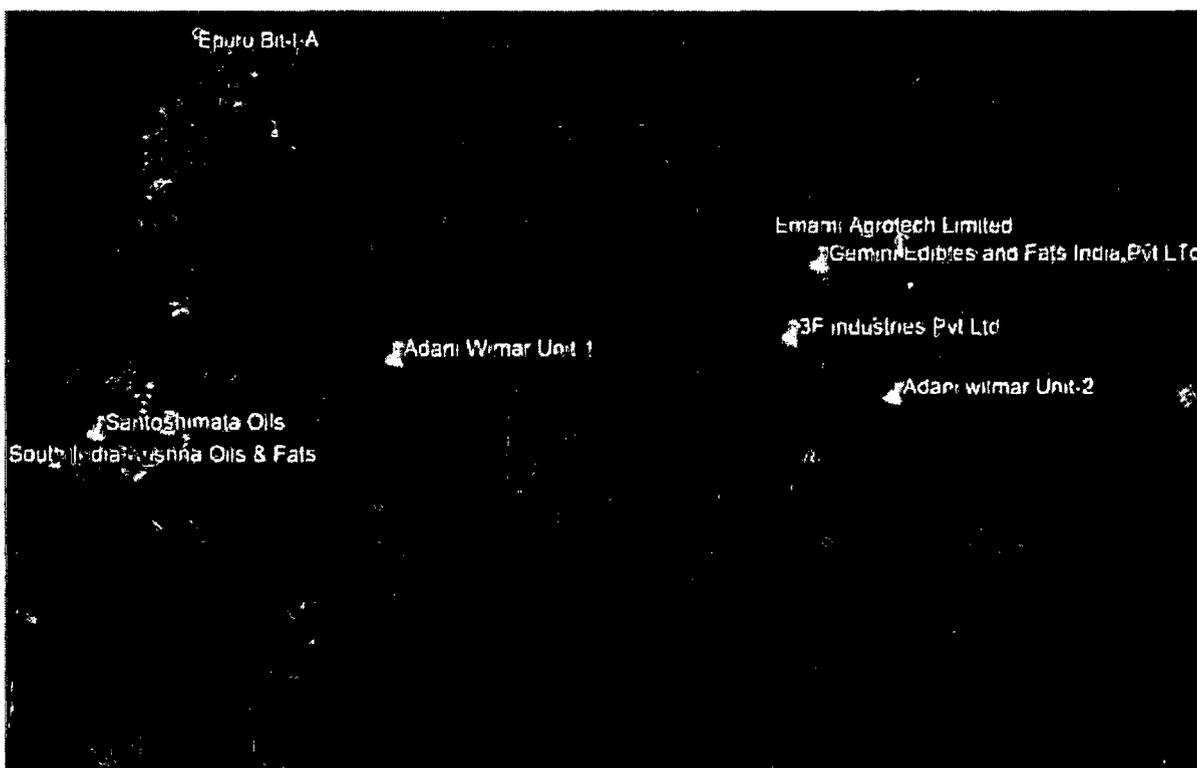
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD

Regional Office
NELLORE

Date: 20.11.2021

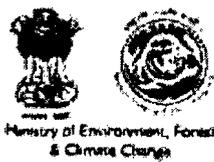
Place: Nellore.

REPORT OF THE JOINT COMMITTEE IN THE MATTER OF O.A. NO. 221/2015 IN COMPLIANCE TO THE HON'BLE NGT SOUTHERN BENCH ORDER DATED 16.09.2021.



Satellite image of Cluster of Edible Oil Industries in Krishnapatnam Port area, SPSR Nellore district, Andhra Pradesh.

**Submitted to
Hon'ble National Green Tribunal
Southern Bench, Chennai
20th November, 2021**



**Ministry of Environment
Forest and Climate Change**



**Central Pollution
Control Board**



**Andhra Pradesh Pollution
Control Board**

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.

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.

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.

<u>M/s. South India Krishna Oil & Fats Pvt. Ltd.</u>			
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.

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 environment. But for the non-compliances observed 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 industries shall pay 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.

3. Prayer:

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



Dr. Suresh Pasupuleti
Scientist-C, Ministry of Environment
Forest and Climate Change, Regional
Office, Vijayawada

Mahima T
Scientist-D, Central Pollution Control Board
Regional Directorate, Chennai



Ch. Rajasekhar
Environmental Engineer,
Andhra Pradesh Pollution Control
Board, Regional Office Nellore

Item No.5:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 221 of 2015 (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)

Versus

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

... Respondent(s)

Date of hearing: 03.02.2021.

CORAM:

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

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Smt. Me. Saraswathy for R1.
Smt. Madhuri Donti Reddy for R2 to R4.
Sri. C. Seethapathy for R5.
Sri. D. Srinivasan for R6, R7, R9, R10.
M/s. Snegha represented

M/s. Apparajitha Vishwanath for R8.
Sri. Parthasarathy represented
Sri. Lakshmi Kumaran for R11.

ORDER

1. As per order dated 07.01.2021, this Tribunal had directed the 5th respondent to submit details regarding the change of identity of the 5th respondent unit as according to them, it has been amalgamated with M/s. Adani Wilmar Limited vide order of the Hon'ble High Court of Gujarat, passed in *Company Petition No.309 of 2015* dated 28.10.2015. We have also directed the committee to submit a further report on the basis of the observations made by them in the report filed and posted the case to today for that purpose.
2. When the matter came up for hearing today through Video Conference, there was no representation for the applicant. Smt. Me. Saraswathy represented 1st respondent, Smt. Madhuri Donti Reddy represented respondents 2 to 4, Sri. C. Seethapathy represented 5th respondent, Sri. D. Srinivasan represented respondents 6, 7, 9 & 10, M/s. Snegha represented Sri. Apparajitha Vishwanath, learned counsel appearing for 8th respondent and Sri. Parthasarathy represented Sri. Lakshmi Kumaran, the learned counsel appearing for the 11th respondent.
3. The learned counsel appearing for the 11th respondent submitted that in respect of 11th respondent also, there is a change in ownership and now

the unit is amalgamated with M/s. Adani Wilmar Limited group and they wanted some time to furnish the details regarding the same.

4. The report of the Joint Committee dated 01.12.2020 which was received on 06.01.2021 by this Tribunal reads as follows:

I Preamble

Cluster of Edible Oil Industries are operating in Krishnapatnam Portregion 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 in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard has appointed a joint committee comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board.

II Orders of the Hon'ble National Tribunal dated 16.03.2020 in OA No 221/2015

Hon'ble NGT vide order dated 16.03.2020 has directed the following " So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF & CC, Chennai and (3) Senior

Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at ngtszfiling@gmail.com." Hon'ble NGT order dated 16.03.2020 and 29.09.2020 is enclosed as Annexure-I and Annexure-II respectively.

III Composition and Scope of Committee

In compliance to Hon'ble NGT order, the following committee was composed:

- 1. Smt. Mahima T, Scientist-D, Central Pollution Control Board, Regional Directorate, Chennai*
- 2. Dr. C. Palpandi, Scientist-C, Ministry of Environment Forest and Climate Change, Regional Office, Chennai*
- 3. Sri. M.Pramod Kumar Reddy, Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office Nellore (Nodal agency)*

The Committee has been vested with the mandate to visit and inspect the site inquestion and vested with followingscope vide the Order dated 16.03.2020:

- a. to ascertain the present status of the functioning of the edible oil refinery units*

- b. to find out whether edible oil units are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning
- c. action taken by Andhra Pradesh Pollution Control Board
- d. to find out whether whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawal of surface water for their purpose
- e. to find out whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements has been provided under the Environment (Protection) Act, 1984
- f. to determine whether these units are properly disposing the fly ash generated during their manufacturing process
- g. imposition of environment compensation against the erring units

IV Site Visit by the Committee

The committee constituted by Hon'ble NGT vide order dated 16.03.2020 convened its first meeting on 27.07.2020 through video conference (VC) with the officials of Regional office, Nellore and reviewed the status of operation of Edible oil industries with respect to Pollution control issues. The committee inspected the units on 13.10.2020 and 14.10.2020. As per the scope vested on the committee, the information is compiled in tables VIa to VIg.

V Process Description- Edible Oil Refining Process

V.a. General information:

Seven edible oil units are operating in Krishnapatnam Port region. The units are involved in refining of crude palm and sunflower oil. The Palm Oil extraction is to be done with the fresh Palm fruit to avoid the deterioration of Palm Oil. Hence, palm oil is extracted in the countries where it is cultivated to avoid its deterioration. All the seven edible oil units are importing crude palm oil from Indonesia, Singapore and Malaysia. Crude Palm Oil is yellow red or dark yellow in color and contains certain impurities which are removed by physical refining. During refining, Phospholipids, free fatty acids, colouring pigments (Carotenoids), Moisture, oxidative material, metal impurities, and water soluble impurities (glycerol, Phenols, Sugars) are removed. Crude sunflower oil is

imported from Ukraine, Argentina, Malaysia. The crude palm oil is physically refined while the sunflower oil is chemically refined. All units are practising similar refining process with only minor modifications in the stages of refining. (carotenoids).

V.b Physical refining of crude palm oil: Crude palm oil contains 3.5% to 4.5% fatty acids that comes out as waste. Around 1% to 2% of fats or oil is lost in bleaching section. Total loss will be around 4.5% to 6.5%.

The stages in physical refining are as follows:

- a. *De-gumming:* It is the process of removal of gums or phosphatides. It comprises the treatment of crude oil with water, salts, enzymes, caustic soda, or dilute acids such as phosphoric acid to remove phosphatides, waxes, pro-oxidants, and other impurities.
- b. *Bleaching:* Trace metal complexes such as iron & copper, colouring pigments, and oxidative products are removed by adsorption using bleaching earth. Spent Earth is sold to soap manufacturing units.
- c. *De-odorizer:* Deodorization / De-acidification is done to remove the volatile components, mainly aldehydes and ketones, which causes smell in refined oil. In Deodorization process, free fatty acid removes in the form of Palm fatty acid distillate as a refining waste. During deodorization, bleached palm oil is steam distilled or boiled. The vapors from this section is the palm fatty acid distillate.
- d. *Crystallization:* Portion of palm oil will crystallize on cooling and is known as palm-stearin or margarine and the other portion remains as liquid and is called palm-olien or cooking oil.

Waste from physical refining: gums and other impurities and wastewater from degumming section, refining waste from refining section. The waste water contains oil and it is removed by centrifuge principles.

V.c Chemical refining of Sunflower oil/ Soybean oil: The steps involved in chemical refining are as follows:

- a. *Neutralization:* Addition of caustic to reduce FFA (gum/ phospho lipid) from crude palm oil
- b. *Bleaching:* Removal of colouring pigments and other impurities
- c. *De-waxing:* The wax so removed is sold to cosmetic industry
- d. *De-odorization:* Removal of fatty acids and other volatile components.
- e. *Fractionation:* separation of hard fraction from refined palm oil

VI. The status of edible oil industries is as follows

VI.a Compliance Status of M/s Gemini Edibles & Fats India Pvt Ltd

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s Gemini Edibles & Fats India Pvt Ltd, Sy.No. 1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore district</i>
<i>b</i>	<i>Contact Details</i>	<i>Sh. Prathap Vice- President Operations <u>+91 -9866556188</u></i>
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15'36.3"N 80°04'19.0"E</i>
<i>d</i>	<i>Area</i>	<i>15.2 acres</i>
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The combined Consent and Authorization issued by APPCB is valid till 30.06.2021.</i>
<i>f</i>	<i>Year of commissioning</i>	<i>2010</i>
<i>g</i>	<i>Production capacity</i>	<i>Refined Vegetable Oil (Physical refining)-550TPD Refined Vegetable Oil (Chemical refining)-250 TPD Fractioned vegetable oil- 600 TPD Interesterified fats- 125 TPD Vanaspathi-100 TPD <u>By-products</u> Distilled fatty acids-13386 Tons Per annum Acid oil-1690 Tons Per annum</i>
<i>h</i>	<i>Coal and flyash storage measures taken to control fugitive emissions</i>	<i>The unit has constructed separate shed for coal storage but however, it was observed during inspection that the size of the shed is small and coal was stored in open. The unit has installed water sprinklers in storage yard. The unit has installed flyash silo of capacity 100 Tonnes (10 days storage capacity against the direction of APPCB to install silo for 30 day storage. The flyash is sold to brick manufacturers. Partially complied.</i>
<i>i</i>	<i>Source of water and quantity of water used per day</i>	<i>Through water tankers and bore wells. The total water requirement of the unit is 610 KLD including domestic requirement. Quality of water will be having TDS of more than 1200 ppm, which has to be treated through RO. Ground water and water audit department has given permission to the unit to utilize 350 KLD of ground through four bore wells but three of them have become dry and the unit has constructed three new bore wells and is drawing 180 KLD of ground water and has obtained fresh permission to draw</i>

		<p>additional 70 KLD of water. The unit has permission to utilize 250 KLD of ground water by 10hrs of pumping from the filter points. But however the major water requirement is met by procuring water in tankers.</p>
j	Effluent generation	<p>Around 30 KLD of effluent is generated from physical refining and is Low TDS effluent which is treated in ETP of capacity 200KL. ETP comprises of collection tank → oil recovery system → primary settling tank → DAF aeration tank → secondary clarifier → RO. Raw water is treated in two stage RO system and RO rejects (70 KLD) is also treated in MEE. Outlet effluent from ETP is treated in RO of 200 KLD capacity. RO permeate is taken to cooling tower and for dust suppression. RO reject is taken to MEE. 20 KL of HTDS effluent is generated from chemical refining section and after oil recovery it is treated in MEE followed by ATFD. ATFD salts sent to TSDF. MEE condensate is used for gardening and dust suppression.</p> <p>There is no proper effluent conveyance system, the open drains carry both effluent and storm water. Though the effluent generation is only 30 KLD and capacity of ETP is 200 KLD. The industry has not given justification for providing higher capacity of the ETP and RO even the industry is generating 30 KLD and 20 KLD of LTDS and HTDS effluents, hence it prevails the industry is operating ETP in phased manner. During storage in collection tank, settling and putrefaction of effluent takes place which is likely to emanate odour.</p> <p>There is no proper mechanism for sludge collection and transferring to sludge drying beds. Sludge was haphazardly stored in ETP area.</p> <p>Part of sewage generated from the unit is also treated in ETP even the industry provided STP of 30 KLD capacity.</p> <p>Not complying</p>

Table VI.a 1: Analysis results of samples collected by APPCB during 30.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	7.26	7.5	8.85	8.53	10.09	6.74	8.35

2	TSS	200	184	136	201	12	186	4	76
3	TDS	2100	3256	4018	10170	2486	52500	90	7240
4	COD	250	960	196	928	192	19680	<10	116
5	BOD	100	364	62	350	56	6152	BDL	34
6	Oil & grease	10	12.6	8.4	25	47	226	BDL	4.0

The results indicate that MEE condensate is not complying with discharge standards stipulated by APPCB. Therefore MEE condensate shall be treated in RO. ETP outlet is around 30 to 35 KLD and RO capacity is 200 KLD, treated effluent is stored in a tank and RO is operated once in a week during which oxidation may take place resulting in BOD & COD reduction. RO reject is having TDS of 7240 mg/L against APPCB stipulated standard of 2100mg/L. Hence RO reject will be treated in MEE.

k	Installation of magnetic flow meters with totalizer	Partially complied The unit has installed flow meters and totalizer at the inlet and outlet of ETP but however the unit has not installed flow meter at raw water inlet. Since both ground water and water from tankers is utilized, the unit has not quantified the total water consumption and water used for various utilities. Partially complied
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Boiler of capacity 20 TPH
		Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)
		3x 1000 KVA DG Sets
		Multi cyclone dust collector followed by Bag filters
		Acoustic enclosures with silencer & Muffler
		OCEMS has been installed at 24 mtr height of chimney. Not complying

TableVI.a.2: Stack monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	SPMmeasured value	APPCB emission standards
Stack attached to 20 TPH boiler	129.7 mg/Nm ³	115 mg/ Nm ³

TableVI.a.3: Ambient air quality monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	PM 10 measured value	APPCB emission standards
Near the main gate within unit premises	132.2 µg/m ³	100 µg/m ³

m	Status of installation of online stack monitoring equipment	The unit has installed online continuous stack monitoring system to measure SPM and it is connected to APPCB server.
n	Status of green belt	Partially complied.

		<p>The unit has developed green belt in an area of 3.5 acres against the requirement of 5.0 acres (33%) with avenue plants. It was informed to the committee that the unit has taken compensatory plantation in their own 32 acres of land in other area. Rain water harvesting pit of 50MtrX40mtr is established inside the plant.</p>					
o	Hazardous waste generation	<p>Unit is generating MEE salts, ETP sludge, used oil and spent nickel catalyst. MEE salts and ETP sludge are disposed to TSDF. The quantity of MEE salts & ETP sludge sent to TSDF is around 9 to 10 MT every three months against consented quantity of 10 MT / month.</p> <p>ETP sludge is not properly removed and stored. Used oil and oil recovered from ETP is sold to soap manufacturers/ oil reclamation units, however no records were shown to committee.</p> <p>No records were shown to the committee on disposal of spent nickel catalyst. There is no proper covered shed for hazardous waste storage.</p>					
p	Actions taken by APPCB during last one year	<p>The APPCB has issued directions to the industry 15.02.2018, 27.12.2018, 17.01.2020. The APPCB has forfeited Bank Guarantee of Rs.5.0 Lakhs on 17.01.2020 for non-compliance of Board directions.</p> <p>Directions were again issued on 28.09.2020.</p> <p>The APPCB has again forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.</p>					
<p>Overall Compliance status</p> <p>APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement but partially complied with few of the directions as detailed above. But the committee observed that APPCB has not received specific complaints against the unit for discharging of effluent outside the industry premises. As per OCEMS records available with APPCB, the unit is not complying with APPCB standards for Particulate Matter. ZLD system installed. The actual water requirement of the unit is more than available water resources in the region. Since the unit is partially complying the committee calculated environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</p>							
S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 13.10.2020*	80	1.5	1	250/-	270	81,00,000/-

<i>Total EC for violation</i>						270	81,00,000/-
<i>Compensation levied by APPCB from 17.01.2020 onwards</i>							15,00,00
<i>Net Compensation to be paid by M/s Gemini Edibles</i>							66,00,000/-
<i>Rupees Sixty-Six Lakhs Only</i>							

List of major non-compliances

- *stack emission and ambient air not complying with APPCB standards w.r.t SPM and PM 10 respectively*
- *MEE condensate and RO reject which is used for green belt development/ dust suppression is not complying with APPCB discharge standards w.r.t TDS and O&G*
- *No proper effluent conveyance system from production block to ETP*

VI.b Compliance Status of Emami Agrotech Limited

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s Emami Agrotech Limited, Sy No.s 501, 502/1 etc., Pantapalem (V), Muthukur (M), SPSR Nellore</i>	
<i>b</i>	<i>Contact Details</i>	<i>Sri M.V.Narayana Murthy- Unit Head Mobile: 9677167862</i>	
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15' 40.2"N 80° 04' 23.2"E</i>	
<i>d</i>	<i>Area</i>	<i>29.78 acres</i>	
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The CFO and Authorization are valid till 30.11.2021</i>	
<i>f</i>	<i>Year of commissioning</i>	<i>2013</i>	
<i>g</i>	<i>Production capacity</i>	<i>Refined Palm oil</i>	<i>1886 TPD</i>
		<i>Sunflower oil</i>	<i>186TPD</i>
		<i>Interesterfied oil</i>	<i>100 TPD</i>
		<i>Hydrogenated Oil</i>	<i>100 TPD</i>
		<i>Vanaspathi</i>	<i>200 TPD</i>
		<i>Refining of Soft Palm oil</i>	<i>130 TPD</i>
		<i>Palmolein</i>	<i>800 TPD</i>
		<i>Bakery Fat</i>	<i>210 TPD</i>
		<i>Palm stearine</i>	<i>200 TPD</i>
		<i>By Product</i>	
		<i>Distilled Palm Fatty Acids</i>	<i>106.325TPD</i>
		<i>Distilled sunflower Fatty acids</i>	<i>0.5 TPD</i>
		<i>Acid Oil</i>	<i>14 TPD</i>

h	Coal and flyash storage measures	<p>The unit has constructed separate shed for storage of rice husk and coal however it was stored both inside and outside the shed. 41 TPD of ash is generated per day. The unit has installed a silo of 150 Tonnes (roughly six days storage capacity) against APPCB direction of 30 days storage capacity. Fly ash spillage was observed in the area. The fly ash is also dumped in North east side of the industry.</p> <p>On the day of inspection, chemical refining plant was not in operation</p> <p>Not complying</p>															
i	Source of water and quantity of water used per day	<p>The total water requirement of the unit is 902 KLD and majority (80 to 90%) of the water requirement is met from tankers. The total water consumed is not quantified by means of flow meter but however the units have maintained registers for the no. of tankers of water received. The quantity of water drawn from borewells is amounted by no. of pumping hours which is not accurate.</p>															
j	Effluent generation	<table border="1" data-bbox="781 1205 1398 1578"> <thead> <tr> <th data-bbox="781 1205 1076 1252">Source</th> <th data-bbox="1076 1205 1398 1252">Wastewater generation</th> </tr> </thead> <tbody> <tr> <td data-bbox="781 1252 1076 1299">Process & Washings</td> <td data-bbox="1076 1252 1398 1299">23.0 KLD</td> </tr> <tr> <td data-bbox="781 1299 1076 1346">Acid Oil Plant</td> <td data-bbox="1076 1299 1398 1346">6.0 KLD</td> </tr> <tr> <td data-bbox="781 1346 1076 1393">Boiler Bleed off</td> <td data-bbox="1076 1346 1398 1393">28.0 KLD</td> </tr> <tr> <td data-bbox="781 1393 1076 1486">Cooling Tower Blow down</td> <td data-bbox="1076 1393 1398 1486">32.0 KLD</td> </tr> <tr> <td data-bbox="781 1486 1076 1533">RO Reject</td> <td data-bbox="1076 1486 1398 1533">60.0 KLD</td> </tr> <tr> <td data-bbox="781 1533 1076 1578">Domestic</td> <td data-bbox="1076 1533 1398 1578">6.0 KLD</td> </tr> </tbody> </table> <p>The quantity of the effluent collected in the ETP is not proportionate with their production and water consumption. The effluent is transferred in open drains from production block to ETP and committee observed that effluent spillage, over flow into adjoining areas. Storm water drains were filled with effluent and drains were clogged. The MEE and Sludge Centrifuge were not in operation since chemical refining was not taking place.</p> <p>STP is provided for treatment of sewage.</p>		Source	Wastewater generation	Process & Washings	23.0 KLD	Acid Oil Plant	6.0 KLD	Boiler Bleed off	28.0 KLD	Cooling Tower Blow down	32.0 KLD	RO Reject	60.0 KLD	Domestic	6.0 KLD
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RO Reject	60.0 KLD																
Domestic	6.0 KLD																
k	Installation of magnetic flow meters with totalizer	<p>Flow meters installed at inlet and outlet of ETP & STP but total water consumed is not quantified</p>															
l	Quantity of effluent discharged and mode of disposal. Components of ETP.	<p>The ETP is very poorly maintained. The aeration was not in operation. Sludge is not removed and oily sludge was accumulated in all components of ETP and which results in</p>															

	<p>improper operation of ETP. The unit has to first scrap and remove the accumulated sludge and send it to TSDF. After sludge removal, the mixing chambers and aerators has to be repaired and ensure that ETP is properly operated.</p> <p>Presently, effluent from filter press is pouring down and not recycled into ETP and sludge is lying below the filter press. Periodically, the sludge is manually removed, packed in bags and stored in ETP area. The unit has not provided dedicated storage shed for storing hazardous wastes. Provision shall be made to recycle the effluent from filter press into ETP. A bin will be provided to collect the sludge from filter press. MEE condensate and RO permeate as well as RO reject is used for dust suppression and green belt development.</p> <p>A periphery drain carrying the effluent and storm water drain was found to join the creek at south-east corner of the unit. Though it is temporarily closed but during heavy rains, there are likely chances of effluent joining the drain.</p> <p>Not complying</p>
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Table VI.b 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	RO permeate	RO reject
1	pH	5.5-9.0	6.63	7.29	2.00	7.30	7.54
2	TSS	200	132	118	156	4	120
3	TDS	2100	2352	2798	11955	198	5137
4	COD	250	1960	320	7800	<10	176
5	BOD	100	627	104	2496	BDL	40
6	Oil & grease	10	13.4	10.8	15.8	BDL	12.0

The unit is using RO reject for dust suppression and green belt. From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards.

m	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Source	Air pollution control device installed
		FBC Boiler of capacity 16 TPH	Multi cyclone dust collector followed by Bag filters and attached to
		Thermic fluid heater of capacity 8.0 lakh k.cal/hr (Coal or husk fired)	Common stack of height 30m

	Thermo siphon of capacity 20 lakh k.cal/hr	Bag filters
	Thermic fluid heater of capacity 6.0 lakh k.cal/hr (Coal or husk fired)	Bag filters
	DG sets of 1x750 KVA, 1x1500 KVA	Acoustic enclosures
	FBC Boiler of capacity 36 TPH	Electro-static precipitators(ESP)- 3 no. of fields with stack height of 35 mtrs
	Thermo siphon of capacity 20 lakh k.cal/hr	Bag filter

TableVI.b.2: Stack monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	123.5 mg/Nm ³	115 mg/Nm ³

TableVI.b.3: Ambient air quality monitoring at M/s Emami Agrotech Limited by APPCB on 18.06.2020

Source	PM 10 measured value	APPCB standards
Near the main gate within unit premises	125.5 µg/m ³	100 µg/m ³

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

n	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online PM monitors and connected to APPCB servers
o	Status of green belt	Reported that the unit has planted 7000 trees along the unit boundary but is not complying with 33% green belt. Unit shall further develop green belt in vacant spaces.
p	Hazardous waste generation	MEE Centrifuge salts and ETP sludge are the hazardous wastes generated from the unit. As per the production records and as per consent, the unit has to generate 30TPM of MEE-centrifuge and 8.4 tons of ETP sludge but from the hazardous waste manifest copies it is observed that the unit has despatched only 10-15 tons of hazardous waste to TSDF. This implies that either the unit is not properly operating ETP and

		<p>MEE&MEE Centrifuge or the hazardous waste so generated is haphazardly disposed. It was observed that sludge was lying in open in the unit premises. There is no dedicated hazardous waste storage shed.</p> <p>Oil recovered from ETP is sold to soap manufacturers.</p>
q	Actions taken by APPCB during last one year	<p>APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards and for exceeding the consented production in terms of chemical refining. The unit was again inspected by APPCB officials on 31.01.2020 & 04.02.2020 and found non-complying. APPCB vide order dated 20.03.2020 issued directions to the unit to ensure compliance. APPCB carried out analysis and monitoring on 18.06.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.</p>

Overall Compliance status

APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like replacement of old MEE with new MEE and installation of Centrifuge in place of ATFD which is not adequate for converting MEE concentrate in to salts. During APPCB inspections during January and February, 2020, unit was found discharging effluent into adjoining drains.

Further, the unit is not complying with effluent discharge and emission standards stipulated by APPCB, with APPCB directions dated 20.03.2020, no proper effluent transfer system. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 20.03.2020*	80	1.5	1	250/-	63	18,90,000/-
2	21.03.2020 to 13.10.2020	80	1.5	1	250/-	206	61,80,000 x 2 (for repeated violation) =1,23,60,000
3	Compensation levied by APPCB on or after 17.01.2020						10,00,000/-
Total Environmental Compensation for violation						269	1,32,50,000/-
Rupees One Crore Thirty-two lacs fifty thousand Only							

Major Non-Compliances

- The unit has not achieved ZLD. Instead of MEE-ATFD the unit has installed MEE-centrifuge which is not adequate to convert MEE concentrate to salts.
- The unit is not complying with effluent discharge and emission standards stipulated by APPCB. No proper effluent transport system is provided, the drains are completely clogged. The effluent generated and hazardous waste generated is not matching with the production details and water consumption.
- Flyash is found dumped adjacent to the unit in north-eastern direction
- During APPCB inspections in January and February, 2020, the unit was found discharging the effluent into storm water drains located outside the industry.

VI.C. Compliance Status of M/s Adani Wilmar Limited (Unit-I)

a	Name & complete address of the unit	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.														
b	Contact Details	Sri. Vishal Jain, Unit Head Email: Vishal.Jain1@adaniwilmar.in Mobile No.: 8886060496														
c	Geo-coordinates	14°15' 27.14"N 80° 03' 16.38"E														
d	Area	14.91 acres														
e	Status of CFO & Authorizations and its compliance	The CFO and Authorization are valid till 31.03.2021														
f	Year of Commissioning	2011														
g	Production capacity	<table border="1"> <tr> <td>Refined vegetable Oils (Physical Refining)</td> <td>600 TPD</td> </tr> <tr> <td>Interesterfied Vegetable Fats</td> <td>100 TPD</td> </tr> <tr> <td>Hydrogenated Vegetable Oils</td> <td>100 TPD</td> </tr> <tr> <td>Refined vegetable Oils (Chemical refining)</td> <td>200 TPD</td> </tr> <tr> <td>Bakery Fat</td> <td>145 TPD</td> </tr> <tr> <td>By Products</td> <td></td> </tr> <tr> <td>Distilled Fatty Acid</td> <td>45.55 TPD</td> </tr> </table>	Refined vegetable Oils (Physical Refining)	600 TPD	Interesterfied Vegetable Fats	100 TPD	Hydrogenated Vegetable Oils	100 TPD	Refined vegetable Oils (Chemical refining)	200 TPD	Bakery Fat	145 TPD	By Products		Distilled Fatty Acid	45.55 TPD
Refined vegetable Oils (Physical Refining)	600 TPD															
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Refined vegetable Oils (Chemical refining)	200 TPD															
Bakery Fat	145 TPD															
By Products																
Distilled Fatty Acid	45.55 TPD															

h	Coal and flyash storage measures taken to control fugitive emissions	<p>The industry has provided shed for storage of coal with water sprinklers.</p> <p>The unit is generating 480 TPM of flyash and unit has installed ash silo of 100MT (around seven days' storage capacity) against APPCB direction of installing silo of 30 days' storage capacity. Reported that unit is disposing the flyash on alternate day basis.</p>								
i	Source of water and quantity of water used per day	<p>The total water requirement of the unit is 260 KLD and additional 4KLD is recycled from RO plant. The unit is having permission from Ground Water and Water Audit department to draw 150 KLD of ground water. But due to high salinity the unit 75% of water requirement is met from tankers.</p>								
j	Effluent generation	<p>The unit is generating 90 KLD of effluent. Low TDS effluent is treated in ETP of 115KL capacity comprising of Fat trap, equalisation tank, chemical dosing tank, primary settling tank, aeration, Secondary settling tank, Aeration tank2, clarifier, Tube settler and filter press. Treated effluent from ETP is further treated in RO. It is a ZLD plant.</p> <table border="1" data-bbox="776 1260 1422 1617"> <thead> <tr> <th data-bbox="776 1260 1230 1356">Source</th> <th data-bbox="1230 1260 1422 1356">Wastewater generation</th> </tr> </thead> <tbody> <tr> <td data-bbox="776 1356 1230 1520">Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)</td> <td data-bbox="1230 1356 1422 1520">73.0 KLD</td> </tr> <tr> <td data-bbox="776 1520 1230 1565">Acid wash</td> <td data-bbox="1230 1520 1422 1565">8.0 KLD</td> </tr> <tr> <td data-bbox="776 1565 1230 1617">Domestic</td> <td data-bbox="1230 1565 1422 1617">10.0 KLD</td> </tr> </tbody> </table> <p>High TDS effluent is treated in three stage MEE-15KL capacity followed by ATFD.</p> <p>Sewage is treated in septic tank followed by soak pit.</p> <p>Rainwater harvesting pits and Summer storage tank is available. Summer storage tank capacity is 180MT</p>	Source	Wastewater generation	Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD	Acid wash	8.0 KLD	Domestic	10.0 KLD
Source	Wastewater generation									
Process & washings include (Boiler Bleed Off, Cooling Towers blow down, RO rejects)	73.0 KLD									
Acid wash	8.0 KLD									
Domestic	10.0 KLD									
k	Installation of magnetic flow meters with totalizer	<p>Flow meters installed at inlet and outlet of ETP and MEE feed tank. Flow meter is not installed to quantify raw water consumption.</p>								
<p>Table VI.C 1: Analysis results of samples collected by APPCB during 23.06.2020</p>										

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate	RO permeate	RO reject
1	pH	5.5-9.0	6.42	7.22	5.56	4.09	5.94	6.5	7.69
2	TSS	200	200	122	136	12	200	20	120
3	TDS	2100	2642	1380	28925	208	38051	740	4990
4	COD	250	1712	260	34000	24	67200	32	112
5	BOD	100	420	60	8500	2.6	16800	52	28
6	Oil & grease	10	20.2	16.4	28.2	BDL	20	BDL	BDL

MEE condensate is not complying with discharge limits stipulated by APPCB for pH. The unit shall neutralize the MEE condensate before discharging.

RO reject is not complying with APPCB discharge limits for TDS. RO reject shall be treated in MEE before discharging. RO permeate is complying with standards.

From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP.

1	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Boiler of capacity 1 x 16 TPH	Mechanical dust collectors fol. by bag filters
		Boiler of capacity 1 x 12.0 TPH	
		Thermic Fluid Heater 2 x 6 Lakh. K. Cal/ hour & 1 x 10 Lakh. K. Cal/hour	Dust collectors
		Thermo siphon of capacity 4 lakh k.cal/hr	Acoustic enclosure
		DG sets of 1x1250 KVA, 2x625 KVA	

Table VI.C.2: Stack monitoring by APPCB on 23.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	101.8 mg/Nm ³	115 mg/ Nm ³

Table VI.C3: Ambient air quality monitoring at M/s, Adani Wilmar Limited (Unit-I) by APPCB on 23.06.2020

Source	PM ₁₀ measured value	APPCB standards
Near the main gate within unit premises	95.5 µg/m ³	100 µg/m ³

The unit is complying with stack emissions and ambient air standards.		
<i>m</i>	<i>Status of installation of online stack monitoring equipment</i>	<i>Stack attached to boiler is provided with continuous online PM monitors and connected to APPCB servers</i>
<i>n</i>	<i>Status of green belt</i>	<i>The unit has developed green belt in around 4 acres of land.</i>
<i>o</i>	<i>Hazardous waste generation</i>	<i>MEE salts (0.2 TPD) and ETP sludge (0.4 TPD) are the hazardous wastes generated from the unit and it is stored in 40 MT covered shed and it is disposed to TSDF</i>
<i>p</i>	<i>Actions taken by APPCB during last one year</i>	<i>APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 27.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non compliance of the Board directions.</i>
<p>Overall Compliance status:</p> <p><i>As compared to other units in the region, M/s Adani Wilmar Unit-I has implemented lot of corrective measures. There were proper effluent transfer system, Emissions are complying with APPCB norms.</i></p> <p><i>Major non-compliances observed in the unit are</i></p> <ul style="list-style-type: none"> • <i>MEE condensate is not meeting the APPCB stipulated standards w.r.t pH. The unit shall be directed to check for pH and neutralize the effluent before final discharge.</i> • <i>Illegal drawal of ground water through tankers from outside agencies.</i> • <i>Not provided ash silo for 30 days storage capacity</i> 		

VI.d. Compliance Status of M/s. Adani Wilmar -(Unit-II)

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s. Adani Wilmar -(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</i>		
<i>b</i>	<i>Contact Details</i>	<i>Sri G. Sreenivasulu, Plant Head +91- 9444398011 sreenivasulu.gundarapu@adaniwilmar.in</i>		
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15' 20"N 80° 04' 25.9"E</i>		
<i>d</i>	<i>Area</i>	<i>15.58 acres</i>		
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The CFO and Authorization are valid till 29.02.2024</i>		
<i>f</i>	<i>Year of Commissioning</i>	<i>2011</i>		
<i>g</i>	<i>Production capacity</i>	<i>S.N</i>	<i>Products</i>	<i>Quantity</i>
		<i>01</i>	<i>Physical Refining Refined Vegetable Oil (Palm Oil, Palmolein, Palm Stearin)</i>	<i>600 TPD</i>

		02	Chemical Refining Refined Vegetable Oil (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	200 TPD						
		02	Fractionated Vegetable Oil	800 TPD						
		03	Interesterified Vegetable Oil	150.0 TPD						
		04	Vanaspathi	150.0 TPD						
		Co-Product								
		1	Palmstearin	167.0 TPD						
		By-products								
		1	Distilled Fatty Acids (Physical refining) (Palm Oil, Palm kernel, Palmolein)	48.0 TPD						
		2	Distilled Fatty Acids (Chemical refining) (Soya bean Oil, Sunflower Oil, Groundnut Oil, Rice Bran Oil, Cotton Seed Oil, Mustard Oil, Rapeseed Oil, Sesame Oil)	0.8 TPD						
		3	Acid Oil	4.0 TPD						
		4	Soap Stock	4.0 TPD						
		5	Acid Sludge	0.6 TPD						
		6	Gums	9.0 TPD						
<i>h</i>	Coal and flyash storage	<p>The unit is generating 940 TPM of flyash and unit has installed silo of 40 tonnes (roughly around Two days storage) against APPCB direction of 30 days storage capacity storage capacity. Lot of Fly ash spillage was observed in the area.</p> <p>Reported that unit is disposing flyash on alternate days. The unit should have had minimum of 10 days storage capacity.</p>								
<i>i</i>	Source of water and quantity of water used per day	<table border="1"> <thead> <tr> <th>Source</th> <th>Water consumption</th> </tr> </thead> <tbody> <tr> <td>Floor washings, plant washings from physical refining process, inter-esterfied fats, vanaspathi unit</td> <td>15.0 KLD</td> </tr> <tr> <td>Chemical refining Manufacturing Process</td> <td>25.0 KLD</td> </tr> </tbody> </table>			Source	Water consumption	Floor washings, plant washings from physical refining process, inter-esterfied fats, vanaspathi unit	15.0 KLD	Chemical refining Manufacturing Process	25.0 KLD
Source	Water consumption									
Floor washings, plant washings from physical refining process, inter-esterfied fats, vanaspathi unit	15.0 KLD									
Chemical refining Manufacturing Process	25.0 KLD									

		<table border="1"> <tr> <td>Washings in chemical refining (Acid Oil Wash)</td> <td>30.0 KLD</td> </tr> <tr> <td>DM/ Softener</td> <td>5.0 KLD</td> </tr> <tr> <td>Boiler R.O. (Fresh water for Boiler feed-210 KLD)</td> <td>275.0 KLD</td> </tr> <tr> <td>Cooling towers (Non contaminated)</td> <td>70.0 KLD</td> </tr> <tr> <td>Cooling towers (contaminated)</td> <td>60.0 KLD</td> </tr> <tr> <td>Gardening</td> <td>30.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>20.0 KLD</td> </tr> <tr> <td>Total</td> <td>530</td> </tr> </table> <p>Though the unit has obtained permission to withdraw 380 KL of ground water but 75% of the water requirement is met from tankers.</p>	Washings in chemical refining (Acid Oil Wash)	30.0 KLD	DM/ Softener	5.0 KLD	Boiler R.O. (Fresh water for Boiler feed-210 KLD)	275.0 KLD	Cooling towers (Non contaminated)	70.0 KLD	Cooling towers (contaminated)	60.0 KLD	Gardening	30.0 KLD	Domestic	20.0 KLD	Total	530
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j	Effluent generation	<table border="1"> <tr> <td>Process & Washings physical and chemicals, Cooling tower, Boiler blow down</td> <td>100.0 KLD</td> </tr> <tr> <td>Feed water RO Reject & DM/ Softener back wash</td> <td>70.0 KLD</td> </tr> <tr> <td>Acid Oil Wash</td> <td>30.0 KLD</td> </tr> <tr> <td>Domestic</td> <td>15.0 KLD</td> </tr> </table> <p>The unit has installed an ETP of 200 KLD capacity followed by RO plant of 10 KLH capacity for treatment of LTDS. HTDS effluent is treated in three stage three stage MEE -60 KLD followed by ATFD to meet ZLD system but ATFD is completely worn out and is not in operation. Sewage is treated in Septic tanks followed by soak pits. But it was observed that ETP is not properly maintained. ETP sludge is stored in the ETP section in open and leachate was flowing. ETP comprises of Fat Trap, Equalization tank, Chemical Dosing tank, Primary Clarifier, Collection tank, Aeration tank, Secondary Clarifier, secondary Collection tank, Filter Press (2No.). Effluent carrying drains were clogged.</p> <p>Unit has constructed rainwater harvesting pits and summer storage tank of 1600 KL capacity.</p>	Process & Washings physical and chemicals, Cooling tower, Boiler blow down	100.0 KLD	Feed water RO Reject & DM/ Softener back wash	70.0 KLD	Acid Oil Wash	30.0 KLD	Domestic	15.0 KLD								
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k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, MEE outlet.																
Table VI.d 1: Analysis results of samples collected by APPCB during 18.06.2020																		

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	5.27	7.64	7.13	8.08	6.24
2	TSS	200	186	122	206	4	180
3	TDS	2100	4279	2516	5100	80	22840
4	COD	250	772	360	404	BDL	58020
5	BOD	100	290	114	136	BDL	14876
6	Oil & grease	10	18.2	12.6	15	BDL	158

On the day of APPCB inspection RO was not in operation and treated effluent was directly discharged without treating in RO. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards

1	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	Air pollution source	Air pollution control device provided
		FBC Boiler of capacity 20.0 TPH	Multi cyclone dust collector followed by Bag filters
		Thermic fluid heaters of capacity 5.0 lakh k.cal/hr, 12.5 lakh k.cal/hr & 6.0 lakh K.cal/hr ;	Chimney to disperser the flue gases
		FBC boiler of Capacity 7.0 TPH	Dust Collector & Bag filter
		Thermo Syphon 1x15 Lakh.k.cal	Mechanical dust collectors fol.by bag filters
		DG sets of 1x1010 KVA, 1x1250KVA .	Acoustic enclosure
		The unit has installed online emission monitor system to measure SPM and is connected to APPCB server.	

TableVI.d.2: Stack monitoring at by APPCB on 30.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 7 TPH boiler	85.5 mg/Nm ³	115 mg/ Nm ³

TableVI.d.3: Ambient air quality monitoring by APPCB on 30.06.2020

Source	PM ₁₀ measured value	APPCB standards
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Near the main gate within unit premises	90.5 $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$																																																
The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.																																																		
m	Status of installation of online stack monitoring equipment	FBC boilers are connected with continuous online SPM monitors and connected to APPCB servers																																																
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 to 4.0 acres against APPCB requirement of 5 acres (33%)																																																
o	Hazardous waste generation	5.5 TPD of ATFD salts and ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers																																																
p	Actions taken by APPCB during last one year	APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 7.50 lakhs on 28.09.2020 for non compliance of the Board directions.																																																
<p>Overall Compliance status</p> <p>APPCB issued directions to the unit vide order dated 15.02.2018. Further, the unit is not complying with APPCB directions dated 17.01.2020, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Two days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</p> <table border="1"> <thead> <tr> <th>S.N</th> <th>Period of noncompliance</th> <th>PI</th> <th>S</th> <th>LF</th> <th>R (Rs)</th> <th>N (days)</th> <th>Environmental compensation (Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>17.01.2020 to 14.10.2020</td> <td>80</td> <td>1.5</td> <td>1</td> <td>250/-</td> <td>271</td> <td>81,30,000/-</td> </tr> <tr> <td colspan="6">EC for violation</td> <td>271</td> <td>81,30,000/-</td> </tr> <tr> <td colspan="6">EC levied by APPCB after 17.01.2020</td> <td></td> <td>7,50,000/-</td> </tr> <tr> <td colspan="6">Total EC to be paid by unit</td> <td></td> <td>73,80,000/-</td> </tr> <tr> <td colspan="8" style="text-align: center;">Rupees Seventy-Three lacs and Eighty thousand Only</td> </tr> </tbody> </table>			S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)	1	17.01.2020 to 14.10.2020	80	1.5	1	250/-	271	81,30,000/-	EC for violation						271	81,30,000/-	EC levied by APPCB after 17.01.2020							7,50,000/-	Total EC to be paid by unit							73,80,000/-	Rupees Seventy-Three lacs and Eighty thousand Only							
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VI.E Compliance Status of M/s South India Krishna Oil & Fats Pvt.Ltd

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s.South India Krishna Oil & Fats Pvt.Ltd., Sy.No.275,279,280 & 281,Epuru Bit - 1B, Pantapalem (V), Muthukur (M), SPSR Nellore Dist</i>																													
<i>b</i>	<i>Contact Details</i>	<i>Sri B. Muthu Krishnan, GM +91-7799800065 vincent.paul@sioils.com</i>																													
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15' 19.7"N 80° 02' 50"E</i>																													
<i>d</i>	<i>Area</i>	<i>16.12 acres</i>																													
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The CFO and Authorization are valid till 31.03.2022</i>																													
<i>f</i>	<i>Year of Commissioning</i>	<i>2014</i>																													
<i>g</i>	<i>Production capacity</i>	<table border="1"> <tr> <td><i>Refined Oil (Physical Refining)</i></td> <td><i>1000 TPD</i></td> </tr> <tr> <td><i>RBDPalmolein</i></td> <td><i>800 TPD</i></td> </tr> <tr> <td><i>TBD Stearine</i></td> <td><i>200 TPD</i></td> </tr> <tr> <td><i>Vanaspathi</i></td> <td><i>200 TPD</i></td> </tr> <tr> <td><i>Palm Powder</i></td> <td><i>72 TPD</i></td> </tr> <tr> <td><i>Palm Flakes</i></td> <td><i>50 TPD</i></td> </tr> <tr> <td colspan="2"><i>By Product</i></td> </tr> <tr> <td><i>Distilled Fatty Acid (Physical Refining)</i></td> <td><i>42 TPD</i></td> </tr> <tr> <td><i>Refined Vegetable Oil (Soyabean,Sunflower,Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)</i></td> <td><i>192 TPD</i></td> </tr> <tr> <td colspan="2"><i>By Product</i></td> </tr> <tr> <td><i>Distilled Fatty Acid (Chemical Refining)</i></td> <td><i>0.488 TPD</i></td> </tr> <tr> <td><i>Acid Oil</i></td> <td><i>4.0 TPD</i></td> </tr> <tr> <td><i>Soap Stock</i></td> <td><i>8.0 TPD</i></td> </tr> <tr> <td><i>Wax</i></td> <td><i>2.05 TPD</i></td> </tr> </table>		<i>Refined Oil (Physical Refining)</i>	<i>1000 TPD</i>	<i>RBDPalmolein</i>	<i>800 TPD</i>	<i>TBD Stearine</i>	<i>200 TPD</i>	<i>Vanaspathi</i>	<i>200 TPD</i>	<i>Palm Powder</i>	<i>72 TPD</i>	<i>Palm Flakes</i>	<i>50 TPD</i>	<i>By Product</i>		<i>Distilled Fatty Acid (Physical Refining)</i>	<i>42 TPD</i>	<i>Refined Vegetable Oil (Soyabean,Sunflower,Round Nut, Ricebean, Cotton Seed, Mustarad, Rape Seed by Chemical Refining)</i>	<i>192 TPD</i>	<i>By Product</i>		<i>Distilled Fatty Acid (Chemical Refining)</i>	<i>0.488 TPD</i>	<i>Acid Oil</i>	<i>4.0 TPD</i>	<i>Soap Stock</i>	<i>8.0 TPD</i>	<i>Wax</i>	<i>2.05 TPD</i>
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<i>g</i>	<i>Coal and flyash storage</i>	<p><i>Unit is generating 14 TPD of flyash and is equipped with ash pneumatic conveying system for conveying ash from different points to ash silos and ash shed to avoid the ash escaping into the air.</i></p> <p><i>Ash storage yard having a capacity of 30 days including silo &</i></p>																													

		<i>closed storage shed. Lot of fugitive dust is emitted while loading from storage shed into trucks.</i>													
<i>h</i>	<i>Source of water and quantity of water used per day</i>	<table border="1"> <thead> <tr> <th><i>Source of water</i></th> <th><i>Consumption in KLD</i></th> </tr> </thead> <tbody> <tr> <td><i>Process & washings (physical & chemical)</i></td> <td><i>21.0 KLD</i></td> </tr> <tr> <td><i>Cooling Make up</i></td> <td><i>319.0 KLD</i></td> </tr> <tr> <td><i>Boiler</i></td> <td><i>586.0 KLD</i></td> </tr> <tr> <td><i>Domestic</i></td> <td><i>23.0 KLD</i></td> </tr> <tr> <td><i>Total</i></td> <td><i>949 KLD</i></td> </tr> </tbody> </table> <p><i>Though the unit has obtained permission to withdraw 360 KL of ground water but entire water requirement of 949 KLD is met from tankers.</i></p>		<i>Source of water</i>	<i>Consumption in KLD</i>	<i>Process & washings (physical & chemical)</i>	<i>21.0 KLD</i>	<i>Cooling Make up</i>	<i>319.0 KLD</i>	<i>Boiler</i>	<i>586.0 KLD</i>	<i>Domestic</i>	<i>23.0 KLD</i>	<i>Total</i>	<i>949 KLD</i>
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Table VI.e 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE concentrate
1	pH	5.5-9.0	6.99	7.02	4.89	6.99	5.62
2	TSS	200	132	86	156	12	145
3	TDS	2100	2982	1874	32669	128	36278
4	COD	250	456	216	90800	72	38000
5	BOD	100	146	68	29056	16	12160
6	Oil & grease	10	12.4	6.2	16.5	---	17.0

From the analysis results it is evident that MEE is not properly operated, the concentration of COD and BOD is high in MEE feed rather than in MEE concentrate. There is only slight variation in TDS concentration in MEE feed and concentrate.

j	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, Primary clarifier outlet, RO inlet, RO outlet, ATFD inlet, MEE outlet.								
k	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tbody> <tr> <td>Boiler of capacity 1x24 TPH</td> <td rowspan="3">Mechanical dust collectors fol. by bag filters</td> </tr> <tr> <td>Boiler of capacity 1x15.0 TPH</td> </tr> <tr> <td>Thermo Syphon 1x20 Lakh.k.cal.</td> </tr> <tr> <td>Thermic Fuel Heater 2x6 Lakh. K.cal/hour</td> <td>Mechanical dust collectors fol. by bag filters</td> </tr> <tr> <td>4x750 KVA D.G. Sets</td> <td>Acoustic enclosures</td> </tr> </tbody> </table> <p>The unit has installed online emission monitors to measure SPM and is connected to APPCB server.</p>	Boiler of capacity 1x24 TPH	Mechanical dust collectors fol. by bag filters	Boiler of capacity 1x15.0 TPH	Thermo Syphon 1x20 Lakh.k.cal.	Thermic Fuel Heater 2x6 Lakh. K.cal/hour	Mechanical dust collectors fol. by bag filters	4x750 KVA D.G. Sets	Acoustic enclosures
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4x750 KVA D.G. Sets	Acoustic enclosures									

Table: Stack monitoring by APPCB on 16.06.2020.

Source	SPM measured value	APPCB emission standards
Stack attached to 16 TPH boiler	105.8 mg/Nm ³	115 mg/Nm ³

Table: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM ₁₀ measured value	APPCB standards
--------	---------------------------------	-----------------

Near the main gate within unit premises	89.5 µg/m ³	100 µg/m ³					
<i>The unit is complying with stack emissions and ambient air standards. Odour problem was observed in the industry.</i>							
<i>l</i>	<i>Status of installation of online stack monitoring equipment</i>	<i>OCEMS installed in both the chimnies attached to Boiler -24 TPH & common chimney provided to 15 & 16 TPH boilers which is connected to APPCB Server.</i>					
<i>m</i>	<i>Status of green belt</i>	<i>Unit has planted trees in vacant spaces and along roads in the unit. The unit has developed green belt to an extent 3.5 acres against APPCB requirement of 5 acres (33%). The unit has developed 1.0 Acre of green belt towards South Side outside of the industry.</i>					
<i>n</i>	<i>Hazardous waste generation</i>	<i>0.6 TPD of ATFD salts and 0.037 TPD of ETP sludge are the hazardous wastes generated from the unit. Though there is separate shed but hazardous waste was found lying in ETP area. Oil recovered from ETP is sold to soap manufacturers. Spent earth is disposed to incense sticks manufacturers</i>					
<i>o</i>	<i>Actions taken by APPCB during last one year</i>	<i>APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.</i>					
<p><i>Overall Compliance status</i></p> <p><i>APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like compliance of stack, AAQ and ETP discharge standards.</i></p> <p><i>MEE shall be operated properly</i></p> <p><i>Further, the unit is not complying with APPCB directions, no proper effluent transfer system, effluent clogging in drains, flyash and hazardous waste spillage, flyash silo of storage capacity of Five days against requirement of 30 days. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$</i></p>							
<i>S.N</i>	<i>Period of noncompliance</i>	<i>PI</i>	<i>S</i>	<i>LF</i>	<i>R (Rs)</i>	<i>N (days)</i>	<i>Environmental compensation (Rs)</i>
<i>1</i>	<i>17.01.2020 to 14.10.2020</i>	<i>80</i>	<i>1.5</i>	<i>1</i>	<i>250/-</i>	<i>271</i>	<i>81,30,000/-</i>

<i>EC for violation</i>	271	81,30,000/-
<i>EC levied by APPCB on or after 17.01.2020</i>		10,00,000/-
<i>Total EC to be paid by the unit to APPCB</i>		71,30,000/-
<i>Rupees Seventy- One lacs and thirty thousand Only</i>		

VI.F Compliance Status of M/s. Santhoshimatha Oils and Fats Private Limited

<i>a</i>	<i>Name & complete address of the unit</i>	<i>M/s. Santhoshimatha Oils and Fats Private Limited, Sy.No.252, Epuru Bit-IB, Pantapalem Village, Muthukur Mandal, SPSR Nellore District</i>	
<i>b</i>	<i>Contact Details</i>	<i>Sh. Ganesh Vidhun Kota ganeshvk@smoils.com 9963329792</i>	
<i>c</i>	<i>Geo-coordinates</i>	<i>14°15' 18.1"N 80° 02' 39.1"E</i>	
<i>d</i>	<i>Area</i>	<i>5.52 acres</i>	
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	<i>The CFO and Authorization are valid till 31.01.2022</i>	
<i>f</i>	<i>Year of Commissioning</i>	<i>2016</i>	
<i>g</i>	<i>Production capacity</i>	<i>Refined Palm oil</i>	<i>225 TPD</i>
		<i>By product</i>	
		<i>Distilled Fatty Acids</i>	<i>15 TPD</i>
<i>h</i>	<i>Coal and flyash storage</i>	<i>Unit is generating 8 TPD of flyash and has installed ash silo of 30 tonnes(4- 5 days storage capacity). In addition a covered shed is provided for flyash storage.</i>	
<i>i</i>	<i>Source of water and quantity of water used per day</i>	<i>Source</i>	<i>Water consumption</i>
		<i>Process & Wash</i>	<i>12 KLD</i>
		<i>Boiler Feed & Cooling</i>	<i>70 KLD</i>
		<i>Tower Make up</i>	
		<i>Domestic</i>	<i>8.0 KLD</i>
		<i>Total</i>	<i>90 KLD</i>
		<i>The unit has obtained permission from Ground Water and Water Audit Department, Government of Andhra Pradesh vide order dated 01.10.2020 to draw 70 KLD of ground water.</i>	

		Previously the water requirement was met through tankers. As per the Ground water report the quality of ground water is moderate saline in nature. The water is procured through tankers.				
j	Effluent generation	<table border="1"> <tr> <td>Trade effluents</td> <td>20 KLD</td> </tr> <tr> <td>Domestic</td> <td>5.0 KLD</td> </tr> </table> <p>The unit is involved in only physical refining and only LTDS effluent is generated. The effluent is treated in ETP of 50 KLD followed by RO Plant. ETP comprises of bar screens, oil & grease trap, equalization cum neutralization tank, aeration tank, primary clarifier, aeration tank, secondary clarifier, sand filter, carbon filter, sludge drying beds. ETP outlet is treated in RO plant of 5m³/hr capacity. The treated effluent is utilized for green belt development and RO reject is used for ash quenching.</p>	Trade effluents	20 KLD	Domestic	5.0 KLD
Trade effluents	20 KLD					
Domestic	5.0 KLD					

Table VI.f 1: Analysis results of samples collected by APPCB during 19.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	RO feed	RO permeate	RO reject
1	pH	5.5-9.0	4.94	6.69	7.56	7.11	7.28
2	TSS	200	183	150	160	140	120
3	TDS	2100	4506	2844	1310	521	3460
4	COD	250	860	320	104	20	96
5	BOD	100	326	112	22	2.8	15
6	Oil & grease	10	22.4	18.3	40	BDL	BDL

The unit is not complying with effluent discharge standards with respect to TDS, COD, BOD and Oil & Grease. The RO reject is having TDS higher than the APPCB discharge limits and hence RO reject shall be recycled back to ETP for treatment.

k	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at inlet and outlet of ETP			
l	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of 8.0 TPH</td> <td rowspan="2">Mechanical dust collectors fol.by bag filters</td> </tr> <tr> <td>Thermic Fluid Heater -15 Lakh. K.cal/hr</td> </tr> </table>	Boiler of 8.0 TPH	Mechanical dust collectors fol.by bag filters	Thermic Fluid Heater -15 Lakh. K.cal/hr
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Thermic Fluid Heater -15 Lakh. K.cal/hr					

		DG sets of 1x750 KVA, 1x125 KVA	Acoustic enclosures
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Table VI f 2: Stack monitoring at by APPCB on 16.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 8TPH & boiler	92.5 mg/Nm ³	115 mg/Nm ³

Table VI f 3: Ambient air quality monitoring by APPCB on 16.06.2020

Source	PM10 measured value	APPCB emission standards
Near the main gate within unit premises	118.5 µg/m ³	100 µg/m ³

The unit is not complying with ambient air standards.

M	Status of installation of online stack monitoring equipment	The industry has installed small boiler of 8.0 TPH, hence not installed Online Stack monitoring.
n	Status of green belt	Unit has planted trees in vacant spaces and along roads in an extent of 1.4 Acres. But unit is yet to develop green belt in 0.4 acres of land to meet 33% of Green belt area.
o	Actions taken by APPCB during last one year	APPCB vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 5.0 lakhs on 28.09.2020 for non compliance of the Board directions.
p	Overall Compliance status	<p>The industry is not a respondent in the hon'ble NGT OA No 221/2015 as the industry was not established at that time. But as it is located in the cluster at present, the APPCB issued directions to the unit vide order dated 15.02.2018. This is small scale edible oil refinery unit operating with only physical refinery section with 225 TPD capacity.</p> <p>The unit has taken steps for improvements. Further, the unit is not complying with APPCB directions, flyash silo of storage capacity of Four days against requirement of 30 days, not meeting the effluent discharge standard and ambient air quality.</p>

VI. G Compliance Status of M/s. 3F Industries Limited

a	Name & complete address of the unit	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,) Sy.No. 1604, APIIC- IALA, EPURU I-B Pantapalem (V) Muthukuru (M) SPSR Nellore Dist.
b	Contact Details	P. Srinivasa Rao, Plant Manager

		91-9642225502 <i>psrao@fff.co.in</i>																									
<i>c</i>	<i>Geo-coordinates</i>	14°15' 28.8"N 80° 04' 09.4"E																									
<i>d</i>	<i>Area</i>	11.62 acres																									
<i>e</i>	<i>Status of CFO & Authorizations and its compliance</i>	The CFO and Authorization are valid till 31.03.2022																									
<i>f</i>	<i>Year of Commissioning</i>	2011.																									
<i>g</i>	<i>Production capacity</i>	<table border="1"> <tr> <td><i>Refined Edible Oils (Physical Refining)</i></td> <td>670.166 TPD</td> </tr> <tr> <td><i>Refined Edible Oils (Chemical Refining)</i></td> <td>100 TPD</td> </tr> <tr> <td><i>Vanaspathi & Bakery Shortenings</i></td> <td>90 TPD</td> </tr> <tr> <td><i>Margerine</i></td> <td>30 TPD</td> </tr> <tr> <td><i>Fatty Acids</i></td> <td>200 TPD</td> </tr> <tr> <td><i>Toilet Soap Noodles</i></td> <td>50 TPD</td> </tr> <tr> <td colspan="2" style="text-align: center;"><u>BY PRODUCT</u></td> </tr> <tr> <td><i>Fatty Acids</i></td> <td>27.74 TPD</td> </tr> <tr> <td><i>Glycerine</i></td> <td>18 TPD</td> </tr> <tr> <td><i>Pitch Oils</i></td> <td>7 TPD</td> </tr> <tr> <td><i>Filter Cake/ Spent Earth</i></td> <td>1.22 TPD</td> </tr> <tr> <td><i>Fatty acids/ Acid Oils</i></td> <td>3.35 TPD</td> </tr> </table>		<i>Refined Edible Oils (Physical Refining)</i>	670.166 TPD	<i>Refined Edible Oils (Chemical Refining)</i>	100 TPD	<i>Vanaspathi & Bakery Shortenings</i>	90 TPD	<i>Margerine</i>	30 TPD	<i>Fatty Acids</i>	200 TPD	<i>Toilet Soap Noodles</i>	50 TPD	<u>BY PRODUCT</u>		<i>Fatty Acids</i>	27.74 TPD	<i>Glycerine</i>	18 TPD	<i>Pitch Oils</i>	7 TPD	<i>Filter Cake/ Spent Earth</i>	1.22 TPD	<i>Fatty acids/ Acid Oils</i>	3.35 TPD
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<i>h</i>	<i>Coal and flyash storage</i>	Unit is generating 27 TPD of flyash. Unit has provided ash silo of 60 Tonnes capacity which is sufficient for ash storage for 2 days against APPCB direction of 30 days storage.																									
<i>i</i>	<i>Source of water and quantity of water used per day</i>	<table border="1"> <thead> <tr> <th><i>Source</i></th> <th><i>Water consumption</i></th> </tr> </thead> <tbody> <tr> <td><i>Process & Washings</i></td> <td>50.0 KLD</td> </tr> <tr> <td><i>Boiler make up & Cooling tower make up</i></td> <td>360 KLD</td> </tr> <tr> <td><i>RO reject water (used for cooling tower makeup)</i></td> <td>253 KLD</td> </tr> <tr> <td><i>Total</i></td> <td>663 KLD</td> </tr> </tbody> </table> <p>Entire water requirement of 663 KLD is met from Tankers.</p>		<i>Source</i>	<i>Water consumption</i>	<i>Process & Washings</i>	50.0 KLD	<i>Boiler make up & Cooling tower make up</i>	360 KLD	<i>RO reject water (used for cooling tower makeup)</i>	253 KLD	<i>Total</i>	663 KLD														
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		Domestic	15 KLD
<p>ETP of 200 KLD & RO plant , MEE-100 KLD provided with ATFD to meet ZLD system. Septic tanks followed by soak pits are provided for treatment of domestic effluents.</p> <p>On the day of inspection, it was observed that the ETP was not in operation. Thick Sludge was deposited in ETP section. The oil was spilled all over the plant. MEE and ATFD were not properly operated. The pumps were not working and effluent was leaking. There was no proper effluent transfer system from production block to ETP. There were lot of temporary arrangements.</p>			

Table VI.g 1: Analysis results of samples collected by APPCB during 23.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	Ro feed	RO permeate	RO reject
1	pH	5.5-9.0	5.34	6.85	7.92	7.53	7.09	5.74
2	TSS	200	160	90	204	76	54	4
3	TDS	2100	3772	1248	5826	1248	3134	430
4	COD	250	1580	232	3580	128	368	12
5	BOD	100	410	68	1124	40	106	1.8
6	Oil & grease	10	22.4	9.0	20.8	1.8	1.2	BDL

The Outlet of ETP is meeting the Board stipulated standards. The MEE is not in operation during the Board officials inspection and sample collection. ON the day of committee inspection MEE was not in operation.

K	Installation of magnetic flow meters with totalizer	Flow meters with totalizers at ETP inlet, MEE inlet and outlet												
L	Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location	<table border="1"> <tr> <td>Boiler of capacity 1x35 TPH</td> <td>ESP</td> </tr> <tr> <td>Boiler of capacity 1x2.0 TPH</td> <td>Bag filters</td> </tr> <tr> <td>Boiler of capacity 1x8 TPH; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x20.0 Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk</td> <td>Bag filters</td> </tr> <tr> <td>Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel: Coal/Husk</td> <td>Dust collectors</td> </tr> </table>	Boiler of capacity 1x35 TPH	ESP	Boiler of capacity 1x2.0 TPH	Bag filters	Boiler of capacity 1x8 TPH; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x20.0 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermo Fluid heater of capacity 1x40 Lakh.k.cal/hr; Fuel: Coal/Husk	Bag filters	Thermic Fluid heater of capacity 1x6 Lakh.k.cal/hour; Fuel: Coal/Husk	Dust collectors
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		Coal Mill of capacity 10 TPH	Bag filters				
		DG sets of 3x750 KVA	Acoustic enclosure				
The unit has installed online emission monitors to measure SPM and is connected to APPCB server.							
Table VI g 2: Stack monitoring at by APPCB on 23.06.2020							
Source	SPM measured value	APPCB emission standards					
Stack attached to 35TPH boiler	133.5 mg/Nm ³	115 mg/Nm ³					
Table VI g 3: Ambient air quality monitoring by APPCB on 23.06.2020							
Source	PM10 measured value	APPCB emission standards					
Near the main gate within unit premises	138.6 µg/m ³	100 µg/m ³					
The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.							
M	Status of installation of online stack monitoring equipment	OCEMS installed in the stack connected to 35 TPH boiler and connected to APPCB Server.					
N	Status of green belt	The plantation is very sparse and is not complying with 33% of green belt.					
O	Hazardous waste generation	The unit is generating 1TPD of MEE salts and 0.034 TPD of ETP sludge. The quantity of sludge generated is very less and sludge is not properly disposed.					
P	Actions taken by APPCB during last one year	APPCB has vide order dated 16.02.2018 issued certain directions to the industry and forfeited Bank Guarantee of Rs.5.0 Lakhs for non-compliance of the directions. The APPCB has again issued modified directions on 17.01.2020 for not complying with APPCB discharge and emission standards. The unit was again inspected by APPCB officials on 28.07.2020 and found non-complying. Directions were issued on 28.09.2020. The APPCB has forfeited Bank guarantee of Rs 10.0 lakhs on 28.09.2020 for non compliance of the Board directions.					
Overall Compliance status							
The committee observed major violations in the unit w.r.t effluent handling and treatment and sludge disposal. ETP was accumulated with sludge. The unit is not complying with emission monitoring, ambient air quality.							
The industry has constructed and commissioned hydrogenated stearine and stearine beads manufacturing plant inside the existing industry without obtaining consent for establishment and consent for operation of the APPCB.							
Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula							
$EC=PI \times N \times R \times S \times LF$							
S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)

1	17.01.2020 to 28.09.2020	80	1.5	1	250/-	255	76,50,000/-
2	29.09.2020 to 14.10.2020	80	1.5	1	250/-	15	4,50,000/- * 2 for repeated violation
Total EC for violation						271	85,50,000/-
EC levied by APPCB on or after 17.01.2020							10,00,000/-
EC to be paid by unit to APPCB							75,50,000/-
Rupees Seventy- Five lacs and Fifty thousand Only							

VII Actions taken by APPCB

1. The APPCB is continuously reviewing the status of air pollution/ water pollution control equipments provided and compliance of the APPCB standards etc for control of pollution problems from the edible oil industries operating at Krishnapatnam port area from last Five years in connection with the O.A. NO.221 of 2015 filed before the Hon'ble NGT.
2. The status of industries with regards to compliance of the directions are reviewing before External Advisory Committee meetings held at Board office, APPCB and issuing directions time to time. It is to submit that the status of implementation of action plan by the edible oil units was reviewed before Task Force Committee at Board Office during its meetings held on 25.06.2016, 15.07.2016, 05.08.2016, 27.08.2016, 16.09.2016, 30.09.2016, 11.11.2016, 03.12.2016, 30.12.2016, 20.01.2017, 04.02.2017 & 09.11.2017.
3. The board has issued directions to the Edible oil industries on 15.02.2018, 17.01.2020 & 28.09.2020.
4. The APPCB has also forfeited Bank Guarantee amount of Rs.65 Lakhs in the year 2020 from the above 7 nos of Edible oil industries for non compliance of the APPCB directions.

VIII Overall Observations

1. Presently all edible oil units were operational but on the day of committee inspection only physical refining of palm oil was in operation.
2. The units have made improvements, augmentation of ETP and air pollution control devices. The units have installed facilities like ETP followed by RO, MEE & ATFD to achieve "Zero Liquid Discharge" but there are no proper effluent transport system. But units are yet to achieve 100% compliance to consent conditions of APPCB. All units shall make improvements in drains/ pipelines used for transporting

effluent from production block to ETP. The units shall ensure that storm water is not mixed with effluent.

3. The flyash generated from the units is sold to brick manufacturers. The units have provided ash silo and covered shed for storage of flyash. But the units are not complying with APPCB condition of 30 days silo capacity. The units represented to the unit that installation of such large silo is difficult. The flyash is sold to brick manufacturers at frequency of two to three days in a week. Since the condition was imposed by APPCB, the committee suggests APPCB to review the condition.
4. APPCB is continuous vigil on the edible oil units and issued directions, forfeited bank guarantees due to which no discharge of effluent outside the unit premises was observed during committee inspection.
5. Based on CPCB formula the committee has assessed environmental compensation on the the erring units for violating the directions issued by APPCB vide order dated 17.01.2020.
6. Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.
7. The committee submits to Honble NGT that the units shall carry out performance evaluation of ETP and ZLD system. Based on the TDS concentration in RO reject, the unit shall either treat RO reject in ETP or MEE. (If TDS > 5000mg/l in RO reject, it may be treated in MEE or else in ETP). The units in any case shall not discharge the RO reject without further treatment.

IX Conclusions

1. Construction of CETP: Previously all the units had proposed for construction of common effluent treatment plant but the district administration and the units could not find a suitable land for construction of CETP. Currently all seven units have established their individual effluent treatment plants and hence the proposal of CETP is shelved.
2. As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Considering

this the committee recommends that all edible oil units in Krishnapatnam Port area to install common desalination plant thereby sea water may be drawn, treated and to be used by all edible oil industries by requesting the management of the Krishnapatnam port Ltd who is nodal agency for importing the crude edible oil on behalf of the edible oil industries management. Thereby withdrawal of ground water and procurement of water from tankers will be avoided. The units shall install desalination plant within a period of one year and entire water requirement has to be met from desalination only. The units shall install electromagnetic flow meters with totalizer to quantify the water consumption.

3. *The units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated. The committee submits to Hon'ble NGT to instruct APPCB to direct APPCB to safely store the spent nickel catalyst and to dispose the same to authorized re-processors. The units shall be directed to comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.*
4. *During the inspection, the committee did not observe any discharge of effluent into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises. But however, in all the units except M/s Adani Wilmar unit-I, there is no proper effluent conveyance system/ pipelines to transfer effluent from production blocks to effluent treatment plant. The committee observed that open drains were used for effluent transfer and during rains, effluent and rain water may overflow into the peripheral drains (drains are provided all along the boundary of the units to collect the effluent). The units informed that during rains, water/effluent is taken to ETP from peripheral drains and no effluent is let out of the unit. The units shall be directed to close the peripheral drains at the exit point near unit boundary. The drains used for transfer of effluents from production block to ETP are clogged, thick oily scum is floating on top and sludge is settled at bottom of drains. Under these circumstances very little effluent may be transferred to ETP and effluent may overflow into area/ soil adjacent to the drains. The committee submits to Hon'ble NGT to instruct APPCB to direct the industries to establish proper effluent pipelines within a period of two months of adequate size to transfer effluent from production block to ETP and for utilization of treated effluent. The pipelines shall be periodically cleaned and cleaning water shall be routed to ETP to prevent any clogging. The status of cleaning shall be submitted to APPCB while submitting compliance reports.*
5. *The units shall maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal. Though all units*

informed that the same were disposed for incense sticks manufacturer and soap industries, however no records were shown to committee.

- 6. The units are importing crude palm oil and sunflower oil from Malaysia, Singapore and Indonesia. The Port Authorities are testing the crude oil for presence of any mineral oil and after ensuring that no mineral oil is present, the consignment is handed to the units. While verifying the documents, the committee observed that the quantity of the imported crude is around 60% to 70% of the unit production. The units are locally procuring crude oil from other industries (it was reported that these industries purchase palm and sunflower from farmers and extract crude and sell to edible oil refineries in Krishnapatnam). The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The committee humbly submits to Hon'ble NGT that the units have to 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.*
- 7. The flyash generated from the industries are sold to brick manufacturers. APPCB directed the units to install flyash silo of 30 day storage capacity with an objective that during rainy season, if the ash is not taken by the brick manufacturers on a daily or weekly basis, the ash could be safely stored in silo for a period of atleast 30 days and from silo it can be transferred directly into trucks. But all seven units have not complied with this condition and have installed a silo of capacity handling flyash for period varying from seven to ten days. Further it was informed to the committee that the units are disposing the flyash on alternate days and is not stored in the unit beyond a week. The committee submits to Hon'ble NGT to direct APPCB to hold a meeting with edible oil units, brick manufacturers, flyash transporters and any other flyash users and review the direction. Fly ash is being dumped in the North-Eastern Direction of M/s Emami Agrotech Ltd in public lands adjacent to M/s Gemini Edible and M/s Emami Agrotech. The land does not belong to any edible oil unit, and none of the industry are ready to take responsibility for removing the flyash. Since the flyash is dumped in land adjacent to M/s Emami and M/s Gemini, both of these industries as part of CSR activity will take complete responsibility to remove the dumped flyash and send it to brick manufacturers.*
- 8. The units have not made proper arrangements for flyash storage and loading into the trucks. It was observed during inspection that lot fugitive dust was emitted during loading operations. The units shall ensure wetting or water spraying at the time of loading of flyash and also the feeding hopper is covered.*

9. The committee has assessed environmental compensation for serious violation and for not meeting conditions stipulated in the consent. The units shall pay Environmental Compensation to APPCB as summarized below:

Sl. No	Name of the Unit	Environmental Compensation to be paid by the unit to APPCB 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	71,30,000/-
5	M/s. 3F Industries Limited (Formerly Foods fats & Fertilizers Ltd.,)	75,50,000/-

10. The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The Committee submits that Hon'ble NGT instructs APPCB to direct the units to establish fresh points for online dust monitors. The units have to ensure that all the stacks connected to boilers are provided with APCD's and OCEMS including the stand-by boilers. The units shall augment their pollution control devices so as to ensure that they comply with the standards stipulated by APPCB. The units shall take measures to prevent fugitive dust generated during loading, unloading of raw materials, products, flyash etc so as to meet the National Ambient Air Quality Standards.
11. The units shall upgrade the effluent treatment plants, periodically remove the accumulated sludge and oil from the tanks and send the same to TSDF. The units shall properly operate the ETP and ensure that they comply with the effluent discharge standards stipulated by APPCB.
12. The public roads surrounding the industries are in very poor condition due to movement of heavy vehicles. All the edible oil units shall collectively construct new concrete roads as part of CSR activity. The units shall develop green belt all along the boundary of the units 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."

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.

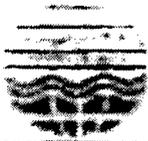
9. The Registry is directed to communicate this order to the members of the committee by e-mail immediately so as to enable them to comply with the direction.

10. For consideration of further report, objections if any, to the report, post on 26.03.2021.

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

.....E.M.
(Shri. Saibal Dasgupta)

**O.A. No.221/2015,
03rd February, 2021. Mn.**



Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - M/s.3F Industries Limited (formerly M/s.Foods Fats & Fertilizers Ltd) Sy. No. 1604, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021- Directions - Issued - Reg.

Ref:

1. CFO order issued to the industry on 23.07.2016.
2. Memorandum of Application No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt 17.01.2020.
4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
5. Order No. 149/APPCB/UH-II/TF/NLR/2019, dt. 28.09.2020
6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020
7. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated 10.08.2021
9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
10. External Advisory Committee (Task Force) Meeting held on 07.09.2021

WHEREAS you are operating an edible oil refinery unit in the name & style of M/s. 3F Industries limited (formerly M/s.Foods Fats & Fertilizers Ltd.) at Sy. No. 1604, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPS Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry on 23.07.2016 for a period upto 30.06.2021 to produce Refined Vegetable Oils (Physical) - 670.16 Tons/day, Refined Vegetable Oil (Chemical) - 100 Tons/day etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

WHEREAS the M/s.3F Industries Limited (formerly M/s.Foods Fats & Fertilizers Ltd) Sy No 1604, Epuru 1-B, Pantapalem (V), Muthukuru (M), SPSR Nellore District submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai ..

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions, the 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall immediately pay the EC of Rs.1,10,06,000/- within a week time
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.
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.
4. The industry shall not discharge treated/ untreated effluents into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.
5. The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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.
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.
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.

12. The industry shall ensure that the storm water drainage system as below:

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- 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 stormwater drains

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.

14. The industry shall extend the existing Bank Guarantees for further period of one year

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.08.202

Sd/-

VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT

(70

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

// T.C.F.B.O. //

SENIOR ENVIRONMENTAL ENGINEER
UH-II



ANDHRA PRADESH POLLUTION CONTROL BOARD

D.No.33-28-14, D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamajavari street, Kasturbaipet, Vijayawada - 520 010

Phone:0866-2483200.
Grams - Kallesya Nivaranam
Website: www.appcb.ap.nic.in

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Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - 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), SPS Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - Directions - Issued - Reg.

- Ref:**
1. CFO order issued to the industry on 19.03.2016.
 2. O.A.No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt.17.01.2020
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No. 149/APPCB/UH-II/TF/NLR/2019, Date:28.09.2020.
 6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020.
 7. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
 8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated 10.08.2021.
 9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating an edible oil refinery unit in the name & style of M/s Adani Wilmar Limited (formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.) at Sy. No.292, 317, Pantapalem (V) (Epur 1B), Muthukur (M), SPS Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry on 19.03.2016 for a period upto 30.03.2021 to produce Refined Vegetable Oils (Physical)- 600 Tons/day, Interestified Vegetable fats - 100 Tons/day, etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

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WHEREAS the M/s Adani Wilmar Limited (Formerly M/s. Krishnapatnam Oils & Fats Pvt. Ltd.), Sy.No 292, 317, Pantapalem (V), Muthukuru (M), SPSR Nellore District submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai.

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions the 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

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.
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.
3. The industry shall not discharge treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
4. The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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.
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.
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.

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.

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.

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.

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

Sd/-

VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT

To

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), SPS Nellore Distric

// T.C.F.B.O. //

SENIOR ENVIRONMENTAL ENGINEER
UH-II



OrderNo.149/APPCB/UH-II/TF/NLR/2018--

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - M/s. Adani Wilmar (Unit-II) (Formerly Louis Dreyfus Commodities India Pvt. Ltd.), Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - **Directions - Issued - Reg.**

- Ref:**
1. CFO order issued to the industry on 19.03.2019.
 2. Memorandum of Application No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt.17.01.2020.
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No. 149/APPCB/UH-II/TF/NLR/2019, dt. 28.09.2020.
 6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020.
 7. The Hon'ble NGT order dated 07.01.2021 in O.A. No 221 of 2015.
 8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated 10.08.2021.
 9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating industry in the name & style of M/s. Adani Wilmar Limited (Unit-II) (formerly M/s. Louis Dreyfus Company India Pvt Ltd.) an edible oil refinery unit at Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry dated 19.03.2019 valid upto 28.02.2024 to produce Physical refining of Refined Vegetable Oils (Palm oil, Palmolein, Palmstearin) - 600 Tons/day, Chemical refining Refined Vegetable Oil (Soyabean oil, Sun flower oil, Ground nut oil, Rice bran oil, Cotton seed oil, Mustard oil, Rapeseed oil, Sesame oil) - 200 Tons/day etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

WHEREAS the M/s. Adani Wilmar (Unit-II) (Formerly Louis Dreyfus Commodities India Pvt. Ltd), Sy. No.1601, Epuru Bit-1B, APIIC, Pantapalem (V), Muthukur (M), SPSR Nellore Dist submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai.

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions, the 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 of EC and issue of 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall immediately pay the EC of Rs. 73,80,000/- within a week time
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.
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.
4. The industry shall not discharge any treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
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.
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
7. The Industry shall provide online AAQ monitoring station to measure PM10 in the surrounding villages.
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.
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.
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.

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.
12. The industry shall ensure that proper segregation of various types of hazardous wastes and provide provision with leachate collection.
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.
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
15. The industry shall extend the existing Bank Guarantee for further period of one year

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

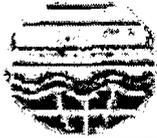
Sd/-
VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT

To

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

// T.C.F.B.O. //

[Signature]
SENIOR ENVIRONMENTAL ENGINEER
UH-II



Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited), Sy. Nos.501, 502/1, etc. Pantapalem (V), Muthukur (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - Directions - Issued - Reg.

- Ref:**
1. CFO order issued to the industry on 09.12.2015.
 2. Memorandum of Application No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020- dt.20.03.2020.
 4. The Hon'ble NGT Orders dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No. 149/APPCB/UH-II/TF/NLR/2019, dt 28.09.2020.
 6. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020.
 7. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
 8. Joint committee inspection on 29.07.2021 & 30.07.2021 and committee report dated 10.08.2021.
 9. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating industry in the name & style of M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited) established & operating an Edible oil refinery unit at Sy Nos.501, 502/1, etc. Pantapalem (V), Muthukur (M), SPSR Nellore District.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry on 09.12.2015 (amendment order dated 24.02.2016), 26.12.2016 (expansion) & 13.11.2018 (existing) for a period upto 30.11.2021 to produce Refined Palm Oil - 1886 Tons/day, Sunflower oil - 186 TPD etc.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No 221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions to the industry dt 20.03.2020 including submission of additional Bank Guarantee of Rs.10.0 Lakhs.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS vide reference 6th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS vide reference 7th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT

WHEREAS the M/s. Emami Agrotech Limited (formerly M/s. Emami Biotech Limited), Sy Nos.501, 502/1, etc. Pantapalem (V), Muthukur (M), SPSR Nellore District submitted their objections on joint committee report.

WHEREAS vide reference 8th cited, the committee again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 10th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions, the 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 of EC and issue of 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall immediately pay the EC of Rs.1,32,50,000/- within a weektime
2. 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.
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.
4. The industry shall not discharge treated/ untreated effluents into the Budhakaluva drain, Pantapalem irrigation channel or into land outside the industry premises.
5. The Industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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.
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.
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.
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.
 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
 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.
 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.

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

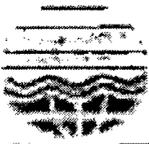
This Order comes into effect from today i.e., 23.09.2021.

Sd/-
VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT

To
M/s. Emami Agrotech Limited
(formerly M/s. Emami Biotech Limited),
Sy. Nos.501, 502/1, etc. Pantapalem (V),
Muthukur (M), SPSR Nellore District.

// T.C.F.B.O. //

SENIOR ENVIRONMENTAL ENGINEER
UH-II



Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Sub: PCB - HO - UH-II - TF - M/s. Gemini Edibles & Fats India Pvt. Ltd., Sy No.1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A No.221 of 2015 - Non-compliance of Board Directions - Legal hearing held on 07.09.2021 - Directions - Issued - Reg.

- Ref:**
1. CFO order issued to the industry dated 15.07.2021.
 2. Memorandum of Application No. 221 of 2015 filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No.149/APPCB/UH-II/TF/NLR/2020-1813 dt.17.01.2020.
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Order No 149/APPCB/UH-II/TF/NLR/2019, dt. 28.09.2020.
 6. Joint Committee Inspection on 13.10.2020 & 14.10.2020 and Committee report dated 01.12.2020.
 7. The Hon'ble NGT Orders dated 07.01.2021 in O.A. No.221 of 2015.
 8. Joint Committee Inspection on 29.07.2021 & 30.07.2021 and Committee report dated 10.08.2021.
 9. The Hon'ble NGT Orders dated 11.08.2021 in O.A. No.221 of 2015.
 10. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating the industry in the name & style of M/s. Gemini Edibles & Fats India Private Limited, at Sy.No.1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore district and engaged in the production of edible oil.

WHEREAS the Board vide reference 1st cited, issued consent for operation to the industry dated 15.07.2021 for a period upto 30.06.2026 to produce Refined Vegetable Oils (Physical)- 700 Tons/day, Refined Vegetable Oil (Chemical) - 400 Tons/day, Fractioned Vegetable oil - 600 Tons/day, Interestified fats - 125 Tons/day and Vanaspali - 100 Tons/day; and by products: Distilled Fatty Acids - 49.176 TPD, Acid Oil - 6.42 TPD and Spent earth - 8.69 TPD.

WHEREAS an application was filed by Smt. Isanaka Vedavathi, R/o. Daruvulapalem, Muthukur Mandal, SPSR Nellore District vide reference 2nd cited, before the Hon'ble National Green Tribunal, Chennai against Pollution problems caused by the above edible oil industries (SI.No.1 to 7) vide O.A.No.221 of 2015. The Board is reviewing the industries and issuing directions time to time.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing in Krishnapatnam area and issued directions on 17.01.2020.

WHEREAS the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located in Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS the Board vide reference 5th cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 28.09.2020.

WHEREAS the joint committee vide reference 6th cited, inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020.

WHEREAS the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

WHEREAS the M/s. Gemini Edibles & Fats India Pvt. Ltd., Sy No.1607/2, Industrial Park, Pantapalem (V), Muthukur (M), SPSR Nellore District submitted their objections on joint committee report.

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WHEREAS the committee vide reference 8th cited, again inspected the edible oil industry on 29.07.2021 & 30.07.2021 and submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai .

WHEREAS vide reference 9th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS legal hearing was conducted before the External Advisory Committee (Task Force) of A P Pollution Control Board on 07.09.2021 vide reference 10th cited. The representatives of the Edible Oil Units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time provided by the board since 2018. Further, they could not able explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions, the 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 of EC and issue of 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall pay the EC of Rs.66,00,000/- within a week time
2. 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.
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.
4. The industry shall not discharge treated/ untreated effluents into the Budhakaluva drain, Pantapalem Irrigation channel or into land outside the industry premises.
5. The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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.
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.
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.

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.
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.
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.
15. The industry shall extend the existing Bank Guarantees for further period of one year.

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

Sd/-
VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT

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

// T.C.F.B.O. //

100
SENIOR ENVIRONMENTAL ENGINEER
UH-II



ANDHRA PRADESH POLLUTION CONTROL BOARD
D.No.33-26-14, D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalaramalavari street, Kasturibalpet, Vijayawada - 520 010

Phone: 0986-2463200.
Grams : Kalusya Nivarana
Website : www.appcb.ap.nic.in

Order No. 149/APPCB/UH-II/TF/NLR/2018-

Date: 23.09.2021.

DIRECTIONS

Subj: PCB - HO - UH-II - TF - M/s. Saraiwalaa Agr. Refineries Limited, Sy.No. 256 257/1, 257/2A, 257/2B, 271, 272, 273/A, 274, Pantapalem (V), Muthukuru (M), SPSR Nellore District - The Hon'ble NGT (SZ), Chennai order dated 11.08.2021 in O.A. No.221 of 2015 - Non-compliance of Board directions - Legal hearing held on 07.09.2021 - **Directions - Issued - Reg.**

- Ref:**
1. Order No N-143/APPCB/ZO-VJ/CFOW&A/2012-606, dt.14.06.2016.
 2. O.A.No. 221 of 2015 filed by Smt. Isanaka Vedavathi R/o Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal, Chennai.
 3. Order No. 149/APPCB/UH-II/TF/NLR/2018, dated 15.02.2018.
 4. The Hon'ble NGT order dated 16.03.2020 in O.A. No.221 of 2015.
 5. Joint committee inspection on 13.10.2020 & 14.10.2020 and committee report dated 01.12.2020.
 6. The Hon'ble NGT order dated 07.01.2021 in O.A. No.221 of 2015.
 7. The Hon'ble NGT order dated 11.08.2021 in O.A. No.221 of 2015.
 8. External Advisory Committee (Task Force) Meeting held on 07.09.2021.

WHEREAS you are operating an edible oil refinery unit in the name & style of M/s Saraiwalaa Agr. Refineries Limited, Sy.No. 256, 257/1, 257/2A, 257/2B, 271, 272, 273/A, 274, Pantapalem (V), Muthukuru (M), SPSR Nellore District.

WHEREAS the Board vide reference 1st cited, issued Consent for operation and Hazardous Waste Authorization to the industry on 14.06.2016, which is expired on 31.05.2021 subject to the compliance of standards and conditions stipulated therein.

WHEREAS vide reference 2nd cited, an application was filed by Smt. Isanaka Vedavathi, R/o Daruvulapalem, Muthukur Mandal, SPSR Nellore District before the Hon'ble National Green Tribunal Chennai against Pollution problems caused by the above edible oil industries (Sl.No.1 to 7) vide O.A.No.221 of 2015.

WHEREAS the Board vide reference 3rd cited, reviewed the edible oil industries existing near Krishnapatnam area and issued directions dated 15.02.2018.

WHEREAS vide reference 4th cited, the Hon'ble NGT, SZ, Chennai vide order dt. 16.03.2020 in O.A. No. 221 of 2015 has appointed a joint committee to inspect the edible oil industries located near Krishnapatnam area, SPSR Nellore district and directed to submit a factual report.

WHEREAS vide reference 5th cited, the joint committee inspected the Edible Oil Industries on 13.10.2020 & 14.10.2020 and submitted report to the Hon'ble National Green Tribunal on 01.12.2020

WHEREAS vide reference 6th cited, the Hon'ble NGT vide order dated 07.01.2021 directed the A.P. Pollution Control Board to serve the copy of the report to the respondents so that they can file their objections, if any, to the NGT.

WHEREAS the Joint committee has again submitted inspection report on 10.08.2021 to the Hon'ble NGT (SZ), Chennai.

WHEREAS vide reference 7th cited, the Hon'ble NGT heard the case on 11.08.2021 and directed the Board to take necessary action.

WHEREAS vide reference 8th cited, legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board on 07.09.2021. The representatives of the Edible oil units and EE RO Nellore attended the meeting through VC. The representatives attended the meeting and could not propose the permanent water source to cater requirement of edible oil industries, despite of ample opportunity and time. Further, they could not able to explain the reasons for delay in repairing of common roads to villages and also reported progress of other conditions.

After detailed discussions the 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. The Board hereby issue the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

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.
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 HoWM Rules, 2016 for transportation and disposal.
3. The industry shall not discharge treated/ untreated effluents into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.
4. The industry shall maintain proper records for fullers earth (by-product) generated and oil recovered from the ETP and its mode of disposal.
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.
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
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.
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
9. 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.
10. 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.
11. 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.
12. 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

You are hereby directed to note that, should you violate any one of the directions mentioned above, your unit will be closed under Sec 33 (A) of Water (Prevention & Control of Pollution) Amendment Act, 1988 and Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987 without any further notice, in the interest of Public Health and Environment.

This Order comes into effect from today i.e., 23.09.2021.

Sd/-

**VIJAY KUMAR GSRKR IAS
SECRETARY TO GOVERNMENT**

To

**M/s. Saraiwala Agr. Refinerles Limited,
Sy.No. 258, 257/1, 257/2A, 257/2B, 271, 272, 273/A, 274,
Pantapalem (V), Muthukuru (M),
SPSR Nellore District.**

// T.C.F.B.O. //

**SENIOR ENVIRONMENTAL ENGINEER
UR-II**

Item No.11:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 221 of 2015 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Isanaka Vedavathi,

... Applicant(s)

Union of India and Ors.

... Respondent(s)

Date of hearing: 11.08.2021.

CORAM:

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

HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER

For Applicant(s): None Appeared.

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

ORDER

1. The above case has been posted to today for Committee to file the report as directed by this Tribunal.

2. When the matter came up for hearing today through Video Conference, there is no representation for the applicant. Smt. Me. Saraswathy represented 1st respondent, Ms. Madhuri Donti Reddy represented respondents 2 to 4, Mr. P.R. Raman through Sri. C. Seethapathy represented 5th respondent, Sri. D. Srinivasan represented respondents 6, 7, 9 & 10, Ms. Sneha for Ms. Apparajitha Vishwanath represented 8th respondent and Ms. Krithika for Sri. Lakshmi Kumaran represented 11th respondent. Service is complete.

3. The Committee has filed a report dated 10.08.2021, e-filed on the same date and received today with the following conclusion:

IX Conclusions:

1. Construction of CETP: Previously all the units had proposed for construction of common effluent treatment plant but the district administration and the units could not find a suitable land for construction of CETP. Currently all seven units have established their individual effluent treatment plants and hence the proposal of CETP is shelved. The individual ETP's established in the units are fully operational.

2. As per the Ground Water and Water Audit Department, Government of Andhra Pradesh, the ground water in the region is saline in nature due to sea water intrusion. The units have to treat the ground water in RO system for use for domestic and industrial purpose. Due to high salinity there are high chances of frequent clogging of RO membranes. In addition, the available ground water resources are not sufficient to meet the industrial water requirements. Thereby withdrawal of ground water and procurement of water from tankers will be avoided. The committee humbly submits to Hon'ble NGT to direct the Andhra Pradesh Industrial Infrastructure Corporation (APIIC) and Department of Industries, Nellore to provide water supply to the industries. There are seven edible oil industries operating in Muthukur village, Krishnapatnam.

3. The units have not disposed spent nickel catalyst to authorized re-processors stating that the small quantity of waste is generated. The committee submits to Hon'ble NGT to instruct APPCB to direct the industries to safely store the spent nickel catalyst and to dispose the same to authorized re-processors. The

units shall be directed to comply with Hazardous Waste Rules, 2016 and shall dispose the hazardous wastes as directed in the consent within 90 days period.

4. During the inspection, the committee did not observe any discharge of effluent into the Budhakuva drain, Pantapalem irrigation channel or into land outside the industry premises.

5. The units shall maintain proper records for fullers earth (bye-product) generated and oil recovered from the ETP and its mode of its disposal. Though all units informed that the same were disposed for incense sticks manufacturer and soap industries, however no records were shown to committee.

6. The units are importing crude palm oil and sunflower oil from Malaysia, Singapore and Indonesia. The Port Authorities are testing the crude oil for presence of any mineral oil and after ensuring that no mineral oil is present, the consignment is handed to the units. While verifying the documents, the committee observed that the quantity of the imported crude is around 60% to 70% of the unit production. The units are locally procuring crude oil from other industries (it was reported that these industries purchase palm and sunflower from farmers and extract crude and sell to edible oil refineries in Krishnapatnam). The crude that is locally purchased is not tested for the presence of mineral oil content or Hydrocarbons. The committee humbly submits to Hon'ble NGT that the units have to 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.

7. Based on the inspection during October, 2020 the committee had assessed environmental compensation for non-compliances during the period 17.01.2020 to 14.10.2020. The committee again inspected during July, 2021 and considering the improvements and compliances/ non-compliances the committee has ascertained EC. The committee submits to Hon'ble NGT to direct the units to pay Environmental Compensation to APPCB as summarized below:

S. No	Name of the Unit	Environmental Compensation to be paid by the unit to APPCB 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/-

8. The units have provided online emission monitoring system to measure PM10. The porthole provided for manual monitoring are utilized by the units to install online dust monitors. The units shall

ensure that real time data is directly transferred from analyser to APPCB server without any interface.

9. Fly ash is found dumped in low lying area to an extent of ten acres in vacant plot. All the industries informed that they are not responsible for the dumping. The committee submits to Hon'ble NGT to direct all seven industries to jointly compact the fly ash and to cover with minimum 10cm clay/ soil cover to prevent ambient dust.

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. The units shall develop green belt all along the boundary of the units 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.

4. 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.
5. For completion of pleading and consideration of further reports, post on 16.09.2021.

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

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

O.A. No.221/2015,
11th August, 2021. AM.

Item No.5:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 221 of 2015 (SZ)
(Through Video Conference)

IN THE MATTER OF:

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

	Respondent	Applicant(s)
Union of India Rep. by its Secretary, Ministry of Environment, Forest & Climate Change, New Delhi 110025.		
Date of hearing: 16.09.2021.		
CORAM:		
	HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER HON'BLE JUDGE K. SATYAGOPAL, EXPERT MEMBER	
For Applicant(s):	Name:	
For Respondent(s):	Sd/- Isanaka Vedavathi for R1, Sd/- Shwetha Vasudevan for R2 to R4, Sd/- Sri. D. Srinivasan for R6, R7, R9, R10, Ms. Shwetha Vasudevan Represented M/s. Apparajitha Vishwanath for R8, Ms. Kirthika represented Sri. Lakshmi Kumaran for R11.	

ORDER

1. The above case has been posted today for filing objections to the report of the committee and also for completion of pleadings.

2. The respondents 9 and 10 filed their objections to the committee report. We feel it appropriate to direct the committee to consider the objections filed by the respondents 9 and 10 and also objections, if any, to be filed by the 11th respondent before them within a week after filing the same before this Tribunal within that time.
3. The respondents 9 and 10 are also directed to submit their copy of the objections filed by them before the members of the committee, so that they can consider the same as directed by this Tribunal.
4. The 11th respondent is directed to file his/her objections to the committee report before one week, before this Tribunal and also to serve a copy of the same to the members of the committee within that time.
5. The committee is directed to consider these objections and give their opinion regarding the same, so that that can also be considered by this Tribunal at the time of considering the matter during final hearing.
6. The learned counsel appearing for the Andhra Pradesh Pollution Control Board (APPCB) submitted that regarding the further action taken, 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.
7. 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.

8. 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 filed in accordance with the rules.

9. The Bench is directed to communicate this order to the members of the committee as well as the official respondents and also to the Chairman, Andhra Pradesh Pollution Control Board (APPCB) along with the copy of the application immediately through e-mail, so as to enable them to comply with the directions.

10. The Bench is directed to file the further report, post on **18.10.2021**.

.....
(Justice K. Ramakrishnan)

Sd/ -
..... E.M.
(Dr. K. Satyagopal)

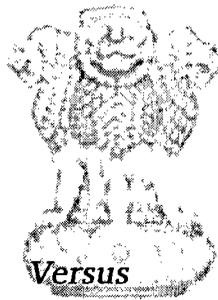
O.A. No.221/2015,
16.09.2021. Sr.

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 Danti 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.
156/2021Mr. 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 Ramabadrán 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.

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.

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.

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.

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 EAG 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 official's of the Joint committee comprising from MoBF&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 (TNPCCB) 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. 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.

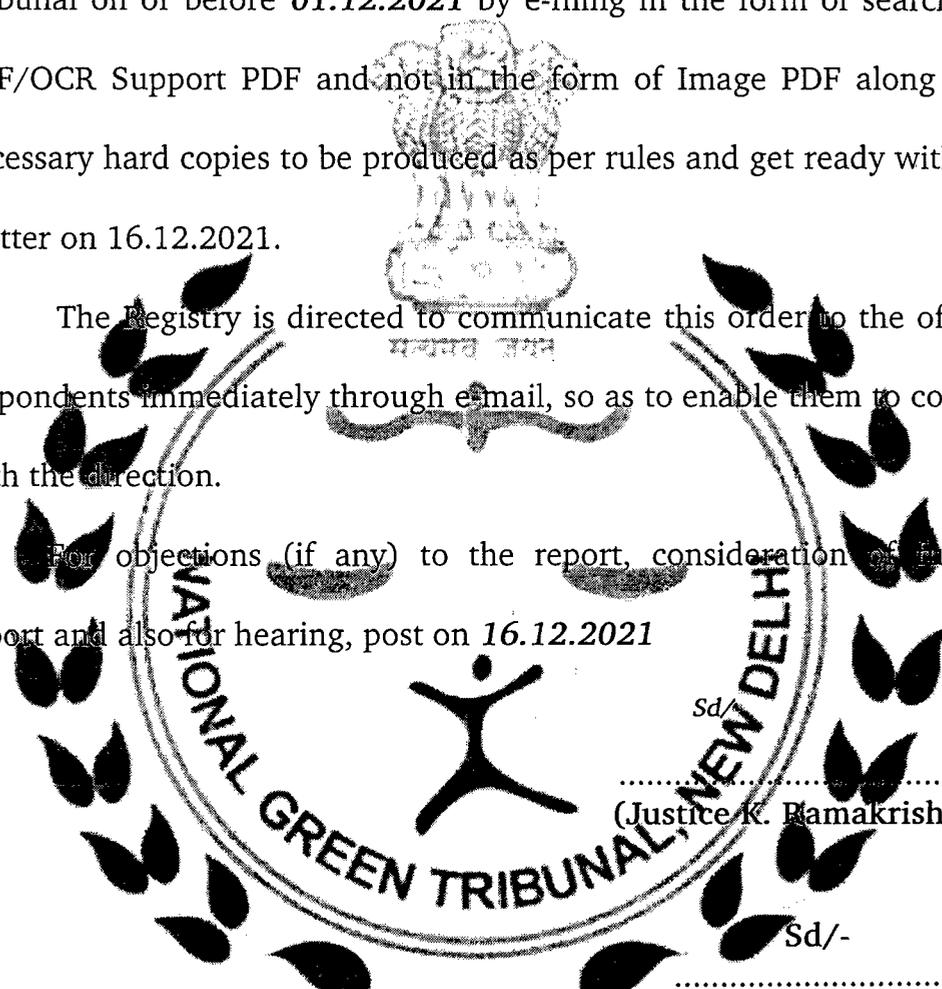
9. The parties are directed to file their objection to the present report submitted by the Joint Committee as well as the Andhra Pradesh Pollution Control Board (APPCB) regarding the quantum of compensation and also the reasons given by them for reiterating their

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 on 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.

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

O.A. No. 221 of 2015

Insanka Vedavathi

..Applicant

..vs..

Union of India & others

..Respondents

**REPLY AFFIDAVIT FILED BY THE
11TH RESPONDENT**

**TO THE JOINT COMMITTEE
REPORT SUBMITTED TO THIS
HON'BLE TRIBUNAL ON 20.11.2021**

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